UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE SECOND SESSION OF THE
ONE HUNDRED THIRTEENTH CONGRESS
OF THE UNITED STATES OF AMERICA

2014

AND

PROCLAMATIONS

VOLUME 128

IN THREE PARTS

PART 1

PUBLIC LAWS 113–73 AND 113–75 THROUGH 113–127

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LIST OF PROCLAMATIONS

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PUBLIC LAWS

ENACTED DURING

SECOND SESSION OF THE ONE HUNDRED THIRTEENTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Friday, January 3, 2014, adjourned sine die on Friday, January 2, 2015. BARACK H. OBAMA, *President;* JOSEPH R. BIDEN, JR., *Vice President;* JOHN A. BOEHNER, *Speaker of the House of Representatives.*

Public Law 113–73
113th Congress

Joint Resolution

Making further continuing appropriations for fiscal year 2014, and for other purposes.

Jan. 15, 2014
[H.J. Res. 106]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Continuing Appropriations Act, 2014 (Public Law 113–46) is amended by striking the date specified in section 106(3) and inserting "January 18, 2014".

127 Stat. 559.

Approved January 15, 2014.

LEGISLATIVE HISTORY—H.J. Res. 106:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Jan. 14, considered and passed House.
Jan. 15, considered and passed Senate.

Public Law 113–75
113th Congress

An Act

Jan. 16, 2014
[H.R. 667]

To redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REDESIGNATION OF DRYDEN FLIGHT RESEARCH CENTER.

(a) REDESIGNATION.—The National Aeronautics and Space Administration (NASA) Hugh L. Dryden Flight Research Center in Edwards, California, is redesignated as the "NASA Neil A. Armstrong Flight Research Center".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the flight research center referred to in subsection (a) shall be deemed to be a reference to the "NASA Neil A. Armstrong Flight Research Center".

SEC. 2. REDESIGNATION OF WESTERN AERONAUTICAL TEST RANGE.

(a) REDESIGNATION.—The National Aeronautics and Space Administration (NASA) Western Aeronautical Test Range in California is redesignated as the "NASA Hugh L. Dryden Aeronautical Test Range".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the test range referred to in subsection (a) shall be deemed to be a reference to the "NASA Hugh L. Dryden Aeronautical Test Range".

Approved January 16, 2014.

LEGISLATIVE HISTORY—H.R. 667:

CONGRESSIONAL RECORD:
Vol. 159 (2013): Feb. 25, considered and passed House.
Vol. 160 (2014): Jan. 8, considered and passed Senate.

Public Law 113–76
113th Congress

An Act

Making consolidated appropriations for the fiscal year ending September 30, 2014, and for other purposes.

Jan. 17, 2014
[H.R. 3547]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Consolidated Appropriations Act, 2014.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consolidated Appropriations Act, 2014".

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

SEC. 3. REFERENCES.

1 USC 1 note.

Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act, printed in the House of Representatives section of the Congressional Record on or about January 15, 2014 by the Chairman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of divisions A through L of this Act as if it were a joint explanatory statement of a committee of conference.

SEC. 5. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2014.

SEC. 6. AVAILABILITY OF FUNDS.

Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 7. TECHNICAL ALLOWANCE FOR ESTIMATING DIFFERENCES.

If, for fiscal year 2014, new budget authority provided in appropriation Acts exceeds the discretionary spending limit for any category set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 due to estimating differences with the Congressional Budget Office, an adjustment to the discretionary spending limit in such category for fiscal year 2014 shall be made by the Director of the Office of Management and Budget in the amount of the excess but not to exceed 0.2 percent of the sum of the adjusted discretionary spending limits for all categories for that fiscal year.

SEC. 8. LAUNCH LIABILITY EXTENSION.

Section 50915(f) of title 51, United States Code, is amended by striking "December 31, 2013" and inserting "December 31, 2016".

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2014.

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $43,778,000, of which not to exceed $5,051,000 shall be available

for the immediate Office of the Secretary; not to exceed $498,000 shall be available for the Office of Tribal Relations; not to exceed $1,496,000 shall be available for the Office of Homeland Security and Emergency Coordination; not to exceed $1,209,000 shall be available for the Office of Advocacy and Outreach; not to exceed $23,590,000 shall be available for the Office of the Assistant Secretary for Administration, of which $22,786,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department; not to exceed $3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $8,065,000 shall be available for the Office of Communications: *Provided*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent: *Provided further*, That not to exceed $11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $16,777,000, of which $4,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155 and shall be obligated within 90 days of the enactment of this Act.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $12,841,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $9,064,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $44,031,000, of which not less than $27,000,000 is for cybersecurity requirements of the Department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $6,213,000: *Provided*, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A–76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Oversight and Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $893,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $21,400,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $233,000,000, to remain available until expended, of which $164,470,000 shall be available for payments to the General Services Administration for rent; of which $13,800,000 is for payments to the Department of Homeland Security for building security activities; and of which $54,730,000 is for buildings operations and maintenance expenses: *Provided*, That the Secretary may use unobligated prior year balances of an agency or office that are no longer available for new obligation to cover shortfalls incurred in prior year rental payments for such agency or office: *Provided further*, That the Secretary is authorized to transfer funds from a Departmental agency to this account to recover the full cost of the space and security expenses of that agency that are funded by this account when the actual costs exceed the agency estimate which will be available for the activities and payments described herein.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $3,592,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, $89,902,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $41,202,000.

OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, $3,440,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION, AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, $893,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, $78,058,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, $161,206,000, of which up to $44,545,000 shall be available until expended for the Census of Agriculture: *Provided,* That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,122,482,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further,* That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: *Provided further,* That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further,* That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further,* That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further,* That section 732(b) of division A of Public Law 112–55 (125 Stat. 587) is amended by adding at the end the following new sentence: "The conveyance authority provided by this subsection expires September 30, 2015, and all conveyances under this subsection must be completed by that date.": *Provided further,* That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

7 USC 2254.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $772,559,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Research and Education Activities" in the

explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, Critical Agricultural Materials Act, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: *Provided further,* That each institution eligible to receive funds under the Evans-Allen program receives no less than $1,000,000: *Provided further,* That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further,* That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $469,191,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Extension Activities" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That funds for facility improvements at 1890 institutions shall remain available until expended: *Provided further,* That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: *Provided further*, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $35,317,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Integrated Activities" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2015.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $893,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $821,721,000, of which $470,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds ("contingency fund") to the extent necessary to meet emergency conditions; of which $12,720,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $35,339,000, to remain available until expended, shall be for Animal Health Technical Services; of which $697,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $52,340,000, to remain available until expended, shall be used to support avian health; of which $4,251,000, to remain available until expended, shall be for information technology infrastructure; of which $151,500,000, to remain available until expended, shall be for specialty crop pests; of which, $8,826,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $54,000,000, to remain available until expended, shall be for tree and wood pests; of which $3,722,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to $1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which $1,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, $1,000,000 shall remain available until expended: *Provided further*, That of amounts available under this heading for the screwworm program, $4,990,000 shall remain available until expended: *Provided further,* That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall

be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2014, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $79,914,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $60,435,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $20,056,000 for formulation and administration of marketing

agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,363,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, $40,261,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $50,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, $811,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,010,689,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2014 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: *Provided further*, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110–246: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services, $893,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,177,926,000: *Provided*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further,* That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further,* That funds made available to county committees shall remain available until expended.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $3,782,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $5,526,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $2,000,000,000 for guaranteed

farm ownership loans and $575,000,000 for farm ownership direct loans; $1,500,000,000 for unsubsidized guaranteed operating loans and $1,195,620,000 for direct operating loans; emergency loans, $34,658,000; Indian tribe land acquisition loans, $2,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $60,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership, $4,428,000 for direct loans; farm operating loans, $65,520,000 for direct operating loans, $18,300,000 for unsubsidized guaranteed operating loans, emergency loans, $1,698,000, to remain available until expended; and Indian highly fractionated land loans, $68,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $314,719,000, of which $306,998,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

For necessary expenses of the Risk Management Agency, $71,496,000: *Provided,* That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $893,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $812,939,000,

to remain available until September 30, 2015: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, $12,000,000 is provided.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, $893,000.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $203,424,000: *Provided,* That no less than $20,000,000 shall be for the Comprehensive Loan Accounting System: *Provided further,* That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further,* That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business—Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $900,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $26,280,000 for section 504 housing repair loans; $28,432,000 for section 515 rental housing; $150,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; $5,000,000 for section 523 self-help housing land development loans; and $5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $24,480,000 shall be for direct loans; section 504 housing repair loans, $2,176,000; and repair, rehabilitation, and new construction of section 515 rental housing, $6,656,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than $5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2014.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $13,992,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $415,100,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $1,110,000,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a 1-year period: *Provided further*, That any unexpended balances remaining at the end of such 1-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2014 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to

the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, $32,575,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $12,575,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, $20,000,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That in addition to any other available funds,

the Secretary may expend not more than $1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $25,000,000, to remain available until expended.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $32,239,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $2,200,000,000 for direct loans and $59,543,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $3,775,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $28,745,000, to remain available until expended: *Provided*, That $5,967,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That $5,778,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by sections 306 and 310B and described in subsections (f) and (g) of section 310B and section 381E(d)(3) of the Consolidated Farm and Rural Development Act, $96,539,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $3,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), $18,889,000.

For the cost of direct loans, $4,082,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $531,000 shall be available through June 30, 2014, for Federally Recognized Native American Tribes; and of which $1,021,000 shall be available through June 30, 2014, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan programs, $4,439,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $33,077,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification

Act of 1936, $172,000,000 shall not be obligated and $172,000,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $26,050,000, of which $2,250,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which $15,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a).

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $3,500,000: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $462,371,000, to remain available until expended, of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $993,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That $66,500,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by 306C(a)(2)(B) and 306D of the Consolidated Farm and Rural Development Act, Federally recognized Native American Tribes authorized by 306C(a)(1), and the Department of Hawaiian Home Lands (of the State of Hawaii): *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural

Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: *Provided further*, That not to exceed $19,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $6,000,000 shall be made available for a grant to a qualified non-profit multi-state regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed $15,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed $4,000,000 shall be for solid waste management grants: *Provided further*, That $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further*, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

For gross obligations for the principal amount of direct loans as authorized by section 1006a of title 16 of the United States Code, except for the limitations contained in the last sentence of such section as well as limitations in section 1002 of title 16, as determined by the Secretary, for projects whose features include agricultural water supply benefits, groundwater protection, and environmental enhancement, $40,000,000: *Provided*, That such loans shall be made by the Rural Utilities Service: *Provided further,* That the Secretary may treat these projects as works of improvement pursuant to Public Law 83–566: *Provided further,* That the Secretary may adopt a watershed plan developed by the Army Corps of Engineers with respect to such projects.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: loans made pursuant to section 306 of that Act, rural electric, $5,000,000,000; guaranteed underwriting loans pursuant to section 313A, $500,000,000; 5 percent rural telecommunications loans, cost of

money rural telecommunications loans, and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $690,000,000: *Provided*, That up to $2,000,000,000 shall be used for the construction, acquisition, or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon sequestration systems.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $34,478,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $34,483,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $24,323,000, to remain available until expended: *Provided*, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section: *Provided further*, That $2,000,000 shall be made available to those noncommercial educational television broadcast stations that serve rural areas and are qualified for Community Service Grants by the Corporation for Public Broadcasting under section 396(k) of the Communications Act of 1934, including associated translators and repeaters, regardless of the location of their main transmitter, studio-to-transmitter links, and equipment to allow local control over digital content and programming through the use of high-definition broadcast, multi-casting and datacasting technologies.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $4,500,000, to remain available until expended: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $10,372,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services, $811,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $19,287,957,000, to remain available through September 30, 2015, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, $17,004,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further,* That of the total amount available, $25,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $6,715,841,000, to remain available through September 30, 2015, of which such sums as are necessary to restore the contingency reserve to $125,000,000 shall be placed in reserve, to remain available until expended, to be allocated as the Secretary deemed necessary, notwithstanding section 17(i) of such Act, to support participation should cost or participation exceed budget estimates: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than $60,000,000 shall be used for breastfeeding peer counselors and other related activities, $14,000,000 shall be used for infrastructure, and $30,000,000 shall be used for management information systems: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: *Provided further*, That upon termination of a federally-mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $82,169,945,000, of which $3,000,000,000, to remain available through September 30, 2015,

shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, $998,000 may be used to provide nutrition education services to State agencies and Federally recognized tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available until expended, notwithstanding section 16(h)(1) of the Food and Nutrition Act of 2008: *Provided further*, That funds made available under this heading for section 28(d)(1) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2015: *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $269,701,000, to remain available through September 30, 2015: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further,* That notwithstanding any other provision of law, effective with funds made available in fiscal year 2014 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2015: *Provided further,* That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $141,348,000: *Provided*, That of the funds provided herein, $2,000,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $177,863,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $2,735,000, shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses": *Provided*, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83–480, as amended), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,466,000,000, to remain available until expended: *Provided*, That for purposes of funds appropriated under this heading, in addition to amounts made available under section 202(e)(1) of the Food for Peace Act, of the total amount provided under this heading, $35,000,000 shall be made available pursuant to section 202(e)(1) of the Food for Peace Act to eligible

organizations: *Provided further*, That funds made available pursuant to section 202(e)(1) of the Food for Peace Act to eligible organizations may, in addition to the purposes set forth in section 202(e)(1)(A)–(C), be made available to assist such organizations to carry out activities consistent with section 203(d)(1)–(3) of the Food for Peace Act: *Provided further*, That notwithstanding any other provision of law, the requirements pursuant to 7 U.S.C. 1736f(e)(1) may be waived for any amounts higher than those specified under this authority for fiscal year 2009.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $185,126,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $6,748,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,394,000 shall be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which $354,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $4,346,670,000: *Provided*, That of the amount provided under this heading, $760,000,000 shall

be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; $114,833,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $305,996,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j–42, and shall be credited to this account and remain available until expended; $20,716,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; $23,600,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; $7,328,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $534,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended; $12,925,000 shall be derived from food and feed recall fees authorized by 21 U.S.C. 379j–31, and shall be credited to this account and remain available until expended; $15,367,000 shall be derived from food reinspection fees authorized by 21 U.S.C. 379j–31, and shall be credited to this account and remain available until expended; and amounts derived from voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31 shall be credited to this account and remain available until expended: *Provided further*, That in addition and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and animal generic drug user fees that exceed the respective fiscal year 2014 limitations are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological product, animal drug, and animal generic drug assessments for fiscal year 2014, including any such fees collected prior to fiscal year 2014 but credited for fiscal year 2014, shall be subject to the fiscal year 2014 limitations: *Provided further*, That the Secretary may accept payment during fiscal year 2014 of user fees specified under this heading and authorized for fiscal year 2015, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2015 for which the Secretary accepts payment in fiscal year 2014 shall not be included in amounts under this heading: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $900,259,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $1,289,304,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $337,543,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $173,207,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $408,918,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office

of Regulatory Affairs; (6) $62,494,000 shall be for the National Center for Toxicological Research; (7) $501,476,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed $178,361,000 shall be for Rent and Related activities, of which $61,922,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed $219,907,000 shall be for payments to the General Services Administration for rent; and (10) $275,201,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, and priority review user fees authorized by 21 U.S.C. 360n may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $8,788,000, to remain available until expended.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, $215,000,000, including not to exceed $3,000 for official reception and representation expenses, and not to exceed $25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which $35,000,000, shall be for the purchase of information technology until September 30, 2015, and of which $1,420,000 shall be for the Office of the Inspector General: *Provided*, That of the amounts made available for information technology, the Chairman of the Commodity Futures Trading Commission may transfer not to exceed $10,000,000 for salaries and expenses: *Provided further*, That any transfer shall be subject to the notification procedures set forth in section 721 of this Act with respect to a reprogramming

of funds and shall not be available for obligation or expenditure except in compliance with such procedures.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $62,600,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships: *Provided further,* That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress: *Provided further*, That no funds available to the Farm Credit Administration shall be used to implement or enforce those portions of the final regulation published in the Federal Register on October 3, 2012, (77 Fed. Reg. 60, 582–602), establishing a requirement that Farm Credit System institutions hold an advisory vote on officer compensation.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 69 passenger motor vehicles of which 69 shall be for replacement only, and for the hire of such vehicles: *Provided*, That notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further,* That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further,* That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written

notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 721 of this Act: *Provided further,* That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further,* That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further,* That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over $25,000 prior to receipt of written approval by the Chief Information Officer.

SEC. 707. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 and section 524(b) of

the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 708. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 709. Notwithstanding any other provision of law, for the purposes of a grant under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998, none of the funds in this or any other Act may be used to prohibit the provision of in-kind support from non-Federal sources under section 412(e)(3) of such Act in the form of unrecovered indirect costs not otherwise charged against the grant, consistent with the indirect rate of cost approved for a recipient.

SEC. 710. Except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency and the Rural Development mission area, shall remain available through September 30, 2015, for information technology expenses.

SEC. 711. The Secretary of Agriculture may authorize a State agency to use funds provided in this Act to exceed the maximum amount of liquid infant formula specified in 7 CFR 246.10 when issuing liquid infant formula to participants.

SEC. 712. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 713. In the case of each program established or amended by the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 714. None of the funds made available in fiscal year 2014 or preceding fiscal years for programs authorized under the Food for Peace Act (7 U.S.C. 1691 et seq.) in excess of $20,000,000 shall be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): *Provided*, That any such funds made available to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 715. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 716. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 717. Section 16(h)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(1)(A)), is amended by inserting "and fiscal year 2014" after "2013".

SEC. 718. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

(1) The Watershed Rehabilitation program authorized by section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)); and

(2) The Environmental Quality Incentives Program as authorized by sections 1240–1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–3839aa–8) in excess of $1,350,000,000.

SEC. 719. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under subsection (b)(2)(A)(vi) of section 14222 of Public Law 110–246 in excess of $878,297,000, as follows: Child Nutrition Programs Entitlement Commodities—$465,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000: *Provided*, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, except in an amount that excludes the transfer of $119,000,000 of the funds to be transferred under subsection (c) of section 14222 of Public Law 110–246, until October 1, 2014: *Provided further*, That $119,000,000 made available on October 1, 2014, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, shall be excluded from the limitation described in subsection (b)(2)(A)(vii) of section 14222 of Public Law 110–246: *Provided further*, That none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause 3 of section 32 of the Agricultural Adjustment Act of 1935 (Public Law 74–320, 7 U.S.C. 612c, as amended), or for any surplus removal activities or price support activities under section 5 of the Commodity

Credit Corporation Charter Act: *Provided further*, That of the available unobligated balances under (b)(2)(A)(vi) of section 14222 of Public Law 110–246, $189,000,000 are hereby rescinded.

SEC. 720. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2015 appropriations Act.

SEC. 721. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify in writing the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Secretary of Health and Human Services or the Chairman of the Commodity Futures Trading Commission receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 722. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 723. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or the Farm Credit Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture, non-Department of Health and Human Services, non-Commodity Futures Trading Commission, or non-Farm Credit Administration employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 724. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 725. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 726. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel who provide nonrecourse marketing assistance loans for mohair under section

1201 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8731).

SEC. 727. Of the unobligated balances in the Natural Resources Conservation Service, Resource Conservation and Development Account, $2,017,000 are hereby permanently cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 728. There is hereby appropriated $1,996,000 to carry out section 1621 of Public Law 110–246.

SEC. 729. There is hereby appropriated $600,000 for the purposes of section 727 of division A of Public Law 112–55.

SEC. 730. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spending plan by program, project, and activity for the funds made available under this Act.

SEC. 731. Of the unobligated balances available to the Department of Agriculture under the account "Agriculture Buildings and Facilities and Rental Payments", $30,000,000 are rescinded: *Provided*, That no amount may be rescinded from funds made available for payments to the General Services Administration for rent and funds made available for payments to the Department of Homeland Security for building security activities.

SEC. 732. Funds made available under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator of the U.S. Agency for International Development, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 733. Of the unobligated balance of funds available to the Department of Agriculture for the cost of section 502 single family housing guaranteed loans for fiscal years 2007 through 2010 under the heading "Rural Development Programs—Rural Housing Service—Rural Housing Insurance Fund Program Account" in prior appropriations Acts, $1,314,000 is rescinded.

SEC. 734. Of the unobligated balances provided pursuant to section 9005(g)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8105(g)(1)), $8,000,000 are hereby rescinded.

SEC. 735. The Secretary shall expand the pilot program currently in effect for packaging section 502 single family direct loans and not later than 90 days after enactment of this Act enter into Memorandums of Understanding with not less than 5 qualified intermediary organizations to work in coordination with the Secretary to increase the effectiveness of the section 502 single family direct loan program in States and communities currently not served under the existing pilot program.

SEC. 736. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 307(b) of division C of the Omnibus Consolidated and Emergency Supplemental

Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–640) in excess of $4,000,000.

SEC. 737. None of the funds made available by this Act may be used to reclassify any area eligible for rural housing programs of the Rural Housing Service on September 30, 2013 as not eligible for such programs.

SEC. 738. Funds received by the Secretary of Agriculture in the global settlement of any Federal litigation concerning Federal mortgage loans during fiscal year 2012 may be obligated and expended, in addition to any other available funds, by the Rural Housing Service to pay for costs associated with servicing single family housing loans guaranteed by the Rural Housing Service and such funds shall remain available until expended.

SEC. 739. In addition to amounts otherwise made available by this Act and notwithstanding the last sentence of 16 U.S.C. 1310, there is appropriated $4,000,000, to remain available until expended, to implement non-renewable agreements on eligible lands, including flooded agricultural lands, as determined by the Secretary, under the Water Bank Act (16 U.S.C. 1301–1311).

SEC. 740. (a) DESIGNATION.—The Federal building located at 64 Nowelo Street, Hilo, Hawaii, shall be known and designated as the "Daniel K. Inouye United States Pacific Basin Agricultural Research Center".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the "Daniel K. Inouye United States Pacific Basin Agricultural Research Center".

SEC. 741. Of the unobligated balances provided pursuant to section 9003(h)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103(h)(1)), $40,694,000 are hereby rescinded.

SEC. 742. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: *Provided*, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 743. (a)(1) There is hereby appropriated $1,000,000 to conduct an assessment of the existing (as of the date of the enactment of this Act) and prospective scope of domestic hunger and food insecurity in accordance with this section.

(2) The Secretary of Agriculture shall select, through a competitive process, and enter into an agreement with an independent, private-sector entity that is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, that has recognized credentials and expertise in domestic hunger affairs to—

(A) conduct the assessment required under subsection (a); and

(B) provide technical expertise to the National Commission on Hunger established under subsection (b).

(3) Not later than 180 days after the date of the enactment of this Act, the entity selected in accordance with paragraph (2) shall submit to the President and Congress and make publicly available a report containing the assessment required under this

subsection and any policy recommendations that such entity considers appropriate.

(b)(1) There is established a commission to be known as the "National Commission on Hunger" (in this section referred to as the "Commission").

(2) The Commission shall—

(A) provide policy recommendations to Congress and the Secretary to more effectively use existing (as of the date of the enactment of this Act) programs and funds of the Department of Agriculture to combat domestic hunger and food insecurity; and

(B) develop innovative recommendations to encourage public-private partnerships, faith-based sector engagement, and community initiatives to reduce the need for government nutrition assistance programs, while protecting the safety net for the most vulnerable members of society.

(3) The Commission shall be composed of 10 members, of whom—

(A) 3 members shall be appointed by the Speaker of the House of Representatives;

(B) 2 members shall be appointed by the minority leader of the House of Representatives;

(C) 3 members shall be appointed by the majority leader of the Senate; and

(D) 2 members shall be appointed by the minority leader of the Senate.

SEC. 744. None of the funds made available by this or any other Act may be used to write, prepare, or publish a final rule or an interim final rule in furtherance of, or otherwise to implement, "Implementation of Regulations Required Under Title XI, of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act" (75 Fed. Reg. 35338 (June 22, 2010)) unless the combined annual cost to the economy of such rules does not exceed $100,000,000: *Provided*, That none of the funds made available by this or any other Act may be used to publish a final or interim final rule in furtherance of, or to otherwise implement, proposed sections 201.2(l), 201.2(t), 201.2(u), 201.3(c), 201.210, 201.211, 201.213, or 201.214 of "Implementation of Regulations Required Under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act" (75 Fed. Reg. 35338 (June 22, 2010)).

SEC. 745. None of the funds made available in this Act may be used to pay the salaries or expenses of personnel to—

(1) inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

(3) implement or enforce section 352.19 of title 9, Code of Federal Regulations.

SEC. 746. The Secretary shall set aside for Rural Economic Area Partnership (REAP) Zones an amount of funds made available in title III under the headings of Rural Housing Insurance Fund Program Account, Mutual and Self-Help Housing Grants, Rural Housing Assistance Grants, Rural Community Facilities Program Account, Rural Business Program Account, Rural Development Loan Fund Program Account, and Rural Water and Waste Disposal

Program Account equal to the amount obligated for REAP Zones by the Secretary with respect to funds provided under such headings in the most recent fiscal year any such funds were obligated under such headings for REAP Zones and such set-asides shall remain in effect until August 15, 2014.

SEC. 747. Fees deposited under the heading "Department of Health and Human Services—Food and Drug Administration—Salaries and Expenses" in fiscal year 2013 and sequestered pursuant to section 251A of the Balanced Budget and Emergency Deficit Control Act, as amended (2 U.S.C. 901a) shall be available until expended for the same purpose for which those funds were originally appropriated.

SEC. 748. For an additional amount for "Animal and Plant Health Inspection Service, Salaries and Expenses", $20,000,000, to remain available until September 30, 2015, for one-time control and management and associated activities directly related to the multiple-agency response to citrus greening.

SEC. 749. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107–76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: *Provided*, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture.

SEC. 750. (a) Section 1240B(a) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(a)) is amended by striking "2014" and inserting "2015".

(b) Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "(6), and (7)),"' and inserting "and (7) and each of fiscal years 2014 and 2015 in the case of the program specified in paragraph (6)),"; and

(2) in paragraph (6)—

(A) in subparagraph (D), by striking "and" after the semicolon at the end;

(B) in subparagraph (E), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(F) $1,622,000,000 in fiscal year 2015.".

This division may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2014".

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

Commerce, Justice, Science, and Related Agencies Appropriations Act, 2014.

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

Department of Commerce Appropriations Act, 2014.

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $470,000,000, to remain available until September 30, 2015, of which $9,439,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than $16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title

28, United States Code, when such claims arise in foreign countries; not to exceed $13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $101,450,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, for the cost of loan guarantees authorized by section 26 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3721), and for grants, and for the cost of loan guarantees and grants authorized by section 27 (15 U.S.C. 3722) of such Act, $209,500,000, to remain available until expended; of which $5,000,000 shall be for projects to facilitate the relocation, to the United States, of a source of employment located outside the United States; of which $5,000,000 shall be for loan guarantees under such section 26; and of which $10,000,000 shall be for loan guarantees and grants under such section 27: *Provided*, That the costs for loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds for loan guarantees under such sections 26 and 27 are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $70,000,000: *Provided further*, That, notwithstanding paragraph (7) of section 27(d) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722(d)(7)), amounts made available in prior appropriations Acts for guaranteeing loans for science park infrastructure under such section shall be available to the Secretary of Commerce to guarantee such loans after September 30, 2013.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $37,000,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $28,000,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $99,000,000, to remain available until September 30, 2015.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, $252,000,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs provided for by law, $693,000,000, to remain available until September 30, 2015: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated, $1,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the Bureau of the Census.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $46,000,000, to remain available until September 30, 2015: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, $3,024,000,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2014, so as to result in a fiscal year 2014 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2014, should the total amount of such offsetting collections be less than $3,024,000,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of $3,024,000,000 in fiscal year 2014 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That any amounts reprogrammed in accordance with the preceding proviso shall be transferred to the United States Patent and Trademark Office Salaries and Expenses account: *Provided further*, That from amounts provided herein, not to exceed $900 shall be made available in fiscal year 2014 for official reception and representation expenses: *Provided further*, That in fiscal year 2014 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value

factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112–29): *Provided further*, That within the amounts appropriated, $2,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology (NIST), $651,000,000, to remain available until expended, of which not to exceed $9,000,000 may be transferred to the "Working Capital Fund": *Provided*, That not to exceed $5,000 shall be for official reception and representation expenses: *Provided further*, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, $143,000,000, to remain available until expended, of which $128,000,000 shall be for the Hollings Manufacturing Extension Partnership, and of which $15,000,000 shall be for the Advanced Manufacturing Technology Consortia.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), $56,000,000, to remain available until expended: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than $5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

15 USC 1513b note.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,157,392,000, to remain available until September 30, 2015, except that funds provided for cooperative enforcement shall remain available until September 30, 2016: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That in addition, $115,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program, Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: *Provided further*, That of the $3,287,392,000 provided for in direct obligations under this heading $3,157,392,000 is appropriated from the general fund, $115,000,000 is provided by transfer, and $15,000,000 is derived from recoveries of prior year obligations: *Provided further*, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $217,300,000: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $2,022,864,000, to remain available until September 30, 2016, except that funds provided for construction of facilities shall remain available until expended: *Provided*, That of the $2,029,864,000 provided for in direct obligations under this heading, $2,022,864,000 is appropriated from the general fund and $7,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any use of deobligated balances of funds provided under

this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: *Provided further*, That, within the amounts appropriated, $1,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

15 USC 1513a note.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $65,000,000, to remain available until September 30, 2015: *Provided*, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERIES DISASTER ASSISTANCE

For necessary expenses associated with the mitigation of fishery disasters, $75,000,000, to remain available until expended: *Provided*, That funds shall be used for mitigating the effects of commercial fishery failures and fishery resource disasters as declared by the Secretary of Commerce.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2014, obligations of direct loans may not exceed $24,000,000 for Individual Fishing Quota loans and not to exceed

$100,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed $4,500 for official reception and representation, $55,500,000: *Provided*, That the Secretary of Commerce shall maintain a task force on job repatriation and manufacturing growth and shall produce an annual report on related incentive strategies, implementation plans and program results.

15 USC 1543.

RENOVATION AND MODERNIZATION

For necessary expenses for the renovation and modernization of Department of Commerce facilities, $4,000,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $30,000,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

33 USC 878a note.

SEC. 104. The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by section 105 of title I of division B of Public Law 113–6, are hereby adopted by reference and made applicable with respect to fiscal year 2014.

SEC. 105. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to $200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 106. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 107. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 108. The Department of Commerce shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of the U.S. Department of Commerce, including the purpose of such travel.

This title may be cited as the "Department of Commerce Appropriations Act, 2014".

Department of Justice Appropriations Act, 2014.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $110,000,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, $25,842,000, to remain available until expended: *Provided*, That the Attorney General may transfer up to $35,400,000 to this account, from funds available to the Department of Justice for information technology, for enterprise-wide information technology initiatives: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act.

ADMINISTRATIVE REVIEW AND APPEALS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $315,000,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $86,400,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character: *Provided*, That $1,000,000 shall be used to commission an independent review of the management and policies of the Civil Rights Division.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $12,600,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $867,000,000, of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the total amount appropriated, not to exceed $9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances:

Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): *Provided further*, That of the amounts provided under this heading for the election monitoring program, $3,390,000 shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $160,400,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be $103,000,000 in fiscal year 2014), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2014, so as to result in a final fiscal year 2014 appropriation from the general fund estimated at $57,400,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $1,944,000,000: *Provided*, That of the total amount appropriated, not to exceed $7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a United States Attorney-led task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $224,400,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, $224,400,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal

year 2014, so as to result in a final fiscal year 2014 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, $2,100,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $270,000,000, to remain available until expended, of which not to exceed $16,000,000 is for construction of buildings for protected witness safesites; not to exceed $3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $11,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, $12,000,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, $20,500,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,185,000,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and not to exceed $15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, $9,800,000, to remain available until expended.

FEDERAL PRISONER DETENTION

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, $1,533,000,000, to remain available until expended: *Provided*, That not to exceed $20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, $91,800,000, of which not to exceed $5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $514,000,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, $8,245,802,000, of which not to exceed $216,900,000 shall remain available until expended, and of which $13,500,000 is for costs related to the outfitting, activation, and operation of facilities supporting the examination, exploitation, and storage of improvised explosive devices and explosive materials, including personnel relocation costs: *Provided*, That not to exceed $184,500 shall be available for official reception and representation expenses: *Provided further*, That up to $1,000,000 shall be for a comprehensive review of the implementation of the recommendations related to the Federal Bureau of Investigation that were proposed in the report issued by the National Commission on Terrorist Attacks Upon the United States.

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; $97,482,000, to remain available until expended, of which $16,500,000 is for costs related to the construction, outfitting, activation, and operation of facilities supporting the examination, exploitation, and storage of improvised explosive devices and explosive materials.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,018,000,000; of which not to exceed $75,000,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory

assistance to State and local law enforcement agencies, with or without reimbursement, $1,179,000,000, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $20,000,000 shall remain available until expended: *Provided*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $6,769,000,000: *Provided*, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed $5,400 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2015: *Provided further*, That, of the amounts provided for contract confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past, notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities. 42 USC 250a.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including

all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $90,000,000, to remain available until expended, of which not less than $67,148,000 shall be available only for modernization, maintenance and repair, and of which not to exceed $14,000,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,700,000 of the funds of the Federal Prison Industries, Incorporated, shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) ("the 1974 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) ("the 2000 Act"); the Violence Against Women

and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); and the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); and for related victims services, $417,000,000, to remain available until expended: *Provided*, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided—

(1) $193,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) $24,750,000 is for transitional housing assistance grants for victims of domestic violence, dating violence, stalking or sexual assault as authorized by section 40299 of the 1994 Act;

(3) $3,250,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;

(4) $10,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303 and 41305 of the 1994 Act, prior to its amendment by the 2013 Act, shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) $50,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which $4,000,000 is for a homicide reduction initiative;

(6) $27,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) $36,000,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) $9,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) $37,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) $4,250,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) $15,000,000 is for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: *Provided*, That unobligated balances available for the programs authorized by section 1301 of the 2000 Act and section 41002

of the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program;

(12) $5,750,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) $500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) $1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act: *Provided*, That such funds may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs; and

(15) $500,000 is for the Office on Violence Against Women to establish a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Second Chance Act of 2007 (Public Law 110–199); the Victims of Crime Act of 1984 (Public Law 98–473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110–401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) ("the 2002 Act"); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); and other programs, $120,000,000, to remain available until expended, of which—

(1) $45,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act;

(2) $40,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act;

(3) $1,000,000 is for an evaluation clearinghouse program;

(4) $30,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act; and

(5) $4,000,000 is for activities to strengthen and enhance the practice of forensic sciences, of which $1,000,000 is for the support of a Forensic Science Advisory Committee to be chaired by the Attorney General and the Director of the National Institute of Standards and Technology, and $3,000,000

is for transfer to the National Institute of Standards and Technology to support scientific working groups.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) ("the 2002 Act"); the Second Chance Act of 2007 (Public Law 110–199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110–403); the Victims of Crime Act of 1984 (Public Law 98–473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); and other programs, $1,171,500,000, to remain available until expended as follows—

(1) $376,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, $1,000,000 is for a program to improve State and local law enforcement intelligence capabilities including antiterrorism training and training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process, $1,000,000 is for a State, local, and tribal assistance help desk and diagnostic center program, $15,000,000 is for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR), $4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention, $2,500,000 is for objective, nonpartisan voter education about, and a plebiscite on, options that would resolve Puerto Rico's future political status, which shall be provided to the State Elections Commission of Puerto Rico, $5,000,000 is for an initiative to support evidence-based policing, and $2,500,000 is for an initiative to enhance prosecutorial decision-making;

(2) $180,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction shall request compensation for any cost greater

than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) $13,500,000 for competitive grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation);

(4) $14,250,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386, and for programs authorized under Public Law 109–164;

(5) $40,500,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(6) $8,250,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416);

(7) $10,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(8) $2,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–405, and for grants for wrongful conviction review;

(9) $10,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110–403;

(10) $2,000,000 for a student loan repayment assistance program pursuant to section 952 of Public Law 110–315;

(11) $20,000,000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related activities;

(12) $8,000,000 for an initiative relating to children exposed to violence;

(13) $10,500,000 for an Edward Byrne Memorial criminal justice innovation program;

(14) $22,500,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: *Provided*, That $1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(15) $1,000,000 for the National Sex Offender Public Website;

(16) $8,500,000 for competitive and evidence-based programs to reduce gun crime and gang violence;

(17) $58,500,000 for grants to States to upgrade criminal and mental health records in the National Instant Criminal Background Check System, of which no less than $12,000,000 shall be for grants made under the authorities of the NICS Improvement Amendments Act of 2007 (Public Law 110–180);

(18) $12,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(19) $125,000,000 for DNA-related and forensic programs and activities, of which—

(A) $117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized

under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546) (the Debbie Smith DNA Backlog Grant Program): *Provided*, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108–405, section 303);

(B) $4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108–405, section 412); and

(C) $4,000,000 is for Sexual Assault Forensic Exam Program grants, including as authorized by section 304 of Public Law 108–405;

(20) $6,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(21) $30,000,000 for assistance to Indian tribes;

(22) $67,750,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–199), without regard to the time limitations specified at section 6(1) of such Act, of which not to exceed $6,000,000 is for a program to improve State, local, and tribal probation or parole supervision efforts and strategies, and $2,000,000 is for Children of Incarcerated Parents Demonstrations to enhance and maintain parental and family relationships for incarcerated parents as a reentry or recidivism reduction strategy: *Provided*, That up to $7,500,000 of funds made available in this paragraph may be used for performance-based awards for Pay for Success projects, of which up to $5,000,000 shall be for Pay for Success programs implementing the Permanent Supportive Housing Model;

(23) $4,000,000 for a veterans treatment courts program;

(24) $750,000 for the purposes described in the Missing Alzheimer's Disease Patient Alert Program (section 240001 of the 1994 Act);

(25) $7,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(26) $12,500,000 for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79), of which not more than $150,000 of these funds shall be available for the direct Federal costs of facilitating an auditing process;

(27) $2,000,000 to operate a National Center for Campus Public Safety;

(28) $27,500,000 for a justice reinvestment initiative, for activities related to criminal justice reform and recidivism reduction, of which not less than $1,000,000 is for a task force on Federal corrections;

(29) $4,000,000 for additional replication sites employing the Project HOPE Opportunity Probation with Enforcement model implementing swift and certain sanctions in probation, and for a research project on the effectiveness of the model;

(30) $12,500,000 for the Office of Victims of Crime for supplemental victims' services and other victim-related programs and initiatives, including research and statistics, and for tribal assistance for victims of violence; and

(31) $75,000,000 for the Comprehensive School Safety Initiative, described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That section 213 of this Act shall not apply with respect to the amount made available in this paragraph: *Provided*, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110–401); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); and other juvenile justice programs, $254,500,000, to remain available until expended as follows—

(1) $55,500,000 for programs authorized by section 221 of the 1974 Act, of which not more than $10,000,000 may be used for activities specified in section 1801(b)(2) of part R of title I of the 1968 Act; and for training and technical assistance to assist small, nonprofit organizations with the Federal grants process: *Provided*, That of the amounts provided under this paragraph, $500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities;

(2) $88,500,000 for youth mentoring grants;

(3) $15,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) $5,000,000 shall be for the Tribal Youth Program;

(B) $2,500,000 shall be for gang and youth violence education, prevention and intervention, and related activities;

(C) $2,500,000 shall be for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, for prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training; and

(D) $5,000,000 shall be for competitive grants to police and juvenile justice authorities in communities that have been awarded Department of Education School Climate Transformation Grants to collaborate on use of evidence-

based positive behavior strategies to increase school safety and reduce juvenile arrests;

(4) $19,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) $5,500,000 for community-based violence prevention initiatives, including for public health approaches to reducing shootings and violence;

(6) $67,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110–401) shall not apply for purposes of this Act);

(7) $1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act;

(8) $1,000,000 for grants and technical assistance in support of the National Forum on Youth Violence Prevention;

(9) $500,000 for an Internet site providing information and resources on children of incarcerated parents; and

(10) $1,000,000 for competitive grants focusing on girls in the juvenile justice system:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of the amounts designated under paragraphs (1) through (5), (7) and (8) may be used for training and technical assistance: *Provided further*, That the previous two provisos shall not apply to grants and projects authorized by sections 261 and 262 of the 1974 Act and to missing and exploited children programs.

PUBLIC SAFETY OFFICER BENEFITS

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and $16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to "Public Safety Officer Benefits" from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); and

the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"), $214,000,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: *Provided further*, That of the amount provided under this heading—

(1) $10,000,000 is for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) $16,500,000 is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities;

(3) $180,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: *Provided*, That, notwithstanding subsection (g) of the 1968 Act (42 U.S.C. 3796dd), the Federal share of the costs of a project funded by such grants may not exceed 75 percent unless the Director of the Office of Community Oriented Policing Services waives, wholly or in part, the requirement of a non-Federal contribution to the costs of a project: *Provided further*, That, notwithstanding section 1704(c) of such title (42 U.S.C. 3796dd–3(c)), funding for hiring or rehiring a career law enforcement officer may not exceed $125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: *Provided further*, That within the amounts appropriated, $16,500,000 shall be transferred to the Tribal Resources Grant Program: *Provided further*, That of the amounts appropriated under this paragraph, $7,500,000 is for community policing development activities in furtherance of the purposes in section 1701: *Provided further*, That within the amounts appropriated under this paragraph, $5,000,000 is for the collaborative reform model of technical assistance in furtherance of the purposes in section 1701; and

(4) $7,500,000 is for competitive grants to State law enforcement agencies in States with high seizures of precursor chemicals, finished methamphetamine, laboratories, and laboratory dump seizures: *Provided*, That funds appropriated under this paragraph shall be utilized for investigative purposes to locate or investigate illicit activities, including precursor diversion, laboratories, or methamphetamine traffickers.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2014, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002 (Public Law 107–296; 28 U.S.C. 599B) without limitation on the number of employees or the positions covered. 5 USC 3104 note.

SEC. 207. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 208. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 209. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of $100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 210. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 211. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 212. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 213. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs"—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs.

SEC. 214. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated in this or any other Act making appropriations for fiscal years 2011 through 2014 for the following programs, waive the following requirements:

(1) For the adult and juvenile offender State and local reentry demonstration projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)), the requirements under section 2976(g)(1) of such part.

(2) For State, Tribal, and local reentry courts under part FF of title I of such Act of 1968 (42 U.S.C. 3797w–2(e)(1) and (2)), the requirements under section 2978(e)(1) and (2) of such part.

(3) For the prosecution drug treatment alternatives to prison program under part CC of title I of such Act of 1968 (42 U.S.C. 3797q–3), the requirements under section 2904 of such part.

(4) For grants to protect inmates and safeguard communities as authorized by section 6 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)), the requirements of section 6(c)(3) of such Act.

SEC. 215. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control

and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 216. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 217. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2014.

(b) Not to exceed $30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2014, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) Not to exceed $10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2014, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(d) Of amounts available in the Assets Forfeiture Fund in fiscal year 2014, $154,700,000 shall be for payments associated with joint law enforcement operations as authorized by section 524(c)(1)(I) of title 28, United States Code.

(e) The Attorney General shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after the date of enactment of this Act detailing the planned distribution of Assets Forfeiture Fund joint law enforcement operations funding during fiscal year 2014.

(f) Subsections (a) through (d) of this section shall sunset on September 30, 2014.

This title may be cited as the "Department of Justice Appropriations Act, 2014".

TITLE III

Science Appropriations Act, 2014.

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,555,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $5,151,200,000, to remain available until September 30, 2015: *Provided*, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed $8,000,000,000: *Provided further*, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104: *Provided further*, That $80,000,000 shall be for pre-formulation and/or formulation activities for a mission that meets the science goals outlined for the Jupiter Europa mission in the most recent planetary science decadal survey.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $566,000,000, to remain available until September 30, 2015.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space research and technology development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $576,000,000, to remain available until September 30, 2015.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $4,113,200,000, to remain available until September 30, 2015: *Provided*, That not less than $1,197,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than $1,918,200,000 shall be for the Space Launch System, which shall have a lift capability not less than 130 metric tons and which shall have an upper stage and other core elements developed simultaneously: *Provided further*, That of the funds made available for the Space Launch System, $1,600,000,000 shall be for launch vehicle development and $318,200,000 shall be for exploration ground systems: *Provided further*, That funds made available for the Orion Multi-Purpose Crew Vehicle and Space Launch System are in addition to funds provided for these programs under the "Construction and Environmental Compliance and Restoration" heading: *Provided further*, That $696,000,000 shall be for commercial spaceflight activities, of which $171,000,000 shall be made available after the Administrator of the National Aeronautics and Space Administration has certified that the commercial crew program has undergone an independent benefit-cost analysis that takes into consideration the total Federal investment in the commercial crew program and the expected operational life of the International Space Station as described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That $302,000,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $3,778,000,000, to remain available until September 30, 2015.

EDUCATION

For necessary expenses, not otherwise provided for, in carrying out aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs,

including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $116,600,000, to remain available until September 30, 2015, of which $18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and $40,000,000 shall be for the National Space Grant College program.

CROSS AGENCY SUPPORT

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $2,793,000,000, to remain available until September 30, 2015: *Provided*, That not less than $39,100,000 shall be available for independent verification and validation activities.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, $515,000,000, to remain available until September 30, 2019: *Provided*, That proceeds from leases deposited into this account shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: *Provided further*, That such proceeds referred to in the preceding proviso shall be available for obligation for fiscal year 2014 in an amount not to exceed $9,584,100: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 315 of the National Aeronautics and Space Act of 1958 (51 U.S.C. 20145).

51 USC 20145 note.

51 USC 30103 note.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $37,500,000, of which $500,000 shall remain available until September 30, 2015.

ADMINISTRATIVE PROVISIONS

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $5,808,918,000, to remain available until September 30, 2015, of which not to exceed $520,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That not less than $158,190,000 shall be available for activities authorized by section 7002(c)(2)(A)(iv) of Public Law 110–69.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, $200,000,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, $846,500,000, to

remain available until September 30, 2015: *Provided*, That not less than $60,890,000 shall be available until expended for activities authorized by section 7030 of Public Law 110–69.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; $298,000,000: *Provided*, That not to exceed $8,280 is for official reception and representation expenses: *Provided further*, That contracts may be entered into under this heading in fiscal year 2014 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,300,000: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, $14,200,000, of which $400,000 shall remain available until September 30, 2015.

ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 15 percent by any such transfers. Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

This title may be cited as the "Science Appropriations Act, 2014".

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,000,000: *Provided*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a): *Provided further*, That the Inspector General for the Commission on Civil Rights (CCR IG), as provided in Public Law 113–6, is authorized to close out all work related to pending or closed investigations, to complete pending investigations, and to terminate all activities related to the duties, responsibilities and authorities of the CCR IG: *Provided further*, That when the CCR IG concludes that all pending investigations have been completed, all work related to pending or closed investigations has been closed out, and all activities related to the duties, responsibilities and authorities of the CCR IG have ended, the CCR IG shall certify that conclusion to the Committees on Appropriations of the House of Representatives and the Senate, and the Office of the CCR IG shall then be terminated: *Provided further*, That of the amounts made available in this paragraph, $70,000 shall be transferred directly to the Office of Inspector General of the Government Accountability Office upon enactment of this Act for salaries and expenses necessary to carry out the completion of pending investigations and the closing and termination of work and activities relating to the duties, responsibilities and authorities of the CCR IG.

5 USC app. 8G note.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, section 501 of the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to

$29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, $364,000,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,250 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: *Provided further*, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $2,250 for official reception and representation expenses, $83,000,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $365,000,000, of which $335,700,000 is for basic field programs and required independent audits; $4,350,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $18,000,000 is for management and grants oversight; $3,450,000 is for client self-help and information technology; $2,500,000 is for a Pro Bono Innovation Fund; and $1,000,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): *Provided further*, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of section 505 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2013 and 2014, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), $3,250,000.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $52,601,000, of which $1,000,000 shall remain available until expended: *Provided*, That not to exceed $124,000 shall be available for official reception and representation expenses.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) $4,900,000, of which $500,000 shall remain available until September 30, 2015: *Provided*, That not to exceed $2,250 shall be available for official reception and representation expenses: *Provided further*, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

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

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds by agencies (excluding agencies of the Department of Justice) funded by this Act and 45 days in advance of such reprogramming of funds by agencies of the Department of Justice funded by this Act.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories or possessions.

(2) The term "promotional items" has the meaning given the term in OMB Circular A–87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of the first quarter of fiscal year 2014, and subsequent reports shall be submitted within 30 days of the end of each quarter thereafter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a

limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That for the Department of Commerce, this section shall also apply to actions taken for the care and protection of loan collateral or grant property.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (42 U.S.C. 10601) in any fiscal year in excess of $745,000,000 shall not be available for obligation until the following fiscal year. 42 USC 10601 note.

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department,

Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(e) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 515. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, "Standards for Security Categorization of Federal Information and Information Systems" unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the Federal Bureau of Investigation and other appropriate agencies; and

(3) in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate-

impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—

(1) developed, in consultation with NIST and supply chain risk management experts, a mitigation strategy for any identified risks;

(2) determined that the acquisition of such system is in the national interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 516. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 517. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion

of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 518. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.

SEC. 519. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 520. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

SEC. 521. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 522. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2014 until the enactment of the Intelligence Authorization Act for fiscal year 2014.

SEC. 523. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess

of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSIONS)

SEC. 524. (a) Of the unobligated balances available for "Department of Commerce, National Telecommunications and Information Administration, Public Telecommunications Facilities, Planning and Construction", $8,500,000 is hereby rescinded.

(b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2014, from the following accounts in the specified amounts—

(1) "Working Capital Fund", $30,000,000;

(2) "Legal Activities, Assets Forfeiture Fund", $83,600,000;

(3) "State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs", $12,200,000;

(4) "State and Local Law Enforcement Activities, Office of Justice Programs", $59,000,000; and

(5) "State and Local Law Enforcement Activities, Community Oriented Policing Services", $26,000,000.

(c) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2014, specifying the amount of each rescission made pursuant to subsection (b).

SEC. 525. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 526. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 527. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—

(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

SEC. 528. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 529. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 530. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are "Energy Star" qualified or have the "Federal Energy Management Program" designation.

SEC. 531. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 532. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) None of the funds made available by this Act may be used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP has certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 533. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 534. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 535. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall submit spending plans, signed by the

respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 30 days after the date of enactment of this Act.

SEC. 536. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 537. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

This division may be cited as the "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2014".

Department of Defense Appropriations Act, 2014.

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $40,787,967,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as

amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $27,231,512,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,766,099,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $28,519,993,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,377,563,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,843,966,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve

on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $655,109,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,723,159,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $7,776,498,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,114,421,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $30,768,069,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $15,055,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $36,311,160,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,397,605,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $33,248,618,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $31,450,068,000: *Provided*, That not more than $25,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $36,262,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available

for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $8,721,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,940,936,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,158,382,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $255,317,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,062,207,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $6,857,530,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $6,392,304,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $13,606,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $298,815,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this

heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $316,103,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $439,820,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $10,757,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available

for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $287,443,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $109,500,000, to remain available until September 30, 2015.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $500,455,000, to remain available until September 30, 2016.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $51,031,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $4,844,891,000, to remain available for obligation until September 30, 2016.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,549,491,000, to remain available for obligation until September 30, 2016.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,610,811,000, to remain available for obligation until September 30, 2016.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,444,067,000, to remain available for obligation until September 30, 2016.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $4,936,908,000, to remain available for obligation until September 30, 2016.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $16,442,794,000, to remain available for obligation until September 30, 2016.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway,

$3,009,157,000, to remain available for obligation until September 30, 2016.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $549,316,000, to remain available for obligation until September 30, 2016.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $917,553,000;
Virginia Class Submarine, $3,880,704,000;
Virginia Class Submarine (AP), $2,354,612,000;
CVN Refueling Overhaul, $1,609,324,000;
CVN Refueling Overhauls (AP), $245,793,000;
DDG–1000 Program, $231,694,000;
DDG–51 Destroyer, $1,615,564,000;
DDG–51 Destroyer (AP), $369,551,000;
Littoral Combat Ship, $1,793,014,000;
Afloat Forward Staging Base, $579,300,000;
Joint High Speed Vessel, $2,732,000;
Moored Training Ship, $207,300,000;
LCAC Service Life Extension Program, $80,987,000;
Outfitting, post delivery, conversions, and first destination transportation, $382,836,000; and
For completion of Prior Year Shipbuilding Programs, $960,400,000.

In all: $15,231,364,000, to remain available for obligation until September 30, 2018: *Provided*, That additional obligations may be incurred after September 30, 2018, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $5,572,618,000, to remain available for obligation until September 30, 2016.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,240,958,000, to remain available for obligation until September 30, 2016.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $10,379,180,000, to remain available for obligation until September 30, 2016.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and

transportation of things, $4,446,763,000, to remain available for obligation until September 30, 2016.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $729,677,000, to remain available for obligation until September 30, 2016.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $16,572,754,000, to remain available for obligation until September 30, 2016.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,240,416,000, to remain available for obligation until September 30, 2016.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $60,135,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $7,126,318,000, to remain available for obligation until September 30, 2015.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $14,949,919,000, to remain available for obligation until September 30, 2015: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $23,585,292,000, to remain available for obligation until September 30, 2015.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $17,086,412,000, to remain available for obligation until September 30, 2015: *Provided*, That of the funds made available in this paragraph, $175,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further,* That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details

of any such transfer: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $246,800,000, to remain available for obligation until September 30, 2015.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,649,214,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $597,213,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by

law, $32,699,158,000; of which $30,704,995,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available for obligation until September 30, 2015, and of which up to $15,317,316,000 may be available for contracts entered into under the TRICARE program; of which $441,764,000, to remain available for obligation until September 30, 2016, shall be for procurement; and of which $1,552,399,000, to remain available for obligation until September 30, 2015, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: *Provided further*, That of the funds provided under this heading for the Interagency Program Office (IPO) and for operation and maintenance and research, development, test and evaluation of the Defense Healthcare Management Systems Modernization (DHMSM) program, not more than 25 percent may be obligated until the Secretary of Defense submits to the Committees on Appropriations of the House of Representatives and the Senate, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost for full operating capability and the total life cycle cost of the project; (2) identifies the deployment timeline, including benchmarks, for full operating capability; (3) describes how the forthcoming request for proposals for DHMSM will require adherence to data standardization as defined by the IPO; (4) has been submitted to the Government Accountability Office for review; and (5) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,004,123,000, of which $398,572,000 shall be for operation and maintenance, of which no less than $51,217,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $21,489,000 for activities on military installations and $29,728,000, to remain available until September 30, 2015, to assist State and local governments; $1,368,000 shall be for procurement, to remain available until September 30, 2016, of which $1,368,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $604,183,000, to remain available until September 30, 2015, shall be for research, development, test and evaluation, of which $584,238,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,015,885,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $316,000,000, of which $315,000,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $1,000,000, to remain available until September 30, 2016, shall be for procurement: *Provided,* That the Office of the Inspector General, in coordination with the Department of Veterans Affairs' Office of the Inspector General, shall examine the process and procedures currently in place in the transmission of service treatment and personnel records from the Department of Defense to the Department of Veterans Affairs.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $528,229,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further,* That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey. 10 USC 1584 note.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $5,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the

item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2014: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2014: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such

amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

10 USC 2306b note.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

E–2D Advanced Hawkeye, SSN 774 Virginia class submarine, KC–130J, C–130J, HC–130J, MC–130J, AC–130J aircraft, and government-furnished equipment.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2014, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2015 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2015 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2015.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term "manufactured" shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8018. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8019. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25,

United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8020. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this Act, not less than $39,532,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $28,400,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities, and drug demand reduction activities involving youth programs;

(2) $10,200,000 shall be available from "Aircraft Procurement, Air Force"; and

(3) $932,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel

Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2014 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2014, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2015 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $40,000,000.

SEC. 8024. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

10 USC 2731 note.

SEC. 8025. For the purposes of this Act, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive

of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

41 USC 8304 note.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2014. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 8028. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8029. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under

subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8030. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8031. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2015 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2015 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2015 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8032. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2015: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947 (50 U.S.C. 3093) shall remain available until September 30, 2015.

50 USC 3521 note.

SEC. 8033. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8034. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support,

the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8035. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8036. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8037. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and the

Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats;

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense; or

(4) an Air Force field operating agency established to administer the Air Force Mortuary Affairs Program and Mortuary Operations for the Department of Defense and authorized Federal entities.

SEC. 8038. None of the funds appropriated in this Act may be obligated or expended by the Secretary of a military department in contravention of the provisions of section 352 of the National Defense Authorization Act for Fiscal Year 2014 to adopt any new camouflage pattern design or uniform fabric for any combat or camouflage utility uniform or family of uniforms for use by an Armed Force.

SEC. 8039. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461

of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"National Defense Sealift Fund", 2011/XXXX, $10,000,000;
"Other Procurement, Army", 2012/2014, $40,000,000;
"Aircraft Procurement, Navy", 2012/2014, $10,000,000;
"Weapons Procurement, Navy", 2012/2014, $33,300,000;
"Other Procurement, Navy", 2012/2014, $266,486,000;
"Aircraft Procurement, Air Force", 2012/2014, $449,735,000;
"Missile Procurement, Air Force", 2012/2014, $10,000,000;
"National Defense Sealift Fund", 2012/XXXX, $14,000,000;
"Defense Health Program", 2012/2014, $144,518,000;
"Cooperative Threat Reduction Account", 2013/2015, $37,500,000;
"Other Procurement, Army", 2013/2015, $45,426,000;
"Aircraft Procurement, Navy", 2013/2015, $112,000,000;
"Weapons Procurement, Navy", 2013/2015, $5,000,000;
"Other Procurement, Navy", 2013/2015, $7,979,000;
"Procurement, Marine Corps", 2013/2015, $12,650,000;
"Aircraft Procurement, Air Force", 2013/2015, $239,090,000;
"Missile Procurement, Air Force", 2013/2015, $55,000,000;
"Other Procurement, Air Force", 2013/2015, $44,900,000;
"Procurement, Defense-Wide", 2013/2015, $104,043,000;

"Research, Development, Test and Evaluation, Army", 2013/2014, $46,100,000;

"Research, Development, Test and Evaluation, Navy", 2013/2014, $59,257,000;

"Research, Development, Test and Evaluation, Air Force", 2013/2014, $38,646,000;

"Research, Development, Test and Evaluation, Defense-Wide", 2013/2014, $15,000,000;

"Defense Health Program", 2013/2014, $998,000; and

"Defense Health Program", 2013/2015, $104,461,000.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law. 10 USC 374 note.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law. 50 USC 3506 note.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-

case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of "commercial items", as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project

and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8057. (a) IN GENERAL.—

(1) None of the funds made available by this Act may be used for any training, equipment, or other assistance for the members of a unit of a foreign security force if the Secretary of Defense has credible information that the unit has committed a gross violation of human rights.

(2) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to provide any training, equipment, or other assistance to a unit of a foreign security force full consideration is given to any credible information available to the Department of State relating to human rights violations by such unit.

(b) EXCEPTION.—The prohibition in subsection (a)(1) shall not apply if the Secretary of Defense, after consultation with the Secretary of State, determines that the government of such country has taken all necessary corrective steps, or if the equipment or other assistance is necessary to assist in disaster relief operations or other humanitarian or national security emergencies.

(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a)(1) if the Secretary of Defense determines that such waiver is required by extraordinary circumstances.

(d) PROCEDURES.—The Secretary of Defense shall establish, and periodically update, procedures to ensure that any information in the possession of the Department of Defense about gross violations of human rights by units of foreign security forces is shared on a timely basis with the Department of State.

(e) REPORT.—Not more than 15 days after the application of any exception under subsection (b) or the exercise of any waiver under subsection (c), the Secretary of Defense shall submit to the appropriate congressional committees a report—

(1) in the case of an exception under subsection (b), providing notice of the use of the exception and stating the grounds for the exception; and

(2) in the case of a waiver under subsection (c), describing the information relating to the gross violation of human rights; the extraordinary or other circumstances that necessitate the waiver; the purpose and duration of the training, equipment, or other assistance; and the United States forces and the foreign security force unit involved.

(f) DEFINITION.—For purposes of this section the term "appropriate congressional committees" means the congressional defense committees and the Committees on Appropriations.

SEC. 8058. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8059. Notwithstanding any other provision of law, funds appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees:

Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8060. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8061. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8062. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8063. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary tracer (API–T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8064. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8065. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic

beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8066. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", $108,725,800 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8067. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2014. 10 USC 113 note.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8068. During the current fiscal year, not to exceed $200,000,000 from funds available under "Operation and Maintenance, Defense-Wide" may be transferred to the Department of State "Global Security Contingency Fund": *Provided,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State "Global Security Contingency Fund", notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

SEC. 8069. In addition to amounts provided elsewhere in this Act, $4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction

and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8070. Of the amounts appropriated in this Act under the headings "Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide", $504,091,000 shall be for the Israeli Cooperative Programs: *Provided,* That of this amount, $235,309,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, including $15,000,000 for non-recurring engineering costs in connection with the establishment of a capacity for co-production in the United States by industry of the United States of parts and components for the Iron Dome short-range rocket defense program; $149,712,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $15,000,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures; $74,707,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture; and $44,363,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further,* That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further,* That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8071. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of U.S. Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act: *Provided further,* That this section does not apply to administrative control of Navy Air and Missile Defense Command.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the heading "Shipbuilding and Conversion, Navy", $960,400,000 shall be available until September 30, 2014, to fund prior year shipbuilding cost increases: *Provided,* That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further,* That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading "Shipbuilding and Conversion, Navy", 2007/2014: LHA Replacement Program $37,700,000;

(2) Under the heading "Shipbuilding and Conversion, Navy", 2008/2014: Carrier Replacement Program $588,100,000;

(3) Under the heading "Shipbuilding and Conversion, Navy", 2010/2014: Joint High Speed Vessel $7,600,000;

(4) Under the heading "Shipbuilding and Conversion, Navy", 2013/2014: Virginia class submarine $227,000,000; and

(5) Under the heading "Shipbuilding and Conversion, Navy", 2013/2014: DDG–51 $100,000,000.

SEC. 8073. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2014 until the enactment of the Intelligence Authorization Act for Fiscal Year 2014.

SEC. 8074. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

10 USC 221 note.

SEC. 8075. The budget of the President for fiscal year 2015 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, the Procurement accounts, and the Research, Development, Test and Evaluation accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8076. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8077. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $44,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, the Secretary shall make grants in the amounts specified as follows: $20,000,000 to the United Service Organizations and $24,000,000 to the Red Cross.

SEC. 8078. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance

Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8079. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8080. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8081. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further,* That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8082. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8083. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8084. Up to $15,000,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the

purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8085. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2015.

SEC. 8086. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8087. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2014: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8088. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8089. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall

be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of $10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations,

unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) or the National Security Act of 1947 (50 U.S.C. 3024(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

50 USC 3103 note.

SEC. 8090. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8091. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

10 USC 127a note.

SEC. 8092. The Department of Defense shall continue to report incremental contingency operations costs for Operation Enduring Freedom on a monthly basis and any other operation designated and identified by the Secretary of Defense for the purposes of section 127a of title 10, United States Code, on a semi-annual basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8093. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8094. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances and transfers to the Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 8095. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8096. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the

waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8097. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to $143,087,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided,* That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: *Provided further,* That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8099. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex.

SEC. 8100. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8101. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8102. Of the amounts appropriated for "Operation and Maintenance, Defense-Wide" the following amounts shall be available to the Secretary of Defense, for the following authorized purposes, notwithstanding any other provision of law, acting through

the Office of Economic Adjustment of the Department of Defense, to make grants, conclude cooperative agreements, and supplement other Federal funds, to remain available until expended, to support critical existing and enduring military installations and missions on Guam, as well as any potential Department of Defense growth: (1) $106,400,000 for addressing the need for civilian water and wastewater improvements, and (2) $13,000,000 for construction of a regional public health laboratory: *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating funds for either of the forgoing purposes, notify the congressional defense committees in writing of the details of any such obligation.

SEC. 8103. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 3,000 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: *Provided*, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

SEC. 8104. The Secretary of Defense shall report quarterly the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense committees within 15 days after the end of each fiscal quarter.

SEC. 8105. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

(1) the appropriations account structure for the National Intelligence Program budget, including through the creation of a new appropriation or new appropriations account;

(2) how the National Intelligence Program budget request is presented, organized, and managed within the Department of Defense budget;

(3) how the National Intelligence Program appropriations are apportioned to the executing agencies; or

(4) how the National Intelligence Program appropriations are allotted, obligated and disbursed.

(b) The Director of National Intelligence and the Secretary of Defense may jointly, only for the purposes of achieving auditable financial statements and improving fiscal reporting, study and develop detailed proposals for alternative financial management processes. Such study shall include a comprehensive counterintelligence risk assessment to ensure that none of the alternative processes will adversely affect counterintelligence.

(c) Upon development of the detailed proposals defined under subsection (b), the Director of National Intelligence and the Secretary of Defense shall—

(1) provide the proposed alternatives to all affected agencies;

(2) receive certification from all affected agencies attesting that the proposed alternatives will help achieve auditability, improve fiscal reporting, and will not adversely affect counterintelligence; and

(3) not later than 30 days after receiving all necessary certifications under paragraph (2), present the proposed alternatives and certifications to the congressional defense and intelligence committees.

(d) This section shall not be construed to alter or affect the application of section 924 of the National Defense Authorization Act for Fiscal Year 2014 to the amounts made available by this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8106. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed $2,000,000,000 of the funds made available in this Act for the National Intelligence Program: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2014.

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSION OF FUNDS)

SEC. 8107. (a) Of the funds previously appropriated for the "Ship Modernization, Operations and Sustainment Fund", $1,920,000,000 is hereby rescinded;

(b) There is appropriated $2,244,400,000 for the "Ship Modernization, Operations and Sustainment Fund", to remain available until September 30, 2021: *Provided,* That the Secretary of the Navy shall transfer funds from the "Ship Modernization, Operations and Sustainment Fund" to appropriations for military personnel; operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of manning, operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG–63, CG–64, CG–65, CG–66, CG–68, CG–69, CG–73, and the Whidbey Island-class dock landing ships LSD–41 and LSD–46: *Provided further,* That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: *Provided further,* That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the "Ship Modernization, Operations and Sustainment Fund", notify the congressional defense committees in writing of the details of such transfer: *Provided further,* That the Secretary of the Navy shall transfer and obligate funds from the "Ship Modernization, Operations and Sustainment Fund" for modernization of not less than one Ticonderoga-class guided missile cruiser as

detailed above in fiscal year 2014: *Provided further*, That the prohibition in section 2244a(a) of title 10, United States Code, shall not apply to the use of any funds transferred pursuant to this subsection.

SEC. 8108. The Under Secretary of Defense for Personnel and Readiness shall conduct a study to be known as the "Review of Superintendents of Military Service Academies": *Provided*, That the study shall use the vast resources in Professional Military Education and Training to provide an objective and comprehensive evaluation of the role of a modern superintendent of a military service academy, including the criteria to be used in selecting and evaluating the performance of a superintendent of a military service academy: *Provided further*, That not later than 180 days after the date of the enactment of this Act, the review board shall submit to the Secretary of Defense and to the congressional defense committees a report on the findings of the review under this section: *Provided further*, That in addition to amounts appropriated or otherwise made available by this Act, $1,000,000 shall be available for the review.

SEC. 8109. Notwithstanding any other provision of this Act, to reflect savings due to favorable foreign exchange rates, the total amount appropriated in this Act is hereby reduced by $380,000,000.

SEC. 8110. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8111. None of the funds appropriated or otherwise made available in this Act may be used to transfer any individual detained at United States Naval Station Guantánamo Bay, Cuba to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity except in accordance with section 1035 of the National Defense Authorization Act for Fiscal Year 2014.

SEC. 8112. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8113. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8114. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 8115. None of the funds made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(g) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

SEC. 8116. None of the funds made available by this Act for excess defense articles, assistance under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), or peacekeeping operations for the countries designated in 2013 to be in violation of the standards of the Child Soldiers Prevention Act of 2008 may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1), unless such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008.

SEC. 8117. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8118. The Secretary of the Air Force shall obligate and expend funds previously appropriated for the procurement of RQ–4B Global Hawk aircraft for the purposes for which such funds were originally appropriated: *Provided*, That none of the funds made available by this Act may be used to retire, divest, realign or transfer RQ–4B Global Hawk aircraft, or to disestablish or convert units associated with such aircraft.

SEC. 8119. None of the funds made available by this Act may be used by the Department of Defense or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

SEC. 8120. None of the funds made available by this Act may be used to enter into a contract with any person or other entity

listed in the Excluded Parties List System (EPLS)/System for Award Management (SAM) as having been convicted of fraud against the Federal Government.

SEC. 8121. (a) None of the funds made available in this Act for the Department of Defense may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, to make a grant to, or to provide a loan or loan guarantee to Rosoboronexport.

(b) The Secretary of Defense may waive the limitation in subsection (a) if the Secretary certifies in writing that the waiver is in the national security interest of the United States.

(c) REQUIREMENTS RELATING TO OBLIGATION OF FUNDS PURSUANT TO WAIVER.—

(1) Not later than 30 days before obligating funds pursuant to the waiver under subsection (b), the Secretary of Defense shall submit to the congressional defense committees a notice on the obligation of funds pursuant to the waiver.

(2) Not later than 15 days after the submittal of the notice under paragraph (1), the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(A) An assessment of the number, if any, of S–300 advanced anti-aircraft missiles that Rosoboronexport has delivered to the Assad regime in Syria.

(B) A list of known contracts, if any, that Rosoboronexport has signed with the Assad regime since January 1, 2013.

(C) An explanation why it is in the national security interest of the United States to enter into a contract, memorandum of understanding, or cooperative agreement with, to make a grant to, or to provide a loan or loan guarantee to Rosoboronexport.

(D) An explanation why comparable equipment cannot be purchased from another source.

SEC. 8122. Section 8159(c) of the Department of Defense Appropriations Act, 2002 (division A of Public Law 107–117, 10 U.S.C. 2401a note) is amended by striking paragraph (7).

SEC. 8123. None of the funds made available in this Act may be used for the purchase or manufacture of a flag of the United States unless such flags are treated as covered items under section 2533a(b) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8124. In addition to amounts appropriated or otherwise made available elsewhere in this Act, $25,000,000 is hereby appropriated to the Department of Defense and made available for transfer to the Army, Air Force, Navy, and Marine Corps, for purposes of implementation of a Sexual Assault Special Victims Program: *Provided,* That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

SEC. 8125. None of the funds made available by this Act may be used in contravention of the amendments made to the Uniform

Code of Military Justice of title XVII of the National Defense Authorization Act for Fiscal Year 2014 regarding the discharge or dismissal of a member of the Armed Forces convicted of certain sex-related offenses, the required trial of such offenses by general courts-martial, and the limitations imposed on convening authority discretion regarding court-martial findings and sentences.

SEC. 8126. None of the funds appropriated in this, or any other Act, may be obligated or expended by the United States Government for the direct personal benefit of the President of Afghanistan.

10 USC 2731 note.

SEC. 8127. (a) Of the funds appropriated in this Act for the Department of Defense, amounts may be made available, under such regulations as the Secretary may prescribe, to local military commanders appointed by the Secretary of Defense, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) of this section for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) An ex gratia payment under this section may be provided only if—

(1) the prospective foreign civilian recipient is determined by the local military commander to be friendly to the United States;

(2) a claim for damages would not be compensable under chapter 163 of title 10, United States Code (commonly known as the "Foreign Claims Act"); and

(3) the property damage, personal injury, or death was not caused by action by an enemy.

(c) NATURE OF PAYMENTS.—Any payments provided under a program under subsection (a) shall not be considered an admission or acknowledgement of any legal obligation to compensate for any damage, personal injury, or death.

(d) AMOUNT OF PAYMENTS.—If the Secretary of Defense determines a program under subsection (a) to be appropriate in a particular setting, the amounts of payments, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment, which should include such factors as cultural appropriateness and prevailing economic conditions.

(e) LEGAL ADVICE.—Local military commanders shall receive legal advice before making ex gratia payments under this subsection. The legal advisor, under regulations of the Department of Defense, shall advise on whether an ex gratia payment is proper under this section and applicable Department of Defense regulations.

(f) WRITTEN RECORD.—A written record of any ex gratia payment offered or denied shall be kept by the local commander and on a timely basis submitted to the appropriate office in the Department of Defense as determined by the Secretary of Defense.

(g) REPORT.—The Secretary of Defense shall report to the congressional defense committees on an annual basis the efficacy of the ex gratia payment program including the number of types of cases considered, amounts offered, the response from ex gratia payment recipients, and any recommended modifications to the program.

(h) LIMITATION.—Nothing in this section shall be deemed to provide any new authority to the Secretary of Defense.

SEC. 8128. None of the funds available to the Department of Defense shall be used to conduct any environmental impact analysis related to Minuteman III silos that contain a missile as of the date of the enactment of this Act.

SEC. 8129. The amounts appropriated in title I and II of this Act are hereby reduced by $8,000,000: *Provided,* That the reduction shall be applied to funding for general and flag officers within the military personnel and operation and maintenance appropriations: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of the reduction by appropriation and budget line item not later than 90 days after the enactment of this Act: *Provided further*, That none of the funds made available by this Act may be used for flag or general officers for each military department that are in excess to the number of such officers serving in such military department as of the date of enactment of this Act.

SEC. 8130. None of the funds made available in this Act shall be used to transition elements of the 18th Aggressor Squadron out of Eielson Air Force Base.

SEC. 8131. None of the funds made available by this Act may be used to cancel the avionics modernization program of record for C–130 aircraft.

SEC. 8132. None of the funds made available by this Act may be used by the Department of Defense to grant an enlistment waiver for an offense within offense code 433 (rape, sexual abuse, sexual assault, criminal sexual abuse, incest, or other sex crimes), as specified in Table 1 of the memorandum from the Under Secretary of Defense with the subject line "Directive-Type Memorandum (DTM) 08–018—'Enlistment Waivers'", dated June 27, 2008 (incorporating Change 3, March 20, 2013).

SEC. 8133. None of the funds made available by this Act may be used by the Secretary of the Air Force to reduce the force structure at Lajes Field, Azores, Portugal, below the total number of military and civilian personnel assigned to Lajes Field on October 1, 2012, until the Secretary of Defense submits the certification to the congressional defense committees required by section 341 of the National Defense Authorization Act for Fiscal Year 2014.

SEC. 8134. None of the Operation and Maintenance funds made available in this Act may be used in contravention of section 41106 of title 49, United States Code.

SEC. 8135. None of the funds made available by this Act may be used to fund the performance of a flight demonstration team at a location outside of the United States: *Provided*, That this prohibition applies only if a performance of a flight demonstration team at a location within the United States was canceled during the current fiscal year due to insufficient funding.

SEC. 8136. None of the funds made available by this Act may be used to carry out reductions to the nuclear forces of the United States to implement the New START Treaty (as defined in section 495(e) of title 10, United States Code), or to carry out activities to prepare for such reductions except as authorized by section 1056 of the National Defense Authorization Act for Fiscal Year 2014.

SEC. 8137. None of the funds made available by this Act may be used to implement an enrollment fee for the TRICARE for Life program under chapter 55 of title 10, United States Code.

SEC. 8138. None of the funds appropriated or otherwise made available by this Act or any other Act may be used by the Department of Defense or a component thereof in contravention of section 1246(c) of the National Defense Authorization Act for Fiscal Year 2014, relating to limitations on providing certain missile defense information to the Russian Federation.

SEC. 8139. None of the funds made available by this Act may be used by the National Security Agency to—

(1) conduct an acquisition pursuant to section 702 of the Foreign Intelligence Surveillance Act of 1978 for the purpose of targeting a United States person; or

(2) acquire, monitor, or store the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication of a United States person from a provider of electronic communication services to the public pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978.

SEC. 8140. The amounts appropriated in title II of this Act are hereby reduced by $866,500,000 to reflect excess cash balances in Department of Defense Working Capital Funds, as follows:

(1) From "Operation and Maintenance, Navy", $442,000,000;

(2) From "Operation and Maintenance, Air Force", $77,000,000; and

(3) From "Operation and Maintenance, Defense-Wide", $347,500,000.

SEC. 8141. Of the amounts appropriated for "Working Capital Fund, Army", $150,000,000 shall be available for the Industrial Mobilization Capacity account: *Provided*, That the Secretary of the Army shall—

(1) Assign the arsenals sufficient workload to maintain the critical capabilities identified in the Army Organic Industrial Base Strategy Report;

(2) Ensure cost efficiency and technical competence in peacetime, while preserving the ability to provide an effective and timely response to mobilizations, national defense contingency situations, and other emergent requirements;

(3) Release the Army Organic Industrial Base Strategy Report not later than 30 days after the enactment of this Act; and

(4) Brief the congressional defense committees not later than 90 days after the enactment of this Act to ensure sufficient workload for the efficient operation of the arsenals.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", $5,449,726,000: *Provided*, That such amount is designated by the

Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", $558,344,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", $777,922,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", $832,862,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", $33,352,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", $20,238,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", $15,134,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", $20,432,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", $257,064,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", $6,919,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", $32,369,249,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", $8,470,808,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", $3,369,815,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", $12,746,424,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", $6,226,678,000: *Provided,* That of the funds provided under this heading, not to exceed $1,257,000,000, to remain available until September 30, 2015, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military operations in support of Operation Enduring Freedom: *Provided further,* That

these funds may be used to reimburse the government of Jordan, in such amounts as the Secretary of Defense may determine, to maintain the ability of the Jordanian armed forces to maintain security along the border between Jordan and Syria, upon 15 day prior written notification to the congressional defense committees outlining the amounts reimbursed and the nature of the expenses to be reimbursed and that these funds may be used in accordance with section 1205 of S. 1197, an Act authorizing appropriations for fiscal year 2014 for military activities of the Department of Defense, as reported: *Provided further,* That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, at the discretion of the Secretary of Defense, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further,* That the requirement under this heading to provide notification to the appropriate congressional committees shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further,* That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further,* That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further,* That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", $34,674,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", $55,700,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", $12,534,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/

Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", $32,849,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", $130,471,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", $22,200,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN INFRASTRUCTURE FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Afghanistan Infrastructure Fund", $199,000,000, to remain available until September 30, 2015: *Provided,* That such funds shall be available to the Secretary of Defense for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further,* That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, which may require funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further,* That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further,* That any projects funded under this heading shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further,* That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further,* That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further,* That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in

coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: *Provided further,* That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further,* That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further,* That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further,* That the "appropriate committees of Congress" are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", $4,726,720,000, to remain available until September 30, 2015: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further,* That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further,* That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United

States: *Provided further,* That the equipment described in the previous proviso, as well as equipment not yet transferred to the security forces of Afghanistan when determined by the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to no longer be required for transfer to such forces, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further,* That of the funds provided under this heading, not less than $25,000,000 shall be for recruitment and retention of women in the Afghanistan National Security Forces: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", $669,000,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", $128,645,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", $190,900,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", $653,902,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", $211,176,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas

Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", $86,500,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", $169,362,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", $125,984,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", $188,868,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", $24,200,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", $137,826,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", $2,517,846,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", $128,947,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, $1,000,000,000, to remain available for obligation until September 30, 2016: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", $13,500,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", $34,426,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", $9,000,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War

on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", $78,208,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", $264,910,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", $898,701,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", $376,305,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", $879,225,000, to remain available until September 30, 2016: *Provided,* That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further,* That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the

purpose provided herein: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the "Office of the Inspector General", $10,766,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2014.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2014.

SEC. 9003. Supervision and administration costs and costs for design during construction associated with a construction project funded with appropriations available for operation and maintenance, "Afghanistan Infrastructure Fund", or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs and costs for design during construction include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of $75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding

price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $30,000,000 of the amount appropriated in this title under the heading "Operation and Maintenance, Army" may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided,* That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $20,000,000: *Provided further,* That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further,* That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Afghanistan: *Provided further,* That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. None of the funds provided for the "Afghanistan Security Forces Fund" (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of $50,000,000 annually and any non-standard equipment requirements in excess of $100,000,000 using ASFF: *Provided further,* That the AROC must approve all projects and the execution plan under the "Afghanistan Infrastructure Fund" (AIF) and any project in excess of $5,000,000 from the Commander's Emergency Response Program (CERP): *Provided further,* That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding provisos and accompanying report language for the ASFF, AIF, and CERP.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

SEC. 9011. Notwithstanding any other provision of law, up to $63,800,000 of funds made available in this title under the heading "Operation and Maintenance, Army" may be obligated and expended for purposes of the Task Force for Business and Stability Operations, subject to the direction and control of the Secretary of Defense, with concurrence of the Secretary of State, to carry out strategic business and economic assistance activities in Afghanistan in support of Operation Enduring Freedom: *Provided,* That not less than 15 days before making funds available pursuant to the authority provided in this section for any project with a total anticipated cost of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice

containing a detailed justification and timeline for each proposed project.

SEC. 9012. From funds made available to the Department of Defense in this title under the heading "Operation and Maintenance, Air Force" up to $209,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction, and site closeout activities prior to returning sites to the Government of Iraq: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2014, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include non-operational training activities in support of Iraqi Minister of Defense and Counter Terrorism Service personnel in an institutional environment to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: *Provided further,* That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2014, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notification containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2014.

(RESCISSIONS)

SEC. 9013. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

"General Provision: Retroactive Stop Loss Special Pay Program, 2009/XXXX", $53,100,000; and

"Other Procurement, Army, 2013/2015", $87,270,000.

SEC. 9014. (a) None of the funds appropriated or otherwise made available by this Act under the heading "Operation and Maintenance, Defense-Wide" for payments under section 1233 of Public Law 110–181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the Committees on Appropriations that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban,

Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) implementing policies to protect judicial independence and due process of law;

(6) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(7) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in paragraph (a) on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so: *Provided*, That if the Secretary of Defense, in coordination with the Secretary of State, exercises the authority of the previous proviso, the Secretaries shall report to the Committees on Appropriations on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: *Provided further*, That such report may be submitted in classified form if necessary.

SEC. 9015. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed or military forces into hostilities in Syria, into situations in Syria where imminent involvement in hostilities is clearly indicated by the circumstances, or into Syrian territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of that law (50 U.S.C. 1542 and 1543).

SEC. 9016. None of the funds made available by this Act for the "Afghanistan Infrastructure Fund" may be used to plan, develop, or construct any project for which construction has not commenced before the date of the enactment of this Act.

TITLE X—MILITARY DISABILITY RETIREMENT AND SURVIVOR BENEFIT ANNUITY RESTORATION

SEC. 10001. INAPPLICABILITY OF ANNUAL ADJUSTMENT OF RETIRED PAY FOR MEMBERS OF THE ARMED FORCES UNDER THE AGE OF 62 UNDER THE BIPARTISAN BUDGET ACT OF 2013 TO MEMBERS RETIRED FOR DISABILITY AND TO RETIRED PAY USED TO COMPUTE CERTAIN SURVIVOR BENEFIT PLAN ANNUITIES.

(a) INAPPLICABILITY.—Paragraph (4) of section 1401a(b) of title 10, United States Code, as added by section 403(a) of the Bipartisan Budget Act of 2013, is amended—

(1) in subparagraph (A), by inserting after "age" the following: "(other than a member or former member retired under chapter 61 of this title)"; and

(2) by adding at the end the following new subparagraph:

"(F) INAPPLICABILITY TO AMOUNT OF RETIRED PAY USED IN COMPUTATION OF SBP ANNUITY FOR SURVIVORS.—In the computation pursuant to subsection (d) or (f) of section 1448 of this title of an annuity for survivors of a member or person who dies while subject to the application of this paragraph, the amount of the retired pay of such member or person for purposes of such computation shall be the amount of retired pay that would have been payable to such member or person at the time of death without regard to the application of this paragraph.".

(b) CONFORMING AMENDMENTS.—

(1) COMBAT-RELATED SPECIAL COMPENSATION.—Section 1413a(b)(3) of title 10, United States Code, is amended—

(A) in subparagraph (A), by inserting ", with adjustment under paragraph (2) of section 1401a(b) of this title to which the member would have been entitled (but without the application of paragraph (4) of such section)," after "under any other provision of law"; and

(B) in subparagraph (B), by striking "whichever is applicable to the member." and inserting "with adjustment under paragraph (2) of section 1401a(b) of this title to which the member would have been entitled (but without the application of paragraph (4) of such section), whichever is applicable to the member.".

(2) CONCURRENT RECEIPT OF RETIRED PAY AND VETERANS' DISABILITY COMPENSATION.—Section 1414(b)(1) of such title is amended by inserting "(but without the application of section 1401a(b)(4) of this title)" after "under any other provision of law".

(3) PREVENTION OF COLA INVERSIONS.—Section 1401a(f)(2) of title 10, United States Code, is amended by inserting "or subsection (b)(4)" after "subsection (b)(2)".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on December 1, 2015, immediately after the coming into effect of section 403 of the Bipartisan Budget Act of 2013 and the amendments made by that section. 10 USC 1401a note.

(d) EXCLUSION OF BUDGETARY EFFECTS FROM PAYGO SCORECARDS.—

(1) STATUTORY PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of this section shall not be entered on either PAYGO score-card maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(2) SENATE PAYGO SCORECARDS.—The budgetary effects of this section shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

This division may be cited as the "Department of Defense Appropriations Act, 2014".

Energy and Water Development and Related Agencies Appropriations Act, 2014.

DIVISION D—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration, projects and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, $125,000,000, to remain available until expended: *Provided*, That the Secretary may initiate up to but no more than nine new reconnaissance study starts during fiscal year 2014: *Provided further*, That the new reconnaissance study starts will consist of three studies where the majority of the benefits are derived from navigation transportation savings, three studies where the majority of the benefits are derived from flood and storm damage reduction, and three studies where the majority of the benefits are derived from environmental restoration: *Provided further*, That the number of environmental restoration studies selected shall be limited to no more than the lessor of the number of navigation studies or the number of flood and storm damage reduction studies selected: *Provided further*, That the Secretary shall not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of the House of Representatives and the Senate.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); $1,656,000,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund: *Provided,* That during the fiscal year period covered by this Act, 25 percentum of the funding proposed for Olmsted Lock and Dam, Ohio River, Illinois and Kentucky, shall be derived from the Inland Waterways Trust Fund: *Provided further*, That the Secretary may initiate up to but no more than four new construction starts during fiscal year 2014: *Provided further*, That the new construction starts will consist of three projects where the majority of the benefits are derived from navigation transportation savings or from flood and storm damage reduction and one project where the majority of the benefits are derived from environmental restoration: *Provided further*, That for new construction projects, project cost sharing agreements shall be executed as soon as practicable but no later than August 29, 2014: *Provided further*, That no allocation for a new start shall be considered final and no work allowance shall be made until the Secretary provides to the Committees on Appropriations of the House of Representatives and the Senate an out-year funding scenario demonstrating the affordability of the selected new start and the impacts on other projects: *Provided further*, That the Secretary may not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of the House of Representatives and the Senate.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $307,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories;

maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $2,861,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: *Provided*, That 1 percent of the total amount of funds provided for each of the programs, projects or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $200,000,000, to remain available until September 30, 2015.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, $103,499,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, $28,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water

Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, $182,000,000, to remain available until September 30, 2015, of which not to exceed $5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation provided in title I of this Act shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), $5,000,000, to remain available until September 30, 2015.

ADMINISTRATIVE PROVISION

The Revolving Fund, Corps of Engineers, shall be available during the current fiscal year for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles for the civil works program.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2014, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the House and Senate Committees on Appropriations;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the House and Senate Committees on Appropriations;

(5) augments or reduces existing programs, projects or activities in excess of the amounts contained in subsections 6 through 10, unless prior approval is received from the House and Senate Committees on Appropriations;

(6) INVESTIGATIONS.—For a base level over $100,000, reprogramming of 25 percent of the base amount up to a limit of $150,000 per project, study or activity is allowed: *Provided*, That for a base level less than $100,000, the reprogramming limit is $25,000: *Provided further*, That up to $25,000 may be reprogrammed into any continuing study or activity that

did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over $2,000,000, reprogramming of 15 percent of the base amount up to a limit of $3,000,000 per project, study or activity is allowed: *Provided*, That for a base level less than $2,000,000, the reprogramming limit is $300,000: *Provided further*, That up to $3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: *Provided further*, That up to $300,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted in order for the Corps to be able to respond to emergencies: *Provided*, That the Chief of Engineers must notify the House and Senate Committees on Appropriations of these emergency actions as soon thereafter as practicable: *Provided further*, That for a base level over $1,000,000, reprogramming of 15 percent of the base amount a limit of $5,000,000 per project, study or activity is allowed: *Provided further*, That for a base level less than $1,000,000, the reprogramming limit is $150,000: *Provided further*, That $150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The same reprogramming guidelines for the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account as listed above; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) DE MINIMUS REPROGRAMMINGS.—In no case should a reprogramming for less than $50,000 be submitted to the House and Senate Committees on Appropriations.

(c) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(d) Not later than 60 days after the date of enactment of this Act, the Corps of Engineers shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided*, That the report shall include:

(1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if applicable, and the fiscal year enacted level;

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) An identification of items of special congressional interest.

SEC. 102. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 103. None of the funds in this Act, or previous Acts, making funds available for Energy and Water Development, shall be used to award any continuing contract that commits additional funding from the Inland Waterways Trust Fund unless or until such time that a long-term mechanism to enhance revenues in this Fund sufficient to meet the cost-sharing authorized in the Water Resources Development Act of 1986 (Public Law 99–662) is enacted.

SEC. 104. Beginning on the date of enactment of this Act and hereafter, not later than 120 days after the date of the Chief of Engineers Report on a water resource matter, the Assistant Secretary of the Army (Civil Works) shall submit the report to the appropriate authorizing and appropriating committees of the Congress. 33 USC 2282b.

SEC. 105. During the fiscal year period covered by this Act, the Secretary of the Army is authorized to implement measures recommended in the efficacy study authorized under section 3061 of the Water Resources Development Act of 2007 (121 Stat. 1121) or in interim reports, with such modifications or emergency measures as the Secretary of the Army determines to be appropriate, to prevent aquatic nuisance species from dispersing into the Great Lakes by way of any hydrologic connection between the Great Lakes and the Mississippi River Basin.

SEC. 106. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to $4,700,000 of funds provided in this title under the heading "Operation and Maintenance" to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 107. That portion of the project for navigation, Ipswich River, Massachusetts adopted by the Rivers and Harbor Act of August 5, 1886 consisting of a 4-foot channel located at the entrance to the harbor at Ipswich Harbor, lying northwesterly of a line commencing at: N3074938.09, E837154.87, thence running easterly about 60 feet to a point with coordinates N3074972.62, E837203.93, is no longer authorized as a Federal project after the date of enactment of this Act.

SEC. 108. That portion of the project of navigation, Chicago Harbor, Illinois, authorized by the River and Harbor Acts of March 3, 1899 and March 2, 1919, and that begins at the southwest corner of the Metropolitan Sanitary District of Greater Chicago sluice gate that abuts the north wall of the Chicago River Lock and that continues north for approximately 290 feet, thence east approximately 1,000 feet, then south approximately 290 feet, thence west approximately 1,000 feet to the point of beginning shall no longer be authorized as a Federal project after the date of enactment of this Act.

SEC. 109. Beginning on the date of enactment of this Act, the Secretary is no longer authorized to carry out the portion of the project for navigation, Warwick Cove, Rhode Island, authorized by section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) that is located within the 5 acre anchorage area east of the channel and lying east of the line beginning at a point with coordinates N220,349.79, E357,664.90 thence running north 9 degrees 10 minutes 21.5 seconds west 170.38 feet to a point N220,517.99, E357,637.74 thence running north 17 degrees 44 minutes 30.4 seconds west 165.98 feet to a point N220,676.08, E357,587.16 thence running north 0 degrees 46 minutes 0.9 seconds

east 138.96 feet to a point N220,815.03, E357,589.02 thence running north 8 degrees 36 minutes 22.9 seconds east 101.57 feet to a point N220,915.46, E357,604.22 thence running north 18 degrees 18 minutes 27.3 seconds east 168.20 feet to a point N221,075.14, E357,657.05 thence running north 34 degrees 42 minutes 7.2 seconds east 106.4 feet to a point N221,162.62,209 E357,717.63 thence running south 29 degrees 14 minutes 17.4 seconds east 26.79 feet to a point N221,139.24, E357,730.71 thence running south 30 degrees 45 minutes 30.5 seconds west 230.46 feet to a point N220,941.20, E357,612.85 thence running south 10 degrees 49 minutes12.0 seconds west 95.46 feet to a point N220,847.44, E357,594.93 thence running south 9 degrees 13 minutes 44.5 seconds east 491.68 feet to a point N220,362.12, E357,673.79 thence running south 35 degrees 47 minutes 19.4 seconds west 15.20 feet to the point of origin.

SEC. 110. (a) Section 1001(17)(A) of Public Law 110–114 is amended—

(1) by striking "$125,270,000" and inserting in lieu thereof, "$152,510,000";

(2) by striking "$75,140,000" and inserting in lieu thereof, "$92,007,000"; and

(3) by striking "$50,130,000" and inserting in lieu thereof, "$60,503,000".

(b) The amendments made by subsection (a) shall take effect as of November 8, 2007.

SEC. 111. The project for flood control, Little Calumet River, Indiana, authorized by section 401(a) of the Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4115), is modified to authorize the Secretary to carry out the project at a total cost of $269,988,000 with an estimated Federal cost of $202,800,000 and an estimated non-Federal cost of $67,188,000.

SEC. 112. During fiscal years 2014 and 2015, the limitation relating to total project costs in section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall not apply with respect to any project that receives funds made available by this title.

SEC. 113. The Cape Arundel Disposal Site in the State of Maine selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection Research and Sanctuaries Act of 1972, shall remain open for 5 years after enactment of this Act, until the remaining disposal capacity of the site has been utilized, or until completion of an Environmental Impact Statement to support final designation of an Ocean Dredged Material Disposal Site for southern Maine under section 102(c) of the Marine Protection Research and Sanctuaries Act of 1972, whichever first occurs, provided that the site conditions remain suitable for such purpose and that the site may not be used for disposal of more than 80,000 cubic yards from any single dredging project.

SEC. 114. None of the funds made available in this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007.

SEC. 115. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers during the fiscal year ending September 30, 2014, to develop, adopt,

implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms "fill material" or "discharge of fill material" for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 116. During fiscal year 2014, any work that is required to be undertaken on a flood control project because of impacts to that project from a navigation project may be cost shared in accordance with the cost sharing requirements for the navigation project.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $8,725,000, to remain available until expended, of which $1,000,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided,* That of the amount provided under this heading, $1,300,000 shall be available until September 30, 2015, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2014, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed $1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $954,085,000, to remain available until expended, of which $28,000 shall be available for transfer to the Upper Colorado River Basin Fund and $8,401,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived

from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $53,288,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, $37,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: *Provided*, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: *Provided further*, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2015, $60,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain available for obligation or expenditure in fiscal year 2014, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) initiates or creates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(5) transfers funds in excess of the following limits, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate:

(A) 15 percent for any program, project or activity for which $2,000,000 or more is available at the beginning of the fiscal year; or

(B) $300,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term "transfer" means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program-Alternative Repayment Plan" and the "SJVDP-Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. (a) USE OF TECHNICAL MEMORANDUM.—Notwithstanding any other provision of law, until such time as the pipeline reliability study identified in the joint explanatory statement accompanying the Consolidated Appropriations Act, 2012, (Public Law 112–74) is completed and any necessary changes are made to Technical Memorandum 8140–CC–2004–1 ("Corrosion Considerations for Buried Metallic Water Pipe") in accordance with subsection (c)—

(1) The Bureau of Reclamation shall not use the Technical Memorandum as the sole basis to deny funding or approval of a project or to disqualify any material from use in severely corrosive soils; and

(2) Reclamation shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to advertisement of any project with a buried metallic pipeline where severely corrosive soils are anticipated to be encountered. The notification shall include the corrosion prevention requirements that are anticipated to be required in the contract bidding documents.

(b) DEVIATIONS.—If the entity that will be the ultimate owner of a project requests a deviation from the corrosion prevention requirements that the Bureau of Reclamation proposes for such project, Reclamation shall give expeditious consideration to granting the deviation and include liability waivers, if appropriate.

(c) REVISIONS TO TECHNICAL MEMORANDUM.—A proposal to update Technical Memorandum 8140–CC–2004–1 ("Corrosion Considerations for Buried Metallic Water Pipe") shall be—

(1) Subject to a peer review by appropriate experts not employed or selected by the Bureau of Reclamation and in accordance with the standards referenced in the Office of Management and Budget document "Final Information Quality Bulletin for Peer Review"; and

(2) Promulgated in accordance with the requirements of Reclamation's Design Standard No. 1 (General Design Standards Dated May 2012), and any other applicable law, regulation, or agency process, including opportunities for meaningful public participation and input.

SEC. 204. The Secretary of the Interior may hereafter participate in non-Federal groundwater banking programs to increase the operational flexibility, reliability, and efficient use of water in the State of California, and this participation may include making payment for the storage of Central Valley Project water supplies, the purchase of stored water, the purchase of shares or an interest in ground banking facilities, or the use of Central Valley Project water as a medium of payment for groundwater banking services: *Provided*, That the Secretary of the Interior shall participate in groundwater banking programs only to the extent allowed under State law and consistent with water rights applicable to the Central Valley Project: *Provided further*, That any water user to which banked water is delivered shall pay for such water in the same manner provided by that water user's then-current Central Valley Project water service, repayment, or water rights settlement contract at the rate provided by the then-current Central Valley Project Irrigation or Municipal and Industrial Rate Setting Policies; and: *Provided further*, That in implementing this section, the Secretary of the Interior shall comply with applicable environmental laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) Nothing herein shall alter or limit the Secretary's existing authority to use groundwater banking to meet existing fish and wildlife obligations.

SEC. 205. (a) Subject to compliance with all applicable Federal and State laws, a transfer of irrigation water among Central Valley Project contractors from the Friant, San Felipe, West San Joaquin, and Delta divisions, and a transfer from a long-term Friant Division water service or repayment contractor to a temporary or prior temporary service contractors within the place of use in existence on the date of the transfer, as identified in the Bureau of Reclamation water rights permits for the Friant Division, shall hereafter be considered to meet the conditions described in subparagraphs (A) and (I) of section 3405(a)(1) of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575; 106 Stat. 4709).

(b) The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service and the Commissioner of the Bureau of Reclamation shall initiate and complete, on the most expedited basis practicable, programmatic environmental compliance so as to facilitate voluntary water transfers within the Central Valley Project, consistent with all applicable Federal and State law.

(c) Not later than 180 days after the date of enactment of this Act and each of the 4 years thereafter, the Commissioner of the Bureau of Reclamation shall submit to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate a report that describes the status of efforts to help facilitate and improve the water transfers within the Central Valley Project and water transfers between the Central Valley Project and other water projects in the State of California; evaluates potential effects of this Act on Federal programs, Indian tribes, Central Valley Project operations, the environment, groundwater aquifers, refuges, and communities; and provides recommendations on ways to facilitate and improve the process for these transfers.

SEC. 206. Section 104(c) of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2214(c)) is amended by striking "2012" and inserting "2017".

SEC. 207. Title I of Public Law 108–361 (the Calfed Bay-Delta Authorization Act) (118 Stat. 1681), as amended by section 210 of Public Law 111–85, is amended by striking "2014" each place it appears and inserting "2015".

43 USC 373f.

SEC. 208. The Secretary may hereafter partner, provide a grant to, or enter into a cooperative agreement with local joint powers authorities formed pursuant to State law by irrigation districts and other local water districts and local governments, to advance planning and feasibility studies authorized by Congress for water storage project: *Provided*, That the Secretary shall ensure that all documents associated with the preparation of planning and feasibility studies and applicable environmental reviews under the National Environmental Policy Act for a project covered by this section shall be made available to any joint powers authority with whom the Secretary enters into an agreement to advance such project: *Provided further*, That the Secretary, acting through the Commissioner of the Bureau of Reclamation, shall ensure that all applicable environmental reviews under the National Environmental Policy Act, to the degree such reviews are required, are completed on an expeditious basis and that the shortest existing applicable process under the National Environmental Policy Act shall be utilized, including in the completion of feasibility studies, Draft Environmental Impact Statements (DEIS) and Final Environmental Impact Statements (FEIS): *Provided further*, That the Bureau of Reclamation need not complete the applicable feasibility study, DEIS or FEIS if the Commissioner determines, and the Secretary concurs, that the project can be expedited by a joint powers authority as a non-Federal project or if the project fails to meet applicable Federal cost-benefit requirements or standards: *Provided further*, That the Secretary shall not provide financial assistance towards these studies or projects, unless there is a demonstrable Federal interest.

SEC. 209. Section 9 of the Fort Peck Reservation Rural Water System Act of 2000 (Public Law 106–382; 114 Stat. 1457, 123 Stat. 2856) is amended by striking "2015" each place it appears in subsections (a)(1) and (b) and inserting "2020".

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,912,104,111, to remain available until expended: *Provided*, That $162,000,000

shall be available until September 30, 2015, for program direction: *Provided further*, That of the amount provided under this heading, the Secretary may transfer up to $45,000,000 to the Defense Production Act Fund for activities of the Department of Energy pursuant to the Defense Production Act of 1950 (50 U.S.C. App. 2061, et seq.): *Provided further*, That $4,711,100 from Public Law 111–8 and $5,707,011 from Public Law 111–85 provided under this heading are hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $147,306,000, to remain available until expended: *Provided*, That $27,606,000 shall be available until September 30, 2015, for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than 10 buses and 2 ambulances, all for replacement only, $889,190,000, to remain available until expended: *Provided*, That of the amount made available under this heading, $90,000,000 shall be available until September 30, 2015, for program direction.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $562,065,000, to remain available until expended: *Provided*, That $120,000,000 shall be available until September 30, 2015, for program direction: *Provided further*, That for all programs funded under Fossil Energy appropriations in this and subsequent Acts, the Secretary may vest fee title or other property interests acquired under projects in any entity, including the United States. 42 USC 16291a.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum and oil shale reserve activities, $20,000,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $189,400,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

For necessary expenses for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $8,000,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $117,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $231,765,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, $598,823,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 25 passenger

motor vehicles for replacement only, including one law enforcement vehicle, one ambulance, and one bus, $5,071,000,000, to remain available until expended: *Provided*, That $185,000,000 shall be available until September 30, 2015, for program direction: *Provided further*, That not more than $22,790,000 may be made available for U.S. cash contributions to the International Thermonuclear Experimental Reactor project until its governing Council adopts the recommendations of the Third Biennial International Organization Management Assessment Report: *Provided further*, That the Secretary of Energy may waive this requirement upon submission to the Committees on Appropriations of the House of Representatives and the Senate a determination that the Council is making satisfactory progress towards adoption of such recommendations.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For necessary expenses in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110–69), as amended, $280,000,000, to remain available until expended: *Provided*, That $28,000,000 shall be available until September 30, 2015, for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided*, That, for necessary administrative expenses to carry out this Loan Guarantee program, $42,000,000 is appropriated, to remain available until September 30, 2015: *Provided further*, That $22,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2014 appropriation from the general fund estimated at not more than $20,000,000: *Provided further*, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated: *Provided further*, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For administrative expenses in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $6,000,000, to remain available until September 30, 2015.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $234,637,000, to remain available until September 30,

2015, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $108,188,000 in fiscal year 2014 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2014 appropriation from the general fund estimated at not more than $126,449,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, $42,120,000, to remain available until September 30, 2015.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one ambulance, $7,845,000,000, to remain available until expended: *Provided*, That of such amount not more than $40,000,000 may be made available for B83 Stockpile Systems until the Nuclear Weapons Council certifies to the Committees on Appropriations of the House of Representatives and the Senate that the B83 gravity bomb will be retired by fiscal year 2025 or as soon as confidence in the B61–12 stockpile is gained: *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, $64,000,000 is hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and

other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,954,000,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,095,000,000, to remain available until expended: *Provided*, That $43,212,000 shall be available until September 30, 2015, for program direction.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, $377,000,000, to remain available until September 30, 2015, including official reception and representation expenses not to exceed $12,000.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one sport utility vehicle, three lube trucks, and one fire truck for replacement only, $5,000,000,000, to remain available until expended: *Provided*, That $300,000,000 shall be available until September 30, 2015, for program direction.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $755,000,000, to remain available until expended: *Provided*, That $127,035,000 shall be available until September 30, 2015, for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for construction of, or participating in the construction of, a high voltage line from Bonneville's high voltage system to the service areas of requirements customers located within Bonneville's service area in southern Idaho, southern Montana, and western Wyoming; and such line may extend to, and interconnect in, the Pacific Northwest with lines between the Pacific Northwest and the Pacific Southwest, and for John Day Reprogramming and Construction, the Columbia River Basin White Sturgeon Hatchery, and Kelt Reconditioning and Reproductive Success Evaluation Research, and, in addition, for official reception and representation expenses in an amount not to exceed $5,000: *Provided*, That during fiscal year 2014, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, and including official reception and representation expenses in an amount not to exceed $1,500, $7,750,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $7,750,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2014 appropriation estimated at not more than $0: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to $78,081,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood

Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $45,456,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $33,564,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2014 appropriation estimated at not more than $11,892,000: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to $42,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That, for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $299,919,000, to remain available until expended, of which $292,019,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $203,989,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2014 appropriation estimated at not more than $95,930,000, of which $88,030,000 is derived from the Reclamation Fund: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to $230,738,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses): *Provided further*, That for purposes of this appropriation in this and subsequent Acts, purchase power

42 USC 7276f note.

and wheeling expenses includes the cost of voluntary purchases of power allowances in compliance with state greenhouse gas programs existing at the time of enactment of this Act.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $5,330,671, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $4,910,671 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2014 appropriation estimated at not more than $420,000: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: *Provided further*, That for fiscal year 2014, the Administrator of the Western Area Power Administration may accept up to $865,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: *Provided further*, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses not to exceed $3,000, $304,600,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $304,600,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2014 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2014 so as to result in a final

42 USC 7171 note.

fiscal year 2014 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of the House of Representatives and the Senate at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling $1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling $1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than $1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading "Department of Energy—Energy Programs", enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of the House of Representatives and the Senate at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the "Final Bill" column in the "Department of Energy" table included under the heading "Title III—Department of Energy" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 30 days prior to the use of any proposed reprogramming which would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

SEC. 302. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2014 until the enactment of the Intelligence Authorization Act for fiscal year 2014.

SEC. 304. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Health, Safety, and Security to ensure the project is in compliance with nuclear safety requirements.

SEC. 305. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under

Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 306. (a) Any determination (including a determination made prior to the date of enactment of this Act) by the Secretary pursuant to section 3112(d)(2)(B) of the USEC Privatization Act (110 Stat. 1321–335), as amended, shall be valid for not more than 2 calendar years subsequent to such determination.

(b) Not less than 30 days prior to the provision of uranium in any form the Secretary shall notify the House and Senate Committees on Appropriations of the following:

(1) the amount of uranium to be provided;

(2) an estimate by the Secretary of the gross fair market value of the uranium on the expected date of the provision of the uranium;

(3) the expected date of the provision of the uranium;

(4) the recipient of the uranium; and

(5) the value the Secretary expects to receive in exchange for the uranium, including any adjustments to the gross fair market value of the uranium.

SEC. 307. Section 20320 of the Continuing Appropriations Resolution, 2007, Public Law 109–289, division B, as amended by the Revised Continuing Appropriations Resolution, 2007, Public Law 110–5, is amended by striking in subsection (c) "an annual review" after "conduct" and inserting in lieu thereof "a review every three years". 42 USC 16515.

SEC. 308. None of the funds made available by this or any subsequent Act for fiscal year 2014 or any fiscal year hereafter may be used to pay the salaries of Department of Energy employees to carry out the amendments made by section 407 of division A of the American Recovery and Reinvestment Act of 2009. 42 USC 6862 note.

SEC. 309. Notwithstanding section 307 of Public Law 111–85, of the funds made available by the Department of Energy for activities at Government-owned, contractor-operated laboratories funded in this or any subsequent Energy and Water Development Appropriations Act for any fiscal year, the Secretary may authorize a specific amount, not to exceed 6 percent of such funds, to be used by such laboratories for laboratory directed research and development. 50 USC 2791a note.

SEC. 310. Notwithstanding section 301(c) of this Act, none of the funds made available under the heading "Department of Energy—Energy Programs—Science" may be used for a multiyear contract, grant, cooperative agreement, or Other Transaction Agreement of $1,000,000 or less unless the contract, grant, cooperative agreement, or Other Transaction Agreement is funded for the full period of performance as anticipated at the time of award.

SEC. 311. (a) Not later than June 30, 2014, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a tritium and enriched uranium management plan that provides—

(1) an assessment of the national security demand for tritium and low and highly enriched uranium through 2060;

(2) a description of the Department of Energy's plan to provide adequate amounts of tritium and enriched uranium for national security purposes through 2060; and

(3) an analysis of planned and alternative technologies which are available to meet the supply needs for tritium and enriched uranium for national security purposes, including weapons dismantlement and down-blending.

(b) The analysis provided by (a)(3) shall include a detailed estimate of the near- and long-term costs to the Department of Energy should the Tennessee Valley Authority no longer be a viable tritium supplier.

SEC. 312. The Secretary of Energy shall submit to the congressional defense committees (as defined in U.S.C. 101(a)(16)), a report on each major warhead refurbishment program that reaches the Phase 6.3 milestone, and not later than April 1, 2014 for the B61–12 life extension program, that provides an analysis of alternatives which includes—

(1) a full description of alternatives considered prior to the award of Phase 6.3;

(2) a comparison of the costs and benefits of each of those alternatives, to include an analysis of trade-offs among cost, schedule, and performance objectives against each alternative considered;

(3) identification of the cost and risk of critical technology elements associated with each alternative, including technology maturity, integration risk, manufacturing feasibility, and demonstration needs;

(4) identification of the cost and risk of additional capital asset and infrastructure capabilities required to support production and certification of each alternative;

(5) a comparative analysis of the risks, costs, and scheduling needs for any military requirement intended to enhance warhead safety, security, or maintainability, including any requirement to consolidate and/or integrate warhead systems or mods as compared to at least one other feasible refurbishment alternative the Nuclear Weapons Council considers appropriate; and

(6) a life-cycle cost estimate for the alternative selected that details the overall cost, scope, and schedule planning assumptions. For the B61–12 life extension program, the life cycle cost estimate shall include an analysis of reduced life cycle costs for Option 3b, including cost savings from consolidating the different B61 variants.

42 USC 7231 note.

SEC. 313. (a) IN GENERAL.—Subject to subsections (b) through (d), the Secretary may appoint, without regard to the provisions of chapter 33 of title 5, United States Code, governing appointments in the competitive service, exceptionally well qualified individuals to scientific, engineering, or other critical technical positions.

(b) LIMITATIONS.—

(1) NUMBER OF POSITIONS.—The number of critical positions authorized by subsection (a) may not exceed 120 at any one time in the Department.

(2) TERM.—The term of an appointment under subsection (a) may not exceed 4 years.

(3) PRIOR EMPLOYMENT.—An individual appointed under subsection (a) shall not have been a Department employee during the 2-year period ending on the date of appointment.

(4) PAY.—

(A) IN GENERAL.—The Secretary shall have the authority to fix the basic pay of an individual appointed

under subsection (a) at a rate to be determined by the Secretary up to level I of the Executive Schedule without regard to the civil service laws.

(B) TOTAL ANNUAL COMPENSATION.—The total annual compensation for any individual appointed under subsection (a) may not exceed the highest total annual compensation payable at the rate determined under section 104 of title 3, United States Code.

(5) ADVERSE ACTIONS.—An individual appointed under subsection (a) may not be considered to be an employee for purposes of subchapter II of chapter 75 of title 5, United States Code.

(c) REQUIREMENTS.—

(1) IN GENERAL.—The Secretary shall ensure that—

(A) the exercise of the authority granted under subsection (a) is consistent with the merit principles of section 2301 of title 5, United States Code; and

(B) the Department notifies diverse professional associations and institutions of higher education, including those serving the interests of women and racial or ethnic minorities that are underrepresented in scientific, engineering, and mathematical fields, of position openings as appropriate.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary and the Director of the Office of Personnel Management shall submit to Congress a report on the use of the authority provided under this section that includes, at a minimum, a description or analysis of—

(A) the ability to attract exceptionally well qualified scientists, engineers, and technical personnel;

(B) the amount of total compensation paid each employee hired under the authority each calendar year; and

(C) whether additional safeguards or measures are necessary to carry out the authority and, if so, what action, if any, has been taken to implement the safeguards or measures.

(d) TERMINATION OF EFFECTIVENESS.—The authority provided by this section terminates effective on the date that is 4 years after the date of enactment of this Act.

SEC. 314. Section 804 of Public Law 110–140 (42 U.S.C. 17283) is hereby repealed.

SEC. 315. Section 205 of Public Law 95–91 (42 U.S.C. 7135), as amended, is hereby further amended:

(1) in paragraph (i)(1) by striking "once every two years" and inserting "once every four years"; and

(2) in paragraph (k)(1) by striking "once every three years" and inserting "once every four years".

SEC. 316. Notwithstanding any other provision of law, the Department may use funds appropriated by this title to carry out a study regarding the conversion to contractor performance of any function performed by Federal employees at the New Brunswick Laboratory, pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

SEC. 317. Of the amounts appropriated for non-defense programs in this title, $7,000,000 are hereby reduced to reflect savings

from limiting foreign travel for contractors working for the Department of Energy, consistent with similar savings achieved for Federal employees. The Department shall allocate the reduction among the non-security appropriations made in this title.

SEC. 318. Section 15(g) of Public Law 85–536 (15 U.S.C. 644), as amended, is hereby further amended by inserting the following at the end: "(3) First tier subcontracts that are awarded by Management and Operating contractors sponsored by the Department of Energy to small business concerns, small businesses concerns owned and controlled by service disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women, shall be considered toward the annually established agency and Government-wide goals for procurement contracts awarded.".

SEC. 319. (a) ESTABLISHMENT.—The Secretary shall establish an independent commission to be known as the "Commission to Review the Effectiveness of the National Energy Laboratories." The National Energy Laboratories refers to all Department of Energy and National Nuclear Security Administration national laboratories.

(b) MEMBERS.—

(1) The Commission shall be composed of nine members who shall be appointed by the Secretary of Energy not later than May 1, 2014, from among persons nominated by the President's Council of Advisors on Science and Technology.

(2) The President's Council of Advisors on Science and Technology shall, not later than March 15, 2014, nominate not less than 18 persons for appointment to the Commission from among persons who meet qualification described in paragraph (3).

(3) Each person nominated for appointment to the Commission shall—

(A) be eminent in a field of science or engineering; and/or

(B) have expertise in managing scientific facilities; and/or

(C) have expertise in cost and/or program analysis; and

(D) have an established record of distinguished service.

(4) The membership of the Commission shall be representative of the broad range of scientific, engineering, financial, and managerial disciplines related to activities under this title.

(5) No person shall be nominated for appointment to the Board who is an employee of—

(A) the Department of Energy;

(B) a national laboratory or site under contract with the Department of Energy;

(C) a managing entity or parent company for a national laboratory or site under contract with the Department of Energy; or

(D) an entity performing scientific and engineering activities under contract with the Department of Energy.

(c) COMMISSION REVIEW AND RECOMMENDATIONS.—

(1) The Commission shall, by no later than February 1, 2015, transmit to the Secretary of Energy and the Committees on Appropriations of the House of Representatives and the

Senate a report containing the Commission's findings and conclusions.

(2) The Commission shall address whether the Department of Energy's national laboratories—

(A) are properly aligned with the Department's strategic priorities;

(B) have clear, well understood, and properly balanced missions that are not unnecessarily redundant and duplicative;

(C) have unique capabilities that have sufficiently evolved to meet current and future energy and national security challenges;

(D) are appropriately sized to meet the Department's energy and national security missions; and

(E) are appropriately supporting other Federal agencies and the extent to which it benefits DOE missions.

(3) The Commission shall also determine whether there are opportunities to more effectively and efficiently use the capabilities of the national laboratories, including consolidation and realignment, reducing overhead costs, reevaluating governance models using industrial and academic bench marks for comparison, and assessing the impact of DOE's oversight and management approach. In its evaluation, the Commission should also consider the cost and effectiveness of using other research, development, and technology centers and universities as an alternative to meeting DOE's energy and national security goals.

(4) The Commission shall analyze the effectiveness of the use of laboratory directed research and development (LDRD) to meet the Department of Energy's science, energy, and national security goals. The Commission shall further evaluate the effectiveness of the Department's oversight approach to ensure LDRD-funded projects are compliant with statutory requirements and congressional direction, including requirements that LDRD projects be distinct from projects directly funded by appropriations and that LDRD projects derived from the Department's national security programs support the national security mission of the Department of Energy. Finally, the Commission shall quantify the extent to which LDRD funding supports recruiting and retention of qualified staff.

(5) The Commission's charge may be modified or expanded upon approval of the Committees on Appropriations of the House of Representatives and the Senate.

(d) RESPONSE BY THE SECRETARY OF ENERGY.—

(1) The Secretary of Energy shall, by no later than April 1, 2015, transmit to Committees on Appropriations of the House of Representatives and the Senate a report containing the Secretary's approval or disapproval of the Commission's recommendations and an implementation plan for approved recommendations.

SEC. 320. The Committees on Appropriations of the House of Representatives and the Senate shall receive a 30-day advance notification with a detailed explanation of any waiver or adjustment made by the National Nuclear Security Administration's Fee Determining Official to at-risk award fees for Management and Operating contractors that result in award term extensions.

SEC. 321. To further the research, development, and demonstration of national nuclear security-related enrichment technologies, the Secretary of Energy may transfer up to $56,650,000 of funding made available in this title under the heading "National Nuclear Security Administration" to "National Nuclear Security Administration, Weapons Activities" not earlier than 30 days after the Secretary provides to the Committees on Appropriations of the House of Representatives and the Senate a cost-benefit analysis of available and prospective domestic enrichment technologies for national security needs, the scope, schedule, and cost of his preferred option, and after congressional notification and approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 322. None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, notwithstanding 40 U.S.C. 14704, and for necessary expenses for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $80,317,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $28,000,000, to remain available until September 30, 2015.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, $12,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $10,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: *Provided*, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities.

NORTHERN BORDER REGIONAL COMMISSION

For necessary expenses of the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $5,000,000, to remain available until expended: *Provided*, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For necessary expenses of the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, including official representation expenses not to exceed $25,000, $1,043,937,000, to remain available until expended: *Provided*, That of the amount appropriated herein, not more than $9,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2015, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $920,721,000 in fiscal year 2014 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2014 so as to result in a final fiscal year 2014 appropriation estimated at not more than $123,216,000: *Provided further*, That of the amounts appropriated under this heading, $10,000,000 shall be for university research and development in areas relevant to their respective organization's mission, and $5,000,000 shall be for a Nuclear Science and Engineering Grant

Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $11,955,000, of which $850,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, to remain available until September 30, 2015: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $9,994,000 in fiscal year 2014 shall be retained and be available until September 30, 2015, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2014 so as to result in a final fiscal year 2014 appropriation estimated at not more than $1,961,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,400,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2015.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

For necessary expenses for the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects pursuant to the Alaska Natural Gas Pipeline Act, $1,000,000, to remain available until September 30, 2015: *Provided*, That any fees, charges, or commissions received pursuant to section 106(h) of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720d(h)) in fiscal year 2014 in excess of $2,402,000 shall not be available for obligation until appropriated in a subsequent Act of Congress.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

42 USC 2286*l*.

SEC. 401. Notwithstanding any other provision of law, the Inspector General of the Nuclear Regulatory Commission is authorized in this and subsequent years to exercise the same authorities with respect to the Defense Nuclear Facilities Safety Board, as determined by the Inspector General of the Nuclear Regulatory Commission, as the Inspector General exercises under the Inspector General Act of 1978 (5 U.S.C. App.) with respect to the Nuclear Regulatory Commission.

SEC. 402. The Chairman of the Nuclear Regulatory Commission shall notify the other members of the Commission, the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Environment and Public Works of the Senate, not later than 1 day after the Chairman begins performing functions under the authority of section 3 of Reorganization

Plan No. 1 of 1980, or after a member of the Commission who was delegated emergency functions under subsection (b) of that section begins performing those functions. Such notification shall include an explanation of the circumstances warranting the exercise of such authority. The Chairman shall report to the Committees, not less frequently than once each week, on the actions taken by the Chairman, or a delegated member of the Commission, under such authority, until the authority is relinquished. The Chairman shall notify the Committees not later than 1 day after such authority is relinquished. The Chairman shall submit the report required by section 3(d) of the Reorganization Plan No. 1 of 1980 to the Committees not later than 1 day after it was submitted to the Commission.

SEC. 403. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of Chapter VI of its Internal Commission Procedures when responding to Congressional requests for information.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 503. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 504. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated

Act), or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of the House of Representatives and the Senate a semiannual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 505. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 ("Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations").

This division may be cited as the "Energy and Water Development and Related Agencies Appropriations Act, 2014".

Financial Services and General Government Appropriations Act, 2014.

DIVISION E—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2014

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

Department of the Treasury Appropriations Act, 2014.

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business, including for terrorism and financial intelligence activities; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities; and Treasury-wide management policies and programs activities, $312,400,000: *Provided*, That of the amount appropriated under this heading—

(1) the following amounts shall be available as provided:

(A) $102,000,000 for the Office of Terrorism and Financial Intelligence, of which not to exceed $26,000,000 is available for administrative expenses;

(B) not to exceed $350,000 for official reception and representation expenses;

(C) not to exceed $258,000 for unforeseen emergencies of a confidential nature to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on the Secretary's certificate; and

(D) notwithstanding any other provision of law, up to $1,000,000 may be contributed to the Organization for Economic Cooperation and Development for the Department's participation in programs related to global tax administration;

(2) $19,187,000 shall remain available until September 30, 2015, of which $8,287,000 is available for the Treasury-wide Financial Statement Audit and Internal Control Program; $3,000,000 is for information technology modernization requirements; $500,000 is for secure space requirements; and $7,400,000 is for audit, oversight, and administration of the Gulf Coast Restoration Trust Fund; and

(3) up to $3,400,000 shall remain available until September 30, 2016, to develop and implement programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services and for repairs and renovations to buildings owned by the Department of the Treasury, $2,725,000, to remain available until September 30, 2016: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further,* That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further,* That none of the funds appropriated under this heading shall be used to support or supplement "Internal Revenue Service, Operations Support" or "Internal Revenue Service, Business Systems Modernization".

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $34,800,000, including hire of passenger motor vehicles; of which not to exceed $100,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; of which not to exceed $2,500 shall be available for official reception and representation expenses; and of which $2,800,000 shall be for audits and investigations conducted pursuant to section 1608 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (33 U.S.C. 1321 note).

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; $156,375,000, of which $5,000,000 shall remain available until September 30, 2015; of which not to exceed $6,000,000 shall be available for official travel expenses; of which not to exceed $500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

For necessary expenses of the Office of the Special Inspector General in carrying out the provisions of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), $34,923,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; services authorized by 5 U.S.C. 3109; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $112,000,000, of which not to exceed $34,335,000 shall remain available until September 30, 2016.

TREASURY FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $736,000,000 are rescinded.

BUREAU OF THE FISCAL SERVICE

SALARIES AND EXPENSES

For necessary expenses of operations of the Bureau of the Fiscal Service, $360,165,000; of which not to exceed $4,210,000, to remain available until September 30, 2016, is for information systems modernization initiatives; of which $8,740,000 shall remain

available until September 30, 2016 for expenses related to the consolidation of the Financial Management Service and the Bureau of the Public Debt; and of which $5,000 shall be available for official reception and representation expenses. In addition, $165,000, to be derived from the Oil Spill Liability Trust Fund to reimburse administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $99,000,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: *Provided*, That of the amount appropriated under this heading, $2,000,000 shall be for the costs of criminal enforcement activities and special law enforcement agents for targeting tobacco smuggling and other criminal diversion activities.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments: *Provided*, That the aggregate amount of new liabilities and obligations incurred during fiscal year 2014 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $19,000,000.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND
PROGRAM ACCOUNT

To carry out the Riegle Community Development and Regulatory Improvements Act of 1994 (subtitle A of title I of Public Law 103–325), including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for EX–3, $226,000,000, to remain available until September 30, 2015; of which $15,000,000 shall be for financial assistance, technical assistance, training and outreach programs, designed to benefit Native American, Native Hawaiian, and Alaskan Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations and other suitable providers; of which, notwithstanding sections 4707(d) and 4707(e) of title 12, United States Code, up to $22,000,000 shall be for a Healthy Food Financing Initiative to

provide financial assistance, technical assistance, training, and outreach to community development financial institutions for the purpose of offering affordable financing and technical assistance to expand the availability of healthy food options in distressed communities; of which $18,000,000 shall be for the Bank Enterprise Award program; of which up to $24,636,000 may be used for administrative expenses, including administration of the New Markets Tax Credit Program and the CDFI Bond Guarantee Program, $1,000,000 for capacity building to expand CDFI investments in underserved areas, and up to $300,000 for the direct loan program; and of which up to $2,222,500 may be used for the cost of direct loans: *Provided*, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000: *Provided further*, That during fiscal year 2014, commitments to guarantee bonds and notes under section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4701 et seq.) shall not exceed $750,000,000: *Provided further*, That no funds shall be available for the cost, if any, of bonds and notes guaranteed under such section, as defined in section 502 of the Congressional Budget Act of 1974.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,122,554,000, of which not less than $5,600,000 shall be for the Tax Counseling for the Elderly Program, of which not less than $10,000,000 shall be available for low-income taxpayer clinic grants, of which not less than $12,000,000, to remain available until September 30, 2015, shall be available for a Community Volunteer Income Tax Assistance matching grants program for tax return preparation assistance, of which not less than $203,000,000 shall be available for operating expenses of the Taxpayer Advocate Service: *Provided*, That of the amounts made available for the Taxpayer Advocate Service, not less than $5,000,000 shall be for identity theft casework.

ENFORCEMENT

For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase (for police-type use, not to exceed 850) and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $5,022,178,000, of which not less than $200,000 shall be for intensive training of employees in the Exempt Organizations Unit and of which not less than $60,257,000 shall be for the Interagency Crime and Drug Enforcement program.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,740,942,000, of which not to exceed $250,000,000 shall remain available until September 30, 2015, for information technology support; of which not to exceed $65,000,000 shall remain available until expended for acquisition of equipment and construction, repair and renovation of facilities; of which not to exceed $1,000,000 shall remain available until September 30, 2016, for research; of which not less than $2,000,000 shall be for the Internal Revenue Service Oversight Board; of which not to exceed $25,000 shall be for official reception and representation expenses: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the House and Senate Committees on Appropriations and the Comptroller General of the United States detailing the cost and schedule performance for its major information technology investments, including the purpose and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter: *Provided further,* That the Internal Revenue Service shall include, in its budget justification for fiscal year 2015, a summary of cost and schedule performance information for its major information technology systems.

26 USC 7801 note.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, $312,938,000, to remain available until September 30, 2016, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the House and Senate Committees on Appropriations and the Comptroller General of the United States detailing the cost and schedule performance for CADE2 and Modernized e-File information technology investments, including the purposes and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and the strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter.

26 USC 7801 note.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service or not to exceed 3 percent of appropriations under the heading "Enforcement" may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain an employee training program, which shall include the following topics: taxpayers' rights, dealing courteously with taxpayers, cross-cultural relations, ethics, and the impartial application of tax law.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

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

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

SEC. 106. The Internal Revenue Service shall issue a notice of confirmation of any address change relating to an employer making employment tax payments, and such notice shall be sent to both the employer's former and new address and an officer or employee of the Internal Revenue Service shall give special consideration to an offer-in-compromise from a taxpayer who has been the victim of fraud by a third party payroll tax preparer.

SEC. 107. None of the funds made available under this Act may be used by the Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States.

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

SEC. 109. In addition to the amounts otherwise made available in this Act for the Internal Revenue Service, $92,000,000, to be available until September 30, 2015, shall be transferred by the Commissioner to the "Taxpayer Services", "Enforcement", or "Operations Support" accounts of the Internal Revenue Service for an additional amount to be used solely to improve the delivery of services to taxpayers, to improve the identification and prevention of refund fraud and identity theft, and to address international and offshore compliance issues: *Provided*, That such funds shall supplement, not supplant any other amounts made available by the Internal Revenue Service for such purpose: *Provided further*, That such funds shall not be available until the Commissioner

submits to the Committees on Appropriations of the House of Representatives and the Senate a spending plan for such funds: *Provided further*, That such funds shall not be used to support any provision of Public Law 111–148, Public Law 111–152, or any amendment made by either such Public Law.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 110. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 111. Not to exceed 2 percent of any appropriations in this title made available under the headings "Departmental Offices—Salaries and Expenses", "Office of Inspector General", "Special Inspector General for the Troubled Asset Relief Program", "Financial Crimes Enforcement Network", "Bureau of the Fiscal Service", and "Alcohol and Tobacco Tax and Trade Bureau" may be transferred between such appropriations upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer under this section may increase or decrease any such appropriation by more than 2 percent.

SEC. 112. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 113. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 114. The Secretary of the Treasury may transfer funds from the Bureau of the Fiscal Service, Salaries and Expenses to the Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 115. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 116. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 117. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2014 until the enactment of the Intelligence Authorization Act for Fiscal Year 2014.

SEC. 118. Not to exceed $5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.

SEC. 119. The Secretary of the Treasury shall submit a Capital Investment Plan to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days following the submission of the annual budget submitted by the President: *Provided*, That such Capital Investment Plan shall include capital investment spending from all accounts within the Department of the Treasury, including but not limited to the Department-wide Systems and Capital Investment Programs account, the Working Capital Fund account, and the Treasury Forfeiture Fund account: *Provided further*, That such Capital Investment Plan shall include expenditures occurring in previous fiscal years for each capital investment project that has not been fully completed.

SEC. 120. (a) Not later than 2 weeks after the end of each quarter, the Office of Financial Stability and the Office of Financial Research shall submit reports on their activities to the House and the Senate Committees on Appropriations, the Committee on Financial Services of the House of Representatives and the Senate Committee on Banking, Housing, and Urban Affairs.

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

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

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

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

(4) the estimated number of full-time equivalents within each office for the remainder of the fiscal year; and

(5) actions taken to achieve the goals, objectives, and performance measures of each office.

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

SEC. 121. Within 45 days after the date of enactment of this Act, the Secretary of the Treasury shall submit an itemized report to the Committees on Appropriations of the House of Representatives and the Senate on the amount of total funds charged to

each office by the Working Capital Fund including the amount charged for each service provided by the Working Capital Fund to each office and a detailed explanation of how each charge for each service is calculated.

This title may be cited as the "Department of the Treasury Appropriations Act, 2014".

TITLE II

Executive Office of the President Appropriations Act, 2014.

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

THE WHITE HOUSE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official reception and representation expenses, to be available for allocation within the Executive Office of the President; and for necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $55,000,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For necessary expenses of the Executive Residence at the White House, $12,700,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense

under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under 31 U.S.C. 3717: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $750,000, to remain available until expended, for required maintenance, resolution of safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), $4,184,000.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

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

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C.

107, and hire of passenger motor vehicles, $112,726,000, of which not to exceed $12,006,000 shall remain available until expended for continued modernization of the information technology infrastructure within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, to carry out the provisions of chapter 35 of title 44, United States Code, and to prepare and submit the budget of the United States Government, in accordance with section 1105(a) of title 31, United States Code, $89,300,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $22,750,000: *Provided*, That the Office is authorized to accept, hold, 21 USC 1702 note.

administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $238,522,000, to remain available until September 30, 2015, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas ("HIDTAs"), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: *Provided*, That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy, of which up to $2,700,000 may be used for auditing services and associated activities: *Provided further,* That, notwithstanding the requirements of Public Law 106–58, any unexpended funds obligated prior to fiscal year 2012 may be used for any other approved activities of that HIDTA, subject to reprogramming requirements: *Provided further*, That each HIDTA designated as of September 30, 2013, shall be funded at not less than the fiscal year 2013 base level, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate justification for changes to those levels based on clearly articulated priorities and published Office of National Drug Control Policy performance measures of effectiveness: *Provided further*, That the Director shall notify the Committees on Appropriations of the initial allocation of fiscal year 2014 funding among HIDTAs not later than 45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation with the HIDTA Directors, not later than 90 days after enactment of this Act.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For other drug control activities authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $105,394,000, to remain available until expended, which shall be available as follows: $92,000,000 for the Drug-Free Communities Program, of which $2,000,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469 (21 U.S.C. 1521 note); $1,400,000 for drug court training and technical assistance; $8,750,000 for anti-doping activities; $1,994,000 for the United States membership dues to the World Anti-Doping Agency; and $1,250,000 shall be made available as directed by section 1105 of Public Law 109–469: *Provided,* That amounts made available under this heading may be transferred to other Federal departments and agencies to carry out such activities.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the furtherance of integrated, efficient, secure, and effective uses of information technology in the Federal Government, $8,000,000, to remain available until expended: *Provided*, That the Director of the Office of Management and Budget may transfer these funds to one or more other agencies to carry out projects to meet these purposes: *Provided further*, That the Director of the Office of Management and Budget shall submit quarterly reports not later than 45 days after the end of each quarter to the Committees on Appropriations of the House of Representatives and the Senate and the Government Accountability Office identifying the savings achieved by the Office of Management and Budget's government-wide information technology reform efforts: *Provided further*, That such reports shall include savings identified by fiscal year, agency, and appropriation.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $800,000, to remain available until September 30, 2015.

DATA-DRIVEN INNOVATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to improve the use of data and evidence to improve government effectiveness and efficiency, $2,000,000, to remain available until expended, for projects that enable Federal agencies to increase the use of evidence and innovation in order to improve program results and cost-effectiveness by utilizing rigorous evaluation and other evidence-based tools: *Provided*, That the Director of the Office of Management and Budget shall transfer these funds to one or more other agencies to carry out projects to meet these purposes and to conduct or provide for evaluation of such projects: *Provided further*, That the Office of Management and Budget shall submit a progress report to the Committees on Appropriations of the House of Representatives and the Senate and the Government Accountability Office not later than March 31, 2014 and semiannually thereafter until the program is completed, including detailed information on goals, objectives, performance measures, and evaluations of the program in general and of each specific project.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106,

which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,319,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $305,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

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

(INCLUDING TRANSFERS OF FUNDS)

SEC. 201. From funds made available in this Act under the headings "The White House", "Executive Residence at the White House", "White House Repair and Restoration", "Council of Economic Advisers", "National Security Council and Homeland Security Council", "Office of Administration", "Special Assistance to the President", and "Official Residence of the Vice President", the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, with advance approval of the Committees on Appropriations of the House of Representatives and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from "Special Assistance to the President" or "Official Residence of the Vice President" without the approval of the Vice President.

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

(1) the estimated mandatory and discretionary obligations of funds through fiscal year 2016, by Federal agency and by fiscal year, including—

(A) the estimated obligations by cost inputs such as rent, information technology, contracts, and personnel;

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

(C) the specific section of such Act that requires the obligation of funds; and

(2) the estimated receipts through fiscal year 2016 from assessments, user fees, and other fees by the Federal agency making the collections, by fiscal year, including—

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

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

SEC. 203. The Director of the Office of National Drug Control Policy shall submit to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act, and prior to the initial obligation of more than 20 percent of the funds appropriated in any account under the heading "Office of National Drug Control Policy", a detailed narrative and financial plan on the proposed uses of all funds under the account by program, project, and activity: *Provided*, That the reports required by this section shall be updated and submitted to the Committees on Appropriations every 6 months and shall include information detailing how the estimates and assumptions contained in previous reports have changed: *Provided further*, That any new projects and changes in funding of ongoing projects shall be subject to the prior approval of the Committees on Appropriations.

SEC. 204. Not to exceed 2 percent of any appropriations in this Act made available to the Office of National Drug Control Policy may be transferred between appropriated programs upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 3 percent.

SEC. 205. Not to exceed $1,000,000 of any appropriations in this Act made available to the Office of National Drug Control Policy may be reprogrammed within a program, project, or activity upon the advance approval of the Committees on Appropriations.

This title may be cited as the "Executive Office of the President Appropriations Act, 2014".

TITLE III

Judiciary Appropriations Act, 2014.

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $72,625,000, of which $1,500,000 shall remain available until expended.

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

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon

the Architect by 40 U.S.C. 6111 and 6112, $11,158,000, to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, $29,600,000.

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

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $19,200,000.

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

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms for Probation and Pretrial Services Office staff, as authorized by law, $4,658,830,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects; and of which not to exceed $50,000,000 shall remain available until September 30, 2015, for cost containment initiatives: *Provided,* That the amount provided for cost containment initiatives shall not be available for obligation until the Director of the Administrative Office of the United States Courts submits a report to the Committees on Appropriations of the House of Representatives and the Senate showing that the estimated cost savings resulting from the initiatives will exceed the estimated amounts obligated for the initiatives.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of circuit and district judges (including judges of the territorial courts of the United States), bankruptcy judges, and justices and judges retired from office or from regular active service.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $5,327,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, $1,044,394,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), $53,891,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under 5 U.S.C. 5332.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $497,500,000, of which not to exceed $15,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $81,200,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $26,200,000; of which $1,800,000 shall remain available through September 30, 2015, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $16,200,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

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

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

SEC. 304. Section 3314(a) of title 40, United States Code, shall be applied by substituting "Federal" for "executive" each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

41 USC 3902 note.

SEC. 306. The Supreme Court of the United States, the Federal Judicial Center, and the United States Sentencing Commission are hereby authorized, now and hereafter, to enter into contracts for the acquisition of severable services for a period that begins in one fiscal year and ends in the next fiscal year and to enter into contracts for multiple years for the acquisition of property and services, to the same extent as executive agencies under the authority of 41 U.S.C. sections 3902 and 3903, respectively.

SEC. 307. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended in the matter following paragraph (12)—

(1) in the second sentence (relating to the District of Kansas), by striking "22 years and 6 months" and inserting "23 years and 6 months"; and

(2) in the sixth sentence (relating to the District of Hawaii), by striking "19 years and 6 months" and inserting "20 years and 6 months".

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern District of Missouri) by striking "20 years and 6 months" and inserting "21 years and 6 months".

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

(1) in the first sentence by striking "11 years" and inserting "12 years"; and

(2) in the second sentence (relating to the central District of California), by striking "10 years and 6 months" and inserting "11 years and 6 months".

This title may be cited as the "Judiciary Appropriations Act, 2014".

District of Columbia Appropriations Act, 2014.

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $30,000,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

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

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $23,800,000, to remain available until expended, to be allocated as follows: $14,880,000, for the costs of providing public safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions; and $8,920,000 for reimbursement of the costs of providing public safety associated with the 57th Presidential Inauguration.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $232,812,000 to be allocated as follows: for the District of Columbia Court of Appeals, $13,374,000, of which not to exceed $2,500 is

for official reception and representation expenses; for the District of Columbia Superior Court, $114,921,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $69,155,000, of which not to exceed $2,500 is for official reception and representation expenses; and $35,362,000, to remain available until September 30, 2015, for capital improvements for District of Columbia courthouse facilities: *Provided*, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and building evaluation report: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $6,000,000 of the funds provided under this heading among the items and entities funded under this heading: *Provided further,* That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for individuals serving the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21–2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $49,890,000, to remain available until expended: *Provided*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of

1997, $226,484,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which $167,269,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; and of which $59,215,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That not less than $1,000,000 shall be available for re-entrant housing in the District of Columbia: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs; and equipment, supplies, and vocational training services necessary to sustain, educate, and train offenders and defendants, including their dependent children: *Provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection: *Provided further*, That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the District of Columbia Government for space and services provided on a cost reimbursable basis.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $40,607,000: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies: *Provided further,* That, notwithstanding section 1342 of title 31, United States Code, and in addition to the authority provided by the District of Columbia Code Section 2–1607(b), upon approval of the Board of Trustees, the District of Columbia Public Defender Service may accept and use voluntary and uncompensated services for the purpose of aiding or facilitating the work of the District of Columbia Public Defender Service.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $14,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $1,800,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2015, to the Commission on Judicial Disabilities and Tenure, $295,000, and for the Judicial Nomination Commission, $205,000.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $48,000,000, to remain available until expended, for payments authorized under the Scholarship for Opportunity and Results Act (division C of Public Law 112–10).

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, $375,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, $5,000,000.

DISTRICT OF COLUMBIA FUNDS

Local funds are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia ("General Fund") for programs and activities set forth under the heading "District of Columbia Funds Summary of Expenses" and at the rate set forth under such heading, as included in the Fiscal Year 2014 Budget Request Act of 2013 submitted to the Congress by the District of Columbia as amended as of the date of enactment of this Act: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (section 1–204.50a, D.C. Official Code), sections 816 and 817 of the Financial Services and General Government Appropriations Act, 2009 (secs. 47–369.01 and 47–369.02, D.C. Official Code), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2014 under this heading shall not exceed the estimates included in the Fiscal Year 2014 Budget Request Act of 2013 submitted to Congress by the District of Columbia as amended as of the date of enactment of this Act or the sum of the total revenues of the District of Columbia for such fiscal year: *Provided further*, That the amount appropriated may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs:

Provided further, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2014, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

This title may be cited as the "District of Columbia Appropriations Act, 2014".

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $3,000,000, to remain available until September 30, 2015, of which not to exceed $1,000 is for official reception and representation expenses.

CHRISTOPHER COLUMBUS FELLOWSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Christopher Columbus Fellowship Foundation, established by section 423 of Public Law 102–281, $150,000, to remain available until expended.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $4,000 for official reception and representation expenses, $118,000,000, of which $1,000,000 shall remain available until expended to carry out the program required by section 1405 of the Virginia Graeme Baker Pool and Spa Safety Act (Public Law 110–140; 15 U.S.C. 8004).

ADMINISTRATIVE PROVISION—CONSUMER PRODUCT SAFETY COMMISSION

SEC. 501. The Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C. 8001 et seq.) is amended—

(1) in section 1405 (15 U.S.C. 8004)—

(A) in subsection (b)(1)(A), by striking "all swimming pools constructed after the date that is 6 months after the date of enactment of the Financial Services and General Government Appropriations Act, 2012 in the State" and inserting "all swimming pools constructed in the State after the date the State submits an application to the Commission for a grant under this section"; and

(B) in subsection (e)—

(i) by striking the first sentence and inserting the following: "There is authorized to be appropriated to the Commission such sums as may be necessary to carry out this section through fiscal year 2016."; and

(ii) in the second sentence, by striking "fiscal year 2012" and inserting "fiscal year 2016"; and

(2) in section 1406(a) (15 U.S.C. 8005(a))—

(A) in paragraph (1)(A)—

(i) in clause (i), by inserting "and" after the semicolon;

(ii) by striking clauses (ii), (iv) and (v) and redesignating clause (iii) as clause (ii); and

(iii) in clause (ii)(III) (as so redesignated), by inserting "and" after the semicolon;

(B) by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(C) in paragraph (3) (as so redesignated), by striking "paragraph (1)" and inserting "paragraph (1)(B)".

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107–252), $10,000,000, of which $1,900,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $339,844,000, to remain available until expended: *Provided*, That of which not less than $300,000 shall be available for consultation with federally recognized Indian tribes, Alaska Native villages, and entities related to Hawaiian Home Lands: *Provided further,* That $339,844,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses and shall remain available until expended: *Provided further*, That the sum herein appropriated shall

be reduced as such offsetting collections are received during fiscal year 2014 so as to result in a final fiscal year 2014 appropriation estimated at $0: *Provided further*, That any offsetting collections received in excess of $339,844,000 in fiscal year 2014 shall not be available for obligation: *Provided further*, That remaining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2013, shall not be available for obligation: *Provided further*, That notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $98,700,000 for fiscal year 2014: *Provided further,* That of the amount appropriated under this heading, not less than $11,090,000 shall be for the salaries and expenses of the Office of Inspector General.

ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS COMMISSION

SEC. 510. Section 302 of the Universal Service Antideficiency Temporary Suspension Act is amended by striking "January 15, 2014", each place it appears and inserting "December 31, 2015".

SEC. 511. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004 recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

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

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $65,791,000, of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and including official reception and representation expenses (not to exceed $1,500)

and rental of conference rooms in the District of Columbia and elsewhere, $25,500,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $298,000,000, to remain available until expended: *Provided*, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed $103,300,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That, notwithstanding any other provision of law, not to exceed $15,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2014, so as to result in a final fiscal year 2014 appropriation from the general fund estimated at not more than $179,700,000: *Provided further*, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFER OF FUNDS)

Amounts in the Fund, including revenues and collections deposited into the Fund shall be available for necessary expenses of

real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $9,370,042,000, of which: (1) $506,178,000 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services) of additional projects at the following locations:

New Construction:

California:

San Ysidro, United States Land Port of Entry, $128,300,000.

Colorado:

Lakewood, Denver Federal Center, $13,938,000.

District of Columbia:

Washington, DHS Consolidation at St. Elizabeths, $155,000,000.

Puerto Rico:

San Juan, Federal Bureau of Investigation, $85,301,000.

Texas:

Laredo, United States Land Port of Entry, $25,786,000.

Virginia:

Winchester, FBI Central Records Complex, $97,853,000:

Provided, That each of the foregoing limits of costs on new construction and acquisition projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in a transmitted prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That all funds for direct construction projects shall expire on September 30, 2015, and remain in the Federal Buildings Fund, except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; (2) $1,076,823,000 shall remain available until expended for repairs and alterations, which includes associated design and construction services; of which $593,288,000 is for Major Repairs and Alterations; $378,535,000 is for Basic Repairs and Alterations; and $105,000,000 is for Special Emphasis Programs:

Energy and Water Retrofit and Conservation Measures, $5,000,000.

Fire and Life Safety Program, $30,000,000.

Consolidation Activities, $70,000,000:

Provided, That consolidation projects result in reduced annual rent paid by the tenant agency: *Provided further,* That no consolidation project exceed $20,000,000 in costs: *Provided further,* That consolidation projects are approved by each of the committees specified in section 3307(a) of title 40, United States Code: *Provided further,* That preference is given to consolidation projects that achieve a utilization rate of 130 usable square feet or less per person for office space: *Provided further,* That the obligation of funds under this paragraph for consolidation activities may not be made until 10 days after a proposed spending plan and explanation for each project to be undertaken has been submitted to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That of the total amount under this heading, $69,500,000 shall be available for new construction and repair to meet the housing requirements of the Judiciary's Southern District in Mobile, Alabama: *Provided further*, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for "Repairs and Alterations" may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading "Repairs and Alterations", may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2015 and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading "Repairs and Alterations" or used to fund authorized increases in prospectus projects; (3) $109,000,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $5,387,109,000 for rental of space which shall remain available until expended; and (5) $2,221,432,000 for building operations to remain available until expended, of which $1,158,869,000 is for building services, and $1,062,563,000 is for salaries and expenses: *Provided further*, That not to exceed 5 percent of any appropriation made available under this heading for building operations may be transferred between and merged with such appropriations upon notification to the Committees on Appropriations of the House of Representatives and

the Senate, but no such appropriation shall be increased by more than 5 percent by any such transfers: *Provided further*, That section 521 of this title shall not apply with respect to funds made available under this heading for building operations: *Provided further*, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 2014, excluding reimbursements under 40 U.S.C. 592(b)(2) in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109; $58,000,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, management, and communications; the Civilian Board of Contract Appeals; services as authorized by 5 U.S.C. 3109; $63,466,000, of which $28,000,000 is for Real and Personal Property Management and Disposal; $26,500,000 is for the Office of the Administrator, of which not to exceed $7,500 is for official reception and representation expenses; and $8,966,000 is for the Civilian Board of Contract Appeals: *Provided further*, That not to exceed 5 percent of the appropriation made available under this heading for Office of the Administrator may be transferred to the appropriation for the Real and Personal Property Management and Disposal upon notification to the Committees on Appropriations of the House of Representatives and the Senate,

but the appropriation for the Real and Personal Property Management and Disposal may not be increased by more than 5 percent by any such transfer.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $65,000,000, of which $2,000,000 is available until expended: *Provided*, That not to exceed $50,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, $16,000,000, to remain available until expended: *Provided*, That these funds may be transferred to Federal agencies to carry out the purpose of the Fund: *Provided further,* That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further,* That such transfers may not be made until 10 days after a proposed spending plan and explanation for each project to be undertaken has been submitted to the Committees on Appropriations of the House of Representatives and the Senate.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $3,550,000.

FEDERAL CITIZEN SERVICES FUND

For necessary expenses of the Office of Citizen Services and Innovative Technologies, including services authorized by 40 U.S.C. 323, $34,804,000, to be deposited into the Federal Citizen Services Fund: *Provided*, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen Services activities in the aggregate amount not to exceed $90,000,000. Appropriations, revenues, and collections accruing to this Fund during fiscal year 2014 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 521. Funds in the Federal Buildings Fund made available for fiscal year 2014 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 522. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2015 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 523. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in consideration of the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 524. From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 525. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of the General Services Administration under 40 U.S.C. 3307, the Administrator shall ensure that the delineated area of procurement is identical to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the Committees on Appropriations of the House of Representatives and the Senate prior to exercising any lease authority provided in the resolution.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 10 of Public Law 93–642, $750,000, to remain available until expended.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $42,740,000, to remain available until September 30, 2015, together with not to exceed $2,345,000, to remain available until September 30, 2015, for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board: *Provided*, That section 1204 of title 5, United States Code, is amended by adding at the end the following:

"(n) The Board may accept and use gifts and donations of property and services to carry out the duties of the Board.".

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall and Stewart L. Udall Trust Fund, pursuant to the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.), $2,100,000, to remain available until expended, of which, notwithstanding sections 8 and 9 of such Act: (1) up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289); and (2) up to $1,000,000 shall be available to carry out the activities authorized by section 6(7) of Public Law 102–259 and section 817(a) of Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That of the total amount made available under this heading $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Morris K. Udall and Stewart L. Udall Foundation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $3,400,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, the activities of the Public Interest Declassification Board, the operations and maintenance of the electronic records archives, the hire of passenger motor vehicles, and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning, $370,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–16 (2008), and the Inspector General Act of 1978 (5 U.S.C. App.), and for the hire of passenger motor vehicles, $4,130,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $8,000,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $4,500,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2014, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall be the amount authorized by section 307(a)(4)(A) of the Federal Credit Union Act (12 U.S.C. 1795f(a)(4)(A)): *Provided*, That administrative expenses of the Central Liquidity Facility in fiscal year 2014 shall not exceed $1,250,000.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $1,200,000 shall be available until September 30, 2015, for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $15,325,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management (OPM) pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of OPM and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $95,757,000, of which $5,704,000 shall remain available until expended for the Enterprise Human Resources Integration project, of which $642,000 may be for strengthening the capacity and capabilities of the acquisition workforce (as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 4001 et seq.)), including the recruitment, hiring, training, and retention of such workforce and information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management, and of which $1,345,000 shall remain available until expended for the Human Resources Line of Business project; and in addition $118,578,000 for administrative expenses, to be transferred from the appropriate trust funds of OPM without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs of which $2,600,000 shall remain available until expended for a retirement case management system: *Provided,* That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of OPM established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2014, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from

prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $4,684,000, and in addition, not to exceed $21,340,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General and in addition, not to exceed $6,600,000 as determined by the Inspector General, for administrative expenses to audit, investigate, and provide other oversight of the activities of the revolving fund established under section 1304(e) of title 5, United States Code, and the programs and activities of the Office of Personnel Management carried out using amounts made available from such revolving fund, to be transferred from such revolving fund: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12) as amended by Public Law 107–304, the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199), and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $20,639,000: *Provided*, That, notwithstanding any other provision of law, not to exceed $125,000 of available balances of expired fiscal year 2009 through fiscal year 2013 appropriations provided under this heading shall be available for any obligation incurred in fiscal year 2014.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–435), $14,152,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), $3,100,000, to remain available until September 30, 2015.

RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Recovery Accountability and Transparency Board to carry out the provisions of title XV of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), and to develop and test information technology resources and oversight mechanisms to enhance transparency of and detect and remediate waste, fraud, and abuse in Federal spending, and to develop and use information technology resources and oversight mechanisms to detect and remediate waste, fraud, and abuse in obligation and expenditure of funds as described in section 904(d) of the Disaster Relief Appropriations Act, 2013 (Public Law 113–2), which shall be administered under the terms and conditions of the accountability authorities of title XV of Public Law 111–5, $20,000,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,500 for official reception and representation expenses, $1,350,000,000, to remain available until expended; of which not less than $7,092,000 shall be for the Office of Inspector General; of which not to exceed $50,000 shall be available for a permanent secretariat for the International Organization of Securities Commissions; of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses

and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence; and of which not less than $44,353,000 shall be for the Division of Economic and Risk Analysis: *Provided*, That fees and charges authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited to this account as offsetting collections: *Provided further*, That not to exceed $1,350,000,000 of such offsetting collections shall be available until expended for necessary expenses of this account: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2014 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2014 appropriation from the general fund estimated at not more than $0.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $22,900,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION

ENTREPRENEURIAL DEVELOPMENT PROGRAMS

For necessary expenses of programs supporting entrepreneurial and small business development as authorized by Public Law 108–447, $196,165,000: *Provided*, That $113,625,000 shall be available to fund grants for performance in fiscal year 2014 or fiscal year 2015 as authorized by section 21 of the Small Business Act, to remain available until September 30, 2015: *Provided further*, That $20,000,000 shall remain available until September 30, 2015 for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: *Provided further*, That $8,000,000 shall be available for grants to States for fiscal year 2014 to carry out export programs that assist small business concerns authorized under section 1207 of Public Law 111–240.

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles as authorized by sections 1343 and 1344 of title 31, United States

Code, and not to exceed $3,500 for official reception and representation expenses, $250,000,000, of which not less than $12,000,000 shall be available for examinations, reviews, and other lender oversight activities: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: *Provided further,* That the Small Business Administration may accept gifts in an amount not to exceed $4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108–447, during fiscal year 2014: *Provided further,* That $6,100,000 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2015: *Provided further*, That $2,000,000 shall be for the Federal and State Technology Partnership Program under section 34 of the Small Business Act (15 U.S.C. 657d).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $19,000,000.

OFFICE OF ADVOCACY

For necessary expenses of the Office of Advocacy in carrying out the provisions of title II of Public Law 94–305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.), $8,750,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $4,600,000, to remain available until expended, and for the cost of guaranteed loans as authorized by section 503 of the Small Business Investment Act of 1958 (Public Law 85–699), $107,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2014 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2014 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $17,500,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: *Provided further*, That during fiscal year 2014 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 shall not exceed $4,000,000,000: *Provided further*, That during fiscal year 2014, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of

$12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $151,560,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, $191,900,000, to be available until expended, of which $1,000,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be transferred to and merged with the appropriations for the Office of Inspector General; of which $181,900,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses; and of which $9,000,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 530. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $70,751,000, which shall not be available for obligation until October 1, 2014: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2014.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $241,468,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435).

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $53,453,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VI

GENERAL PROVISIONS—THIS ACT

(INCLUDING RESCISSION)

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

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

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

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

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

SEC. 606. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with chapter 83 of title 41, United States Code.

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

SEC. 608. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by the Committee on Appropriations of either the House of Representatives or the Senate for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That prior to any significant reorganization or restructuring of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That at a minimum the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2014 from appropriations made available for salaries and expenses for fiscal year 2014 in this Act, shall remain available through September 30, 2015, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 610. None of the funds made available in this Act may be used by the Executive Office of the President to request from

the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 611. The cost accounting standards promulgated under chapter 15 of title 41, United States Code shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

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

SEC. 613. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

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

SEC. 615. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in chapter 83 of title 41, United States Code (popularly known as the Buy American Act), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 103 of title 41, United States Code).

SEC. 616. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regulatory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

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

SEC. 618. Not later than 45 days after the end of each quarter, the Department of the Treasury, the Executive Office of the President, the Judiciary, the Federal Communications Commission, the

Federal Trade Commission, the General Services Administration, the National Archives and Records Administration, the Securities and Exchange Commission, and the Small Business Administration shall provide the Committees on Appropriations of the House of Representatives and the Senate a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

SEC. 619. (a)(1) Notwithstanding any other provision of law, an Executive agency covered by this Act otherwise authorized to enter into contracts for either leases or the construction or alteration of real property for office, meeting, storage, or other space must consult with the General Services Administration before issuing a solicitation for offers of new leases or construction contracts, and in the case of succeeding leases, before entering into negotiations with the current lessor.

(2) Any such agency with authority to enter into an emergency lease may do so during any period declared by the President to require emergency leasing authority with respect to such agency.

(b) For purposes of this section, the term "Executive agency covered by this Act" means any Executive agency provided funds by this Act, but does not include the General Services Administration or the United States Postal Service.

SEC. 620. None of the funds made available in this Act may be used by the Federal Trade Commission to complete the draft report entitled "Interagency Working Group on Food Marketed to Children: Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts" unless the Interagency Working Group on Food Marketed to Children complies with Executive Order No. 13563.

SEC. 621. None of the funds made available by this Act may be used to pay the salaries and expenses for the following positions:

(1) Director, White House Office of Health Reform.

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

(3) Senior Advisor to the Secretary of the Treasury assigned to the Presidential Task Force on the Auto Industry and Senior Counselor for Manufacturing Policy.

(4) White House Director of Urban Affairs.

SEC. 622. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 623. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the

conviction, unless the Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 624. (a) There are appropriated for the following activities the amounts required under current law:

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

(2) Payments to—

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

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

(C) the United States Court of Federal Claims Judges' Retirement Fund (28 U.S.C. 178(l)).

(3) Payment of Government contributions—

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

(B) with respect to the life insurance benefits for employees retiring after December 31, 1989 (5 U.S.C. ch. 87).

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

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

(b) Nothing in this section may be construed to exempt any amount appropriated by this section from any otherwise applicable limitation on the use of funds contained in this Act.

SEC. 625. None of the funds made available in this Act may be used by the Federal Communications Commission to remove the conditions imposed on commercial terrestrial operations in the Order and Authorization adopted by the Commission on January 26, 2011 (DA 11–133), or otherwise permit such operations, until the Commission has resolved concerns of potential widespread harmful interference by such commercial terrestrial operations to commercially available Global Positioning System devices.

SEC. 626. The Public Company Accounting Oversight Board shall have authority to obligate funds for the scholarship program established by section 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in an aggregate amount not exceeding the amount of funds collected by the Board as of December 31, 2013, including accrued interest, as a result of the assessment of monetary penalties. Funds available for obligation in fiscal year 2014 shall remain available until expended.

SEC. 627. (a) Section 1511 of title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) ("Act") is amended by striking, "and linked to the website established by section 1526".

(b)(1) Subsection (c) and subsections (e) through (h) of section 1512 of the Act are repealed effective February 1, 2014.

(2) Subsection (d) of section 1512 of the Act is amended to read as follows:

"(d) AGENCY REPORTS.—Starting February 1, 2014, each agency that made recovery funds available to any recipient shall make available to the public detailed spending data as prescribed by the Office of Management and Budget and pursuant to the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282).".

(c) Subsection (a) of section 1514 of the Act is amended by striking "and linked to the website established by section 1526".

(d) Subparagraph (A) of section 1523(b)(4) of the Act is amended by striking "the website established by section 1526" and inserting "a public website".

(e) Sections 1526 and 1554 of the Act are repealed.

(f) Section 1530 of the Act is amended by striking "2013" and inserting "2015".

SEC. 628. From the unobligated balances available in the Securities and Exchange Commission Reserve Fund established by section 991 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203), $25,000,000 are rescinded.

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2014 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

31 USC 1343 note.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $13,197 except station wagons for which the maximum shall be $13,631: *Provided*, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles: *Provided further*, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on emerging motor vehicle technology, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 704. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: *Provided*, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: *Provided further*, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government: *Provided further*, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: *Provided further*, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

5 USC 3101 note.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling

or waste prevention programs. Such funds shall be available until expended for the following purposes:

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

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

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

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

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

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

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department,

agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to 5 U.S.C. 3302, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed forces detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the National Geospatial-Intelligence Agency;

(5) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(6) the Bureau of Intelligence and Research of the Department of State;

(7) any agency, office, or unit of the Army, Navy, Air Force, or Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation or the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, or the Department of Energy performing intelligence functions; or

(8) the Director of National Intelligence or the Office of the Director of National Intelligence.

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

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

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

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

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

SEC. 715. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

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

SEC. 717. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing, telephone or electronic mailing lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 718. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 719. (a) In this section, the term "agency"—

(1) means an Executive agency, as defined under 5 U.S.C. 105; and

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

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

SEC. 720. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board

(FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

SEC. 721. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse "General Services Administration, Government-wide Policy" with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide and other multi-agency financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency and multi-agency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, the Chief Acquisition Officers Council for procurement initiatives, and the Performance Improvement Council for performance improvement initiatives): *Provided further,* That the total funds transferred or reimbursed shall not exceed $17,000,000 for Government-Wide innovations, initiatives, and activities: *Provided further,* That the funds transferred to or for reimbursement of "General Services Administration, Government-wide Policy" during fiscal year 2014 shall remain available for obligation through September 30, 2015: *Provided further,* That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations of the House of Representatives and the Senate by the Director of the Office of Management and Budget.

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

SEC. 723. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 724. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: *Provided*, That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

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

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

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

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

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

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

(1) The term "regulatory" means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term "supervisory" means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 726. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

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

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

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

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

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 727. The United States is committed to ensuring the health of its Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in sport through testing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 728. Notwithstanding any other provision of law, funds appropriated for official travel to Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 729. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 730. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 731. Unless otherwise authorized by existing law, none of the funds provided in this Act or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

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

SEC. 733. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

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

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

SEC. 734. During fiscal year 2014, for each employee who—

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

(2) retires under any other provision of subchapter III of chapter 83 or chapter 84 of such title 5 and receives a payment as an incentive to separate, the separating agency shall remit to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management's average unit cost of processing a retirement claim for the preceding fiscal year. Such amounts shall be available until expended to the Office of Personnel Management and shall be deemed to be an administrative expense under section 8348(a)(1)(B) of title 5, United States Code.

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

(1) Any payment consisting of a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication that is made by the entity, its officers or directors, or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee, or that is otherwise made with respect to any election for Federal office.

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

(b) In this section, each of the terms "contribution", "expenditure", "independent expenditure", "electioneering communication", "candidate", "election", and "Federal office" has the meaning given such term in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

SEC. 736. None of the funds made available in this or any other Act may be used to pay for the painting of a portrait of an officer or employee of the Federal government, including the President, the Vice President, a member of Congress (including a Delegate or a Resident Commissioner to Congress), the head of an executive branch agency (as defined in section 133 of title 41, United States Code), or the head of an office of the legislative branch.

SEC. 737. None of the funds appropriated or otherwise made available by this or any other Act may be used to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

33 USC 1268a.

SEC. 738. (a) For purposes of this section the following definitions apply:

(1) The terms "Great Lakes" and "Great Lakes State" have the same meanings as such terms have in section 506 of the Water Resources Development Act of 2000 (42 U.S.C. 1962d–22).

(2) The term "Great Lakes restoration activities" means any Federal or State activity primarily or entirely within the Great Lakes watershed that seeks to improve the overall health of the Great Lakes ecosystem.

(b) Hereafter, not later than 45 days after submission of the budget of the President to Congress, the Director of the Office of Management and Budget, in coordination with the Governor of each Great Lakes State and the Great Lakes Interagency Task Force, shall submit to the appropriate authorizing and appropriating committees of the Senate and the House of Representatives a financial report, certified by the Secretary of each agency that has budget authority for Great Lakes restoration activities, containing—

(1) an interagency budget crosscut report that—

(A) displays the budget proposed, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carries out Great Lakes restoration activities in the upcoming fiscal year, separately reporting the amount of funding to be provided under existing laws pertaining to the Great Lakes ecosystem; and

(B) identifies all expenditures in each of the 5 prior fiscal years by the Federal Government and State governments for Great Lakes restoration activities;

(2) a detailed accounting of all funds received and obligated by all Federal agencies and, to the extent available, State agencies using Federal funds, for Great Lakes restoration activities during the current and previous fiscal years;

(3) a budget for the proposed projects (including a description of the project, authorization level, and project status) to be carried out in the upcoming fiscal year with the Federal portion of funds for activities; and

(4) a listing of all projects to be undertaken in the upcoming fiscal year with the Federal portion of funds for activities.

SEC. 739. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled "Competitive Area" published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 740. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2014, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code— 5 USC 5343 note.

(A) during the period beginning on September 30, 2013 and ending on the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2014, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with section 147 of the Continuing Appropriations and Surface Transportation Extensions Act, 2011, as amended by the Consolidated and Further Continuing Appropriations Act, 2013; and

(B) during the period consisting of the remainder of fiscal year 2014, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under subparagraph (A) by more than the sum of—

(i) the percentage adjustment taking effect in fiscal year 2014 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(ii) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2014 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(2) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which paragraph (1) is in effect at a rate that exceeds the rates that would be payable under paragraph (1) were paragraph (1) applicable to such employee.

(3) For the purposes of this subsection, the rates payable to an employee who is covered by this subsection and who is paid from a schedule not in existence on September 30, 2013, shall be determined under regulations prescribed by the Office of Personnel Management.

(4) Notwithstanding any other provision of law, rates of premium pay for employees subject to this subsection may not be changed from the rates in effect on September 30, 2013, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this subsection.

(5) This subsection shall apply with respect to pay for service performed after September 30, 2013.

(6) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this subsection shall be treated as the rate of salary or basic pay.

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

(8) The Office of Personnel Management may provide for exceptions to the limitations imposed by this subsection if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

(b) Notwithstanding subsection (a) and section 147 of the Continuing Appropriations and Surface Transportation Extensions Act, 2011, as amended by the Consolidated and Further Continuing Appropriations Act, 2013, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2014 under sections 5344 and 5348 of title 5, United States Code, shall be—

(1) not less than the percentage received by employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under sections 5303 and 5304 of title 5, United States Code: *Provided*, That prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located in the pay locality designated as "Rest of United States" pursuant to section 5304

of title 5, United States Code, for purposes of this subsection; and

(2) effective as of the first day of the first applicable pay period beginning after September 30, 2013.

5 USC 5303 note.

SEC. 741. (a) The Vice President may not receive a pay raise in calendar year 2014, notwithstanding the rate adjustment made under section 104 of title 3, United States Code, or any other provision of law.

(b) An employee serving in an Executive Schedule position, or in a position for which the rate of pay is fixed by statute at an Executive Schedule rate, may not receive a pay rate increase in calendar year 2014, notwithstanding schedule adjustments made under section 5318 of title 5, United States Code, or any other provision of law, except as provided in subsection (g), (h), or (i). This subsection applies only to employees who are holding a position under a political appointment.

(c) A chief of mission or ambassador at large may not receive a pay rate increase in calendar year 2014, notwithstanding section 401 of the Foreign Service Act of 1980 (Public Law 96–465) or any other provision of law, except as provided in subsection (g), (h), or (i).

(d) Notwithstanding sections 5382 and 5383 of title 5, United States Code, a pay rate increase may not be received in calendar year 2014 (except as provided in subsection (g), (h), or (i)) by—

(1) a noncareer appointee in the Senior Executive Service paid a rate of basic pay at or above level IV of the Executive Schedule; or

(2) a limited term appointee or limited emergency appointee in the Senior Executive Service serving under a political appointment and paid a rate of basic pay at or above level IV of the Executive Schedule.

(e) Any employee paid a rate of basic pay (including any locality-based payments under section 5304 of title 5, United States Code, or similar authority) at or above level IV of the Executive Schedule who serves under a political appointment may not receive a pay rate increase in calendar year 2014, notwithstanding any other provision of law, except as provided in subsection (g), (h), or (i). This subsection does not apply to employees in the General Schedule pay system or the Foreign Service pay system, or to employees appointed under section 3161 of title 5, United States Code, or to employees in another pay system whose position would be classified at GS–15 or below if chapter 51 of title 5, United States Code, applied to them.

(f) Nothing in subsections (b) through (e) shall prevent employees who do not serve under a political appointment from receiving pay increases as otherwise provided under applicable law.

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

(h) A member of the Senior Foreign Service who receives a Presidential appointment to any position in the executive branch and who makes an election to retain Senior Foreign Service pay entitlements under section 302(b) of the Foreign Service Act of 1980 (Public Law 96–465) is not subject to this section.

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

(j) Notwithstanding any other provision of law, for an individual who is newly appointed to a covered position during the period of time subject to this section, the initial pay rate shall be based on the rates of pay and applicable pay limitations in effect on December 31, 2013.

(k) If an employee affected by subsections (b) through (e) is subject to a biweekly pay period that begins in calendar year 2014 but ends in calendar year 2015, the bar on the employee's receipt of pay rate increases shall apply through the end of that pay period.

(l) An initial or increased pay rate for an individual in a covered position that takes effect in calendar year 2014 prior to enactment of this Act shall be valid only through the end of the pay period during which the enactment took place. Effective on the first day of the next pay period, the individual's pay rate will be set at the rate that would have applied if this section had been in effect on January 1, 2014.

SEC. 742. (a) The head of any Executive branch department, agency, board, commission, or office funded by this Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2014 for which the cost to the United States Government was more than $100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

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

(A) the cost of any food or beverages;

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

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

(D) a discussion of the methodology used to determine which costs relate to the conference; and

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

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

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

(c) Within 15 days of the date of a conference held by any Executive branch department, agency, board, commission, or office funded by this Act during fiscal year 2014 for which the cost to the United States Government was more than $20,000, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any

entity without an Inspector General, of the date, location, and number of employees attending such conference.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

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

SEC. 743. None of the funds made available in this or any other appropriations Act may be used to eliminate or reduce funding for a program, project, or activity as proposed in the President's budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this or any other appropriations Act.

SEC. 744. Except as expressly provided otherwise, any reference to "this Act" contained in any title other than title IV or VIII shall not apply to such title IV or VIII. 5 USC 3101 note.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

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

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

SEC. 803. (a) None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

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

(5) re-establishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,

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

(b) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 7, 2014.

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

SEC. 805. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or a District of Columbia government employee as may otherwise be designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;

(3) at the discretion of the Director of the Department of Corrections, an officer or employee of the District of Columbia Department of Corrections who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Director;

(4) the Mayor of the District of Columbia; and

(5) the Chairman of the Council of the District of Columbia.

SEC. 806. (a) None of the Federal funds contained in this Act may be used by the District of Columbia Attorney General or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Attorney General from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

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

SEC. 808. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing

the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 809. None of the Federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

SEC. 810. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 811. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia, a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2014 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

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

SEC. 812. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council for the District of Columbia, a revised appropriated funds operating budget for the District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised appropriated funds budget shall be in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, Sec. 1–204.42).

SEC. 813. (a) Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

(b) The District of Columbia government is authorized to reprogram or transfer for operating expenses any local funds transferred or reprogrammed in this or the four prior fiscal years from operating funds to capital funds, and such amounts, once transferred or reprogrammed, shall retain appropriation authority consistent with the provisions of this Act.

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

SEC. 814. None of the Federal funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 815. Except as otherwise specifically provided by law or under this Act, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2014 from appropriations of Federal funds made available for salaries and expenses for fiscal year 2014 in this Act, shall remain available through September 30, 2015, for each such account for the purposes authorized: *Provided,* That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further,* That these requests shall be made in compliance with reprogramming guidelines outlined in section 803 of this Act.

SEC. 816. (a) During fiscal year 2015, during a period in which neither a District of Columbia continuing resolution or a regular District of Columbia appropriation bill is in effect, local funds are appropriated in the amount provided for any project or activity for which local funds are provided in the Fiscal Year 2015 Budget Request Act of 2014 as submitted to Congress (subject to any modifications enacted by the District of Columbia as of the beginning of the period during which this subsection is in effect) at the rate set forth by such Act.

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

(1) during any period in which a District of Columbia continuing resolution for fiscal year 2015 is in effect; or

(2) upon the enactment into law of the regular District of Columbia appropriation bill for fiscal year 2015.

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

(d) An appropriation made by subsection (a) shall cover all obligations or expenditures incurred for such project or activity during the portion of fiscal year 2015 for which this section applies to such project or activity.

(e) This section shall not apply to a project or activity during any period of fiscal year 2015 if any other provision of law (other than an authorization of appropriations)—

(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period, or

(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

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

SEC. 817. Except as expressly provided otherwise, any reference to "this Act" contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

This division may be cited as the "Financial Services and General Government Appropriations Act, 2014".

DIVISION F—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2014

Department of Homeland Security Appropriations Act, 2014.

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, $122,350,000: *Provided*, That not to exceed $45,000 shall be for official reception and representation expenses: *Provided further*, That all official costs associated with the use of government aircraft by Department of Homeland Security personnel to support official travel of the Secretary and the Deputy Secretary shall be paid from amounts made available for the Immediate Office of the Secretary and the Immediate Office of the Deputy Secretary: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, expenditure plans for the Office of Policy, the Office of Intergovernmental Affairs, the Office for Civil Rights and Civil Liberties, the Citizenship and Immigration Services Ombudsman, and the Privacy Officer: *Provided further*, That expenditure plans for the offices in the previous proviso shall also be submitted at the time the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), $196,015,000, of which not to exceed $2,250 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, $4,500,000 shall remain available until September 30, 2018, solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and $7,815,000 shall remain available until September 30, 2015, for the Human Resources Information Technology program: *Provided further*, That the Under Secretary for Management shall, pursuant to the requirements contained in House Report 112–331, submit to the Committees on Appropriations of the Senate and the House of Representatives at the time the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a Comprehensive Acquisition Status Report, which shall include the information required under the heading "Office of the Under Secretary for Management" under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74), and quarterly updates to such report not later than 45 days after the completion of each quarter.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), $46,000,000: *Provided*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, the Future Years Homeland Security Program, as authorized by section 874 of Public Law 107–296 (6 U.S.C. 454).

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, $257,156,000; of which $115,000,000 shall be available for salaries and expenses; and of which $142,156,000, to remain available until September 30, 2015, shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security.

ANALYSIS AND OPERATIONS

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $300,490,000; of which not to exceed $3,825 shall be for official reception and representation expenses; and of which $129,540,000 shall remain available until September 30, 2015.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $115,437,000; of which not to exceed $300,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, agricultural inspections and regulatory activities related to plant and animal imports, and transportation of unaccompanied minor aliens; purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; $8,145,568,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses

related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which $165,715,000 shall be available until September 30, 2015, solely for the purpose of hiring, training, and equipping new U.S. Customs and Border Protection officers at ports of entry; of which not to exceed $34,425 shall be for official reception and representation expenses; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided*, That for fiscal year 2014, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be $35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to compensate any employee of U.S. Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies: *Provided further,* That the Border Patrol shall maintain an active duty presence of not less than 21,370 full-time equivalent agents protecting the borders of the United States in the fiscal year.

AUTOMATION MODERNIZATION

For necessary expenses for U.S. Customs and Border Protection for operation and improvement of automated systems, including salaries and expenses, $816,523,000; of which $340,936,000 shall remain available until September 30, 2016; and of which not less than $140,762,000 shall be for the development of the Automated Commercial Environment.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For expenses for border security fencing, infrastructure, and technology, $351,454,000, to remain available until September 30, 2016: *Provided,* That no additional deployments of technology associated with integrated fixed towers shall occur until the Chief of the Border Patrol certifies to the Committees on Appropriations of the Senate and the House of Representatives that the first deployment of technology associated with integrated fixed towers meets the operational requirements of the Border Patrol.

AIR AND MARINE OPERATIONS

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aircraft systems, and other related equipment of the air and marine program, including salaries and expenses, operational training, and mission-related travel, the operations of which include the following: the

interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and, at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; $805,068,000; of which $286,818,000 shall be available for salaries and expenses; and of which $518,250,000 shall remain available until September 30, 2016: *Provided*, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to U.S. Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2014 without prior notice to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That the Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, on any changes to the 5-year strategic plan for the air and marine program required under this heading in Public Law 112–74.

CONSTRUCTION AND FACILITIES MANAGEMENT

For necessary expenses to plan, acquire, construct, renovate, equip, furnish, operate, manage, and maintain buildings, facilities, and related infrastructure necessary for the administration and enforcement of the laws relating to customs, immigration, and border security, including land ports of entry where the Administrator of General Services has delegated to the Secretary of Homeland Security the authority to operate, maintain, repair, and alter such facilities, and to pay rent to the General Services Administration for use of land ports of entry, $456,278,000, to remain available until September 30, 2018: *Provided,* That the Commissioner of U.S. Customs and Border Protection shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, an inventory of the real property of U.S. Customs and Border Protection and a plan for each activity and project proposed for funding under this heading that includes the full cost by fiscal year of each activity and project proposed and underway in fiscal year 2015.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations, including intellectual property rights and overseas vetted units operations; and purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; $5,229,461,000; of which not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed $11,475 shall be for official reception and representation expenses; of which not

to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than $305,000 shall be for promotion of public awareness of the Cyber Tipline and related activities to counter child exploitation; of which not less than $5,400,000 shall be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); and of which not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: *Provided further*, That of the total amount provided, $15,770,000 shall be for activities to enforce laws against forced child labor, of which not to exceed $6,000,000 shall remain available until expended: *Provided further*, That of the total amount available, not less than $1,600,000,000 shall be available to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable: *Provided further*, That the Secretary of Homeland Security shall prioritize the identification and removal of aliens convicted of a crime by the severity of that crime: *Provided further*, That funding made available under this heading shall maintain a level of not less than 34,000 detention beds through September 30, 2014: *Provided further,* That of the total amount provided, not less than $2,785,096,000 is for detention and removal operations, including transportation of unaccompanied minor aliens: *Provided further*, That of the total amount provided, $10,300,000 shall remain available until September 30, 2015, for the Visa Security Program: *Provided further*, That not less than $10,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center: *Provided further*, That none of the funds provided under this heading may be used to continue a delegation of law enforcement authority authorized under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) if the Department of Homeland Security Inspector General determines that the terms of the agreement governing the delegation of authority have been violated: *Provided further*, That none of the funds provided under this heading may be used to continue any contract for the provision of detention services if the two most recent overall performance evaluations received by the contracted facility are less than "adequate" or the equivalent median score in any subsequent performance evaluation system: *Provided further,* That nothing under this heading shall prevent U.S. Immigration and Customs Enforcement from exercising those authorities provided under immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))) during priority operations pertaining to aliens convicted of a crime: *Provided further,* That without regard to the limitation as to time and condition of section 503(d) of this Act, the Secretary may propose to reprogram and transfer funds within and into this appropriation necessary to ensure the detention of aliens prioritized for removal.

AUTOMATION MODERNIZATION

For expenses of immigration and customs enforcement automated systems, $34,900,000, to remain available until September 30, 2016.

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, $5,000,000, to remain available until September 30, 2017.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $4,982,735,000, to remain available until September 30, 2015; of which not to exceed $7,650 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, not to exceed $3,894,236,000 shall be for screening operations, of which $372,354,000 shall be available for explosives detection systems; $103,309,000 shall be for checkpoint support; and not to exceed $1,088,499,000 shall be for aviation security direction and enforcement: *Provided further*, That of the amount made available in the preceding proviso for explosives detection systems, $73,845,000 shall be available for the purchase and installation of these systems: *Provided further*, That any award to deploy explosives detection systems shall be based on risk, the airport's current reliance on other screening solutions, lobby congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: *Provided further*, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: *Provided further*, That the sum appropriated under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2014 so as to result in a final fiscal year appropriation from the general fund estimated at not more than $2,862,735,000: *Provided further*, That notwithstanding section 44923 of title 49, United States Code, for fiscal year 2014, any funds in the Aviation Security Capital Fund established by section 44923(h) of title 49, United States Code, may be used for the procurement and installation of explosives detection systems or for the issuance of other transaction agreements for the purpose of funding projects described in section 44923(a) of such title: *Provided further*, That none of the funds made available in this Act may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of 46,000 full-time equivalent screeners: *Provided further*, That the preceding proviso shall not apply to personnel hired as part-time employees: *Provided further*, That not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the

Committees on Appropriations of the Senate and the House of Representatives a detailed report on—

(1) the Department of Homeland Security efforts and resources being devoted to develop more advanced integrated passenger screening technologies for the most effective security of passengers and baggage at the lowest possible operating and acquisition costs, including projected funding levels for each fiscal year for the next 5 years or until project completion, whichever is earlier;

(2) how the Transportation Security Administration is deploying its existing passenger and baggage screener workforce in the most cost effective manner; and

(3) labor savings from the deployment of improved technologies for passenger and baggage screening and how those savings are being used to offset security costs or reinvested to address security vulnerabilities:

Provided further, That not later than April 15, 2014, the Administrator of the Transportation Security Administration shall submit to the Committees on Appropriations of the Senate and the House of Representatives, a report that:

(1) certifies that one in four air passengers that require security screening by the Transportation Security Administration is eligible for expedited screening without lowering security standards; and

(2) outlines a strategy to increase the number of air passengers eligible for expedited screening to 50 percent by the end of calendar year 2014, including—

(A) specific benchmarks and performance measures to increase participation in Pre-Check by air carriers, airports, and passengers;

(B) options to facilitate direct application for enrollment in Pre-Check through the Transportation Security Administration's Web site, airports, and other enrollment locations;

(C) use of third parties to pre-screen passengers for expedited screening;

(D) inclusion of populations already vetted by the Transportation Security Administration and other trusted populations as eligible for expedited screening; and

(E) resource implications of expedited passenger screening resulting from the use of risk-based security methods: *Provided further*, That information provided under this subsection shall be updated semiannually:

Provided further, That Members of the United States House of Representatives and United States Senate, including the leadership; the heads of Federal agencies and commissions, including the Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General, Deputy Attorney General, Assistant Attorneys General, and the United States Attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget, shall not be exempt from Federal passenger and baggage screening.

SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to surface transportation security activities, $108,618,000, to remain available until September 30, 2015.

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

For necessary expenses for the development and implementation of vetting and credentialing activities, $176,489,000, to remain available until September 30, 2015.

TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to transportation security support and intelligence pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $962,061,000, to remain available until September 30, 2015: *Provided*, That of the funds appropriated under this heading, $20,000,000 may not be obligated for "Headquarters Administration" until the Administrator of the Transportation Security Administration submits to the Committees on Appropriations of the Senate and the House of Representatives detailed expenditure plans for air cargo security, checkpoint support, and explosives detection systems refurbishment, procurement, and installations on an airport-by-airport basis for fiscal year 2014: *Provided further*, That these plans shall be submitted not later than 60 days after the date of enactment of this Act.

FEDERAL AIR MARSHALS

For necessary expenses of the Federal Air Marshal Service, $818,607,000: *Provided*, That the Director of the Federal Air Marshal Service shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not later than 45 days after the date of enactment of this Act, a detailed, classified expenditure and staffing plan for ensuring optimal coverage of high risk flights.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; purchase or lease of small boats for contingent and emergent requirements (at a unit cost of no more than $700,000) and repairs and service-life replacements, not to exceed a total of $31,000,000; purchase or lease of boats necessary for overseas deployments and activities; minor shore construction projects not exceeding $1,000,000 in total cost on any location; payments pursuant to section 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; $7,011,807,000; of which $567,000,000 shall be for defense-related activities, of which $227,000,000 is designated by the Congress for Overseas

Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985; of which $24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed $15,300 shall be for official reception and representation expenses: *Provided*, That none of the funds made available by this Act shall be for expenses incurred for recreational vessels under section 12114 of title 46, United States Code, except to the extent fees are collected from owners of yachts and credited to this appropriation: *Provided further,* That of the funds provided under this heading, $75,000,000 shall be withheld from obligation for Coast Guard Headquarters Directorates until a future-years capital investment plan for fiscal years 2015 through 2019, as specified under the heading "Coast Guard Acquisition, Construction, and Improvements" of this Act is submitted to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That funds made available under this heading for Overseas Contingency Operations/Global War on Terrorism may be allocated by program, project, and activity, notwithstanding section 503 of this Act: *Provided further*, That without regard to the limitation as to time and condition of section 503(d) of this Act, after June 30, an additional $10,000,000 may be reprogrammed to or from Military Pay and Allowances in accordance with subsections (a), (b), and (c), of section 503.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, $13,164,000, to remain available until September 30, 2018.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the Coast Guard reserve program; personnel and training costs; and equipment and services; $120,000,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $1,375,635,000; of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which the following amounts, to remain available until September 30, 2018 (except as subsequently specified), shall be available as follows: $18,000,000 shall be available for military family housing, of which not more than $349,996 shall be derived from the Coast Guard Housing Fund established pursuant to 14 U.S.C. 687; $999,000,000 shall be available to acquire, effect major repairs to, renovate, or improve vessels, small boats, and related equipment; $175,310,000 shall be available to acquire, effect major repairs to, renovate, or improve aircraft or

increase aviation capability; $64,930,000 shall be available for other acquisition programs; $5,000,000 shall be available for shore facilities and aids to navigation, including facilities at Department of Defense installations used by the Coast Guard; and $113,395,000, to remain available until September 30, 2014, shall be available for personnel compensation and benefits and related costs: *Provided*, That the funds provided by this Act shall be immediately available and allotted to contract for the production of the seventh National Security Cutter notwithstanding the availability of funds for post-production costs: *Provided further*, That the funds provided by this Act shall be immediately available and allotted to contract for long lead time materials, components, and designs for the eighth National Security Cutter notwithstanding the availability of funds for production costs or post-production costs: *Provided further*, That the Commandant of the Coast Guard shall submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each requested capital asset—

14 USC 663 note.

(1) the proposed appropriations included in that budget;

(2) the total estimated cost of completion, including and clearly delineating the costs of associated major acquisition systems infrastructure and transition to operations;

(3) projected funding levels for each fiscal year for the next 5 fiscal years or until acquisition program baseline or project completion, whichever is earlier;

(4) an estimated completion date at the projected funding levels; and

(5) a current acquisition program baseline for each capital asset, as applicable, that—

(A) includes the total acquisition cost of each asset, subdivided by fiscal year and including a detailed description of the purpose of the proposed funding levels for each fiscal year, including for each fiscal year funds requested for design, pre-acquisition activities, production, structural modifications, missionization, post-delivery, and transition to operations costs;

(B) includes a detailed project schedule through completion, subdivided by fiscal year, that details—

(i) quantities planned for each fiscal year; and

(ii) major acquisition and project events, including development of operational requirements, contracting actions, design reviews, production, delivery, test and evaluation, and transition to operations, including necessary training, shore infrastructure, and logistics;

(C) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline and the most recent baseline approved by the Department of Homeland Security's Acquisition Review Board, if applicable;

(D) aligns the acquisition of each asset to mission requirements by defining existing capabilities of comparable legacy assets, identifying known capability gaps between such existing capabilities and stated mission requirements, and explaining how the acquisition of each asset will address such known capability gaps;

(E) defines life-cycle costs for each asset and the date of the estimate on which such costs are based, including all associated costs of major acquisitions systems infrastructure and transition to operations, delineated by purpose and fiscal year for the projected service life of the asset;

(F) includes the earned value management system summary schedule performance index and cost performance index for each asset, if applicable; and

(G) includes a phase-out and decommissioning schedule delineated by fiscal year for each existing legacy asset that each asset is intended to replace or recapitalize:

Provided further, That the Commandant of the Coast Guard shall ensure that amounts specified in the future-years capital investment plan are consistent, to the maximum extent practicable, with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget proposal for fiscal year 2015, submitted pursuant to section 1105(a) of title 31, United States Code: *Provided further*, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified: *Provided further*, That subsections (a) and (b) of section 6402 of Public Law 110–28 shall apply with respect to the amounts made available under this heading.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $19,200,000 to remain available until September 30, 2016, of which $500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts, and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,460,000,000, to remain available until expended.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 652 vehicles for police-type use for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services

of expert witnesses at such rates as may be determined by the Director of the United States Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees in cases in which a protective assignment on the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; $1,533,497,000; of which not to exceed $19,125 shall be for official reception and representation expenses; of which not to exceed $100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which $2,366,000 shall be for forensic and related support of investigations of missing and exploited children; of which $6,000,000 shall be for a grant for activities related to investigations of missing and exploited children and shall remain available until September 30, 2015; and of which not less than $7,500,000 shall be for activities related to training in electronic crimes investigations and forensics: *Provided*, That $18,000,000 for protective travel shall remain available until September 30, 2015: *Provided further,* That $4,500,000 for National Special Security Events shall remain available until September 30, 2015: *Provided further*, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, for personnel receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year: *Provided further*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: *Provided further*, That the Director of the United States Secret Service may enter into an agreement to provide such protection on a fully reimbursable basis: *Provided further*, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be obligated for the purpose of opening a new permanent domestic or overseas office or location unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation: *Provided further*, That for purposes of section 503(b) of this Act, $15,000,000 or 10 percent,

whichever is less, may be transferred between "Protection of Persons and Facilities" and "Domestic Field Operations".

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of physical and technological infrastructure, $51,775,000; of which $5,380,000, to remain available until September 30, 2018, shall be for acquisition, construction, improvement, and maintenance of facilities; and of which $46,395,000, to remain available until September 30, 2016, shall be for information integration and technology transformation execution.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

NATIONAL PROTECTION AND PROGRAMS DIRECTORATE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for the National Protection and Programs Directorate, support for operations, and information technology, $56,499,000: *Provided*, That not to exceed $3,825 shall be for official reception and representation expenses.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $1,187,000,000, of which $225,000,000 shall remain available until September 30, 2015.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service: *Provided*, That the Secretary of Homeland Security and the Director of the Office of Management and Budget shall certify in writing to the Committees on Appropriations of the Senate and the House of Representatives, not later than February 14, 2014, that the operations of the Federal Protective Service will be fully funded in fiscal year 2014 through revenues and collection of security fees, including maintaining not fewer than 1,371 full-time equivalent staff and 1,007 full-time equivalent Police Officers, Inspectors, Area Commanders, and Special Agents who, while working, are directly engaged on a daily basis protecting and enforcing laws at Federal buildings (referred to as "in-service field staff"): *Provided further*, That if revenues and fee collections are insufficient to maintain the staffing levels in the previous proviso, the Secretary of Homeland Security shall submit an expenditure plan delineating the available revenue by staffing levels and critical infrastructure

investments: *Provided further*, That in implementing the previous proviso, the Secretary shall ensure revenues are dedicated to ensure not fewer than 1,300 full-time equivalent staff: *Provided further*, That the Director of the Federal Protective Service shall submit at the time the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

For necessary expenses for the Office of Biometric Identity Management, as authorized by section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), $227,108,000: *Provided*, That of the total amount made available under this heading, $113,956,000 shall remain available until September 30, 2016.

OFFICE OF HEALTH AFFAIRS

For necessary expenses of the Office of Health Affairs, $126,763,000; of which $25,667,000 is for salaries and expenses and $85,277,000 is for BioWatch operations: *Provided*, That of the amount made available under this heading, $15,819,000 shall remain available until September 30, 2015, for biosurveillance, chemical defense, medical and health planning and coordination, and workforce health protection: *Provided further*, That not to exceed $2,250 shall be for official reception and representation expenses.

FEDERAL EMERGENCY MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Federal Emergency Management Agency, $946,982,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Cerro Grande Fire Assistance Act of 2000 (division C, title I, 114 Stat. 583), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), the National Dam Safety Program Act (33 U.S.C. 467 et seq.), the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53), the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 120 Stat. 1394), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 916): *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses: *Provided further,* That of the total amount made available under this heading, $35,180,000 shall be for the Urban Search and Rescue Response System, of which none is available for Federal Emergency Management Agency administrative costs: *Provided further,* That of the total amount made available under this heading, $29,000,000

shall remain available until September 30, 2015, for capital improvements and other expenses related to continuity of operations at the Mount Weather Emergency Operations Center: *Provided further,* That of the total amount made available, $3,400,000 shall be for the Office of National Capital Region Coordination: *Provided further*, That of the total amount made available under this heading, not less than $4,000,000 shall remain available until September 30, 2015, for expenses related to modernization of automated systems: *Provided further,* That the Administrator of the Federal Emergency Management Agency, in consultation with the Department of Homeland Security Chief Information Officer, shall submit to the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan including results to date, plans for the program, and a list of projects with associated funding provided from prior appropriations and provided by this Act for modernization of automated systems.

STATE AND LOCAL PROGRAMS

For grants, contracts, cooperative agreements, and other activities, $1,500,000,000, which shall be allocated as follows:

(1) $466,346,000 shall be for the State Homeland Security Grant Program under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), of which not less than $55,000,000 shall be for Operation Stonegarden: *Provided*, That notwithstanding subsection (c)(4) of such section 2004, for fiscal year 2014, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts provided to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2004.

(2) $600,000,000 shall be for the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), of which not less than $13,000,000 shall be for organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary of Homeland Security to be at high risk of a terrorist attack.

(3) $100,000,000 shall be for Public Transportation Security Assistance, Railroad Security Assistance, and Over-the-Road Bus Security Assistance under sections 1406, 1513, and 1532 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 6 U.S.C. 1135, 1163, and 1182), of which not less than $10,000,000 shall be for Amtrak security: *Provided*, That such public transportation security assistance shall be provided directly to public transportation agencies.

(4) $100,000,000 shall be for Port Security Grants in accordance with 46 U.S.C. 70107.

(5) $233,654,000 shall be to sustain current operations for training, exercises, technical assistance, and other programs, of which $162,991,000 shall be for training of State, local, and tribal emergency response providers:

Provided, That for grants under paragraphs (1) through (4), applications for grants shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 80 days after the grant announcement, and the Administrator of the Federal

Emergency Management Agency shall act within 65 days after the receipt of an application: *Provided further*, That notwithstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11)), or any other provision of law, a grantee may not use more than 5 percent of the amount of a grant made available under this heading for expenses directly related to administration of the grant: *Provided further*, That for grants under paragraphs (1) and (2), the installation of communications towers is not considered construction of a building or other physical facility: *Provided further*, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary of Homeland Security: *Provided further*, That notwithstanding section 509 of this Act the Administrator of the Federal Emergency Management Agency may use the funds provided in paragraph (5) to acquire real property for the purpose of establishing or appropriately extending the security buffer zones around Federal Emergency Management Agency training facilities.

FIREFIGHTER ASSISTANCE GRANTS

For grants for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $680,000,000, to remain available until September 30, 2015, of which $340,000,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and $340,000,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a).

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), $350,000,000.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2014, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2014, and remain available until September 30, 2016.

UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and

the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), $44,000,000.

DISASTER RELIEF FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $6,220,908,000, to remain available until expended, of which $24,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: *Provided*, That the Administrator of the Federal Emergency Management Agency shall submit an expenditure plan to the Committees on Appropriations of the Senate and the House of Representatives detailing the use of the funds made available in this or any other Act for disaster readiness and support not later than 60 days after the date of enactment of this Act: *Provided further*, That the Administrator of the Federal Emergency Management Agency shall submit to such Committees a quarterly report detailing obligations against the expenditure plan and a justification for any changes from the initial plan: *Provided further*, That the Administrator of the Federal Emergency Management Agency shall submit to the Committees on Appropriations of the Senate and the House of Representatives the following reports, including a specific description of the methodology and the source data used in developing such reports:

(1) an estimate of the following amounts shall be submitted for the budget year at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code:

(A) the unobligated balance of funds to be carried over from the prior fiscal year to the budget year;

(B) the unobligated balance of funds to be carried over from the budget year to the budget year plus 1;

(C) the amount of obligations for non-catastrophic events for the budget year;

(D) the amount of obligations for the budget year for catastrophic events delineated by event and by State;

(E) the total amount that has been previously obligated or will be required for catastrophic events delineated by event and by State for all prior years, the current year, the budget year, the budget year plus 1, the budget year plus 2, and the budget year plus 3 and beyond;

(F) the amount of previously obligated funds that will be recovered for the budget year;

(G) the amount that will be required for obligations for emergencies, as described in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)), major disasters, as described in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), fire management assistance grants, as described in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187), surge activities, and disaster readiness and support activities;

(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii); Public Law 99–177);

(2) an estimate or actual amounts, if available, of the following for the current fiscal year shall be submitted not later than the fifth day of each month, and shall be published by the Administrator on the Agency's Web site not later than the fifth day of each month:

(A) a summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made;

(B) a table of disaster relief activity delineated by month, including—

(i) the beginning and ending balances;

(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

(iii) the obligations for catastrophic events delineated by event and by State; and

(iv) the amount of previously obligated funds that are recovered;

(C) a summary of allocations, obligations, and expenditures for catastrophic events delineated by event;

(D) in addition, for a disaster declaration related to Hurricane Sandy, the cost of the following categories of spending: public assistance, individual assistance, mitigation, administrative, operations, and any other relevant category (including emergency measures and disaster resources); and

(E) the date on which funds appropriated will be exhausted:

Provided further, That the Administrator shall publish on the Agency's Web site not later than 5 days after an award of a public assistance grant under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) the specifics of the grant award: *Provided further*, That for any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster, not later than 5 days after the issuance of the mission assignment or task order, the Administrator shall publish on the Agency's Web site the following: the name of the impacted State and the disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the total cost estimate, and the amount obligated: *Provided further*, That not later than 10 days after the last day of each month until the mission assignment or task order is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated: *Provided further,* That of the amount provided under this heading, $5,626,386,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That the amount in the preceding proviso is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

For necessary expenses, including administrative costs, under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), and under sections 100215, 100216, 100226, 100230, and 100246 of the Biggert-Waters Flood Insurance Reform Act of 2012, (Public Law 112–141, 126 Stat. 916), $95,202,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)), to remain available until expended.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), and the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141, 126 Stat. 916), $176,300,000, which shall be derived from offsetting amounts collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which not to exceed $22,000,000 shall be available for salaries and expenses associated with flood mitigation and flood insurance operations; and not less than $154,300,000 shall be available for flood plain management and flood mapping, to remain available until September 30, 2015: *Provided*, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping: *Provided further*, That in fiscal year 2014, no funds shall be available from the National Flood Insurance Fund under section 1310 of that Act (42 U.S.C. 4017) in excess of:

(1) $132,000,000 for operating expenses;

(2) $1,152,000,000 for commissions and taxes of agents;

(3) such sums as are necessary for interest on Treasury borrowings; and

(4) $100,000,000, which shall remain available until expended, for flood mitigation actions under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c): *Provided further*, That the amounts collected under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1366(e) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1366 of the National Flood Insurance Act of 1968, notwithstanding subsection (f)(8) of such section 102 (42 U.S.C. 4012a(f)(8)) and subsection 1366(e) and paragraphs (2) and (3) of section 1367(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c(e), 4104d(b)(2)–(3)): *Provided further*, That total administrative costs shall not exceed 4 percent of the total appropriation.

NATIONAL PREDISASTER MITIGATION FUND

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), $25,000,000, to remain available until expended.

EMERGENCY FOOD AND SHELTER

To carry out the emergency food and shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), $120,000,000, to remain available until expended: *Provided*, That total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading.

TITLE IV

RESEARCH, DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, $113,889,000 for the E-Verify Program, as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), to assist United States employers with maintaining a legal workforce: *Provided*, That notwithstanding any other provision of law, funds otherwise made available to United States Citizenship and Immigration Services may be used to acquire, operate, equip, and dispose of up to 5 vehicles, for replacement only, for areas where the Administrator of General Services does not provide vehicles for lease: *Provided further*, That the Director of United States Citizenship and Immigration Services may authorize employees who are assigned to those areas to use such vehicles to travel between the employees' residences and places of employment.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; $227,845,000; of which up to $44,635,000 shall remain available until September 30, 2015, for materials and support costs of Federal law enforcement basic training; of which $300,000 shall remain available until expended to be distributed to Federal law enforcement agencies for expenses incurred participating in training accreditation; and of which not to exceed $9,180 shall be for official reception and representation expenses: *Provided*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That section 1202(a) of Public Law 107–206 (42 U.S.C. 3771 note), as amended under this heading in division D of Public Law 113–6, is further amended by striking "December 31, 2015" and inserting

"December 31, 2016": *Provided further*, That the Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training, or both, at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that such training facilities are operated at the highest capacity throughout the fiscal year: *Provided further*, That the Federal Law Enforcement Training Accreditation Board, including representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, shall lead the Federal law enforcement training accreditation process to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, $30,885,000, to remain available until September 30, 2018: *Provided*, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $129,000,000: *Provided*, That not to exceed $7,650 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects, development, test and evaluation, acquisition, and operations as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), and the purchase or lease of not to exceed 5 vehicles, $1,091,212,000; of which $543,427,000 shall remain available until September 30, 2016; and of which $547,785,000 shall remain available until September 30, 2018, solely for operation and construction of laboratory facilities: *Provided*, That of the funds provided for the operation and construction of laboratory facilities under this heading, $404,000,000 shall be for construction of the National Bio- and Agro-defense Facility.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), for management and administration

of programs and activities, $37,353,000: *Provided*, That not to exceed $2,250 shall be for official reception and representation expenses: *Provided further*, That not later than 120 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a strategic plan of investments necessary to implement the Department of Homeland Security's responsibilities under the domestic component of the global nuclear detection architecture that shall:

(1) define the role and responsibilities of each Departmental component in support of the domestic detection architecture, including any existing or planned programs to pre-screen cargo or conveyances overseas;

(2) identify and describe the specific investments being made by each Departmental component in fiscal year 2014 and planned for fiscal year 2015 to support the domestic architecture and the security of sea, land, and air pathways into the United States;

(3) describe the investments necessary to close known vulnerabilities and gaps, including associated costs and timeframes, and estimates of feasibility and cost effectiveness; and

(4) explain how the Department's research and development funding is furthering the implementation of the domestic nuclear detection architecture, including specific investments planned for each of fiscal years 2014 and 2015.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, $205,302,000, to remain available until September 30, 2016.

SYSTEMS ACQUISITION

For expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, $42,600,000, to remain available until September 30, 2016.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available

for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program, project, or activity;

(2) eliminates a program, project, office, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or

(5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2014 Budget Appendix for the Department of Homeland Security, as modified by the report accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury of the United States derived by the collection of fees or proceeds available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $5,000,000 or 10 percent, whichever is less, that:

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity;

(3) reduces by 10 percent the numbers of personnel approved by the Congress; or

(4) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: *Provided*, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations based upon an initial notification provided after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds

provided in previous Department of Homeland Security Appropriations Acts.

31 USC 501 note.

SEC. 504. The Department of Homeland Security Working Capital Fund, established pursuant to section 403 of Public Law 103–356 (31 U.S.C. 501 note), shall continue operations as a permanent working capital fund for fiscal year 2014: *Provided*, That none of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the Working Capital Fund, except for the activities and amounts allowed in the President's fiscal year 2014 budget: *Provided further,* That funds provided to the Working Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: *Provided further,* That all departmental components shall be charged only for direct usage of each Working Capital Fund service: *Provided further,* That funds provided to the Working Capital Fund shall be used only for purposes consistent with the contributing component: *Provided further,* That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: *Provided further*, That the Committees on Appropriations of the Senate and House of Representatives shall be notified of any activity added to or removed from the fund: *Provided further*, That the Chief Financial Officer of the Department of Homeland Security shall submit a quarterly execution report with activity level detail, not later than 30 days after the end of each quarter.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2014, as recorded in the financial records at the time of a reprogramming request, but not later than June 30, 2015, from appropriations for salaries and expenses for fiscal year 2014 in this Act shall remain available through September 30, 2015, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2014 until the enactment of an Act authorizing intelligence activities for fiscal year 2014.

SEC. 507. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used to—

(1) make or award a grant allocation, grant, contract, other transaction agreement, or task or delivery order on a Department of Homeland Security multiple award contract, or to issue a letter of intent totaling in excess of $1,000,000;

(2) award a task or delivery order requiring an obligation of funds in an amount greater than $10,000,000 from multi-year Department of Homeland Security funds or a task or delivery order that would cause cumulative obligations of multi-year funds in a single account to exceed 50 percent of the total amount appropriated;

(3) make a sole-source grant award; or

(4) announce publicly the intention to make or award items under paragraph (1), (2), or (3) including a contract covered by the Federal Acquisition Regulation.

(b) The Secretary of Homeland Security may waive the prohibition under subsection (a) if the Secretary notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance of making an award or issuing a letter as described in that subsection.

(c) If the Secretary of Homeland Security determines that compliance with this section would pose a substantial risk to human life, health, or safety, an award may be made without notification, and the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives not later than 5 full business days after such an award is made or letter issued.

(d) A notification under this section—

(1) may not involve funds that are not available for obligation; and

(2) shall include the amount of the award; the fiscal year for which the funds for the award were appropriated; the type of contract; and the account and each program, project, and activity from which the funds are being drawn.

(e) The Administrator of the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives 5 full business days in advance of announcing publicly the intention of making an award under "State and Local Programs".

SEC. 508. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training that cannot be accommodated in existing Center facilities.

SEC. 509. None of the funds appropriated or otherwise made available by this Act may be used for expenses for any construction, repair, alteration, or acquisition project for which a prospectus otherwise required under chapter 33 of title 40, United States Code, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 510. (a) Sections 520, 522, and 530 of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110–161; 121 Stat. 2073 and 2074) shall apply with respect to funds made available in this Act in the same manner as such sections applied to funds made available in that Act.

(b) The third proviso of section 537 of the Department of Homeland Security Appropriations Act, 2006 (6 U.S.C. 114), shall not apply with respect to funds made available in this Act.

SEC. 511. None of the funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act. For purposes of the preceding sentence, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 512. None of the funds made available in this Act may be used by any person other than the Privacy Officer appointed under subsection (a) of section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142(a)) to alter, direct that changes be made

to, delay, or prohibit the transmission to Congress of any report prepared under paragraph (6) of such subsection.

SEC. 513. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 514. Within 30 days after the end of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report for that month that includes total obligations, on-board versus funded full-time equivalent staffing levels, and the number of contract employees for each office of the Department.

SEC. 515. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration "Aviation Security", "Administration", and "Transportation Security Support" for fiscal years 2004 and 2005 that are recovered or deobligated shall be available only for the procurement or installation of explosives detection systems, air cargo, baggage, and checkpoint screening systems, subject to notification: *Provided*, That quarterly reports shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives on any funds that are recovered or deobligated.

SEC. 516. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided by employees (including employees serving on a temporary or term basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as Immigration Information Officers, Contact Representatives, Investigative Assistants, or Immigration Services Officers.

SEC. 517. Any funds appropriated to "Coast Guard Acquisition, Construction, and Improvements" for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110–123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Fast Response Cutter program.

SEC. 518. Section 532(a) of Public Law 109–295 (120 Stat. 1384) is amended by striking "2013" and inserting "2014 and thereafter". 6 USC 382.

SEC. 519. The functions of the Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 520. (a) The Secretary of Homeland Security shall submit a report not later than October 15, 2014, to the Office of Inspector General of the Department of Homeland Security listing all grants and contracts awarded by any means other than full and open competition during fiscal year 2014.

(b) The Inspector General shall review the report required by subsection (a) to assess Departmental compliance with applicable laws and regulations and report the results of that review to the Committees on Appropriations of the Senate and the House of Representatives not later than February 15, 2015.

SEC. 521. None of the funds provided by this or previous appropriations Acts shall be used to fund any position designated as a Principal Federal Official (or the successor thereto) for any Robert

T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) declared disasters or emergencies unless—

(1) the responsibilities of the Principal Federal Official do not include operational functions related to incident management, including coordination of operations, and are consistent with the requirements of section 509(c) and sections 503(c)(3) and 503(c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C. 319(c) and 313(c)(3) and 313(c)(4)(A)) and section 302 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5143);

(2) not later than 10 business days after the latter of the date on which the Secretary of Homeland Security appoints the Principal Federal Official and the date on which the President issues a declaration under section 401 or section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191, respectively), the Secretary of Homeland Security shall submit a notification of the appointment of the Principal Federal Official and a description of the responsibilities of such Official and how such responsibilities are consistent with paragraph (1) to the Committees on Appropriations of the Senate and the House of Representatives, the Transportation and Infrastructure Committee of the House of Representatives, and the Homeland Security and Governmental Affairs Committee of the Senate; and

(3) not later than 60 days after the date of enactment of this Act, the Secretary shall provide a report specifying timeframes and milestones regarding the update of operations, planning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section.

SEC. 522. None of the funds provided or otherwise made available in this Act shall be available to carry out section 872 of the Homeland Security Act of 2002 (6 U.S.C. 452).

SEC. 523. Funds made available in this Act may be used to alter operations within the Civil Engineering Program of the Coast Guard nationwide, including civil engineering units, facilities design and construction centers, maintenance and logistics commands, and the Coast Guard Academy, except that none of the funds provided in this Act may be used to reduce operations within any Civil Engineering Unit unless specifically authorized by a statute enacted after the date of enactment of this Act.

SEC. 524. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit have been received by United States Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.

SEC. 525. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking "Until September 30, 2013," and inserting "Until September 30, 2014,";

(2) in subsection (c)(1), by striking "September 30, 2013," and inserting "September 30, 2014,".

SEC. 526. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes

(which outcomes shall be specified in terms of cost, schedule, and performance).

SEC. 527. Notwithstanding any other provision of law, none of the funds provided in this or any other Act shall be used to approve a waiver of the navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b) for the transportation of crude oil distributed from the Strategic Petroleum Reserve until the Secretary of Homeland Security, after consultation with the Secretaries of the Departments of Energy and Transportation and representatives from the United States flag maritime industry, takes adequate measures to ensure the use of United States flag vessels: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives within 2 business days of any request for waivers of navigation and vessel-inspection laws pursuant to 46 U.S.C. 501(b).

SEC. 528. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided*, That this section shall apply only to individuals transporting on their person a personal-use quantity of the prescription drug, not to exceed a 90-day supply: *Provided further*, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SEC. 529. None of the funds in this Act shall be used to reduce the United States Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 530. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703.1(g)(4)(B) of title 31, United States Code (as added by Public Law 102–393) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security: *Provided*, That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives approve the proposed transfers.

SEC. 531. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 532. None of the funds appropriated by this Act may be used to conduct, or to implement the results of, a competition under Office of Management and Budget Circular A–76 for activities performed with respect to the Coast Guard National Vessel Documentation Center.

SEC. 533. If the Administrator of the Transportation Security Administration determines that an airport does not need to participate in the E-Verify Program as described in section 403(a) of

the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), the Administrator shall certify to the Committees on Appropriations of the Senate and the House of Representatives that no security risks will result from such non-participation.

SEC. 534. (a) Notwithstanding any other provision of this Act, except as provided in subsection (b), and 30 days after the date on which the President determines whether to declare a major disaster because of an event and any appeal is completed, the Administrator shall publish on the Web site of the Federal Emergency Management Agency a report regarding that decision that shall summarize damage assessment information used to determine whether to declare a major disaster.

(b) The Administrator may redact from a report under subsection (a) any data that the Administrator determines would compromise national security.

(c) In this section—

(1) the term "Administrator" means the Administrator of the Federal Emergency Management Agency; and

(2) the term "major disaster" has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 535. Any official that is required by this Act to report or to certify to the Committees on Appropriations of the Senate and the House of Representatives may not delegate such authority to perform that act unless specifically authorized herein.

SEC. 536. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 6 U.S.C. 121 note), as amended by section 537 of the Department of Homeland Security Appropriations Act, 2013 (Public Law 113–6), is further amended by striking "on October 4, 2013" and inserting "on October 4, 2014".

SEC. 537. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 538. None of the funds made available in this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301.10–124 of title 41, Code of Federal Regulations.

SEC. 539. None of the funds made available in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 540. (a) Any company that collects or retains personal information directly from any individual who participates in the Registered Traveler or successor program of the Transportation Security Administration shall safeguard and dispose of such information in accordance with the requirements in—

(1) the National Institute for Standards and Technology Special Publication 800–30, entitled "Risk Management Guide for Information Technology Systems";

(2) the National Institute for Standards and Technology Special Publication 800–53, Revision 3, entitled "Recommended Security Controls for Federal Information Systems and Organizations"; and

(3) any supplemental standards established by the Administrator of the Transportation Security Administration (referred to in this section as the "Administrator").

(b) The airport authority or air carrier operator that sponsors the company under the Registered Traveler program shall be known as the "Sponsoring Entity".

(c) The Administrator shall require any company covered by subsection (a) to provide, not later than 30 days after the date of enactment of this Act, to the Sponsoring Entity written certification that the procedures used by the company to safeguard and dispose of information are in compliance with the requirements under subsection (a). Such certification shall include a description of the procedures used by the company to comply with such requirements.

SEC. 541. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or performance that does not meet the basic requirements of a contract.

SEC. 542. In developing any process to screen aviation passengers and crews for transportation or national security purposes, the Secretary of Homeland Security shall ensure that all such processes take into consideration such passengers' and crews' privacy and civil liberties consistent with applicable laws, regulations, and guidance.

SEC. 543. (a) Notwithstanding section 1356(n) of title 8, United States Code, of the funds deposited into the Immigration Examinations Fee Account, $7,500,000 may be allocated by United States Citizenship and Immigration Services in fiscal year 2014 for the purpose of providing an immigrant integration grants program.

(b) For an additional amount for "United States Citizenship and Immigration Services" for the purpose of providing immigrant integration grants, $2,500,000.

(c) None of the funds made available to United States Citizenship and Immigration Services for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

SEC. 544. For an additional amount for the "Office of the Under Secretary for Management", $35,000,000 to remain available until expended, for necessary expenses to plan, acquire, design, construct, renovate, remediate, equip, furnish, improve infrastructure, and occupy buildings and facilities for the department headquarters consolidation project and associated mission support consolidation: *Provided*, That the Committees on Appropriations of the Senate and the House of Representatives shall receive an expenditure plan not later than 90 days after the date of enactment of the Act detailing the allocation of these funds.

SEC. 545. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with the requirements of subtitle I of title 41, United States Code or chapter 137 of title 10, United

States Code, and the Federal Acquisition Regulation, unless such contract is otherwise authorized by statute to be entered into without regard to the above referenced statutes.

SEC. 546. (a) For an additional amount for data center migration, $42,200,000.

(b) Funds made available in subsection (a) for data center migration may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 547. (a) For an additional amount for financial systems modernization, $29,548,000.

(b) Funds made available in subsection (a) for financial systems modernization may be transferred by the Secretary of Homeland Security between appropriations for the same purpose, notwithstanding section 503 of this Act.

(c) No transfer described in subsection (b) shall occur until 15 days after the Committees on Appropriations of the Senate and the House of Representatives are notified of such transfer.

SEC. 548. Notwithstanding the 10 percent limitation contained in section 503(c) of this Act, the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to $20,000,000 from appropriations available to the Department of Homeland Security: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and the House of Representatives 5 days in advance of such transfer.

SEC. 549. Notwithstanding any other provision of law, if the Secretary of Homeland Security determines that specific U.S. Immigration and Customs Enforcement Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities no longer meet the mission need, the Secretary is authorized to dispose of individual Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities by directing the Administrator of General Services to sell all real and related personal property which support Service Processing Centers or other U.S. Immigration and Customs Enforcement owned detention facilities, subject to such terms and conditions as necessary to protect Government interests and meet program requirements: *Provided*, That the proceeds, net of the costs of sale incurred by the General Services Administration and U.S. Immigration and Customs Enforcement, shall be deposited as offsetting collections into a separate account that shall be available, subject to appropriation, until expended for other real property capital asset needs of existing U.S. Immigration and Customs Enforcement assets, excluding daily operations and maintenance costs, as the Secretary deems appropriate: *Provided further*, That any sale or collocation of federally owned detention facilities shall not result in the maintenance of fewer than 34,000 detention beds: *Provided further*, That the Committees on Appropriations of the Senate and the House of Representatives shall be notified 15 days prior to the announcement of any proposed sale or collocation.

SEC. 550. None of the funds made available under this Act or any prior appropriations Act may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, or allied organizations.

SEC. 551. The Department of Homeland Security Chief Information Officer, the Commissioner of U.S. Customs and Border Protection, the Assistant Secretary of Homeland Security for U.S. Immigration and Customs Enforcement, the Director of the United States Secret Service, and the Director of the Office of Biometric Identity Management shall, with respect to fiscal years 2014, 2015, 2016, and 2017, submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to the requirements of section 1105(a) of title 31, United States Code, the information required in the multi-year investment and management plans required, respectively, under the headings "U.S. Customs and Border Protection, Salaries and Expenses" under title II of division D of the Consolidated Appropriations Act, 2012 (Public Law 112–74); "U.S. Customs and Border Protection, Border Security Fencing, Infrastructure, and Technology" under such title; section 568 of such Act; and "Office of the Chief Information Officer", "United States Secret Service, Acquisition, Construction, Improvements, and Related Expenses", and "Office of Biometric Identity Management" under division D of the Homeland Security Appropriations Act, 2013 (Public Law 113–6).

SEC. 552. The Secretary of Homeland Security shall ensure enforcement of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

SEC. 553. The Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not later than April 15, 2014, a report detailing the fiscal policy that prescribes Coast Guard budgetary policies, procedures, and technical direction necessary to comply with subsection (a) of section 557 of division D of Public Law 113–6 (as required to be developed under subsection (b) of such section).

44 USC 3541 note.

SEC. 554. (a) Of the amounts made available by this Act for National Protection and Programs Directorate, "Infrastructure Protection and Information Security", $166,000,000 for the "Federal Network Security" program, project, and activity shall be used to deploy on Federal systems technology to improve the information security of agency information systems covered by section 3543(a) of title 44, United States Code: *Provided*, That funds made available under this section shall be used to assist and support Government-wide and agency-specific efforts to provide adequate, risk-based, and cost-effective cybersecurity to address escalating and rapidly evolving threats to information security, including the acquisition and operation of a continuous monitoring and diagnostics program, in collaboration with departments and agencies, that includes equipment, software, and Department of Homeland Security supplied services: *Provided further,* That not later than April 1, 2014, and quarterly thereafter, the Under Secretary of Homeland Security of the National Protection and Programs Directorate shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report on the obligation and expenditure of funds made available under this section: *Provided further,* That continuous monitoring and diagnostics software procured by the funds made available by this section shall not transmit to the Department of Homeland Security any personally identifiable information or content of network communications of other agencies'

users: *Provided further,* That such software shall be installed, maintained, and operated in accordance with all applicable privacy laws and agency-specific policies regarding network content.

(b) Funds made available under this section may not be used to supplant funds provided for any such system within an agency budget.

(c) Not later than July 1, 2014, the heads of all Federal agencies shall submit to the Committees on Appropriations of the Senate and the House of Representatives expenditure plans for necessary cybersecurity improvements to address known vulnerabilities to information systems described in subsection (a).

(d) Not later than October 1, 2014, and quarterly thereafter, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a report on the execution of the expenditure plan for that agency required by subsection (c): *Provided*, That the Director of the Office of Management and Budget shall summarize such execution reports and annually submit such summaries to Congress in conjunction with the annual progress report on implementation of the E-Government Act of 2002 (Public Law 107–347), as required by section 3606 of title 44, United States Code.

(e) This section shall not apply to the legislative and judicial branches of the Federal Government and shall apply to all Federal agencies within the executive branch except for the Department of Defense, the Central Intelligence Agency, and the Office of the Director of National Intelligence.

SEC. 555. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 556. None of the funds made available in this Act may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 557. None of the funds provided in this or any other Act may be obligated to implement the National Preparedness Grant Program or any other successor grant programs unless explicitly authorized by Congress.

SEC. 558. None of the funds made available in this Act may be used to provide funding for the position of Public Advocate, or a successor position, within U.S. Immigration and Customs Enforcement.

SEC. 559. (a) IN GENERAL.—In addition to existing authorities, the Commissioner of U.S. Customs and Border Protection, in collaboration with the Administrator of General Services, is authorized to conduct a pilot program in accordance with this section to permit U.S. Customs and Border Protection to enter into partnerships with private sector and government entities at ports of entry for certain services and to accept certain donations. 6 USC 211 note.

(b) RULE OF CONSTRUCTION.—Except as otherwise provided in this section, nothing in this section may be construed as affecting in any manner the responsibilities, duties, or authorities of U.S. Customs and Border Protection or the General Services Administration.

(c) DURATION.—The pilot program described in subsection (a) shall be for five years. A partnership entered into during such pilot program may last as long as required to meet the terms of such partnership. At the end of such five year period, the Commissioner may request that such pilot program be made permanent.

(d) COORDINATION.—

(1) IN GENERAL.—The Commissioner, in consultation with participating private sector and government entities in a partnership under subsection (a), shall provide the Administrator with information relating to U.S. Customs and Border Protection's requirements for new facilities or upgrades to existing facilities at land ports of entry.

(2) CRITERIA.—The Commissioner and the Administrator shall establish criteria for entering into a partnership under subsection (a) that include the following:

(A) Selection and evaluation of potential partners.

(B) Identification and documentation of roles and responsibilities between U.S. Customs and Border Protection, General Services Administration, and private and government partners.

(C) Identification, allocation, and management of explicit and implicit risks of partnering between U.S. Customs and Border Protection, General Services Administration, and private and government partners.

(D) Decision-making and dispute resolution processes in partnering arrangements.

(E) Criteria and processes for U.S. Customs and Border Protection and General Services Administration to terminate agreements if private or government partners are not meeting the terms of such a partnership, including the security standards established by U.S. Customs and Border Protection.

(3) EVALUATION PLAN.—The Commissioner, in collaboration with the Administrator, shall submit to the Committee on Homeland Security, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs, the Committee on Environment and Public Works, and the Committee on Appropriations of the Senate, an evaluation plan for the pilot program described in subsection (a) that includes the following:

(A) Well-defined, clear, and measurable objectives.

(B) Performance criteria or standards for determining the performance of such pilot program.

(C) Clearly articulated evaluation methodology, including—

(i) sound sampling methods;

(ii) a determination of appropriate sample size for the evaluation design;

(iii) a strategy for tracking such pilot program's performance; and

(iv) an evaluation of the final results.

(D) A plan detailing the type and source of data necessary to evaluate such pilot program, methods for data collection, and the timing and frequency of data collection.

(e) AUTHORITY TO ENTER INTO AGREEMENTS FOR THE PROVISION OF CERTAIN SERVICES AT PORTS OF ENTRY.—

(1) IN GENERAL.—Notwithstanding section 13031(e) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(e)) and section 451 of the Tariff Act of 1930 (19 U.S.C. 1451), the Commissioner may, during the pilot program described in subsection (a) and upon the request of a private sector or government entity with which U.S. Customs and Border Protection has entered into a partnership, enter into a reimbursable fee agreement with such entity under which—

(A) U.S. Customs and Border Protection will provide services described in paragraph (2) at a port of entry;

(B) such entity will pay a fee imposed under paragraph (4) to reimburse U.S. Customs and Border Protection for the costs incurred in providing such services; and

(C) each facility at which U.S. Customs and Border Protection services are performed shall be provided, maintained, and equipped by such entity, without cost to the Federal Government, in accordance with U.S. Customs and Border Protection specifications.

(2) SERVICES DESCRIBED.—Services described in this paragraph are any activities of any employee or contractor of U.S. Customs and Border Protection pertaining to customs, agricultural processing, border security, and immigration inspection-related matters at ports of entry.

(3) LIMITATIONS.—

(A) IMPACTS OF SERVICES.—The Commissioner may not enter into a reimbursable fee agreement under this subsection if such agreement would unduly and permanently impact services funded in this or any other appropriations Act, or provided from any account in the Treasury of the United States derived by the collection of fees.

(B) FOR CERTAIN COSTS.—The authority found in this subsection may not be used at U.S. Customs and Border Protection-serviced air ports of entry to enter into reimbursable fee agreements for costs other than payment of overtime.

(C) The authority found in this subsection may not be used to enter into new preclearance agreements or begin to provide U.S. Customs and Border Protection services outside of the United States.

(D) The authority found in this subsection shall be limited with respect to U.S. Customs and Border Protection-serviced air ports of entry to five pilots per year.

(4) FEE.—

(A) IN GENERAL.—The amount of the fee to be charged pursuant to an agreement authorized under paragraph (1) shall be paid by each private sector and government entity requesting U.S. Customs and Border Protection services, and shall include the salaries and expenses of individuals employed by U.S. Customs and Border Protection to provide such services and other costs incurred by U.S. Customs and Border Protection relating to such services, such as

temporary placement or permanent relocation of such individuals.

(B) OVERSIGHT OF FEES.—The Commissioner shall develop a process to oversee the activities reimbursed by the fees charged pursuant to an agreement authorized under paragraph (1) that includes the following:

(i) A determination and report on the full costs of providing services, including direct and indirect costs, including a process for increasing such fees as necessary.

(ii) Establishment of a monthly remittance schedule to reimburse appropriations.

(iii) Identification of overtime costs to be reimbursed by such fees.

(5) DEPOSIT OF FUNDS.—Funds collected pursuant to any agreement entered into under paragraph (1) shall be deposited as offsetting collections and remain available until expended, without fiscal year limitation, and shall directly reimburse each appropriation for the amount paid out of that appropriation for any expenses incurred by U.S. Customs and Border Protection in providing U.S. Customs and Border Protection services and any other costs incurred by U.S. Customs and Border Protection relating to such services.

(6) TERMINATION.—The Commissioner shall terminate the provision of services pursuant to an agreement entered into under paragraph (1) with a private sector or government entity that, after receiving notice from the Commissioner that a fee imposed under paragraph (4) is due, fails to pay such fee in a timely manner. In the event of such termination, all costs incurred by U.S. Customs and Border Protection, which have not been reimbursed, will become immediately due and payable. Interest on unpaid fees will accrue based on current Treasury borrowing rates. Additionally, any private sector or government entity that, after notice and demand for payment of any fee charged under paragraph (4), fails to pay such fee in a timely manner shall be liable for a penalty or liquidated damage equal to two times the amount of such fee. Any amount collected pursuant to any agreement entered into under paragraph (1) shall be deposited into the account specified under paragraph (5) and shall be available as described therein.

(7) NOTIFICATION.—The Commissioner shall notify the Congress 15 days prior to entering into any agreement under paragraph (1) and shall provide a copy of such agreement.

(f) DONATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), the Commissioner and the Administrator may, during the pilot program described in subsection (a), accept a donation of real or personal property (including monetary donations) or nonpersonal services from any private sector or government entity with which U.S. Customs and Border Protection has entered into a partnership.

(2) ALLOWABLE USES OF DONATIONS.—The Commissioner and the Administrator, with respect to any donation provided pursuant to paragraph (1), may—

(A) use such donation for necessary activities related to the construction, alteration, operation, or maintenance of an existing port of entry facility under the jurisdiction,

custody, and control of the Commissioner, including expenses related to—

(i) land acquisition, design, construction, repair and alteration;

(ii) furniture, fixtures, and equipment;

(iii) the deployment of technology and equipment; and

(iv) operations and maintenance; or

(B) transfer such property or services to the Administrator for necessary activities described in subparagraph (A) related to a new or existing port of entry under the jurisdiction, custody, and control of the Administrator, subject to chapter 33 of title 40, United States Code.

(3) CONSULTATION AND BUDGET.—

(A) WITH THE PRIVATE SECTOR OR GOVERNMENT ENTITY.—To accept a donation described in paragraph (1), the Commissioner and the Administrator shall—

(i) consult with the appropriate stakeholders and the private sector or government entity that is providing the donation and provide such entity with a description of the intended use of such donation; and

(ii) submit to the Committee on Appropriations, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Appropriations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Environment and Public Works of the Senate a report not later than one year after the date of enactment of this Act, and annually thereafter, that describes—

(I) the accepted donations received under this subsection;

(II) the ports of entry that received such donations; and

(III) how each donation helped facilitate the construction, alternation, operation, or maintenance of a new or existing land port of entry.

(B) SAVINGS PROVISION.—Nothing in this paragraph may be construed to—

(i) create any right or liability of the parties referred to in subparagraph (A); or

(ii) affect any consultation requirement under any other law.

(4) EVALUATION PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Commissioner, in consultation with the Administrator, shall establish procedures for evaluating a proposal submitted by a private sector or government entity to make a donation of real or personal property (including monetary donations) or nonpersonal services under paragraph (1) relating to a port of entry under the jurisdiction, custody and control of the Commissioner or the Administrator and make any such evaluation criteria publicly available.

(5) CONSIDERATIONS.—In determining whether or not to approve a proposal referred to in paragraph (4), the Commissioner or the Administrator shall consider—

(A) the impact of such proposal on the port of entry at issue and other ports of entry on the same border;

(B) the potential of such proposal to increase trade and travel efficiency through added capacity;

(C) the potential of such proposal to enhance the security of the port of entry at issue;

(D) the funding available to complete the intended use of a donation under this subsection, if such donation is real property;

(E) the costs of maintaining and operating such donation;

(F) whether such donation, if real property, satisfies the requirements of such proposal, or whether additional real property would be required;

(G) an explanation of how such donation, if real property, was secured, including if eminent domain was used;

(H) the impact of such proposal on staffing requirements; and

(I) other factors that the Commissioner or Administrator determines to be relevant.

(6) UNCONDITIONAL MONETARY DONATIONS.—A monetary donation shall be made unconditionally, although the donor may specify—

(A) the port of entry facility or facilities to be benefitted from such donation; and

(B) the timeframe during which such donation shall be used.

(7) SUPPLEMENTAL FUNDING.—Real or personal property (including monetary donations) or nonpersonal services donated pursuant to paragraph (1) may be used in addition to any other funding (including appropriated funds), property, or services made available for the same purpose.

(8) RETURN OF DONATIONS.—If the Commissioner or the Administrator does not use the real property or monetary donation donated pursuant to paragraph (1) for the specific port of entry facility or facilities designated by the donor or within the timeframe specified by the donor, such donated real property or money may be returned to the donor. No interest shall be owed to the donor with respect to any donation of funding provided under such paragraph (1) that is returned pursuant to this paragraph.

(9) SAVINGS PROVISION.—Nothing in this subsection may be construed to affect or alter the existing authority of the Commissioner or the Administrator to construct, alter, operate, and maintain port of entry facilities.

(g) ANNUAL REPORTS.—The Commissioner, in collaboration with the Administrator, shall annually submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Environment and Public Works of the Senate a report on the pilot program and activities undertaken pursuant thereto in accordance with this Act.

(h) DEFINITIONS.—In this section—

(1) the term "private sector entity" means any corporation, partnership, trust, association, or any other private entity, or any officer, employee, or agent thereof;

(2) the term "Commissioner" means the Commissioner of U.S. Customs and Border Protection; and

(3) the term "Administrator" means the Administrator of General Services.

(i) ROLE OF GENERAL SERVICES ADMINISTRATION.—Under this section, collaboration with the Administrator of General Services is required only with respect to partnerships at land ports of entry.

SEC. 560. None of the funds made available in this Act may be used to pay for the travel to or attendance of more than 50 employees of a single component of the Department of Homeland Security, who are stationed in the United States, at a single international conference unless the Secretary of Homeland Security, or a designee, determines that such attendance is in the national interest and notifies the Committees on Appropriations of the Senate and the House of Representatives within at least 10 days of that determination and the basis for that determination: *Provided*, That for purposes of this section the term "international conference" shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 561. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal or State law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 562. None of the funds made available in this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation for which any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 563. None of the funds made available in this Act may be used to reimburse any Federal department or agency for its participation in a National Special Security Event.

SEC. 564. None of the funds made available in this Act may be used for new U.S. Customs and Border Protection air preclearance agreements entering into force after February 1, 2014, unless: (1) the Secretary of Homeland Security, in consultation with the Secretary of State, has certified to Congress that air preclearance operations at the airport provide a homeland or national security benefit to the United States; (2) U.S. passenger air carriers are not precluded from operating at existing

preclearance locations; and (3) a U.S. passenger air carrier is operating at all airports contemplated for establishment of new air preclearance operations.

SEC. 565. In making grants under the heading "Firefighter Assistance Grants", the Secretary may grant waivers from the requirements in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a).

SEC. 566. (a) IN GENERAL.—Beginning on the date of the enactment of this Act, the Secretary shall not—

(1) establish, collect, or otherwise impose any new border crossing fee on individuals crossing the Southern border or the Northern border at a land port of entry; or

(2) conduct any study relating to the imposition of a border crossing fee.

(b) BORDER CROSSING FEE DEFINED.—In this section, the term "border crossing fee" means a fee that every pedestrian, cyclist, and driver and passenger of a private motor vehicle is required to pay for the privilege of crossing the Southern border or the Northern border at a land port of entry.

SEC. 567. The administrative law judge annuitants participating in the Senior Administrative Law Judge Program managed by the Director of the Office of Personnel Management under section 3323 of title 5, United States Code, shall be available on a temporary reemployment basis to conduct arbitrations of disputes arising from delivery of assistance under the Federal Emergency Management Agency Public Assistance Program.

SEC. 568. As authorized by section 601(b) of the United States-Colombia Trade Promotion Agreement Implementation Act (Public Law 112–42) fees collected from passengers arriving from Canada, Mexico, or an adjacent island pursuant to section 13031(a)(5) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(5)) shall be available until expended.

6 USC 471.

SEC. 569. (a) The Secretary of Homeland Security shall submit to Congress, 180 days after the date of enactment of this Act and annually thereafter beginning with the submission of the President's budget proposal for fiscal year 2016 pursuant to section 1105(a) of title 31, United States Code, a comprehensive report on the purchase and usage of ammunition, subdivided by ammunition type. The report shall include—

(1) the quantity of ammunition in inventory at the end of the preceding calendar year, and the amount of ammunition expended and purchased, subdivided by ammunition type, during the year for each relevant component or agency in the Department of Homeland Security;

(2) a description of how such quantity, usage, and purchase aligns to each component or agency's mission requirements for certification, qualification, training, and operations; and

(3) details on all contracting practices applied by the Department of Homeland Security, including comparative details regarding other contracting options with respect to cost and availability.

(b) The reports required by subsection (a) shall be submitted in an appropriate format in order to ensure the safety of law enforcement personnel.

SEC. 570. The Commissioner of U.S. Customs and Border Protection may waive the claim for reimbursement of $221,123

from the fiscal year 2009 appropriation for the Office of the Federal Coordinator for Gulf Coast Rebuilding.

SEC. 571. (a) The Commissioner of U.S. Customs and Border Protection shall develop metrics that support a goal of reducing passenger processing times at air, land, and sea ports of entry, taking into consideration the capacity of an air or land port's physical infrastructure, airline arrival schedules, peak processing periods, and security requirements. 6 USC 211 note.

(b) Not later than 240 days after the date of enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall develop and implement operational work plans to meet the goals of subsection (a) at United States air, land, and sea ports with the highest passenger volume and longest wait times. In developing such plans, the Commissioner of U.S. Customs and Border Protection shall consult with appropriate stakeholders, including, but not limited to, airlines and airport operators, port authorities, and importers.

SEC. 572. None of the funds made available in this Act may be used to implement, carry out, administer, or enforce section 1308(h) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(h)).

(RESCISSIONS)

SEC. 573. Of the funds appropriated to the Department of Homeland Security, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended—

(1) $14,500,000 from Public Law 111–83 under the heading "Coast Guard Acquisition, Construction, and Improvements";

(2) $35,500,000 from Public Law 112–10 under the heading "Coast Guard Acquisition, Construction, and Improvements";

(3) $79,300,000 from Public Law 112–74 under the heading "Coast Guard Acquisition, Construction, and Improvements";

(4) $19,879,000 from Public Law 113–6 under the heading "Coast Guard Acquisition, Construction, and Improvements";

(5) $35,000,000 from Public Law 113–6 under the heading "Transportation Security Administration Aviation Security";

(6) $20,000,000 from Public Law 113–6 under the heading "Transportation Security Administration Surface Transportation Security";

(7) $2,000,000 from "Transportation Security Administration Aviation Security" account 70x0550;

(8) $977,000 from "Transportation Security Administration Research and Development" account 70x0553; and

(9) $67,498,000 from unobligated prior year balances from "U.S. Customs and Border Protection Border Security, Fencing, Infrastructure, and Technology".

(RESCISSION)

SEC. 574. From the unobligated balances made available in the Department of the Treasury Forfeiture Fund established by

section 9703 of title 31, United States Code, (added by section 638 of Public Law 102–393) $100,000,000 shall be rescinded.

(RESCISSIONS)

SEC. 575. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

(1) $306,015 from "U.S. Customs and Border Protection, Salaries and Expenses";

(2) $25,093 from "U.S. Immigration and Customs Enforcement, Violent Crime Reduction Program";

(3) $12,864 from "U.S. Immigration and Customs Enforcement, Salaries and Expenses" account 70x0504 under Public Law 107–117 (115 Stat 2293);

(4) $1,024,433 from "U.S. Immigration and Customs Enforcement, Salaries and Expenses" account 70x0504 under Public Law 108–11 (117 Stat 582);

(5) $33,792 from "Coast Guard, Acquisition, Construction, and Improvements";

(6) $682,854 from "Federal Emergency Management Agency, Office of Domestic Preparedness";

(7) $1,576,761 from "Federal Emergency Management Agency, National Predisaster Mitigation Fund"; and

(8) $995,654 from the "Working Capital Fund".

(RESCISSIONS)

SEC. 576. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of the Department of Homeland Security Act, 2013 (Public Law 113–6) are rescinded:

(1) $58,547 from "Office of the Under Secretary for Management";

(2) $10,595 from "Office of the Chief Financial Officer";

(3) $140,257 from "Office of the Chief Information Officer";

(4) $375,118 from "Analysis and Operations";

(5) $47,996 from "Office of Inspector General";

(6) $408,150 from "U.S. Customs and Border Protection, Salaries and Expenses";

(7) $49,357 from "U.S. Customs and Border Protection, Automation Modernization";

(8) $35,729 from "U.S. Customs and Border Protection, Air and Marine Operations";

(9) $2,635,154 from "U.S. Immigration and Customs Enforcement, Salaries and Expenses";

(10) $1,231,880 from "Transportation Security Administration, Federal Air Marshals";

(11) $3,878,889 from "Coast Guard, Operating Expenses";

(12) $245,899 from "Coast Guard, Acquisition, Construction, and Improvements";

(13) $952,007 from "United States Secret Service, Salaries and Expenses";

(14) $118,039 from "National Protection and Programs Directorate, Management and Administration";

(15) $120,625 from "National Protection and Programs Directorate, Office of Biometric Identity Management";

(16) $90,628 from "Office of Health Affairs";

(17) $393,451 from "Federal Emergency Management Agency, Salaries and Expenses";

(18) $314,713 from "Federal Emergency Management Agency, State and Local Programs";

(19) $1,906,158 from "United States Citizenship and Immigration Services";

(20) $389,718 from "Federal Law Enforcement Training Center, Salaries and Expenses";

(21) $132,998 from "Science and Technology, Management and Administration"; and

(22) $56,993 from "Domestic Nuclear Detection Office, Management and Administration".

SEC. 577. Of the unobligated balance available to "Federal Emergency Management Agency, Disaster Relief Fund", $300,522,000 are rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That no amounts may be rescinded from the amounts that were designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

This division may be cited as the "Department of Homeland Security Appropriations Act, 2014".

DIVISION G—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2014.

TITLE I

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), $956,875,000, to remain available until expended; of which $3,000,000 shall be available in fiscal year 2014 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred.

In addition, $32,500,000 is for the processing of applications for permit to drill and related use authorizations, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from a fee of $6,500 per new application for permit to drill that

the Bureau shall collect upon submission of each new application, and in addition, $39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2014 so as to result in a final appropriation estimated at not more than $956,875,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $19,463,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $114,467,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 1181(f)).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315(b), 315(m)) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies

of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: *Provided*, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

43 USC 1735 note.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $10,000: *Provided*, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild

horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,188,339,000, to remain available until September 30, 2015 except as otherwise provided herein: *Provided,* That not to exceed $20,515,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed $4,605,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2012; of which not to exceed $1,501,000 shall be used for any activity regarding petitions to list species that are indigenous to the United States pursuant to subsections (b)(3)(A) and (b)(3)(B); and, of which not to exceed $1,504,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) for species that are not indigenous to the United States.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein; $15,722,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, (16 U.S.C. 460*l*–4 et seq.), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $54,422,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: *Provided*, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), $50,095,000, to remain available until expended, of which $22,695,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and

of which $27,400,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $13,228,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), $34,145,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.), $3,660,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), $9,061,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $58,695,000, to remain available until expended: *Provided*, That of the amount provided herein, $4,084,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That $5,487,000 is for a competitive grant program for States, territories, and other jurisdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting $9,571,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and

(2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That any amount apportioned in 2014 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2015, shall be reapportioned, together with funds appropriated in 2016, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,236,753,000, of which $9,876,000 for planning and interagency coordination in support of Everglades restoration and $71,040,000 for maintenance, repair, or rehabilitation projects for constructed assets shall remain available until September 30, 2015.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs,

environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, $60,795,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (16 U.S.C. 470), $56,410,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2015.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, including modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-8), $137,461,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2014 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232–18: *Provided further*, That in addition, the National Park Service may accept and use other Federal or non-Federal funds to implement the Tamiami Trail project, and may enter into a cooperative agreement or other agreements with the State of Florida to transfer funds to the State to plan and construct the Tamiami Trail project: *Provided further*, That a contract for the Tamiami Trail project may not be awarded until sufficient Federal funds and written commitments from non-Federal entities are available to cover the total estimated cost of the contract: *Provided further*, That because the Tamiami Trail project provides significant environmental benefits for Everglades National Park, the requirements of 49 U.S.C. 303 are deemed satisfied with respect to such project and no additional documentation shall be required under such section.

16 USC 410i note.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2014 by section 9 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–10a) is rescinded.

16 USC 460*l*–10a note.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460*l*–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $98,100,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $48,090,000 is for the State assistance program and of which $8,986,000 shall be for the American Battlefield Protection Program grants as authorized by section 7301 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11).

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 407(d) of Public Law 105–391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,032,000,000, to remain available until September 30, 2015; of which $53,337,000 shall remain available until expended for satellite operations; and of which $7,280,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed $100,000 in cost: *Provided*, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

43 USC 50.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT

OCEAN ENERGY MANAGEMENT

For expenses necessary for granting leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf and approving operations related thereto, as authorized by law; for environmental studies, as authorized by law; for implementing other laws and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $166,891,000, of which $69,000,000 is to remain available until September 30, 2015 and of which $97,891,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2014 appropriation estimated at not more than $69,000,000: *Provided further,* That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $122,715,000, of which $63,745,000 is to remain available until September 30, 2015 and of which $58,970,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2014 appropriation estimated at not more than $63,745,000.

For an additional amount, $65,000,000, to remain available until expended, to be reduced by amounts collected by the Secretary and credited to this appropriation, which shall be derived from non-refundable inspection fees collected in fiscal year 2014, as provided in this Act: *Provided*, That to the extent that amounts realized from such inspection fees exceed $65,000,000, the amounts realized in excess of $65,000,000 shall be credited to this appropriation and remain available until expended: *Provided further*, That for fiscal year 2014, not less than 50 percent of the inspection fees expended by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $14,899,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $122,713,000, to remain available until September 30, 2015: *Provided*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of

30 USC 1211 note.

Surface Mining Reclamation and Enforcement sponsored training: *Provided further*, That, in fiscal year 2014, up to $40,000 collected by the Office of Surface Mining from permit fees pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257) shall be credited to this account as discretionary offsetting collections, to remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2014 appropriation estimated at not more than $122,713,000: *Provided further*, That, in subsequent fiscal years, all amounts collected by the Office of Surface Mining from permit fees pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257) shall be credited to this account as discretionary offsetting collections, to remain available until expended.

30 USC 1257 note.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $27,399,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ADMINISTRATIVE PROVISION

With funds available for the Technical Innovation and Professional Services program in this or any other Act with respect to any fiscal year, the Secretary may transfer title for computer hardware, software and other technical equipment to State and tribal regulatory and reclamation programs.

30 USC 1308b.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), $2,378,763,000, to remain available until September 30, 2015 except as otherwise provided herein; of which not to exceed $8,500 may be for official

reception and representation expenses; of which not to exceed $74,809,000 shall be for welfare assistance payments: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: *Provided further*, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: *Provided further*, That not to exceed $591,234,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2014, and shall remain available until September 30, 2015: *Provided further*, That not to exceed $41,900,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: *Provided further*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975 (25 U.S.C. 450f et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C. 2008), not to exceed $48,253,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2013 for the operation of Bureau-funded schools, and up to $500,000 within and only from such amounts made available for administrative cost grants shall be available for the transitional costs of initial administrative cost grants to grantees that assume operation on or after July 1, 2013, of Bureau-funded schools: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2015, may be transferred during fiscal year 2016 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2016: *Provided further*, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $110,124,000, to remain available until expended: *Provided,* That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further,* That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further,* That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further,* That for

fiscal year 2014, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further,* That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further,* That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: *Provided further,* That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): *Provided further,* That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): *Provided further,* That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: *Provided further,* That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 111–11, and 111–291, and for implementation of other land and water rights settlements, $35,655,000, to remain available until expended: *Provided*, That notwithstanding section 10807(b)(3) and section 10807(c)(3) of Public Law 111–11, the Secretary is authorized to make payments in fiscal year 2014 in such an amount as to satisfy the total authorized amount for Duck Valley Indian Irrigation Project Development Fund and Maintenance Funds.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $6,731,000, of which $981,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $99,761,658.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Education, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may wave this prohibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education. Appropriations made available in this or any prior Act for schools funded by the Bureau shall be available, in accordance with the Bureau's funding formula, only to the schools in the Bureau school system as of September 1, 1996 and to any school or school program that was reinstated in fiscal year 2012. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school

and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

For necessary expenses for management of the Department of the Interior, including the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, $264,000,000, to remain available until September 30, 2015; of which not to exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $12,168,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $38,300,000 shall remain available until expended for the purpose of mineral revenue management activities: *Provided*, That, for fiscal year 2014, up to $400,000 of the payments authorized by the Act of October 20, 1976 (31 U.S.C. 6901–6907) may be retained for administrative expenses of the Payments in Lieu of Taxes Program: *Provided further*, That no payment shall be made pursuant to that Act to otherwise eligible units of local government if the computed amount of the payment is less than $100: *Provided further*, That the Secretary may reduce the payment authorized by 31 U.S.C. 6901–6907 for an individual county by the amount necessary to correct prior year overpayments to that county: *Provided further*, That the amount needed to correct a prior year underpayment to an individual county shall be paid from any reductions for overpayments to other counties and the amount necessary to cover any remaining underpayment is hereby appropriated and shall be paid to individual counties: *Provided further*, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: *Provided further*, That, notwithstanding the provisions of section 35(b) of the Mineral Leasing Act (30 U.S.C. 191(b)), the Secretary shall deduct 2 percent from the amount payable to each State in fiscal year 2014 and deposit the amount deducted to miscellaneous receipts of the Treasury.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Public Law 108–188, $85,976,000, of which: (1) $76,528,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,448,000 shall be available until September 30, 2015, for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

48 USC 1469b.

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $3,318,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under

section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: *Provided further*, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $65,800,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $50,831,000.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $139,677,000, to remain available until expended, of which not to exceed $23,045,000 from this or any other Act, may be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs and Bureau of Indian Education, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Office of the Secretary, "Departmental Operations" account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2014, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That, notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected Indian tribe or individual Indian has

been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of $15 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $740,982,000, to remain available until expended, of which not to exceed $6,127,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That of the funds provided $145,024,000 is for hazardous fuels reduction activities: *Provided further*, That of the funds provided $16,035,000 is for burned area rehabilitation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of hazardous fuels reduction activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154),

or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: *Provided further*, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations: *Provided further*, That of the funds made available under section 135 of Public Law 113–46, $7,500,000 are rescinded and the remaining balances shall not be subject to the pro rata replenishment requirement in section 102 of title I of this division.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of the Interior and as a reserve fund for suppression and Federal emergency response activities, $92,000,000, to remain available until expended: *Provided,* That such amounts are only available for transfer to the "Wildland Fire Management" account following a declaration by the Secretary in accordance with section 502 of the FLAME Act of 2009 (43 U.S.C. 1748a).

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action,

including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), $9,598,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and Public Law 101–337 (16 U.S.C. 19jj et seq.), $6,263,000, to remain available until expended.

WORKING CAPITAL FUND

For the acquisition of a departmental financial and business management system, information technology improvements of general benefit to the Department, and consolidation of facilities and operations throughout the Department, $57,000,000, to remain available until expended: *Provided*, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: *Provided further*, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: *Provided further*, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: *Provided further*, That the Secretary may enter into grants and cooperative agreements to support the Office of Natural Resource Revenue's collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, aircraft which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset

the purchase price for the replacement aircraft: *Provided further*, That the Bell 206L–1 aircraft, serial number 45287, currently registered as N613, is to be retired from service and, notwithstanding any other provision of law, the Interior Business Center, Aviation Management Directorate shall transfer the aircraft without reimbursement to the National Law Enforcement Officers Memorial Fund, for the purpose of providing a static display in the National Law Enforcement Museum: *Provided*, That such aircraft shall revert back to the Department of the Interior if said museum determines in the future that the subject aircraft is no longer needed.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106–224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available

at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire operations" and "FLAME Wildfire Suppression Reserve Fund" shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Bureau of Indian Education, and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2014. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 106. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State

of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 107. (a) In fiscal year 2014, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the "Offshore Safety and Environmental Enforcement" account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

(b) Annual fees shall be collected for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2014 shall be:

(1) $10,500 for facilities with no wells, but with processing equipment or gathering lines;

(2) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2014. Fees for fiscal year 2014 shall be:

(1) $30,500 per inspection for rigs operating in water depths of 500 feet or more; and

(2) $16,700 per inspection for rigs operating in water depths of less than 500 feet.

(d) The Secretary shall bill designated operators under subsection (b) within 60 days, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing.

OIL AND GAS LEASING INTERNET PROGRAM

SEC. 108. Notwithstanding section 17(b)(1)(A) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)(A)), the Secretary of the Interior shall have the authority to implement an oil and gas leasing Internet program, under which the Secretary may conduct lease sales through methods other than oral bidding.

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

SEC. 109. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines for division G in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

AUTHORIZED USE OF INDIAN EDUCATION FUNDS

25 USC 2502a.

SEC. 110. Beginning July 1, 2008, and thereafter, any funds (including investments and interest earned, except for construction funds) held by a Public Law 100–297 grant or a Public Law 93–638 contract school shall, upon retrocession to or re-assumption by the Bureau of Indian Education, remain available to the Bureau of Indian Education for a period of 5 years from the date of retrocession or re-assumption for the benefit of the programs approved for the school on October 1, 1995.

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

16 USC 1336 note.

SEC. 111. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c) (except that the 5-year term restriction in subsection (d) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

MASS MARKING OF SALMONIDS

SEC. 112. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

CONTRIBUTION AUTHORITY

SEC. 113. In fiscal years 2014 through 2019, the Secretary of the Interior may accept from public and private sources contributions of money and services for use by the Bureau of Ocean Energy Management or the Bureau of Safety and Environmental Enforcement to conduct work in support of the orderly exploration and development of Outer Continental Shelf resources, including preparation of environmental documents such as impact statements and assessments, studies, and related research.

PROHIBITION ON USE OF FUNDS

SEC. 114. (a) Any proposed new use of the Arizona & California Railroad Company's Right of Way for conveyance of water shall not proceed unless the Secretary of the Interior certifies that the proposed new use is within the scope of the Right of Way.

(b) No funds appropriated or otherwise made available to the Department of the Interior may be used, in relation to any proposal to store water underground for the purpose of export, for approval of any right-of-way or similar authorization on the Mojave National

Preserve or lands managed by the Needles Field Office of the Bureau of Land Management, or for carrying out any activities associated with such right-of-way or similar approval.

SUNRISE MOUNTAIN INSTANT STUDY AREA RELEASE

SEC. 115. (a) FINDING.—Congress finds that for the purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the public land in Clark County, Nevada, administered by the Bureau of Land Management in the Sunrise Mountain Instant Study Area has been adequately studied for wilderness designation.

(b) RELEASE.—Any public land described in subsection (a) that is not designated as wilderness—

(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(2) shall be managed in accordance with land management plans adopted under section 202 of that Act (43 U.S.C. 1712).

(c) POST RELEASE LAND USE APPROVALS.—Recognizing that the area released under subsection (b) presents unique opportunities for the granting of additional rights-of-way, including for high voltage transmission facilities, the Secretary of the Interior may accommodate multiple applicants within a particular right-of-way.

PROHIBITION ON USE OF FUNDS

SEC. 116. No funds appropriated or otherwise made available to the Department of the Interior may be used to process or grant a right of way, lease or other property interest for the siting of commercial energy generation facilities on those exclusion lands identified by the Record of Decision for Solar Energy Development in Six Southwestern States, signed by the Secretary of the Interior on October 12, 2012, that lie within the boundaries of the proposed Mojave Trails National Monument as identified on the Bureau of Land Management map entitled "Proposed Mojave Trails National Monument" dated November 20, 2009.

OFFSHORE PAY AUTHORITY EXTENSION

SEC. 117. For fiscal years 2014 and 2015, funds made available in this title for the Bureau of Ocean Energy Management and the Bureau of Safety and Environmental Enforcement may be used by the Secretary of the Interior to establish higher minimum rates of basic pay described in section 121(c) of division E of Public Law 112–74 (125 Stat. 1012).

REPUBLIC OF PALAU

SEC. 118. (a) IN GENERAL.—Subject to subsection (c), the United States Government, through the Secretary of the Interior shall provide to the Government of Palau for fiscal year 2014 grants in amounts equal to the annual amounts specified in subsections (a), (c), and (d) of section 211 of the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note) (referred to in this section as the "Compact").

(b) PROGRAMMATIC ASSISTANCE.—Subject to subsection (c), the United States shall provide programmatic assistance to the Republic of Palau for fiscal year 2014 in amounts equal to the amounts provided in subsections (a) and (b)(1) of section 221 of the Compact.

(c) LIMITATIONS ON ASSISTANCE.—

(1) IN GENERAL.—The grants and programmatic assistance provided under subsections (a) and (b) shall be provided to the same extent and in the same manner as the grants and assistance were provided in fiscal year 2009.

(2) TRUST FUND.—If the Government of Palau withdraws more than $5,000,000 from the trust fund established under section 211(f) of the Compact, amounts to be provided under subsections (a) and (b) shall be withheld from the Government of Palau.

EXTENSION OF NATIONAL HERITAGE AREA AUTHORITIES

SEC. 119. (a) Division II of Public Law 104–333 (16 U.S.C. 461 note) is amended in each of sections 107, 208, 310, 408, 507, 607, 707, 809, and 910, by striking "2013" and inserting "2015";

(b) Effective on October 12, 2013, section 7 of Public Law 99–647, is amended by striking "2013" and inserting "2015";

(c) Section 12 of Public Law 100–692 (16 U.S.C. 461 note) is amended—

(1) in subsection (c)(1), by striking "2013" and inserting "2015"; and

(2) in subsection (d), by striking "2013" and inserting "2015"; and

(d) Section 108 of Public Law 106–278 (16 U.S.C. 461 note) is amended by striking "2013" and inserting "2015".

REDESIGNATION OF THE WHITE RIVER NATIONAL WILDLIFE REFUGE

16 USC 668d note.

SEC. 120. (a) IN GENERAL.—The White River National Wildlife Refuge, located in the State of Arkansas, is redesignated as the "Senator Dale Bumpers White River National Wildlife Refuge".

(b) REFERENCES.—Any reference in any statute, rule, regulation, Executive Order, publication, map, paper, or other document of the United States to the White River National Wildlife Refuge is deemed to refer to the Senator Dale Bumpers White River National Wildlife Refuge.

CIVIL PENALTIES

SEC. 121. Section 206 of the Federal Oil and Gas Royalty Management Act of 1982, Public Law 97–451 (30 U.S.C. 1736) is hereby amended by striking the second sentence, and inserting in lieu thereof "Any payments under this section shall be reduced by an amount equal to any payments provided or due to such State or Indian tribe under the cooperative agreement or delegation, as applicable, during the fiscal year in which the civil penalty is received, up to the total amount provided or due for that fiscal year.".

EXHAUSTION OF ADMINISTRATIVE REVIEW

SEC. 122. Paragraph (1) of Section 122(a) of division E of Public Law 112–74 (125 Stat. 1013) is amended by striking "2012

and 2013 only," in the first sentence and inserting "2012 through 2015,".

ONSHORE PAY AUTHORITY

SEC. 123. For fiscal years 2014 and 2015, funds made available in this title for the Bureau of Land Management and the Bureau of Indian Affairs may be used by the Secretary of the Interior to establish higher minimum rates of basic pay for employees of the Department of the Interior carrying out the inspection and regulation of onshore oil and gas operations on public lands in the Petroleum Engineer (GS–0881) and Petroleum Engineering Technician (G–0802) job series at grades 5 through 14 at rates no greater than 25 percent above the minimum rates of basic pay normally scheduled, and such higher rates shall be consistent with subsections (e) through (h) of section 5305 of title 5, United States Code.

WILD LANDS FUNDING PROHIBITION

SEC. 124. None of the funds made available in this Act or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010: *Provided*, That nothing in this section shall restrict the Secretary's authorities under sections 201 and 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711 and 1712).

TRAILING LIVESTOCK ACROSS PUBLIC LANDS

SEC. 125. During fiscal years 2014 and 2015, the Bureau of Land Management may, at its sole discretion, review planning and implementation decisions regarding the trailing of livestock across public lands, including, but not limited to, issuance of crossing or trailing authorizations or permits, under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). Temporary trailing or crossing authorizations across public lands shall not be subject to protest and/or appeal under subpart E of part 4 of title 43, Code of Federal Regulations, and subpart 4160 of part 4100 of such title.

REDESIGNATION OF THE NISQUALLY NATIONAL WILDLIFE REFUGE VISITOR CENTER

SEC. 126. The visitor center at the Nisqually National Wildlife Refuge in the State of Washington is hereby designated as the "Norm Dicks Visitor Center". Any reference to the visitor center at the Nisqually National Wildlife Refuge in any law, regulation, map, document, record, or other paper of the United States shall be considered a reference to the "Norm Dicks Visitor Center". The Secretary of the Interior shall post an interpretative sign at the visitor center that includes information on Norm Dicks and his contributions as a member of the U.S. House of Representatives.

16 USC 668dd note.

ANTELOPE RULE

SEC. 127. Before the end of the 60-day period beginning on the date of enactment of this Act, the Secretary of the Interior

shall reissue the final rule published on September 2, 2005 (70 Fed. Reg. 52310 et seq.) without regard to any other provision of statute or regulation that applies to issuance of such rule.

TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $759,156,000, to remain available until September 30, 2015: *Provided*, That of the funds included under this heading, $4,234,000 shall be for Research: National Priorities as specified in the explanatory statement accompanying this Act.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed $9,000 for official reception and representation expenses, $2,624,149,000, to remain available until September 30, 2015: *Provided*, That of the funds included under this heading, $12,700,000 shall be for Environmental Protection: National Priorities as specified in the explanatory statement accompanying this Act: *Provided further*, That of the funds included under this heading, $415,737,000 shall be for Geographic Programs specified in the explanatory statement accompanying this Act.

HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM FUND

For necessary expenses to carry out section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g), including the development, operation, maintenance, and upgrading of the hazardous waste electronic manifest system established by such section, $3,674,000, to remain available until September 30, 2016.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $41,849,000, to remain available until September 30, 2015.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $34,467,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,088,769,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2013, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,088,769,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, $9,939,000 shall be paid to the "Office of Inspector General" appropriation to remain available until September 30, 2015, and $19,216,000 shall be paid to the "Science and Technology" appropriation to remain available until September 30, 2015.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, $94,566,000, to remain available until expended, of which $68,937,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; $25,629,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: *Provided*, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $18,209,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,535,161,000, to remain available until expended, of which—

(1) $1,448,887,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $906,896,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: *Provided*, That for fiscal year 2014, to the extent there are sufficient eligible project applications, not less than 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That for fiscal year 2014, funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2014 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2014, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act and section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: *Provided further*, That for fiscal year 2014, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Clean Water Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: *Provided further*, That for fiscal year 2014, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: *Provided further*, That not less than 20 percent but not more than 30 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and not less than 20 percent but not more than 30 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form

of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act; except that for the Clean Water State Revolving Fund capitalization grant appropriation this section shall only apply to the portion that exceeds $1,000,000,000;

(2) $5,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; *Provided*, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;

(3) $10,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: *Provided*, That, of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(4) $90,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs;

(5) $20,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005; and

(6) $1,054,378,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which: $47,745,000 shall be for carrying out section 128 of CERCLA; $9,646,000 shall

be for Environmental Information Exchange Network grants, including associated program support costs; $1,498,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading "Leaking Underground Storage Tank Trust Fund Program" to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; $17,848,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs.

ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFER OF FUNDS)

For fiscal year 2014, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs for Indian tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 112–177, the Pesticide Registration Improvement Extension Act of 2012.

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w–8(d)(2)), the Administrator of the Environmental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2014.

The Administrator is authorized to transfer up to $300,000,000 of the funds appropriated for the Great Lakes Restoration Initiative under the heading "Environmental Programs and Management" to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration,

repair, rehabilitation, and renovation of facilities provided that the cost does not exceed $150,000 per project.

The fourth paragraph under the heading Administrative Provisions of title II of Public Law 109–54, as amended by the fifth paragraph under such heading of title II of division E of Public Law 111–8 and the third paragraph under such heading of title II of Public Law 111–88, is further amended by striking "thirty persons" and inserting "fifty persons".

For fiscal year 2014, and notwithstanding section 518(f) of the Water Pollution Control Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under Section 319 of the Act to make grants to federally recognized Indian tribes pursuant to sections 319(h) and 518(e) of that Act.

TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $292,805,000, to remain available until expended: *Provided,* That of the funds provided, $66,805,000 is for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, $229,980,000, to remain available until expended, as authorized by law; of which $50,965,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL FOREST SYSTEM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,496,330,000, to remain available until expended: *Provided*, That of the funds provided, $40,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): *Provided further*, That of the funds provided, $339,130,000 shall be for forest products: *Provided further*, That of the funds provided, up to $81,000,000 is for the Integrated Resource Restoration pilot program for Region 1, Region 3 and Region 4: *Provided further*, That of the funds provided for forest products, up to $53,000,000 may be transferred to support

the Integrated Resource Restoration pilot program in the preceding proviso.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $350,000,000, to remain available until expended, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided,* That $35,000,000 shall be designated for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered, or sensitive species or community water sources: *Provided further*, That funds becoming available in fiscal year 2014 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated: *Provided further*, That of the funds provided for decommissioning of roads, up to $12,000,000 may be transferred to the "National Forest System" to support the Integrated Resource Restoration pilot program.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, (16 U.S.C. 460*l*–4 et seq.), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $43,525,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $912,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967, (16 U.S.C. 484a), to remain available until expended (16

U.S.C. 460*l*–516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $40,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $2,500,000, to remain available until expended.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels reduction on or adjacent to such lands, emergency rehabilitation of burned-over National Forest System lands and water, and for State and volunteer fire assistance, $2,162,302,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That, notwithstanding any other provision of law, $6,914,000 of funds appropriated under this appropriation shall be available for the Forest Service in support of fire science research authorized by the Joint Fire Science Program, including all Forest Service authorities for the use of funds, such as contracts, grants, research joint venture agreements, and cooperative agreements: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: *Provided further*, That funds provided shall be available

for emergency rehabilitation and restoration, hazardous fuels reduction activities, support to Federal emergency response, and wildfire suppression activities of the Forest Service: *Provided further*, That of the funds provided, $306,500,000 is for hazardous fuels reduction activities, $19,795,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, (16 U.S.C. 1641 et seq.), $78,000,000 is for State fire assistance, and $13,025,000 is for volunteer fire assistance under section 10 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106): *Provided further*, That amounts in this paragraph may be transferred to the "National Forest System", and "Forest and Rangeland Research" accounts to fund forest and rangeland research, the Joint Fire Science Program, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That up to $15,000,000 of the funds provided herein may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels reduction and for training or monitoring associated with such hazardous fuels reduction activities on Federal land or on non-Federal land if the Secretary determines such activities implement a community wildfire protection plan (or equivalent) and benefit resources on Federal land: *Provided further,* That funds made available to implement the Community Forest Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the "State and Private Forestry" appropriation: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further,* That notwithstanding 42 U.S.C. 1856d, sums received by the Forest Service for fire protection rendered pursuant to 42 U.S.C. 1856 et seq. may be credited to this appropriation, and are available without fiscal year limitation: *Provided further*, That of the funds provided for hazardous fuels reduction, not to exceed $10,000,000 may be used to make grants, using any authorities available to the Forest Service under the "State and Private Forestry" appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: *Provided further,* That funds designated for wildfire suppression, including funds transferred from the "FLAME Wildfire Suppression Reserve Fund", shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs: *Provided further*, That of the funds for hazardous fuels reduction, up to $24,000,000 may be transferred to the "National Forest System" to support the Integrated Resource Restoration pilot program.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of Agriculture and as a reserve fund for suppression and Federal emergency response activities, $315,000,000, to remain available until expended: *Provided,* That such amounts are only available for transfer to the "Wildland Fire Management" account following a declaration by the Secretary in accordance with section 502 of the FLAME Act of 2009 (43 U.S.C. 1748a).

ADMINISTRATIVE PROVISIONS—FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft from excess sources to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the headings "Wildland Fire Management" and "FLAME Wildfire Suppression Reserve Fund" will be obligated within 30 days: *Provided,* That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with U.S., private, and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the

Millennium Challenge Corporation), U.S. private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

16 USC 556i.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–107 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the joint explanatory statement of the managers accompanying this Act.

Not more than $82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center. Nothing in this paragraph shall limit the Forest Service portion of implementation costs to be paid to the Department of Agriculture for the Financial Management Modernization Initiative.

Of the funds available to the Forest Service, up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993, Public Law 103–82, as amended by Public Lands Corps Healthy Forests Restoration Act of 2005, Public Law 109–154.

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided,* That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: *Provided further,* That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal

matching funds: *Provided further*, That for fiscal year 2014 and thereafter, the National Forest Foundation may hold Federal funds made available but not immediately disbursed and may use any interest or other investment income earned (before, on, or after the date of the enactment of this Act) on Federal funds to carry out the purposes of Public Law 101–593: *Provided further*, That such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. 16 USC 583j–9.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

Funds available to the Forest Service, not to exceed $55,000,000, shall be assessed for the purpose of performing fire, administrative and other facilities maintenance and decommissioning. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar nonlitigation-related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

An eligible individual who is employed in any project funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

The 19th unnumbered paragraph under heading "Administrative Provisions, Forest Service" in title III of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109–54) is amended by striking "2014" and inserting "2019".

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $3,982,842,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) and 238b, for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That, $878,575,000 for Purchased/Referred Care, including $51,500,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: *Provided further*, That, of the funds provided, up to $36,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of the Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of the Act (25 U.S.C. 1616a–1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of the Act (25 U.S.C. 1613a and 1616a): *Provided further*, That notwithstanding any other provision of law, the amounts made available within this account for the methamphetamine and suicide prevention and treatment initiative and for the domestic violence prevention initiative shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: *Provided further*, That funds provided in this Act may be used for annual contracts and grants that fall within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: *Provided further*, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That the Bureau

of Indian Affairs may collect from the Indian Health Service, tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400, et seq.): *Provided further*, That the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $451,673,000 to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: *Provided further*, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed $2,700,000 from this account and the "Indian Health Services" account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed $500,000 may be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for

expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: *Provided,* That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further,* That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: *Provided further,* That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further,* That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: *Provided further,* That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further,* That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further,* That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: *Provided further,* That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: *Provided further,* That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $77,349,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA); section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA); and section 3019 of the Solid Waste Disposal Act, $74,691,000, of which up to $1,000 per eligible employee of the Agency for Toxic Substances and Disease Registry shall remain available until expended for Individual Learning Accounts: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(I) of CERCLA during fiscal year 2014, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $3,000,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $11,000,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

5 USC app. 8G note.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $7,341,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10: *Provided further*, That $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Office of Navajo and Hopi Indian Relocation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498 (20 U.S.C. 56 part A), $9,369,000, to remain available until September 30, 2015.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $647,000,000, to remain available until September 30, 2015, except as otherwise provided herein; of which not to exceed $41,082,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $158,000,000, to remain available until expended, of which not to exceed $10,000 shall be for services as authorized by 5 U.S.C. 3109, and of which $55,000,000 shall be for construction of the National Museum of African American History and Culture.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in

advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $118,000,000, to remain available until September 30, 2015, of which not to exceed $3,533,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $15,000,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $22,193,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $12,205,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $10,500,000, to remain available until September 30, 2015.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $146,021,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $146,021,000 to remain available until expended, of which $135,283,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $10,738,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $8,357,000 for the purposes of section 7(h): *Provided*, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further*, That the Chairperson of the National Endowment for the Arts may approve grants of up to $10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: *Provided further*, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under Chapter 91 of title 40, United States Code, $2,396,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: *Provided further*, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study or education.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), $2,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665), $6,531,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, $8,084,000: *Provided,* That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $52,385,000, of which $515,000 shall remain available until September 30, 2016, for the Museum's equipment replacement program; and of which $1,900,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses, including the costs of construction design, of the Dwight D. Eisenhower Memorial Commission, $1,000,000, to remain available until expended.

TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

LIMITATION ON CONSULTING SERVICES

SEC. 401. In fiscal year 2014 and thereafter, the expenditure of any appropriation under this Act or any subsequent Act appropriating funds for departments and agencies funded in this Act, for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law. 5 USC 3109 note.

RESTRICTION ON USE OF FUNDS

SEC. 402. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 403. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 404. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

SEC. 405. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised

Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2015, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS

SEC. 406. Notwithstanding any other provision of law, amounts appropriated to or otherwise designated in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, 105–277, 106–113, 106–291, 107–63, 108–7, 108–108, 108–447, 109–54, 109–289, division B and Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Laws 110–5 and 110–28), Public Laws 110–92, 110–116, 110–137, 110–149, 110–161, 110–329, 111–6, 111–8, 111–88, 112–10, 112–74, and 113–6 for payments for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 2013 for such purposes, except that the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, self-governance compacts, or annual funding agreements.

FOREST MANAGEMENT PLANS

16 USC 1604 note.

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided,* That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect

to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

SEC. 410. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

EXTENSION OF GRAZING PERMITS

SEC. 411. Section 415 of division E of Public Law 112–74 is amended by striking "and 2013" and inserting "through 2015".

PROHIBITION ON NO-BID CONTRACTS

SEC. 412. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of Chapter 33 of title 41, United States Code, or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes; or

(2) such contract is authorized by the Indian Self-Determination and Education and Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 413. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 414. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 415. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term "underserved population" means a population of individuals, including urban minorities, who have historically

been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

NATIONAL ENDOWMENT FOR THE ARTS GRANT AWARDS TO STATES

SEC. 416. Section 5(g)(4) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 954(g)(4)), is amended—

(1) in subparagraph (A) by adding at the end the following: "Whenever a State agency requests that the Chairperson exercise such discretion, the Chairperson shall—

"(i) give consideration to the various circumstances the State is encountering at the time of such request; and

"(ii) ensure that such discretion is not exercised with respect to such State in perpetuity."; and

(2) in subparagraph (C) by adding at the end the following: "The non-Federal funds required by subparagraph (A) to pay 50 percent of the cost of a program or production shall be provided from funds directly controlled and appropriated by the State involved and directly managed by the State agency of such State.".

EXPANSION AND EXTENSION OF GOOD NEIGHBOR COOPERATIVE CONSERVATION AUTHORITY

SEC. 417. Section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (Public Law 106–291; 114 Stat. 996), as amended by section 336 of division E of the Consolidated Appropriations Act, 2005 (Public Law 108–447; 118

16 USC 1011 note.

Stat. 3102) and section 422 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (division A of Public Law 111–88; 123 Stat. 2961), is further amended—

(1) in the section heading, by striking "IN COLORADO";

(2) in subsection (a)—

(A) in the subsection heading, by striking "COLORADO";

(B) by striking "may permit the Colorado State Forest Service" and inserting "may permit the head of a State agency with jurisdiction over State forestry programs in a State containing National Forest System land (in this section referred to as a 'State Forester')"; and

(C) by striking "of Colorado";

(3) in subsection (b)—

(A) in the first sentence, by striking "of Colorado"; and

(B) in the second sentence, by striking "the Colorado State Forest Service" and inserting "a State Forester";

(4) in subsection (c)—

(A) by striking "the Colorado State Forest Service" the first place it appears and inserting "a State Forester";

(B) by striking "of Colorado"; and

(C) by striking "the Colorado State Forest Service" the second place it appears and inserting "the State";

(5) in subsection (d)—

(A) in the subsection heading, by striking "COLORADO"; and

(B) by striking "the State of Colorado" and inserting "a State"; and

(6) in subsection (e), by striking "September 30, 2013" and inserting "September 30, 2018".

STATUS OF BALANCES OF APPROPRIATIONS

SEC. 418. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

REPORT ON USE OF CLIMATE CHANGE FUNDS

SEC. 419. Not later than 120 days after the date on which the President's fiscal year 2015 budget request is submitted to the Congress, the President shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate describing in detail all Federal agency funding, domestic and international, for climate change programs, projects, and activities in fiscal years 2013 and 2014, including an accounting of funding by agency with each agency identifying climate change programs, projects, and activities and associated costs by line item as presented in the President's Budget Appendix, and including citations and linkages where practicable to each strategic plan that is driving funding within each climate change program, project, and activity listed in the report.

PROHIBITION ON USE OF FUNDS

SEC. 420. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 421. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

FUNDING PROHIBITION

SEC. 422. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

LIMITATION WITH RESPECT TO DELINQUENT TAX DEBTS

SEC. 423. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

ALASKA NATIVE REGIONAL HEALTH ENTITIES

SEC. 424. (a) Notwithstanding any other provision of law and until October 1, 2018, the Indian Health Service may not disburse funds for the provision of health care services pursuant to Public Law 93–638 (25 U.S.C. 450 et seq.) to any Alaska Native village or Alaska Native village corporation that is located within the area served by an Alaska Native regional health entity.

(b) Nothing in this section shall be construed to prohibit the disbursal of funds to any Alaska Native village or Alaska Native village corporation under any contract or compact entered into

prior to May 1, 2006, or to prohibit the renewal of any such agreement.

(c) For the purpose of this section, Eastern Aleutian Tribes, Inc., the Council of Athabascan Tribal Governments, and the Native Village of Eyak shall be treated as Alaska Native regional health entities to which funds may be disbursed under this section.

FOREST SERVICE ADMINISTRATION OF RIGHTS-OF-WAY AND LAND USES

SEC. 425. Section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(3) of Public Law 106–113; 16 U.S.C. 497 note) is amended—

(1) by striking subsection (a) and inserting the following new subsection:

"(a) PROGRAM REQUIRED.—For fiscal year 2014 and each fiscal year thereafter, the Secretary of Agriculture shall conduct a program for the purpose of enhancing Forest Service administration of rights-of-way and other land uses."; and

(2) in subsection (b), by striking "during fiscal years 2000 through 2012" and inserting "each fiscal year".

FOREST SERVICE PARTNERSHIP AGREEMENTS

16 USC 565a–1 note.

SEC. 426. (a) AGREEMENTS AUTHORIZED.—The Secretary of Agriculture may enter into an agreement under section 1 of Public Law 94–148 (16 U.S.C. 565a–1) with a Federal, tribal, State, or local government or a nonprofit entity for the following additional purposes:

(1) To develop, produce, publish, distribute, or sell educational and interpretive materials and products.

(2) To develop, conduct, or sell educational and interpretive programs and services.

(3) To construct, maintain, or improve facilities not under the jurisdiction, custody, or control of the Administrator of General Services on or in the vicinity of National Forest System lands for the sale or distribution of educational and interpretive materials, products, programs, and services.

(4) To operate facilities (including providing the services of Forest Service employees to staff facilities) in any public or private building or on land not under the jurisdiction, custody, or control of the Administrator of General Services for the sale or distribution of educational and interpretive materials, products, programs, and services, pertaining to National Forest System lands, private lands, and lands administered by other public entities.

(5) To sell health and safety products, visitor convenience items, or other similar items (as determined by the Secretary) in facilities not under the jurisdiction, custody, or control of the Administrator of General Services on or in the vicinity of National Forest System lands.

(6) To collect funds on behalf of cooperators from the sale of materials, products, programs, and services, as authorized by a preceding paragraph, when the collection of such funds is incidental to other duties of Forest Service employees.

(b) TREATMENT OF CONTRIBUTIONS OF VOLUNTEERS.—The Forest Service may consider the value of services performed by persons who volunteer their services to the Forest Service and

who are recruited, trained, and supported by a cooperator as an in-kind contribution of the cooperator for purposes of any cost sharing requirement under any Forest Service authority to enter into mutual benefit agreements.

(c) DURATION.—The authority provided by subsections (a) and (b) expires September 30, 2019.

CONTRACTING AUTHORITIES

SEC. 427. Section 412 of Division E of Public Law 112–74 is amended by striking "fiscal year 2013," and inserting "fiscal year 2015,".

CHESAPEAKE BAY INITIATIVE

SEC. 428. Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461 note) is amended by striking "2013" and inserting "2015".

AMERICAN BATTLEFIELD PROTECTION PROGRAM GRANTS

SEC. 429. Section 7301(c)(6) of Public Law 111–11 (16 U.S.C. 469k-1(c)(6)) is amended by striking "2013" and inserting "2014".

COOPERATIVE ACTION AND SHARING OF RESOURCES BY SECRETARIES OF THE INTERIOR AND AGRICULTURE

(SERVICE FIRST INITIATIVE)

SEC. 430. Section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (Public Law 106–291; 43 U.S.C. 1703) is amended—

(1) in the first sentence, by striking "programs. involving the land management agencies referred to in this section" and inserting "programs";

(2) in the first sentence, by striking "and promulgate" and inserting "and may promulgate"; and

(3) in the third sentence, by inserting after "Forest Service" the following: "or matters under the purview of other bureaus or offices of either Department".

SEPARATE FOREST SERVICE DECISION MAKING AND APPEALS PROCESS

SEC. 431. Section 322 of the Department of the Interior and Related Agencies Appropriations Act, 1993 (Public Law 102–381; 16 U.S.C. 1612 note) and section 428 of division E of the Consolidated Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 1046; 16 U.S.C. 6515 note) shall not apply to any project or activity implementing a land and resource management plan developed under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) that is categorically excluded from documentation in an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

EXTENSION OF FOREST BOTANICAL PRODUCTS AUTHORITIES

SEC. 432. Section 339(h)(1) of the Department of the Interior and Related Agencies Appropriations Act, 2000 (enacted into law

by section 1000(a)(3) of Public Law 106–113; 16 U.S.C. 528 note) is amended by striking "until September 30, 2014" and inserting "through fiscal year 2019".

SHASTA TRINITY MARINA FEES

SEC. 433. Section 422, division F, Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat 2149), as amended, is further amended by striking "and subsequent fiscal years through fiscal year 2014" and inserting "and each subsequent fiscal year through fiscal year 2019".

STEWARDSHIP END RESULT CONTRACTING PROJECTS

SEC. 434. Section 347(a) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105–277, as amended) is amended in subsection (a) by striking "Until September 30, 2013," and inserting "Until September 30, 2014,".

MINING ACCESS

SEC. 435. In Region 10, the Secretary of Agriculture, acting though the Chief of the Forest Service, shall allow reasonable access for the orderly development of mining claims located inside areas subject to mineral lands use designations in the relevant Forest Plan.

USE OF AMERICAN IRON AND STEEL

SEC. 436. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) or made available by a drinking water treatment revolving loan fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term "iron and steel products" means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency (in this section referred to as the "Administrator") finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

(f) This section does not apply with respect to a project if a State agency approves the engineering plans and specifications for the project, in that agency's capacity to approve such plans and specifications prior to a project requesting bids, prior to the date of the enactment of this Act.

MODIFICATION OF AUTHORITIES

SEC. 437. (a) Section 8162(m)(3) of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79) is amended by striking "September 30, 2013" and inserting "September 30, 2014".

(b) For fiscal year 2014, the authority provided by the provisos under the heading "Dwight D. Eisenhower Memorial Commission—Capital Construction" in division E of Public Law 112–74 shall not be in effect.

This division may be cited as the "Department of the Interior, Environment, and Related Agencies Appropriations Act, 2014".

DIVISION H—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2014.

TITLE I

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

Department of Labor Appropriations Act, 2014.

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Workforce Investment Act of 1998 (referred to in this Act as "WIA"), the Second Chance Act of 2007, the Women in Apprenticeship and Non-Traditional Occupations Act of 1992 ("WANTO Act"), and the Workforce Innovation Fund, as established by this Act, $3,148,855,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, $2,588,108,000 as follows:

(A) $766,080,000 for adult employment and training activities, of which $54,080,000 shall be available for the period July 1, 2014, through June 30, 2015, and of which $712,000,000 shall be available for the period October 1, 2014 through June 30, 2015;

(B) $820,430,000 for youth activities, which shall be available for the period April 1, 2014 through June 30, 2015; and

(C) $1,001,598,000 for dislocated worker employment and training activities, of which $141,598,000 shall be available for the period July 1, 2014 through June 30, 2015, and of which $860,000,000 shall be available for the period October 1, 2014 through June 30, 2015:

Provided, That notwithstanding the transfer limitation under section 133(b)(4) of the WIA, up to 30 percent of such funds may be transferred by a local board if approved by the Governor: *Provided further*, That a local board may award a contract to an institution of higher education or other eligible training provider if the local board determines that it would facilitate the training of multiple individuals in high-demand occupations, if such contract does not limit customer choice: *Provided further,* That notwithstanding section 128(a)(1) of the WIA, the amount available to the Governor for statewide workforce investment activities shall not exceed 8.75 percent of the amount allotted to the State from each of the appropriations under the preceding subparagraphs;

(2) for federally administered programs, $474,669,000 as follows:

(A) $220,859,000 for the dislocated workers assistance national reserve, of which $20,859,000 shall be available for the period July 1, 2014 through June 30, 2015, and of which $200,000,000 shall be available for the period October 1, 2014 through June 30, 2015: *Provided*, That funds provided to carry out section 132(a)(2)(A) of the WIA may be used to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: *Provided further*, That funds provided to carry out section 171(d) of the WIA may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers: *Provided further*, That none of the funds shall be obligated to carry out section 173(e) of the WIA;

(B) $46,082,000 for Native American programs, which shall be available for the period July 1, 2014 through June 30, 2015;

(C) $81,896,000 for migrant and seasonal farmworker programs under section 167 of the WIA, including $75,885,000 for formula grants (of which not less than 70 percent shall be for employment and training services), $5,517,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $494,000 for other discretionary purposes, which shall be available for the period July 1, 2014 through June

30, 2015: *Provided*, That notwithstanding any other provision of law or related regulation, the Department of Labor shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) $994,000 for carrying out the WANTO Act, which shall be available for the period July 1, 2014 through June 30, 2015;

(E) $77,534,000 for YouthBuild activities as described in section 173A of the WIA, which shall be available for the period April 1, 2014 through June 30, 2015; and

(F) $47,304,000 to be available to the Secretary of Labor (referred to in this title as "Secretary") for the Workforce Innovation Fund to carry out projects that demonstrate innovative strategies or replicate effective evidence-based strategies that align and strengthen the workforce investment system in order to improve program delivery and education and employment outcomes for beneficiaries, which shall be for the period July 1, 2014 through September 30, 2015: *Provided*, That amounts shall be available for awards to States or State agencies that are eligible for assistance under any program authorized under the WIA, consortia of States, or partnerships, including regional partnerships: *Provided further,* That not more than 5 percent of the funds available for workforce innovation activities shall be for technical assistance and evaluations related to the projects carried out with these funds: *Provided further*, That the Secretary may authorize awardees to use a portion of awarded funds for evaluation, upon the Chief Evaluation Officer's approval of an evaluation plan;

(3) for national activities, $86,078,000, as follows:

(A) $80,078,000 for ex-offender activities, under the authority of section 171 of the WIA and section 212 of the Second Chance Act of 2007, which shall be available for the period April 1, 2014 through June 30, 2015, notwithstanding the requirements of section 171(b)(2)(B) or 171(c)(4)(D) of the WIA: *Provided*, That of this amount, $20,000,000 shall be for competitive grants to national and regional intermediaries for activities that prepare young ex-offenders and school dropouts for employment, with a priority for projects serving high-crime, high-poverty areas; and

(B) $6,000,000 for the Workforce Data Quality Initiative, under the authority of section 171(c)(2) of the WIA, which shall be available for the period July 1, 2014 through June 30, 2015, and which shall not be subject to the requirements of section 171(c)(4)(D).

OFFICE OF JOB CORPS

To carry out subtitle C of title I of the WIA, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration, and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIA, $1,688,155,000, plus reimbursements, as follows:

(1) $1,578,008,000 for Job Corps Operations, which shall be available for the period July 1, 2014 through June 30, 2015;

(2) $80,000,000 for construction, rehabilitation and acquisition of Job Corps Centers, which shall be available for the period July 1, 2014 through June 30, 2017: *Provided*, That the Secretary may transfer up to 15 percent of such funds to meet the operational needs of such centers or to achieve administrative efficiencies: *Provided further*, That any funds transferred pursuant to the preceding proviso shall not be available for obligation after June 30, 2015: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer; and

(3) $30,147,000 for necessary expenses of the Office of Job Corps, which shall be available for obligation for the period October 1, 2013 through September 30, 2014:

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

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965 (referred to in this Act as "OAA"), $434,371,000, which shall be available for the period July 1, 2014 through June 30, 2015, and may be recaptured and reobligated in accordance with section 517(c) of the OAA.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during fiscal year 2014 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, including benefit payments, allowances, training, employment and case management services, and related State administration provided pursuant to section 231(a) of the Trade Adjustment Assistance Extension Act of 2011, $656,000,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2014.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $81,566,000, together with not to exceed $3,596,813,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund ("the Trust Fund"), of which:

(1) $2,861,575,000 from the Trust Fund is for grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act (including not less than $60,000,000 to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, and $10,000,000 for activities to address the misclassification of workers), the

administration of unemployment insurance for Federal employees and for ex-service members as authorized under 5 U.S.C. 8501–8523, and the administration of trade readjustment allowances, reemployment trade adjustment assistance, and alternative trade adjustment assistance under the Trade Act of 1974 and under section 231(a) of the Trade Adjustment Assistance Extension Act of 2011, and shall be available for obligation by the States through December 31, 2014, except that funds used for automation acquisitions or competitive grants awarded to States for improved operations, reemployment and eligibility assessments and improper payments, or activities to address misclassification of workers shall be available for Federal obligation through December 31, 2014 and for obligation by the States through September 30, 2016, and funds used for unemployment insurance workloads experienced by the States through September 30, 2014 shall be available for Federal obligation through December 31, 2014;

(2) $10,676,000 from the Trust Fund is for national activities necessary to support the administration of the Federal-State unemployment insurance system;

(3) $642,771,000 from the Trust Fund, together with $21,413,000 from the General Fund of the Treasury, is for grants to States in accordance with section 6 of the Wagner-Peyser Act, and shall be available for Federal obligation for the period July 1, 2014 through June 30, 2015;

(4) $19,818,000 from the Trust Fund is for national activities of the Employment Service, including administration of the work opportunity tax credit under section 51 of the Internal Revenue Code of 1986, and the provision of technical assistance and staff training under the Wagner-Peyser Act, including not to exceed $1,166,000 that may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980;

(5) $61,973,000 from the Trust Fund is for the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, of which $47,691,000 shall be available for the Federal administration of such activities, and $14,282,000 shall be available for grants to States for the administration of such activities; and

(6) $60,153,000 from the General Fund is to provide workforce information, national electronic tools, and one-stop system building under the Wagner-Peyser Act and section 171 (e)(2)(C) of the WIA and shall be available for Federal obligation for the period July 1, 2014 through June 30, 2015:

Provided, That to the extent that the Average Weekly Insured Unemployment ("AWIU") for fiscal year 2014 is projected by the Department of Labor to exceed 3,357,000, an additional $28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: *Provided further*, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided further*,

That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: *Provided further*, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance or immigration programs, may be obligated in contracts, grants, or agreements with non-State entities: *Provided further*, That States awarded competitive grants for improved operations under title III of the Social Security Act, or awarded grants to support the national activities of the Federal-State unemployment insurance system, may award subgrants to other States under such grants, subject to the conditions applicable to the grants: *Provided further*, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the Office of Management and Budget Circular A–87: *Provided further,* That the Secretary, at the request of a State participating in a consortium with other States, may reallot funds allotted to such State under title III of the Social Security Act to other States participating in the consortium in order to carry out activities that benefit the administration of the unemployment compensation law of the State making the request: *Provided further*, That the Secretary may collect fees for the costs associated with additional data collection, analyses, and reporting services relating to the National Agricultural Workers Survey requested by State and local governments, public and private institutions of higher education, and non-profit organizations and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, for the National Agricultural Workers Survey infrastructure, methodology, and data to meet the information collection and reporting needs of such entities, which shall be credited to this appropriation and shall remain available until September 30, 2015, for such purposes.

In addition, $20,000,000 from the Employment Security Administration Account of the Unemployment Trust Fund shall be available to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1986; and for nonrepayable advances to the revolving fund established by section 901(e) of the Social Security Act, to the Unemployment Trust Fund as authorized by 5 U.S.C. 8509, and to the "Federal Unemployment Benefits and Allowances" account, such sums as may be necessary, which shall be available for obligation through September 30, 2015.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $100,577,000, together with not to exceed $49,982,000 which

may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, $178,500,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation ("Corporation") is authorized to make such expenditures, including financial assistance authorized by subtitle E of title IV of the Employee Retirement Income Security Act of 1974, within limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2014, for the Corporation: *Provided*, That none of the funds available to the Corporation for fiscal year 2014 shall be available for obligations for administrative expenses in excess of $505,441,000: *Provided further*, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year 2014, an amount not to exceed an additional $9,200,000 shall be available through September 30, 2015, for obligation for administrative expenses for every 20,000 additional terminated participants: *Provided further*, That an additional $50,000 shall be made available through September 30, 2015, for obligation for investment management fees for every $25,000,000 in assets received by the Corporation as a result of new plan terminations or asset growth, after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That obligations in excess of the amounts provided in this paragraph may be incurred for unforeseen and extraordinary pretermination expenses or extraordinary multiemployer program related expenses after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate.

WAGE AND HOUR DIVISION

SALARIES AND EXPENSES

For necessary expenses for the Wage and Hour Division, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $224,330,000.

OFFICE OF LABOR-MANAGEMENT STANDARDS

SALARIES AND EXPENSES

For necessary expenses for the Office of Labor-Management Standards, $39,129,000.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

SALARIES AND EXPENSES

For necessary expenses for the Office of Federal Contract Compliance Programs, $104,976,000.

OFFICE OF WORKERS' COMPENSATION PROGRAMS

SALARIES AND EXPENSES

For necessary expenses for the Office of Workers' Compensation Programs, $109,641,000, together with $2,142,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers' Compensation Act.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948; and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, $396,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided*, That amounts appropriated may be used under 5 U.S.C. 8104 by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a re-employed, disabled beneficiary: *Provided further*, That balances of reimbursements unobligated on September 30, 2013, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further*, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under 5 U.S.C. 8147(c) to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2014: *Provided further*, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, $60,017,000 shall be made available to the Secretary as follows:

(1) For enhancement and maintenance of automated data processing systems operations and telecommunications systems, $19,499,000;

(2) For automated workload processing operations, including document imaging, centralized mail intake, and medical bill processing, $22,968,000;

(3) For periodic roll disability management and medical review, $16,190,000;

(4) For program integrity, $1,360,000; and

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

Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under 5 U.S.C. 81, or the Longshore and Harbor Workers' Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107–275, $93,235,000, to remain available until expended.

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

For making benefit payments under title IV for the first quarter of fiscal year 2015, $24,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, $55,176,000, to remain available until expended: *Provided*, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim such identifying information (including Social Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

Such sums as may be necessary from the Black Lung Disability Trust Fund (the "Fund"), to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (6), and (7) of the Internal Revenue Code of 1986; and repayment of, and payment of interest on advances, as authorized by section 9501(d)(4) of that Act. In addition, the following amounts may be expended from the Fund for fiscal year 2014 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): not to exceed $33,033,000 for transfer to the Office of Workers' Compensation Programs, "Salaries and Expenses"; not to exceed $25,365,000 for transfer to Departmental Management, "Salaries and Expenses"; not to exceed $327,000 for transfer to Departmental Management, "Office of Inspector General"; and not to exceed $356,000 for payments into- 26 USC 9501 note.

miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $552,247,000, including not to exceed $100,000,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the "Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $200,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2014, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred ("DART") occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

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

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

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two

or more employees, and to take any action pursuant to such investigation authorized by the Act; and

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

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That $10,687,000 shall be available for Susan Harwood training grants.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Mine Safety and Health Administration, $375,887,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to $2,000,000 for mine rescue and recovery activities and not less than $8,441,000 for state assistance grants; in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; and, in addition, the Mine Safety and Health Administration may retain up to $2,499,000 in this fiscal year and each fiscal year thereafter from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization; and any funds available to the Department of Labor may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster: *Provided*, That the Secretary may transfer such sums as may be necessary to "Departmental Management" for the Office of the Solicitor move related to the relocation of the Mine Safety and Health Administration headquarters.

30 USC 966.

30 USC 962.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local

agencies and their employees for services rendered, $527,212,000, together with not to exceed $65,000,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $37,745,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles, $336,621,000, together with not to exceed $308,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: *Provided*, That $64,825,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, 2014: *Provided further*, That funds available to the Bureau of International Labor Affairs may be used to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: *Provided further*, That not more than $58,825,000 shall be for programs to combat exploitative child labor internationally and not less than $6,000,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs: *Provided further*, That $8,040,000 shall be used for program evaluation and shall be available for obligation through September 30, 2015: *Provided further,* That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: *Provided further,* That the funds available to the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $231,414,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of chapters 41, 42, and 43 of title 38, United States Code, of which:

(1) $175,000,000 is for Jobs for Veterans State grants under 38 U.S.C. 4102A(b)(5) to support disabled veterans' outreach program specialists under section 4103A of such title and local veterans' employment representatives under section 4104(b) of such title, and for the expenses described in section 4102A(b)(5)(C), which shall be available for obligation by the

States through December 31, 2014: *Provided*, That, in addition, such funds may be used to support such specialists and representatives in the provision of services to transitioning members of the Armed Forces who have participated in the Transition Assistance Program and have been identified as in need of intensive services, to members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units, and to the spouses or other family caregivers of such wounded, ill, or injured members;

(2) $14,000,000 is for carrying out the Transition Assistance Program under 38 U.S.C. 4113 and 10 U.S.C. 1144;

(3) $39,000,000 is for Federal administration of chapters 41, 42, and 43 of title 38, United States Code; and

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

Provided further, That the Secretary may reallocate among the appropriations provided under paragraphs (1) through (4) above an amount not to exceed 3 percent of the appropriation from which such reallocation is made.

In addition, from the General Fund of the Treasury, $38,109,000 is for carrying out the Homeless Veterans Reintegration Programs under 38 U.S.C. 2021.

IT MODERNIZATION

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, $19,778,000.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $74,721,000, together with not to exceed $5,590,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated by this Act for the Job Corps shall be used to pay the salary and bonuses of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of

the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

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

SEC. 104. None of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 may be used for any purpose other than competitive grants for training individuals over the age of 16 who are not currently enrolled in school within a local educational agency in the occupations and industries for which employers are using H–1B visas to hire foreign workers, and the related activities necessary to support such training: *Provided*, That the preceding limitation shall not apply to funding provided pursuant to solicitations for grant applications issued prior to January 15, 2014.

SEC. 105. None of the funds made available by this Act under the heading "Employment and Training Administration" shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A–133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs. Notwithstanding this section, the limitation on salaries for the Job Corps shall continue to be governed by section 101.

SEC. 106. The Secretary shall take no action to amend, through regulatory or administration action, the definition established in section 667.220 of title 20 of the Code of Federal Regulations for functions and activities under title I of WIA, or to modify, through regulatory or administrative action, the procedure for redesignation of local areas as specified in subtitle B of title I of that Act (including applying the standards specified in section 116(a)(3)(B) of that Act, but notwithstanding the time limits specified in section 116(a)(3)(B) of that Act), until such time as legislation reauthorizing the Act is enacted. Nothing in the preceding sentence shall permit or require the Secretary to withdraw approval for such redesignation from a State that received the approval not later than October 12, 2005, or to revise action taken or modify the redesignation procedure being used by the Secretary in order to complete such redesignation for a State that initiated the process of such redesignation by submitting any request for such redesignation not later than October 26, 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 107. Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act, either directly or through a set-aside, for technical assistance services to grantees to "Program Administration" when it is determined that those services will be more efficiently performed by Federal employees: *Provided*, That this section shall not apply to section 173A(f)(2) of the WIA.

(INCLUDING TRANSFER OF FUNDS)

SEC. 108. (a) The Secretary may reserve not more than 0.5 percent from each appropriation made available in this Act identified in subsection (b) in order to carry out evaluations of any of the programs or activities that are funded under such accounts. Any funds reserved under this section shall be transferred to "Departmental Management" for use by the Office of the Chief Evaluation Officer within the Department of Labor, and shall be available for obligation through September 30, 2015: *Provided*, That such funds shall only be available if the Chief Evaluation Officer of the Department of Labor submits a plan to the Committees on Appropriations of the House of Representatives and the Senate describing the evaluations to be carried out 15 days in advance of any transfer.

(b) The accounts referred to in subsection (a) are: "Training and Employment Services", "Office of Job Corps", "Community Service Employment for Older Americans", "State Unemployment Insurance and Employment Service Operations", "Employee Benefits Security Administration", "Office of Workers' Compensation Programs", "Wage and Hour Division", "Office of Federal Contract Compliance Programs", "Office of Labor Management Standards", "Occupational Safety and Health Administration", "Mine Safety and Health Administration", funding made available to the "Bureau of International Affairs" and "Women's Bureau" within the "Departmental Management, Salaries and Expenses" account, and "Veterans Employment and Training".

SEC. 109. None of the funds made available by this Act may be used to promulgate the Definition of "Fiduciary" regulation (Regulatory Identification Number 1210–AB32) published by the Employee Benefits Security Administration of the Department of Labor on October 22, 2010 (75 Fed. Reg. 65263).

SEC. 110. (a) Of the funds appropriated under section 272(b) of the Trade Act of 1974 for fiscal year 2014, the Secretary may reserve no more than 3 percent of such funds to conduct evaluations and provide technical assistance relating to the activities carried out under section 271 of such Act, including activities carried out under such section supported by the appropriations provided for fiscal years 2011 through 2013.

(b) Institutions of higher education awarded grants under section 271 of the Trade Act of 1974 may award subgrants to other institutions of higher education that meet the definition of "eligible institution" under section 271(b)(1)(A) of such Act, subject to the conditions applicable to such grants.

SEC. 111. (a) Section 5315 of title 5, United States Code, is amended after the item relating to the Assistant Secretaries of Labor by inserting "Administrator, Wage and Hour Division, Department of Labor."

(b) Section 5316, title 5, United States Code, is amended by striking "Administrator, Wage and Hour and Public Contracts Division, Department of Labor."

DIRECTIVE FOR THE SECRETARY OF LABOR

SEC. 112. In an investigation by the Department of substantial violations related to the admission of nonimmigrants described in section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act, if the employer of such nonimmigrants demonstrates, by a preponderance of the evidence, that an agent of the employer engaged in fraud or misrepresentation to the Department that was outside the scope of the authority conferred by the employer, the Secretary is authorized—

(1) to exclude the employer of such nonimmigrants from debarment proceedings under section 655.118 of title 20, Code of Federal Regulations, which were commenced on or after January 1, 2013; and

(2) to initiate or continue debarment proceedings against the agent who engaged in such fraud or misrepresentation.

SEC. 113. (a) FLEXIBILITY WITH RESPECT TO THE CROSSING OF H–2B NONIMMIGRANTS WORKING IN THE SEAFOOD INDUSTRY.—

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

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

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

(i) listing job orders in local newspapers on 2 separate Sundays; and

(ii) posting the job opportunity on the appropriate Department of Labor Electronic Job Registry and at the employer's place of employment; and

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

(i) applies for the job; and

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

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

(b) H–2B NONIMMIGRANTS DEFINED.—In this section, the term "H–2B nonimmigrants" means aliens admitted to the United States pursuant to section 101(a)(15)(H)(ii)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

(c) This section shall be in effect until September 30, 2014.

This title may be cited as the "Department of Labor Appropriations Act, 2014".

TITLE II

Department of Health and Human Services Appropriations Act, 2014.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

For carrying out titles II and III of the Public Health Service Act (referred to in this Act as the "PHS Act") with respect to primary health care and the Native Hawaiian Health Care Act of 1988, $1,495,276,000: *Provided,* That no more than $40,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act, including associated administrative expenses and relevant evaluations: *Provided further*, That no more than $94,893,000 shall be available until expended for carrying out the provisions of Public Law 104–73 and for expenses incurred by the Department of Health and Human Services (referred to in this Act as "HHS") pertaining to administrative claims made under such law: *Provided further*, That of funds provided for the Health Centers program, as defined by section 330 of the PHS Act, by this Act or any other Act for fiscal year 2014, not less than $110,000,000 shall be obligated in fiscal year 2014 as base grant adjustments and not less than $350,000,000 shall be obligated in fiscal year 2014 to support new access points including approved and unfunded applications from fiscal year 2013, grants to expand medical services, behavioral health, oral health, pharmacy, and vision services, and costs associated with the HHS administration of these grants.

HEALTH WORKFORCE

For carrying out titles III, VII, and VIII of the PHS Act with respect to the health workforce, section 1128E of the Social Security Act, and the Health Care Quality Improvement Act of 1986, $734,236,000: *Provided*, That sections 747(c)(2), 751(j)(2), 762(k), and the proportional funding amounts in paragraphs (1) through (4) of section 756(e) of the PHS Act shall not apply to funds made available under this heading: *Provided further*, That for any program operating under section 751 of the PHS Act on or before January 1, 2009, the Secretary may hereafter waive any of the requirements contained in sections 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full project period of a grant under such section: *Provided further*, That no funds shall be available for section 340G–1 of the PHS Act: *Provided further*, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under such Act sufficient to recover the full costs of operating the National Practitioner Data Bank and shall remain available until expended to carry out that Act: *Provided further*, That fees collected for the full disclosure of information under the "Health Care Fraud and Abuse Data Collection Program", authorized by section 1128E(d)(2) of the Social Security Act, shall be sufficient to recover the full costs of operating the program, and shall remain available until expended to carry out that Act: *Provided further*,

42 USC 294a note.

That fees collected for the disclosure of information under the information reporting requirement program authorized by section 1921 of the Social Security Act shall be sufficient to recover the full costs of operating the program and shall remain available until expended to carry out that Act: *Provided further*, That funds transferred to this account to carry out section 846 and subpart 3 of part D of title III of the PHS Act may be used to make prior year adjustments to awards made under such sections.

MATERNAL AND CHILD HEALTH

For carrying out titles III, XI, XII, and XIX of the PHS Act with respect to maternal and child health, title V of the Social Security Act, and section 712 of the American Jobs Creation Act of 2004, $846,017,000: *Provided*, That notwithstanding sections 502(a)(1) and 502(b)(1) of the Social Security Act, not more than $77,093,000 shall be available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act and $10,276,000 shall be available for projects described in paragraphs (A) through (F) of section 501(a)(3) of such Act.

RYAN WHITE HIV/AIDS PROGRAM

For carrying out title XXVI of the PHS Act with respect to the Ryan White HIV/AIDS program, $2,293,781,000, of which $1,970,881,000 shall remain available to the Secretary through September 30, 2016, for parts A and B of title XXVI of the PHS Act, and of which not less than $900,313,000 shall be for State AIDS Drug Assistance Programs under the authority of section 2616 or 311(c) of such Act: *Provided*, That in addition to amounts provided herein, $25,000,000 shall be available from amounts available under section 241 of the PHS Act to carry out parts A, B, C, and D of title XXVI of the PHS Act to fund Special Projects of National Significance under section 2691.

HEALTH CARE SYSTEMS

For carrying out titles III and XII of the PHS Act with respect to health care systems, and the Stem Cell Therapeutic and Research Act of 2005, $103,193,000, of which $122,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center.

RURAL HEALTH

For carrying out titles III and IV of the PHS Act with respect to rural health, section 427(a) of the Federal Coal Mine Health and Safety Act, the Cardiac Arrest Survival Act of 2000, and sections 711 and 1820 of the Social Security Act, $142,335,000, of which $40,609,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program: *Provided*, That of the funds made available under this heading for Medicare rural hospital flexibility grants, $14,942,000 shall be available for the Small Rural Hospital Improvement Grant Program for quality improvement and adoption of health information technology and up to $1,000,000 shall be to carry out section 1820(g)(6) of the Social Security Act, with funds provided for grants under section

1820(g)(6) available for the purchase and implementation of telehealth services, including pilots and demonstrations on the use of electronic health records to coordinate rural veterans care between rural providers and the Department of Veterans Affairs electronic health record system: *Provided further*, That notwithstanding section 338J(k) of the PHS Act, $9,511,000 shall be available for State Offices of Rural Health.

FAMILY PLANNING

For carrying out the program under title X of the PHS Act to provide for voluntary family planning projects, $286,479,000: *Provided,* That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office.

PROGRAM MANAGEMENT

For program support in the Health Resources and Services Administration, $153,061,000: *Provided*, That funds made available under this heading may be used to supplement program support funding provided under the headings "Primary Health Care", "Health Workforce", "Maternal and Child Health", "Ryan White HIV/AIDS Program", "Health Care Systems", and "Rural Health".

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the PHS Act. For administrative expenses to carry out the guaranteed loan program, including section 709 of the PHS Act, $2,687,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund (the "Trust Fund"), such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the PHS Act, to remain available until expended: *Provided*, That for necessary administrative expenses, not to exceed $6,464,000 shall be available from the Trust Fund to the Secretary.

CENTERS FOR DISEASE CONTROL AND PREVENTION

IMMUNIZATION AND RESPIRATORY DISEASES

For carrying out titles II, III, XVII, and XXI, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to immunization and respiratory diseases, $571,536,000: *Provided,* That in addition to amounts provided herein, $12,864,000 shall be available from amounts available under section 241 of the PHS Act to carry out the National Immunization Surveys.

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

For carrying out titles II, III, XVII, XXIII, and XXVI of the PHS Act with respect to HIV/AIDS, viral hepatitis, sexually transmitted diseases, and tuberculosis prevention, $1,072,834,000.

EMERGING AND ZOONOTIC INFECTIOUS DISEASES

For carrying out titles II, III, and XVII, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to emerging and zoonotic infectious diseases, $287,300,000: *Provided*, That of the funds provided for the Advanced Molecular Detection initiative, the CDC Director shall establish and publish a five-year program implementation plan within 90 days of enactment.

CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

For carrying out titles II, III, XI, XV, XVII, and XIX of the PHS Act with respect to chronic disease prevention and health promotion, $711,650,000: *Provided*, That funds appropriated under this account may be available for making grants under section 1509 of the PHS Act for not less than 21 States, tribes, or tribal organizations: *Provided further*, That of the funds available under this heading, $5,000,000 shall be available to conduct an extension and outreach program to combat obesity in counties with the highest levels of obesity: *Provided further*, That of the funds provided under this heading, $80,000,000 shall be available for a program consisting of three-year grants of no less than $100,000 per year to non-governmental entities, local public health offices, school districts, local housing authorities, local transportation authorities or Indian tribes to implement evidence-based chronic disease prevention strategies: *Provided further*, That applicants for grants described in the previous proviso shall determine the population to be served and shall agree to work in collaboration with multi-sector partners.

BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES, DISABILITIES AND HEALTH

For carrying out titles II, III, XI, and XVII of the PHS Act with respect to birth defects, developmental disabilities, disabilities and health, $122,435,000.

PUBLIC HEALTH SCIENTIFIC SERVICES

For carrying out titles II, III, and XVII of the PHS Act with respect to health statistics, surveillance, informatics, and workforce development, $347,179,000: *Provided*, That in addition to amounts provided herein, $85,691,000 shall be available from amounts available under section 241 of the PHS Act to carry out public health scientific services.

ENVIRONMENTAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to environmental health, $147,555,000.

INJURY PREVENTION AND CONTROL

For carrying out titles II, III, and XVII of the PHS Act with respect to injury prevention and control, $142,311,000.

NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

For carrying out titles II, III, and XVII of the PHS Act, sections 101, 102, 103, 201, 202, 203, 301, 501, and 514 of the Federal Mine Safety and Health Act, section 13 of the Mine Improvement and New Emergency Response Act, and sections 20, 21, and 22 of the Occupational Safety and Health Act, with respect to occupational safety and health, $180,300,000: *Provided*, That in addition to amounts provided herein, $112,000,000 shall be available from amounts available under section 241 of the PHS Act.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

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

GLOBAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to global health, $383,000,000, of which $114,250,000 for international HIV/AIDS shall remain available through September 30, 2015, and of which $7,500,000 shall remain available through September 30, 2015, to support national public health institutes: *Provided,* That funds may be used for purchase and insurance of official motor vehicles in foreign countries.

PUBLIC HEALTH PREPAREDNESS AND RESPONSE

For carrying out titles II, III, and XVII of the PHS Act with respect to public health preparedness and response, and for expenses necessary to support activities related to countering potential biological, nuclear, radiological, and chemical threats to civilian populations, $1,323,450,000, of which $535,000,000 shall remain available until expended for the Strategic National Stockpile: *Provided*, That in the event the Director of the CDC activates the Emergency Operations Center, the Director of the CDC may detail CDC staff without reimbursement for up to 30 days to support the work of the CDC Emergency Operations Center, so long as the Director provides a notice to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the use of this authority and a full report within 30 days after use of this authority which includes the number of staff and funding level broken down by the originating center and number of days detailed: *Provided further*, That in the previous proviso the annual reimbursement cannot exceed $3,000,000 across CDC: *Provided further*, That of the funds provided for the Strategic National Stockpile, up to $2,000,000 shall be used to support a comprehensive IOM evaluation of the distribution system.

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For carrying out titles II, III, XVII and XIX, and section 2821 of the PHS Act and for cross-cutting activities and program support that supplement activities funded under the headings "Immunization and Respiratory Diseases", "HIV/AIDS, Viral Hepatitis, Sexually Transmitted Diseases, and Tuberculosis Prevention", "Emerging and Zoonotic Infectious Diseases", "Chronic Disease Prevention and Health Promotion", "Birth Defects, Developmental Disabilities, Disabilities and Health", "Environmental Health", "Injury Prevention and Control", "National Institute for Occupational Safety and Health", "Energy Employees Occupational Illness Compensation Program", "Global Health", "Public Health Preparedness and Response", and "Public Health Scientific Services", $517,570,000, of which $380,000,000 shall be available until September 30, 2015, for business services and transfer to the Working Capital Fund, and of which $24,000,000 shall be available until September 30, 2018, for acquisition of real property, equipment, construction and renovation of facilities: *Provided*, That paragraphs (1) through (3) of subsection (b) of section 2821 of the PHS Act shall not apply to funds appropriated under this heading and in all other accounts of the CDC: *Provided further,* That funds appropriated under this heading and in all other accounts of CDC may be used to support the purchase, hire, maintenance, and operation of aircraft for use and support of the activities of CDC: *Provided further,* That employees of CDC or the Public Health Service, both civilian and commissioned officers, detailed to States, municipalities, or other organizations under authority of section 214 of the PHS Act, or in overseas assignments, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or HHS during the period of detail or assignment: *Provided further*, That CDC may use up to $10,000 from amounts appropriated to CDC in this Act for official reception and representation expenses when specifically approved by the Director of CDC: *Provided further*, That in addition, such sums as may be derived from authorized user fees, which shall be credited to the appropriation charged with the cost thereof: *Provided further*, That with respect to the previous proviso, authorized user fees from the Vessel Sanitation Program shall be available through September 30, 2015: *Provided further,* That of the funds made available under this heading and in all other accounts of CDC, up to $1,000 per eligible employee of CDC shall be made available until expended for Individual Learning Accounts: *Provided further,* That to facilitate the implementation of the permanent Working Capital Fund ("WCF") authorized under this heading in division F of Public Law 112–74, on or after enactment of this Act, unobligated balances of amounts appropriated for business services for fiscal year 2013 shall be transferred to the WCF: *Provided further,* That on or after enactment of this Act, CDC shall transfer amounts available for business services to other CDC appropriations consistent with the benefit each appropriation received from the business services appropriation in fiscal year 2013: *Provided further,* That once the WCF is implemented in fiscal year 2014, assets purchased in any

42 USC 247d–4 note.

prior fiscal year with funds appropriated for or reimbursed to business services may be transferred to the WCF and customers billed for depreciation of those assets: *Provided further,* That CDC shall, consistent with the authorities provided in 42 U.S.C. 231, ensure that the WCF is used only for administrative support services and not for programmatic activities: *Provided further,* That CDC shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 15 days prior to any transfers made with funds provided under this heading.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cancer, $4,923,238,000, of which up to $8,000,000 may be used for facilities repairs and improvements at the National Cancer Institute—Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $2,988,605,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to dental and craniofacial diseases, $398,650,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to diabetes and digestive and kidney disease, $1,744,274,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the PHS Act with respect to neurological disorders and stroke, $1,587,982,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to allergy and infectious diseases, $4,358,841,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, $2,364,147,000: *Provided*, That not less than $273,325,000 is provided for the Institutional Development Awards program.

EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the PHS Act with respect to child health and human development, $1,282,595,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to eye diseases and visual disorders, $682,077,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to environmental health sciences, $665,439,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the PHS Act with respect to aging, $1,171,038,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to arthritis and musculoskeletal and skin diseases, $520,053,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the PHS Act with respect to deafness and other communication disorders, $404,049,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to nursing research, $140,517,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the PHS Act with respect to alcohol abuse and alcoholism, $446,025,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the PHS Act with respect to drug abuse, $1,025,435,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to mental health, $1,446,172,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to human genome research, $497,813,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the PHS Act with respect to biomedical imaging and bioengineering research, $329,172,000.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to complementary and alternative medicine, $124,296,000.

NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the PHS Act with respect to minority health and health disparities research, $268,322,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the PHS Act), $67,577,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to health information communications, $327,723,000, of which $4,000,000 shall be available until September 30, 2015, for improvement of information systems: *Provided*, That in fiscal year 2014, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health (referred to in this title as "NIH"): *Provided further*, That in addition to amounts provided herein, $8,200,000 shall be available from amounts available under section 241 of the PHS Act to carry out the purposes of the National Information Center on Health Services Research and Health Care Technology established under section 478A of the PHS Act and related health information services.

NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to translational sciences, $633,267,000: *Provided,* That up to $9,835,000 shall be available to implement section 480 of the PHS Act, relating to the Cures Acceleration Network: *Provided further*, That at least $474,746,000 is provided to the Clinical and Translational Sciences Awards program.

OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, NIH, $1,400,134,000, of which up to $25,000,000 shall be used to carry out section 213 of this Act: *Provided*, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: *Provided further*, That NIH is authorized to collect third-party payments for the cost of clinical services

that are incurred in NIH research facilities and that such payments shall be credited to the NIH Management Fund: *Provided further*, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: *Provided further*, That $165,000,000 shall be for the National Children's Study ("NCS"), except that not later than July 15, 2014, the Director shall estimate the amount needed for the NCS during fiscal year 2014, and any funds in excess of the estimated need shall be transferred to and merged with the accounts for the various Institutes and Centers in proportion to their shares of total NIH appropriations made by this Act: *Provided further*, That $533,039,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: *Provided further*, That of the funds provided $10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: *Provided further*, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to $8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act.

BUILDINGS AND FACILITIES

For the study of, construction or demolition of, renovation of, and acquisition of equipment for, facilities of or used by NIH, including the acquisition of real property, $128,663,000, to remain available until September 30, 2018, of which up to $7,000,000 may be used for demolition.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

MENTAL HEALTH

For carrying out titles III, V, and XIX of the PHS Act with respect to mental health, and the Protection and Advocacy for Individuals with Mental Illness Act, $1,055,347,000: *Provided*, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A shall be available for carrying out section 1971 of the PHS Act: *Provided further,* That in addition to amounts provided herein, $21,039,000 shall be available under section 241 of the PHS Act to carry out subpart I of part B of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX: *Provided further,* That section 520E(b)(2) of the PHS Act shall not apply to funds appropriated under this Act for fiscal year 2014: *Provided further,* That of the amount appropriated under this heading, $46,000,000 shall be for the National Child Traumatic Stress Initiative as described in section 582 of the PHS Act: *Provided further*, That States shall expend at least 5 percent of the amount each receives for carrying out section 1911 of the PHS Act to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at onset: *Provided further*, That none of the funds provided for section 1911 of the PHS Act shall be subject to section 241 of such Act.

SUBSTANCE ABUSE TREATMENT

For carrying out titles III, V, and XIX of the PHS Act with respect to substance abuse treatment and section 1922(a) of the PHS Act with respect to substance abuse prevention, $2,052,661,000: *Provided*, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) $79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; and (2) $2,000,000 to evaluate substance abuse treatment programs: *Provided further*, That none of the funds provided for section 1921 of the PHS Act shall be subject to section 241 of such Act.

SUBSTANCE ABUSE PREVENTION

For carrying out titles III and V of the PHS Act with respect to substance abuse prevention, $175,631,000.

HEALTH SURVEILLANCE AND PROGRAM SUPPORT

For program support and cross-cutting activities that supplement activities funded under the headings "Mental Health", "Substance Abuse Treatment", and "Substance Abuse Prevention" in carrying out titles III, V, and XIX of the PHS Act and the Protection and Advocacy for Individuals with Mental Illness Act in the Substance Abuse and Mental Health Services Administration, $151,296,000: *Provided*, That in addition to amounts provided herein, $30,428,000 shall be available under section 241 of the PHS Act to supplement funds available to carry out national surveys on drug abuse and mental health, to collect and analyze program data, and to conduct public awareness and technical assistance activities: *Provided further*, That, in addition, fees may be collected for the costs of publications, data, data tabulations, and data analysis completed under title V of the PHS Act and provided to a public or private entity upon request, which shall be credited to this appropriation and shall remain available until expended for such purposes: *Provided further,* That funds made available under this heading may be used to supplement program support funding provided under the headings "Mental Health", "Substance Abuse Treatment", and "Substance Abuse Prevention".

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the PHS Act, part A of title XI of the Social Security Act, and section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, $364,008,000 shall be available from amounts available under section 241 of the PHS Act, notwithstanding subsection 947(c) of such Act: *Provided*, That in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until September 30, 2015.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $177,872,985,000, to remain available until expended.

For making, after May 31, 2014, payments to States under title XIX or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the last quarter of fiscal year 2014 for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2015, $103,472,323,000, to remain available until expended.

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

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as provided under sections 217(g), 1844, and 1860D–16 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d)(3) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $255,185,000,000.

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

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the PHS Act, the Clinical Laboratory Improvement Amendments of 1988, and other responsibilities of the Centers for Medicare and Medicaid Services, not to exceed $3,669,744,000, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the PHS Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary pursuant to section 302 of the Tax Relief and Health Care Act of 2006; and such sums as may be collected from authorized user fees and the sale of data, which shall be credited to this account and remain available until September 30, 2019: *Provided,* That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the PHS Act shall be credited to and available for carrying out the purposes of this appropriation: *Provided further,* That the Secretary is directed to collect fees in fiscal year 2014 from Medicare Advantage organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts

under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: *Provided further*, That $22,004,000 shall be available for the State high-risk health insurance pool program as authorized by the State High Risk Pool Funding Extension Act of 2006.

HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

In addition to amounts otherwise available for program integrity and program management, $293,588,000, to remain available through September 30, 2015, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act, of which $207,636,000 shall be for the Medicare Integrity Program at the Centers for Medicare and Medicaid Services, including administrative costs, to conduct oversight activities for Medicare Advantage under Part C and the Medicare Prescription Drug Program under Part D of the Social Security Act and for activities described in section 1893(b) of such Act, of which $28,122,000 shall be for the Department of Health and Human Services Office of Inspector General to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act, of which $29,708,000 shall be for the Medicaid and Children's Health Insurance Program ("CHIP") program integrity activities, and of which $28,122,000 shall be for the Department of Justice to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act: *Provided,* That the report required by section 1817(k)(5) of the Social Security Act for fiscal year 2014 shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the funds provided by this appropriation.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For carrying out, except as otherwise provided under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, $2,965,245,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2015, $1,250,000,000, to remain available until expended.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under subsections (b) and (d) of section 2602 of the Low Income Home Energy Assistance Act of 1981, $3,424,549,000: *Provided*, That all but $491,000,000 of this amount shall be allocated as though the total appropriation for such payments for fiscal year 2014 was less than $1,975,000,000: *Provided further*, That notwithstanding section 2609A(a), of the amounts appropriated under section 2602(b), not more than $2,988,000 of

such amounts may be reserved by the Secretary for technical assistance, training, and monitoring of program activities for compliance with internal controls, policies and procedures and may, in addition to the authorities provided in section 2609A(a)(1), use such funds through contracts with private entities that do not qualify as non-profit organizations.

REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980, and for carrying out section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, the Trafficking Victims Protection Act of 2000 ("TVPA"), section 203 of the Trafficking Victims Protection Reauthorization Act of 2005, and the Torture Victims Relief Act of 1998, $1,486,095,000 of which $1,461,605,000 shall remain available through September 30, 2016 for carrying out such sections 414, 501, 462, and 235: *Provided*, That amounts available under this heading to carry out such section 203 and the TVPA shall also be available for research and evaluation with respect to activities under those authorities.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 1990 ("CCDBG Act"), $2,360,000,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families: *Provided*, That $19,357,000 shall be available for child care resource and referral and school-aged child care activities, of which $996,000 shall be available to the Secretary for a competitive grant for the operation of a national toll free referral line and Web site to develop and disseminate child care consumer education information for parents and help parents access child care in their local community: *Provided further*, That, in addition to the amounts required to be reserved by the States under section 658G of the CCDBG Act, $296,484,000 shall be reserved by the States for activities authorized under section 658G, of which $108,732,000 shall be for activities that improve the quality of infant and toddler care: *Provided further*, That $9,851,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities: *Provided further*, That technical assistance under section 658I(a)(3) of such Act may be provided directly, or through the use of contracts, grants, cooperative agreements, or interagency agreements.

SOCIAL SERVICES BLOCK GRANT

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

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 303 and 313 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), the Abandoned Infants Assistance Act of 1988, part B–1 of title IV and sections 413, 1110, and 1115 of the Social Security Act; for making payments under the Community Services Block Grant Act ("CSBG Act"), sections 473B and 477(i) of the Social Security Act, and the Assets for Independence Act; for necessary administrative expenses to carry out such Acts and titles I, IV, V, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960, the Low Income Home Energy Assistance Act of 1981, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980; and for the administration of prior year obligations made by the Administration for Children and Families under the Developmental Disabilities Assistance and Bill of Rights Act and the Help America Vote Act of 2002, $10,346,943,000, of which $37,943,000, to remain available through September 30, 2015, shall be for grants to States for adoption incentive payments, as authorized by section 473A of the Social Security Act and may be made for adoptions completed before September 30, 2014: *Provided,* That subsection (b)(5) of such section 473A shall apply to funds appropriated under this heading by substituting "2013" for "2012": *Provided further*, That $8,598,095,000 shall be for making payments under the Head Start Act: *Provided further*, That of the amount in the previous proviso, $8,073,095,000 shall be available for payments under section 640 of the Head Start Act, of which $100,000,000 shall be available for a cost of living adjustment notwithstanding section 640(a)(3)(A) of such Act: *Provided further*, That for purposes of allocating funds under section 640 of the Head Start Act, subsection (a)(2) of such section shall be applied by substituting "fiscal year 2012" for "the prior fiscal year" each place it appears in such subsection: *Provided further*, That of the amount provided for making payments under the Head Start Act, $25,000,000 shall be available for allocation by the Secretary to supplement activities described in paragraphs (7)(B) and (9) of section 641(c) of such Act under the Designation Renewal System, established under the authority of sections 641(c)(7), 645A(b)(12) and 645A(d) of such Act: *Provided further*, That amounts allocated to Head Start grantees at the discretion of the Secretary to supplement activities pursuant to the previous proviso shall not be included in the calculation of the "base grant" in subsequent fiscal years, as such term is used in section 640(a)(7)(A) of the Head Start Act: *Provided further*, That notwithstanding section 640 of the Head Start Act, of the amount provided for making payments under the Head Start Act, $500,000,000 shall be available through March 31, 2015 for expansion of Early Head Start programs as described in section 645A of such Act, for conversion of Head Start services to Early Head Start services as described in section 645(a)(5)(A) of such Act, and for new discretionary grants for high quality infant and toddler care through Early Head Start-Child Care Partnerships, to entities defined as eligible under section 645A(d) of such Act, and, notwithstanding section 645A(c)(2) of

such Act, these funds are available to serve children under age 4: *Provided further*, That of the amount made available in the immediately preceding proviso, up to $10,000,000 shall be available for the Federal costs of administration and evaluation activities of the program described in such proviso: *Provided further*, That an Early Head Start agency awarded funds for an Early Head Start-Child Care Partnership after October 1, 2014, shall not be subject to the requirements of the system for designation renewal as defined by section 641 of the Head Start Act, for this award only, prior to 18 months after the date of such award: *Provided further*, That $709,854,000 shall be for making payments under the CSBG Act: *Provided further,* That $36,204,000 shall be for sections 680 and 678E(b)(2) of the CSBG Act, of which not less than $29,883,000 shall be for section 680(a)(2) and not less than $5,971,000 shall be for section 680(a)(3)(B) of such Act: *Provided further,* That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the CSBG Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: *Provided further*, That the Secretary shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That these procedures shall apply to such grant funds made available after November 29, 1999: *Provided further*, That funds appropriated for section 680(a)(2) of the CSBG Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: *Provided further*, That in addition to amounts provided herein, $5,762,000 shall be available from amounts available under section 241 of the PHS Act to carry out the provisions of section 1110 of the Social Security Act: *Provided further*, That section 303(a)(2)(A)(i) of the Family Violence Prevention and Services Act shall not apply to amounts provided herein: *Provided further*, That $1,864,000 shall be for a human services case management system for federally declared disasters, to include a comprehensive national case management contract and Federal costs of administering the system: *Provided further*, That up to $2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness.

42 USC 9921 note.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out, except as otherwise provided, section 436 of the Social Security Act, $345,000,000 and in addition, for carrying out, except as otherwise provided, section 437 of such Act, $59,765,000.

PAYMENTS FOR FOSTER CARE AND PERMANENCY

For carrying out, except as otherwise provided, title IV–E of the Social Security Act, $4,806,000,000.

For carrying out, except as otherwise provided, title IV–E of the Social Security Act, for the first quarter of fiscal year 2015, $2,200,000,000.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under section 474 of title IV–E of the Social Security Act, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

ADMINISTRATION FOR COMMUNITY LIVING

AGING AND DISABILITY SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For carrying out, to the extent not otherwise provided, the OAA, titles III and XXIX of the PHS Act, section 119 of the Medicare Improvements for Patients and Providers Act of 2008, title XX–B of the Social Security Act, the Developmental Disabilities Assistance and Bill of Rights Act, parts 2 and 5 of subtitle D of title II of the Help America Vote Act of 2002, and for Department-wide coordination of policy and program activities that assist individuals with disabilities, $1,610,143,000, together with $52,115,000 to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to carry out section 4360 of the Omnibus Budget Reconciliation Act of 1990: *Provided*, That amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for disease prevention and health promotion programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective: *Provided further*, That none of the funds provided shall be used to carry out sections 1701 and 1703 of the PHS Act (with respect to chronic disease self-management activity grants), except that such funds may be used for necessary expenses associated with administering any such grants awarded prior to the date of the enactment of this Act: *Provided further*, That notwithstanding any other provision of this Act, funds made available under this heading to carry out section 311 of the OAA may be transferred to the Secretary of Agriculture in accordance with such section.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, XXI, and section 229 of the PHS Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, $458,056,000, together with $69,211,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: *Provided*, That of this amount, $52,224,000 shall be for

minority AIDS prevention and treatment activities: *Provided further,* That of the funds made available under this heading, $101,000,000 shall be for making competitive contracts and grants to public and private entities to fund medically accurate and age appropriate programs that reduce teen pregnancy and for the Federal costs associated with administering and evaluating such contracts and grants, of which not less than $72,200,000 shall be for replicating programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy, behavioral risk factors underlying teenage pregnancy, or other associated risk factors, of which not less than $24,000,000 shall be available for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teenage pregnancy, and of which any remaining amounts shall be available for training and technical assistance, evaluation, outreach, and additional program support activities: *Provided further*, That of the amounts provided under this heading from amounts available under section 241 of the PHS Act, $8,455,000 shall be available to carry out evaluations (including longitudinal evaluations) of teenage pregnancy prevention approaches: *Provided further,* That of the funds made available under this heading, $1,750,000 is for strengthening the Department's acquisition workforce capacity and capabilities: *Provided further*, That with respect to the previous proviso, such funds shall be available for training, recruitment, retention and hiring members of the acquisition workforce as defined by 41 U.S.C. 1703, and for information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management: *Provided further,* That of the funds made available under this heading, $5,000,000 shall be for making competitive grants to provide abstinence education (as defined by section 510(b)(2)(A)–(H) of the Social Security Act) to adolescents, and for Federal costs of administering the grant: *Provided further,* That grants made under the authority of section 510(b)(2)(A)–(H) of the Social Security Act shall be made only to public and private entities that agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which abstinence education was provided: *Provided further*, That funds provided in this Act for embryo adoption activities may be used to provide to individuals adopting embryos, through grants and other mechanisms, medical and administrative services deemed necessary for such adoptions: *Provided further*, That such services shall be provided consistent with 42 CFR 59.5(a)(4).

OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for the Office of Medicare Hearings and Appeals, $82,381,000, to be transferred in appropriate part from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts, and cooperative agreements for the development and advancement of interoperable health information technology, $15,556,000: *Provided*, That in addition to amounts provided herein, $44,811,000 shall be available from amounts available under section 241 of the PHS Act.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, $71,000,000: *Provided,* That of such amount, necessary sums shall be available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS

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

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, and for medical care of dependents and retired personnel under the Dependents' Medical Care Act, such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies, $857,290,000, of which $415,000,000 shall remain available through September 30, 2015, for expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act, and other administrative expenses of the Biomedical Advanced Research and Development Authority, and of which up to $5,000,000 shall remain available through September 30, 2016, to support the delivery of medical countermeasures and shall be in addition to any other amounts available for such purpose: *Provided*, That funds provided under this heading for the purpose of acquisition of security countermeasures shall be in addition to any other funds available for such purpose: *Provided further*, That products purchased with funds provided under this heading may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile pursuant to section 319F–2 of the PHS Act: *Provided further*, That $5,000,000 of the amounts made available to support emergency operations shall remain available through September 30, 2016.

For necessary expenses for procuring security countermeasures (as defined in section 319F–2(c)(1)(B) of the PHS Act), $255,000,000, to remain available until expended.

For expenses necessary to prepare for and respond to an influenza pandemic, $115,009,000; of which $83,000,000 shall be available until expended, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: *Provided further*, That notwithstanding section 496(b) of the PHS Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologics, if the Secretary finds such construction or renovation necessary to secure sufficient supplies of such vaccines or biologics.

In addition, for expenses necessary for replacement of building leases and associated renovation costs for Public Health Service agencies and other components of HHS, including relocation and fit-out costs, $16,131,000, to remain available until expended.

GENERAL PROVISIONS

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

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated in this title shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.

SEC. 204. None of the funds appropriated in this Act may be expended pursuant to section 241 of the PHS Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in HHS, prior to the preparation and submission of a report by the Secretary to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

SEC. 205. Notwithstanding section 241(a) of the PHS Act, such portion as the Secretary shall determine, but not more than 2.5 percent, of any amounts appropriated for programs authorized under such Act shall be made available for the evaluation (directly, or by grants or contracts) and the implementation and effectiveness of programs funded in this title.

(TRANSFER OF FUNDS)

SEC. 206. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for HHS in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided

in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 207. The Director of the NIH, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: *Provided*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 208. Of the amounts made available in this Act for NIH, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the PHS Act.

SEC. 209. None of the funds appropriated in this Act may be made available to any entity under title X of the PHS Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 210. Notwithstanding any other provision of law, no provider of services under title X of the PHS Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 211. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare Advantage program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: *Provided*, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): *Provided further*, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare Advantage organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 212. In order for HHS to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2014:

(1) The Secretary may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956. The Secretary shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section

is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 and other applicable statutes administered by the Department of State.

(2) The Secretary is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of HHS. The Department of State shall cooperate fully with the Secretary to ensure that HHS has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

(3) The Secretary is authorized to provide to personnel appointed or assigned by the Secretary to serve abroad, allowances and benefits similar to those provided under chapter 9 of title I of the Foreign Service Act of 1980, and 22 U.S.C. 4081 through 4086 and subject to such regulations prescribed by the Secretary. The Secretary is further authorized to provide locality-based comparability payments (stated as a percentage) up to the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such personnel under section 5304 of title 5, United States Code if such personnel's official duty station were in the District of Columbia. Leaves of absence for personnel under this subsection shall be on the same basis as that provided under subchapter I of chapter 63 of title 5, United States Code, or section 903 of the Foreign Service Act of 1980, to individuals serving in the Foreign Service.

SEC. 213. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of NIH ("Director") may use funds available under section 402(b)(7) or 402(b)(12) of the PHS Act to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research identified pursuant to such section 402(b)(7) (pertaining to the Common Fund) or research and activities described in such section 402(b)(12).

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

SEC. 214. Funds which are available for Individual Learning Accounts for employees of CDC and the Agency for Toxic Substances and Disease Registry ("ATSDR") may be transferred to appropriate accounts of CDC, to be available only for Individual Learning

Accounts: *Provided*, That such funds may be used for any individual full-time equivalent employee while such employee is employed either by CDC or ATSDR.

SEC. 215. Not to exceed $45,000,000 of funds appropriated by this Act to the institutes and centers of the National Institutes of Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed $3,500,000 per project.

(TRANSFER OF FUNDS)

SEC. 216. Of the amounts made available for NIH, 1 percent of the amount made available for National Research Service Awards ("NRSA") shall be made available to the Administrator of the Health Resources and Services Administration to make NRSA awards for research in primary medical care to individuals affiliated with entities who have received grants or contracts under section 747 of the PHS Act, and 1 percent of the amount made available for NRSA shall be made available to the Director of the Agency for Healthcare Research and Quality to make NRSA awards for health service research.

SEC. 217. None of the funds made available in this title may be used, in whole or in part, to advocate or promote gun control.

SEC. 218. (a) The Secretary shall establish a publicly accessible Web site to provide information regarding the uses of funds made available under section 4002 of the Patient Protection and Affordable Care Act of 2010 ("ACA"). 42 USC 300v–11 note.

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

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

(2) Identification (along with a link to the full text) of each funding opportunity announcement, request for proposals, or other announcement or solicitation of proposals for grants, cooperative agreements, or contracts intended to be awarded using such funds, to be posted not later than the day after the announcement or solicitation is issued.

(3) Identification of each grant, cooperative agreement, or contract with a value of $25,000 or more awarded using such funds, including the purpose of the award and the identity of the recipient, to be posted not later than 5 days after the award is made.

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

(c) With respect to awards made in fiscal years 2013 and 2014, the Secretary shall also include on the Web site established under subsection (a), semi-annual reports from each entity awarded a grant, cooperative agreement, or contract from such funds with a value of $25,000 or more, summarizing the activities undertaken and identifying any sub-grants or sub-contracts awarded (including the purpose of the award and the identity of the recipient), to

be posted not later than 30 days after the end of each 6-month period.

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

(1) present the information required in subsection (b)(1) on a single webpage or on a single database;

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

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

(TRANSFER OF FUNDS)

SEC. 219. (a) Within 45 days of enactment of this Act, the Secretary shall transfer funds appropriated under section 4002 of the Patient Protection and Affordable Care Act of 2010 ("ACA") to the accounts specified, in the amounts specified, and for the activities specified under the heading "Prevention and Public Health Fund" in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act) accompanying this Act.

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

(c) Funds transferred for activities authorized under section 2821 of the PHS Act shall be made available without reference to section 2821(b) of such Act.

SEC. 220. (a) The Biomedical Advanced Research and Development Authority ("BARDA") may enter into a contract, for more than one but no more than 10 program years, for purchase of research services or of security countermeasures, as that term is defined in section 319F–2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)), if—

(1) funds are available and obligated—

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

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

(2) the Secretary determines that a multi-year contract will serve the best interests of the Federal Government by encouraging full and open competition or promoting economy in administration, performance, and operation of BARDA's programs.

(b) A contract entered into under this section:

(1) shall include a termination clause as described by subsection (c) of section 3903 of title 41, United States Code; and

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

SEC. 221. (a) The Secretary shall publish in the fiscal year 2015 budget justification and on Departmental Web sites information concerning the employment of full-time equivalent Federal employees or contractors for the purposes of implementing, administering, enforcing, or otherwise carrying out the provisions of the Patient Protection and Affordable Care Act of 2010 ("ACA"), and the amendments made by that Act, in the proposed fiscal year and the 4 prior fiscal years.

(b) With respect to employees or contractors supported by all funds appropriated for purposes of carrying out the ACA (and the amendments made by that Act), the Secretary shall include, at a minimum, the following information:

(1) For each such fiscal year, the section of such Act under which such funds were appropriated, a statement indicating the program, project, or activity receiving such funds, the Federal operating division or office that administers such program, and the amount of funding received in discretionary or mandatory appropriations.

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

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

(1) Are supported through appropriations enacted in laws other than the ACA and work on programs that existed prior to the passage of the ACA;

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

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

SEC. 222. In addition to the amounts otherwise available for "Centers for Medicare and Medicaid Services, Program Management", the Secretary of Health and Human Services may transfer up to $305,000,000 to such account from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to support program management activity related to the Medicare Program: *Provided*, That except for the foregoing purpose, such funds may not be used to support any provision of Public Law 111–148 or Public Law 111–152 (or any amendment made by either such Public Law) or to supplant any other amounts within such account.

SEC. 223. In lieu of the timeframe specified in section 338E(c)(2) of the PHS Act, terminations described in such section may occur up to 60 days after the execution of a contract awarded in fiscal year 2014 under section 338B of such Act.

SEC. 224. The Secretary shall publish, as part of the fiscal year 2015 budget of the President submitted under section 1105(a) of title 31, United States Code, information that details the uses of all funds used by the Centers for Medicare and Medicaid Services specifically for Health Insurance Marketplaces for each fiscal year since the enactment of the Patient Protection and Affordable Care Act (Public Law 111–148) and the proposed uses for such funds for fiscal year 2015. Such information shall include, for each such fiscal year—

(1) the section(s) of such Act under which such funds were appropriated or used;

(2) the program, project, or activity for which such funds were used;

(3) the amount of funds that were used for the Health Insurance Marketplaces within each such program, project, or activity; and

(4) the milestones completed for data hub functionality and implementation readiness.

SEC. 225. Activities authorized under part A of title IV and section 1108(b) of the Social Security Act (except for activities authorized in section 403(b)) shall continue through September 30, 2014, in the manner authorized for fiscal year 2013, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.

SEC. 226. The Secretary shall include in the fiscal year 2016 budget justification an analysis of how section 2713 of the PHS Act will impact eligibility for discretionary HHS programs.

This title may be cited as the "Department of Health and Human Services Appropriations Act, 2014".

Department of Education Appropriations Act, 2014.

TITLE III

DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 (referred to in this Act as "ESEA") and section 418A of the Higher Education Act of 1965 (referred to in this Act as "HEA"), $15,552,693,000, of which $4,625,762,000 shall become available on July 1, 2014, and shall remain available through September 30, 2015, and of which $10,841,177,000 shall become available on October 1, 2014, and shall remain available through September 30, 2015, for academic year 2014–2015: *Provided*, That $6,459,401,000 shall be for basic grants under section 1124 of the ESEA: *Provided further*, That up to $3,984,000 of these funds shall be available to the Secretary of Education (referred to in this title as "Secretary") on October 1, 2013, to obtain annually updated local educational agency-level census poverty data from the Bureau of the Census: *Provided further*, That $1,362,301,000 shall be for concentration grants under section 1124A of the ESEA: *Provided further*, That $3,281,550,000 shall be for targeted grants under section 1125 of the ESEA: *Provided further*, That $3,281,550,000 shall be for education finance incentive grants under section 1125A of the ESEA: *Provided further*, That funds available under sections 1124, 1124A, 1125 and 1125A of the ESEA may be used to provide homeless children and youths with services not ordinarily provided to other students under those sections, including supporting the liaison designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act, and providing transportation pursuant to section 722(g)(1)(J)(iii) of such Act: *Provided further*, That $880,000 shall be to carry out sections 1501 and 1503 of the ESEA: *Provided further,* That $505,756,000 shall be available for school improvement grants under section 1003(g) of the ESEA, which shall be allocated by the Secretary through the formula described in section 1003(g)(2) and shall be used consistent with the requirements of section 1003(g), except that State and local educational agencies may use such funds to serve any school eligible to receive assistance under part A of title I that has not made adequate yearly progress for at least 2 years or is in the State's lowest quintile of performance based on proficiency rates and, in the case of secondary schools, priority shall be given to those schools with graduation rates below 60 percent: *Provided further*, That notwithstanding section

1003(g)(5)(C) of the ESEA, the Secretary may permit a State educational agency to establish an award period of up to 5 years for each participating local educational agency: *Provided further*, That funds available for school improvement grants may be used by a local educational agency to implement a whole-school reform strategy for a school using an evidence-based strategy that ensures whole-school reform is undertaken in partnership with a strategy developer offering a whole-school reform program that is based on at least a moderate level of evidence that the program will have a statistically significant effect on student outcomes, including more than one well-designed or well-implemented experimental or quasi-experimental study: *Provided further,* That funds available for school improvement grants may be used by a local educational agency to implement an alternative State-determined school improvement strategy that has been established by a State educational agency with the approval of the Secretary: *Provided further,* That a local educational agency that is determined to be eligible for services under subpart 1 or 2 of part B of title VI of the ESEA may modify not more than one element of a school improvement grant model: *Provided further*, That notwithstanding section 1003(g)(5)(A), each State educational agency may establish a maximum subgrant size of not more than $2,000,000 for each participating school applicable to such funds: *Provided further,* That the Secretary may reserve up to 5 percent of the funds available for section 1003(g) of the ESEA to carry out activities to build State and local educational agency capacity to implement effectively the school improvement grants program: *Provided further*, That $158,000,000 shall be available under section 1502 of the ESEA for a comprehensive literacy development and education program to advance literacy skills, including pre-literacy skills, reading, and writing, for students from birth through grade 12, including limited-English-proficient students and students with disabilities, of which one-half of 1 percent shall be reserved for the Secretary of the Interior for such a program at schools funded by the Bureau of Indian Education, one-half of 1 percent shall be reserved for grants to the outlying areas for such a program, up to 5 percent may be reserved for national activities, and the remainder shall be used to award competitive grants to State educational agencies for such a program, of which a State educational agency may reserve up to 5 percent for State leadership activities, including technical assistance and training, data collection, reporting, and administration, and shall subgrant not less than 95 percent to local educational agencies or, in the case of early literacy, to local educational agencies or other nonprofit providers of early childhood education that partner with a public or private nonprofit organization or agency with a demonstrated record of effectiveness in improving the early literacy development of children from birth through kindergarten entry and in providing professional development in early literacy, giving priority to such agencies or other entities serving greater numbers or percentages of disadvantaged children: *Provided further*, That the State educational agency shall ensure that at least 15 percent of the subgranted funds are used to serve children from birth through age 5, 40 percent are used to serve students in kindergarten through grade 5, and 40 percent are used to serve students in middle and high school including an equitable distribution of funds between middle and high schools: *Provided further*, That eligible entities receiving subgrants from

State educational agencies shall use such funds for services and activities that have the characteristics of effective literacy instruction through professional development, screening and assessment, targeted interventions for students reading below grade level and other research-based methods of improving classroom instruction and practice.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the ESEA, $1,288,603,000, of which $1,151,233,000 shall be for basic support payments under section 8003(b), $48,316,000 shall be for payments for children with disabilities under section 8003(d), $17,406,000 shall be for construction under section 8007(a), $66,813,000 shall be for Federal property payments under section 8002, and $4,835,000, to remain available until expended, shall be for facilities maintenance under section 8008: *Provided*, That for purposes of computing the amount of a payment for an eligible local educational agency under section 8003(a) for school year 2013–2014, children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 8003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by parts A and B of title II, part B of title IV, parts A and B of title VI, and parts B and C of title VII of the ESEA; the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, $4,397,391,000, of which $2,580,358,000 shall become available on July 1, 2014, and remain available through September 30, 2015, and of which $1,681,441,000 shall become available on October 1, 2014, and shall remain available through September 30, 2015, for academic year 2014–2015: *Provided*, That funds made available to carry out part B of title VII of the ESEA may be used for construction, renovation, and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: *Provided further*, That funds made available to carry out part C of title VII of the ESEA shall be awarded on a competitive basis, and also may be used for construction: *Provided further*, That $48,445,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002: *Provided further*, That $16,699,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands:

Provided further, That up to 5 percent of the amount referred to in the previous proviso may be reserved by the Federated States of Micronesia and the Republic of the Marshall Islands to administer the Supplemental Education Grants programs and to obtain technical assistance, oversight and consultancy services in the administration of these grants and to reimburse the United States Departments of Labor, Health and Human Services, and Education for such services: *Provided further*, That up to 2 percent of the funds for subpart 1 of part A of title II of the ESEA shall be reserved by the Secretary for competitive awards for teacher or principal recruitment and training or professional enhancement activities to national not-for-profit organizations, of which up to 10 percent may be used for related research, dissemination, evaluation, technical assistance, and outreach activities: *Provided further,* That $149,717,000 shall be to carry out part B of title II of the ESEA.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the ESEA, $123,939,000.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by part G of title I, subpart 5 of part A and parts C and D of title II, parts B, C, and D of title V of the ESEA, and sections 14006 and 14007 of division A of the American Recovery and Reinvestment Act of 2009, as amended, $1,181,317,000: *Provided*, That $250,000,000 shall be available through December 31, 2014 for awards to States, in accordance with the applicable requirements of section 14006 of division A of Public Law 111–5, as amended: *Provided further*, That the Secretary, jointly with the Secretary of HHS, shall use all funds made available under the immediately preceding proviso to make competitive awards in accordance with such section 14006 to States for improving early childhood care and education, except that, notwithstanding sections 14006(a) and 14005(d)(6) of such division, such awards may be limited to activities that build the capacity within the State to develop, enhance, or expand high-quality preschool programs, including comprehensive services and family engagement, for preschool-aged children from families at or below 200 percent of the Federal poverty line: *Provided further*, That each State may subgrant a portion of such grant funds to local educational agencies and other early learning providers (including but not limited to Head Start programs and licensed child care providers), or consortia thereof, for the implementation of high-quality preschool programs for children from families at or below 200 percent of the Federal poverty line: *Provided further*, That subgrantees that are local educational agencies shall form strong partnerships with early learning providers and that subgrantees that are early learning providers shall form strong partnerships with local educational agencies, in order to carry out the requirements of the subgrant: *Provided further*, That, notwithstanding the second proviso, up to 3 percent of such funds for improving early childhood care and education shall be available for technical assistance, evaluation, and other national activities related to such grants: *Provided further*, That not later than 30 days prior to the announcement of a competition under such section

14006 pursuant to the requirements of this Act, the Secretary shall submit a report outlining the proposed competition and priorities to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Secretary shall administer State grants for improving early childhood care and education under such section jointly with the Secretary of HHS on such terms as such Secretaries set forth in an interagency agreement: *Provided further,* That up to $141,602,000 shall be available through December 31, 2014 for section 14007 of division A of Public Law 111–5, and up to 5 percent of such funds may be used for technical assistance and the evaluation of activities carried out under such section: *Provided further,* That the Secretary may renew a grant made under section 14007 for additional 1-year periods, for fiscal year 2014 and thereafter, if the grantee is meeting its performance targets, up to a total award period of 6 years: *Provided further*, That the education facilities clearinghouse established through a competitive award process in fiscal year 2013 is authorized to collect and disseminate information on effective educational practices and the latest research regarding the planning, design, financing, construction, improvement, operation, and maintenance of safe, healthy, high-performance public facilities for early learning programs, kindergarten through grade 12, and higher education: *Provided further*, That $288,771,000 of the funds for subpart 1 of part D of title V of the ESEA shall be for competitive grants to local educational agencies, including charter schools that are local educational agencies, or States, or partnerships of: (1) a local educational agency, a State, or both; and (2) at least one nonprofit organization to develop and implement performance-based compensation systems for teachers, principals, and other personnel in high-need schools: *Provided further*, That such performance-based compensation systems must consider gains in student academic achievement as well as classroom evaluations conducted multiple times during each school year among other factors and provide educators with incentives to take on additional responsibilities and leadership roles: *Provided further*, That recipients of such grants shall demonstrate that such performance-based compensation systems are developed with the input of teachers and school leaders in the schools and local educational agencies to be served by the grant: *Provided further*, That recipients of such grants may use such funds to develop or improve systems and tools (which may be developed and used for the entire local educational agency or only for schools served under the grant) that would enhance the quality and success of the compensation system, such as high-quality teacher evaluations and tools to measure growth in student achievement: *Provided further*, That applications for such grants shall include a plan to sustain financially the activities conducted and systems developed under the grant once the grant period has expired: *Provided further*, That up to 5 percent of such funds for competitive grants shall be available for technical assistance, training, peer review of applications, program outreach, and evaluation activities: *Provided further*, That of the funds available for part B of title V of the ESEA, the Secretary shall use not less than $11,000,000 to carry out activities under section 5205(b) and shall use not less than $12,000,000 for subpart 2: *Provided further*, That of the funds available for subpart 1 of part B of title V of the ESEA, and notwithstanding section 5205(a), the Secretary shall reserve not

20 USC 10007 note.

less than $45,000,000 to make multiple awards to non-profit charter management organizations and other entities that are not for-profit entities for the replication and expansion of successful charter school models and shall reserve up to $11,000,000 to carry out the activities described in section 5205(a), including improving quality and oversight of charter schools and providing technical assistance and grants to authorized public chartering agencies in order to increase the number of high-performing charter schools: *Provided further*, That funds available for part B of title V of the ESEA may be used for grants that support preschool education in charter schools: *Provided further*, That each application submitted pursuant to section 5203(a) shall describe a plan to monitor and hold accountable authorized public chartering agencies through such activities as providing technical assistance or establishing a professional development program, which may include evaluation, planning, training, and systems development for staff of authorized public chartering agencies to improve the capacity of such agencies in the State to authorize, monitor, and hold accountable charter schools: *Provided further*, That each application submitted pursuant to section 5203(a) shall contain assurances that State law, regulations, or other policies require that: (1) each authorized charter school in the State operate under a legally binding charter or performance contract between itself and the school's authorized public chartering agency that describes the rights and responsibilities of the school and the public chartering agency; conduct annual, timely, and independent audits of the school's financial statements that are filed with the school's authorized public chartering agency; and demonstrate improved student academic achievement; and (2) authorized public chartering agencies use increases in student academic achievement for all groups of students described in section 1111(b)(2)(C)(v) of the ESEA as the most important factor when determining to renew or revoke a school's charter.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by part A of title IV and subparts 1, 2, and 10 of part D of title V of the ESEA, $270,892,000: *Provided*, That $90,000,000 shall be available for subpart 2 of part A of title IV, of which up to $8,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence ("Project SERV") program to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis: *Provided further,* That $56,754,000 shall be available for Promise Neighborhoods and shall be available through December 31, 2014.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, $723,400,000, which shall become available on July 1, 2014, and shall remain available through September 30, 2015, except that 6.5 percent of such amount shall be available on October 1, 2013, and shall remain available through September 30, 2015, to carry out activities under section 3111(c)(1)(C): *Provided,* That the Secretary shall use estimates of the American Community Survey child counts for the most recent 3-year period available to calculate allocations under such part.

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act (IDEA) and the Special Olympics Sport and Empowerment Act of 2004, $12,497,300,000, of which $2,981,201,000 shall become available on July 1, 2014, and shall remain available through September 30, 2015, and of which $9,283,383,000 shall become available on October 1, 2014, and shall remain available through September 30, 2015, for academic year 2014–2015: *Provided*, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2013, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year 2013: *Provided further*, That the Secretary shall, without regard to section 611(d) of the IDEA, distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State's allocation under section 611(d), from funds appropriated under this heading, is reduced under section 612(a)(18)(B), according to the following: 85 percent on the basis of the States' relative populations of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of a free appropriate public education under this part, and 15 percent to States on the basis of the States' relative populations of those children who are living in poverty: *Provided further*, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: *Provided further*, That the States shall allocate such funds distributed under the second proviso to local educational agencies in accordance with section 611(f): *Provided further*, That the amount by which a State's allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos in fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years: *Provided further*, That the funds reserved under 611(c) of the IDEA may be used to provide technical assistance to States to improve the capacity of the States to meet the data collection requirements of sections 616 and 618 and to administer and carry out other services and activities to improve data collection, coordination, quality, and use under parts B and C of the IDEA: *Provided further*, That funds made available for the Special Olympics Sport and Empowerment Act of 2004 may be used to support expenses associated with the Special Olympics National and World Games: *Provided further*, That the level of effort a local educational agency must meet under section 613(a)(2)(A)(iii) of the IDEA, in the year after it fails to maintain effort is the level of effort that would have been required in the absence of that failure and not the LEA's reduced level of expenditures.

20 USC 1411 note.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, $3,680,497,000, of which

$3,302,053,000 shall be for grants for vocational rehabilitation services under title I of the Rehabilitation Act: *Provided*, That the Secretary may use amounts provided in this Act that remain available subsequent to the reallotment of funds to States pursuant to section 110(b) of the Rehabilitation Act for innovative activities aimed at improving the outcomes of individuals with disabilities as defined in section 7(20)(B) of the Rehabilitation Act, including activities aimed at improving the education and post-school outcomes of children receiving Supplemental Security Income ("SSI") and their families that may result in long-term improvement in the SSI child recipient's economic status and self-sufficiency: *Provided further,* That from the remaining available amounts that are not used to carry out activities aimed at improving the education and post-school outcomes of children receiving SSI and their families authorized in the previous proviso, up to $20,000,000 may be used for other innovative activities aimed at improving the outcomes of individuals with disabilities as defined in section 7(20)(B) of the Rehabilitation Act: *Provided further,* That States may award subgrants for a portion of the funds to other public and private, non-profit entities: *Provided further,* That any funds made available subsequent to reallotment for innovative activities aimed at improving the outcomes of individuals with disabilities shall remain available until September 30, 2015: *Provided further,* That $2,000,000 shall be for competitive grants to support alternative financing programs that provide for the purchase of assistive technology devices, such as a low-interest loan fund; an interest buydown program; a revolving loan fund; a loan guarantee; or insurance program: *Provided further,* That applicants shall provide an assurance that, and information describing the manner in which, the alternative financing program will expand and emphasize consumer choice and control: *Provided further,* That State agencies and community-based disability organizations that are directed by and operated for individuals with disabilities shall be eligible to compete.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, $24,456,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986, $66,291,000: *Provided,* That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, $119,000,000: *Provided*, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 and the Adult Education and Family Literacy Act ("AEFLA"), $1,702,686,000, of which $911,686,000 shall become available on July 1, 2014, and shall remain available through September 30, 2015, and of which $791,000,000 shall become available on October 1, 2014, and shall remain available through September 30, 2015: *Provided,* That of the amount provided for Adult Education State Grants, $70,811,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited-English-proficient populations: *Provided further,* That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the AEFLA, 65 percent shall be allocated to States based on a State's absolute need as determined by calculating each State's share of a 10-year average of the United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence are available, except that no State shall be allocated an amount less than $60,000: *Provided further,* That of the amounts made available for AEFLA, $13,712,000 shall be for national leadership activities under section 243.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 10 of part A, and part C of title IV of the HEA, $24,486,210,000, which shall remain available through September 30, 2015.

20 USC 1070a note.

The maximum Pell Grant for which a student shall be eligible during award year 2014–2015 shall be $4,860.

STUDENT AID ADMINISTRATION

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, 9, and 10 of part A, and parts B, C, D, and E of title IV of the HEA, $1,166,000,000, to remain available until September 30, 2015.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, VII, and VIII of the HEA, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Carl D. Perkins Career and Technical Education Act of 2006, $1,925,408,000: *Provided,* That $575,000 shall be for data collection and evaluation activities for programs under the HEA, including such activities needed to comply with the Government Performance and Results Act of 1993: *Provided further*, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who

are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: *Provided further*, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: *Provided further*, That, of the amount available under subpart 2 of part A of title VII of the HEA, the Secretary may use up to $1,485,000 to fund continuation awards for projects originally supported under subpart 1 of part A of title VII of the HEA: *Provided further*, That up to 1.5 percent of the funds made available under chapter 2 of subpart 2 of part A of title IV may be used for evaluation.

HOWARD UNIVERSITY

For partial support of Howard University, $221,821,000, of which not less than $3,405,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the HEA, $435,000.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

For the cost of guaranteed loans, $19,096,000, as authorized pursuant to part D of title III of the HEA, which shall remain available through September 30, 2015: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $303,593,000: *Provided further,* That these funds may be used to support loans to public and private Historically Black Colleges and Universities without regard to the limitations within section 344(a) of the HEA.

In addition, for administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to part D of title III of the HEA, $334,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, $576,935,000, which shall remain available through September 30, 2015: *Provided*, That funds available to carry out section 208 of the Educational Technical Assistance Act may be used to link Statewide elementary and secondary data systems with early childhood, postsecondary, and workforce data systems, or to further develop such systems: *Provided further*, That

up to $6,000,000 of the funds available to carry out section 208 of the Educational Technical Assistance Act may be used for awards to public or private organizations or agencies to support activities to improve data coordination, quality, and use at the local, State, and national levels.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $422,917,000, of which up to $1,000,000, to remain available until expended, shall be for relocation of, and renovation of buildings occupied by, Department staff.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $98,356,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, as authorized by section 212 of the Department of Education Organization Act, $57,791,000.

GENERAL PROVISIONS

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

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing, or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated in this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control

Act of 1985) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 305. The Outlying Areas may consolidate funds received under this Act, pursuant to 48 U.S.C. 1469a, under part A of title V of the ESEA.

SEC. 306. Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)) shall be applied by substituting "2014" for "2009". 48 USC 1921d note.

SEC. 307. (a) Section 206 of the Department of Education Organization Act (20 U.S.C. 3416) is amended—

(1) by striking out the heading and inserting "Office of Career, Technical, and Adult Education";

(2) by striking out "Office of Vocational and Adult Education" and inserting "Office of Career, Technical, and Adult Education";

(3) by striking out "Assistant Secretary for Vocational and Adult Education" and inserting "Assistant Secretary for Career, Technical, and Adult Education"; and

(4) by striking out "vocational and adult education" each place it appears and inserting "career, technical, and adult education".

(b) Section 202 of the Department of Education Organization Act (20 U.S.C. 3412) is amended—

(1) in subsection (b)(1)(C), by striking out "Assistant Secretary for Vocational and Adult Education" and inserting "Assistant Secretary for Career, Technical, and Adult Education"; and

(2) in subsection (h), by striking out "Assistant Secretary for Vocational and Adult Education" each place it appears and inserting "Assistant Secretary for Career, Technical, and Adult Education".

(c) Section 1 of the Department of Education Organization Act (20 U.S.C. 3401 note) is amended by striking out the entry for section 206 and inserting "Sec. 206. Office of Career, Technical, and Adult Education.".

(d) Section 114(b)(1) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2324(b)(1)) is amended by striking out "Office of Vocational and Adult Education" and inserting "Office of Career, Technical, and Adult Education".

SEC. 308. The Secretary may reserve funds under section 9601 of the ESEA (subject to the limitations in subsections (b) and (c) of that section) in order to carry out activities authorized under that section with respect to any ESEA program funded in this Act and without respect to the source of funds for those activities: *Provided*, That any funds reserved under this section shall be available from July 1, 2014 through September 30, 2015: *Provided further*, That not later than 10 days prior to the initial obligation of funds reserved under this section, the Secretary shall submit an evaluation plan to the Senate Committees on Appropriations

and Health, Education, Labor, and Pensions and the House Committees on Appropriations and Education and the Workforce which identifies the source and amount of funds reserved under this section, the impact on program grantees if funds are withheld, and the programs to be evaluated with such funds.

20 USC 7702 note.

SEC. 309. (a) CONSOLIDATIONS.—For fiscal year 2006 and each succeeding fiscal year, if a local educational agency described in subsection (b) is formed at any time after 1938 by the consolidation of 2 or more former school districts, the local educational agency may elect to have the Secretary determine its eligibility for any fiscal year on the basis of 1 or more of those former districts, as designated by the local educational agency.

(b) ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—A local educational agency referred to in subsection (a) is—

(1) any local educational agency that, for fiscal year 1994 or any preceding fiscal year, applied, and was determined to be eligible under, section 2(c) of the Act of September 30, 1950 (Public Law 874, 81st Congress) as that section was in effect for that fiscal year; or

(2) a local educational agency formed by the consolidation of 2 or more districts, at least 1 of which was eligible for assistance under this section for the fiscal year preceding the year of the consolidation, if—

(A) for fiscal years 2006 through 2013 the local educational agency notified the Secretary not later than 30 days after the date of enactment of this Act; and

(B) for fiscal year 2014 the local educational agency includes the designation in its application under section 8005 or any timely amendment to such application.

(c) AMOUNT.—A local educational agency eligible under subsection (b) shall receive a foundation payment as provided for under subparagraphs (A) and (B) of subsection (h)(1), as in effect on the date of enactment of this Act, except that the foundation payment shall be calculated based on the most recent payment received by the local educational agency based on its former common status.

20 USC 1090 note.

SEC. 310. The Secretary of Education shall—

(1) modify the Free Application for Federal Student Aid described in section 483 of the HEA so that the Free Application for Federal Student Aid contains an individual box for the purpose of identifying students who are foster youth or were in the foster care system; and

(2) utilize such identification as a tool to notify students who are foster youth or were in the foster care system of their potential eligibility for Federal student aid, including postsecondary education programs through the John H. Chafee Foster Care Independence Program and any other Federal programs under which such students may be eligible to receive assistance.

This title may be cited as the "Department of Education Appropriations Act, 2014".

TITLE IV

RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For expenses necessary for the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92–28, $5,257,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service (referred to in this title as "CNCS") to carry out the Domestic Volunteer Service Act of 1973 (referred to in this title as "1973 Act") and the National and Community Service Act of 1990 (referred to in this title as "1990 Act"), $756,849,000, notwithstanding sections 198B(b)(3), 198S(g), 501(a)(6), 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: *Provided*, That of the amounts provided under this heading: (1) up to 1 percent of program grant funds may be used to defray the costs of conducting grant application reviews, including the use of outside peer reviewers and electronic management of the grants cycle; (2) $70,000,000 shall be available for expenses authorized under section 501(a)(4)(E) of the 1990 Act; (3) $15,038,000 shall be available to provide assistance to State commissions on national and community service, under section 126(a) of the 1990 Act and notwithstanding section 501(a)(5)(B) of the 1990 Act; (4) $30,000,000 shall be available to carry out subtitle E of the 1990 Act; and (5) $3,800,000 shall be available for expenses authorized under section 501(a)(4)(F) of the 1990 Act, which, notwithstanding the provisions of section 198P shall be awarded by CNCS on a competitive basis: *Provided further*, That not to exceed 20 percent of funds made available under section 501(a)(4)(E) of the 1990 Act may be used for Social Innovation Funds Pilot Program-related performance-based awards for Pay for Success projects: *Provided further*, That, with respect to the previous proviso, any funds obligated for such projects shall remain available for disbursement until expended, notwithstanding 31 U.S.C. 1552(a), and that any funds deobligated from such projects shall immediately be available for activities authorized under 198K of such Act.

PAYMENT TO THE NATIONAL SERVICE TRUST

(INCLUDING TRANSFER OF FUNDS)

For payment to the National Service Trust established under subtitle D of title I of the 1990 Act, $207,368,000, to remain available until expended: *Provided*, That CNCS may transfer additional funds from the amount provided within "Operating Expenses" allocated to grants under subtitle C of title I of the 1990 Act to the National Service Trust upon determination that such transfer is necessary to support the activities of national service participants

and after notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That amounts appropriated for or transferred to the National Service Trust may be invested under section 145(b) of the 1990 Act without regard to the requirement to apportion funds under 31 U.S.C. 1513(b).

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(5) of the 1990 Act and under section 504(a) of the 1973 Act, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $80,737,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $5,000,000.

ADMINISTRATIVE PROVISIONS

SEC. 401. CNCS shall make any significant changes to program requirements, service delivery or policy only through public notice and comment rulemaking. For fiscal year 2014, during any grant selection process, an officer or employee of CNCS shall not knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of CNCS that is authorized by CNCS to receive such information.

42 USC 12571 note.

SEC. 402. AmeriCorps programs receiving grants under the National Service Trust program shall meet an overall minimum share requirement of 24 percent for the first 3 years that they receive AmeriCorps funding, and thereafter shall meet the overall minimum share requirement as provided in section 2521.60 of title 45, Code of Federal Regulations, without regard to the operating costs match requirement in section 121(e) or the member support Federal share limitations in section 140 of the 1990 Act, and subject to partial waiver consistent with section 2521.70 of title 45, Code of Federal Regulations.

SEC. 403. Donations made to CNCS under section 196 of the 1990 Act for the purposes of financing programs and operations under titles I and II of the 1973 Act or subtitle B, C, D, or E of title I of the 1990 Act shall be used to supplement and not supplant current programs and operations.

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

SEC. 405. For the purpose of carrying out section 189D of the 1990 Act:

(1) Entities described in paragraph (a) of such section shall be considered "qualified entities" under section 3 of the National Child Protection Act of 1993 ("NCPA"); and

(2) Individuals described in such section shall be considered "volunteers" under section 3 of NCPA; and

(3) State Commissions on National and Community Service established pursuant to section 178 of the 1990 Act, are authorized to receive criminal history record information, consistent with Public Law 92–544.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting ("CPB"), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2016, $445,000,000: *Provided*, That none of the funds made available to CPB by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds made available to CPB by this Act shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: *Provided further*, That none of the funds made available to CPB by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of CPB: *Provided further*, That none of the funds made available to CPB by this Act shall be used to support the Television Future Fund or any similar purpose.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service ("Service") to carry out the functions vested in it by the Labor-Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, $45,149,000, including up to $400,000 to remain available through September 30, 2015 for activities authorized by the Labor-Management Cooperation Act of 1978: *Provided,* That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: *Provided further,* That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: *Provided further*, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission, $16,423,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

For carrying out the Museum and Library Services Act of 1996 and the National Museum of African American History and Culture Act, $226,860,000.

MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1900 of the Social Security Act, $7,500,000.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $11,519,000, to be transferred to this appropriation from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, $3,186,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

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

ADMINISTRATIVE PROVISION

SEC. 406. None of the funds provided by this Act or previous Acts making appropriations for the National Labor Relations Board may be used to issue any new administrative directive or regulation that would provide employees any means of voting through any

electronic means in an election to determine a representative for the purposes of collective bargaining.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, including emergency boards appointed by the President, $13,116,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission, $11,411,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $39,000,000, which shall include amounts becoming available in fiscal year 2014 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits: *Provided*, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $150,000, to remain available through September 30, 2015, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board ("Board") for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $110,300,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund: *Provided,* That notwithstanding section 7(b)(9) of the Railroad Retirement Act this limitation may be used to hire attorneys only through the excepted service: *Provided further,* That the previous proviso shall not change the status under Federal employment laws of any attorney hired by the Railroad Retirement Board prior to January 1, 2013.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, not more than $8,272,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, $16,400,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $41,249,064,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury: *Provided further,* That not more than $47,000,000 shall be available for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act and remain available through September 30, 2015.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2015, $19,700,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $20,000 for official reception and representation expenses, not more than $10,328,040,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to in such section: *Provided*, That not less than $2,300,000 shall be for the Social Security Advisory Board: *Provided further*, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2014 not needed for fiscal year 2014 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: *Provided further,* That the Commissioner of Social Security shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to making unobligated balances available

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

In addition, for the costs associated with continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, $1,197,000,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That, of such amount, $273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $924,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act: *Provided further,* That the Commissioner shall provide to the Congress (at the conclusion of the fiscal year) a report on the obligation and expenditure of these funds, similar to the reports that were required by section 103(d)(2) of Public Law 104–121 for fiscal years 1996 through 2002.

In addition, $171,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such sections in fiscal year 2014 exceed $171,000,000, the amounts shall be available in fiscal year 2015 only to the extent provided in advance in appropriations Acts.

In addition, up to $1,000,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act, which shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $28,829,000, together with not to exceed $73,249,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

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

TITLE V

GENERAL PROVISIONS

(TRANSFER OF FUNDS)

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

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

SEC. 503. (a) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.

(b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

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

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for "Federal Mediation and Conciliation Service, Salaries and Expenses"; and the Chairman of the National Mediation Board

is authorized to make available for official reception and representation expenses not to exceed $5,000 from funds available for "National Mediation Board, Salaries and Expenses".

SEC. 505. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

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

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

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

(b) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 507. (a) The limitations established in the preceding section shall not apply to an abortion—

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

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

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

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

(2) In this subsection, the term "health care entity" includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

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

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

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

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

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

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

SEC. 510. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

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

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

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

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

SEC. 514. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure

in fiscal year 2014, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes or renames offices;

(6) reorganizes programs or activities; or

(7) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

SEC. 515. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

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

SEC. 516. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2014 that are different than those specified in this Act, the accompanying detailed table in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) accompanying this Act, or the fiscal year 2014 budget request.

SEC. 517. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding $500,000 in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2014, but not to include grants awarded on a formula basis or directed by law. Such report shall include the name of the contractor or grantee, the amount of funding, the governmental purpose, including a justification for issuing the award on a non-competitive basis. Such report shall be transmitted to the Committees within 30 days after the end of the quarter for which the report is submitted.

SEC. 518. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the 3 years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

SEC. 519. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process any claim for credit for a quarter of coverage based on work performed under a social security account number that is not the claimant's number and the performance of such work under such number has formed the basis for a conviction of the claimant of a violation of section 208(a)(6) or (7) of the Social Security Act.

SEC. 520. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

(RESCISSION)

SEC. 521. Of the funds made available for performance bonus payments under section 2105(a)(3)(E) of the Social Security Act, $6,317,000,000 are hereby rescinded.

SEC. 522. Notwithstanding any other provision of this Act, no funds appropriated in this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(RESCISSION)

SEC. 523. Of the funds made available for fiscal year 2014 under section 3403 of Public Law 111–148, $10,000,000 are rescinded.

SEC. 524. Not later than 30 days after the end of each calendar quarter, beginning with the first quarter of fiscal year 2013, the Departments of Labor, Health and Human Services and Education and the Social Security Administration shall provide the Committees on Appropriations of the House of Representatives and Senate a quarterly report on the status of balances of appropriations: *Provided,* That for balances that are unobligated and uncommitted, committed, and obligated but unexpended, the quarterly reports shall separately identify the amounts attributable to each source year of appropriation (beginning with fiscal year 2012, or, to the extent feasible, earlier fiscal years) from which balances were derived. 31 USC 1502 note.

(INCLUDING TRANSFER OF FUNDS)

SEC. 525. (a) IN GENERAL.—The Health Education Assistance Loan ("HEAL") program under title VII, part A, subpart I of the PHS Act, and the authority to administer such program, including servicing, collecting, and enforcing any loans that were made under such program that remain outstanding, shall be permanently transferred from the Secretary of Health and Human Services to the Secretary of Education no later than the end of the first fiscal quarter that begins after the date of enactment of this Act. 42 USC 292 note.

(b) TRANSFER OF FUNCTIONS, ASSETS, AND LIABILITIES.—The functions, assets, and liabilities of the Secretary of Health and Human Services relating to such program shall be transferred to the Secretary of Education.

(c) INTERDEPARTMENTAL COORDINATION OF TRANSFER.—The Secretary of Health and Human Services and the Secretary of Education shall carry out the transfer of the HEAL program described in subsection (a), including the transfer of the functions, assets, and liabilities specified in subsection (b), in the manner that they determine is most appropriate.

(d) USE OF AUTHORITIES UNDER HEA OF 1965.—In servicing, collecting, and enforcing the loans described in subsection (a), the Secretary of Education shall have available any and all authorities available to such Secretary in servicing, collecting, or enforcing a loan made, insured, or guaranteed under part B of title IV of the HEA of 1965.

(e) CONFORMING AMENDMENTS.—Effective as of the date on which the transfer of the HEAL program under subsection (a) takes effect, section 719 of the PHS Act is amended by adding at the end the following new paragraph: 42 USC 2920.

"(6) The term 'Secretary' means the Secretary of Education.".

(INCLUDING TRANSFER OF FUNDS)

SEC. 526. (a) DEFINITIONS.—In this section, 42 USC 12301 note.

(1) "Performance Partnership Pilot" (or "Pilot") is a project that seeks to identify, through a demonstration, cost-effective strategies for providing services at the State, regional, or local level that—

(A) involve two or more Federal programs (administered by one or more Federal agencies)—

(i) which have related policy goals, and

(ii) at least one of which is administered (in whole or in part) by a State, local, or tribal government; and

(B) achieve better results for regions, communities, or specific at-risk populations through making better use of the budgetary resources that are available for supporting such programs.

(2) "To improve outcomes for disconnected youth" means to increase the rate at which individuals between the ages of 14 and 24 (who are low-income and either homeless, in foster care, involved in the juvenile justice system, unemployed, or not enrolled in or at risk of dropping out of an educational institution) achieve success in meeting educational, employment, or other key goals.

(3) The "lead Federal administering agency" is the Federal agency, to be designated by the Director of the Office of Management and Budget (from among the participating Federal agencies that have statutory responsibility for the Federal discretionary funds that will be used in a Performance Partnership Pilot), that will enter into and administer the particular Performance Partnership Agreement on behalf of that agency and the other participating Federal agencies.

(b) USE OF DISCRETIONARY FUNDS IN FISCAL YEAR 2014.—Federal agencies may use Federal discretionary funds that are made available in this Act to carry out up to 10 Performance Partnership Pilots. Such Pilots shall:

(1) be designed to improve outcomes for disconnected youth, and

(2) involve Federal programs targeted on disconnected youth, or designed to prevent youth from disconnecting from school or work, that provide education, training, employment, and other related social services.

(c) PERFORMANCE PARTNERSHIP AGREEMENTS.—Federal agencies may use Federal discretionary funds, as authorized in subsection (b), to participate in a Performance Partnership Pilot only in accordance with the terms of a Performance Partnership Agreement that—

(1) is entered into between—

(A) the head of the lead Federal administering agency, on behalf of all of the participating Federal agencies (subject to the head of the lead Federal administering agency having received from the heads of each of the other participating agencies their written concurrence for entering into the Agreement), and

(B) the respective representatives of all of the State, local, or tribal governments that are participating in the Agreement; and

(2) specifies, at a minimum, the following information:

(A) the length of the Agreement (which shall not extend beyond September 30, 2018);

(B) the Federal programs and federally funded services that are involved in the Pilot;

(C) the Federal discretionary funds that are being used in the Pilot (by the respective Federal account identifier,

and the total amount from such account that is being used in the Pilot), and the period (or periods) of availability for obligation (by the Federal Government) of such funds;

(D) the non-Federal funds that are involved in the Pilot, by source (which may include private funds as well as governmental funds) and by amount;

(E) the State, local, or tribal programs that are involved in the Pilot;

(F) the populations to be served by the Pilot;

(G) the cost-effective Federal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds;

(H) the cost-effective State, local, or tribal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds;

(I) the outcome (or outcomes) that the Pilot is designed to achieve;

(J) the appropriate, reliable, and objective outcome-measurement methodology that the Federal Government and the participating State, local, or tribal governments will use, in carrying out the Pilot, to determine whether the Pilot is achieving, and has achieved, the specified outcomes that the Pilot is designed to achieve;

(K) the statutory, regulatory, or administrative requirements related to Federal mandatory programs that are barriers to achieving improved outcomes of the Pilot; and

(L) in cases where, during the course of the Pilot, it is determined that the Pilot is not achieving the specified outcomes that it is designed to achieve,

(i) the consequences that will result from such deficiencies with respect to the Federal discretionary funds that are being used in the Pilot, and

(ii) the corrective actions that will be taken in order to increase the likelihood that the Pilot, upon completion, will have achieved such specified outcomes.

(d) AGENCY HEAD DETERMINATIONS.—A Federal agency may participate in a Performance Partnership Pilot (including by providing Federal discretionary funds that have been appropriated to such agency) only upon the written determination by the head of such agency that the agency's participation in such Pilot—

(1) will not result in denying or restricting the eligibility of any individual for any of the services that (in whole or in part) are funded by the agency's programs and Federal discretionary funds that are involved in the Pilot, and

(2) based on the best available information, will not otherwise adversely affect vulnerable populations that are the recipients of such services.

In making this determination, the head of the agency may take into consideration the other Federal discretionary funds that will be used in the Pilot as well as any non-Federal funds (including from private sources as well as governmental sources) that will be used in the Pilot.

(e) TRANSFER AUTHORITY.—For the purpose of carrying out the Pilot in accordance with the Performance Partnership Agreement, and subject to the written approval of the Director of the

Office of Management and Budget, the head of each participating Federal agency may transfer Federal discretionary funds that are being used in the Pilot to an account of the lead Federal administering agency that includes Federal discretionary funds that are being used in the Pilot. Subject to the waiver authority under subsection (f), such transferred funds shall remain available for the same purposes for which such funds were originally appropriated: *Provided*, That such transferred funds shall remain available for obligation by the Federal Government until the expiration of the period of availability for those Federal discretionary funds (which are being used in the Pilot) that have the longest period of availability, except that any such transferred funds shall not remain available beyond September 30, 2018.

(f) WAIVER AUTHORITY.—In connection with a Federal agency's participation in a Performance Partnership Pilot, and subject to the other provisions of this section (including subsection (e)), the head of the Federal agency to which the Federal discretionary funds were appropriated may waive (in whole or in part) the application, solely to such discretionary funds that are being used in the Pilot, of any statutory, regulatory, or administrative requirement that such agency head—

(1) is otherwise authorized to waive (in accordance with the terms and conditions of such other authority), and

(2) is not otherwise authorized to waive, provided that in such case the agency head shall—

(A) not waive any requirement related to nondiscrimination, wage and labor standards, or allocation of funds to State and substate levels;

(B) issue a written determination, prior to granting the waiver, with respect to such discretionary funds that the granting of such waiver for purposes of the Pilot—

(i) is consistent with both—

(I) the statutory purposes of the Federal program for which such discretionary funds were appropriated, and

(II) the other provisions of this section, including the written determination by the agency head issued under subsection (d);

(ii) is necessary to achieve the outcomes of the Pilot as specified in the Performance Partnership Agreement, and is no broader in scope than is necessary to achieve such outcomes; and

(iii) will result in either—

(I) realizing efficiencies by simplifying reporting burdens or reducing administrative barriers with respect to such discretionary funds, or

(II) increasing the ability of individuals to obtain access to services that are provided by such discretionary funds; and

(C) provide at least 60 days advance written notice to the Committees on Appropriations and other committees of jurisdiction in the House of Representatives and the Senate.

SEC. 527. Each Federal agency, or in the case of an agency with multiple bureaus, each bureau (or operating division) funded under this Act that has research and development expenditures

in excess of $100,000,000 per year shall develop a Federal research public access policy that provides for—

(1) the submission to the agency, agency bureau, or designated entity acting on behalf of the agency, a machine-readable version of the author's final peer-reviewed manuscripts that have been accepted for publication in peer-reviewed journals describing research supported, in whole or in part, from funding by the Federal Government;

(2) free online public access to such final peer-reviewed manuscripts or published versions not later than 12 months after the official date of publication; and

(3) compliance with all relevant copyright laws.

SEC. 528. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

This division may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2014".

DIVISION I—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2014

Legislative Branch Appropriations Act, 2014.
2 USC 60a note.

TITLE I

LEGISLATIVE BRANCH

SENATE

EXPENSE ALLOWANCES

For expense allowances of the Vice President, $18,760; the President Pro Tempore of the Senate, $37,520; Majority Leader of the Senate, $39,920; Minority Leader of the Senate, $39,920; Majority Whip of the Senate, $9,980; Minority Whip of the Senate, $9,980; Chairmen of the Majority and Minority Conference Committees, $4,690 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, $4,690 for each Chairman; in all, $174,840.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, $14,070 for each such Leader; in all, $28,140.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, $175,950,812, which shall be paid from this appropriation without regard to the following limitations:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $2,393,248.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $715,466.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $5,201,576.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $3,321,424.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, $14,942,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, $1,639,000 for each such committee; in all, $3,278,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, $805,402.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,673,905 for each such committee; in all, $3,347,810.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $410,886.

OFFICE OF THE SECRETARY

For Office of the Secretary, $24,524,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $68,000,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,740,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $47,271,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $5,192,000.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $1,109,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, $7,110; Sergeant at Arms and Doorkeeper of the Senate, $7,110; Secretary for the Majority of the Senate, $7,110; Secretary for the Minority of the Senate, $7,110; in all, $28,440.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted under paragraph 1 of rule XXVI of the Standing Rules of the Senate, section 112 of the Supplemental Appropriations and Rescission Act, 1980 (Public Law 96–304), and Senate Resolution 281, 96th Congress, agreed to March 11, 1980, $132,000,000, of which $26,650,000 shall remain available until September 30, 2016, and of which $720,000 shall remain available until September 30, 2015 to enhance inquiries and investigations of intelligence matters.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $493,822.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, $6,250,000 of which $4,350,000 shall remain available until September 30, 2017.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $128,210,000, which shall remain available until September 30, 2018.

MISCELLANEOUS ITEMS

For miscellaneous items, $19,400,000, which shall remain available until September 30, 2016.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, $390,000,000 of which $19,109,214 shall remain available until September 30, 2016.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $281,000.

ADMINISTRATIVE PROVISION

WORKERS COMPENSATION PAYMENTS

2 USC 6518.

SEC. 1. (a) IN GENERAL.—Available balances of expired appropriations which are subject to disbursement by the Secretary of the Senate shall be available to the Secretary of the Senate to make the deposit to the credit of the Employees' Compensation Fund required by section 8147(b) of title 5, United States Code.

(b) EFFECTIVE DATE.—This section shall apply with respect to appropriations for fiscal year 2014, and each fiscal year thereafter.

HOUSE OF REPRESENTATIVES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Beverly A. Young, widow of C.W. Bill Young, late a Representative from the State of Florida, $174,000.

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $1,180,736,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $22,278,891, including: Office of the Speaker, $6,645,417, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $2,180,048, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $7,114,471, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,886,632, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,459,639, including $5,000 for official expenses of the Minority Whip; Republican Conference, $1,505,426; Democratic Caucus, $1,487,258: *Provided*, That such amount for salaries and expenses shall remain available from January 3, 2014 until January 2, 2015.

MEMBERS' REPRESENTATIONAL ALLOWANCES

INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $554,317,732.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $123,903,173: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2014, except that $2,300,000 of such amount shall remain available until expended for committee room upgrading.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $23,271,004, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2014.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $172,654,864, including: for salaries and expenses of the Office of the Clerk, including the positions of the Chaplain and the Historian, including not more than $25,000, of which not more than $20,000 is for the Family Room and not more than $2,000 is for the Office of the Chaplain, for official representation and reception expenses, $24,009,473; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages and the Office of Emergency Management, and including not more than $3,000 for official representation and reception expenses, $14,776,729, of which $7,063,000 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than $3,000 for official representation and reception expenses, $113,100,000, of which $6,200,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, $4,741,809; for salaries and expenses of the Office of General Counsel, $1,340,987; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, $2,000 for preparing the Digest of Rules, and not more than $1,000 for official representation and reception expenses, $1,952,249; for salaries and expenses of the Office of the Law Revision Counsel of the House, $3,087,587; for salaries and expenses of the Office of the Legislative Counsel of the House, $8,352,975; for salaries and expenses of the Office of Interparliamentary Affairs, $814,069; and for other authorized employees, $478,986.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $284,310,336, including: supplies, materials, administrative costs and Federal tort claims, $3,502,789; official mail for committees, leadership offices, and administrative offices of the House, $190,486; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $258,081,289, to remain available until March 31, 2015; Business Continuity and Disaster Recovery, $16,217,008, of which $5,000,000 shall remain available until expended; transition activities for new Members and staff $1,631,487 to remain available until expended; Wounded Warrior Program $2,500,000, to remain available until expended; Office of Congressional Ethics, $1,467,030; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $720,247.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for "HOUSE OF REPRESENTATIVES—Salaries and Expenses—Members' Representational Allowances" shall be available only for fiscal year 2014. Any amount remaining after all payments are made under such allowances for fiscal year 2014 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

2 USC 5508.

SEC. 102. (a) Section 109(a) of the Legislative Branch Appropriations Act, 1998 (2 U.S.C. 95d(a)) is amended by striking the period at the end and inserting the following: ", and for reimbursing the Secretary of Labor for any amounts paid with respect to unemployment compensation payments for former employees of the House.".

2 USC 5508 note.

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2014 and each succeeding fiscal year.

2 USC 5507.

SEC. 103. (a) Section 101(c)(2) of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 95b(c)(2)) is amended by striking "and 'Allowances and Expenses'" and inserting the following: "'Allowances and Expenses', the heading for any joint committee under the heading 'Joint Items' (to the extent that amounts appropriated for the joint committee are disbursed by the Chief Administrative Officer of the House of Representatives), and 'Office of the Attending Physician'".

2 USC 5507 note.

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2014 and each succeeding fiscal year.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $4,203,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $10,004,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including:

(1) an allowance of $2,175 per month to the Attending Physician;

(2) an allowance of $1,300 per month to the Senior Medical Officer;

(3) an allowance of $725 per month each to three medical officers while on duty in the Office of the Attending Physician;

(4) an allowance of $725 per month to 2 assistants and $580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and

(5) $2,625,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $3,400,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, $1,387,000, to be disbursed by the Secretary of the Senate.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, $279,000,000, of which overtime shall not exceed $22,802,195 unless the Committees on Appropriations of the House and Senate are notified, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than $5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, $59,459,000, to be disbursed by the Chief of the Capitol Police or his designee: *Provided*, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2014 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

AUTHORITY TO TRANSFER AMOUNTS BETWEEN SALARIES AND GENERAL EXPENSES

2 USC 1907a.

SEC. 1001. During fiscal year 2014 and any succeeding fiscal year, the Capitol Police may transfer amounts appropriated for the fiscal year between the category for salaries and the category for general expenses, upon the approval of the Committees on Appropriations of the House of Representatives and Senate.

FUNDS AVAILABLE FOR WORKERS COMPENSATION PAYMENTS

2 USC 1907b.

SEC. 1002. (a) IN GENERAL.—Available balances of expired United States Capitol Police appropriations shall be available to the Capitol Police to make the deposit to the credit of the Employees' Compensation Fund required by section 8147(b) of title 5, United States Code.

(b) CONFORMING AMENDMENT.—Section 1018 of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907) is amended by striking subsection (f).

2 USC 1907 note.

(c) EFFECTIVE DATE.—This section shall apply with respect to appropriations for fiscal year 2014 and each fiscal year thereafter.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $3,868,000, of which $780,000 shall remain available until September 30, 2015: *Provided*, That not more than $500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

ADMINISTRATIVE PROVISIONS

SEC. 1101. (a) The second sentence of section 415(a) of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(a)) is amended to read as follows: "There are appropriated for such account such sums as may be necessary to pay such awards and settlements.".

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2014 and each succeeding fiscal year. 2 USC 1415 note.

SEMIANNUAL REPORT OF DISBURSEMENTS

SEC. 1102. (a) REPORTS REQUIRED.—Not later than 60 days after the last day of each semiannual period of a fiscal year, the Executive Director of the Office of Compliance shall submit to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and the Committees on Appropriations of the House of Representatives and Senate, with respect to that period, a detailed, itemized report of the disbursements for the operations of the Office of Compliance. 2 USC 1387.

(b) CONTENTS.—

(1) IN GENERAL.—The report required by subsection (a) shall include—

(A) the identification of each person who receives a payment from the Office of Compliance, except that in the case of an individual, the identification shall be provided in a manner that does not identify the individual by name;

(B) the quantity and price of any item furnished to the Office of Compliance;

(C) a description of any service rendered to the Office of Compliance, together with a statement of the time required for the service, and the name, title, and amount paid to each person who renders the service;

(D) a statement of all amounts appropriated to, or received or expended by, the Office of Compliance and any unexpended balances of such amounts; and

(E) such additional information as may be required by regulation of the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, or the Committees on Appropriations of the House of Representatives or Senate.

(2) EXCEPTION FOR CONFIDENTIAL INFORMATION.—The Executive Director of the Office of Compliance may exclude from any report required by subsection (a) any information the disclosure of which would violate confidentiality policies of the Office of Compliance.

(c) EFFECTIVE DATE.—This section shall apply with respect to the semiannual periods of October 1 through March 31 and April 1 through September 30 of each fiscal year, beginning with fiscal year 2014.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than $6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $45,700,000.

ADMINISTRATIVE PROVISION

ACCEPTANCE OF VOLUNTARY STUDENT SERVICES

SEC. 1201. (a) Section 3111(e) of title 5, United States Code, is amended—

(1) by striking "(e)" and inserting "(e)(1)"; and

(2) by adding at the end the following new paragraph:

"(2) In this section, the term 'agency' includes the Congressional Budget Office, except that in the case of the Congressional Budget Office—

"(A) any student who provides voluntary service in accordance with this section shall be considered an employee of the Congressional Budget Office for purposes of section 203 of the Congressional Budget Act of 1974 (relating to the level of confidentiality of budget data); and

"(B) the authority granted to the Office of Personnel Management under this section shall be exercised by the Director of the Congressional Budget Office.".

5 USC 3111 note.

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2014 and each succeeding fiscal year.

ARCHITECT OF THE CAPITOL

GENERAL ADMINISTRATION

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, $90,276,946, of which $599,000 shall remain available until September 30, 2018.

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, $61,376,000, of which $21,400,000 shall remain available until September 30, 2018, and of which $15,940,000 shall remain available until expended solely for expenses related to rehabilitation of the U.S. Capitol Dome.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $13,860,000, of which $4,000,000 shall remain available until September 30, 2018.

SENATE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of Senate office buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, $72,990,000, of which $16,000,000 shall remain available until September 30, 2018.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $71,622,000, of which $9,100,000 shall remain available until September 30, 2018.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, $70,000,000, shall remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $116,678,000, of which $32,500,000 shall remain available until September 30, 2018: *Provided*, That not more than $9,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2014.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $53,391,000, of which $28,531,000 shall remain available until September 30, 2018.

CAPITOL POLICE BUILDINGS, GROUNDS, AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computer Facility, and AOC security operations, $19,348,000, of which $1,814,000 shall remain available until September 30, 2018.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $11,856,000, of which $2,082,000 shall remain available until September 30, 2018: *Provided*, That of the amount made available under this heading, the Architect of the Capitol may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect of the Capitol or a duly authorized designee.

CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, $20,632,000.

ADMINISTRATIVE PROVISIONS

SEMIANNUAL REPORT OF DISBURSEMENTS

2 USC 1868a.

SEC. 1301. (a) REPORTS REQUIRED.—Not later than 60 days after the last day of each semiannual period, the Architect of the Capitol shall submit to Congress, with respect to that period, a detailed, itemized report of the disbursements for the operations of the Office of the Architect of the Capitol.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) the name of each person who receives a payment from the Office of the Architect of the Capitol;

(2) the quantity and price of any item furnished to the Office of the Architect of the Capitol;

(3) a description of any service rendered to the Office of the Architect of the Capitol, together with a statement of the time required for the service, and the name, title, and amount paid to each person who renders the service;

(4) a statement of all amounts appropriated to, or received or expended by, the Office of the Architect of the Capitol and any unexpended balances of such amounts;

(5) the information submitted to the Comptroller General under section 3523(b) of title 31, United States Code; and

(6) such additional information as may be required by regulation of the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

(c) PRINTING.—Each report under this section shall be printed as a House document.

(d) EFFECTIVE DATE.—This section shall apply with respect to the semiannual periods of January 1 through June 30 and July 1 through December 31 of each year, beginning with the semiannual period in which this section is enacted.

USE OF BUILDING

SEC. 1302. (a) USE OF BUILDING.—In exercising its authority under the item "Architect of the Capitol, Capitol Buildings and Grounds, House Office Buildings" in the Legislative Branch Appropriations Act, 1985 (Public Law 98–367; 2 U.S.C. 2001 note), to use the building referred to in such item for the purposes of providing office and accommodations for the House of Representatives, the House Office Building Commission is authorized to enter into such agreements regarding the use of the building by the House or by other persons as the Commission considers appropriate. 2 USC 2001 note.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2014 and each succeeding fiscal year.

COLLECTION AND SALE OF RECYCLABLE MATERIALS

SEC. 1303. Section 1101(c) of Legislative Branch Appropriations Act, 2009 (division G of Public Law 111–8, 123 Stat. 823, 2 U.S.C. 1811 note) is amended by striking "each of the fiscal years 2009 through 2013" and inserting "fiscal year 2009 and each fiscal year thereafter".

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; activities under the Civil Rights History Project Act of 2009; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $412,052,000, of which not more than $6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2014, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2014 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further,* That the total amount available for obligation shall be reduced by the amount by which collections are less than $6,350,000: *Provided further,* That of the total amount appropriated, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: *Provided further,* That of the total amount appropriated, $7,119,000 shall remain available until expended for the digital collections and educational curricula program.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, $51,624,000, of which not more than $27,971,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2014 under section 708(d) of title 17, United States Code: *Provided*, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That not more than $5,473,000 shall be derived from collections during fiscal year 2014 under sections 111(d)(2), 119(b)(2), 803(e), 1005, and 1316 of such title: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $33,444,000: *Provided further*, That not more than $100,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further*, That not more than $6,500 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: *Provided further*, That notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $105,350,000: *Provided*, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $49,750,000: *Provided*, That of the total amount appropriated, $650,000 shall

be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

ADMINISTRATIVE PROVISIONS

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1401. (a) IN GENERAL.—For fiscal year 2014, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $185,579,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

AUTHORITY TO TRANSFER AMOUNTS BETWEEN CATEGORIES OF APPROPRIATIONS

SEC. 1402. (a) IN GENERAL.—During fiscal year 2014 and any succeeding fiscal year, the Librarian of Congress may transfer amounts appropriated for the fiscal year between the categories of appropriations provided under law for the Library of Congress for the fiscal year, upon the approval of the Committees on Appropriations of the House of Representatives and Senate. 2 USC 132a–3.

(b) LIMITATION.—Not more than 10 percent of the total amount of funds appropriated to the account under any category of appropriations for the Library of Congress for a fiscal year may be transferred from that account by all transfers made under subsection (a).

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

(INCLUDING TRANSFER OF FUNDS)

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $79,736,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: *Provided further*, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month

period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate: *Provided further*, That notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $31,500,000: *Provided*, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2012 and 2013 to depository and other designated libraries: *Provided further,* That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

For payment to the Government Printing Office Revolving Fund, $8,064,000, to remain available until expended, for information technology development and facilities repair: *Provided*, That the Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office Revolving Fund: *Provided further*, That not more than $7,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: *Provided further*, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: *Provided further*, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further*, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title

5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: *Provided further*, That activities financed through the revolving fund may provide information in any format: *Provided further*, That the revolving fund and the funds provided under the headings "Office of Superintendent of Documents" and "Salaries and Expenses" may not be used for contracted security services at GPO's passport facility in the District of Columbia.

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $505,383,000: *Provided,* That in addition, $32,368,000 of payments received under sections 782, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: *Provided further,* That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: *Provided further,* That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

ADMINISTRATIVE PROVISION

USE OF ELECTRONIC FILING FOR PROCUREMENT PROTEST SYSTEM

SEC. 1501. Section 3555(c) of title 31, United States Code, is amended to read as follows:

"(c) ELECTRONIC FILING AND DOCUMENT DISSEMINATION SYSTEM.—

"(1) ESTABLISHMENT AND OPERATION OF SYSTEM.—The Comptroller General shall establish and operate an electronic filing and document dissemination system under which, in accordance with procedures prescribed by the Comptroller General—

"(A) a person filing a protest under this subchapter may file the protest through electronic means; and

"(B) all documents and information required with respect to the protest may be disseminated and made available to the parties to the protest through electronic means.

"(2) IMPOSITION OF FEES.—

"(A) IN GENERAL.—The Comptroller General may require each person who files a protest under this subchapter to pay a fee to support the establishment and operation of the electronic system under this subsection, without regard to whether or not the person uses the system with respect to the protest.

"(B) AMOUNT.—The Comptroller General shall establish (and from time to time shall update) a schedule setting forth the amount of the fee to be paid under subparagraph (A).

"(3) TREATMENT OF AMOUNTS COLLECTED.—

"(A) ESTABLISHMENT OF ACCOUNT.—The Comptroller General shall maintain a separate account among the accounts of the Government Accountability Office for the electronic system under this subsection, and shall deposit all amounts received as fees under paragraph (2) into the account.

"(B) USE OF AMOUNTS.—Amounts in the account maintained under this paragraph shall be available to the Comptroller General, without fiscal year limitation, solely to establish and operate the electronic system under this subsection.".

OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), $6,000,000.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), $430,000.

TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2014 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided*, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

COSTS OF LBFMC

SEC. 205. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $2,000.

LANDSCAPE MAINTENANCE

SEC. 206. The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets, in the irregular shaped grassy areas bounded by Washington Avenue, SW on the northeast, Second Street, SW, on the west, Square 582 on the south, and the beginning of the I–395 tunnel on the southeast.

LIMITATION ON TRANSFERS

SEC. 207. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

GUIDED TOURS OF THE CAPITOL

SEC. 208. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

DELIVERY OF BILLS AND RESOLUTIONS

SEC. 209. None of the funds made available in this Act may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

DELIVERY OF CONGRESSIONAL RECORD

SEC. 210. None of the funds made available by this Act may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

SEC. 211. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle, excluding mobile district offices, in an aggregate amount that exceeds $1,000 for the vehicle in any month.

LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE

SEC. 212. None of the funds made available by this Act may be used to provide an aggregate number of more than 50 printed copies of any edition of the United States Code to all offices of the House of Representatives.

AUTHORIZING COMMERCIAL ACTIVITY ON UNION SQUARE

40 USC 5102 note.

SEC. 213. (a) TREATMENT AS PART OF CAPITOL GROUNDS.—

(1) IN GENERAL.—For purposes of chapter 51 of title 40, United States Code, the United States Capitol Grounds shall include Union Square.

(2) UNION SQUARE DEFINED.—In this section, the term "Union Square" means the area for which jurisdiction and control was transferred to the Architect of the Capitol under section 1202 of the Legislative Branch Appropriations Act, 2012 (Public Law 112–74).

(b) CONTINUATION OF TYPES OF ACTIVITY PREVIOUSLY AUTHORIZED.—

(1) IN GENERAL.—Notwithstanding any limitations on the use of the United States Capitol Grounds (including section 5104(c) of title 40, United States Code), the Chief of the United States Capitol Police (hereafter referred to as the "Chief")—

(A) may issue a permit authorizing a person to engage in commercial activity in Union Square if the activity is similar to the types of commercial activity permitted in Union Square prior to the transfer of jurisdiction and control of Union Square to the Architect of the Capitol under section 1202 of the Legislative Branch Appropriations Act, 2012 (Public Law 112–74); and

(B) under the terms and conditions of such a permit, may require the person to whom the permit is issued to pay a fee to cover any costs incurred by the Architect of the Capitol as a result of the issuance of the permit, if the fees are similar to the fees collected by the Director of the National Park Service for commercial activity permitted in Union Square prior to such transfer of jurisdiction and control.

(2) REGULATIONS.—The Chief shall carry out this section in accordance with such regulations as the Capitol Police Board may promulgate pursuant to the Board's authority under section 14 of the Act of July 31, 1946 (2 U.S.C. 1969), except that the Board shall promulgate the regulations in consultation with the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

(c) CAPITOL TRUST ACCOUNT.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States an account for the Architect of the Capitol to be known as the "Capitol Trust Account", consisting of all fees collected by the Chief under subsection (b)(2).

(2) TRANSFER.—Immediately upon receiving any fees collected under subsection (b)(2), the Chief shall transfer the fees to the Capitol Trust Account.

(3) USE OF FUNDS.—Amounts in the Capitol Trust Account shall be available without fiscal year limitation for such maintenance, improvements, and projects with respect to Union Square as the Architect of the Capitol considers appropriate, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

(d) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of the Legislative Branch Appropriations Act, 2012 (Public Law 112–74).

This division may be cited as the "Legislative Branch Appropriations Act, 2014".

Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2014.

DIVISION J—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,104,875,000, to remain available until September 30, 2018: *Provided*, That of this amount, not to exceed $64,575,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,629,690,000, to remain available until September 30, 2018: *Provided*, That of this amount, not to exceed $80,638,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,052,796,000, to remain available until September 30, 2018: *Provided*, That of this amount, not to exceed $11,314,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That none of the funds provided under this heading for military construction in the United Kingdom as identified in the table entitled "Military Construction" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) may be obligated or

expended until the Department of Defense completes a European Consolidation Study, and the Secretary of Defense (1) provides to the Committees on Appropriations of both Houses of Congress a comprehensive European basing strategy reflecting the findings of the Consolidation Study, and (2) certifies in writing the requirement identified in the study for each of the military construction projects in the United Kingdom funded in this section: *Provided further*, That none of the funds provided under this heading for military construction in Saipan or for Pacific Airpower Resiliency projects in Guam, Joint Region Marianas, as identified in the table entitled "Military Construction" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) may be obligated or expended until the Department of Defense completes a Pacific Resiliency Study and the Secretary of Defense (1) provides to the Committees on Appropriations of both Houses of Congress a comprehensive Pacific Resiliency Plan, and (2) certifies in writing the requirement identified in the study for each of the military construction projects in Saipan, and for the Pacific Airpower Resiliency projects in Guam funded in this section.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $3,445,423,000, to remain available until September 30, 2018: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed $205,185,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That none of the funds provided under this heading for military construction in Germany or the United Kingdom as identified in the table entitled "Military Construction" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) may be obligated or expended until the Department of Defense completes a European Consolidation Study, and the Secretary of Defense (1) provides to the Committees on Appropriations of both Houses of Congress a comprehensive European basing strategy reflecting the findings of the Consolidation Study, and (2) certifies in writing the requirement identified in the study for each of the military construction projects in Germany and the United Kingdom funded in this section: *Provided further*, That of the amount appropriated, notwithstanding any other provision of law, $38,513,000 shall be available for payments to the North Atlantic

Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $314,740,000, to remain available until September 30, 2018: *Provided*, That of the amount appropriated, not to exceed $22,930,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $119,800,000, to remain available until September 30, 2018: *Provided*, That of the amount appropriated, not to exceed $13,400,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $156,560,000, to remain available until September 30, 2018: *Provided*, That of the amount appropriated, not to exceed $14,212,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $29,000,000, to remain available until September 30, 2018: *Provided*, That of the amount appropriated, not to exceed $2,540,000 shall be available for study, planning, design, and architect and engineer services, as authorized

by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $45,659,000, to remain available until September 30, 2018: *Provided*, That of the amount appropriated, not to exceed $2,229,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $199,700,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $27,408,000, to remain available until September 30, 2018.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $512,871,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $73,407,000, to remain available until September 30, 2018.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing,

minor construction, principal and interest charges, and insurance premiums, as authorized by law, $379,444,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $76,360,000, to remain available until September 30, 2018.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $388,598,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $55,845,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $1,780,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, $122,536,000, to remain available until September 30, 2018, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), as amended by section 2711 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), $451,357,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific

approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract

awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of

Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

10 USC 2821 note.

SEC. 121. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further,* That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 122. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 123. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: *Provided*, That the Secretary of Defense shall notify the congressional defense committees within 7 days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 124. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 125. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5–10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 126. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 127. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 128. None of the funds appropriated or otherwise made available by this Act may be used for decommissioning the Combined Heat and Power Plant at Clear Air Force Station, Alaska, until the Comptroller General of the United States conducts a review of the data used by the Department of Defense, including data in the Environmental Impact Statement and Fiscal Year 2010 Feasibility Study, to determine whether decommissioning the Combined Heat and Power Plant is the most cost-effective and beneficial option for the day-to-day operations and missions at the installation in support of United States national security.

SEC. 129. Notwithstanding section 116, the Secretary of Army may obligate from any available military construction funds such additional funds that the Secretary determines are necessary to complete the Explosive Research and Development Loading Facility, Picatinny Arsenal, New Jersey.

(INCLUDING RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances available for "Military Construction, Army", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $200,000,000 are hereby rescinded.

(INCLUDING RESCISSION OF FUNDS)

SEC. 131. Of the unobligated balances available for "Military Construction, Navy and Marine Corps", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $12,000,000 are hereby rescinded.

(INCLUDING RESCISSION OF FUNDS)

SEC. 132. Of the unobligated balances available for "Military Construction, Air Force", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $39,700,000 are hereby rescinded.

(INCLUDING RESCISSION OF FUNDS)

SEC. 133. Of the unobligated balances available for "Military Construction, Defense-Wide", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $14,000,000 are hereby rescinded.

(INCLUDING RESCISSION OF FUNDS)

SEC. 134. Of the unobligated balances available for "Military Construction, Air National Guard", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $14,200,000 are hereby rescinded.

(INCLUDING RESCISSION OF FUNDS)

SEC. 135. Of the unobligated balances made available in prior appropriation Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $99,949,000 are hereby rescinded.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $71,476,104,000, to remain available until expended: *Provided*, That not to exceed $17,049,000 of the amount appropriated under this heading shall be reimbursed to "General Operating Expenses, Veterans Benefits Administration" and "Information Technology Systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and Pensions" appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed

to "Medical Care Collections Fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, and for the payment of benefits under the Veterans Retraining Assistance Program, $13,135,898,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, $77,567,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during fiscal year 2014, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $158,430,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $5,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,500,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $354,000, which may be paid to the appropriation for "General Operating Expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $1,109,000.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; $40,000,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2013; and, in addition, $45,015,527,000, plus reimbursements, shall become available on October 1, 2014, and shall remain available until September 30, 2015: *Provided*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), $5,879,700,000, plus reimbursements, shall become available on October 1, 2014, and shall remain available until September 30, 2015.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real

property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services; $85,000,000 which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2013; and, in addition, $4,739,000,000, plus reimbursements, shall become available on October 1, 2014, and shall remain available until September 30, 2015.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $585,664,000, plus reimbursements, shall remain available until September 30, 2015.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, $250,000,000, of which not to exceed $25,000,000 shall remain available until September 30, 2015.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, $415,885,000, of which not to exceed $20,151,000 shall remain available until September 30, 2015: *Provided*, That the Board of Veterans Appeals shall be funded at not less than $88,294,000: *Provided further,* That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services

Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, $2,465,490,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That of the funds made available under this heading, not to exceed $123,000,000 shall remain available until September 30, 2015.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $3,703,344,000, plus reimbursements: *Provided,* That $1,026,400,000 shall be for pay and associated costs, of which not to exceed $30,792,000 shall remain available until September 30, 2015: *Provided further,* That $2,181,653,000 shall be for operations and maintenance, of which not to exceed $151,316,000 shall remain available until September 30, 2015: *Provided further,* That $495,291,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2015: *Provided further,* That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: *Provided further,* That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further,* That amounts made available for the "Information Technology Systems" account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: *Provided further,* That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to develop a standard data reference terminology model: *Provided*

further, That of the funds provided for information technology systems development, modernization, and enhancement for VistA Evolution, not more than 25 percent may be obligated until the Secretary of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) defines the budget and cost for full operating capability and the total life cycle cost of the project; (2) identifies the deployment timeline, including benchmarks, for full operating capability; (3) describes how VistA Evolution will adhere to data standardization as defined by the Interagency Program Office and how testing will be conducted in order to ensure interoperability between current and future Department of Veterans Affairs and Department of Defense electronic health record systems; (4) has been submitted to the Government Accountability Office for review; and (5) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: *Provided further,* That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $121,411,000, of which $10,000,000 shall remain available until September 30, 2015: *Provided*, That the Office of Inspector General, in coordination with the Department of Defense's Office of Inspector General, shall examine the process and procedures currently in place in the transmission of service treatment and personnel records from the Department of Defense to the Department of Veterans Affairs.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $342,130,000, of which $322,130,000 shall remain available until September 30, 2018, and of which $20,000,000 shall remain available until expended: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy

studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds made available under this heading for fiscal year 2014, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2014; and (2) by the awarding of a construction contract by September 30, 2015: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $714,870,000, to remain available until September 30, 2018, along with unobligated balances of previous "Construction, Minor Projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $85,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, $46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2014 for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2014, in this Act or any other Act, under the "Medical Services", "Medical Support and Compliance", and "Medical Facilities" accounts may be transferred among the accounts: *Provided*, That any transfers between the "Medical Services" and "Medical Support and Compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further,* That any transfers between the "Medical Services" and "Medical Support and Compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further,* That any transfers to or from the "Medical Facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, Major Projects" and "Construction, Minor Projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United

States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical Services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2013.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and Pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2014, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General Operating Expenses, Veterans Benefits Administration" and "Information Technology Systems" accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2014 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2014 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed $42,904,000 for the Office of Resolution

Management and $3,360,000 for the Office of Employment Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the "General Administration" and "Information Technology Systems" accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than $1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, Major Projects" and "Construction, Minor Projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, Major Projects" and "Construction, Minor Projects".

SEC. 214. Amounts made available under "Medical Services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical Services", to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational

Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, Major Projects" and "Construction, Minor Projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical Services", "Medical Support and Compliance", "Medical Facilities", "General Operating Expenses, Veterans Benefits Administration", "General Administration", and "National Cemetery Administration" accounts for fiscal year 2014 may be transferred to or from the "Information Technology Systems" account: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 222. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2014, in this Act or any other Act, under the "Medical Facilities" account for nonrecurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: *Provided*, That the Secretary may waive this requirement after

providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2014 for "Medical Services", "Medical Support and Compliance", "Medical Facilities", "Construction, Minor Projects", and "Information Technology Systems", up to $254,257,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts available in this title for "Medical Services", "Medical Support and Compliance", and "Medical Facilities", a minimum of $15,000,000 shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 226. (a) Of the funds appropriated in division E of Public Law 113–6, the following amounts which became available on October 1, 2013, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical Services", $1,400,000,000.

(2) "Department of Veterans Affairs, Medical Support and Compliance", $150,000,000.

(3) "Department of Veterans Affairs, Medical Facilities", $250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2015:

(1) "Department of Veterans Affairs, Medical Services", $1,400,000,000.

(2) "Department of Veterans Affairs, Medical Support and Compliance", $100,000,000.

(3) "Department of Veterans Affairs, Medical Facilities", $250,000,000.

SEC. 227. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least $5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 228. The scope of work for a project included in "Construction, Major Projects" may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 229. The Secretary of the Department of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed $2,000,000.

SEC. 230. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report that contains the following information from each Veterans Benefits Administration Regional Office: (1) the average time to complete a disability compensation claim; (2) the number of claims pending more than 125 days; (3) error rates; (4) the number of claims personnel; (5) any corrective action taken within the quarter to address poor performance; (6) training programs undertaken; and (7) the number and results of Quality Review Team audits: *Provided*, That each quarterly report shall be submitted no later than 30 days after the end of the respective quarter.

SEC. 231. The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming request if at any point during fiscal year 2014, the funding allocated for a medical care initiative identified in the fiscal year 2014 expenditure plan is adjusted by more than $25,000,000 from the allocation shown in the corresponding congressional budget justification. Such a reprogramming request may go forward only if the Committees on Appropriations of both Houses of Congress approve the request or if a period of 14 days has elapsed.

SEC. 232. Of the funds provided to the Department of Veterans Affairs for fiscal year 2014 for "Medical Services" and "Medical

Support and Compliance", a maximum of $1,139,000 may be obligated from the "Medical Services" account and a maximum of $69,804,000 may be obligated from the "Medical Support and Compliance" account for the VistA Evolution and electronic health record interoperability projects: *Provided*, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 233. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

(INCLUDING RESCISSION OF FUNDS)

SEC. 234. Of the unobligated balances available to the Department of Veterans Affairs from prior year discretionary appropriations (other than appropriations designated by law as being for an emergency requirement) $182,000,000 are hereby rescinded.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $63,200,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $35,408,000: *Provided*, That $2,500,000 shall be available for the purpose of

providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed $1,000 for official reception and representation expenses, $65,800,000, of which not to exceed $7,000,000 shall remain available until September 30, 2015. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $67,800,000, of which $1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

ADMINISTRATIVE PROVISION

SEC. 301. Funds appropriated in this Act under the heading "Department of Defense—Civil, Cemeterial Expenses, Army", may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 403. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for

normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 404. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 405. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 407. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 408. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 409. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 410. None of the funds made available in this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries or successors.

SEC. 411. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 412. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this

Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 413. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 414. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 415. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 416. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

This division may be cited as the "Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2014".

DIVISION K—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2014

Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014.

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, $6,605,701,000, of which $710,000,000 may remain available until September 30, 2015, and of which up to $1,867,251,000 may remain available until expended for Worldwide Security Protection: *Provided*, That funds made available under this heading shall be allocated in accordance with paragraphs (1) through (4) as follows:

(1) HUMAN RESOURCES.—For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed $700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948, $2,360,312,000, of which not less than $131,713,000 shall be available only for public diplomacy American salaries, and up to $255,866,000 is for Worldwide Security Protection.

(2) OVERSEAS PROGRAMS.—For necessary expenses for the regional bureaus of the Department of State and overseas activities as authorized by law, $1,760,255,000, of which not less than $369,589,000 shall be available only for public diplomacy international information programs.

(3) DIPLOMATIC POLICY AND SUPPORT.—For necessary expenses for the functional bureaus of the Department of State, including representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress, general administration, and arms control, nonproliferation and disarmament activities as authorized, $769,534,000.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, $1,715,600,000, of which up to $1,611,385,000 is for Worldwide Security Protection.

(5) FEES AND PAYMENTS COLLECTED.—In addition to amounts otherwise made available under this heading—

(A) not to exceed $1,806,600 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act, and, in addition, as authorized by section 5 of such Act, $520,150, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section;

(B) as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

(C) not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

(6) TRANSFER, REPROGRAMMING, AND OTHER MATTERS.—

(A) Notwithstanding any provision of this Act, funds may be reprogrammed within and between paragraphs (1) through (4) under this heading subject to section 7015 of this Act.

(B) Of the amount made available under this heading, not to exceed $10,000,000 may be transferred to, and merged with, funds made available by this Act under the heading "Emergencies in the Diplomatic and Consular Service", to be available only for emergency evacuations and rewards, as authorized.

(C) Funds appropriated under this heading are available for acquisition by exchange or purchase of passenger motor vehicles as authorized by law and, pursuant to 31 U.S.C. 1108(g), for the field examination of programs and activities in the United States funded from any account contained in this title.

(D) Of the funds appropriated under this heading, up to $34,000,000, to remain available until expended, may be transferred to, and merged with, funds previously made available under the heading "Conflict Stabilization Operations" in title I of prior acts making appropriations for the Department of State, foreign operations, and related programs.

(E) None of the funds appropriated under this heading may be used for the preservation of religious sites unless the Secretary of State determines and reports to the Committees on Appropriations that such sites are historically, artistically, or culturally significant, that the purpose of the project is neither to advance nor to inhibit the free exercise of religion, and that the project is in the national interest of the United States.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $76,900,000, to remain available until expended, as authorized: *Provided*, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $69,406,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96–465), as it relates to post inspections: *Provided*, That of the funds appropriated under this

heading, $10,400,000 may remain available until September 30, 2015.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $560,000,000, to remain available until expended: *Provided,* That fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized may be credited to this account, to remain available until expended: *Provided further*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing modifications made to existing educational and cultural exchange programs since calendar year 2011, including for special academic and special professional and cultural exchanges: *Provided further*, That any further modifications to such programs shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

REPRESENTATION EXPENSES

For representation expenses as authorized, $7,300,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $28,200,000, to remain available until September 30, 2015.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292–303), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, $785,351,000, to remain available until expended as authorized, of which not to exceed $25,000 may be used for domestic and overseas representation expenses as authorized: *Provided,* That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $1,614,000,000, to remain available until expended: *Provided*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations the proposed allocation of funds made available under this heading and the actual and anticipated proceeds of sales for all projects in fiscal year 2014.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For necessary expenses to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, $9,242,000, to remain available until expended as

authorized, of which not to exceed $1,000,000 may be transferred to, and merged with, funds appropriated by this Act under the heading "Repatriation Loans Program Account", subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $1,537,000, as authorized: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,690,000.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $31,221,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized, $158,900,000.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

22 USC 269a note.

For necessary expenses, not otherwise provided for, to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $1,265,762,000: *Provided*, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: *Provided further*, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget: *Provided further*, That the Secretary of State shall report to the Committees on Appropriations any credits available to the United States, including from the United Nations Tax Equalization Fund (TEF), and provide updated fiscal year 2015 assessment costs including offsets from available TEF credits and updated foreign currency exchange rates: *Provided further*, That any such credits shall only be available for United States assessed contributions to the United Nations and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That any payment of arrearages under this heading shall be directed toward activities that are mutually agreed upon by the United States and the respective international organization: *Provided further*, That none of the funds appropriated under this heading shall be available for a United States contribution to an international organization for the United

States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $1,765,519,000, of which 15 percent shall remain available until September 30, 2015: *Provided*, That none of the funds made available by this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable), the Committees on Appropriations are notified: (1) of the estimated cost and duration of the mission, the national interest that will be served, and the exit strategy; (2) that the United Nations has in place measures to prevent United Nations employees, contractor personnel, and peacekeeping troops serving in the mission from trafficking in persons, exploiting victims of trafficking, or committing acts of illegal sexual exploitation or other violations of human rights, and to bring to justice individuals who engage in such acts while participating in the peacekeeping mission, including prosecution in their home countries of such individuals in connection with such acts, and to make information about such cases publicly available in the country where an alleged crime occurs and on the United Nations' Web site; and (3) pursuant to section 7015 of this Act and the procedures therein followed, of the source of funds that will be used to pay the cost of the new or expanded mission: *Provided further*, That funds shall be available for peacekeeping expenses unless the Secretary of State determines that American manufacturers and suppliers are not being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: *Provided further,* That the Secretary of State shall work with the United Nations and foreign governments contributing peacekeeping troops to implement effective vetting procedures to ensure that such troops have not violated human rights: *Provided further,* That none of the funds appropriated or otherwise made available under this heading may be used for any United Nations peacekeeping mission that will involve United States Armed Forces under the command or operational control of a foreign national, unless the President's military advisors have submitted to the President a recommendation that such involvement is in the national interests of the United States and the President has submitted to the Congress such a recommendation: *Provided further*, That the Secretary of State shall report to the Committees on Appropriations any credits available to the United States, including those resulting from United Nations peacekeeping missions or the United Nations Tax Equalization Fund: *Provided further*, That any such credits shall only be available for United States assessed contributions to the United Nations and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That notwithstanding any other provision of law, funds appropriated or otherwise made available under this heading shall be available for United

States assessed contributions up to the amount specified in Annex IV accompanying United Nations General Assembly Resolution 64/220: *Provided further*, That such funds may be made available above the amount authorized in section 404(b)(2)(B) of the Foreign Relations Authorization Act, fiscal years 1994 and 1995 (22 U.S.C. 287e note) only if the Secretary of State determines and reports to the appropriate congressional committees that it is important to the national interest of the United States.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

22 USC 269a note.

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation expenses; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $44,000,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $33,438,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and the Border Environment Cooperation Commission as authorized by Public Law 103–182, $12,499,000: *Provided,* That of the amount provided under this heading for the International Joint Commission, $9,000 may be made available for representation expenses.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $35,980,000: *Provided*, That the United States share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to enable the Broadcasting Board of Governors (BBG), as authorized, to carry out international communication activities, and to make and supervise grants for radio and television broadcasting to the Middle East, $721,080,000: *Provided*, That up to $41,734,000 of the amount appropriated under this heading may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than $25,500,000 shall be available to expand unrestricted access to programs funded under this heading and other information on the Internet through the development and use of circumvention and secure communication technologies: *Provided further,* That of the total amount appropriated under this heading, not to exceed $35,000 may be used for representation expenses, of which $10,000 may be used for representation expenses within the United States as authorized, and not to exceed $30,000 may be used for representation expenses of Radio Free Europe/Radio Liberty: *Provided further*, That the authority provided by section 504(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 6206 note) shall remain in effect through September 30, 2014: *Provided further,* That the BBG shall notify the Committees on Appropriations within 15 days of any determination by the Board that any of its broadcast entities, including its grantee organizations, provides an open platform for international terrorists or those who support international terrorism, or is in violation of the principles and standards set forth in subsections (a) and (b) of section 303 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) or the entity's journalistic code of ethics: *Provided further,* That significant modifications to BBG broadcast hours previously justified to Congress, including changes to transmission platforms (shortwave, medium wave, satellite, Internet, and television), for all BBG language services shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That in addition to funds made available under this heading, and notwithstanding any other provision of law, up to $2,000,000 in receipts from advertising and revenue from business ventures, up to $500,000 in receipts from cooperating international organizations, and up to $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, shall remain available until expended for carrying out authorized purposes.

22 USC 6206 note.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio, television, and digital transmission and reception, and purchase and installation of necessary equipment for radio, television, and digital transmission and reception, including to Cuba, as authorized, $8,000,000, to remain available until expended, as authorized.

RELATED PROGRAMS

THE ASIA FOUNDATION

For a grant to The Asia Foundation, as authorized by The Asia Foundation Act (22 U.S.C. 4402), $17,000,000, to remain available until expended, as authorized.

UNITED STATES INSTITUTE OF PEACE

For necessary expenses of the United States Institute of Peace, as authorized by the United States Institute of Peace Act, $30,984,000, to remain available until September 30, 2015, which shall not be used for construction activities.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

For necessary expenses of the Center for Middle Eastern-Western Dialogue Trust Fund, as authorized by section 633 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (22 U.S.C. 2078), the total amount of the interest and earnings accruing to such Fund on or before September 30, 2014, to remain available until expended.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2014, to remain available until expended: *Provided,* That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Nonprofit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2014, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $16,700,000: *Provided,* That none of the funds appropriated herein shall be used to pay any salary, or enter

into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy, as authorized by the National Endowment for Democracy Act, $135,000,000, to remain available until expended, of which $100,000,000 shall be allocated in the traditional and customary manner, including for the core institutes, and $35,000,000 shall be for democracy, human rights, and rule of law programs.

OTHER COMMISSIONS

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For necessary expenses for the Commission for the Preservation of America's Heritage Abroad, $690,000, as authorized by section 1303 of Public Law 99–83.

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105–292), as amended, $3,500,000, including not more than $4,000 for representation expenses: *Provided*, That if the United States Commission on International Religious Freedom is authorized beyond September 30, 2014, this amount will remain available until September 30, 2015.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $2,579,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2015.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized by title III of the U.S.-China Relations Act of 2000 (22 U.S.C. 6911–6919), $2,000,000, including not more than $3,000 for representation expenses, to remain available until September 30, 2015.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, as authorized by section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), $3,500,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2015: *Provided*, That the authorities, requirements, limitations, and conditions contained in the second through sixth provisos under this heading in division F of Public Law 111–117 shall continue in effect during fiscal year 2014 and shall apply to funds appropriated under this heading as if included in this Act.

TITLE II

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $1,059,229,000, of which $158,900,000 may remain available until September 30, 2015: *Provided*, That none of the funds appropriated under this heading and under the heading "Capital Investment Fund" in this title may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development (USAID), unless the USAID Administrator has identified such proposed use of funds in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of funds for such purposes: *Provided further*, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through the following fiscal year: *Provided further*, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to "Operating Expenses" in accordance with the provisions of those sections: *Provided further*, That of the funds appropriated or made available under this heading, not to exceed $250,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses, for USAID during the current fiscal year.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $117,940,000, to remain available until expended: *Provided*, That this amount is in addition

to funds otherwise available for such purposes: *Provided further*, That not later than 180 days after enactment of this Act, the Administrator of the United States Agency for International Development, in consultation with the Secretary of State, shall submit a strategy to eliminate redundant services and operations at diplomatic facilities abroad, including information technology systems, communications systems, and motor pool: *Provided further*, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $45,000,000, of which $6,750,000 may remain available until September 30, 2015, for the Office of Inspector General of the United States Agency for International Development.

TITLE III

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For necessary expenses to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, as follows:

GLOBAL HEALTH PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, $2,769,450,000, to remain available until September 30, 2015, and which shall be apportioned directly to the United States Agency for International Development (USAID): *Provided*, That this amount shall be made available for training, equipment, and technical assistance to build the capacity of public health institutions and organizations in developing countries, and for such activities as: (1) child survival and maternal health programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases including neglected tropical diseases, and for assistance to communities severely affected by HIV/AIDS, including children infected or affected by AIDS; and (6) family planning/reproductive health: *Provided further*, That funds appropriated under this paragraph may be made available for a United States contribution to the GAVI Alliance: *Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available

to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That any determination made under the previous proviso must be made not later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: *Provided further*, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: *Provided further*, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: *Provided further*, That none of the funds made available under this Act may be used to lobby for or against abortion: *Provided further*, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the USAID Administrator determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That for purposes of

this or any other Act authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further*, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

In addition, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, $5,670,000,000, to remain available until September 30, 2018, which shall be apportioned directly to the Department of State: *Provided*, That funds appropriated under this paragraph may be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108–25), as amended, for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That the amount of such contribution should be $1,650,000,000: *Provided further*, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2014 may be made available to USAID for technical assistance related to the activities of the Global Fund: *Provided further*, That the annual report required by section 104(A)(f) of the Foreign Assistance Act of 1961 shall also be submitted hereafter to the Committees on Appropriations: *Provided further*, That funds appropriated under this paragraph shall be made available for a challenge grant pilot program: *Provided further*, That of the funds appropriated under this paragraph, up to $14,250,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the United States Global AIDS Coordinator.

22 USC 2151b–.2 note.

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, 214, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, $2,507,001,000, to remain available until September 30, 2015: *Provided*, That of the funds appropriated under this heading, not less than $23,000,000 shall be made available for the American Schools and Hospitals Abroad program, and not less than $10,000,000 shall be made available for cooperative development programs of the United States Agency for International Development.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, $876,828,000, to remain available until expended.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance administered by the Office of Transition Initiatives, United States Agency for International Development (USAID), pursuant to section 491 of the Foreign Assistance Act of 1961, $48,177,000, to remain available until expended, to support transition to democracy and long-term development for countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That USAID shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: *Provided further*, That if the Secretary of State determines that it is important to the national interests of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: *Provided further*, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

COMPLEX CRISES FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 to support programs and activities to prevent or respond to emerging or unforeseen foreign challenges and complex crises overseas, $20,000,000, to remain available until expended: *Provided*, That funds appropriated under this heading may be made available on such terms and conditions as are appropriate and necessary for the purposes of preventing or responding to such challenges and crises, except that no funds shall be made available for lethal assistance or to respond to natural disasters: *Provided further*, That funds appropriated under this heading may be made available notwithstanding any other provision of law, except sections 7007, 7008, and 7018 of this Act and section 620M of the Foreign Assistance Act of 1961: *Provided further*, That funds appropriated under this heading may be used for administrative expenses, in addition to funds otherwise made available for such purposes, except that such expenses may not exceed 5 percent of the funds appropriated under this heading: *Provided further*, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations, except that such notifications shall be transmitted at least 5 days prior to the obligation of funds.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development (USAID), as authorized by sections 256 and 635 of the Foreign Assistance

Act of 1961, up to $40,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act: *Provided*, That funds provided under this paragraph and funds provided as a gift that are used for purposes of this paragraph pursuant to section 635(d) of the Foreign Assistance Act of 1961 shall be made available only for micro- and small enterprise programs, urban programs, and other programs which further the purposes of part I of such Act: *Provided further*, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts, and funds used for such costs shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading, except that the principal amount of loans made or guaranteed under this heading with respect to any single country shall not exceed $300,000,000: *Provided further*, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to $1,500,000,000.

In addition, for administrative expenses to carry out credit programs administered by USAID, $8,041,000, which may be transferred to, and merged with, funds made available under the heading "Operating Expenses" in title II of this Act: *Provided*, That funds made available under this heading shall remain available until September 30, 2016.

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $2,982,967,000, to remain available until September 30, 2015.

DEMOCRACY FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, $130,500,000, to remain available until September 30, 2015, of which $70,500,000 shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State, and $60,000,000 shall be made available for the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For necessary expenses not otherwise provided for, to enable the Secretary of State to carry out the provisions of section 2(a) and (b) of the Migration and Refugee Assistance Act of 1962, and

other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $1,774,645,000, to remain available until expended, of which not less than $35,000,000 shall be made available to respond to small-scale emergency humanitarian requirements: *Provided*, That $15,000,000 of the funds appropriated under this heading in this Act, or in prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall be made available for refugees resettling in Israel: *Provided further*, That no amounts in the previous proviso may be made available from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $50,000,000, to remain available until expended.

INDEPENDENT AGENCIES

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (22 U.S.C. 2501–2523), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, $379,000,000, of which $5,150,000 is for the Office of Inspector General, to remain available until September 30, 2015: *Provided*, That the Director of the Peace Corps may transfer to the Foreign Currency Fluctuations Account, as authorized by 22 U.S.C. 2515, an amount not to exceed $5,000,000: *Provided further*, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations: *Provided further*, That of the funds appropriated under this heading, not to exceed $104,000 may be available for representation expenses, of which not to exceed $4,000 may be made available for entertainment expenses: *Provided further*, That any decision to open, close, significantly reduce, or suspend a domestic or overseas office or country program shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, except that prior consultation and regular notification procedures may be waived when there is a substantial security risk to volunteers or other Peace Corps personnel, pursuant to section 7015(e) of this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to pay for abortions.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003 (MCA), $898,200,000, to remain available until expended: *Provided*, That of the funds appropriated under this heading, up to $105,000,000 may be available for administrative expenses of the Millennium Challenge Corporation (the Corporation): *Provided further*, That up to 5 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the MCA for fiscal year 2014: *Provided further*, That section 605(e) of the MCA shall apply to funds appropriated under this heading: *Provided further*, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the MCA only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact: *Provided further*, That the Chief Executive Officer of the Corporation shall notify the Committees on Appropriations not later than 15 days prior to commencing negotiations for any country compact or threshold country program; signing any such compact or threshold program; or terminating or suspending any such compact or threshold program: *Provided further*, That funds appropriated under this heading by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are available to implement section 609(g) of the MCA shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That no country should be eligible for a threshold program after such country has completed a country compact: *Provided further*, That any funds that are deobligated from a Millennium Challenge Compact shall be subject to the regular notification procedures of the Committees on Appropriations prior to re-obligation: *Provided further,* That notwithstanding section 606(a)(2) of the MCA, a country shall be a candidate country for purposes of eligibility for assistance for the fiscal year if the country has a per capita income equal to or below the World Bank's lower middle income country threshold for the fiscal year and is among the 75 lowest per capita income countries as identified by the World Bank; and the country meets the requirements of section 606(a)(1)(B) of the MCA: *Provided further,* That notwithstanding section 606(b)(1) of the MCA, in addition to countries described in the preceding proviso, a country shall be a candidate country for purposes of eligibility for assistance for the fiscal year if the country has a per capita income equal to or below the World Bank's lower middle income country threshold for the fiscal year and is not among the 75 lowest per capita income countries as identified by the World Bank; and the country meets the requirements of section 606(a)(1)(B) of the MCA: *Provided further,* That any Millennium Challenge Corporation candidate country under section 606 of the MCA with a per capita income that changes in the fiscal year such that the country would be reclassified from a low income country to a lower middle income country or from a lower middle income country to a low income country shall retain its candidacy status in its former income classification for the fiscal year and the 2 subsequent fiscal years: *Provided further,*

That publication in the Federal Register of a notice of availability of a copy of a Compact on the Millennium Challenge Corporation Web site shall be deemed to satisfy the requirements of section 610(b)(2) of the MCA for such Compact: *Provided further,* That none of the funds made available by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be available for a threshold program in a country that is not currently a candidate country: *Provided further,* That of the funds appropriated under this heading, not to exceed $100,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses.

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, $22,500,000, to remain available until September 30, 2015: *Provided*, That of the funds appropriated under this heading, not to exceed $2,000 may be available for representation expenses.

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980 (Public Law 96–533), $30,000,000, to remain available until September 30, 2015, of which not to exceed $2,000 may be available for representation expenses: *Provided,* That section 503(a) of the African Development Foundation Act (Public Law 96–533; 22 U.S.C. 290h–1(a)) is hereby amended by inserting "United States" before "African Development": *Provided further*, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the United States African Development Foundation (USADF): *Provided further,* That interest earned shall be used only for the purposes for which the grant was made: *Provided further,* That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the Board of Directors of the USADF may waive the $250,000 limitation contained in that section with respect to a project and a project may exceed the limitation by up to 10 percent if the increase is due solely to foreign currency fluctuation: *Provided further,* That the USADF shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, $23,500,000, to remain available until September 30, 2016, which shall be available notwithstanding any other provision of law.

TITLE IV

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $1,005,610,000, to remain available until September 30, 2015: *Provided*, That the provision of assistance by any other United States Government department or agency which is comparable to assistance made available under this heading but which is provided under any other provision of law, shall be administered in accordance with the provisions of sections 481(b) and 622(c) of the Foreign Assistance Act of 1961: *Provided further,* That of the funds appropriated under this heading, not less than $5,000,000 shall be made available to combat piracy of United States copyright materials, consistent with the requirements of section 688(a) and (b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110–161): *Provided further,* That the reporting requirements contained in section 1404 of Public Law 110–252 shall apply to funds made available by this Act, including a description of modifications, if any, to the Palestinian Authority's security strategy: *Provided further,* That of the funds appropriated under this heading, $5,000,000 shall be made available, on a competitive basis, for rule of law programs for transitional and post-conflict states, and for activities to coordinate rule of law programs among foreign governments, international and nongovernmental organizations, and other United States Government agencies: *Provided further*, That funds appropriated under this heading shall be made available to support training and technical assistance for foreign law enforcement, corrections, and other judicial authorities, utilizing regional partners: *Provided further,* That the Department of State may use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing such property to a foreign country or international organization under chapter 8 of part I of that Act, subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated under this heading that are made available for the International Police Peacekeeping Operations Support Program shall only be made available on a cost-matching basis from sources other than the United States Government, to the maximum extent practicable: *Provided further,* That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading, except that any funds made available notwithstanding such section shall be subject to the regular notification procedures of the Committees on Appropriations.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $630,000,000, to

remain available until September 30, 2015, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: *Provided*, That for the clearance of unexploded ordnance, the Secretary of State should prioritize those areas where such ordnance was caused by the United States: *Provided further,* That funds made available under this heading for the Nonproliferation and Disarmament Fund shall be available notwithstanding any other provision of law and subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, to promote bilateral and multilateral activities relating to nonproliferation, disarmament and weapons destruction, and shall remain available until expended: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That funds appropriated under this heading may be made available for the IAEA unless the Secretary of State determines that Israel is being denied its right to participate in the activities of that Agency: *Provided further*, That funds made available for conventional weapons destruction programs, including demining and related activities, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of such programs and activities.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $235,600,000: *Provided*, That funds appropriated under this heading may be used, notwithstanding section 660 of such Act, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations: *Provided further*, That of the funds appropriated under this heading, not less than $36,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai, of which of up to $8,000,000 may be made available to address force protection requirements: *Provided further*, That funds appropriated under this Act should not be used to support any military training or operations that include child soldiers: *Provided further*, That the Secretary of State shall consult with the Committees on Appropriations prior to the obligation of funds made available under this heading for the Global Peacekeeping Operations Initiative: *Provided further*, That none of the funds appropriated under this heading shall be obligated except as provided through the

regular notification procedures of the Committees on Appropriations.

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $105,573,000, of which up to $4,000,000 may remain available until September 30, 2015, and may only be provided through the regular notification procedures of the Committees on Appropriations: *Provided*, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: *Provided further*, That of the funds appropriated under this heading, not to exceed $55,000 may be available for entertainment expenses.

FOREIGN MILITARY FINANCING PROGRAM

For necessary expenses for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $5,389,280,000: *Provided*, That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State, following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: *Provided further*, That of the funds appropriated under this heading, not less than $3,100,000,000 shall be available for grants only for Israel, and funds are available for assistance for Jordan and Egypt subject to section 7041 of this Act: *Provided further*, That the funds appropriated under this heading for assistance for Israel shall be disbursed within 30 days of enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than $815,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That none of the funds made available under this heading shall be made available to support or continue any program initially funded under the authority of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456) unless the Secretary of State, in coordination with the Secretary of Defense, has justified such program to the Committees on Appropriations: *Provided further*, That funds appropriated or otherwise made available under this heading shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: *Provided further*, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense

services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurement has first signed an agreement with the United States Government specifying the conditions under which such procurement may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 7015 of this Act: *Provided further,* That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: *Provided further*, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That not more than $60,000,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds made available under this heading for general costs of administering military assistance and sales, not to exceed $4,000 may be available for entertainment expenses and not to exceed $130,000 may be available for representation expenses: *Provided further*, That not more than $885,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2014 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

TITLE V

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, $344,020,000, of which up to $10,000,000 may be made available for the Intergovernmental Panel on Climate Change/United Nations Framework Convention on Climate Change: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund.

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, $143,750,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $1,355,000,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury for the United States share of the paid-in portion of the increases in capital stock, $186,957,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of increases in capital stock in an amount not to exceed $2,928,990,899.

CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

For payment to the International Bank for Reconstruction and Development as trustee for the Clean Technology Fund by the Secretary of the Treasury, $184,630,000, to remain available until expended.

CONTRIBUTION TO THE STRATEGIC CLIMATE FUND

For payment to the International Bank for Reconstruction and Development as trustee for the Strategic Climate Fund by the Secretary of the Treasury, $49,900,000, to remain available until expended.

GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

For payment to the Global Agriculture and Food Security Program by the Secretary of the Treasury, $133,000,000, to remain available until expended.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $102,000,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $4,098,794,833.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, $6,298,000, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

For payment to the Asian Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of increase in capital stock, $106,586,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Asian Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $2,558,048,769.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For payment to the Asian Development Bank's Asian Development Fund by the Secretary of the Treasury, $109,854,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $32,418,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $507,860,808.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, $176,336,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For payment to the International Fund for Agricultural Development by the Secretary of the Treasury, $30,000,000, to remain available until expended.

TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $5,100,000, to remain available until September 30, 2015.

PROGRAM ACCOUNT

The Export-Import Bank (the Bank) of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided,* That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act: *Provided further*, That not less than 20 percent of the aggregate loan, guarantee, and insurance authority available to the Bank under this Act should be used to finance exports directly by small business concerns (as defined under section 3 of the Small Business Act): *Provided further,* That not less than 10 percent of the aggregate loan, guarantee, and insurance authority available to the Bank under this Act should be used for renewable energy technologies or energy efficiency technologies: *Provided further,* That notwithstanding section 1(c) of Public Law 103–428, as amended, sections 1(a) and (b) of Public Law 103–428 shall remain in effect through October 1, 2014. 12 USC 635 note.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, not to exceed $115,500,000, of which $10,500,000 shall remain available until expended and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided*, That the Export-Import Bank (the Bank) may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: *Provided further*, That notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until September 30, 2014: *Provided further*, 12 USC 635a note.

That the Bank shall charge fees for necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Bank, repossession or sale of pledged collateral or other assets acquired by the Bank in satisfaction of moneys owed the Bank, or the investigation or appraisal of any property, or the evaluation of the legal, financial, or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, or systems infrastructure directly supporting transactions: *Provided further*, That, in addition to other funds appropriated for administrative expenses, such fees shall be credited to this account, to remain available until expended.

RECEIPTS COLLECTED

Receipts collected pursuant to the Export-Import Bank Act of 1945, as amended, and the Federal Credit Reform Act of 1990, as amended, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: *Provided*, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting collections so as to result in a final fiscal year appropriation from the General Fund estimated at $0: *Provided further*, That amounts collected in fiscal year 2014 in excess of obligations, up to $10,000,000, shall become available on September 1, 2014, and shall remain available until September 30, 2017.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: *Provided,* That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $62,574,000: *Provided further,* That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, $27,371,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2014, 2015, and 2016: *Provided further,* That funds so obligated in fiscal year 2014 remain available for disbursement through 2022;

funds obligated in fiscal year 2015 remain available for disbursement through 2023; and funds obligated in fiscal year 2016 remain available for disbursement through 2024: *Provided further,* That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 in Iraq: *Provided further,* That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $55,073,000, to remain available until September 30, 2015: *Provided*, That of the funds appropriated under this heading, not more than $4,000 may be available for representation and entertainment expenses.

TITLE VII

GENERAL PROVISIONS

ALLOWANCES AND DIFFERENTIALS

SEC. 7001. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

UNOBLIGATED BALANCES REPORT

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2014 or any previous fiscal year, disaggregated by fiscal year: *Provided*, That the report required by this section should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

CONSULTING SERVICES

SEC. 7003. The expenditure of any appropriation under title I of this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under

existing law, or under existing Executive Order issued pursuant to existing law.

DIPLOMATIC FACILITIES

SEC. 7004. (a) Of funds provided under title I of this Act, except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–453), as amended by section 629 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.

(b) Notwithstanding the prohibition in subsection (a), a project to construct a diplomatic facility of the United States may include office space or other accommodations for members of the United States Marine Corps.

(c) For the purposes of calculating the fiscal year 2014 costs of providing new United States diplomatic facilities in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares in a manner that is proportional to the Department of State's contribution for this purpose.

(d) Funds appropriated by this Act, and any prior Act making appropriations for the Department of State, foreign operations, and related programs, which may be made available for the acquisition of property for diplomatic facilities in Afghanistan, Pakistan, and Iraq, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(e)(1) The limitation and reporting requirement regarding the New London Embassy contained in section 7004(f) of division I of Public Law 112–74 shall remain in effect during fiscal year 2014.

(2) Funds appropriated or otherwise made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, under the heading "Embassy Security, Construction, and Maintenance" may be obligated for the relocation of the United States Embassy to the Holy See only if the Secretary of State reports in writing to the Committees on Appropriations that—

(A) the United States Ambassador to the Holy See and embassy staff will retain their independence from other United States missions located in Rome, including by maintaining a separate building with a discrete address and entrance; and

(B) any relocation of the chancery will not increase annual operating costs, will not result in a reduction in staff, and will enhance overall security for the United States Embassy to the Holy See.

(f)(1) Of the funds appropriated by this Act under the heading "Embassy Security, Construction, and Maintenance", not less than

$25,000,000 shall be made available to address security vulnerabilities at expeditionary, interim, and temporary facilities abroad, including physical security upgrades and local guard staffing: *Provided*, That the uses of such funds should be the responsibility of the Assistant Secretary of State for the Bureau of Diplomatic Security and Foreign Missions, in consultation with the Director of the Bureau of Overseas Buildings Operations: *Provided further*, That such funds shall be subject to prior consultation with the Committees on Appropriations.

(2) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees detailing the policies, standards, and procedures for the construction and operation of expeditionary, interim, and temporary diplomatic facilities, including any waiver of security requirements and accommodation of temporary surges in personnel or programs: *Provided*, That such report shall include a list of all expeditionary, interim, and temporary diplomatic facilities and the number of personnel and security costs for each such facility: *Provided further*, That the report required by this paragraph may be submitted in classified form if necessary.

(3) Notwithstanding any other provision of law, the opening, closure, or any significant modification to an expeditionary, interim, or temporary diplomatic facility shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations, except that such consultation and notification may be waived if there is a security risk to personnel.

PERSONNEL ACTIONS

SEC. 7005. Any costs incurred by a department or agency funded under title I of this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available under title I to such department or agency: *Provided,* That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further,* That use of funds to carry out this section shall be treated as a reprogramming of funds under section 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

LOCAL GUARD CONTRACTS

SEC. 7006. In evaluating proposals for local guard contracts, the Secretary of State shall award contracts in accordance with section 136 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864), except that the Secretary may grant authorization to award such contracts on the basis of best value as determined by a cost-technical tradeoff analysis (as described in Federal Acquisition Regulation part 15.101), notwithstanding subsection (c)(3) of such section, for high risk, high threat posts: *Provided*, That the authority in this section shall apply to any options for renewal that may be exercised under such contracts.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 7007. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance or reparations for the governments of Cuba, North Korea, Iran, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

COUPS D'ÉTAT

SEC. 7008. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup d'état or decree or, after the date of enactment of this Act, a coup d'état or decree in which the military plays a decisive role: *Provided*, That assistance may be resumed to such government if the President determines and certifies to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office: *Provided further*, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: *Provided further*, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFER AUTHORITY

SEC. 7009. (a) DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS.—

(1) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

(2) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

(3) Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 7015(a) and (b) of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b) EXPORT FINANCING TRANSFER AUTHORITIES.—Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2014, for programs under title VI of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided,*

That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) LIMITATION ON TRANSFERS BETWEEN AGENCIES.—

(1) None of the funds made available under titles II through V of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(3) Any agreement entered into by the United States Agency for International Development (USAID) or the Department of State with any department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $1,000,000 and any agreement made pursuant to section 632(a) of such Act, with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Global Health Programs", "Development Assistance", and "Economic Support Fund" shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided*, That the requirement in the previous sentence shall not apply to agreements entered into between USAID and the Department of State.

(d) TRANSFERS BETWEEN ACCOUNTS.—None of the funds made available under titles II through V of this Act may be obligated under an appropriation account to which such funds were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations.

(e) AUDIT OF INTER-AGENCY TRANSFERS.—Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the Department of State or USAID and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Inspector General (IG) for the agency receiving the transfer or allocation of such funds, or other entity with audit responsibility if the receiving agency does not have an IG, shall perform periodic program and financial audits of the use of such funds: *Provided*, That such audits shall be transmitted to the Committees on Appropriations: *Provided further*, That funds transferred under such authority may be made available for the cost of such audits.

REPORTING REQUIREMENT

SEC. 7010. The Secretary of State shall provide the Committees on Appropriations, not later than April 1, 2014, and for each fiscal quarter, a report in writing on the uses of funds made available

under the headings "Foreign Military Financing Program", "International Military Education and Training", "Peacekeeping Operations", and "Pakistan Counterinsurgency Capability Fund" in this Act, or prior Acts making appropriations for the Department of State, foreign operations, and related programs: *Provided*, That such report shall include a description of the obligation and expenditure of funds, and the specific country in receipt of, and the use or purpose of, the assistance provided by such funds.

AVAILABILITY OF FUNDS

SEC. 7011. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided,* That funds appropriated for the purposes of chapters 1 and 8 of part I, section 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the heading "Development Credit Authority" shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further,* That notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially allocated or obligated before the expiration of their respective periods of availability contained in this Act: *Provided further,* That the Secretary of State shall provide a report to the Committees on Appropriations at the beginning of each fiscal year, detailing by account and source year, the use of this authority during the previous fiscal year.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 7012. No part of any appropriation provided under titles III through VI in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance for such country is in the national interest of the United States.

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 7013. (a) PROHIBITION ON TAXATION.—None of the funds appropriated under titles III through VI of this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States

shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2014 on funds appropriated by this Act by a foreign government or entity against United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors, and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2015 and allocated for the central government of such country and for the West Bank and Gaza program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations, not later than September 30, 2015, that such taxes have not been reimbursed to the Government of the United States.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each country or entity pursuant to subsection (b) shall be reprogrammed for assistance for countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes, and that can reasonably accommodate such assistance in a programmatically responsible manner.

(e) DETERMINATIONS.—

(1) The provisions of this section shall not apply to any country or entity the Secretary of State reports to the Committees on Appropriations—

(A) does not assess taxes on United States assistance or which has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the purpose of this section to ensure that United States assistance is not subject to taxation.

(2) The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any country or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section—

(1) the term "bilateral agreement" refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement;

(2) the term "taxes and taxation" shall include value added taxes and customs duties but shall not include individual income taxes assessed to local staff or personal services contractors.

(h) REPORT.—The Secretary of State, in consultation with the heads of other relevant departments or agencies, shall submit a report to the Committees on Appropriations, not later than 90 days after the enactment of this Act, detailing steps taken by such departments or agencies to comply with the requirements of this section.

RESERVATIONS OF FUNDS

SEC. 7014. (a) Funds appropriated under titles II through VI of this Act which are specifically designated may be reprogrammed for other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development (USAID) that are specifically designated for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the USAID Administrator determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: *Provided*, That such designated funds that continue to be available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs: *Provided*, That specifically designated funding levels or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

NOTIFICATION REQUIREMENTS

SEC. 7015. (a) None of the funds made available in titles I and II of this Act, or in prior appropriations Acts to the agencies and departments funded by this Act that remain available for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows or other offsetting collections, or made available by transfer, to the agencies and departments funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) closes or opens a mission or post;

(6) creates, closes, reorganizes, or renames bureaus, centers, or offices;

(7) reorganizes programs or activities; or

(8) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds: *Provided*, That unless previously justified to the Committees on Appropriations, the requirements of this subsection shall apply to all obligations of funds appropriated under titles I and II of this Act for paragraphs (5) and (6) of this subsection.

(b) None of the funds provided under titles I and II of this Act, or provided under previous appropriations Acts to the agency or department funded under titles I and II of this Act that remain available for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agency or department funded under title I of this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(c) None of the funds made available under titles III through VI of this Act under the headings "Global Health Programs", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Economic Support Fund", "Democracy Fund", "Peacekeeping Operations", "Conflict Stabilization Operations", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Millennium Challenge Corporation", "Foreign Military Financing Program", "International Military Education and Training", and "Peace Corps", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations are notified 15 days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That requirements of this subsection or any similar provision of this or any other Act shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under titles III through VI of this Act of less than 10 percent of the amount previously justified to the

Congress for obligation for such activity, program, or project for the current fiscal year.

(d) Notwithstanding any other provision of law, with the exception of funds transferred to, and merged with, funds appropriated under title I of this Act, funds transferred by the Department of Defense to the Department of State and the United States Agency for International Development for assistance for foreign countries and international organizations, and funds made available for programs authorized by section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided*, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

(f) None of the funds appropriated under titles III through VI of this Act shall be obligated or expended for assistance for Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Cuba, Ecuador, Egypt, Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Pakistan, the Russian Federation, Serbia, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Tunisia, Uzbekistan, Venezuela, Yemen, and Zimbabwe except as provided through the regular notification procedures of the Committees on Appropriations.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 7016. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as other committees pursuant to subsection (f) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 7017. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under titles

III through VI of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961 or section 7049(a) of this Act, shall remain available for obligation until September 30, 2015: *Provided*, That the requirement to withhold funds for programs in Burma under section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated by this Act.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 7018. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

ALLOCATIONS

SEC. 7019. (a) Funds provided in this Act shall be made available for programs and countries in the amounts contained in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(b) For the purposes of implementing this section and only with respect to the tables included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), the Secretary of State, the Administrator of the United States Agency for International Development, and the Broadcasting Board of Governors, as appropriate, may propose deviations to the amounts referenced in subsection (a), subject to the regular notification procedures of the Committees on Appropriations.

REPRESENTATION AND ENTERTAINMENT EXPENSES

SEC. 7020. (a) Each Federal department, agency, or entity funded in titles I or II of this Act, and the Department of the Treasury and independent agencies funded in titles III or VI of this Act, shall take steps to ensure that domestic and overseas representation and entertainment expenses further official agency business and United States foreign policy interests and are—

(1) primarily for fostering relations outside of the Executive Branch;

(2) principally for meals and events of a protocol nature;

(3) not for employee-only events; and

(4) do not include activities that are substantially of a recreational character.

(b) None of the funds appropriated or otherwise made available by this Act under the headings "International Military Education and Training" or "Foreign Military Financing Program" for Informational Program activities or under the headings "Global Health Programs", "Development Assistance", and "Economic Support Fund" may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

PROHIBITION ON ASSISTANCE TO GOVERNMENTS SUPPORTING INTERNATIONAL TERRORISM

SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EXPORTS.—

(1) None of the funds appropriated or otherwise made available by titles III through VI of this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined supports international terrorism for purposes of section 6(j) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act: *Provided*, That the prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment: *Provided further*, That this section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(2) Assistance restricted by paragraph (1) or any other similar provision of law, may be furnished if the President determines that to do so is important to the national interests of the United States.

(3) Whenever the President makes a determination pursuant to paragraph (2), the President shall submit to the Committees on Appropriations a report with respect to the furnishing of such assistance, including a detailed explanation of the assistance to be provided, the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

(b) BILATERAL ASSISTANCE.—

(1) Funds appropriated for bilateral assistance in titles III through VI of this Act and funds appropriated under any such title in prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall not be made available to any foreign government which the President determines—

(A) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism;

(B) otherwise supports international terrorism; or

(C) is controlled by an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

(2) The President may waive the application of paragraph (1) to a government if the President determines that national security or humanitarian reasons justify such waiver: *Provided*, That the President shall publish each such waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

AUTHORIZATION REQUIREMENTS

SEC. 7022. Funds appropriated by this Act, except funds appropriated under the heading "Trade and Development Agency", may be obligated and expended notwithstanding section 10 of Public Law 91–672, section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 7023. For the purpose of titles II through VI of this Act "program, project, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts funding directives, ceilings, and limitations with the exception that for the following accounts: "Economic Support Fund" and "Foreign Military Financing Program", "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; and for the development assistance accounts of the United States Agency for International Development, "program, project, and activity" shall also be considered to include central, country, regional, and program level funding, either as—

(1) justified to the Congress; or

(2) allocated by the Executive Branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

SEC. 7024. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for the Department of State, foreign operations, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act: *Provided*, That prior to conducting activities in a country for which assistance is prohibited, the agency shall consult with the Committees on Appropriations and report to such Committees within 15 days of taking such action.

COMMERCE, TRADE AND SURPLUS COMMODITIES

SEC. 7025. (a) None of the funds appropriated or made available pursuant to titles III through VI of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations: *Provided further*, That this subsection shall not prohibit—

(1) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(2) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States;

(2) research activities intended primarily to benefit American producers;

(3) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(4) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

22 USC 262h note.

(c) The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions, as defined in section 7029(g) of this Act, to use the voice and

vote of the United States to oppose any assistance by such institutions, using funds appropriated or made available by this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

SEPARATE ACCOUNTS

SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.— 22 USC 2362 note.

(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development (USAID) shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of USAID and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—USAID shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The USAID Administrator shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements

of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the regular notification procedures of the Committees on Appropriations.

ELIGIBILITY FOR ASSISTANCE

SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961: *Provided*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2014, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Food for Peace Act (Public Law 83–480): *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended

except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

LOCAL COMPETITION

SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO COMPETITION FOR LOCAL ENTITIES.—Funds appropriated by this Act that are made available to the United States Agency for International Development (USAID) may only be made available for limited competitions through local entities if—

(1) prior to the determination to limit competition to local entities, USAID has—

(A) assessed the level of local capacity to effectively implement, manage, and account for programs included in such competition; and

(B) documented the written results of the assessment and decisions made; and

(2) prior to making an award after limiting competition to local entities—

(A) each successful local entity has been determined to be responsible in accordance with USAID guidelines; and

(B) effective monitoring and evaluation systems are in place to ensure that award funding is used for its intended purposes; and

(3) no level of acceptable fraud is assumed.

(b) In addition to the requirements of paragraph (1), the USAID Administrator shall report, on a semi-annual basis, to the appropriate congressional committees on all awards subject to limited or no competition for local entities: *Provided*, That such report should be posted on the USAID Web site: *Provided further*, That the requirements of this subsection shall only apply to awards in excess of $3,000,000 and sole source awards to local entities in excess of $2,000,000.

(c) Section 7077 of division I of Public Law 112–74 shall continue in effect during fiscal year 2014: *Provided*, That subsection (b) of such section is amended in subsection (b)(3) by striking "either" and in subsection (b)(3)(A) by striking "or" after the semicolon and replacing in lieu thereof "and".

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) None of the funds appropriated under title V of this Act should be made as payment to any international financial institution unless the Secretary of the Treasury certifies to the Committees on Appropriations that such institution has a policy and practice of requiring independent, outside evaluations of each project and program loan or grant and significant analytical, nonlending activity, and the impact of such loan, grant, or activity

on achieving the institution's goals, including reducing poverty and promoting equitable economic growth, consistent with effective safeguards.

(b) None of the funds appropriated under title V of this Act may be made as payment to any international financial institution while the United States executive director to such institution is compensated by the institution at a rate which, together with whatever compensation such executive director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States executive director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(c) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to oppose any loan, grant, strategy, or policy of such institution that would require user fees or service charges on poor people for primary education or primary healthcare, including maternal and child health, and the prevention, care and treatment of HIV/AIDS, malaria, and tuberculosis in connection with such institution's financing programs.

(d) The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (IMF) to use the voice and vote of the United States to oppose any loan, project, agreement, memorandum, instrument, plan, or other program of the IMF to a Heavily Indebted Poor Country that imposes budget caps or restraints that do not allow the maintenance of or an increase in governmental spending on healthcare or education; and to promote government spending on healthcare, education, agriculture and food security, or other critical safety net programs in all of the IMF's activities with respect to Heavily Indebted Poor Countries.

(e) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to ensure that each such institution responds to the findings and recommendations of its accountability mechanisms by providing just compensation or other appropriate redress to individuals and communities that suffer violations of human rights, including forced displacement, resulting from any loan, grant, strategy or policy of such institution.

(f) The Secretary of the Treasury shall direct the United States executive directors of the World Bank and the Inter-American Development Bank to report to the Committees on Appropriations not later than 30 days after enactment of this Act and every 90 days thereafter until September 30, 2014, on the steps being taken by such institutions to support implementation of the April 2010 Reparations Plan for Damages Suffered by the Communities Affected by the Construction of the Chixoy Hydroelectric Dam in Guatemala.

22 USC 262h note.

(g) For the purposes of this Act "international financial institutions" shall mean the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Asian Development Fund, the Inter-American Investment

Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund.

DEBT-FOR-DEVELOPMENT

SEC. 7030. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-TO-GOVERNMENT ASSISTANCE.—

(1) Funds appropriated by this Act may be made available for direct government-to-government assistance only if—

(A) each implementing agency or ministry to receive assistance has been assessed and is considered to have the systems required to manage such assistance and any identified vulnerabilities or weaknesses of such agency or ministry have been addressed; and

(i) the recipient agency or ministry employs and utilizes staff with the necessary technical, financial, and management capabilities;

(ii) the recipient agency or ministry has adopted competitive procurement policies and systems;

(iii) effective monitoring and evaluation systems are in place to ensure that such assistance is used for its intended purposes;

(iv) no level of acceptable fraud is assumed; and

(v) the government of the recipient country is taking steps to publicly disclose on an annual basis its national budget, to include income and expenditures;

(B) the recipient government is in compliance with the principles set forth in section 7013 of this Act;

(C) the recipient agency or ministry is not headed or controlled by an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act;

(D) the Government of the United States and the government of the recipient country have agreed, in writing, on clear and achievable objectives for the use of such assistance, which should be made available on a cost-reimbursable basis; and

(E) the recipient government is taking steps to protect the rights of civil society, including freedom of association and assembly.

(2) In addition to the requirements in subsection (a), no funds may be made available for direct government-to-government assistance without prior consultation with, and notification of, the Committees on Appropriations: *Provided*, That such notification shall contain an explanation of how the proposed activity meets the requirements of paragraph (1): *Provided further*, That the requirements of this paragraph shall only apply to direct government-to-government assistance in excess of $10,000,000 and all funds available for cash transfer, budget support, and cash payments to individuals.

(3) The Administrator of the United States Agency for International Development (USAID) or the Secretary of State, as appropriate, shall suspend any direct government-to-government assistance if the Administrator or the Secretary has credible information of material misuse of such assistance, unless the Administrator or the Secretary reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance, including a justification, or that such misuse has been appropriately addressed.

(4) The Secretary of State shall submit to the Committees on Appropriations, concurrent with the fiscal year 2015 congressional budget justification materials, amounts planned for assistance described in subsection (a) by country, proposed funding amount, source of funds, and type of assistance.

(5) Not later than 90 days after the enactment of this Act and 6 months thereafter until September 30, 2014, the USAID Administrator shall submit to the Committees on Appropriations a report that—

(A) details all assistance described in subsection (a) provided during the previous 6-month period by country, funding amount, source of funds, and type of such assistance; and

(B) the type of procurement instrument or mechanism utilized and whether the assistance was provided on a reimbursable basis.

(6) None of the funds made available by this Act may be used for any foreign country for debt service payments owed by any country to any international financial institution: *Provided*, That for purposes of this subsection, the term "international financial institution" has the meaning given the term in section 7029(g) of this Act.

(b) NATIONAL BUDGET AND CONTRACT TRANSPARENCY.—

(1) MINIMUM REQUIREMENTS OF FISCAL TRANSPARENCY.—Not later than 90 days after enactment of this Act, the Secretary of State, in consultation with the heads of other relevant Federal agencies, shall develop for each government receiving assistance appropriated by this Act, "minimum requirements of fiscal transparency" which shall be updated and strengthened, as appropriate, to reflect best practices.

(2) DEFINITION.—For purposes of paragraph (1), "minimum requirements of fiscal transparency" are requirements consistent with those in subsection (a)(1), and the public disclosure of national budget documentation (to include receipts and expenditures by ministry) and government contracts and licenses for natural resource extraction (to include bidding and concession allocation practices).

(3) DETERMINATION AND REPORT.—For each government identified pursuant to paragraph (1), the Secretary of State, not later than 180 days after enactment of this Act, shall make a determination of "significant progress" or "no significant progress" in meeting the minimum requirements of fiscal transparency, and make such determinations publicly available in an annual "Fiscal Transparency Report" to be posted on the Department of State's Web site: *Provided*, That the Secretary shall identify the significant progress made by each such government to publicly disclose national budget documentation, contracts, and licenses which are additional to such information disclosed in previous fiscal years, and include specific recommendations of short- and long-term steps such government should take to improve fiscal transparency: *Provided further*, That the annual report shall include a detailed description of how funds appropriated by this Act are being used to improve fiscal transparency, and identify benchmarks for measuring progress.

(4) ASSISTANCE.—Of the funds appropriated under title III of this Act, not less than $10,000,000 should be made available for programs and activities to assist governments identified pursuant to paragraph (1) to improve budget transparency and to support civil society organizations in such countries that promote budget transparency: *Provided*, That such sums shall be in addition to funds otherwise made available for such purposes: *Provided further*, That a description of the uses of such funds shall be included in the annual "Fiscal Transparency Report" required by paragraph (3).

(c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.— 8 USC 1182 note.

(1) Officials of foreign governments and their immediate family members who the Secretary of State has credible information have been involved in significant corruption, including corruption related to the extraction of natural resources, or a gross violation of human rights shall be ineligible for entry into the United States.

(2) Individuals shall not be ineligible if entry into the United States would further important United States law enforcement objectives or is necessary to permit the United States to fulfill its obligations under the United Nations Headquarters Agreement: *Provided*, That nothing in paragraph (1) shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) The Secretary may waive the application of paragraph (1) if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.

(4) Not later than 6 months after enactment of this Act, the Secretary of State shall submit a report, including a classified annex if necessary, to the Committees on Appropriations describing the information relating to corruption or violation of human rights concerning each of the individuals found ineligible in the previous 12 months pursuant to paragraph (1), or who would be ineligible but for the application of paragraph (2), a list of any waivers provided under paragraph (3), and the justification for each waiver.

(5) Any unclassified portion of the report required under paragraph (4) shall be posted on the Department of State's

Web site, without regard to the requirements of section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)) with respect to confidentiality of records pertaining to the issuance or refusal of visas or permits to enter the United States.

(d) FOREIGN ASSISTANCE WEB SITE.—Funds appropriated by this Act under titles I and III may be made available to support the provision of additional information on United States Government foreign assistance on the Department of State's foreign assistance Web site: *Provided*, That all Federal agencies funded under this Act shall provide such information on foreign assistance, upon request, to the Department of State.

DEMOCRACY PROGRAMS

SEC. 7032. (a) Of the funds appropriated by this Act, not less than $2,849,555,000 should be made available for democracy programs, as defined in subsection (c).

(b) Funds made available by this Act for democracy programs may be made available notwithstanding any other provision of law, and with regard to the National Endowment for Democracy (NED), any regulation.

(c)(1) For purposes of funds appropriated by this Act, the term "democracy programs" means programs that support good governance, credible and competitive elections, freedom of expression, association, assembly, and religion, human rights, labor rights, independent media, and the rule of law, and that otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens to support the development of democratic states, and institutions that are responsive and accountable to citizens.

(2) For purposes of funds appropriated under title III of this Act, the term "democracy programs" shall also include programs to rescue scholars, and fellowships, scholarships, and exchanges in the Middle East and North Africa region for academic professionals and university students from countries in such region, subject to the regular notification procedures of the Committees on Appropriations.

(d) With respect to the provision of assistance for democracy, human rights, and governance activities in this Act, the organizations implementing such assistance, the specific nature of that assistance, and the participants in such programs shall not be subject to the prior approval by the government of any foreign country: *Provided*, That the Secretary of State, in coordination with the Administrator of the United States Agency for International Development (USAID), shall report to the Committees on Appropriations, not later than 120 days after enactment of this Act, detailing steps taken by the Department of State and USAID to comply with the requirements of this subsection.

(e) The Secretary of State shall submit to the Committees on Appropriations a strategy for the promotion of democracy in each country that receives funds appropriated by this Act in title III and that is important to the security interests of the United States, but whose central government does not govern justly or in accordance with the rule of law: *Provided*, That such strategy shall include support for institutions and individuals within such government that demonstrate a commitment to democratic principles.

(f) Funds appropriated by this Act that are made available for democracy programs shall be made available to support freedom of religion, including in the Middle East and North Africa.

(g) Any funds made available by this Act for a business and human rights program in the People's Republic of China shall be made available on a cost-matching basis from sources other than the United States Government.

(h) The Bureau of Democracy, Human Rights, and Labor, Department of State (DRL) and the Bureau for Democracy, Conflict and Humanitarian Assistance, USAID, shall regularly communicate their planned programs to the NED.

(i) Funds appropriated by this Act under the heading "Democracy Fund" that are made available to DRL shall be made available to establish and maintain a database of prisons and gulags in North Korea, including a list of political prisoners, and such database shall be regularly updated and made publicly available on the Internet, as appropriate.

MULTI-YEAR PLEDGES

SEC. 7033. None of the funds appropriated by this Act may be used to make any pledge for future year funding for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge was—

(1) previously justified, including the projected future year costs, in a congressional budget justification;

(2) included in an Act making appropriations for the Department of State, foreign operations, and related programs or previously authorized by an Act of Congress;

(3) notified in accordance with the regular notification procedures of the Committees on Appropriations, including the projected future year costs; or

(4) the subject of prior consultation with the Committees on Appropriations and such consultation was conducted at least 7 days in advance of the pledge.

SPECIAL PROVISIONS

SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated in titles III and VI of this Act that are made available for victims of war, displaced children, displaced Burmese, and to combat trafficking in persons and assist victims of such trafficking, may be made available notwithstanding any other provision of law.

(b) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(c) WORLD FOOD PROGRAM.—Funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development (USAID), from this or any other Act, may be made available as a general contribution to the World Food Program, notwithstanding any other provision of law.

(d) DISARMAMENT, DEMOBILIZATION AND REINTEGRATION.—Notwithstanding any other provision of law, regulation or Executive order, funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Economic Support Fund", "Peacekeeping Operations", "International Disaster Assistance", "Complex Crises Fund", and "Transition Initiatives" may be made available to support programs to disarm, demobilize, and reintegrate into civilian society former members of foreign terrorist organizations: *Provided*, That the Secretary of State shall consult with the Committees on Appropriations prior to the obligation of funds pursuant to this subsection: *Provided further*, That for the purposes of this subsection the term "foreign terrorist organization" means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

(e) RESEARCH AND TRAINING.—Funds appropriated by this Act under the heading "Economic Support Fund" may be made available to carry out the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union as authorized by the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501–4508).

(f) PARTNER VETTING.—Funds appropriated in this Act or any prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be used by the Secretary of State and the USAID Administrator, as appropriate, to support the continued implementation of the Partner Vetting System (PVS) pilot program: *Provided*, That the Secretary of State and the USAID Administrator shall jointly submit a report to the Committees on Appropriations, not later than 30 days after completion of the pilot program, on the estimated timeline and criteria for evaluating the PVS for expansion: *Provided further*, That such report shall include the requirements under this subsection in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That such report may be delivered in classified form, if necessary.

(g) CONTINGENCIES.—During fiscal year 2014, the President may use up to $100,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

(h) INTERNATIONAL CHILD ABDUCTIONS.—The Secretary of State may withhold funds appropriated under title III of this Act for assistance for the central government of any country that is not taking appropriate steps to comply with the Convention on the Civil Aspects of International Child Abductions, done at the Hague on October 25, 1980: *Provided*, That the Secretary shall report to the Committees on Appropriations within 15 days of withholding funds under this subsection.

(i) REPORTS REPEALED.—Section 585 in the matter under section 101(c) of Division A of Public Law 104–208, Omnibus Consolidated Appropriations Act, 1997; and subsection (g)(3) of section 7081 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Division F of Public Law 111–117) are hereby repealed.

22 USC 2656 note, 7909.

(j) TRANSFERS FOR EXTRAORDINARY PROTECTION.—The Secretary of State may transfer to, and merge with, funds under

the heading "Protection of Foreign Missions and Officials" unobligated balances of expired funds appropriated under the heading "Diplomatic and Consular Programs" for fiscal year 2014, except for funds designated for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, at no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated.

(k) PROTECTIONS AND REMEDIES FOR EMPLOYEES OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZATIONS.—The Secretary of State shall implement section 203(a)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457): *Provided*, That in determining whether to suspend the issuance of A–3 or G–5 visas under such section, the Secretary should consider the following as "credible evidence": (1) a final court judgment (including a default judgment) issued against a current or former employee of such mission or organization (for which the time period for appeal has expired); (2) the issuance of a T-visa to the victim; or (3) a request by the Department of State to the sending state that immunity of individual diplomats or family members be waived to permit criminal prosecution: *Provided further*, That the Secretary should assist in obtaining payment of final court judgments awarded to A–3 and G–5 visa holders, including encouraging the sending states to provide compensation directly to victims: *Provided further*, That the Secretary shall include in the Trafficking in Persons annual report a concise summary of each trafficking case involving an A–3 or G–5 visa holder which meets one or more of the items in the first proviso of this subsection.

(l) MODIFICATION OF AMENDMENT.—Section 620M of the Foreign Assistance Act of 1961 (Limitation on Assistance to Security Forces) is amended in subsection (d)(5) by striking everything after "when" and inserting in lieu thereof "an individual is designated to receive United States training, equipment, or other types of assistance the individual's unit is vetted as well as the individual;". 22 USC 2378d.

(m) EXTENSION OF AUTHORITIES.—

(1) Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting "September 30, 2014" for "September 30, 2010". 22 USC 214 note.

(2) The authority provided by section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect for facilities in Afghanistan through September 30, 2014, except that the notification and reporting requirements contained in such section shall include the Committees on Appropriations. 22 USC 4831 note.

(3) The authority contained in section 1115(d) of Public Law 111–32 shall remain in effect through September 30, 2014.

(4) Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) shall be applied by substituting "September 30, 2014" for "October 1, 2010" in paragraph (2). 22 USC 4064 note.

(5) Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) shall be applied by substituting "September 30, 2014" for "October 1, 2010" in paragraph (2). 22 USC 2733 note.

(6) Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting "September 30, 2014" for "October 1, 2010" in subparagraph (B). 22 USC 2385 note.

(7)(A) Subject to the limitation described in subparagraph (B), the authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1904) shall remain in effect through September 30, 2014.

(B) The authority described in subparagraph (A) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member's official duty station were in the District of Columbia.

(8) The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(A) In section 599D (8 U.S.C. 1157 note)—

(i) in subsection (b)(3), by striking "and 2013" and inserting "2013, and 2014"; and

(ii) in subsection (e), by striking "2013" each place it appears and inserting "2014"; and

(B) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking "2013" and inserting "2014".

(9) The authorities provided in section 1015(b) of Public Law 111–212 shall remain in effect through September 30, 2014.

(n) CROWD CONTROL ITEMS.—Funds appropriated by this Act should not be used for tear gas, small arms, light weapons, ammunition, or other items for crowd control purposes for foreign security forces that use excessive force to repress peaceful expression, association, or assembly in countries undergoing democratic transition.

(o) EXTENSION OF PROTECTION FOR AFGHAN ALLIES.—Section 602(b) of Public Law 111–8 is amended by adding at the end of subsection 602(b)(3)(C): 8 USC 1101 note.

"(D) ADDITIONAL FISCAL YEAR.—For fiscal year 2014, the total number of principal aliens who may be provided special immigrant status under this section may not exceed 3,000, except that any unused balance of the total number of principal aliens who may be provided special immigrant status in fiscal year 2014 may be carried forward and provided through the end of fiscal year 2015, notwithstanding the provisions of paragraph (C), except that the one year period during which an alien must have been employed in accordance with subsection (b)(2)(A)(ii) shall be the period from October 7, 2001 through December 31, 2014, and except that the principal alien seeking special immigrant status under this subparagraph shall apply to the Chief of Mission in accordance with subsection (b)(2)(D) no later than September 30, 2014.".

(p) DEPARTMENT OF STATE WORKING CAPITAL FUND.—Funds appropriated by this Act or otherwise made available to the Department of State for payments to the Working Capital Fund may only be used for the activities and in the amounts allowed in the President's fiscal year 2014 budget: *Provided*, That Federal agency components shall be charged only for their direct usage

of each Working Capital Fund service: *Provided further*, That Federal agency components may only pay for Working Capital Fund services that are consistent with the component's purpose and authorities: *Provided further*, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: *Provided further*, That the Working Capital Fund shall be subject to the requirements of section 7015 of this Act.

(q) PROPERTY MANAGEMENT.—Section 585(a) of Public Law 101–513 is amended by inserting "and for maintenance" after "of that Act". 22 USC 2396a.

(r) EVALUATIONS OF ASSISTANCE.—Funds appropriated by this Act that are available for monitoring and evaluation of assistance funded under the headings "International Disaster Assistance" and "Migration and Refugee Assistance" should be made available for the independent and systematic collection and reporting of information obtained directly from beneficiaries of such assistance regarding the quality and utility of such assistance, for the purpose of maximizing its cost effectiveness: *Provided*, That the Department of State and USAID, as appropriate, shall post summaries of such information on their Web sites.

(s) HIV/AIDS WORKING CAPITAL FUND.—Funds available in the HIV/AIDS Working Capital Fund established pursuant to section 525(b)(1) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108–477) may be made available for pharmaceuticals and other products for child survival, malaria, and tuberculosis to the same extent as HIV/AIDS pharmaceuticals and other products, subject to the terms and conditions in such section: *Provided*, That the authority in section 525(b)(5) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108–477) shall be exercised by the Assistant Administrator for Global Health, USAID, with respect to funds deposited for such non-HIV/AIDS pharmaceuticals and other products, and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the Secretary of State shall include in the congressional budget justification an accounting of budgetary resources, disbursements, balances, and reimbursements related to such fund.

(t) DEFINITIONS.—

(1) Unless otherwise defined in this Act, for purposes of this Act the term "appropriate congressional committees" shall mean the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives.

(2) Unless otherwise defined in this Act, for purposes of this Act the term "funds appropriated in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs" shall mean funds that remain available for obligation, and have not expired.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 7035. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel,

is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

PALESTINIAN STATEHOOD

SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated under titles III through VI of this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) the governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel; and

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures, and is cooperating with appropriate Israeli and other appropriate security organizations; and

(2) the Palestinian Authority (or the governing entity of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgment of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if the President determines that it is important to the national security interests of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 7040 of this Act ("Limitation on Assistance for the Palestinian Authority").

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 7037. None of the funds appropriated under titles II through VI of this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: *Provided*, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further*, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem: *Provided further*, That as has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 7038. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

ASSISTANCE FOR THE WEST BANK AND GAZA

SEC. 7039. (a) OVERSIGHT.—For fiscal year 2014, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the Committees on Appropriations that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading "Economic Support Fund" for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading "Economic Support Fund" for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity nor, with respect to private entities or educational institutions, those that have as a principal officer of the entity's governing board or governing board of trustees any individual that has been determined to be involved in, or advocating terrorist activity or determined to be a member of a designated foreign terrorist organization: *Provided*, That the Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which the Secretary has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—

(1) None of the funds appropriated under titles III through VI of this Act for assistance under the West Bank and Gaza Program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed acts of terrorism.

(2) Notwithstanding any other provision of law, none of the funds made available by this or prior appropriations Acts, including funds made available by transfer, may be made available for obligation for security assistance for the West Bank and Gaza until the Secretary of State reports to the Committees on Appropriations on the benchmarks that have been established for security assistance for the West Bank and Gaza and reports on the extent of Palestinian compliance with such benchmarks.

(d) AUDITS.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and sub-grantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act up to $500,000 may be used by the Office of Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection: *Provided*, That such funds are in addition to funds otherwise available for such purposes.

(e) Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program, including all funds provided as cash transfer assistance, in fiscal year 2014 under the heading "Economic Support Fund", and such audit shall address—

(1) the extent to which such Program complies with the requirements of subsections (b) and (c); and

(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(f) Funds made available in this Act for West Bank and Gaza shall be subject to the regular notification procedures of the Committees on Appropriations.

(g) Not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations updating the report contained in section 2106 of chapter 2 of title II of Public Law 109–13.

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

SEC. 7040. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed: *Provided*, That the report shall also detail the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

(e) CERTIFICATION.—If the President exercises the waiver authority under subsection (b), the Secretary of State must certify and report to the Committees on Appropriations prior to the obligation of funds that the Palestinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, no parallel financing mechanisms exist outside of the Palestinian Authority treasury account, and there is a single comprehensive civil service roster and payroll, and the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel.

(f) PROHIBITION TO HAMAS AND THE PALESTINE LIBERATION ORGANIZATION.—

(1) None of the funds appropriated in titles III through VI of this Act may be obligated for salaries of personnel of the Palestinian Authority located in Gaza or may be obligated or expended for assistance to Hamas or any entity effectively controlled by Hamas, any power-sharing government of which Hamas is a member, or that results from an agreement with Hamas and over which Hamas exercises undue influence.

(2) Notwithstanding the limitation of paragraph (1), assistance may be provided to a power-sharing government only if the President certifies and reports to the Committees on Appropriations that such government, including all of its ministers or such equivalent, has publicly accepted and is complying with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended.

(3) The President may exercise the authority in section 620K(e) of the Foreign Assistance Act of 1961, as added by the Palestine Anti-Terrorism Act of 2006 (Public Law 109–446) with respect to this subsection.

(4) Whenever the certification pursuant to paragraph (2) is exercised, the Secretary of State shall submit a report to the Committees on Appropriations within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to comply with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended: *Provided*, That the report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

(5) None of the funds appropriated under titles III through VI of this Act may be obligated for assistance for the Palestine Liberation Organization.

MIDDLE EAST AND NORTH AFRICA

SEC. 7041. (a) EGYPT.—

(1) IN GENERAL.—Funds appropriated by this Act that are available for assistance for the Government of Egypt may only be made available if the Secretary of State certifies to the Committees on Appropriations that such government is—

(A) sustaining the strategic relationship with the United States; and

(B) meeting its obligations under the 1979 Egypt-Israel Peace Treaty.

(2) ECONOMIC SUPPORT FUND.—(A) Of the funds appropriated by this Act under the heading "Economic Support Fund", and subject to paragraph (6) of this subsection, up to $250,000,000 may be made available for assistance for Egypt, of which not less than $35,000,000 should be made available for higher education programs including not less than $10,000,000 for scholarships at not-for-profit institutions for Egyptian students with high financial need: *Provided*, That such funds may also be made available for democracy programs.

(B) Notwithstanding any provision of law restricting assistance for Egypt, including paragraph (6) of this subsection, funds made available under the heading "Economic Support Fund" in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for assistance for Egypt may be made available for education and economic growth programs, subject to prior consultation with the appropriate congressional committees: *Provided*, That such funds may not be

made available for cash transfer assistance or budget support unless the Secretary of State certifies to the appropriate congressional committees that the Government of Egypt is taking steps to stabilize the economy and implement economic reforms.

(C) The Secretary of State may reduce the amount of assistance for the central Government of Egypt under the heading "Economic Support Fund" by an amount the Secretary determines is equivalent to that expended by the United States Government for bail, and by nongovernmental organizations for legal and court fees, associated with democracy-related trials in Egypt.

(3) FOREIGN MILITARY FINANCING PROGRAM.—Of the funds appropriated by this Act under the heading "Foreign Military Financing Program", and subject to paragraph (6) of this subsection, up to $1,300,000,000, to remain available until September 30, 2015, may be made available for assistance for Egypt which may be transferred to an interest bearing account in the Federal Reserve Bank of New York, following consultation with the Committees on Appropriations: *Provided*, That if the Secretary of State is unable to make the certification in subparagraph (6)(A) or (B) of this subsection, such funds may be made available at the minimum rate necessary to continue existing contracts, notwithstanding any other provision of law restricting assistance for Egypt and following consultation with the Committees on Appropriations, except that defense articles and services from such contracts shall not be delivered until the certification requirements in subparagraph (6)(A) or (B) of this subsection are met.

(4) PRIOR YEAR FUNDS.—Funds appropriated under the headings "Foreign Military Financing Program" and "International Military Education and Training" in prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available notwithstanding any provision of law restricting assistance for Egypt, except that such funds under the heading "Foreign Military Financing Program" shall only be made available at the minimum rate necessary to continue existing contracts, and following consultation with the Committees on Appropriations.

(5) SECURITY EXEMPTIONS.—Notwithstanding any other provision of law restricting assistance for Egypt, including paragraphs (3), (4), and (6) of this subsection, funds made available for assistance for Egypt in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for counterterrorism, border security, and nonproliferation programs in Egypt, and for development activities in the Sinai.

(6) FISCAL YEAR 2014 FUNDS.—Except as provided in paragraphs (2), (3) and (5) of this subsection, funds appropriated by this Act under the headings "Economic Support Fund", "International Military Education and Training", and "Foreign Military Financing Program" for assistance for the Government of Egypt may be made available notwithstanding any provision of law restricting assistance for Egypt as follows—

(A) up to $975,000,000 may be made available if the Secretary of State certifies to the Committees on Appropriations that the Government of Egypt has held a constitutional referendum, and is taking steps to support a democratic transition in Egypt; and

(B) up to $576,800,000 may be made available if the Secretary of State certifies to the Committees on Appropriations that the Government of Egypt has held parliamentary and presidential elections, and that a newly elected Government of Egypt is taking steps to govern democratically.

(b) IRAN.—The terms and conditions of section 7041(c) in division I of Public Law 112–74 shall continue in effect during fiscal year 2014 as if part of this Act, except that the date in paragraph (3) shall be deemed to be "September 30, 2014".

(c) IRAQ.—

(1) Funds appropriated by this Act for assistance for the Government of Iraq should be made available to such government to support international efforts to promote regional stability, including in Syria.

(2) Funds appropriated by this Act under the heading "Economic Support Fund" for assistance for Iraq shall be made available for democracy programs, which shall be the responsibility of the Assistant Secretary of State for Democracy, Human Rights, and Labor, in consultation with the Chief of Mission.

(3)(A) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees assessing cost effective, operational alternatives for Consulate Basrah, including closure of the Consulate and coverage of Basrah from Embassy Baghdad: *Provided*, That should the Secretary of State determine that the closure of Consulate Basrah is a cost effective alternative, funds made available by this Act under the heading "Diplomatic and Consular Programs" for such diplomatic facility may be transferred to, and merged with, funds made available by this Act under the heading "Embassy Security, Construction, and Maintenance" to increase security at diplomatic facilities abroad.

(B) Of the funds appropriated under title I of this Act that are made available for the costs of operations at Embassy Baghdad, 10 percent may not be obligated until the Secretary of State reports to the Committees on Appropriations on all active diplomatic facility construction projects in Iraq since October 1, 2011, including the status of each project, the amount obligated and expended for each project, the savings from completed or terminated projects, and how such savings were reprogrammed: *Provided*, That none of the funds appropriated by title I of this Act may be made available for construction, rehabilitation, or other improvements to facilities in Iraq on property for which no land-use agreement has been entered into by the Governments of the United States and Iraq: *Provided further*, That the restrictions in this subparagraph shall not apply if such funds are necessary to protect United States Government facilities or the security, health, and welfare of United States personnel.

(d) JORDAN.—Of the funds appropriated by this Act for assistance for Jordan—

(1) not less than $360,000,000 shall be made available under the heading "Economic Support Fund" and not less than $300,000,000 shall be made available under the heading "Foreign Military Financing Program"; and

(2) from amounts made available under title VIII designated for Overseas Contingency Operations/Global War on Terrorism, not less than $340,000,000 above the levels included in the Memorandum of Understanding between the United States and Jordan shall be made available for the extraordinary costs related to instability in the region, including for security requirements along the border with Iraq.

(e) LEBANON.—

(1) None of the funds appropriated by this Act may be made available for the Lebanese Armed Forces (LAF) if the LAF is controlled by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act.

(2) Funds appropriated by this Act under the heading "Foreign Military Financing Program" for assistance for Lebanon may be made available only to professionalize the LAF and to strengthen border security and combat terrorism, including training and equipping the LAF to secure Lebanon's borders, interdicting arms shipments, preventing the use of Lebanon as a safe haven for terrorist groups, and to implement United Nations Security Council Resolution 1701: *Provided*, That funds may not be made available for obligation for assistance for the LAF until the Secretary of State submits a detailed spend plan, including actions to be taken to ensure that equipment provided to the LAF is used only for the intended purposes, to the Committees on Appropriations, except such plan may not be considered as meeting the notification requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961, and shall be submitted not later than September 1, 2014: *Provided further*, That any notification submitted pursuant to section 634A of the Foreign Assistance Act of 1961 or section 7015 of this Act shall include any funds specifically intended for lethal military equipment.

(3) Funds appropriated by this Act under the heading "Economic Support Fund" for assistance for Lebanon may be made available notwithstanding any other provision of law, except for the provisions of this Act.

(f) LIBYA.—

(1) None of the funds appropriated by this Act may be made available for assistance for the central Government of Libya unless the Secretary of State reports to the Committees on Appropriations that such government is cooperating with United States Government efforts to investigate and bring to justice those responsible for the attack on United States personnel and facilities in Benghazi, Libya in September 2012: *Provided*, That the limitation in this paragraph shall not apply to funding made available for the purpose of protecting United States Government personnel or facilities.

(2) None of the funds appropriated by this Act may be made available for assistance for Libya for infrastructure projects, except on a loan basis with terms favorable to the United States, and only following consultation with the Committees on Appropriations.

(g) LOAN GUARANTEES AND ENTERPRISE FUNDS.—

(1) Funds appropriated under the heading "Economic Support Fund" in this Act—

(A) may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Tunisia and Jordan, which are authorized to be provided: *Provided*, That amounts made available under this paragraph for the cost of guarantees shall not be considered "assistance" for the purposes of provisions of law limiting assistance to a country; and

(B) may be made available to establish and operate one or more enterprise funds for Egypt, Tunisia, and Jordan: *Provided*, That the first, third and fifth provisos under section 7041(b) of division I of Public Law 112–74 shall apply to funds appropriated by this Act under the heading "Economic Support Fund" for an enterprise fund or funds to the same extent and in the manner as such provision of law applied to funds made available under such section (except that the clause excluding subsection (d)(3) of section 201 of the SEED Act shall not apply): *Provided further*, That the authority of any such enterprise fund or funds to provide assistance shall cease to be effective on December 31, 2024.

(2) Funds made available by this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(h) MOROCCO.—Funds appropriated under title III of this Act that are available for assistance for Morocco should also be available for assistance for the territory of the Western Sahara: *Provided*, That the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit a report to the Committees on Appropriations, not later than 90 days after enactment of this Act, on proposed uses of such assistance.

(i) SYRIA.—

(1) Funds appropriated under title III of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available notwithstanding any other provision of law for non-lethal assistance for programs to address the needs of civilians affected by conflict in Syria, and for programs that seek to—

(A) establish governance in Syria that is representative, inclusive, and accountable;

(B) develop and implement political processes that are democratic, transparent, and adhere to the rule of law;

(C) further the legitimacy of the Syrian opposition through cross-border programs;

(D) develop civil society and an independent media in Syria;

(E) promote economic development in Syria;

(F) document, investigate, and prosecute human rights violations in Syria, including through transitional justice programs and support for nongovernmental organizations; and

(G) counter extremist ideologies.

(2) Prior to the obligation of funds appropriated by this Act and made available for assistance for Syria, the Secretary

of State shall take all appropriate steps to ensure that mechanisms are in place for the adequate monitoring, oversight, and control of such assistance inside Syria: *Provided*, That the Secretary of State shall promptly inform the appropriate congressional committees of each significant instance in which assistance provided pursuant to the authority of this subsection has been compromised, to include the type and amount of assistance affected, a description of the incident and parties involved, and an explanation of the Department of State's response.

(3) Funds appropriated by this Act that are made available for assistance for Syria pursuant to the authority of this subsection may only be made available after the Secretary of State, in consultation with the heads of relevant United States Government agencies, submits, in classified form if necessary, a comprehensive strategy to the appropriate congressional committees, which shall include a clear mission statement, achievable objectives and timelines, and a description of interagency and donor coordination and implementation of such strategy: *Provided*, That such strategy shall also include a description of oversight and vetting procedures to prevent the misuse of funds.

(4) Funds made available pursuant to this subsection may only be made available following consultation with the appropriate congressional committees, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(j) WEST BANK AND GAZA.—

(1) REPORT ON ASSISTANCE.—Prior to the initial obligation of funds made available by this Act under the heading "Economic Support Fund" for assistance for the West Bank and Gaza, the Secretary of State shall report to the Committees on Appropriations that the purpose of such assistance is to—

(A) advance Middle East peace;

(B) improve security in the region;

(C) continue support for transparent and accountable government institutions;

(D) promote a private sector economy; or

(E) address urgent humanitarian needs.

(2) LIMITATIONS.—

(A)(i) None of the funds appropriated under the heading "Economic Support Fund" in this Act may be made available for assistance for the Palestinian Authority, if after the date of enactment of this Act—

(I) the Palestinians obtain the same standing as member states or full membership as a state in the United Nations or any specialized agency thereof outside an agreement negotiated between Israel and the Palestinians; or

(II) the Palestinians initiate an International Criminal Court judicially authorized investigation, or actively support such an investigation, that subjects Israeli nationals to an investigation for alleged crimes against Palestinians.

(ii) The Secretary of State may waive the restriction in paragraph (A) resulting from the application of subparagraph (A)(i)(I) if the Secretary certifies to the Committees

on Appropriations that to do so is in the national security interest of the United States, and submits a report to such Committees detailing how the waiver and the continuation of assistance would assist in furthering Middle East peace.

(B)(i) The President may waive the provisions of section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have not, after the date of enactment of this Act, obtained in the United Nations or any specialized agency thereof the same standing as member states or full membership as a state outside an agreement negotiated between Israel and the Palestinians.

(ii) Not less than 90 days after the President is unable to make the certification pursuant to subparagraph (i), the President may waive section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have entered into direct and meaningful negotiations with Israel: *Provided*, That any waiver of the provisions of section 1003 of Public Law 100–204 under subparagraph (i) of this paragraph or under previous provisions of law must expire before the waiver under the preceding sentence may be exercised.

(iii) Any waiver pursuant to this paragraph shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(k) YEMEN.—None of the funds appropriated by this Act for assistance for Yemen may be made available for the Armed Forces of Yemen if such forces are controlled by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act.

AFRICA

SEC. 7042. (a) CENTRAL AFRICAN REPUBLIC.—Funds made available by this Act for assistance for the Central African Republic shall be made available for reconciliation and peacebuilding programs, including activities to promote inter-faith dialogue at the national and local levels, and for programs to prevent crimes against humanity.

(b) COUNTERTERRORISM PROGRAMS.—

(1) Of the funds appropriated by this Act, not less than $53,000,000 should be made available for the Trans-Sahara Counterterrorism Partnership program, and not less than $24,000,000 should be made available for the Partnership for Regional East Africa Counterterrorism program.

(2) Of the funds appropriated by this Act under the heading "Economic Support Fund", $10,000,000 shall be made available for programs to counter extremism in East Africa, in addition to such sums that may otherwise be made available for such purposes.

(c) CRISIS RESPONSE.—Notwithstanding any other provision of law, up to $10,000,000 of the funds appropriated by this Act under the heading "Global Health Programs" for HIV/AIDS activities may be transferred to, and merged with, funds appropriated under the headings "Economic Support Fund" and "Transition Initiatives" to respond to unanticipated crises in Africa, except that funds shall not be transferred unless the Secretary of State certifies to the Committees on Appropriations that no individual currently on antiretroviral therapy supported by such funds shall be negatively impacted by the transfer of such funds: *Provided*, That the authority of this subsection shall be subject to prior consultation with the Committees on Appropriations.

(d) ETHIOPIA.—

(1) Funds appropriated by this Act that are available for assistance for Ethiopian military and police forces shall not be made available unless the Secretary of State—

(A) certifies to the Committees on Appropriations that the Government of Ethiopia is implementing policies to—

(i) protect judicial independence; freedom of expression, association, assembly, and religion; the right of political opposition parties, civil society organizations, and journalists to operate without harassment or interference; and due process of law; and

(ii) permit access to human rights and humanitarian organizations to the Somali region of Ethiopia; and

(B) submits a report to the Committees on Appropriations on the types and amounts of United States training and equipment proposed to be provided to the Ethiopian military and police including steps to ensure that such assistance is not provided to military or police personnel or units that have violated human rights, and steps taken by the Government of Ethiopia to investigate and prosecute members of the Ethiopian military and police who have been credibly alleged to have violated such rights.

(2) The restriction in paragraph (1) shall not apply to IMET assistance, assistance to Ethiopian military efforts in support of international peacekeeping operations, countering regional terrorism, border security, and for assistance to the Ethiopian Defense Command and Staff College.

(3) Funds appropriated by this Act under the headings "Development Assistance" and "Economic Support Fund" that are available for assistance in the lower Omo and Gambella regions of Ethiopia shall—

(A) not be used to support activities that directly or indirectly involve forced evictions;

(B) support initiatives of local communities to improve their livelihoods; and

(C) be subject to prior consultation with affected populations.

(4) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to oppose financing for any activities that directly or indirectly involve forced evictions in Ethiopia.

(e) EXPANDED INTERNATIONAL MILITARY EDUCATION AND TRAINING.—

(1) Funds appropriated under the heading "International Military Education and Training" (IMET) in this Act that are made available for assistance for Angola, Cameroon, Chad, Côte d'Ivoire, Guinea, Somalia, and Zimbabwe may be made available only for training related to international peacekeeping operations and expanded IMET: *Provided*, That the limitation included in this paragraph shall not apply to courses that support training in maritime security.

(2) None of the funds appropriated under the heading "International Military Education and Training" in this Act may be made available for assistance for Equatorial Guinea or the Central African Republic.

(f) LORD'S RESISTANCE ARMY.—Funds appropriated by this Act shall be made available for programs and activities in areas affected by the Lord's Resistance Army (LRA) consistent with the goals of the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act (Public Law 111–172), including to improve physical access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobilization, and reintegration of former LRA combatants, especially child soldiers.

(g) PROGRAMS IN AFRICA.—

(1) Of the funds appropriated by this Act under the headings "Global Health Programs", "Complex Crises Fund", and "Economic Support Fund", not less than $7,000,000 shall be made available for a pilot program to address health and development challenges in Africa and promote increased economic opportunities with the United States.

(2) Of the funds appropriated by this Act under the heading "Economic Support Fund" and "International Narcotics Control and Law Enforcement", not less than $8,000,000 shall be made available for a pilot program to address security challenges in Africa.

(3) Funds made available under paragraphs (1) and (2) shall be programmed in a manner that leverages a United States Government-wide approach to addressing shared challenges and mutually beneficial opportunities, and shall be the responsibility of United States Chiefs of Mission in countries in Africa seeking enhanced partnerships with the United States in areas of trade, investment, development, health, and security.

(h) SOMALIA.—

(1) Funds appropriated by this Act under the heading "Economic Support Fund" that are made available for assistance for Somalia should be used to promote dialogue and reconciliation between the central government and Somali regions, and should be provided in an impartial manner that is based on need and institutional capacity.

(2) None of the funds appropriated by this Act may be made available for lethal assistance for Somali security forces.

(i) SOUTH AFRICA.—Not later than 90 days after enactment of this Act, and following consultation with the Government of South Africa, the Secretary of State shall submit a transition strategy to the appropriate congressional committees for the President's Emergency Plan for AIDS Relief in South Africa, including projected trajectories for levels and types of United States assistance.

(j) SUDAN.—

(1) Notwithstanding any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(2) None of the funds appropriated by this Act may be made available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(3) The limitations of paragraphs (1) and (2) shall not apply to—

(A) humanitarian assistance;

(B) assistance for the Darfur region, Southern Kordofan State, Blue Nile State, other marginalized areas and populations in Sudan, and Abyei; and

(C) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement (CPA), mutual arrangements related to post-referendum issues associated with the CPA, or any other internationally recognized viable peace agreement in Sudan.

(k) SOUTH SUDAN.—

(1) Funds appropriated by this Act may be made available for assistance for South Sudan, including to promote stability and reconciliation, prevent and respond to gender-based violence, promote women's leadership, expand educational opportunities especially for girls, strengthen democratic institutions and the rule of law, and enhance the capacity of the Federal Legislative Assembly to conduct oversight over government processes, revenues, and expenditures.

(2) Of the funds appropriated by this Act that are available for assistance for the central Government of South Sudan, 15 percent may not be obligated until the Secretary of State reports to the Committees on Appropriations that such government is—

(A) implementing policies to support freedom of expression and association, establish democratic institutions including an independent judiciary, parliament, and security forces that are accountable to civilian authority; and

(B) investigating and punishing members of security forces who have violated human rights.

(3) The Secretary of State shall seek to obtain regular audits of the financial accounts of the Government of South Sudan to ensure transparency and accountability of funds, including revenues from the extraction of oil and gas, and the timely, public disclosure of such audits: *Provided*, That the Secretary should assist the Government of South Sudan in conducting such audits, and provide technical assistance to enhance the capacity of the National Auditor Chamber to carry out its responsibilities, and shall submit a report not later than 90 days after enactment of this Act to the Committees on Appropriations detailing steps that will be taken by the Government of South Sudan, which are additional to those taken in the previous fiscal year, to improve resource management and ensure transparency and accountability of funds.

(l) TRAFFICKING IN CONFLICT MINERALS, WILDLIFE, AND OTHER CONTRABAND.—

(1) None of the funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Rwanda unless the Secretary of State certifies to the Committees on Appropriations that the Government of Rwanda is taking steps to cease political, military and/or financial support to armed groups in the Democratic Republic of the Congo (DRC), including M23, that have violated human rights or are involved in the illegal exportation of minerals, wildlife, or other contraband out of the DRC.

(2) The restriction in paragraph (1) shall not apply to assistance to improve border controls to prevent the illegal exportation of minerals, wildlife, and other contraband out of the DRC by such groups, to protect humanitarian relief efforts, or to support the training and deployment of members of the Rwandan military in international peacekeeping operations, or to conduct operations against the Lord's Resistance Army.

(m) WAR CRIMES IN AFRICA.—

(1) The Congress reaffirms its support for the efforts of the International Criminal Tribunal for Rwanda (ICTR) and the Special Court for Sierra Leone (SCSL) to bring to justice individuals responsible for war crimes and crimes against humanity in a timely manner.

(2) Funds appropriated by this Act may be made available for assistance for the central government of a country in which individuals indicted by the ICTR and the SCSL are credibly alleged to be living, if the Secretary of State determines and reports to the Committees on Appropriations that such government is cooperating with the ICTR and the SCSL, including the apprehension, surrender, and transfer of indictees in a timely manner: *Provided*, That this subsection shall not apply to assistance provided under section 551 of the Foreign Assistance Act of 1961 or to project assistance under title VI of this Act: *Provided further*, That the United States shall use its voice and vote in the United Nations Security Council to fully support efforts by the ICTR and the SCSL to bring to justice individuals indicted by such tribunals in a timely manner.

(3) The prohibition in paragraph (2) may be waived on a country-by-country basis if the President determines that doing so is in the national security interest of the United States: *Provided*, That prior to exercising such waiver authority, the President shall submit a report to the Committees on Appropriations, in classified form if necessary, on—

(A) the steps being taken to obtain the cooperation of the government in apprehending and surrendering the indictee in question to the court of jurisdiction;

(B) a strategy, including a timeline, for bringing the indictee before such court; and

(C) the justification for exercising the waiver authority.

(n) ZIMBABWE.—

22 USC 2151 note.

(1) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any extension by the respective institution of any loans or grants to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State determines and reports in writing to the Committees on Appropriations that the rule of law has

been restored in Zimbabwe, including respect for ownership and title to property, and freedom of speech and association.

(2) None of the funds appropriated by this Act shall be made available for assistance for the central Government of Zimbabwe, except for health and education, unless the Secretary of State makes the determination required in paragraph (1), and funds may be made available for macroeconomic growth assistance if the Secretary reports to the Committees on Appropriations that such government is implementing transparent fiscal policies, including public disclosure of revenues from the extraction of natural resources.

EAST ASIA AND THE PACIFIC

SEC. 7043. (a) ASIA REBALANCING.—

(1) Not later than 90 days after enactment of this Act, the Secretary of State, after consultation with the Administrator of the United States Agency for International Development (USAID), the Secretary of Defense, and the heads of other relevant Federal agencies, shall submit to the appropriate congressional committees an integrated, multi-year planning and budget strategy for a rebalancing of United States policy in Asia that links United States interests in the region with the necessary resources and personnel required for implementation, management and oversight of such strategy: *Provided*, That such strategy may be submitted in classified form if necessary.

(2) Funds appropriated by title III of this Act that are designated for implementation of the strategy described in paragraph (1) shall also support the advancement of democracy and human rights in Asia, including for democratic political parties, civil society, and groups and individuals seeking to advance transparency, accountability, and the rule of law: *Provided*, That such funds shall also be made available, through an open and competitive process, to nongovernmental networks and alliances that seek to promote democracy, human rights, and the rule of law in Asia.

(3) Funds appropriated by this Act that are designated for the implementation of the strategy described in paragraph (1) should be matched, to the maximum extent practicable and as appropriate, by sources other than the United States Government.

(b) BURMA.—

(1) Funds appropriated by this Act under the heading "Economic Support Fund" may be made available for assistance for Burma notwithstanding any other provision of law: *Provided*, That no such funds shall be made available to any successor or affiliated organization of the State Peace and Development Council (SPDC) controlled by former SPDC members that promote the repressive policies of the SPDC, or to any individual or organization credibly alleged to have committed gross violations of human rights, including against Rohingyas and other minority Muslim groups: *Provided further*, That such funds may be made available for programs administered by the Office of Transition Initiatives, USAID, for ethnic groups and civil society in Burma to help sustain ceasefire agreements and further prospects for reconciliation and peace,

which may include support to representatives of ethnic armed groups for this purpose.

(2) Funds appropriated under title III of this Act for assistance for Burma—

(A) may not be made available for budget support for the Government of Burma;

(B) shall be provided to strengthen civil society organizations in Burma, including as core support for such organizations;

(C) shall be made available for community-based organizations operating in Thailand to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma, in addition to assistance for Burmese refugees from funds appropriated by this Act under the heading "Migration and Refugee Assistance"; and

(D) shall be made available for ethnic and religious reconciliation programs, including in ceasefire areas, as appropriate, and to address the Rohingya and Kachin crises.

(3)(A) Not later than 60 days after enactment of this Act, the Secretary of State, in consultation with the USAID Administrator, shall submit to the appropriate congressional committees a comprehensive strategy for the promotion of democracy and human rights in Burma, which shall include support for civil society, former prisoners, monks, students, and democratic parliamentarians: *Provided*, That funds made available by this Act for assistance for Burma shall be made available for the implementation of such strategy: *Provided further*, That the Assistant Secretary for the Bureau of Democracy, Human Rights, and Labor, Department of State, shall be consulted on democracy and human rights programs for Burma administered by USAID.

(B) Not later than 90 days after enactment of this Act and every 90 days thereafter until September 30, 2014, the Secretary of State shall submit a report to the appropriate congressional committees detailing the status of election preparations in Burma, including an assessment of the ability of citizens to participate as voters and candidates and of political parties to freely contest elections.

(4) The Department of State may continue consultations with the armed forces of Burma only on human rights and disaster response, and following consultation with the appropriate congressional committees.

(5) Funds appropriated by this Act should only be made available for assistance for the central Government of Burma if such government has implemented Constitutional reforms, in consultation with Burma's political opposition and ethnic groups, providing for inclusive, transparent, and fair participation in presidential and parliamentary elections in Burma, including as voters and candidates.

(6) Any new program or activity in Burma initiated in fiscal year 2014 shall be subject to prior consultation with the appropriate congressional committees.

(c) CAMBODIA.—

(1) Of the funds appropriated under title III of this Act for assistance for Cambodia, 10 percent shall be withheld from

obligation until the Secretary of State submits to the Committees on Appropriations the financial assessment and comparative analysis report on Cambodia required under such heading in Senate Report 113–81.

(2) None of the funds appropriated by titles III and IV of this Act may be made available for assistance for the central Government of Cambodia unless the Secretary of State certifies to the Committees on Appropriations that—

(A) such government is conducting and implementing, with the concurrence of the political opposition in Cambodia, an independent and credible investigation into irregularities associated with the July 28, 2013 parliamentary elections, and comprehensive reform of the National Election Committee; or

(B) all parties that won parliamentary seats in such elections have agreed to join the National Assembly, and the National Assembly is conducting business in accordance with the Cambodian constitution.

(3) The requirements of paragraph (2) shall not apply to assistance for global health, food security, humanitarian demining programs, human rights training for the Royal Cambodian Armed Forces, or to enhance maritime security capabilities, except that any such programs shall be subject to the regular notification procedures of the Committees on Appropriations.

(4) Funds appropriated by this Act for a United States contribution to a Khmer Rouge tribunal should not be made available unless the Secretary of State certifies to the Committees on Appropriations that the Government of Cambodia has provided, or otherwise secured, funding for the national side of such tribunal.

(5) The Secretary of the Treasury shall direct the United States executive director to the World Bank to report to the Committees on Appropriations not later than 45 days after enactment of this Act and every 90 days thereafter until September 30, 2014, on the steps being taken by the World Bank to provide appropriate redress for the Boeung Kak Lake families who were harmed by the Land Management and Administration Project, as determined by the World Bank Inspection Panel, and as described in Senate Report 113–81: *Provided*, That such report shall also include steps taken by the executive director to postpone reengagement of World Bank programs in Cambodia until the requirements of paragraph (2) are met.

(d) NORTH KOREA.—

(1) Of the funds made available under the heading "International Broadcasting Operations" in title I of this Act, not less than $8,938,000 shall made available for broadcasts into North Korea.

(2) Funds appropriated by this Act under the heading "Migration and Refugee Assistance" shall be made available for assistance for refugees from North Korea, including for protection activities in the People's Republic of China.

(3) None of the funds made available by this Act under the heading "Economic Support Fund" may be made available for assistance for the government of North Korea.

(e) PEOPLE'S REPUBLIC OF CHINA.—

(1) None of the funds appropriated under the heading "Diplomatic and Consular Programs" in this Act may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China unless, at least 15 days in advance, the Committees on Appropriations are notified of such proposed action.

(2) The terms and requirements of section 620(h) of the Foreign Assistance Act of 1961 shall apply to foreign assistance projects or activities of the People's Liberation Army (PLA) of the People's Republic of China, to include such projects or activities by any entity that is owned or controlled by, or an affiliate of, the PLA: *Provided*, That none of the funds appropriated or otherwise made available pursuant to this Act may be used to finance any grant, contract, or cooperative agreement with the PLA, or any entity that the Secretary of State has reason to believe is owned or controlled by, or an affiliate of, the PLA.

(3) Funds appropriated by this Act for public diplomacy under title I and for assistance under titles III and IV shall be made available to counter the strategic influence of the People's Republic of China: *Provided*, That the Secretary of State shall consult with other relevant United States Government agencies in the development of a coordinated diplomacy and assistance strategy that counters such influence: *Provided further*, That the Secretary of State shall consult with the Committees on Appropriations on such strategy prior to the initial obligation of funds for such purposes, and such strategy may be submitted to the Committees in classified form if necessary.

(f) TIBET.—

(1) The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support financing in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans, are based on a thorough needs-assessment, foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions, and are subject to effective monitoring.

(2) Notwithstanding any other provision of law, funds appropriated by this Act under the heading "Economic Support Fund" shall be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China.

(g) VIETNAM.—Funds appropriated by this Act under the heading "Economic Support Fund" shall be made available for remediation of dioxin contaminated sites in Vietnam and may be made available for assistance for the Government of Vietnam, including the military, for such purposes, and funds appropriated under the heading "Development Assistance" shall be made available for health/disability activities in areas sprayed with Agent Orange or otherwise contaminated with dioxin.

SOUTH AND CENTRAL ASIA

SEC. 7044. (a) AFGHANISTAN.—

(1) OPERATIONS AND REPORTS.—

(A) Funds appropriated under titles I and II of this Act that are available for the construction and renovation of United States Government facilities in Afghanistan may not be made available if the purpose is to accommodate Federal employee positions or to expand aviation facilities or assets above those notified by the Department of State and the United States Agency for International Development (USAID) to the Committees on Appropriations, or contractors in addition to those in place on the date of enactment of this Act: *Provided*, That the limitations in this paragraph shall not apply if funds are necessary to protect such facilities or the security, health, and welfare of United States personnel.

(B) Of the funds appropriated by this Act under the headings "Diplomatic and Consular Programs" and "Operating Expenses" that are made available for operations in Afghanistan, 15 percent shall be withheld from obligation until the Secretary of State, in consultation with the Secretary of Defense and the USAID Administrator, submits the report to the Committees on Appropriations, in classified form if necessary, on transition and security plans for the Department of State and USAID required under the heading "Sec. 7046" in House Report 113–185: *Provided*, That such report shall be updated every 6 months until September 30, 2015.

(2) ASSISTANCE.—Funds appropriated by this Act under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" for assistance for Afghanistan—

(A) may not be used to initiate any new program, project, or activity for which regular oversight by the Department of State or USAID, as appropriate, is not possible, to include site visits;

(B) shall only be made available for programs that the Government of Afghanistan (GoA) or other Afghan entity is capable of sustaining, as appropriate and as determined by the Chief of Mission;

(C) may be made available for independent election bodies;

(D) may be made available for reconciliation programs and disarmament, demobilization and reintegration activities for former combatants who have renounced violence against the GoA, in accordance with section 7046(a)(2)(B)(ii) of Public Law 112–74;

(E) should not be used to initiate new major infrastructure projects;

(F) shall be prioritized for programs that promote women's economic and political empowerment, strengthen and protect the rights of women and girls, and to implement the United States Embassy Kabul Gender Strategy;

(G) shall be implemented in accordance with all applicable audit policies of the Department of State and USAID; and

(H) may not be made available to any individual or organization that the Secretary of State determines to be involved in corrupt practices, including with respect to Kabul Bank.

(3) CERTIFICATION REQUIREMENT.—

(A) Funds appropriated by this Act under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" for assistance for the central Government of Afghanistan may not be obligated unless the Secretary of State certifies to the Committees on Appropriations that—

(i) credible elections in Afghanistan have taken place, and a peaceful transfer of power has occurred;

(ii) the GoA—

(I) has agreed to a Bilateral Security Agreement with the United States Government that further defines the security partnership, including support for counterterrorism operations; and

(II) is cooperating with the United States concerning the release of prisoners that the United States Government, the International Security Assistance Force, or the Afghan National Security Forces believe pose a threat to the United States, Afghanistan, and the region;

(iii) the GoA is taking credible steps to protect and advance the rights of women and girls in Afghanistan;

(iv) the necessary policies and procedures are in place to ensure GoA compliance with section 7013 of this Act; and

(v) the GoA is making credible efforts to reduce corruption and recover Kabul Bank stolen assets.

(B) The Secretary of State, in consultation with the Secretary of Defense, may waive the requirements of subparagraph (A) if to do so is important to the national security interests of the United States: *Provided*, That if the Secretary of State, after such consultation, exercises the authority of this subparagraph the Secretary shall report to the Committees on Appropriations, in classified form if necessary, on the justification for the waiver and the requirements of subparagraph (A) that cannot be certified.

(4) RULE OF LAW PROGRAMS.—Of the funds appropriated by this Act that are made available for assistance for Afghanistan, not less than $50,000,000 shall be made available for rule of law programs: *Provided*, That decisions on the uses of such funds shall be the responsibility of the Coordinating Director, in consultation with other appropriate United States Government officials in Afghanistan, and such Director shall be consulted on the uses of all funds appropriated by this Act for rule of law programs in Afghanistan.

(5) FUNDING REDUCTION.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are available for assistance for the GoA shall be reduced by $5 for every $1 that the GoA imposes in taxes, duties, penalties, or other fees on the transport of property of the United States

Government (including the United States Armed Forces), entering or leaving Afghanistan.

(6) BASE RIGHTS.—None of the funds made available by this Act may be used by the United States Government to enter into a permanent basing rights agreement between the United States and Afghanistan.

(7) EXTENSION OF AUTHORITY.—Funds appropriated under titles III through VI of this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 7012 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961.

(8) AFGHANISTAN REGIONAL TRANSITION.—Of the funds made available by this Act for assistance for Afghanistan, up to $150,000,000 may be made available for programs in Central and South Asia relating to a transition in Afghanistan, including expanding Afghanistan linkages with the region: *Provided*, That such funds shall be the responsibility of the Assistant Secretary for the Bureau of South and Central Asian Affairs, Department of State, and the coordinator designated pursuant to section 601 of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179) and section 102 of the FREEDOM Support Act (Public Law 102–511): *Provided further*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

(9) CONTRIBUTING AUTHORITY.—Section 7046(a)(2)(A) of division I of Public Law 112–74 shall apply to funds appropriated by this Act for assistance for Afghanistan.

(b) BANGLADESH.—Funds appropriated by this Act under the heading "Development Assistance" that are available for assistance for Bangladesh shall be made available for programs to improve labor conditions by strengthening the capacity of independent workers' organizations in Bangladesh's readymade garment, shrimp, and fish export sectors.

(c) NEPAL.—

(1) Funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Nepal only if the Secretary of State certifies to the Committees on Appropriations that the Government of Nepal is investigating and prosecuting violations of human rights and the laws of war, and the Nepal army is cooperating fully with civilian judicial authorities, including providing investigators access to witnesses, documents, and other information.

(2) The conditions in paragraph (1) shall not apply to assistance for humanitarian relief and reconstruction activities in Nepal, or for training to participate in international peacekeeping missions.

(d) PAKISTAN.—

(1) CERTIFICATION.—

(A) None of the funds appropriated or otherwise made available by this Act under the headings "Economic Support Fund", "International Narcotics Control and Law Enforcement", and "Foreign Military Financing Program" for assistance for the Government of Pakistan may be made available unless the Secretary of State certifies to the

Committees on Appropriations that the Government of Pakistan is—

(i) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(ii) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(iii) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(iv) preventing the proliferation of nuclear-related material and expertise;

(v) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts, assistance programs, and Department of State operations in Pakistan; and

(vi) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(B) The Secretary of State may waive the requirements of subparagraph (A) if to do so is important to the national security interests of the United States: *Provided*, That if the Secretary of State, after consultation with the Secretary of Defense, exercises the authority of this subparagraph the Secretary of State shall report to the Committees on Appropriations on the justification for the waiver and the requirements of subparagraph (A) that the Government of Pakistan has not met: *Provided further*, That such report may be submitted in classified form if necessary.

(2) ASSISTANCE.—

(A) Funds appropriated by this Act under the heading "Foreign Military Financing Program" for assistance for Pakistan may be made available only to support counterterrorism and counterinsurgency capabilities in Pakistan, and are subject to section 620M of the Foreign Assistance Act of 1961.

(B) Funds appropriated by this Act under the headings "Economic Support Fund" and "Nonproliferation, Anti-terrorism, Demining, and Related Programs" that are available for assistance for Pakistan shall be made available to interdict precursor materials from Pakistan to Afghanistan that are used to manufacture IEDs, including calcium ammonium nitrate; to support programs to train border and customs officials in Pakistan and Afghanistan; and for agricultural extension programs that encourage alternative fertilizer use among Pakistani farmers.

(C) Funds appropriated by this Act under the heading "Economic Support Fund" that are made available for assistance for infrastructure projects in Pakistan shall be

implemented in a manner consistent with section 507(6) of the Trade Act of 1974 (19 U.S.C. 2467(6)).

(D) Funds appropriated by this Act under titles III and IV for assistance for Pakistan may be made available notwithstanding any other provision of law, except for this subsection.

(E) Of the funds appropriated under titles III and IV of this Act that are made available for assistance for Pakistan, $33,000,000 shall be withheld from obligation until the Secretary of State reports to the Committees on Appropriations that Dr. Shakil Afridi has been released from prison and cleared of all charges relating to the assistance provided to the United States in locating Osama bin Laden.

(3) REPORTS.—

(A)(i) The spend plan required by section 7076 of this Act for assistance for Pakistan shall include achievable and sustainable goals, benchmarks for measuring progress, and expected results regarding combating poverty and furthering development in Pakistan, countering extremism, and establishing conditions conducive to the rule of law and transparent and accountable governance: *Provided*, That such benchmarks may incorporate those required in title III of Public Law 111–73, as appropriate: *Provided further*, That not later than 6 months after submission of such spend plan, and each 6 months thereafter until September 30, 2015, the Secretary of State shall submit a report to the Committees on Appropriations on the status of achieving the goals and benchmarks in such plan.

(ii) The Secretary of State should suspend assistance for the Government of Pakistan if any report required by paragraph (A)(i) indicates that Pakistan is failing to make measurable progress in meeting such goals or benchmarks.

(B) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the costs and objectives associated with significant infrastructure projects supported by the United States in Pakistan, and an assessment of the extent to which such projects achieve such objectives.

(e) SRI LANKA.—

(1) None of the funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Sri Lanka, no defense export license may be issued, and no military equipment or technology shall be sold or transferred to Sri Lanka pursuant to the authorities contained in this Act or any other Act, unless the Secretary of State certifies to the Committees on Appropriations that the Government of Sri Lanka is meeting the conditions specified under such heading in Senate Report 113–81.

(2) Paragraph (1) shall not apply to assistance for humanitarian demining, disaster relief, and aerial and maritime surveillance.

(3) If the Secretary makes the certification required in paragraph (1), funds appropriated under the heading "Foreign

Military Financing Program" that are made available for assistance for Sri Lanka should be used to support the recruitment of Tamils into the Sri Lankan military in an inclusive and transparent manner, Tamil language training for Sinhalese military personnel, and human rights training for all military personnel.

(4) Funds appropriated under the heading "International Military Education and Training" (IMET) in this Act that are available for assistance for Sri Lanka, may be made available only for training related to international peacekeeping operations and expanded IMET: *Provided,* That the limitation in this paragraph shall not apply to maritime security.

(5) The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to vote against any loan, agreement, or other financial support for Sri Lanka except to meet basic human needs, unless the Secretary of State certifies to the Committees on Appropriations that the Government of Sri Lanka is meeting the conditions specified under such heading in Senate Report 113–81.

(f) REGIONAL CROSS BORDER PROGRAMS.—Funds appropriated by this Act under the heading "Economic Support Fund" for assistance for Afghanistan and Pakistan may be provided, notwithstanding any other provision of law that restricts assistance to foreign countries, for cross border stabilization and development programs between Afghanistan and Pakistan, or between either country and the Central Asian countries.

WESTERN HEMISPHERE

SEC. 7045. (a) COLOMBIA.—

(1) Funds appropriated by this Act and made available to the Department of State for assistance for the Government of Colombia may be used to support a unified campaign against narcotics trafficking, organizations designated as Foreign Terrorist Organizations, and other criminal or illegal armed groups, and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: *Provided*, That the first through fifth provisos of paragraph (1), and paragraph (3) of section 7045(a) of division I of Public Law 112–74 shall continue in effect during fiscal year 2014 and shall apply to funds appropriated by this Act and made available for assistance for Colombia as if included in this Act: *Provided further*, That 10 percent of the funds appropriated by this Act for the Colombian national police for aerial drug eradication programs may not be used for the aerial spraying of chemical herbicides unless the Secretary of State certifies to the Committees on Appropriations that the herbicides do not pose unreasonable risks or adverse effects to humans, including pregnant women and children, or the environment, including endemic species: *Provided further*, That any complaints of harm to health or licit crops caused by such aerial spraying shall be thoroughly investigated and evaluated, and fair compensation paid in a timely manner for meritorious claims: *Provided further*, That of the funds appropriated by this Act under the heading "Economic Support Fund", not less than $141,500,000 shall be apportioned directly to the United States Agency for International Development (USAID)

for alternative development/institution building and local governance programs in Colombia.

(2) LIMITATION.—Of the funds appropriated by this Act under the heading "Foreign Military Financing Program", 25 percent may be obligated only in accordance with the procedures and conditions specified under section 7045 in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(b) CUBA.—

(1) Of the funds appropriated by this Act under the heading "Economic Support Fund", up to $17,500,000 should be made available for programs and activities in Cuba.

(2) None of the funds appropriated by this Act under the heading "Economic Support Fund" may be obligated by USAID for any new programs or activities in Cuba.

(c) GUATEMALA.—

(1) Funds appropriated by this Act may be made available for assistance for the Guatemalan army only—

(A) if the Secretary of State certifies that the Government of Guatemala is taking credible steps to implement the Reparations Plan for Damages Suffered by the Communities Affected by the Construction of the Chixoy Hydroelectric Dam (April 2010); and

(B) in accordance with the procedures and requirements specified under section 7045 in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(2) None of the funds appropriated by this Act under the headings "International Military Education and Training" and "Foreign Military Financing Program" may be expended for assistance for the Guatemalan Armed Forces until the Secretary of State certifies to the Committees on Appropriations that the Government of Guatemala has resolved all cases involving Guatemalan children and American adoptive parents pending since December 31, 2007, or that such government is making significant progress toward meeting a specific timetable for resolving such cases.

(d) HAITI.—

(1) None of the funds appropriated by this Act may be made available for assistance for the central Government of Haiti until the Secretary of State certifies to the Committees on Appropriations that—

(A) Haiti is taking steps to hold free and fair parliamentary elections and to seat a new Haitian Parliament;

(B) the Government of Haiti is respecting the independence of the judiciary; and

(C) the Government of Haiti is combating corruption and improving governance, including passage of the anticorruption law to enable prosecution of corrupt officials and implementing financial transparency and accountability requirements for government institutions.

(2) The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.) for the Coast Guard.

(e) HONDURAS.—

(1) Of the funds appropriated by this Act under the headings "International Narcotics Control and Law Enforcement" and "Foreign Military Financing Program", 35 percent may not be made available for assistance for the Honduran military and police except in accordance with the procedures and requirements specified under section 7045 in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(2) The restriction in paragraph (1) shall not apply to assistance to promote transparency, anti-corruption, border security, and the rule of law within the military and police.

(f) MEXICO.—

(1) Prior to the obligation of 15 percent of the funds appropriated by this Act under the headings "International Narcotics Control and Law Enforcement" and "Foreign Military Financing Program" that are available for assistance for the Mexican military and police, the Secretary of State shall report in writing to the Committees on Appropriations that the Government of Mexico is meeting the requirements specified under section 7045 in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(2) The restriction in paragraph (1) shall not apply to assistance to promote transparency, anti-corruption, border security, and the rule of law within the military and police.

(g) AIRCRAFT OPERATIONS AND MAINTENANCE.—To the maximum extent practicable, the costs of operations and maintenance, including fuel, of aircraft funded by this Act should be paid for by the recipient country.

(h) TRADE CAPACITY.—Funds appropriated by this Act under the headings "Development Assistance" and "Economic Support Fund" should be made available for labor and environmental capacity building activities relating to free trade agreements with countries of Central America, Colombia, Peru, and the Dominican Republic.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 7046. None of the funds appropriated or made available pursuant to titles III through VI of this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

WAR CRIMES TRIBUNALS

SEC. 7047. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without

regard to the ceiling limitation contained in paragraph (2) thereof: *Provided,* That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): *Provided further,* That funds made available pursuant to this section shall be made available subject to the regular notification procedures of the Committees on Appropriations.

UNITED NATIONS

SEC. 7048. (a) TRANSPARENCY AND ACCOUNTABILITY.—

(1) Of the funds appropriated under title I and under the heading "International Organizations and Programs" in title V of this Act that are available for contributions to the United Nations, any United Nations agency, or the Organization of American States, 15 percent may not be obligated for such organization or agency until the Secretary of State reports to the Committees on Appropriations that the organization or agency is—

(A) posting on a publicly available Web site, consistent with privacy regulations and due process, regular financial and programmatic audits of such organization or agency, and providing the United States Government with necessary access to such financial and performance audits; and

(B) implementing best practices for the protection of whistleblowers from retaliation, including best practices for—

(i) protection against retaliation for internal and lawful public disclosures;

(ii) legal burdens of proof;

(iii) statutes of limitation for reporting retaliation;

(iv) access to independent adjudicative bodies, including external arbitration; and

(v) results that eliminate the effects of proven retaliation.

(2) The Secretary of State may waive the restriction in this subsection, on a case-by-case basis, if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national interests of the United States.

(b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS AND ORGANIZATIONS.—

(1) None of the funds made available under title I of this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. App. 2405(j)(1)), supports international terrorism.

(2) None of the funds made available under title I of this Act may be used by the Secretary of State as a contribution to any organization, agency, or program within the United Nations system if such organization, agency, commission, or

program is chaired or presided over by a country the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, section 6(j)(1) of the Export Administration Act of 1979, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(3) The Secretary of State may waive the restriction in this subsection if the Secretary reports to the Committees on Appropriations that to do so is in the national interest of the United States.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—Funds appropriated by this Act may be made available to support the United Nations Human Rights Council only if the Secretary of State reports to the Committees on Appropriations that participation in the Council is in the national interest of the United States: *Provided*, That the Secretary of State shall report to the Committees on Appropriations not later than September 30, 2014, on the resolutions considered in the United Nations Human Rights Council during the previous 12 months, and on steps taken to remove Israel as a permanent agenda item.

(d) REPORT.—Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the amount of funds available for obligation or expenditure in fiscal year 2014 under the headings "Contributions to International Organizations" and "International Organizations and Programs" that are withheld from obligation or expenditure due to any provision of law: *Provided*, That the Secretary shall update such report each time additional funds are withheld by operation of any provision of law: *Provided further*, That the reprogramming of any withheld funds identified in such report, including updates thereof, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(e) UNITED NATIONS RELIEF AND WORKS AGENCY.—The reporting requirements regarding the United Nations Relief and Works Agency contained in the joint explanatory statement accompanying the Supplemental Appropriations Act, 2009 (Public Law 111–32, House Report 111–151), under the heading "Migration and Refugee Assistance" in title XI shall apply to funds made available by this Act under such heading.

(f) UNITED NATIONS CAPITAL MASTER PLAN.—None of the funds made available in this Act may be used for the design, renovation, or construction of the United Nations Headquarters in New York.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 7049. (a) AUTHORITY.—Funds made available by titles III and IV of this Act to carry out the provisions of chapter 1 of part I and chapters 4 and 6 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, anti-corruption, strategic planning, and through assistance to foster civilian police roles that support democratic governance, including assistance for programs to prevent

conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations.

PROHIBITION ON PROMOTION OF TOBACCO

SEC. 7050. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

INTERNATIONAL CONFERENCES

SEC. 7051. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State reports to the Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term "international conference" shall mean a conference attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

AIRCRAFT TRANSFER AND COORDINATION

SEC. 7052. (a) TRANSFER AUTHORITY.—Notwithstanding any other provision of law or regulation, aircraft procured with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Diplomatic and Consular Programs", "International Narcotics Control and Law Enforcement", "Andean Counterdrug Initiative" and "Andean Counterdrug Programs" may be used for any other program and in any region, including for the transportation of active and standby Civilian Response Corps personnel and equipment during a deployment: *Provided*, That the responsibility for policy decisions and justification for the use of such transfer authority shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated.

(b) PROPERTY DISPOSAL.—The authority provided in subsection (a) shall apply only after the Secretary of State determines and reports to the Committees on Appropriations that the equipment is no longer required to meet programmatic purposes in the designated country or region: *Provided*, That any such transfer shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) AIRCRAFT COORDINATION.—

(1) The uses of aircraft purchased or leased by the Department of State and the United States Agency for International Development (USAID) with funds made available in this Act or prior Acts making appropriations for the Department of

State, foreign operations, and related programs shall be coordinated under the authority of the appropriate Chief of Mission: *Provided*, That such aircraft may be used to transport, on a reimbursable or non-reimbursable basis, Federal and non-Federal personnel supporting Department of State and USAID programs and activities: *Provided further*, That official travel for other agencies for other purposes may be supported on a reimbursable basis, or without reimbursement when traveling on a space available basis: *Provided further*, That funds received by the Department of State for the use of aircraft owned, leased, or chartered by the Department of State may be credited to the Department's Working Capital Fund and shall be available for expenses related to the purchase, lease, maintenance, chartering, or operation of such aircraft.

(2) The requirement and authorities of this subsection shall only apply to aircraft, the primary purpose of which is the transportation of personnel.

PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN GOVERNMENTS

SEC. 7053. The terms and conditions of section 7055 of division F of Public Law 111–117 shall apply to this Act: *Provided*, That the date "September 30, 2009" in subsection (f)(2)(B) shall be deemed to be "September 30, 2013".

LANDMINES AND CLUSTER MUNITIONS

SEC. 7054. (a) LANDMINES.—Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the Secretary of State may prescribe.

(b) CLUSTER MUNITIONS.—No military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

(1) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational environments, and the agreement applicable to the assistance, transfer, or sale of such cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians; or

(2) such assistance, license, sale, or transfer is for the purpose of demilitarizing or permanently disposing of such cluster munitions.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 7055. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress: *Provided,* That not to exceed $25,000

may be made available to carry out the provisions of section 316 of Public Law 96–533.

LIMITATION ON RESIDENCE EXPENSES

SEC. 7056. Of the funds appropriated or made available pursuant to title II of this Act, not to exceed $100,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

22 USC 3948 note.

SEC. 7057. (a) AUTHORITY.—Up to $93,000,000 of the funds made available in title III of this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used by the United States Agency for International Development (USAID) to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.

(b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2015.

(c) CONDITIONS.—The authority of subsection (a) should only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other non-direct hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, are eliminated.

(d) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which such individual's responsibilities primarily relate: *Provided*, That funds made available to carry out this section may be transferred to, and merged with, funds appropriated by this Act in title II under the heading "Operating Expenses".

(e) FOREIGN SERVICE LIMITED EXTENSIONS.—Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, pursuant to the authority of section 309 of the Foreign Service Act of 1980, may be extended for a period of up to 4 years notwithstanding the limitation set forth in such section.

(f) DISASTER SURGE CAPACITY.—Funds appropriated under title III of this Act to carry out part I of the Foreign Assistance Act of 1961 may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to natural disasters, or man-made disasters subject to the regular notification procedures of the Committees on Appropriations.

(g) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II,

and section 667 of the Foreign Assistance Act of 1961, and title II of the Food for Peace Act (Public Law 83–480), may be used by USAID to employ up to 40 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: *Provided*, That not more than 15 of such contractors shall be assigned to any bureau or office: *Provided further*, That such funds appropriated to carry out title II of the Food for Peace Act (Public Law 83–480), may be made available only for personal services contractors assigned to the Office of Food for Peace.

(h) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, USAID may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(i) SENIOR FOREIGN SERVICE LIMITED APPOINTMENTS.—Individuals hired pursuant to the authority provided by section 7059(o) of division F of Public Law 111–117 may be assigned to or support programs in Afghanistan or Pakistan with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) IN GENERAL.—Funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for provisions under the heading "Global Health Programs" and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: *Provided*, That of the funds appropriated under title III of this Act, not less than $575,000,000 should be made available for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species.

(b) PANDEMIC RESPONSE.—If the President determines and reports to the Committees on Appropriations that a pandemic virus is efficient and sustained, severe, and is spreading internationally, any funds made available under titles III and IV in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available to combat such virus: *Provided*, That funds made available pursuant to the authority of this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) GLOBAL FUND.—(1) Of the funds appropriated by this Act that are available for a contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), 10 percent should be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that—

(A) the Global Fund is maintaining and implementing a policy of transparency, including the authority of the

Global Fund Office of the Inspector General (OIG) to publish OIG reports on a public Web site;

(B) the Global Fund is providing sufficient resources to maintain an independent OIG that—

(i) reports directly to the Board of the Global Fund;

(ii) maintains a mandate to conduct thorough investigations and programmatic audits, free from undue interference; and

(iii) compiles regular, publicly published audits and investigations of financial, programmatic, and reporting aspects of the Global Fund, its grantees, recipients, sub-recipients, and Local Fund Agents;

(C) the Global Fund maintains an effective whistleblower policy to protect whistleblowers from retaliation, including confidential procedures for reporting possible misconduct or irregularities; and

(D) the Global Fund is implementing the recommendations contained in the Consolidated Transformation Plan approved by the Board of the Global Fund on November 21, 2011.

(2) The withholding required by this subsection shall not be in addition to funds that are withheld from the Global Fund in fiscal year 2014 pursuant to the application of any other provision contained in this or any other Act.

GENDER EQUALITY

SEC. 7059. (a) GENDER EQUALITY.—Funds appropriated by this Act shall be made available to promote gender equality in United States Government diplomatic and development efforts by raising the status, increasing the participation, and protecting the rights of women and girls worldwide.

(b) WOMEN'S LEADERSHIP.—Of the funds appropriated by title III of this Act, not less than $50,000,000 shall be made available to increase leadership opportunities for women in countries where women and girls suffer discrimination due to law, policy, or practice, by strengthening protections for women's political status, expanding women's participation in political parties and elections, and increasing women's opportunities for leadership positions in the public and private sectors at the local, provincial, and national levels.

(c) GENDER-BASED VIOLENCE.—

(1)(A) Of the funds appropriated by titles III and IV of this Act, not less than $150,000,000 should be made available to implement a multi-year strategy to prevent and respond to gender-based violence in countries where it is common in conflict and non-conflict settings.

(B) Funds appropriated by titles III and IV of this Act that are available to train foreign police, judicial, and military personnel, including for international peacekeeping operations, shall address, where appropriate, prevention and response to gender-based violence and trafficking in persons, and shall promote the integration of women into the police and other security forces.

(2) Department of State and USAID gender programs shall incorporate coordinated efforts to combat a variety of forms of gender-based violence, including child marriage, rape, female

genital cutting and mutilation, and domestic violence, among other forms of gender-based violence in conflict and non-conflict settings.

(d) WOMEN, PEACE, AND SECURITY.—Funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", and "International Narcotics Control and Law Enforcement" should be made available to support a multi-year strategy to expand, and improve coordination of, United States Government efforts to empower women as equal partners in conflict prevention, peace building, transitional processes, and reconstruction efforts in countries affected by conflict or in political transition, and to ensure the equitable provision of relief and recovery assistance to women and girls.

SECTOR ALLOCATIONS

SEC. 7060. (a) BASIC AND HIGHER EDUCATION.—

(1) BASIC EDUCATION.—

(A) Of the funds appropriated by title III of this Act, not less than $800,000,000 shall be made available for assistance for basic education.

(B) The United States Agency for International Development shall ensure that programs supported with funds appropriated for basic education in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs are integrated, when appropriate, with health, agriculture, governance, and economic development activities to address the economic and social needs of the broader community.

(C) Funds appropriated by title III of this Act for basic education may be made available for a contribution to multilateral partnerships that support education.

(2) HIGHER EDUCATION.—Of the funds appropriated by title III of this Act, not less than $225,000,000 shall be made available for assistance for higher education, of which not less than $25,000,000 shall be to support such programs in Africa, including for partnerships between higher education institutions in Africa and the United States.

(b) DEVELOPMENT GRANTS PROGRAM.—Of the funds appropriated in title III of this Act, not less than $45,000,000 shall be made available for the Development Grants Program established pursuant to section 674 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110–161), primarily for unsolicited proposals for activities within all sectors, to support grants of not more than $2,000,000 to small nongovernmental organizations, universities, and other small entities: *Provided*, That funds made available under this subsection shall remain available until September 30, 2016, and are in addition to other funds available for such purposes.

(c) ENVIRONMENT PROGRAMS.—

(1) IN GENERAL.—Of the funds appropriated by this Act, not less than $1,153,500,000 should be made available for environment programs.

(2) CLEAN ENERGY.—The limitation in section 7081(b) of division F of Public Law 111–117 shall continue in effect during fiscal year 2014 as if part of this Act: *Provided*, That the proviso contained in such section shall not apply.

(3) ADAPTATION AND MITIGATION.—Funds appropriated by this Act may be made available for United States contributions to multilateral environmental funds to support adaptation and mitigation programs and activities.

(4) SUSTAINABLE LANDSCAPES AND BIODIVERSITY.—Of the funds appropriated under title III of this Act, not less than $123,500,000 shall be made available for sustainable landscapes programs and, in addition, not less than $212,500,000 shall be made available to protect biodiversity, and shall not be used to support or promote the expansion of industrial scale logging or any other industrial scale extractive activity into areas that were primary/intact tropical forest as of December 30, 2013: *Provided*, That funds made available for the Central African Regional Program for the Environment and other tropical forest programs in the Congo Basin for the United States Fish and Wildlife Service (USFWS) shall be apportioned directly to the USFWS: *Provided further,* That funds made available for the Department of the Interior (DOI) for programs in the Mayan Biosphere Reserve shall be apportioned directly to the DOI: *Provided further,* That such funds shall also support programs to protect great apes and other endangered species.

(5) WILDLIFE POACHING AND TRAFFICKING.—

(A) Not less than $45,000,000 of the funds appropriated under titles III and IV of this Act shall be made available to combat the transnational threat of wildlife poaching and trafficking.

(B) None of the funds appropriated under title IV of this Act may be made available for training or other assistance for any military unit or personnel that the Secretary of State determines has been credibly alleged to have participated in wildlife poaching or trafficking, unless the Secretary reports to the Committees on Appropriations that to do so is in the national security interests of the United States.

(6) AUTHORITY.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law except for the provisions of this subsection and subject to the regular notification procedures of the Committees on Appropriations, to support environment programs.

(7) EXTRACTION OF NATURAL RESOURCES.—

(A) Funds appropriated by this Act shall be made available to promote and support transparency and accountability of expenditures and revenues related to the extraction of natural resources, including by strengthening implementation and monitoring of the Extractive Industries Transparency Initiative, implementing and enforcing section 8204 of Public Law 110–246 and to prevent the sale of conflict diamonds, and provide technical assistance to promote independent audit mechanisms and support civil society participation in natural resource management.

(B)(i) The Secretary of the Treasury shall inform the managements of the international financial institutions and post on the Department of the Treasury's Web site that it is the policy of the United States to vote against any assistance by such institutions (including but not limited

to any loan, credit, grant, or guarantee) for the extraction and export of a natural resource if the government of the country has in place laws, regulations, or procedures to prevent or limit the public disclosure of company payments as required by section 1504 of Public Law 111–203, and unless such government has adopted laws, regulations, or procedures in the sector in which assistance is being considered for—

(I) accurately accounting for and public disclosure of payments to the host government by companies involved in the extraction and export of natural resources;

(II) the independent auditing of accounts receiving such payments and public disclosure of the findings of such audits; and

(III) public disclosure of such documents as Host Government Agreements, Concession Agreements, and bidding documents, allowing in any such dissemination or disclosure for the redaction of, or exceptions for, information that is commercially proprietary or that would create competitive disadvantage.

(ii) The requirements of clause (i) shall not apply to assistance for the purpose of building the capacity of such government to meet the requirements of this subparagraph.

(C) The Secretary of the Treasury or the Secretary of State, as appropriate, shall instruct the United States executive director of each international financial institution and the United States representatives to all forest-related multilateral financing mechanisms and processes that it is the policy of the United States to vote against any financing to support or promote the expansion of industrial scale logging or any other industrial scale extractive activity into areas that were primary/intact tropical forest as of December 30, 2013.

(D) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution that it is the policy of the United States to oppose any loan, grant, strategy or policy of such institution to support the construction of any large hydroelectric dam (as defined in "Dams and Development: A New Framework for Decision-Making," World Commission on Dams (November 2000)).

(8) TRANSFER OF FUNDS.—The Secretary of State, after consultation with the Secretary of the Treasury, shall transfer $50,000,000 of funds appropriated under the heading "Economic Support Fund" to funds appropriated by this Act under the headings "Multilateral Assistance, International Financial Institutions" for additional payments to trust funds enumerated under such headings: *Provided*, That prior to exercising such transfer authority the Secretary of State shall consult with the Committees on Appropriations.

22 USC 7909 note.

(9) CONTINUATION OF PRIOR LAW.—Section 7081(g)(2) and (4) of division F of Public Law 111–117 shall continue in effect during fiscal year 2014 as if part of this Act.

(d) FOOD SECURITY AND AGRICULTURE DEVELOPMENT.—Of the funds appropriated by title III of this Act, not less than

$1,100,000,000 should be made available for food security and agriculture development programs, of which $32,000,000 shall be made available for the Feed the Future Collaborative Research Innovation Lab: *Provided*, That such funds may be made available notwithstanding any other provision of law to address food shortages, and, if authorized, for a United States contribution to the endowment of the Global Crop Diversity Trust.

(e) MICROENTERPRISE AND MICROFINANCE.—Of the funds appropriated by this Act, not less than $265,000,000 should be made available for microenterprise and microfinance development programs for the poor, especially women.

(f) RECONCILIATION PROGRAMS.—Of the funds appropriated by this Act under the headings "Economic Support Fund" and "Development Assistance", $26,000,000 shall be made available to support people-to-people reconciliation programs which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil strife and war: *Provided*, That the Administrator of the United States Agency for International Development shall consult with the Committees on Appropriations, prior to the initial obligation of funds, on the uses of such funds: *Provided further,* That to the maximum extent practicable, such funds shall be matched by sources other than the United States Government.

(g) TRAFFICKING IN PERSONS.—Of the funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", and "International Narcotics Control and Law Enforcement", not less than $44,000,000 shall be made available for activities to combat trafficking in persons internationally.

(h) WATER AND SANITATION.—Of the funds appropriated by this Act, not less than $365,000,000 shall be made available for water and sanitation supply projects pursuant to the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121).

(i) NOTIFICATION REQUIREMENTS.—Authorized deviations from funding levels contained in this section shall be subject to the regular notification procedures of the Committees on Appropriations.

UZBEKISTAN

SEC. 7061. The terms and conditions of section 7076 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8) shall apply to funds appropriated by this Act, except that the Secretary of State may waive the application of section 7076(a) for a period of not more than 6 months and every 6 months thereafter until September 30, 2015, if the Secretary certifies to the Committees on Appropriations that the waiver is in the national security interest and necessary to obtain access to and from Afghanistan for the United States, and the waiver includes an assessment of progress, if any, by the Government of Uzbekistan in meeting the requirements in section 7076(a): *Provided*, That the Secretary of State, in consultation with the Secretary of Defense, shall submit a report to the Committees on Appropriations not later than 12 months after enactment of this Act and 6 months thereafter, on all United States Government assistance provided to the Government of Uzbekistan and expenditures made in support of the Northern Distribution Network in Uzbekistan during the previous 12 months,

including any credible information that such assistance or expenditures are being diverted for corrupt purposes: *Provided further*, That information provided in the assessment and report required by the previous provisos shall be unclassified but may be accompanied by a classified annex and such annex shall indicate the basis for such classification: *Provided further*, That for purposes of the application of section 7076(e) to this Act, the term "assistance" shall not include expanded international military education and training.

REQUESTS FOR DOCUMENTS

SEC. 7062. None of the funds appropriated or made available pursuant to titles III through VI of this Act shall be available to a nongovernmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

UNITED NATIONS POPULATION FUND

SEC. 7063. (a) CONTRIBUTION.—Of the funds made available under the heading "International Organizations and Programs" in this Act for fiscal year 2014, $35,000,000 shall be made available for the United Nations Population Fund (UNFPA).

(b) AVAILABILITY OF FUNDS.—Funds appropriated by this Act for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to the "Global Health Programs" account and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available by this Act may be used by UNFPA for a country program in the People's Republic of China.

(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Funds made available by this Act for UNFPA may not be made available unless—

(1) UNFPA maintains funds made available by this Act in an account separate from other accounts of UNFPA and does not commingle such funds with other sums; and

(2) UNFPA does not fund abortions.

(e) REPORT TO CONGRESS AND DOLLAR-FOR-DOLLAR WITHHOLDING OF FUNDS.—

(1) Not later than 4 months after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations indicating the amount of funds that the UNFPA is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(2) If a report under paragraph (1) indicates that the UNFPA plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds the UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to the UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 7064. (a) Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of $20,000,000 of the funds appropriated under title III of this Act may be transferred to, and merged with, funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: *Provided,* That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: *Provided further,* That designated funding levels in this Act shall not be transferred pursuant to this section: *Provided further,* That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) Notwithstanding section 235(a)(2) of the Foreign Assistance Act of 1961, the authority of subsections (a) through (c) of section 234 of such Act shall remain in effect until September 30, 2014. 22 USC 2194 note.

INTERNATIONAL PRISON CONDITIONS

SEC. 7065. Funds appropriated under the headings "Development Assistance", "Economic Support Fund", and "International Narcotics Control and Law Enforcement" in this Act shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961, for assistance to eliminate inhumane conditions in foreign prisons and other detention facilities: *Provided*, That decisions regarding the uses of such funds shall be the responsibility of the Assistant Secretary of State for Democracy, Human Rights, and Labor (DRL), in consultation with the Assistant Secretary of State for International Narcotics Control and Law Enforcement Affairs, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development, as appropriate: *Provided further*, That the Assistant Secretary of State for DRL shall consult with the Committees on Appropriations prior to the obligation of funds.

PROHIBITION ON USE OF TORTURE

SEC. 7066. (a) None of the funds made available in this Act may be used to support or justify the use of torture, cruel, or inhumane treatment by any official or contract employee of the United States Government.

(b) Funds appropriated under title IV of this Act shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961 and following consultation with the Committees on Appropriations, for assistance to eliminate torture by foreign police, military or other security forces in countries receiving assistance from funds appropriated by this Act.

EXTRADITION

SEC. 7067. (a) None of the funds appropriated in this Act may be used to provide assistance (other than funds provided under the headings "International Disaster Assistance", "Complex Crises Fund", "International Narcotics Control and Law Enforcement", "Migration and Refugee Assistance", "United States Emergency Refugee and Migration Assistance Fund", and "Nonproliferation, Anti-

terrorism, Demining and Related Assistance") for the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole or for killing a law enforcement officer, as specified in a United States extradition request.

(b) Subsection (a) shall only apply to the central government of a country with which the United States maintains diplomatic relations and with which the United States has an extradition treaty and the government of that country is in violation of the terms and conditions of the treaty.

(c) The Secretary of State may waive the restriction in subsection (a) on a case-by-case basis if the Secretary certifies to the Committees on Appropriations that such waiver is important to the national interests of the United States.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 7068. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt, and the North Atlantic Treaty Organization (NATO) and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 7069. (a) None of the funds appropriated by this Act under the headings "Global Health Programs", "Economic Support Fund", and "International Narcotics Control and Law Enforcement" shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: *Provided*, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(b) Funds appropriated by this Act under the heading "Economic Support Fund" may be made available, notwithstanding any other provision of law, for assistance and related programs for the countries identified in section 3(c) of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179) and section 3 of the FREEDOM Support Act (Public Law 102–511) and may be used to carry out the provisions of those Acts: *Provided*, That such assistance and related programs from funds appropriated by this Act under the headings "Global Health Programs", "Economic Support Fund", and "International Narcotics Control and Law Enforcement" shall be administered in accordance

with the responsibilities of the coordinator designated pursuant to section 601 of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179) and section 102 of the FREEDOM Support Act (Public Law 102–511).

(c) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104–201 or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee, or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

INTERNATIONAL MONETARY FUND

SEC. 7070. (a) The terms and conditions of sections 7086(b)(1) and (2) and 7090(a) of division F of Public Law 111–117 shall apply to this Act.

(b) The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (IMF) to seek to ensure that any loan will be repaid to the IMF before other private creditors.

(c) The Secretary of the Treasury shall report to the Committees on Appropriations, not later than 45 days after enactment of this Act, a description and estimate of IMF surcharges on outstanding and new loans for calendar years 2011, 2012, and 2013; the IMF's internal use of funds derived from such surcharges; and details of the IMF's internal budget for the calendar years 2011, 2012, and 2013.

(d) The Secretary of the Treasury shall seek to ensure that the IMF is implementing best practices for the protection of whistleblowers from retaliation, including best practices for—

(1) protection against retaliation for internal and lawful public disclosures;

(2) legal burdens of proof;

(3) statutes of limitation for reporting retaliation;

(4) access to independent adjudicative bodies, including external arbitration; and

(5) results that eliminate the effects of proven retaliation.

SOVEREIGNTY OF THE POST-SOVIET STATES

SEC. 7071. (a) Prior to the obligation of funds appropriated under title III of this Act that are available for assistance for the central Government of the Russian Federation, the Secretary of State shall consult with the Committees on Appropriations on how such assistance supports the national interests of the United States.

(b)(1) Funds appropriated by this Act for assistance to the Eastern Partnership countries (Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine) shall be made available to advance the signing and implementation of Association Agreements, trade agreements, and visa liberalization agreements with the European Union, and to reduce their vulnerability to external pressure not to enter into such agreements with the European Union.

(2) Not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations on actions taken by the Government of the Russian Federation to apply pressure on Eastern Partnership countries to prevent their further integration with European institutions and harmonization with European legal norms; an assessment of whether the Government of the Russian Federation is violating its obligations as a member of the World Trade Organization by erecting non-tariff barriers against imports of goods from these countries; and a description of actions taken or planned by the United States Government to ensure that the Eastern Partnership countries maintain full sovereignty in their foreign policy decision-making.

(c) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations describing efforts by the Government of the Russian Federation to investigate and prosecute law enforcement and government personnel credibly alleged to be responsible for gross violations of human rights against Russian individuals affiliated with nongovernmental and civil society organizations, the private sector, social activism, opposition political parties, and the media.

(d) Funds appropriated by this Act shall be made available for democracy and rule of law programs in countries of the former Soviet Union: *Provided*, That not later than 90 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a multi-year strategy, including cost estimates, objectives, and oversight mechanisms, for such programs on a country-by-country basis.

(e) Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the support of the Government of the Russian Federation for the Government of Syria, including arms sales and the use of such arms against civilian populations, and for the Government of Iran, including support for nuclear research cooperation and sanctions relief.

(f) The Secretary of State shall submit to the Committees on Appropriations a description of steps taken by the United States Government to assist in the restoration of the territorial integrity of Georgia.

PROHIBITION ON FIRST-CLASS TRAVEL

SEC. 7072. None of the funds made available in this Act may be used for first-class travel by employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

LIMITATION ON CERTAIN AWARDS

SEC. 7073. (a) CONVICTIONS.—None of the funds made available by this Act may be used to enter into a contract, memorandum

of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency has direct knowledge of the conviction, unless a Federal agency has considered, in accordance with its procedures, that this further action is not necessary to protect the interests of the Government.

(b) UNPAID TAXES.—None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency has direct knowledge of the unpaid tax liability, unless a Federal agency has considered, in accordance with its procedures, that this further action is not necessary to protect the interests of the Government.

(c) IMPLEMENTATION.—The requirements of this section shall be implemented 180 days after enactment of this Act.

ENTERPRISE FUNDS

SEC. 7074. (a) None of the funds made available under titles III through VI of this Act may be made available for Enterprise Funds unless the Committees on Appropriations are notified at least fifteen days in advance.

(b) Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

(c) Prior to a transition to and operation of any private equity fund or other parallel investment fund under an existing Enterprise Fund, the President shall submit such transition or operating plan to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations.

ARMS TRADE TREATY

SEC. 7075. None of the funds appropriated by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

BUDGET DOCUMENTS

SEC. 7076. (a) OPERATING PLANS.—Not later than 30 days after the date of enactment of this Act, each department, agency, or organization funded in titles I and II, and the Department of the Treasury and Independent Agencies funded in title III of this Act, including the Inter-American Foundation and the African Development Foundation, shall submit to the Committees on Appropriations an operating plan for funds appropriated to such department, agency, or organization in such titles of this Act, or funds otherwise available for obligation in fiscal year 2014, that provides

details of the use of such funds at the program, project, and activity level.

(b) SPEND PLANS.—Prior to the initial obligation of funds, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development (USAID), shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act under title III, and under title IV where applicable, for—

(1) assistance for Afghanistan, Colombia, Egypt, Haiti, Iraq, Lebanon, Libya, Mexico, Pakistan, the West Bank and Gaza, and Yemen;

(2) the Caribbean Basin Security Initiative, the Central American Regional Security Initiative, the Trans-Sahara Counterterrorism Partnership program, and the Partnership for Regional East Africa Counterterrorism program; and

(3) democracy programs, and food security and agriculture development programs.

(c) Not later than 45 days after enactment of this Act, the USAID Administrator shall submit to the Committees on Appropriations a detailed spend plan for funds made available during fiscal year 2013 under the heading "Development Credit Authority".

(d) Not later than 45 days after enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act under the headings "Department of the Treasury" in title III and "International Financial Institutions" in title V.

(e) NOTIFICATIONS.—The spend plans referenced in subsections (b), (c) and (d) shall not be considered as meeting the notification requirements in this Act or under section 634A of the Foreign Assistance Act of 1961.

(f) CONGRESSIONAL BUDGET JUSTIFICATIONS.—The congressional budget justifications for Department of State operations and foreign operations shall be provided to the Committees on Appropriations concurrent with the date of submission of the President's budget for fiscal year 2015.

SPECIAL DEFENSE ACQUISITION FUND

SEC. 7077. Not to exceed $100,000,000 may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act for the purposes of the Special Defense Acquisition Fund (Fund), to remain available for obligation until September 30, 2016: *Provided*, That the provision of defense articles and defense services to foreign countries or international organizations from the Fund shall be subject to the concurrence of the Secretary of State.

USE OF FUNDS IN CONTRAVENTION OF THIS ACT

SEC. 7078. If the President makes a determination not to comply with any provision of this Act on constitutional grounds, the head of the relevant Federal agency shall notify the Committees on Appropriations in writing within 5 days of such determination, the basis for such determination and any resulting changes to program and policy.

DISABILITY PROGRAMS

SEC. 7079. (a) Funds appropriated by this Act under the heading "Economic Support Fund" shall be made available for programs and activities administered by the United States Agency for International Development (USAID) to address the needs and protect and promote the rights of people with disabilities in developing countries, including initiatives that focus on independent living, economic self-sufficiency, advocacy, education, employment, transportation, sports, and integration of individuals with disabilities, including for the cost of translation.

(b) Of the funds made available by this section, up to 7 percent may be for USAID for management, oversight, and technical support.

GLOBAL INTERNET FREEDOM

SEC. 7080. (a) Of the funds appropriated under titles I and III of this Act, not less than $50,500,000 shall be made available for programs to promote Internet freedom globally: *Provided*, That such programs shall be prioritized for countries whose governments restrict freedom of expression on the Internet, and that are important to the national interests of the United States: *Provided further*, That funds made available pursuant to this section shall be matched, to the maximum extent practicable, by sources other than the United States Government, including from the private sector.

(b) Funds made available pursuant to subsection (a) shall be—

(1) coordinated with other democracy, governance, and broadcasting programs funded by this Act under the headings "International Broadcasting Operations", "Economic Support Fund", "Democracy Fund", and "Complex Crises Fund", and shall be incorporated into country assistance, democracy promotion, and broadcasting strategies, as appropriate;

(2) made available to the Bureau of Democracy, Human Rights, and Labor, Department of State and the United States Agency for International Development (USAID) for programs to implement the May 2011, International Strategy for Cyberspace and the comprehensive strategy to promote Internet freedom and access to information in Iran, as required by section 414 of Public Law 112–158;

(3) made available to the Broadcasting Board of Governors (BBG) to provide tools and techniques to access the Internet Web sites of BBG broadcasters that are censored, and to work with such broadcasters to promote and distribute such tools and techniques, including digital security techniques;

(4) made available for programs that support the efforts of civil society to counter the development of repressive Internet-related laws and regulations, including countering threats to Internet freedom at international organizations; to combat violence against bloggers and other users; and to enhance digital security training and capacity building for democracy activists; and

(5) made available for research of key threats to Internet freedom; the continued development of technologies that provide or enhance access to the Internet, including circumvention tools that bypass Internet blocking, filtering, and other censorship

techniques used by authoritarian governments; and maintenance of the United States Government's technological advantage over such censorship techniques: *Provided*, That the Secretary of State, in consultation with the BBG, shall coordinate any such research and development programs with other relevant United States Government departments and agencies in order to share information, technologies, and best practices, and to assess the effectiveness of such technologies.

(c) After consultation among the relevant agency heads to coordinate and de-conflict planned activities, but not later than 90 days after enactment of this Act, the Secretary of State, the USAID Administrator, and the BBG Board Chairman shall submit to the Committees on Appropriations spend plans for funds made available by this Act for programs to promote Internet freedom globally, which shall include a description of safeguards established by relevant agencies to ensure that such programs are not used for illicit purposes.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 7081. None of the funds appropriated or otherwise made available under titles III through VI of this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture;

(3) any assistance to an entity outside the United States if such assistance is for the purpose of directly relocating or transferring jobs from the United States to other countries and adversely impacts the labor force in the United States; or

(4) until September 30, 2014, for the enforcement of any rule, regulation, policy, or guidelines implemented pursuant to—

(A) the third proviso of subsection 7079(b) of the Consolidated Appropriations Act, 2010;

(B) the modification proposed by the Overseas Private Investment Corporation in November 2013 to the Corporation's Environmental and Social Policy Statement relating to coal; or

(C) the Supplemental Guidelines for High Carbon Intensity Projects approved by the Export-Import Bank of the United States on December 12, 2013,

when enforcement of such rule, regulation, policy, or guidelines would prohibit, or have the effect of prohibiting, any coal-fired or other power-generation project the purpose of which is to: (i) provide affordable electricity in International Development Association (IDA)-eligible countries and IDA-blend countries; and (ii) increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

DEATH GRATUITY AND OTHER BENEFITS

(INCLUDING RESCISSION OF FUNDS)

SEC. 7082. (a) DEATH GRATUITY.—Section 413 of the Foreign Service Act of 1980 (22 U.S.C. 3973) is amended—

(1) in subsection (a) by striking "at the time of death" and inserting "at level II of the Executive Schedule under section 5313 of title 5, United States Code, at the time of death, except that for employees compensated under local compensation plans established under section 408 the amount shall be equal to the greater of either one year's salary at the time of death, or one year's basic salary at the highest step of the highest grade on the local compensation plan from which the employee was being paid at the time of death";

(2) by redesignating subsections (b) and (d) as subsections (d) and (e) respectively;

(3) by inserting after subsection (a) the following new subsection:

"(b) OTHER EXECUTIVE AGENCIES.—The head of an executive agency shall, pursuant to guidance issued under subsection (c), make a death gratuity payment authorized by this section to the survivors of any employee of that agency or of an individual in a special category serving in an uncompensated capacity for that agency, as identified in guidance issued under subsection (c), who dies as a result of injuries sustained in the performance of duty abroad while subject to the authority of the chief of mission pursuant to section 207."; and

(4) by amending subsection (c) to read as follows:

"GUIDANCE.—Not later than 60 days after the date of the enactment of the Consolidated Appropriations Act, 2014, the Secretary shall, in consultation with the heads of other relevant executive agencies, issue guidance with criteria for determining eligibility for, and order of payments to, survivors and beneficiaries of any employee or of an individual in a special category serving in an uncompensated capacity for that agency who dies as a result of injuries sustained in the performance of duty while subject to the authority of the chief of mission pursuant to section 207.".

(b) LIFE INSURANCE AND EDUCATIONAL BENEFITS.—

(1) IN GENERAL.—Chapter 4 of the Foreign Service Act of 1980 (22 U.S.C. 3961 et seq.) is amended by adding at the end the following new sections:

"SEC. 415. GROUP LIFE INSURANCE SUPPLEMENT APPLICABLE TO THOSE KILLED IN TERRORIST ATTACKS. 22 USC 3975.

"(a) FOREIGN SERVICE EMPLOYEES.—

"(1) IN GENERAL.—Notwithstanding the amounts specified in chapter 87 of title 5, United States Code, a Foreign Service employee who dies as a result of injuries sustained while on

duty abroad because of an act of terrorism, as defined in section 140(d) of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999 (22 U.S.C. 2656f(d)), shall be eligible for a payment from the United States in an amount that, when added to the amount of the employee's employer-provided group life insurance policy coverage (if any), equals $400,000. In the case of an employee compensated under a local compensation plan established under section 408, the amount of such payment shall be determined by regulations implemented by the Secretary of State and shall be no greater than $400,000.

"(2) DESIGNATION OF BENEFICIARY.—A payment made under paragraph (1) shall be made in accordance with the guidance issued under section 413(c).

"(b) OTHER EXECUTIVE AGENCIES.—The head of an executive agency shall provide the additional payment authorized by this section, consistent with the provisions set forth in subsection (a), with respect to any employee of that agency or of an individual in a special category serving in an uncompensated capacity for that agency who dies as a result of injuries sustained while on duty abroad because of an act of terrorism, as defined in section 140(d) of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999 (22 U.S.C. 2656f(d)), while subject to the authority of the chief of mission pursuant to section 207.

22 USC 3976.

"SEC. 416. SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.

"(a) FOREIGN SERVICE EMPLOYEES.—The Secretary shall, pursuant to guidance issued under section 413(c), provide educational assistance to a beneficiary of any United States national Foreign Service employee who dies while on duty abroad as a result of an act of terrorism, as defined in section 140(d) of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999 (22 U.S.C. 2656f(d)), to meet, in whole or in part, the expenses incurred by the beneficiary in pursuing a program of education at an educational institution, including subsistence, tuition, fees, supplies, books, equipment, and other educational costs.

"(b) OTHER EXECUTIVE AGENCIES.—The head of an executive agency shall, pursuant to guidance issued under section 413(c) provide educational assistance authorized by this section to a beneficiary of any employee of that agency who dies as a result of an act of terrorism or terrorism, as defined in section 140(d) of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999 (22 U.S.C. 2656f(d)), while on duty abroad and subject to the authority of the chief of mission pursuant to section 207.

"(c) AMOUNT OF ASSISTANCE.—Educational assistance under this section may be made available up to the amounts provided for in section 3532 of title 38, United States Code, as adjusted by section 3564 of such title, and for an aggregate period not in excess of 48 months.

"(d) PROGRAM OF EDUCATION AND EDUCATIONAL INSTITUTION DEFINED.—For purposes of this section, the terms 'program of education' and 'educational institution' have the meanings given the terms in section 3501 of title 38.".

(2) CLERICAL AMENDMENT.—The table of contents in section 2 of the Foreign Service Act of 1980 is amended by inserting after the item relating to section 414 the following new items:

"Sec. 415. Group life insurance supplement applicable to those killed in terrorist attacks.
"Sec. 416. Survivors' and dependents' educational assistance.".

(c) APPLICABILITY.—Notwithstanding any other provision of law, sections 413, 415, and 416 of the Foreign Service Act of 1980, as amended or added by this section, shall apply in the case of a Foreign Service employee or executive branch employee subject to the authority of the chief of mission pursuant to section 207 of the Foreign Service Act (22 U.S.C. 3927), serving at a United States diplomatic or consular mission abroad, who died on or after April 18, 1983, as a result of injuries sustained in an act of terrorism, as defined in section 140(d) of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999 (22 U.S.C. 2656f(d)). 22 USC 3973 note.

(d) FUNDING.— 22 USC 2680 note.

(1) DIPLOMATIC AND CONSULAR PROGRAMS FUNDS.—Amounts made available to the Department of State pursuant to the sixth proviso under the heading "Diplomatic and Consular Programs" in title I of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110–161) are authorized to be used by the Department of State to pay benefits or payments made available pursuant to this Act.

(2) AVAILABILITY.—To pay benefits or payments made available pursuant to this Act, the Secretary of State may merge with the amounts described in paragraph (1) unobligated balances of funds appropriated under the "Diplomatic and Consular Programs" heading for fiscal year 2014 and subsequent fiscal years, up until the end of the fifth fiscal year after the fiscal year for which such funds were appropriated or otherwise made available.

(3) RESCISSION.—Of the unexpended balances available under the heading "Export and Investment Assistance, Export-Import Bank of the United States, Subsidy Appropriation" from prior Acts making appropriations for the Department of State, foreign operations, and related programs, $23,000,000 are rescinded.

PREADOPTION VISITATION REQUIREMENT

SEC. 7083. Section 101(b)(1)(F)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)(F)(i)) is amended by striking "at least twenty-five years of age, who personally saw and observed the child prior to or during the adoption proceedings;" and inserting "who is at least 25 years of age, at least 1 of whom personally saw and observed the child before or during the adoption proceedings;".

TITLE VIII

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Diplomatic and Consular Programs", $1,391,109,000, to remain available until September 30, 2015, of which $900,274,000 is for Worldwide Security Protection and shall remain available until expended: *Provided*, That the Secretary of State may transfer up to $100,000,000 of the total funds made available under this heading to any other appropriation of any department or agency of the United States, upon the concurrence of the head of such department or agency, to support operations in and assistance for Afghanistan and to carry out the provisions of the Foreign Assistance Act of 1961: *Provided further*, That any such transfer shall be treated as a reprogramming of funds under subsections (a) and (b) of section 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONFLICT STABILIZATION OPERATIONS

For an additional amount for "Conflict Stabilization Operations", $8,500,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", $49,650,000, to remain available until September 30, 2015, which shall be for the Special Inspector General for Afghanistan Reconstruction for reconstruction oversight: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for "Educational and Cultural Exchange Programs", as authorized, $8,628,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War

on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for "Embassy Security, Construction, and Maintenance", $275,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for "Contributions to International Organizations", $74,400,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for "International Broadcasting Operations", $4,400,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED PROGRAMS

UNITED STATES INSTITUTE OF PEACE

For an additional amount for "United States Institute of Peace", $6,016,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for "Operating Expenses", $81,000,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", $10,038,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for "International Disaster Assistance", $924,172,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TRANSITION INITIATIVES

For an additional amount for "Transition Initiatives", $9,423,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COMPLEX CRISES FUND

For an additional amount for "Complex Crises Fund", $20,000,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ECONOMIC SUPPORT FUND

For an additional amount for "Economic Support Fund", $1,656,215,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for "Migration and Refugee Assistance", $1,284,355,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for "International Narcotics Control and Law Enforcement", $344,390,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for "Nonproliferation, Anti-terrorism, Demining and Related Programs", $70,000,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PEACEKEEPING OPERATIONS

For an additional amount for "Peacekeeping Operations", $200,000,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That of the funds available for obligation under this heading in this Act and in prior Acts making appropriations for the Department of State, foreign operations, and related programs, up to $194,000,000 may be used to pay assessed expenses of international peacekeeping activities in Somalia.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for "Foreign Military Financing Program", $530,000,000, to remain available until September 30, 2015: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

ADDITIONAL APPROPRIATIONS

SEC. 8001. Notwithstanding any other provision of law, funds appropriated in this title are in addition to amounts appropriated or otherwise made available in this Act for fiscal year 2014.

EXTENSION OF AUTHORITIES AND CONDITIONS

SEC. 8002. Unless otherwise provided for in this Act, the additional amounts appropriated by this title to appropriations accounts in this Act shall be available under the authorities and conditions applicable to such appropriations accounts.

TRANSFER AUTHORITY

SEC. 8003. (a) Funds appropriated by this title in this Act under the headings "Diplomatic and Consular Programs" and "Embassy Security, Construction, and Maintenance" may be transferred to, and merged with, funds appropriated by this title under such headings.

(b) Funds appropriated by this title in this Act under the headings "Economic Support Fund", "International Narcotics Control and Law Enforcement", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Peacekeeping Operations", and "Foreign Military Financing Program" may be transferred to, and merged with—

(1) funds appropriated by this title under such headings; and

(2) funds appropriated by this title under the headings "International Disaster Assistance" and "Migration and Refugee Assistance".

(c) Notwithstanding any other provision of this section, of the funds appropriated by this title in this Act not to exceed $400,000,000 from funds appropriated under the heading "Economic Support Fund", not to exceed $10,000,000 from funds appropriated under the heading "International Narcotics Control and Law Enforcement", and not to exceed $50,000,000 from funds appropriated under the heading "Foreign Military Financing Program" may be transferred to, and merged with, funds made available under the heading "Complex Crises Fund": *Provided*, That upon determination that all or part of the funds so transferred from such appropriations are not necessary for the purposes for which they were transferred, such amounts may be transferred back to such appropriation and shall be available for the same purposes and for the same time period as originally appropriated.

(d) Notwithstanding any other provision of this section, not to exceed $25,000,000 from funds appropriated under the headings "International Narcotics Control and Law Enforcement", "Peacekeeping Operations", and "Foreign Military Financing Program" by this title in this Act may be transferred to, and merged with, funds previously made available under the heading "Global Security Contingency Fund": *Provided*, That not later than 15 days prior to making any such transfer, the Secretary of State shall notify the Committees on Appropriations on a country basis, including the implementation plan and timeline for each proposed use of such funds.

(e) The transfer authority provided in subsections (a) and (b) may only be exercised to address unanticipated contingencies: *Provided*, That no such transfer shall exceed 15 percent of any appropriation made available for the current fiscal year by this title and no such appropriation shall be increased by more than 25 percent by any such transfer.

(f) The transfer authority provided by this section shall be subject to the regular notification procedures of the Committees

on Appropriations: *Provided*, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law, including section 610 of the Foreign Assistance Act of 1961 which may be exercised by the Secretary of State for the purposes of this title.

RESCISSION OF FUNDS

SEC. 8004. Of the unobligated balances available from prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading "Diplomatic and Consular Programs" and designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, $427,296,000 are rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated for Worldwide Security Protection.

This division may be cited as the "Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014".

DIVISION L—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014.

TITLE I

DEPARTMENT OF TRANSPORTATION

Department of Transportation Appropriations Act, 2014.

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $107,000,000, of which not to exceed $2,652,000 shall be available for the immediate Office of the Secretary; not to exceed $1,000,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $19,900,000 shall be available for the Office of the General Counsel; not to exceed $10,271,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $12,676,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,530,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $26,378,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,020,000 shall be available for the Office of Public Affairs; not to exceed $1,714,000 shall be available for the Office of the Executive Secretariat; not to exceed $1,386,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $10,778,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $15,695,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval

to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $14,765,000, of which $8,218,000 shall remain available until September 30, 2016: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That notwithstanding any other provision of law, the powers and duties, functions, authorities and personnel of the Research and Innovative Technology Administration are hereby transferred to the Office of the Assistant Secretary for Research and Technology in the Office of the Secretary: *Provided further*, That notwithstanding section 102 of title 49 and section 5315 of title 5, United States Code, there shall be an Assistant Secretary for Research and Technology within the Office of the Secretary, appointed by the President with the advice and consent of the Senate, to lead such office: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

49 USC 112 note.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, $600,000,000, to remain available through September 30, 2016: *Provided*, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments: *Provided further*, That the Secretary may use up to 35 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban

and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than $10,000,000 and not greater than $200,000,000: *Provided further*, That not more than 25 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That not less than 20 percent of the funds provided under this heading shall be for projects located in rural areas: *Provided further*, That for projects located in rural areas, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That of the amount made available under this heading, the Secretary may use an amount not to exceed $35,000,000 for the planning, preparation or design of projects eligible for funding under this heading: *Provided further,* That grants awarded under the previous proviso shall not be subject to a minimum grant size: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may retain up to $20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration and the Federal Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $7,000,000, to remain available through September 30, 2015.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, $4,455,000, to remain available through September 30, 2015.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,551,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

(INCLUDING RESCISSIONS)

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $7,000,000: *Provided*, That of the unobligated balances made available by Public Law 111–117, $750,000 are hereby rescinded: *Provided further*, That of the unobligated balances made available by section 195 of Public Law 111–117, $2,000,000 are hereby rescinded.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $178,000,000 shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $333,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, $592,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $3,088,000, to remain available until September 30, 2015: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $149,000,000, to be derived from the Airport

and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further,* That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary or his designee may engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

SEC. 103. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109–59: *Provided*, That the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 104. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Credit Council, including the agenda for each meeting, and require the Credit Council to record the decisions and actions of each meeting.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 108–176, $9,651,422,000, of which $6,495,208,000 shall be derived from the Airport and Airway Trust Fund, of which

not to exceed $7,311,790,000 shall be available for air traffic organization activities; not to exceed $1,204,777,000 shall be available for aviation safety activities; not to exceed $16,011,000 shall be available for commercial space transportation activities; not to exceed $762,462,000 shall be available for finance and management activities; not to exceed $59,782,000 shall be available for NextGen and operations planning activities; and not to exceed $296,600,000 shall be available for staff offices: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further,* That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further,* That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further,* That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further,* That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further,* That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further,* That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further,* That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation as offsetting collections funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further,* That of the funds appropriated under this heading, not less than $140,000,000 shall be for the contract tower program, of which $10,350,000 is for the contract tower cost share program: *Provided further,* That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

49 USC 44506 note.

49 USC 44502 note.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $2,600,000,000, of which $450,250,000 shall remain available until September 30, 2014, and $2,149,750,000 shall remain available until September 30, 2016: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That upon initial submission to the Congress of the fiscal year 2015 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2015 through 2019, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING RESCISSION)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $158,792,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2016: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development: *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, $26,183,998 are rescinded.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,200,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2014, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further,* That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further,* That notwithstanding any other provision of law, of funds limited under this heading, not more than $106,600,000 shall be obligated for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, not less than $29,500,000 shall be available for Airport Technology Research, and $5,000,000, to remain available until expended, shall be available and transferred to "Office of the Secretary, Salaries and Expenses" to carry out the Small Community Air Service Development Program.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2014.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space

in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. The Secretary shall apportion to the sponsor of an airport that received scheduled or unscheduled air service from a large certified air carrier (as defined in part 241 of title 14 Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) an amount equal to the minimum apportionment specified in 49 U.S.C. 47114(c), if the Secretary determines that airport had more than 10,000 passenger boardings in the preceding calendar year, based on data submitted to the Secretary under part 241 of title 14, Code of Federal Regulations.

SEC. 117. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 118. Subparagraph (D) of section 47124(b)(3) of title 49, United States Code, is amended by striking "benefit." and inserting "benefit, with the maximum allowable local cost share capped at 20 percent.".

SEC. 119. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 119A. None of the funds in this Act shall be available for salaries and expenses of more than 8 political and Presidential appointees in the Federal Aviation Administration.

SEC. 119B. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the FAA provides to the House and Senate Committees on Appropriations the report related to aeronautical navigation products described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

SEC. 119C. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119D. The Secretary shall (1) evaluate and adjust existing helicopter routes above Los Angeles, and make adjustments to such routes if the adjustments would lessen impacts on residential areas and noise-sensitive landmarks; (2) analyze whether helicopters could safely fly at higher altitudes in certain areas above Los Angeles County; (3) develop and promote best practices for helicopter hovering and electronic news gathering; (4) conduct outreach to helicopter pilots to inform them of voluntary policies and to increase awareness of noise sensitive areas and events; (5) work with local stakeholders to develop a more comprehensive noise complaint system; and (6) continue to participate in collaborative engagement between community representatives and helicopter operators: *Provided*, That not later than one year after enactment of this Act, the Secretary shall begin a regulatory process related to the impact of helicopter use on the quality of life and safety of the people of Los Angeles County unless the Secretary can demonstrate significant progress in undertaking the actions required under the previous proviso.

SEC. 119E. (a) Section 44302 of title 49, United States Code, is amended in paragraph (f) by deleting "the date specified in section 106(3) of the Continuing Appropriations Act, 2014" and inserting "September 30, 2014" in lieu thereof.

(b) Section 44303 of title 49, United States Code, is amended in paragraph (b) by deleting "the date specified in section 106(3) of the Continuing Appropriations Act, 2014" and inserting "September 30, 2014" in lieu thereof.

(c) Section 44310 of title 49, United States Code, is amended in paragraph (a) by deleting "the date specified in section 106(3) of the Continuing Appropriations Act, 2014" and inserting "September 30, 2014" in lieu thereof.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $416,100,000, together with advances and reimbursements received by the Federal Highway Administration, shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration for necessary expenses for administration and operation. In addition, not to exceed $3,248,000 shall be paid from appropriations made

available by this Act and transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of programs of Federal-aid highways and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of Public Law 112–141 shall not exceed total obligations of $40,256,000,000 for fiscal year 2014: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code. 23 USC 104 note.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highways and highway safety construction programs authorized under title 23, United States Code, $40,995,000,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2014, the Secretary of Transportation shall— 23 USC 104 note.

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Moving Ahead for Progress in the 21st Century Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the national highway performance program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (but, for each of fiscal years 2005 through 2012, only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for fiscal years 2013 and 2014, only in an amount equal to $639,000,000 for each of those fiscal years).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of the Moving Ahead for Progress in the 21st Century Act) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) division E of the Moving Ahead for Progress in the 21st Century Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding

funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid Highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid Highways and highway safety construction programs.

23 USC 313 note.

SEC. 122. Not less than 15 days prior to waiving, under his statutory authority, any Buy America requirement for Federal-aid highway projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. (a) IN GENERAL.—Except as provided in subsection (b), none of the funds made available, limited, or otherwise affected by this Act shall be used to approve or otherwise authorize the imposition of any toll on any segment of highway located on the Federal-aid system in the State of Texas that—

(1) as of the date of enactment of this Act, is not tolled;

(2) is constructed with Federal assistance provided under title 23, United States Code; and

(3) is in actual operation as of the date of enactment of this Act.

(b) EXCEPTIONS.—

(1) NUMBER OF TOLL LANES.—Subsection (a) shall not apply to any segment of highway on the Federal-aid system described in that subsection that, as of the date on which a toll is imposed on the segment, will have the same number of nontoll lanes as were in existence prior to that date.

(2) HIGH-OCCUPANCY VEHICLE LANES.—A high-occupancy vehicle lane that is converted to a toll lane shall not be subject to this section, and shall not be considered to be a nontoll lane for purposes of determining whether a highway will have fewer nontoll lanes than prior to the date of imposition of the toll, if—

(A) high-occupancy vehicles occupied by the number of passengers specified by the entity operating the toll lane may use the toll lane without paying a toll, unless

otherwise specified by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority; or

(B) each high-occupancy vehicle lane that was converted to a toll lane was constructed as a temporary lane to be replaced by a toll lane under a plan approved by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority.

SEC. 124. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 125. Section 149(m) of title 23, United States Code, is amended by striking "that was previously eligible under this section" and replacing with "for which CMAQ funding was made available, obligated or expended in fiscal year 2012, and shall have no imposed time limitation".

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, as amended by Public Law 112–141, $259,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of $259,000,000 for "Motor Carrier Safety Operations and Programs" for fiscal year 2014, of which $9,000,000, to remain available for obligation until September 30, 2016, is for the research and technology program, and of which $1,000,000 shall be available for commercial motor vehicle operator's grants to carry out section 4134 of Public Law 109–59, and of which $34,545,000, to remain available for obligation until September 30, 2016, is for information management: *Provided further*, That the Federal Motor Carrier Safety Administration shall

transmit to Congress a report by March 28, 2014, on the agency's ability to meet its requirement to conduct compliance reviews on mandatory carriers.

NATIONAL MOTOR CARRIER SAFETY

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Of the unobligated contract authority provided in the Transportation Equity Act for the 21st Century (Public Law 105–178) or other appropriation or authorization acts for the national motor carrier safety program, $13,000,000 shall be made available for the modernization and maintenance of border facilities and the total limitation of these obligations shall not exceed $13,000,000.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, as amended by Public Law 112–141, $313,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $313,000,000 in fiscal year 2014 for "Motor Carrier Safety Grants"; of which $218,000,000 shall be available for the motor carrier safety assistance program, $30,000,000 shall be available for the commercial driver's license improvements program, $32,000,000 shall be available for border enforcement grants, $5,000,000 shall be available for the performance and registration information system management program, $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program, and $3,000,000 shall be available for the safety data improvement program: *Provided further*, That, of the funds made available herein for the motor carrier safety assistance program, $32,000,000 shall be available for audits of new entrant motor carriers.

ADMINISTRATIVE PROVISION—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, $134,000,000, of which $20,000,000 shall remain available through September 30, 2015.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, $123,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2014, are in excess of $123,500,000, of which $118,500,000 shall be for programs authorized under 23 U.S.C. 403 and $5,000,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the $118,500,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2015, and shall be in addition to the amount of any limitation imposed on obligations for future years: *Provided further,* That $5,000,000 of the total obligation limitation for operations and research in fiscal year 2014 shall be applied toward unobligated balances of contract authority provided in prior Acts for carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402 and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, and section 31101(a)(6) of Public Law 112–141, to remain available until expended, $561,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2014, are in excess of $561,500,000 for programs authorized under 23 U.S.C. 402 and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, and section 31101(a)(6) of Public Law

112–141, of which $235,000,000 shall be for "Highway Safety Programs" under 23 U.S.C. 402; $272,000,000 shall be for "National Priority Safety Programs" under 23 U.S.C. 405; $29,000,000 shall be for "High Visibility Enforcement Program" under section 2009 of Public Law 109–59, as amended by Public Law 112–141; $25,500,000 shall be for "Administrative Expenses" under section 31101(a)(6) of Public Law 112–141: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for "National Priority Safety Programs" under 23 U.S.C. 405 for "Impaired Driving Countermeasures" (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the "Transfers" provision under 23 U.S.C. 405(a)(1)(G), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(G) within 60 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $184,500,000, of which $12,400,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $35,250,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority to exist as long

as any such direct loan or loan guarantee is outstanding: *Provided*, That, pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2014.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, in amounts based on the Secretary's assessment of the Corporation's seasonal cash flow requirements, for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $340,000,000, to remain available until expended: *Provided*, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary and the House and Senate Committees on Appropriations the annual budget, business plan, the 5-Year Financial Plan for fiscal year 2014 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008 and the comprehensive fleet plan for all Amtrak rolling stock: *Provided further*, That the budget, business plan and the 5-Year Financial Plan shall include annual information on the maintenance, refurbishment, replacement, and expansion for all Amtrak rolling stock consistent with the comprehensive fleet plan: *Provided further*, That the Corporation shall provide monthly performance reports in an electronic format which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes as well as progress against the milestones and target dates of the 2012 performance improvement plan: *Provided further*, That the Corporation's budget, business plan, 5-Year Financial Plan, semiannual reports, monthly reports, comprehensive fleet plan and all supplemental reports or plans comply with requirements in Public Law 112–55: *Provided further*, That none of the funds provided in this Act may be used to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal peak fare: *Provided further*, That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by section 101(c), 102, and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $1,050,000,000, to remain available until expended, of which not to exceed $199,000,000 shall be for debt service obligations as authorized by section 102 of such Act:

Provided, That of the amounts made available under this heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: *Provided further*, That after an initial distribution of up to $200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided to the Corporation only on a reimbursable basis: *Provided further*, That of the amounts made available under this heading, up to $40,000,000 may be used by the Secretary to subsidize operating losses of the Corporation should the funds provided under the heading "Operating Grants to the National Railroad Passenger Corporation" be insufficient to meet operational costs for fiscal year 2014: *Provided further*, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by subsections 101(a) and 101(c) of division B of Public Law 110–432: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: *Provided further*, That except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2014 business plan: *Provided further*, That in addition to the project management oversight funds authorized under section 101(d) of division B of Public Law 110–432, the Secretary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with implementing section 212 of division B of Public Law 110–432, including the amendments made by section 212 to section 24905 of title 49, United States Code.

NEXT GENERATION HIGH-SPEED RAIL

(RESCISSION)

Of the funds made available for Next Generation High Speed Rail, as authorized by sections 1103 and 7201 of Public Law 105–178, $1,973,000 are hereby permanently rescinded: *Provided*, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

(RESCISSION)

Of the funds made available for the Northeast Corridor Improvement Program, as authorized by Public Law 94–210, $4,419,000 are hereby permanently rescinded: *Provided*, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. Hereafter, notwithstanding any other provision of law, funds provided in this Act for the National Railroad Passenger Corporation shall immediately cease to be available to said Corporation in the event that the Corporation contracts to have services provided at or from any location outside the United States. For purposes of this section, the word "services" shall mean any service that was, as of July 1, 2006, performed by a full-time or part-time Amtrak employee whose base of employment is located within the United States.

SEC. 151. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

SEC. 152. Notwithstanding any other provision of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount to be determined by the Secretary.

SEC. 153. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: *Provided*, That the president of Amtrak may waive the cap set in the previous proviso for specific employees when the president of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That Amtrak shall notify the House and Senate Committees on Appropriations each quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: *Provided further*, That Amtrak shall provide to the House and Senate Committees on Appropriations by March 17, 2014, a summary of all overtime payments incurred by the Corporation for 2013 and the two prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2013 and for the two prior calendar years.

SEC. 154. Of the funds made available under Public Law 113–2 under the heading "Federal Railroad Administration, Grants to the National Railroad Passenger Corporation", the second proviso is amended by deleting "or any other Act".

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $105,933,000, of which not less than $4,000,000

shall be available to carry out the provisions of 49 U.S.C. 5329 and not less than $1,000,000 shall be available to carry out the provisions of 49 U.S.C. 5326: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2015 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2015.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141; and section 20005(b) of Public Law 112–141, $9,500,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141, and section 20005(b) of Public Law 112–141, shall not exceed total obligations of $8,595,000,000 in fiscal year 2014.

TRANSIT RESEARCH

For necessary expenses to carry out 49 U.S.C. 5312 and 5313, $43,000,000, to remain available until expended: *Provided*, That $40,000,000 shall be for activities authorized under 49 U.S.C. 5312 and $3,000,000 shall be for activities authorized under 49 U.S.C. 5313.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314 and 5322(a), (b) and (e), $5,000,000, to remain available until expended: *Provided*, That $3,000,000 shall be for activities authorized under 49 U.S.C. 5314 and $2,000,000 shall be for activities authorized under 49 U.S.C. 5322(a), (b) and (e).

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309, $1,942,938,000, to remain available until expended.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public

Law 110–432, $150,000,000, to remain available until expended: *Provided*, That the Secretary shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110–432 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING RESCISSIONS)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the Federal Transit Administration's discretionary program appropriations headings for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2018, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2013, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. The Secretary may not enforce regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency who during fiscal year 2008 was both initially granted a 60-day period to come into compliance with part 604, and then was subsequently granted an exception from said part.

SEC. 164. For purposes of applying the project justification and local financial commitment criteria of 49 U.S.C. 5309(d) to a New Starts project, the Secretary may consider the costs and ridership of any connected project in an instance in which private parties are making significant financial contributions to the construction of the connected project; additionally, the Secretary may consider the significant financial contributions of private parties to the connected project in calculating the non-Federal share of net capital project costs for the New Starts project.

SEC. 165. Notwithstanding any other provision of law, none of the funds made available in this Act shall be used to enter into a full funding grant agreement for a project with a New Starts share greater than 60 percent.

SEC. 166. None of the funds in this Act may be available to advance in any way a new fixed guideway capital project towards a full funding grant agreement as defined by 49 U.S.C. 5309 for the Metropolitan Transit Authority of Harris County, Texas if the

proposed capital project is constructed on or planned to be constructed on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas.

SEC. 167. Unobligated and recovered fiscal year 2010 through 2012 funds that were made available to carry out 49 U.S.C. 5339 shall be available to carry out 49 U.S.C. 5309, as amended by Public Law 112–141, subject to the terms and conditions required under such section.

SEC. 168. New bus rapid transit projects recommended in the President's budget submission to the Congress of the United States for funds appropriated under the heading "CAPITAL INVESTMENT GRANTS" in this Act shall be funded from $93,269,369 in unobligated amounts that were made available to carry out the discretionary bus and bus facilities program under 49 U.S.C. 5309 in fiscal years 1999 through 2010: *Provided*, That all such projects shall remain subject to the Capital Investment Grants Program requirements of 49 U.S.C. 5309 for New Starts, Small Starts, or Core Capacity projects as applicable.

SEC. 169. Of the funds made available for the Formula Grants program, as authorized by Public Law 97–424, as amended, $63,465,775 are hereby permanently rescinded: *Provided*, That of the funds made available for the Formula Grants program, as authorized by Public Law 91–453, as amended, $795,307 are hereby permanently rescinded: *Provided further*, That of the funds made available for the Formula Grants program as authorized by Public Law 95–599, as amended, $928,838 are hereby permanently rescinded: *Provided further*, That of the funds made available for the University Transportation Research program, as authorized by Public Law 91–453, as amended, and by Public Law 102–240, as amended, $595,619 are hereby permanently rescinded: *Provided further*, That of the funds made available for the Job Access and Reverse Commute program, as authorized by Public Law 105–178, as amended, $15,704,469 are hereby permanently rescinded: *Provided further*, That of the funds made available for the Capital Investment Grants program, as authorized by Public Law 105–178, as amended, $11,429,055 are hereby permanently rescinded: *Provided further*, That of the funds made available for the Research, Training, and Human Resources program, as authorized by Public Law 95–599, as amended, $419,474 are hereby permanently rescinded: *Provided further*, That of the funds made available for the Interstate Transfer Grants program, as authorized by 23 U.S.C. 103(e)(4), $2,687,207 are hereby permanently rescinded: *Provided further*, That of the funds made available for the Washington Metropolitan Area Transit Authority, as authorized by section 14 of Public Law 96–184, as amended, and by Public Law 101–551, as amended, $523,107 are hereby permanently rescinded: *Provided further*, That of the funds made available for the Urban Discretionary Grants program, as authorized by Public Law 88–365, as amended, $679,314 are hereby permanently rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $31,000,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, and of which $15,150,000 shall remain available until September 30, 2016, for the Asset Renewal Program.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $186,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $148,003,000, of which $11,300,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which $2,400,000 shall remain available through September 30, 2015, for Student Incentive Program payments at State Maritime Academies, and of which $16,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United State Merchant Marine Academy: *Provided,* That amounts apportioned for the United States Merchant Marine Academy shall be available only upon allotments made personally by the Secretary of Transportation or the Assistant Secretary for Budget and Programs: *Provided further,* That the Superintendent, Deputy Superintendent and the Director of the Office of Resource Management of the United State Merchant Marine Academy may not be allotment holders for the United States Merchant Marine Academy, and the Administrator of the Maritime Administration shall hold all allotments made by the Secretary of Transportation or the Assistant Secretary for Budget and Programs under the previous proviso: *Provided further,* That 50 percent of the funding made available for the United States Merchant Marine Academy under this heading shall be available only after the Secretary, in consultation with the Superintendent and the Maritime Administrator, completes a plan detailing by program or activity how such funding will be expended at the Academy, and this plan is submitted

to the House and Senate Committees on Appropriations: *Provided further*, That the Administrator shall submit a report to the House and Senate Committees on Appropriations within 90 days of the date of enactment of this Act detailing the current and future impacts of reductions in government impelled cargo on the U.S. Merchant Marine as a result of changes to cargo preference requirements included in the Bipartisan Budget Act of 2013, the Moving Ahead for Progress in the 21st Century Act (MAP–21), the historical reductions in the P.L. 480 title II Food for Peace program, and the winding down of the wars in Iraq and Afghanistan: *Provided further*, That the Secretary of Transportation and the Administrator, in collaboration with the Department of Defense, shall further develop a national sealift strategy that ensures the long-term viability of the U.S. Merchant Marine.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $4,800,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, $38,500,000, of which $35,000,000 shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That not to exceed $3,500,000 shall be available for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriations for "Operations and Training", Maritime Administration.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefor shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. None of the funds available or appropriated in this Act shall be used by the United States Department of Transportation or the United States Maritime Administration to negotiate or otherwise execute, enter into, facilitate or perform fee-for-service contracts for vessel disposal, scrapping or recycling, unless there is no qualified domestic ship recycler that will pay any sum of money to purchase and scrap or recycle a vessel owned, operated or managed by the Maritime Administration or that is part of the National Defense Reserve Fleet. Such sales offers must be consistent with the solicitation and provide that the work will be performed in a timely manner at a facility qualified within

the meaning of section 3502 of Public Law 106–398. Nothing contained herein shall affect the Maritime Administration's authority to award contracts at least cost to the Federal Government and consistent with the requirements of 16 U.S.C. 5405(c), section 3502, or otherwise authorized under the Federal Acquisition Regulation.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

(PIPELINE SAFETY FUND)

(INCLUDING TRANSFER OF FUNDS)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $21,654,000, of which $639,000 shall be derived from the Pipeline Safety Fund: *Provided*, That $1,500,000 shall be transferred to "Pipeline Safety" in order to fund "Pipeline Safety Information Grants to Communities" as authorized under section 60130 of title 49, United States Code.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $45,000,000, of which $2,300,000 shall remain available until September 30, 2016: *Provided*, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

(PIPELINE SAFETY DESIGN REVIEW FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $119,087,000, of which $18,573,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2016; and of which $98,514,000 shall be derived from the Pipeline Safety Fund, of which $54,436,000 shall remain available until September 30, 2016; and of which $2,000,000, to remain available until expended, shall be derived from the Pipeline Safety Design Review Fund, as authorized in 49 U.S.C. 60117(n): *Provided*, That not less than $1,058,000 of the funds provided under this heading shall be for the One-Call state grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5128(b), $188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2015: *Provided*, That not more than $28,318,000 shall be made available for obligation in fiscal year 2014 from amounts made available by 49 U.S.C. 5116(i) and 5128(b)–(c): *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $85,605,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso: *Provided further,* That: (1) the Inspector General shall have the authority to audit and investigate the Metropolitan Washington Airports Authority (MWAA); (2) in carrying out these audits and investigations the Inspector General shall have all the authorities described under section 6 of the Inspector General Act (5 U.S.C. App.); (3) MWAA Board Members, employees, contractors, and subcontractors shall cooperate and comply with requests from the Inspector General, including providing testimony and other information; (4) The Inspector General shall be permitted to observe closed executive sessions of the MWAA Board of Directors; (5) MWAA shall pay the expenses of the Inspector General, including staff salaries and benefits and associated operating costs, which shall be credited to this appropriation and remain available until expended; and (6) if MWAA fails to make funds available to the Inspector General within 30 days after a request for such funds is received, then the Inspector General shall notify the Secretary of Transportation, who shall not approve a grant for MWAA under section 47107(b) of title 49, United States Code, until such funding is made available for the Inspector General: *Provided further*, That hereafter funds transferred to the Office of the Inspector General through forfeiture proceedings or from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Forfeiture Fund, as a participating agency, as an equitable share from the forfeiture of property in investigations in which the Office of Inspector General participates, or through the granting of a Petition for Remission or Mitigation, shall be deposited to the credit of this account for law enforcement activities authorized

49 USC 354 note.

under the Inspector General Act of 1978, as amended, to remain available until expended.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $31,000,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2014, to result in a final appropriation from the general fund estimated at no more than $29,750,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 184. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account, the Federal Transit Administration's "Technical Assistance and Training" account, and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. None of the funds in this Act to the Department of Transportation may be used to make a grant unless the Secretary

of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, or full funding grant agreement is announced by the department or its modal administrations from:

(1) any discretionary grant program of the Federal Highway Administration including the emergency relief program;

(2) the airport improvement program of the Federal Aviation Administration;

(3) any program of the Federal Railroad Administration;

(4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs;

(5) any program of the Maritime Administration; or

(6) any funding provided under the headings "National Infrastructure Investments" in this Act: *Provided*, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any "quick release" of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations

of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term "improper payments" has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the Committees on Appropriations: *Provided*, That the Secretary may provide notice to other congressional committees of the action of the Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 189. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 190. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 191. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 192. The unobligated balances of funds made available for section 1307(d)(1) of Public Law 109–59, as amended (23 U.S.C. 322 note; 119 Stat. 1217; 122 Stat. 1577), shall be made available to the Secretary of Transportation to make grants for projects as defined in section 24401(2)(A) of title 49, United States Code and to carry out sections 20158 and 26101(b) of title 49, United States Code: *Provided*, That the Secretary shall make available no less than $20,000,000 for corridor planning improvement grants as described in section 26101(b) of title 49, United States Code: *Provided further*, That such corridor planning improvement grants shall be available for passenger rail corridors that have not completed a tier 1 environmental impact statement within the last 10 years: *Provided further*, That the Secretary may retain a portion of the funds made available for planning activities to facilitate the preparation of a service development plan and related environmental impact statement for rail corridors located in multiple States.

This title may be cited as the "Department of Transportation Appropriations Act, 2014".

Department of Housing and Urban Development Appropriations Act, 2014.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $14,500,000: *Provided*, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for administration, management and operations of offices of the Department of Housing and Urban Development, $506,000,000, of which not to exceed $47,900,000 shall be available for the Office of the Chief Financial Officer; not to exceed $94,000,000 shall be available for the Office of the General Counsel; not to exceed $197,400,000 shall be available for the Office of Administration; not to exceed $53,700,000 shall be available for the Office of the Chief Human Capital Officer; not to exceed $53,000,000 shall be available for the Office of Field Policy and Management; not to exceed $16,500,000 shall be available for the Office of the Chief Procurement Officer; not to exceed $3,200,000 shall be available for the Office of Departmental Equal Employment Opportunity; not to exceed $4,300,000 shall be available for the Office of Strategic Planning and Management; and not to exceed $36,000,000 shall be available for the Office of the Chief Information Officer: *Provided further*, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefore, as authorized by U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further,* That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area: *Provided further,* That the Secretary shall provide the Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further,* That the Secretary shall provide all signed reports required by Congress electronically.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, $205,000,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, $102,000,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, $381,500,000, of which at least $8,000,000 shall be for the Office of Risk and Regulatory Affairs: *Provided*, That the Secretary shall ensure that an administrator of the Office of Manufactured Housing has been selected and begun such administration within 120 days of enactment of this Act: *Provided further,* That the funds made available under this heading shall be reduced by $50,000 for each day that the Department is in violation of the previous proviso and any such funds shall be rescinded.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, $22,000,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $69,000,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $7,000,000.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, $15,177,218,000, to remain available until expended, shall be available on October 1, 2013 (in addition to the $4,000,000,000 previously appropriated under this heading that became available on October 1, 2013), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2014: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $17,365,527,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2014 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making

any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection and HOPE VI vouchers: *Provided further*, That in determining calendar year 2014 funding allocations under this heading for public housing agencies, including agencies participating in the Moving To Work (MTW) demonstration, the Secretary may take into account the anticipated impact of changes in targeting and utility allowances, on public housing agencies' contract renewal needs: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the Moving to Work (MTW) demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), pro rate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2014: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies' calendar year 2014 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2013 that is verifiable and complete), as determined by the Secretary: *Provided further*, That the Secretary shall use any offset referred to in the previous proviso throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to $75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD–VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required

to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $130,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That of the amounts made available under this paragraph, $5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of (1) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (2) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (3) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That the Secretary shall issue guidance to implement the previous provisos, including, but not limited to, requirements for defining eligible at-risk households within 120 days of the enactment of this Act;

(3) $1,500,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $15,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive

Housing vouchers, and other special purpose incremental vouchers: *Provided*, That no less than $1,485,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2014 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, notwithstanding the purposes for which such amounts were appropriated: *Provided further,* That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) $106,691,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) $75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection

with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over; and

(6) The Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual Contributions for Assisted Housing" and the heading "Project-Based Rental Assistance", for fiscal year 2014 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided,* That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further,* That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the "Act") $1,875,000,000, to remain available until September 30, 2017: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2014 the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That up to $8,000,000 shall be to support ongoing Public Housing Financial and Physical Assessment activities: *Provided further*, That of the total amount provided under this heading, not to exceed $20,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable

emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2014: *Provided further*, That of the total amount provided under this heading $45,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount made available under this heading, up to $15,000,000 may be used for incentives as part of a Jobs-Plus Pilot initiative modeled after the Jobs-Plus demonstration: *Provided further*, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may set aside a portion of the funds provided for the Resident Opportunity and Self-Sufficiency program to support the services element of the Jobs-Plus Pilot initiative: *Provided further*, That the Secretary may allow PHAs to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus Pilot initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2014 to public housing agencies that are designated high performers.

PUBLIC HOUSING OPERATING FUND

For 2014 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,400,000,000: *Provided,* That in determining public housing agencies', including Moving to Work agencies', calendar year 2014 funding allocations under this heading, the Secretary shall take into account the impact of changes to flat rents on public housing agencies' formula income levels.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable

mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, $90,000,000, to remain available until September 30, 2016: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further,* That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further,* That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall undertake comprehensive local planning with input from residents and the community, and that grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: *Provided further,* That for-profit developers may apply jointly with a public entity: *Provided further,* That of the amount provided, not less than $55,000,000 shall be awarded to public housing authorities: *Provided further,* That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That no more than $5,000,000 of funds made available under this heading may be provided to assist communities in developing comprehensive strategies for implementing this program or implementing other revitalization efforts in conjunction with community notice and input: *Provided further*, That the Secretary shall develop and publish guidelines for the use of such competitive funds, including but not limited to eligible activities, program requirements, and performance metrics.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $75,000,000: *Provided*, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary.

NATIVE AMERICAN HOUSING BLOCK GRANTS

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $650,000,000, to remain available until September 30, 2018: *Provided*, That, notwithstanding the Native American

Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $3,000,000 shall be contracted for assistance for national or regional organizations representing Native American housing interests for providing training and technical assistance to Indian housing authorities and tribally designated housing entities as authorized under NAHASDA; and $2,000,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance, including up to $300,000 for related travel: *Provided further*, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $16,530,000: *Provided further,* That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $10,000,000, to remain available until expended: *Provided*, That of this amount, $300,000 shall be for training and technical assistance activities, including up to $100,000 for related travel by Hawaii-based employees of the Department of Housing and Urban Development.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $6,000,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $1,818,000,000, to remain available until expended: *Provided further*, That up to $750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b) and for such costs for loans used for refinancing, $100,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $18,868,000, to remain available until expended.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $330,000,000, to remain available until September 30, 2015, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2016: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under each section, and if amounts provided under this heading pursuant to such section are insufficient to fund renewals for all such expiring contracts, then amounts made available under this heading for formula grants pursuant to section 854(c)(1) shall be used to provide the balance of such renewal funding before awarding funds for such formula grants: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $3,100,000,000, to remain available until September 30, 2016, unless otherwise specified: *Provided*, That of the total amount provided, $3,030,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the "Act" herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further,* That none of the funds made available under this heading may be used for grants for the Economic Development Initiative

("EDI") or Neighborhood Initiatives activities, Rural Innovation Fund, or for grants pursuant to section 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: *Provided further*, That $70,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 204 of this Act), up to $3,960,000 may be used for emergencies that constitute imminent threats to health and safety: *Provided further*, That of the amounts made available under the previous proviso, $10,000,000 shall be for grants for mold remediation and prevention that shall be awarded through one national competition to Native American tribes with the greatest need.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES/RENEWAL COMMUNITIES

(RESCISSION)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading are hereby permanently rescinded.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

For the cost of guaranteed loans, $3,000,000, to remain available until September 30, 2015, as authorized by section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308): *Provided*, That such costs, including the cost of modifying such loans, shall be defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That additionally, the Secretary may collect fees from borrowers, notwithstanding subsection (m) of such section 108, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided further*, That the funds provided under this heading and any amounts from any such fees collected are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $150,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,000,000,000, to remain available until September 30, 2016: *Provided,* That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further,* That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the "Full-Year Continuing Appropriations Act, 2013", shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled

"Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards" which became effective on such date: *Provided further,* That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $50,000,000, to remain available until September 30, 2016: *Provided*, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That $35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity-building activities: *Provided further*, That $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency solutions grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the rural housing stability assistance program as authorized under subtitle D of title IV of such Act, $2,105,000,000, to remain available until September 30, 2016: *Provided*, That any rental assistance amounts that are recaptured under such continuum of care program shall remain available until expended: *Provided further,* That not less than $250,000,000 of the funds appropriated under this heading shall be available for such emergency solutions grants program: *Provided further*, That not less than $1,815,000,000 of the funds appropriated under this heading shall be available for such continuum of care and rural housing stability assistance programs: *Provided further*, That up to $6,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That all funds awarded for supportive services under the continuum of care program and the rural housing stability assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That the Secretary may renew on an annual basis expiring contracts or amendments to contracts

funded under the continuum of care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements, performance measures, and financial standards, as determined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for continuum of care renewals in fiscal year 2014: *Provided further,* That with respect to funds provided under this heading for the continuum of care program for fiscal years 2012, 2013, and 2014, provision of permanent housing rental assistance may be administered by private nonprofit organizations: *Provided further,* That not later than 180 days after awarding fiscal year 2013 funds described in the previous proviso to private nonprofit organizations, the Secretary of Housing and Urban Development shall submit to the House and Senate Committees on Appropriations, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs a report that includes a review of the history of and need for the authority provided in the previous proviso, the number and geographic distribution of persons assisted under such actions, an analysis of the effectiveness, advantages, and disadvantages of the authority under the previous proviso and such other information as may be necessary to assess the ongoing need for such authority: *Provided further,* That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the emergency solutions grant program within 60 days of enactment of this Act.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the Act"), not otherwise provided for, $9,516,628,000, to remain available until expended, shall be available on October 1, 2013 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2013), and $400,000,000, to remain available until expended, shall be available on October 1, 2014: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under

the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed $265,000,000 shall be available for assistance agreements with performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund", may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $383,500,000 to remain available until September 30, 2017: *Provided*, That of the amount provided under this heading, up to $72,000,000 shall be for service coordinators and the continuation

of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further,* That upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2017: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading and, together with such funds, may be used by the Secretary for demonstration programs to test housing with services models for the elderly that demonstrate the potential to delay or avoid the need for nursing home care: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading, notwithstanding the purposes for which such funds were originally appropriated.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $126,000,000 to remain available until September 30, 2017: *Provided,* That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: *Provided further*, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2017: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided

by this heading for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, $45,000,000, including up to $4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 120 days of enactment of this Act: *Provided further,* That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, noninsured rental housing projects, $21,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

RENT SUPPLEMENT

(RESCISSION)

Of the amounts recaptured from terminated contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236 of the National Housing Act (12 U.S.C. 1715z–1) $3,500,000 are rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $7,530,000, to remain available until

expended, of which $6,530,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2014 so as to result in a final fiscal year 2014 appropriation from the general fund estimated at not more than $1,000,000 and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2014 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2015: *Provided*, That during fiscal year 2014, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $20,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund. For administrative contract expenses of the Federal Housing Administration, $127,000,000, to remain available until September 30, 2015: *Provided further*, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2014, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2015: *Provided,* That during fiscal year 2014, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing

Act, shall not exceed $20,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $500,000,000,000, to remain available until September 30, 2015: *Provided,* That $19,500,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: *Provided further,* That to the extent that guaranteed loan commitments will and do exceed $155,000,000,000 on or before April 1, 2014, an additional $100 for necessary salaries and expenses shall be available until expended for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $3,000,000: *Provided further,* That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $46,000,000, to remain available until September 30, 2015: *Provided,* That with respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: *Provided further,* That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: *Provided further,* That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $66,000,000, to remain available until September 30, 2015, of which $40,100,000 shall be to carry out activities pursuant to such section 561: *Provided,* That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan: *Provided further*, That of the funds made available under this heading, $300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $110,000,000, to remain available until September 30, 2015: *Provided,* That up to $15,000,000 of that amount shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided further,* That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That of the total amount made available under this heading, $45,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs: *Provided further*, That each recipient of funds provided under the third proviso shall make a matching contribution in an amount not less than 25 percent: *Provided further*, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition

is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $250,000,000, of which $205,000,000 shall remain available until September 30, 2015, and of which $45,000,000 shall remain available until September 30, 2016 for Development, Modernization and Enhancement: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated: *Provided further*, That not more than 25 percent of the funds made available under this heading for Development, Modernization and Enhancement, including development and deployment of a Next Generation Management System and development and deployment of modernized Federal Housing Administration systems may be obligated until the Secretary submits to the Committees on Appropriations and the Comptroller General of the United States a plan for expenditure that—(A) provides for all information technology investments: (i) the cost and schedule baselines with explanations for each associated variance, (ii) the status of functional and performance capabilities delivered or planned to be delivered, and (iii) mitigation strategies to address identified risks; (B) outlines activities to ensure strategic, consistent, and effective application of information technology management controls: (i) enterprise architecture, (ii) project management, (iii) investment management, and (iv) human capital management.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $125,000,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

TRANSFORMATION INITIATIVE

For necessary expenses of research, evaluation, and program metrics activities; program demonstrations; and technical assistance and capacity building, $40,000,000 to remain available until September 30, 2016: *Provided*, That prior to obligation of technical assistance and capacity building funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees on Appropriations on how it will allocate funding for this activity: *Provided further*, That with respect to amounts made available under this heading for research, evaluation and program metrics or program demonstrations, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or

local governments and their agencies for such projects: *Provided further*, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2014 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Sections 203 and 209 of division C of Public Law 112–55 (125 Stat. 693–694) shall apply during fiscal year 2014 as if such sections were included in this title, except that during such fiscal year such sections shall be applied by substituting "fiscal year 2014" for "fiscal year 2011" and "fiscal year 2012" each place such terms appear.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 206. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the

Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2014 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. The President's formal budget request for fiscal year 2015, as well as the Department of Housing and Urban Development's congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 210. Paragraph (2)(B)(i) of section 3(a) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)) is amended—

(1) in the matter preceding subclause (I)—

(A) by striking "Except as otherwise provided under this clause, each" and inserting "Each"; and

(B) by inserting after "which shall" the following: "not be lower than 80 percent of the applicable fair market rental established under section 8(c) of this Act and which shall"; and

(2) by striking the undesignated matter following subclause (II) and inserting the following: "Public housing agencies must comply by June 1, 2014, with the requirement of this clause, except that if a new flat rental amount for a dwelling unit will increase a family's existing rental payment by more than 35 percent, the new flat rental amount shall be phased in as necessary to ensure that the family's existing rental payment does not increase by more than 35 percent annually. The preceding sentence shall not be construed to require establishment of rental amounts equal to 80 percent of the fair market rental in years when the fair market rental falls from the prior year.".

SEC. 211. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, the States of Alaska, Iowa, and Mississippi shall not be required to include a resident

of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 212. Subparagraph (A) of section 3(b)(6) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(6)(A)) is amended by inserting before the period at the end the following: ", or a consortium of such entities or bodies as approved by the Secretary".

SEC. 213. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 214. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2014 and 2015, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: the number of low-income and very low-income units and the configuration (i.e. bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: the Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms "low-income" and "very low-income" shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term "multifamily housing project" means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959 as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term "project-based assistance" means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term "receiving project or projects" means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term "transferring project" means the multifamily housing project which is transferring some or all of the project-based assistance, debt and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term "Secretary" means the Secretary of Housing and Urban Development.

(e) PUBLIC NOTICE AND RESEARCH REPORT.—

(1) The Secretary shall publish by notice in the Federal Register the terms and conditions, including criteria for HUD approval, of transfers pursuant to this section no later than 30 days before the effective date of such notice.

(2) The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 215. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 216. The funds made available for Native Alaskans under the heading "Native American Housing Block Grants" in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 217. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2014, insure and enter into commitments to insure mortgages under such section 255.

SEC. 218. Notwithstanding any other provision of law, in fiscal year 2014, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 219. Notwithstanding any other provision of law, the recipient of a grant under section 202b of the Housing Act of

1959 (12 U.S.C. 1701q) after December 26, 2000, in accordance with the unnumbered paragraph at the end of section 202(b) of such Act, may, at its option, establish a single-asset nonprofit entity to own the project and may lend the grant funds to such entity, which may be a private nonprofit organization described in section 831 of the American Homeownership and Economic Opportunity Act of 2000.

SEC. 220. (a) INSPECTIONS.—Section 8(o)(8) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(8)) is amended—

(1) by redesignating subparagraph (E) as subparagraph (G); and

(2) by striking subparagraph (D) and inserting the following new subparagraphs:

"(D) BIENNIAL INSPECTIONS.—

"(i) REQUIREMENT.—Each public housing agency providing assistance under this subsection (or other entity, as provided in paragraph (11)) shall, for each assisted dwelling unit, make inspections not less often than biennially during the term of the housing assistance payments contract for the unit to determine whether the unit is maintained in accordance with the requirements under subparagraph (A).

"(ii) USE OF ALTERNATIVE INSPECTION METHOD.—The requirements under clause (i) may be complied with by use of inspections that qualify as an alternative inspection method pursuant to subparagraph (E).

"(iii) RECORDS.—The public housing agency (or other entity) shall retain the records of the inspection for a reasonable time, as determined by the Secretary, and shall make the records available upon request to the Secretary, the Inspector General for the Department of Housing and Urban Development, and any auditor conducting an audit under section 5(h).

"(iv) MIXED-FINANCE PROPERTIES.—The Secretary may adjust the frequency of inspections for mixed-finance properties assisted with vouchers under paragraph (13) to facilitate the use of the alternative inspections in subparagraph (E).

"(E) ALTERNATIVE INSPECTION METHOD.—An inspection of a property shall qualify as an alternative inspection method for purposes of this subparagraph if—

"(i) the inspection was conducted pursuant to requirements under a Federal, State, or local housing program (including the Home investment partnership program under title II of the Cranston-Gonzalez National Affordable Housing Act and the low-income housing tax credit program under section 42 of the Internal Revenue Code of 1986); and

"(ii) pursuant to such inspection, the property was determined to meet the standards or requirements regarding housing quality or safety applicable to properties assisted under such program, and, if a non-Federal standard or requirement was used, the public housing agency has certified to the Secretary that such standard or requirement provides the same (or greater) protection to occupants of dwelling units meeting such

standard or requirement as would the housing quality standards under subparagraph (B).

"(F) INTERIM INSPECTIONS.—Upon notification to the public housing agency, by a family (on whose behalf tenant-based rental assistance is provided under this subsection) or by a government official, that the dwelling unit for which such assistance is provided does not comply with the housing quality standards under subparagraph (B), the public housing agency shall inspect the dwelling unit—

"(i) in the case of any condition that is life-threatening, within 24 hours after the agency's receipt of such notification, unless waived by the Secretary in extraordinary circumstances; and

"(ii) in the case of any condition that is not life-threatening, within a reasonable time frame, as determined by the Secretary.".

(b) EFFECTIVE DATE.—The amendments in subsection (a) shall take effect upon such date as the Secretary determines, in the Secretary's sole discretion, through the Secretary's publication of such date in the Federal Register, as part of regulations promulgated, or a notice issued, by the Secretary to implement such amendments. 42 USC 1437f note.

SEC. 221. The commitment authority provided under the heading "Community Development Loan Guarantees Program Account" may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 222. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 223. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2). 42 USC 1437g note.

SEC. 224. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system

of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts "Executive Offices" and "Administrative Support Offices," as well as each account receiving appropriations for "Program Office Salaries and Expenses" within the Department of Housing and Urban Development.

42 USC 1437f–1.

SEC. 225. The Secretary of Housing and Urban Development shall report annually to the House and Senate Committees on Appropriations on the status of all section 8 project-based housing, including the number of all project-based units by region as well as an analysis of all federally subsidized housing being refinanced under the Mark-to-Market program. The Secretary shall in the report identify all existing units maintained by region as section 8 project-based units and all project-based units that have opted out of section 8 or have otherwise been eliminated as section 8 project-based units. The Secretary shall identify in detail and by project all the efforts made by the Department to preserve all section 8 project-based housing units and all the reasons for any units which opted out or otherwise were lost as section 8 project-based units. Such analysis shall include a review of the impact of the loss of any subsidized units in that housing marketplace, such as the impact of cost and the loss of available subsidized, low-income housing in areas with scarce housing resources for low-income families.

42 USC 3545a.

SEC. 226. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2014 and subsequent fiscal years, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2014 and subsequent fiscal years, the Secretary may make the NOFA available only on the Internet at the appropriate Government Web site or through other electronic media, as determined by the Secretary.

SEC. 227. Payment of attorney fees in program-related litigation must be paid from individual program office personnel benefits and compensation funding. The annual budget submission for program office personnel benefit and compensation funding must include program-related litigation costs for attorney fees as a separate line item request.

SEC. 228. The Secretary of the Department of Housing and Urban Development is authorized to transfer up to 5 percent or $5,000,000, whichever is less, of the funds appropriated for any office funded under the heading "Administrative Support Offices" to any other office funded under such heading: *Provided*, That no appropriation for any office funded under the heading "Administrative Support Offices" shall be increased or decreased by more than 5 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary is authorized to transfer up to 5 percent or $5,000,000, whichever is less, of the funds appropriated for any account funded under the general heading "Program Office Salaries and Expenses" to any other account funded under such heading: *Provided further*, That no appropriation for any account funded under the general heading "Program Office

Salaries and Expenses" shall be increased or decreased by more than 5 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary may transfer funds made available for salaries and expenses between any office funded under the heading "Administrative Support Offices" and any account funded under the general heading "Program Office Salaries and Expenses", but only with the prior written approval of the House and Senate Committees on Appropriations.

SEC. 229. The Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a "program of the Department of Housing and Urban Development" under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 230. (a) The Secretary of Housing and Urban Development shall take the required actions under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance:

(1) receives a Real Estate Assessment Center (REAC) score of 30 or less; or

(2) receives a REAC score between 31 and 59 and:

(A) fails to certify in writing to HUD within 60 days that all deficiencies have been corrected; or

(B) receives consecutive scores of less than 60 on REAC inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the united States housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(b) The Secretary shall take the following required actions as authorized under subsection (a)—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days, with a specified timetable for correcting all deficiencies. The Secretary shall provide notice of the Plan to the owner, tenants, the local government, any mortgagees, and any contract administrator.

(2) At the end of the term of the Compliance, Disposition and Enforcement Plan, if the owner fails to fully comply with such plan, the Secretary may require immediate replacement of project management with a management agent approved by the Secretary, and shall take one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified above:

(A) impose civil money penalties;

(B) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(C) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered; or

(D) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies.

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment Center and have physical inspection scores of less than 30 or have consecutive physical inspection scores of less than 60. The report shall include:

(1) The enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times; and

(2) Actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties.

SEC. 231. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2014.

12 USC 1751z–1 note.

SEC. 232. Title II of division K of Public Law 110–161 is amended by striking the item related to "Flexible Subsidy Fund".

SEC. 233. Paragraph (1) of section 242(i) of the National Housing Act (12 U.S.C. 1715z–7(i)(1)) is amended by striking "July 31, 2011" and inserting "July 31, 2016".

SEC. 234. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking "fiscal year" and all that follows through the period at the end and inserting "fiscal year 2014."; and

(2) in subsection (o), by striking "September" and all that follows through the period at the end and inserting "September 30, 2014.".

SEC. 235. Of the amounts made available for salaries and expenses under all accounts under this title (except for the Office

of Inspector General account), a total of up to $5,000,000 may be transferred to and merged with amounts made available in the "Information Technology Fund" account under this title.

SEC. 236. The proviso under the "Community Development Fund" heading in Public Laws 109–148, 109–234, 110–252, and 110–329 which requires the Secretary to establish procedures to prevent duplication of benefits and to report to the Committees on Appropriations on all steps to prevent fraud and abuse is amended by striking "quarterly" and inserting "annually". 42 USC 5313a.

SEC. 237. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

SEC. 238. (a) Section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a) is amended—

(1) in paragraph (2), by designating the first sentence as subparagraph (A), the second sentence as subparagraph (B), and the remaining sentences as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph (C):

"(C) The term extremely low-income families means very low-income families whose incomes do not exceed the higher of—

"(i) the poverty guidelines updated periodically by the Department of Health and Human Services under the authority of section 673(2) of the Community Services Block Grant Act applicable to a family of the size involved (except that this clause shall not apply in the case of public housing agencies or projects located in Puerto Rico or any other territory or possession of the United States); or

"(ii) 30 percent of the median family income for the area, as determined by the Secretary, with adjustments for smaller and larger families (except that the Secretary may establish income ceilings higher or lower than 30 percent of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes)."; and

(b) Section 16 of the United States Housing Act of 1937 (42 U.S.C. 1437n) is amended—

(1) in subsection (a)(2)(A);

(2) in subsection (b)(1); and

(3) in subsection (c)(3), by striking "families whose incomes" and all that follows through "low family incomes" and inserting "extremely low-income families".

SEC. 239. The language under the heading Rental Assistance Demonstration in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112–55) is amended in the penultimate proviso by striking "and 2013," and inserting "through December 31, 2014".

SEC. 240. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 241. Section 202(f)(2) of the Housing Act of 1959 (12 U.S.C. 1701q(f)(2)) is amended—

(a) in paragraph (A)—

(1) by striking the matter before clause (i) and inserting the following: "The Secretary shall establish procedures to delegate the award, review and processing of projects, selected by the Secretary in a national competition, to a State or local housing agency that—"; and

(2) in clause (iii), by striking "capital advance" and inserting "funding", and by replacing the comma with a semicolon;

(b) in subparagraph (B), by striking "capital advances" and inserting "funding under this section";

(c) in subparagraph (C), by striking the first sentence;

(d) by redesignating subparagraph (D) as subparagraph (E), and in the redesignated subparagraph (E)—

(1) by striking "a capital advance" and inserting "funding under this section"; and

(2) by striking "capital advance amounts or project rental assistance" and inserting "funding under this section"; and

(e) by inserting the following new subparagraph after subparagraph (C):

"(D) Assistance under subsection (c)(2) may be provided for projects which identify in the application for assistance a defined health and other supportive services program including sources of financing the services for eligible residents and memoranda of understanding with service provision agencies and organizations to provide such services for eligible residents at their request. Such supportive services plan and memoranda of understating shall—

"(i) identify the target populations to be served by the project;

"(ii) set forth methods for outreach and referral;

"(iii) identify the health and other supportive services to be provided; and

"(iv) identify the terms under which such services will be made available to residents of the project.".

SEC. 242. Section 8(o)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(2)), is amended by adding at the end the following new subparagraph:

"(D) UTILITY ALLOWANCE.—

"(i) GENERAL.—In determining the monthly assistance payment for a family under subparagraphs (A) and (B), the amount allowed for tenant-paid utilities shall not exceed the appropriate utility allowance for the family unit size as determined by the public housing agency regardless of the size of the dwelling unit leased by the family.

"(ii) EXCEPTION FOR FAMILIES IN INCLUDING PERSONS WITH DISABILITIES.—Notwithstanding subparagraph (A), upon request by a family that includes a person with disabilities, the public housing agency shall approve a utility allowance that is higher than the applicable amount on the utility allowance schedule if a higher utility allowance is needed as a reasonable accommodation to make the program accessible to and usable by the family member with a disability.".

SEC. 243. The Secretary shall establish by notice such requirements as may be necessary to implement sections 210, 212, 220, 238, and 242 under this title and the notice shall take effect upon issuance: *Provided*, That the Secretary shall commence rulemaking based on the initial notice no later than the expiration of the 6-month period following issuance of the notice and the rulemaking shall allow for the opportunity for public comment. 42 USC 1437a note.

This title may be cited as the "Department of Housing and Urban Development Appropriations Act, 2014".

TITLE III

RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $7,448,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $24,669,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $23,499,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out

the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within Amtrak: *Provided further*, That concurrent with the President's budget request for fiscal year 2015, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2015 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $103,027,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $136,600,000, of which $5,000,000 shall be for a multi-family rental housing program: *Provided*, That in addition, $67,500,000 shall be made available until expended to the Neighborhood Reinvestment Corporation for mortgage foreclosure mitigation activities, under the following terms and conditions:

(1) The Neighborhood Reinvestment Corporation ("NRC") shall make grants to counseling intermediaries approved by the Department of Housing and Urban Development (HUD) (with match to be determined by the NRC based on affordability and the economic conditions of an area; a match also may be waived by the NRC based on the aforementioned conditions) to provide mortgage foreclosure mitigation assistance primarily to States and areas with high rates of defaults and foreclosures to help eliminate the default and foreclosure of mortgages of owner-occupied single-family homes that are at risk of such foreclosure. Other than areas with high rates of defaults and foreclosures, grants may also be provided to approved counseling intermediaries based on a geographic analysis of the Nation by the NRC which determines where there is a prevalence of mortgages that are risky and likely to fail, including any trends for mortgages that are likely to default and face foreclosure. A State Housing Finance Agency may also be eligible where the State Housing Finance Agency meets all the requirements under this paragraph. A HUD-approved counseling intermediary shall meet certain mortgage foreclosure mitigation assistance counseling requirements, as determined

by the NRC, and shall be approved by HUD or the NRC as meeting these requirements.

(2) Mortgage foreclosure mitigation assistance shall only be made available to homeowners of owner-occupied homes with mortgages in default or in danger of default. These mortgages shall likely be subject to a foreclosure action and homeowners will be provided such assistance that shall consist of activities that are likely to prevent foreclosures and result in the long-term affordability of the mortgage retained pursuant to such activity or another positive outcome for the homeowner. No funds made available under this paragraph may be provided directly to lenders or homeowners to discharge outstanding mortgage balances or for any other direct debt reduction payments.

(3) The use of mortgage foreclosure mitigation assistance by approved counseling intermediaries and State Housing Finance Agencies shall involve a reasonable analysis of the borrower's financial situation, an evaluation of the current value of the property that is subject to the mortgage, counseling regarding the assumption of the mortgage by another non-Federal party, counseling regarding the possible purchase of the mortgage by a non-Federal third party, counseling and advice of all likely restructuring and refinancing strategies or the approval of a work-out strategy by all interested parties.

(4) NRC may provide up to 15 percent of the total funds under this paragraph to its own charter members with expertise in foreclosure prevention counseling, subject to a certification by the NRC that the procedures for selection do not consist of any procedures or activities that could be construed as an unacceptable conflict of interest or have the appearance of impropriety.

(5) HUD-approved counseling entities and State Housing Finance Agencies receiving funds under this paragraph shall have demonstrated experience in successfully working with financial institutions as well as borrowers facing default, delinquency and foreclosure as well as documented counseling capacity, outreach capacity, past successful performance and positive outcomes with documented counseling plans (including post mortgage foreclosure mitigation counseling), loan workout agreements and loan modification agreements. NRC may use other criteria to demonstrate capacity in underserved areas.

(6) Of the total amount made available under this paragraph, up to $3,000,000 may be made available to build the mortgage foreclosure and default mitigation counseling capacity of counseling intermediaries through NRC training courses with HUD-approved counseling intermediaries and their partners, except that private financial institutions that participate in NRC training shall pay market rates for such training.

(7) Of the total amount made available under this paragraph, up to 5 percent may be used for associated administrative expenses for the NRC to carry out activities provided under this section.

(8) Mortgage foreclosure mitigation assistance grants may include a budget for outreach and advertising, and training, as determined by the NRC.

(9) The NRC shall continue to report bi-annually to the House and Senate Committees on Appropriations as well as

the Senate Banking Committee and House Financial Services Committee on its efforts to mitigate mortgage default.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,500,000. Title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11319) is amended by striking "October 1, 2015" in section 209 and inserting "October 1, 2016".

TITLE IV

GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

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

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain

available for obligation or expenditure in fiscal year 2014, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include:

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2014 from appropriations made available for salaries and expenses for fiscal year 2014 in this Act, shall remain available through September 30, 2015, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownsfield as defined in the Small Business Liability Relief and Brownsfield Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. All Federal agencies and departments that are funded under this Act shall issue a report to the House and Senate Committees on Appropriations on all sole-source contracts by no later than July 30, 2014. Such report shall include the contractor, the amount of the contract and the rationale for using a sole-source contract.

SEC. 409. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 410. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 411. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy American Act").

SEC. 412. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 413. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 414. None of the funds made available under this Act or any prior Act may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, or allied organizations.

SEC. 415. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 416. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation with any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 417. It is the sense of the Congress that the Congress should not pass any legislation that authorizes spending cuts that would increase poverty in the United States.

SEC. 418. All agencies and departments funded by the Act shall send to Congress at the end of the fiscal year a report containing a complete inventory of the total number of vehicles owned, leased, permanently retired, and purchased during fiscal year 2014, as well as the total cost of the vehicle fleet, including maintenance, fuel, storage, purchasing, and leasing.

This division may be cited as the "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014".

Approved January 17, 2014.

LEGISLATIVE HISTORY—H.R. 3547:

CONGRESSIONAL RECORD:
Vol. 159 (2013): Dec. 2, considered and passed House.
Dec. 12, considered and passed Senate, amended.
Vol. 160 (2014): Jan. 15, House concurred in certain Senate amendment and in another with an amendment. Senate considered concurring in House amendment.
Jan. 16, Senate concurred in House amendment.
DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
Jan. 17, Presidential remarks.

Public Law 113–77
113th Congress

An Act

Jan. 24, 2014
[H.R. 3527]

To amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Poison Center Network Act.
42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Poison Center Network Act".

SEC. 2. REAUTHORIZATION OF POISON CONTROL CENTERS NATIONAL TOLL-FREE NUMBER.

Section 1271 of the Public Health Service Act (42 U.S.C. 300d–71) is amended by striking subsection (b) and inserting the following:

"(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $700,000 for each of fiscal years 2015 through 2019 for the maintenance of the nationwide toll free phone number under subsection (a).".

SEC. 3. REAUTHORIZATION OF NATIONWIDE MEDIA CAMPAIGN TO PROMOTE POISON CONTROL CENTER UTILIZATION.

Section 1272 of the Public Health Service Act (42 U.S.C. 300d–72) is amended—

(1) in subsection (c)(2), by striking the comma after "Congress"; and

(2) by striking subsection (d) and inserting the following:

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $800,000 for each of fiscal years 2015 through 2019.".

SEC. 4. REAUTHORIZATION OF THE POISON CONTROL CENTER GRANT PROGRAM.

(a) IN GENERAL.—Section 1273 of the Public Health Service Act (42 U.S.C. 300d–73) is amended—

(1) in subsection (a)—

(A) by striking "certified" and inserting "accredited"; and

(B) by striking "certification" and inserting "accreditation";

(2) in subsection (b)—

(A) in paragraph (1), by striking "establish" and inserting "research, establish, implement,";

(B) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8);

(C) by inserting after paragraph (3), the following:

"(4) to research, improve, and enhance the communications and response capability and capacity of the nation's network of poison control centers to facilitate increased access to the centers through the integration and modernization of the current poison control centers communications and data system, including enhancing the network's telephony, Internet, data and social networking technologies;";

(D) in paragraph (6) (as so redesignated), by striking "paragraph (4)" and inserting "paragraph (5)"; and

(E) in paragraph (8) (as so redesignated), by striking "and respond" and inserting "and Internet communications, and to sustain and enhance the poison control center's network capability to respond";

(3) in subsection (c)—

(A) in the subsection heading, by striking "CERTIFICATION" and inserting "ACCREDITATION";

(B) by striking "certified" each place that such term appears and inserting "accredited"; and

(C) by striking "certification" each place that such term appears and inserting "accreditation";

(4) in subsection (d)—

(A) in the subsection heading, by striking "CERTIFICATION" and inserting "ACCREDITATION";

(B) in paragraph (1)—

(i) by striking "the certification" and inserting "the accreditation";

(ii) by striking "a noncertified" and inserting "a nonaccredited"; and

(iii) by striking "a certification" and inserting "an accreditation"; and

(C) in paragraph (3)—

(i) by striking the last sentence; and

(ii) by striking "exceed 5 years." and inserting the following "exceed—

"(A) 5 years; or

"(B) in the case of a nonaccredited poison control center operating pursuant to a waiver under this subsection as of October 1, 2014, 6 years.";

(5) in subsection (f), by striking "for activities of the center" and inserting "for its activities"; and

(6) by striking subsection (g) and inserting the following:

"(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $28,600,000 for each of fiscal years 2015 through 2019. The Secretary may utilize an amount not to exceed 6 percent of the amount appropriated under this preceding sentence in each fiscal year for coordination, dissemination, technical assistance, program evaluation, data activities, and other program administration functions, which are determined by the Secretary to be appropriate for carrying out the program under this section.".

Applicability.
42 USC 300d–73 note.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to grants made on or after October 1, 2014.

Approved January 24, 2014.

LEGISLATIVE HISTORY—H.R. 3527 (S. 1719):

HOUSE REPORTS: No. 113–321 (Comm. on Energy and Commerce).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Jan. 8, considered and passed House.
Jan. 14, considered and passed Senate.

Public Law 113–78
113th Congress

An Act

To authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

Jan. 24, 2014
[S. 230]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MEMORIAL TO COMMEMORATE AMERICA'S COMMITMENT TO INTERNATIONAL SERVICE AND GLOBAL PROSPERITY.

40 USC 8903 note.

(a) AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.—The Peace Corps Commemorative Foundation may establish a commemorative work on Federal land in the District of Columbia and its environs to commemorate the mission of the Peace Corps and the ideals on which the Peace Corps was founded.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS ACT.—The establishment of the commemorative work under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the "Commemorative Works Act").

(c) USE OF FEDERAL FUNDS PROHIBITED.—

(1) IN GENERAL.—Federal funds may not be used to pay any expense of the establishment of the commemorative work under this section.

(2) RESPONSIBILITY OF PEACE CORPS.—The Peace Corps Commemorative Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the commemorative work under this section.

(d) DEPOSIT OF EXCESS FUNDS.—If, on payment of all expenses for the establishment of the commemorative work under this section (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), or on expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Peace Corps Commemorative Foundation shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

SEC. 2. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the

Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Approved January 24, 2014.

LEGISLATIVE HISTORY—S. 230:

SENATE REPORTS: No. 113–21 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): June 19, considered and passed Senate.
Vol. 160 (2014): Jan. 13, considered and passed House.

Public Law 113–79
113th Congress

An Act

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes.

Feb. 7, 2014
[H.R. 2642]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Agricultural Act of 2014.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Agricultural Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

7 USC 9001.

SEC. 2. DEFINITION OF SECRETARY OF AGRICULTURE.

In this Act, the term "Secretary" means the Secretary of Agriculture.

TITLE I—COMMODITIES

Subtitle A—Repeals and Reforms

PART I—REPEALS

SEC. 1101. REPEAL OF DIRECT PAYMENTS.

Sections 1103 and 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713, 8753) are repealed.

SEC. 1102. REPEAL OF COUNTER-CYCLICAL PAYMENTS.

(a) REPEAL.—Sections 1104 and 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754) are repealed.

7 USC 8714 note.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Sections 1104 and 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm.

SEC. 1103. REPEAL OF AVERAGE CROP REVENUE ELECTION PROGRAM.

(a) REPEAL.—Section 1105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8715) is repealed.

7 USC 8715 note.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Section 1105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8715), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm for which the irrevocable election under section 1105 of that Act was made before the date of enactment of this Act.

PART II—COMMODITY POLICY

SEC. 1111. DEFINITIONS. 7 USC 9011.

In this subtitle and subtitle B:

(1) ACTUAL CROP REVENUE.—The term "actual crop revenue", with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1117(b).

(2) AGRICULTURE RISK COVERAGE.—The term "agriculture risk coverage" means coverage provided under section 1117.

(3) AGRICULTURE RISK COVERAGE GUARANTEE.—The term "agriculture risk coverage guarantee", with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1117(c).

(4) BASE ACRES.—

(A) IN GENERAL.—The term "base acres", with respect to a covered commodity on a farm, means the number of acres in effect under sections 1001 and 1301 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702, 8751), as adjusted pursuant to sections 1101, 1108, and 1302 of such Act (7 U.S.C. 8711, 8718, 8752), as in effect on September 30, 2013, subject to any reallocation, adjustment, or reduction under section 1112 of this Act.

(B) INCLUSION OF GENERIC BASE ACRES.—The term "base acres" includes any generic base acres planted to a covered commodity as determined in section 1114(b).

(5) COUNTY COVERAGE.—The term "county coverage" means agriculture risk coverage selected under section 1115(b)(1) to be obtained at the county level.

(6) COVERED COMMODITY.—The term "covered commodity" means wheat, oats, and barley (including wheat, oats, and barley used for haying and grazing), corn, grain sorghum, long grain rice, medium grain rice, pulse crops, soybeans, other oilseeds, and peanuts.

(7) EFFECTIVE PRICE.—The term "effective price", with respect to a covered commodity for a crop year, means the price calculated by the Secretary under section 1116(b) to determine whether price loss coverage payments are required to be provided for that crop year.

(8) EXTRA LONG STAPLE COTTON.—The term "extra long staple cotton" means cotton that—

(A) is produced from pure strain varieties of the Barbadense species or any hybrid of the species, or other similar types of extra long staple cotton, designated by the Secretary, having characteristics needed for various end uses for which United States upland cotton is not suitable and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of the varieties or types; and

(B) is ginned on a roller-type gin or, if authorized by the Secretary, ginned on another type gin for experimental purposes.

(9) GENERIC BASE ACRES.—The term "generic base acres" means the number of base acres for cotton in effect under section 1001 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702), as adjusted pursuant to section 1101

of such Act (7 U.S.C. 8711), as in effect on September 30, 2013, subject to any adjustment or reduction under section 1112 of this Act.

(10) INDIVIDUAL COVERAGE.—The term "individual coverage" means agriculture risk coverage selected under section 1115(b)(2) to be obtained at the farm level.

(11) MEDIUM GRAIN RICE.—The term "medium grain rice" includes short grain rice and temperate japonica rice.

(12) OTHER OILSEED.—The term "other oilseed" means a crop of sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, or any oilseed designated by the Secretary.

(13) PAYMENT ACRES.—The term "payment acres", with respect to the provision of price loss coverage payments and agriculture risk coverage payments, means the number of acres determined for a farm under section 1114.

(14) PAYMENT YIELD.—The term "payment yield", for a farm for a covered commodity—

(A) means the yield used to make payments pursuant to section 1104 or 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754), as in effect on September 30, 2013; or

(B) means the yield established under section 1113 of this Act.

(15) PRICE LOSS COVERAGE.—The term "price loss coverage" means coverage provided under section 1116.

(16) PRODUCER.—

(A) IN GENERAL.—The term "producer" means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(B) HYBRID SEED.—In determining whether a grower of hybrid seed is a producer, the Secretary shall—

(i) not take into consideration the existence of a hybrid seed contract; and

(ii) ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this title.

(17) PULSE CROP.—The term "pulse crop" means dry peas, lentils, small chickpeas, and large chickpeas.

(18) REFERENCE PRICE.—The term "reference price", with respect to a covered commodity for a crop year, means the following:

(A) For wheat, $5.50 per bushel.
(B) For corn, $3.70 per bushel.
(C) For grain sorghum, $3.95 per bushel.
(D) For barley, $4.95 per bushel.
(E) For oats, $2.40 per bushel.
(F) For long grain rice, $14.00 per hundredweight.
(G) For medium grain rice, $14.00 per hundredweight.
(H) For soybeans, $8.40 per bushel.
(I) For other oilseeds, $20.15 per hundredweight.
(J) For peanuts, $535.00 per ton.
(K) For dry peas, $11.00 per hundredweight.
(L) For lentils, $19.97 per hundredweight.
(M) For small chickpeas, $19.04 per hundredweight.

(N) For large chickpeas, $21.54 per hundredweight.

(19) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(20) STATE.—The term "State" means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(21) TEMPERATE JAPONICA RICE.—The term "temperate japonica rice" means rice that is grown in high altitudes or temperate regions of high latitudes with cooler climate conditions, in the Western United States, as determined by the Secretary, for the purpose of—

(A) the reallocation of base acres under section 1112;

(B) the establishment of a reference price (as required under section 1116(g)) and an effective price pursuant to section 1116; and

(C) the determination of the actual crop revenue and agriculture risk coverage guarantee pursuant to section 1117.

(22) TRANSITIONAL YIELD.—The term "transitional yield" has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).

(23) UNITED STATES.—The term "United States", when used in a geographical sense, means all of the States.

(24) UNITED STATES PREMIUM FACTOR.—The term "United States Premium Factor" means the percentage by which the difference in the United States loan schedule premiums for Strict Middling (SM) 1⅛-inch upland cotton and for Middling (M) 1$^{3}/_{32}$-inch upland cotton exceeds the difference in the applicable premiums for comparable international qualities.

SEC. 1112. BASE ACRES. 7 USC 9012.

(a) RETENTION OR 1-TIME REALLOCATION OF BASE ACRES.—

(1) ELECTION REQUIRED.—

(A) NOTICE OF ELECTION OPPORTUNITY.—As soon as practicable after the date of enactment of this Act, the Secretary shall provide notice to the owners of a farm regarding their opportunity to make an election, in the manner provided in this subsection—

(i) to retain base acres, including any generic base acres, as provided in paragraph (2); or

(ii) in lieu of retaining base acres, to reallocate base acres, other than any generic base acres, as provided in paragraph (3).

(B) CONTENT OF NOTICE.—The notice under subparagraph (A) shall include the following:

(i) Information that the opportunity of an owner to make the election is being provided only once.

(ii) Information regarding the manner in which the owner must make the election and the manner of notifying the Secretary of the election.

(iii) Information regarding the deadline before which the owner must notify the Secretary of the election to be in effect beginning with the 2014 crop year.

(C) EFFECT OF FAILURE TO MAKE ELECTION.—If the owner of a farm fails to make the election under this subsection, or fails to timely notify the Secretary of the election as required by subparagraph (B)(iii), the owner shall be deemed to have elected to retain base acres, including generic base acres, as provided in paragraph (2).

(2) RETENTION OF BASE ACRES.—

(A) ELECTION TO RETAIN.—For the purpose of applying this part to a covered commodity, the Secretary shall give an owner of a farm an opportunity to elect to retain all of the base acres for each covered commodity on the farm.

(B) TREATMENT OF GENERIC BASE ACRES.—Generic base acres are automatically retained.

(3) REALLOCATION OF BASE ACRES.—

(A) ELECTION TO REALLOCATE.—For the purpose of applying this part to covered commodities, the Secretary shall give an owner of a farm an opportunity to elect to reallocate all of the base acres for covered commodities on the farm, as in effect on September 30, 2013, among those covered commodities planted on the farm at any time during the 2009 through 2012 crop years.

(B) REALLOCATION FORMULA.—The reallocation of base acres among covered commodities on a farm shall be in proportion to the ratio of—

(i) the 4-year average of—

(I) the acreage planted on the farm to each covered commodity for harvest, grazing, haying, silage, or other similar purposes for the 2009 through 2012 crop years; and

(II) any acreage on the farm that the producers were prevented from planting during the 2009 through 2012 crop years to that covered commodity because of drought, flood, or other natural disaster, or other condition beyond the control of the producers, as determined by the Secretary; to

(ii) the 4-year average of—

(I) the acreage planted on the farm to all covered commodities for harvest, grazing, haying, silage, or other similar purposes for such crop years; and

(II) any acreage on the farm that the producers were prevented from planting during such crop years to covered commodities because of drought, flood, or other natural disaster, or other condition beyond the control of the producers, as determined by the Secretary.

(C) TREATMENT OF GENERIC BASE ACRES.—Generic base acres are retained and may not be reallocated under this paragraph.

(D) INCLUSION OF ALL 4 YEARS IN AVERAGE.—For the purpose of determining a 4-year acreage average under subparagraph (B) for a farm, the Secretary shall not exclude any crop year in which a covered commodity was not planted.

(E) TREATMENT OF MULTIPLE PLANTING OR PREVENTED PLANTING.—For the purpose of determining under subparagraph (B) the acreage on a farm that producers planted or were prevented from planting during the 2009 through 2012 crop years to covered commodities, if the acreage that was planted or prevented from being planted was devoted to another covered commodity in the same crop year (other than a covered commodity produced under an established practice of double cropping), the owner may elect the commodity to be used for that crop year in determining the 4-year average, but may not include both the initial commodity and the subsequent commodity.

(F) LIMITATION.—The reallocation of base acres among covered commodities on a farm under this paragraph may not result in a total number of base acres (including generic base acres) for the farm in excess of the number of base acres in effect for the farm on September 30, 2013.

(4) APPLICATION OF ELECTION TO ALL COVERED COMMODITIES.—The election made under this subsection, or deemed to be made under paragraph (1)(C), with respect to a farm shall apply to all of the covered commodities on the farm.

(b) ADJUSTMENT OF BASE ACRES.—

(1) IN GENERAL.—Notwithstanding the election made under subsection (a), the Secretary shall provide for an adjustment, as appropriate, in the base acres for covered commodities for a farm and any generic base acres for the farm whenever any of the following circumstances occur:

(A) A conservation reserve contract entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) with respect to the farm expires or is voluntarily terminated.

(B) Cropland is released from coverage under a conservation reserve contract by the Secretary.

(C) The producer has eligible oilseed acreage as the result of the Secretary designating additional oilseeds, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(1)(D) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711(a)(1)(D)).

(2) SPECIAL CONSERVATION RESERVE ACREAGE PAYMENT RULES.—For the crop year in which a base acres adjustment under subparagraph (A) or (B) of paragraph (1) is first made, the owner of the farm shall elect to receive price loss coverage or agriculture risk coverage with respect to the acreage added to the farm under this subsection or a prorated payment under the conservation reserve contract, but not both.

(c) PREVENTION OF EXCESS BASE ACRES.—

(1) REQUIRED REDUCTION.—Notwithstanding the election made under subsection (a), if the sum of the base acres for a farm, including generic base acres, and the acreage described in paragraph (2) exceeds the actual cropland acreage of the farm, the Secretary shall reduce the base acres for 1 or more covered commodities or generic base acres for the farm so that the sum of the base acres, including generic base acres, and the acreage described in paragraph (2) does not exceed the actual cropland acreage of the farm.

(2) OTHER ACREAGE.—For purposes of paragraph (1), the Secretary shall include the following:

(A) Any acreage on the farm enrolled in the conservation reserve program or wetlands reserve program (or successor programs) under chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.).

(B) Any other acreage on the farm enrolled in a Federal conservation program for which payments are made in exchange for not producing an agricultural commodity on the acreage.

(C) If the Secretary designates additional oilseeds, any eligible oilseed acreage, which shall be determined in the same manner as eligible oilseed acreage under subsection (b)(1)(C).

(3) SELECTION OF ACRES.—The Secretary shall give the owner of the farm the opportunity to select the base acres for a covered commodity or generic base acres for the farm against which the reduction required by paragraph (1) will be made.

(4) EXCEPTION FOR DOUBLE-CROPPED ACREAGE.—In applying paragraph (1), the Secretary shall make an exception in the case of double cropping, as determined by the Secretary.

(d) REDUCTION IN BASE ACRES.—

(1) REDUCTION AT OPTION OF OWNER.—

(A) IN GENERAL.—The owner of a farm may reduce, at any time, the base acres for any covered commodity or generic base acres for the farm.

(B) EFFECT OF REDUCTION.—A reduction under subparagraph (A) shall be permanent and made in a manner prescribed by the Secretary.

(2) REQUIRED ACTION BY SECRETARY.—

(A) IN GENERAL.—The Secretary shall proportionately reduce base acres, including any generic base acres, on a farm for land that has been subdivided and developed for multiple residential units or other nonfarming uses if the size of the tracts and the density of the subdivision is such that the land is unlikely to return to the previous agricultural use, unless the producers on the farm demonstrate that the land—

(i) remains devoted to commercial agricultural production; or

(ii) is likely to be returned to the previous agricultural use.

(B) REQUIREMENT.—The Secretary shall establish procedures to identify land described in subparagraph (A).

7 USC 9013.

SEC. 1113. PAYMENT YIELDS.

(a) ESTABLISHMENT AND PURPOSE.—For the purpose of making price loss coverage payments under section 1116, the Secretary shall provide for the establishment of a yield for each farm for any designated oilseed for which a payment yield was not established under section 1102 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8712) in accordance with this section.

(b) PAYMENT YIELDS FOR DESIGNATED OILSEEDS.—

(1) DETERMINATION OF AVERAGE YIELD.—In the case of designated oilseeds, the Secretary shall determine the average

yield per planted acre for the designated oilseed on a farm for the 1998 through 2001 crop years, excluding any crop year in which the acreage planted to the designated oilseed was zero.

(2) ADJUSTMENT FOR PAYMENT YIELD.—

(A) IN GENERAL.—The payment yield for a farm for a designated oilseed shall be equal to the product of the following:

(i) The average yield for the designated oilseed determined under paragraph (1).

(ii) The ratio resulting from dividing the national average yield for the designated oilseed for the 1981 through 1985 crops by the national average yield for the designated oilseed for the 1998 through 2001 crops.

(B) NO NATIONAL AVERAGE YIELD INFORMATION AVAILABLE.—To the extent that national average yield information for a designated oilseed is not available, the Secretary shall use such information as the Secretary determines to be fair and equitable to establish a national average yield under this section.

(3) USE OF COUNTY AVERAGE YIELD.—If the yield per planted acre for a crop of a designated oilseed for a farm for any of the 1998 through 2001 crop years was less than 75 percent of the county yield for that designated oilseed, the Secretary shall assign a yield for that crop year equal to 75 percent of the county yield for the purpose of determining the average under paragraph (1).

(c) EFFECT OF LACK OF PAYMENT YIELD.—

(1) ESTABLISHMENT BY SECRETARY.—In the case of a covered commodity on a farm for which base acres have been established or that is planted on generic base acres, if no payment yield is otherwise established for the covered commodity on the farm, the Secretary shall establish an appropriate payment yield for the covered commodity on the farm under paragraph (2).

(2) USE OF SIMILARLY SITUATED FARMS.—To establish an appropriate payment yield for a covered commodity on a farm as required by paragraph (1), the Secretary shall take into consideration the farm program payment yields applicable to that covered commodity for similarly situated farms. The use of such data in an appeal, by the Secretary or by the producer, shall not be subject to any other provision of law.

(d) SINGLE OPPORTUNITY TO UPDATE YIELDS USED TO DETERMINE PRICE LOSS COVERAGE PAYMENTS.—

(1) ELECTION TO UPDATE.—At the sole discretion of the owner of a farm, the owner of a farm shall have a 1-time opportunity to update, on a covered commodity-by-covered-commodity basis, the payment yield that would otherwise be used in calculating any price loss coverage payment for each covered commodity on the farm for which the election is made.

(2) TIME FOR ELECTION.—The election under paragraph (1) shall be made at a time and manner to be in effect beginning with the 2014 crop year as determined by the Secretary.

(3) METHOD OF UPDATING YIELDS.—If the owner of a farm elects to update yields under this subsection, the payment yield for a covered commodity on the farm, for the purpose of calculating price loss coverage payments only, shall be equal to 90 percent of the average of the yield per planted acre

for the crop of the covered commodity on the farm for the 2008 through 2012 crop years, as determined by the Secretary, excluding any crop year in which the acreage planted to the crop of the covered commodity was zero.

(4) USE OF COUNTY AVERAGE YIELD.—If the yield per planted acre for a crop of the covered commodity for a farm for any of the 2008 through 2012 crop years was less than 75 percent of the average of the 2008 through 2012 county yield for that commodity, the Secretary shall assign a yield for that crop year equal to 75 percent of the average of the 2008 through 2012 county yield for the purposes of determining the average yield under paragraph (3).

7 USC 9014.

SEC. 1114. PAYMENT ACRES.

(a) DETERMINATION OF PAYMENT ACRES.—

(1) GENERAL RULE.—For the purpose of price loss coverage and agriculture risk coverage when county coverage has been selected under section 1115(b)(1), but subject to subsection (e), the payment acres for each covered commodity on a farm shall be equal to 85 percent of the base acres for the covered commodity on the farm.

(2) EFFECT OF INDIVIDUAL COVERAGE.—In the case of agriculture risk coverage when individual coverage has been selected under section 1115(b)(2), but subject to subsection (e), the payment acres for a farm shall be equal to 65 percent of the base acres for all of the covered commodities on the farm.

(b) TREATMENT OF GENERIC BASE ACRES.—

(1) IN GENERAL.—In the case of generic base acres, price loss coverage payments and agriculture risk coverage payments are made only with respect to generic base acres planted to a covered commodity for the crop year.

(2) ATTRIBUTION.—With respect to a farm containing generic base acres, for the purpose of applying paragraphs (1)(B) and (2)(B) of subsection (a), generic base acres on the farm are attributed to a covered commodity in the following manner:

(A) If a single covered commodity is planted and the total acreage planted exceeds the generic base acres on the farm, the generic base acres are attributed to that covered commodity in an amount equal to the total number of generic base acres.

(B) If multiple covered commodities are planted and the total number of acres planted to all covered commodities on the farm exceeds the generic base acres on the farm, the generic base acres are attributed to each of the covered commodities on the farm on a pro rata basis to reflect the ratio of—

(i) the acreage planted to a covered commodity on the farm; to

(ii) the total acreage planted to all covered commodities on the farm.

(C) If the total number of acres planted to all covered commodities on the farm does not exceed the generic base acres on the farm, the number of acres planted to a covered commodity is attributed to that covered commodity.

(3) TREATED AS ADDITIONAL ACREAGE.—When generic base acres are planted to a covered commodity or acreage planted to a covered commodity is attributed to generic base acres, the generic base acres are in addition to other base acres on the farm.

(c) EXCLUSION.—The quantity of payment acres determined under subsection (a) may not include any crop subsequently planted during the same crop year on the same land for which the first crop is eligible for price loss coverage payments or agriculture risk coverage payments, unless the crop was approved for double cropping in the county, as determined by the Secretary.

(d) EFFECT OF MINIMAL PAYMENT ACRES.—

(1) PROHIBITION ON PAYMENTS.—Notwithstanding any other provision of this title, a producer on a farm may not receive price loss coverage payments or agriculture risk coverage payments if the sum of the base acres on the farm is 10 acres or less, as determined by the Secretary.

(2) EXCEPTIONS.—Paragraph (1) does not apply to a producer that is—

(A) a socially disadvantaged farmer or rancher (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))); or

(B) a limited resource farmer or rancher, as defined by the Secretary.

(e) EFFECT OF PLANTING FRUITS AND VEGETABLES.—

(1) REDUCTION REQUIRED.—In the manner provided in this subsection, payment acres on a farm shall be reduced in any crop year in which fruits, vegetables (other than mung beans and pulse crops), or wild rice have been planted on base acres on a farm.

(2) PRICE LOSS COVERAGE AND COUNTY COVERAGE.—In the case of price loss coverage payments and agricultural risk coverage payments using county coverage, the reduction under paragraph (1) shall be the amount equal to the base acres planted to crops referred to in such paragraph in excess of 15 percent of base acres.

(3) INDIVIDUAL COVERAGE.—In the case of agricultural risk coverage payments using individual coverage, the reduction under paragraph (1) shall be the amount equal to the base acres planted to crops referred to in such paragraph in excess of 35 percent of base acres.

(4) REDUCTION EXCEPTIONS.—No reduction to payment acres shall be made under this subsection if—

(A) cover crops or crops referred to in paragraph (1) are grown solely for conservation purposes and not harvested for use or sale, as determined by the Secretary; or

(B) in any region in which there is a history of double-cropping covered commodities with crops referred to in paragraph (1) and such crops were so double-cropped on the base acres, as determined by the Secretary.

SEC. 1115. PRODUCER ELECTION. 7 USC 9015.

(a) ELECTION REQUIRED.—For the 2014 through 2018 crop years, all of the producers on a farm shall make a 1-time, irrevocable election to obtain—

(1) price loss coverage under section 1116 on a covered commodity-by-covered-commodity basis; or

(2) agriculture risk coverage under section 1117.

(b) COVERAGE OPTIONS.—In the election under subsection (a), the producers on a farm that elect under paragraph (2) of such subsection to obtain agriculture risk coverage under section 1117 shall unanimously select whether to receive agriculture risk coverage payments based on—

(1) county coverage applicable on a covered commodity-by-covered-commodity basis; or

(2) individual coverage applicable to all of the covered commodities on the farm.

(c) EFFECT OF FAILURE TO MAKE UNANIMOUS ELECTION.—If all the producers on a farm fail to make a unanimous election under subsection (a) for the 2014 crop year—

(1) the Secretary shall not make any payments with respect to the farm for the 2014 crop year under section 1116 or 1117; and

(2) the producers on the farm shall be deemed to have elected price loss coverage under section 1116 for all covered commodities on the farm for the 2015 through 2018 crop years.

(d) EFFECT OF SELECTION OF COUNTY COVERAGE.—If all the producers on a farm select county coverage for a covered commodity under subsection (b)(1), the Secretary may not make price loss coverage payments under section 1116 to the producers on the farm with respect to that covered commodity.

(e) EFFECT OF SELECTION OF INDIVIDUAL COVERAGE.—If all the producers on a farm select individual coverage under subsection (b)(2), in addition to the selection and election under this section applying to each producer on the farm, the Secretary shall consider, for purposes of making the calculations required by subsections (b)(2) and (c)(3) of section 1117, the producer's share of all farms in the same State—

(1) in which the producer has an interest; and

(2) for which individual coverage has been selected.

(f) PROHIBITION ON RECONSTITUTION.—The Secretary shall ensure that producers on a farm do not reconstitute the farm to void or change an election or selection made under this section.

7 USC 9016.

SEC. 1116. PRICE LOSS COVERAGE.

(a) PRICE LOSS COVERAGE PAYMENTS.—If all of the producers on a farm make the election under subsection (a) of section 1115 to obtain price loss coverage or, subject to subsection (c)(1) of such section, are deemed to have made such election under subsection (c)(2) of such section, the Secretary shall make price loss coverage payments to producers on the farm on a covered commodity-by-covered-commodity basis if the Secretary determines that, for any of the 2014 through 2018 crop years—

(1) the effective price for the covered commodity for the crop year; is less than

(2) the reference price for the covered commodity for the crop year.

(b) EFFECTIVE PRICE.—The effective price for a covered commodity for a crop year shall be the higher of—

(1) the national average market price received by producers during the 12-month marketing year for the covered commodity, as determined by the Secretary; or

(2) the national average loan rate for a marketing assistance loan for the covered commodity in effect for such crop year under subtitle B.

(c) PAYMENT RATE.—The payment rate shall be equal to the difference between—

(1) the reference price for the covered commodity; and

(2) the effective price determined under subsection (b) for the covered commodity.

(d) PAYMENT AMOUNT.—If price loss coverage payments are required to be provided under this section for any of the 2014 through 2018 crop years for a covered commodity, the amount of the price loss coverage payment to be paid to the producers on a farm for the crop year shall be equal to the product obtained by multiplying—

(1) the payment rate for the covered commodity under subsection (c);

(2) the payment yield for the covered commodity; and

(3) the payment acres for the covered commodity.

(e) TIME FOR PAYMENTS.—If the Secretary determines under this section that price loss coverage payments are required to be provided for the covered commodity, the payments shall be made beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity.

(f) EFFECTIVE PRICE FOR BARLEY.—In determining the effective price for barley under subsection (b), the Secretary shall use the all-barley price.

(g) REFERENCE PRICE FOR TEMPERATE JAPONICA RICE.—The Secretary shall provide a reference price with respect to temperate japonica rice in an amount equal to 115 percent of the amount established in subparagraphs (F) and (G) of section 1111(18) in order to reflect price premiums.

SEC. 1117. AGRICULTURE RISK COVERAGE. 7 USC 9017.

(a) AGRICULTURE RISK COVERAGE PAYMENTS.—If all of the producers on a farm make the election under section 1115(a) to obtain agriculture risk coverage, the Secretary shall make agriculture risk coverage payments to producers on the farm if the Secretary determines that, for any of the 2014 through 2018 crop years—

(1) the actual crop revenue determined under subsection (b) for the crop year; is less than

(2) the agriculture risk coverage guarantee determined under subsection (c) for the crop year.

(b) ACTUAL CROP REVENUE.—

(1) COUNTY COVERAGE.—In the case of county coverage, the amount of the actual crop revenue for a county for a crop year of a covered commodity shall be equal to the product obtained by multiplying—

(A) the actual average county yield per planted acre for the covered commodity, as determined by the Secretary; and

(B) the higher of—

(i) the national average market price received by producers during the 12-month marketing year for the covered commodity, as determined by the Secretary; or

(ii) the national average loan rate for a marketing assistance loan for the covered commodity in effect for such crop year under subtitle B.

(2) INDIVIDUAL COVERAGE.—In the case of individual coverage, the amount of the actual crop revenue for a producer on a farm for a crop year shall be based on the producer's share of all covered commodities planted on all farms for which individual coverage has been selected and in which the producer has an interest, to be determined by the Secretary as follows:

(A) For each covered commodity, the product obtained by multiplying—

(i) the total production of the covered commodity on such farms, as determined by the Secretary; and

(ii) the higher of—

(I) the national average market price received by producers during the 12-month marketing year, as determined by the Secretary; or

(II) the national average loan rate for a marketing assistance loan for the covered commodity in effect for such crop year under subtitle B.

(B) The sum of the amounts determined under subparagraph (A) for all covered commodities on such farms.

(C) The quotient obtained by dividing the amount determined under subparagraph (B) by the total planted acres of all covered commodities on such farms.

(c) AGRICULTURE RISK COVERAGE GUARANTEE.—

(1) IN GENERAL.—The agriculture risk coverage guarantee for a crop year for a covered commodity shall equal 86 percent of the benchmark revenue.

(2) BENCHMARK REVENUE FOR COUNTY COVERAGE.—In the case of county coverage, the benchmark revenue shall be the product obtained by multiplying—

(A) subject to paragraph (4), the average historical county yield as determined by the Secretary for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; and

(B) subject to paragraph (5), the national average market price received by producers during the 12-month marketing year for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(3) BENCHMARK REVENUE FOR INDIVIDUAL COVERAGE.—In the case of individual coverage, the benchmark revenue for a producer on a farm for a crop year shall be based on the producer's share of all covered commodities planted on all farms for which individual coverage has been selected and in which the producer has an interest, to be determined by the Secretary as follows:

(A) For each covered commodity for each of the most recent 5 crop years, the product obtained by multiplying—

(i) subject to paragraph (4), the yield per planted acre for the covered commodity on such farms, as determined by the Secretary; by

(ii) subject to paragraph (5), the national average market price received by producers during the 12-month marketing year.

(B) For each covered commodity, the average of the revenues determined under subparagraph (A) for the most

recent 5 crop years, excluding each of the crop years with the highest and lowest revenues.

(C) For each of the 2014 through 2018 crop years, the sum of the amounts determined under subparagraph (B) for all covered commodities on such farms, but adjusted to reflect the ratio between the total number of acres planted on such farms to a covered commodity and the total acres of all covered commodities planted on such farms.

(4) YIELD CONDITIONS.—If the yield per planted acre for the covered commodity or historical county yield per planted acre for the covered commodity for any of the 5 most recent crop years, as determined by the Secretary, is less than 70 percent of the transitional yield, as determined by the Secretary, the amounts used for any of those years in paragraph (2)(A) or (3)(A)(i) shall be 70 percent of the transitional yield.

(5) REFERENCE PRICE.—If the national average market price received by producers during the 12-month marketing year for any of the 5 most recent crop years is lower than the reference price for the covered commodity, the Secretary shall use the reference price for any of those years for the amounts in paragraph (2)(B) or (3)(A)(ii).

(d) PAYMENT RATE.—The payment rate for a covered commodity, in the case of county coverage, or a farm, in the case of individual coverage, shall be equal to the lesser of—

(1) the amount that—

(A) the agriculture risk coverage guarantee for the crop year applicable under subsection (c); exceeds

(B) the actual crop revenue for the crop year applicable under subsection (b); or

(2) 10 percent of the benchmark revenue for the crop year applicable under subsection (c).

(e) PAYMENT AMOUNT.—If agriculture risk coverage payments are required to be paid for any of the 2014 through 2018 crop years, the amount of the agriculture risk coverage payment for the crop year shall be determined by multiplying—

(1) the payment rate determined under subsection (d); and

(2) the payment acres determined under section 1114.

(f) TIME FOR PAYMENTS.—If the Secretary determines that agriculture risk coverage payments are required to be provided for the covered commodity, payments shall be made beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity.

(g) ADDITIONAL DUTIES OF THE SECRETARY.—In providing agriculture risk coverage, the Secretary shall—

(1) to the maximum extent practicable, use all available information and analysis, including data mining, to check for anomalies in the determination of agriculture risk coverage payments;

(2) to the maximum extent practicable, calculate a separate actual crop revenue and agriculture risk coverage guarantee for irrigated and nonirrigated covered commodities;

(3) in the case of individual coverage, assign an average yield for a farm on the basis of the yield history of representative farms in the State, region, or crop reporting district, as determined by the Secretary, if the Secretary determines that

the farm has planted acreage in a quantity that is insufficient to calculate a representative average yield for the farm; and

(4) in the case of county coverage, assign an actual or benchmark county yield for each planted acre for the crop year for the covered commodity on the basis of the yield history of representative farms in the State, region, or crop reporting district, as determined by the Secretary, if—

(A) the Secretary cannot establish the actual or benchmark county yield for each planted acre for a crop year for a covered commodity in the county in accordance with subsection (b)(1) or (c)(2); or

(B) the yield determined under subsection (b)(1) or (c)(2) is an unrepresentative average yield for the county, as determined by the Secretary.

7 USC 9018.

SEC. 1118. PRODUCER AGREEMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) REQUIREMENTS.—Before the producers on a farm may receive payments under this subtitle with respect to the farm, the producers shall agree, during the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary; and

(D) to use the land on the farm, in a quantity equal to the attributable base acres for the farm and any base acres for an agricultural or conserving use, and not for a nonagricultural commercial, industrial, or residential use, as determined by the Secretary.

(2) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(3) MODIFICATION.—At the request of the transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the objectives of this subsection, as determined by the Secretary.

(b) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—

(A) IN GENERAL.—Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm for which payments under this subtitle are provided shall result in the termination of the payments, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a).

(B) EFFECTIVE DATE.—The termination shall take effect on the date determined by the Secretary.

(2) EXCEPTION.—If a producer entitled to a payment under this subtitle dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment in accordance with rules issued by the Secretary.

(c) ACREAGE REPORTS.—As a condition on the receipt of any benefits under this subtitle or subtitle B, the Secretary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all cropland on the farm.

(d) PRODUCTION REPORTS.—As an additional condition on receiving agriculture risk coverage payments for individual coverage, the Secretary shall require a producer on a farm to submit to the Secretary annual production reports with respect to all covered commodities produced on all farms in the same State—

(1) in which the producer has an interest; and

(2) for which individual coverage has been selected.

(e) EFFECT OF INACCURATE REPORTS.—No penalty with respect to benefits under this subtitle or subtitle B shall be assessed against a producer on a farm for an inaccurate acreage or production report unless the Secretary determines that the producer on the farm knowingly and willfully falsified the acreage or production report.

(f) TENANTS AND SHARECROPPERS.—In carrying out this subtitle, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(g) SHARING OF PAYMENTS.—The Secretary shall provide for the sharing of payments made under this subtitle among the producers on a farm on a fair and equitable basis.

SEC. 1119. TRANSITION ASSISTANCE FOR PRODUCERS OF UPLAND COTTON. 7 USC 9019.

(a) AVAILABILITY.—

(1) PURPOSE.—It is the purpose of this section to provide transition assistance to producers of upland cotton in light of the repeal of section 1103 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713), the inapplicability of sections 1116 and 1117 to upland cotton, and the delayed implementation of the Stacked Income Protection Plan required by section 508B of the Federal Crop Insurance Act (7 U.S.C. 1508b), as added by section 11017 of this Act.

(2) 2014 CROP YEAR.—For the 2014 crop of upland cotton, the Secretary shall provide transition assistance, pursuant to the terms and conditions of this section, to producers on a farm for which cotton base acres were in existence for the 2013 crop year.

(3) 2015 CROP YEAR.—For the 2015 crop of upland cotton, the Secretary shall provide transition assistance, pursuant to the terms and conditions of this section, to producers on a farm—

(A) for which cotton base acres were in existence for the 2013 crop year; and

(B) that is located in a county in which the Stacked Income Protection Plan required by section 508B of the Federal Crop Insurance Act (7 U.S.C. 1508b) is not available to producers of upland cotton for the 2015 crop year.

(b) TRANSITION ASSISTANCE RATE.—The transition assistance rate shall be equal to the product obtained by multiplying—

(1) the June 12, 2013, midpoint estimate for the marketing year average price of upland cotton received by producers for the marketing year beginning August 1, 2013, minus the December 10, 2013, midpoint estimate for the marketing year average price of upland cotton received by producers for the

marketing year beginning August 1, 2013, as contained in the applicable World Agricultural Supply and Demand Estimates report published by the Department of Agriculture; and

(2) the national program yield for upland cotton of 597 pounds per acre.

(c) CALCULATION OF TRANSITION ASSISTANCE AMOUNT.—The amount of transition assistance to be provided under this section to producers on a farm for a crop year shall be equal to the product obtained by multiplying—

(1) for the 2014 crop year, 60 percent, and for the 2015 crop year, 36.5 percent, of the cotton base acres referred to in subsection (a) for the farm, subject to adjustment or reduction for conservation measures as provided in subsections (b) and (c) of section 1112;

(2) the transition assistance rate in effect for the crop year under subsection (b); and

(3) the payment yield for upland cotton for the farm established for purposes of section 1103(c)(3) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713(c)(3)), divided by the national program yield for upland cotton of 597 pounds per acre.

(d) TIME FOR PAYMENT.—The Secretary may not make transition assistance payments for a crop year under this section before October 1 of the calendar year in which the crop of upland cotton is harvested.

(e) PAYMENT LIMITATIONS.—Sections 1001 through 1001C of the Food Security Act of 1985 (7 U.S.C. 1308 through 1308C), as in effect on September 30, 2013, shall apply to the receipt of transition assistance under this section in the same manner as such sections applied to section 1103 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713).

Subtitle B—Marketing Loans

7 USC 9031.

SEC. 1201. AVAILABILITY OF NONRECOURSE MARKETING ASSISTANCE LOANS FOR LOAN COMMODITIES.

(a) DEFINITION OF LOAN COMMODITY.—In this subtitle, the term "loan commodity" means wheat, corn, grain sorghum, barley, oats, upland cotton, extra long staple cotton, long grain rice, medium grain rice, peanuts, soybeans, other oilseeds, graded wool, nongraded wool, mohair, honey, dry peas, lentils, small chickpeas, and large chickpeas.

(b) NONRECOURSE LOANS AVAILABLE.—

(1) IN GENERAL.—For each of the 2014 through 2018 crops of each loan commodity, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for loan commodities produced on the farm.

(2) TERMS AND CONDITIONS.—The marketing assistance loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under section 1202 for the loan commodity.

(c) ELIGIBLE PRODUCTION.—The producers on a farm shall be eligible for a marketing assistance loan under subsection (b) for any quantity of a loan commodity produced on the farm.

(d) COMPLIANCE WITH CONSERVATION AND WETLANDS REQUIREMENTS.—As a condition of the receipt of a marketing assistance

loan under subsection (b), the producer shall comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) and applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.) during the term of the loan.

(e) SPECIAL RULES FOR PEANUTS.—

(1) IN GENERAL.—This subsection shall apply only to producers of peanuts.

(2) OPTIONS FOR OBTAINING LOAN.—A marketing assistance loan under this section, and loan deficiency payments under section 1205, may be obtained at the option of the producers on a farm through—

(A) a designated marketing association or marketing cooperative of producers that is approved by the Secretary; or

(B) the Farm Service Agency.

(3) STORAGE OF LOAN PEANUTS.—As a condition on the approval by the Secretary of an individual or entity to provide storage for peanuts for which a marketing assistance loan is made under this section, the individual or entity shall agree—

(A) to provide the storage on a nondiscriminatory basis; and

(B) to comply with such additional requirements as the Secretary considers appropriate to accomplish the purposes of this section and promote fairness in the administration of the benefits of this section.

(4) STORAGE, HANDLING, AND ASSOCIATED COSTS.—

(A) IN GENERAL.—To ensure proper storage of peanuts for which a loan is made under this section, the Secretary shall pay handling and other associated costs (other than storage costs) incurred at the time at which the peanuts are placed under loan, as determined by the Secretary.

(B) REDEMPTION AND FORFEITURE.—The Secretary shall—

(i) require the repayment of handling and other associated costs paid under subparagraph (A) for all peanuts pledged as collateral for a loan that is redeemed under this section; and

(ii) pay storage, handling, and other associated costs for all peanuts pledged as collateral that are forfeited under this section.

(5) MARKETING.—A marketing association or cooperative may market peanuts for which a loan is made under this section in any manner that conforms to consumer needs, including the separation of peanuts by type and quality.

(6) REIMBURSABLE AGREEMENTS AND PAYMENT OF ADMINISTRATIVE EXPENSES.—The Secretary may implement any reimbursable agreements or provide for the payment of administrative expenses under this subsection only in a manner that is consistent with those activities in regard to other loan commodities.

SEC. 1202. LOAN RATES FOR NONRECOURSE MARKETING ASSISTANCE LOANS. 7 USC 9032.

(a) IN GENERAL.—For purposes of each of the 2014 through 2018 crop years, the loan rate for a marketing assistance loan

under section 1201 for a loan commodity shall be equal to the following:

(1) In the case of wheat, $2.94 per bushel.

(2) In the case of corn, $1.95 per bushel.

(3) In the case of grain sorghum, $1.95 per bushel.

(4) In the case of barley, $1.95 per bushel.

(5) In the case of oats, $1.39 per bushel.

(6) In the case of base quality of upland cotton, for each of the 2014 through 2018 crop years, the simple average of the adjusted prevailing world price for the 2 immediately preceding marketing years, as determined by the Secretary and announced October 1 preceding the next domestic plantings, but in no case less than $0.45 per pound or more than $0.52 per pound.

(7) In the case of extra long staple cotton, $0.7977 per pound.

(8) In the case of long grain rice, $6.50 per hundredweight.

(9) In the case of medium grain rice, $6.50 per hundredweight.

(10) In the case of soybeans, $5.00 per bushel.

(11) In the case of other oilseeds, $10.09 per hundredweight for each of the following kinds of oilseeds:

(A) Sunflower seed.

(B) Rapeseed.

(C) Canola.

(D) Safflower.

(E) Flaxseed.

(F) Mustard seed.

(G) Crambe.

(H) Sesame seed.

(I) Other oilseeds designated by the Secretary.

(12) In the case of dry peas, $5.40 per hundredweight.

(13) In the case of lentils, $11.28 per hundredweight.

(14) In the case of small chickpeas, $7.43 per hundredweight.

(15) In the case of large chickpeas, $11.28 per hundredweight.

(16) In the case of graded wool, $1.15 per pound.

(17) In the case of nongraded wool, $0.40 per pound.

(18) In the case of mohair, $4.20 per pound.

(19) In the case of honey, $0.69 per pound.

(20) In the case of peanuts, $355 per ton.

(b) SINGLE COUNTY LOAN RATE FOR OTHER OILSEEDS.—The Secretary shall establish a single loan rate in each county for each kind of other oilseeds described in subsection (a)(11).

7 USC 9033.

SEC. 1203. TERM OF LOANS.

(a) TERM OF LOAN.—In the case of each loan commodity, a marketing assistance loan under section 1201 shall have a term of 9 months beginning on the first day of the first month after the month in which the loan is made.

(b) EXTENSIONS PROHIBITED.—The Secretary may not extend the term of a marketing assistance loan for any loan commodity.

7 USC 9034.

SEC. 1204. REPAYMENT OF LOANS.

(a) GENERAL RULE.—The Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for a loan commodity (other than upland cotton, long grain

rice, medium grain rice, extra long staple cotton, peanuts and confectionery and each other kind of sunflower seed (other than oil sunflower seed)) at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283));

(2) a rate (as determined by the Secretary) that—

(A) is calculated based on average market prices for the loan commodity during the preceding 30-day period; and

(B) will minimize discrepancies in marketing loan benefits across State boundaries and across county boundaries; or

(3) a rate that the Secretary may develop using alternative methods for calculating a repayment rate for a loan commodity that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of the commodity by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing the commodity;

(D) allow the commodity produced in the United States to be marketed freely and competitively, both domestically and internationally; and

(E) minimize discrepancies in marketing loan benefits across State boundaries and across county boundaries.

(b) REPAYMENT RATES FOR UPLAND COTTON, LONG GRAIN RICE, AND MEDIUM GRAIN RICE.—The Secretary shall permit producers to repay a marketing assistance loan under section 1201 for upland cotton, long grain rice, and medium grain rice at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) the prevailing world market price for the commodity, as determined and adjusted by the Secretary in accordance with this section.

(c) REPAYMENT RATES FOR EXTRA LONG STAPLE COTTON.—Repayment of a marketing assistance loan for extra long staple cotton shall be at the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)).

(d) PREVAILING WORLD MARKET PRICE.—For purposes of this section and section 1207, the Secretary shall prescribe by regulation—

(1) a formula to determine the prevailing world market price for each of upland cotton, long grain rice, and medium grain rice; and

(2) a mechanism by which the Secretary shall announce periodically those prevailing world market prices.

(e) ADJUSTMENT OF PREVAILING WORLD MARKET PRICE FOR UPLAND COTTON, LONG GRAIN RICE, AND MEDIUM GRAIN RICE.—

(1) RICE.—The prevailing world market price for long grain rice and medium grain rice determined under subsection (d) shall be adjusted to United States quality and location.

(2) COTTON.—The prevailing world market price for upland cotton determined under subsection (d)—

(A) shall be adjusted to United States quality and location, with the adjustment to include—

(i) a reduction equal to any United States Premium Factor for upland cotton of a quality higher than Middling (M) 1$^{3}/_{32}$-inch; and

(ii) the average costs to market the commodity, including average transportation costs, as determined by the Secretary; and

(B) may be further adjusted, during the period beginning on the date of enactment of this Act and ending on July 31, 2019, if the Secretary determines the adjustment is necessary—

(i) to minimize potential loan forfeitures;

(ii) to minimize the accumulation of stocks of upland cotton by the Federal Government;

(iii) to ensure that upland cotton produced in the United States can be marketed freely and competitively, both domestically and internationally; and

(iv) to ensure an appropriate transition between current-crop and forward-crop price quotations, except that the Secretary may use forward-crop price quotations prior to July 31 of a marketing year only if—

(I) there are insufficient current-crop price quotations; and

(II) the forward-crop price quotation is the lowest such quotation available.

(3) GUIDELINES FOR ADDITIONAL ADJUSTMENTS.—In making adjustments under this subsection, the Secretary shall establish a mechanism for determining and announcing the adjustments in order to avoid undue disruption in the United States market.

(f) REPAYMENT RATES FOR CONFECTIONERY AND OTHER KINDS OF SUNFLOWER SEEDS.—The Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for confectionery and each other kind of sunflower seed (other than oil sunflower seed) at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) the repayment rate established for oil sunflower seed.

(g) PAYMENT OF COTTON STORAGE COSTS.—Effective for each of the 2014 through 2018 crop years, the Secretary shall make cotton storage payments available in the same manner, and at the same rates as the Secretary provided storage payments for the 2006 crop of cotton, except that the rates shall be reduced by 10 percent.

(h) REPAYMENT RATE FOR PEANUTS.—The Secretary shall permit producers on a farm to repay a marketing assistance loan for peanuts under section 1201 at a rate that is the lesser of—

(1) the loan rate established for peanuts under section 1202(a)(20), plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) a rate that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of peanuts by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing peanuts; and

(D) allow peanuts produced in the United States to be marketed freely and competitively, both domestically and internationally.

(i) AUTHORITY TO TEMPORARILY ADJUST REPAYMENT RATES.—

(1) ADJUSTMENT AUTHORITY.—In the event of a severe disruption to marketing, transportation, or related infrastructure, the Secretary may modify the repayment rate otherwise applicable under this section for marketing assistance loans under section 1201 for a loan commodity.

(2) DURATION.—Any adjustment made under paragraph (1) in the repayment rate for marketing assistance loans for a loan commodity shall be in effect on a short-term and temporary basis, as determined by the Secretary.

SEC. 1205. LOAN DEFICIENCY PAYMENTS. 7 USC 9035.

(a) AVAILABILITY OF LOAN DEFICIENCY PAYMENTS.—

(1) IN GENERAL.—Except as provided in subsection (d), the Secretary may make loan deficiency payments available to producers on a farm that, although eligible to obtain a marketing assistance loan under section 1201 with respect to a loan commodity, agree to forgo obtaining the loan for the commodity in return for loan deficiency payments under this section.

(2) UNSHORN PELTS, HAY, AND SILAGE.—

(A) MARKETING ASSISTANCE LOANS.—Subject to subparagraph (B), nongraded wool in the form of unshorn pelts and hay and silage derived from a loan commodity are not eligible for a marketing assistance loan under section 1201.

(B) LOAN DEFICIENCY PAYMENT.—Effective for each of the 2014 through 2018 crop years, the Secretary may make loan deficiency payments available under this section to producers on a farm that produce unshorn pelts or hay and silage derived from a loan commodity.

(b) COMPUTATION.—A loan deficiency payment for a loan commodity or commodity referred to in subsection (a)(2) shall be equal to the product obtained by multiplying—

(1) the payment rate determined under subsection (c) for the commodity; by

(2) the quantity of the commodity produced by the eligible producers, excluding any quantity for which the producers obtain a marketing assistance loan under section 1201.

(c) PAYMENT RATE.—

(1) IN GENERAL.—In the case of a loan commodity, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for the loan commodity; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 1204.

(2) UNSHORN PELTS.—In the case of unshorn pelts, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for ungraded wool; exceeds

(B) the rate at which a marketing assistance loan for ungraded wool may be repaid under section 1204.

(3) HAY AND SILAGE.—In the case of hay or silage derived from a loan commodity, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for the loan commodity from which the hay or silage is derived; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 1204.

(d) EXCEPTION FOR EXTRA LONG STAPLE COTTON.—This section shall not apply with respect to extra long staple cotton.

(e) EFFECTIVE DATE FOR PAYMENT RATE DETERMINATION.—The Secretary shall determine the amount of the loan deficiency payment to be made under this section to the producers on a farm with respect to a quantity of a loan commodity or commodity referred to in subsection (a)(2) using the payment rate in effect under subsection (c) as of the date the producers request the payment.

7 USC 9036.

SEC. 1206. PAYMENTS IN LIEU OF LOAN DEFICIENCY PAYMENTS FOR GRAZED ACREAGE.

(a) ELIGIBLE PRODUCERS.—

(1) IN GENERAL.—Effective for each of the 2014 through 2018 crop years, in the case of a producer that would be eligible for a loan deficiency payment under section 1205 for wheat, barley, or oats, but that elects to use acreage planted to the wheat, barley, or oats for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of the wheat, barley, or oats on that acreage.

(2) GRAZING OF TRITICALE ACREAGE.—Effective for each of the 2014 through 2018 crop years, with respect to a producer on a farm that uses acreage planted to triticale for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of triticale on that acreage.

(b) PAYMENT AMOUNT.—

(1) IN GENERAL.—The amount of a payment made under this section to a producer on a farm described in subsection (a)(1) shall be equal to the amount determined by multiplying—

(A) the loan deficiency payment rate determined under section 1205(c) in effect, as of the date of the agreement, for the county in which the farm is located; by

(B) the payment quantity determined by multiplying—

(i) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of wheat, barley, or oats; and

(ii)(I) the payment yield in effect for the calculation of price loss coverage under section 1115 with respect to that loan commodity on the farm;

(II) in the case of a farm for which agriculture risk coverage is elected under section 1116(a), the payment yield that would otherwise be in effect with respect to that loan commodity on the farm in the absence of such election; or

(III) in the case of a farm for which no payment yield is otherwise established for that loan commodity on the farm, an appropriate yield established by the Secretary in a manner consistent with section 1113(c).

(2) GRAZING OF TRITICALE ACREAGE.—The amount of a payment made under this section to a producer on a farm described in subsection (a)(2) shall be equal to the amount determined by multiplying—

(A) the loan deficiency payment rate determined under section 1205(c) in effect for wheat, as of the date of the agreement, for the county in which the farm is located; by

(B) the payment quantity determined by multiplying—

(i) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of triticale; and

(ii)(I) the payment yield in effect for the calculation of price loss coverage under subtitle A with respect to wheat on the farm;

(II) in the case of a farm for which agriculture risk coverage is elected under section 1116(a), the payment yield that would otherwise be in effect for wheat on the farm in the absence of such election; or

(III) in the case of a farm for which no payment yield is otherwise established for wheat on the farm, an appropriate yield established by the Secretary in a manner consistent with section 1113(c).

(c) TIME, MANNER, AND AVAILABILITY OF PAYMENT.—

(1) TIME AND MANNER.—A payment under this section shall be made at the same time and in the same manner as loan deficiency payments are made under section 1205.

(2) AVAILABILITY.—

(A) IN GENERAL.—The Secretary shall establish an availability period for the payments authorized by this section.

(B) CERTAIN COMMODITIES.—In the case of wheat, barley, and oats, the availability period shall be consistent with the availability period for the commodity established by the Secretary for marketing assistance loans authorized by this subtitle.

(d) PROHIBITION ON CROP INSURANCE INDEMNITY OR NONINSURED CROP ASSISTANCE.—A 2014 through 2018 crop of wheat, barley, oats, or triticale planted on acreage that a producer elects, in the agreement required by subsection (a), to use for the grazing of livestock in lieu of any other harvesting of the crop shall not be eligible for an indemnity under a policy or plan of insurance authorized under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or noninsured crop assistance under section 196 of the

Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

7 USC 9037.

SEC. 1207. SPECIAL MARKETING LOAN PROVISIONS FOR UPLAND COTTON.

(a) SPECIAL IMPORT QUOTA.—

(1) DEFINITION OF SPECIAL IMPORT QUOTA.—In this subsection, the term "special import quota" means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(2) ESTABLISHMENT.—

(A) IN GENERAL.—The President shall carry out an import quota program beginning on August 1, 2014, as provided in this subsection.

(B) PROGRAM REQUIREMENTS.—Whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered to a definable and significant international market, as determined by the Secretary, exceeds the prevailing world market price, there shall immediately be in effect a special import quota.

(3) QUANTITY.—The quota shall be equal to the consumption during a 1-week period of cotton by domestic mills at the seasonally adjusted average rate of the most recent 3 months for which official data of the Department of Agriculture are available or, in the absence of sufficient data, as estimated by the Secretary.

(4) APPLICATION.—The quota shall apply to upland cotton purchased not later than 90 days after the date of the Secretary's announcement under paragraph (2) and entered into the United States not later than 180 days after that date.

(5) OVERLAP.—A special quota period may be established that overlaps any existing quota period if required by paragraph (2), except that a special quota period may not be established under this subsection if a quota period has been established under subsection (b).

(6) PREFERENTIAL TARIFF TREATMENT.—The quantity under a special import quota shall be considered to be an in-quota quantity for purposes of—

(A) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(B) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(C) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(D) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 10 weeks' consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.

(b) LIMITED GLOBAL IMPORT QUOTA FOR UPLAND COTTON.—

(1) DEFINITIONS.—In this subsection:

(A) DEMAND.—The term "demand" means—

(i) the average seasonally adjusted annual rate of domestic mill consumption of cotton during the most recent 3 months for which official data of the Department of Agriculture are available or, in the absence of sufficient data, as estimated by the Secretary; and

(ii) the larger of—

(I) average exports of upland cotton during the preceding 6 marketing years; or

(II) cumulative exports of upland cotton plus outstanding export sales for the marketing year in which the quota is established.

(B) LIMITED GLOBAL IMPORT QUOTA.—The term "limited global import quota" means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(C) SUPPLY.—The term "supply" means, using the latest official data of the Department of Agriculture—

(i) the carry-over of upland cotton at the beginning of the marketing year (adjusted to 480-pound bales) in which the quota is established;

(ii) production of the current crop; and

(iii) imports to the latest date available during the marketing year.

(2) PROGRAM.—The President shall carry out an import quota program that provides that whenever the Secretary determines and announces that the average price of the base quality of upland cotton, as determined by the Secretary, in the designated spot markets for a month exceeded 130 percent of the average price of the quality of cotton in the markets for the preceding 36 months, notwithstanding any other provision of law, there shall immediately be in effect a limited global import quota subject to the following conditions:

(A) QUANTITY.—The quantity of the quota shall be equal to 21 days of domestic mill consumption of upland cotton at the seasonally adjusted average rate of the most recent 3 months for which official data of the Department of Agriculture are available or, in the absence of sufficient data, as estimated by the Secretary.

(B) QUANTITY IF PRIOR QUOTA.—If a quota has been established under this subsection during the preceding 12 months, the quantity of the quota next established under this subsection shall be the smaller of 21 days of domestic mill consumption calculated under subparagraph (A) or the quantity required to increase the supply to 130 percent of the demand.

(C) PREFERENTIAL TARIFF TREATMENT.—The quantity under a limited global import quota shall be considered to be an in-quota quantity for purposes of—

(i) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(ii) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(iii) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(iv) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(D) QUOTA ENTRY PERIOD.—When a quota is established under this subsection, cotton may be entered under the quota during the 90-day period beginning on the date the quota is established by the Secretary.

(3) NO OVERLAP.—Notwithstanding paragraph (2), a quota period may not be established that overlaps an existing quota period or a special quota period established under subsection (a).

(c) ECONOMIC ADJUSTMENT ASSISTANCE TO USERS OF UPLAND COTTON.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall, on a monthly basis, make economic adjustment assistance available to domestic users of upland cotton in the form of payments for all documented use of that upland cotton during the previous monthly period regardless of the origin of the upland cotton.

(2) VALUE OF ASSISTANCE.—Effective beginning on August 1, 2013, the value of the assistance provided under paragraph (1) shall be 3 cents per pound.

(3) ALLOWABLE PURPOSES.—Economic adjustment assistance under this subsection shall be made available only to domestic users of upland cotton that certify that the assistance shall be used only to acquire, construct, install, modernize, develop, convert, or expand land, plant, buildings, equipment, facilities, or machinery.

(4) REVIEW OR AUDIT.—The Secretary may conduct such review or audit of the records of a domestic user under this subsection as the Secretary determines necessary to carry out this subsection.

(5) IMPROPER USE OF ASSISTANCE.—If the Secretary determines, after a review or audit of the records of the domestic user, that economic adjustment assistance under this subsection was not used for the purposes specified in paragraph (3), the domestic user shall be—

(A) liable for the repayment of the assistance to the Secretary, plus interest, as determined by the Secretary; and

(B) ineligible to receive assistance under this subsection for a period of 1 year following the determination of the Secretary.

7 USC 9038.

SEC. 1208. SPECIAL COMPETITIVE PROVISIONS FOR EXTRA LONG STAPLE COTTON.

(a) COMPETITIVENESS PROGRAM.—Notwithstanding any other provision of law, during the period beginning on the date of enactment of this Act through July 31, 2019, the Secretary shall carry out a program—

(1) to maintain and expand the domestic use of extra long staple cotton produced in the United States;

(2) to increase exports of extra long staple cotton produced in the United States; and

(3) to ensure that extra long staple cotton produced in the United States remains competitive in world markets.

(b) PAYMENTS UNDER PROGRAM; TRIGGER.—Under the program, the Secretary shall make payments available under this section whenever—

(1) for a consecutive 4-week period, the world market price for the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is below the prevailing United States price for a competing growth of extra long staple cotton; and

(2) the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is less than 134 percent of the loan rate for extra long staple cotton.

(c) ELIGIBLE RECIPIENTS.—The Secretary shall make payments available under this section to domestic users of extra long staple cotton produced in the United States and exporters of extra long staple cotton produced in the United States that enter into an agreement with the Commodity Credit Corporation to participate in the program under this section.

(d) PAYMENT AMOUNT.—Payments under this section shall be based on the amount of the difference in the prices referred to in subsection (b)(1) during the fourth week of the consecutive 4-week period multiplied by the amount of documented purchases by domestic users and sales for export by exporters made in the week following such a consecutive 4-week period.

SEC. 1209. AVAILABILITY OF RECOURSE LOANS FOR HIGH MOISTURE FEED GRAINS AND SEED COTTON. 7 USC 9039.

(a) HIGH MOISTURE FEED GRAINS.—

(1) DEFINITION OF HIGH MOISTURE STATE.—In this subsection, the term "high moisture state" means corn or grain sorghum having a moisture content in excess of Commodity Credit Corporation standards for marketing assistance loans made by the Secretary under section 1201.

(2) RECOURSE LOANS AVAILABLE.—For each of the 2014 through 2018 crops of corn and grain sorghum, the Secretary shall make available recourse loans, as determined by the Secretary, to producers on a farm that—

(A) normally harvest all or a portion of their crop of corn or grain sorghum in a high moisture state;

(B) present—

(i) certified scale tickets from an inspected, certified commercial scale, including a licensed warehouse, feedlot, feed mill, distillery, or other similar entity approved by the Secretary, pursuant to regulations issued by the Secretary; or

(ii) field or other physical measurements of the standing or stored crop in regions of the United States, as determined by the Secretary, that do not have certified commercial scales from which certified scale tickets may be obtained within reasonable proximity of harvest operation;

(C) certify that the producers on the farm were the owners of the feed grain at the time of delivery to, and

that the quantity to be placed under loan under this subsection was in fact harvested on the farm and delivered to, a feedlot, feed mill, or commercial or on-farm high-moisture storage facility, or to a facility maintained by the users of corn and grain sorghum in a high moisture state; and

(D) comply with deadlines established by the Secretary for harvesting the corn or grain sorghum and submit applications for loans under this subsection within deadlines established by the Secretary.

(3) ELIGIBILITY OF ACQUIRED FEED GRAINS.—A loan under this subsection shall be made on a quantity of corn or grain sorghum of the same crop acquired by the producer equivalent to a quantity determined by multiplying—

(A) the acreage of the corn or grain sorghum in a high moisture state harvested on the farm of the producer; by

(B) the lower of—

(i) the payment yield in effect for the calculation of price loss coverage under section 1115, or the payment yield deemed to be in effect or established under subclause (II) or (III) of section 1206(b)(1)(B)(ii), with respect to corn or grain sorghum on a field that is similar to the field from which the corn or grain sorghum referred to in subparagraph (A) was obtained; or

(ii) the actual yield of corn or grain sorghum on a field, as determined by the Secretary, that is similar to the field from which the corn or grain sorghum referred to in subparagraph (A) was obtained.

(b) RECOURSE LOANS AVAILABLE FOR SEED COTTON.—For each of the 2014 through 2018 crops of upland cotton and extra long staple cotton, the Secretary shall make available recourse seed cotton loans, as determined by the Secretary, on any production.

(c) REPAYMENT RATES.—Repayment of a recourse loan made under this section shall be at the loan rate established for the commodity by the Secretary, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)).

7 USC 9040.

SEC. 1210. ADJUSTMENTS OF LOANS.

(a) ADJUSTMENT AUTHORITY.—Subject to subsection (e), the Secretary may make appropriate adjustments in the loan rates for any loan commodity (other than cotton) for differences in grade, type, quality, location, and other factors.

(b) MANNER OF ADJUSTMENT.—The adjustments under subsection (a) shall, to the maximum extent practicable, be made in such a manner that the average loan level for the commodity will, on the basis of the anticipated incidence of the factors, be equal to the level of support determined in accordance with this subtitle and subtitle C.

(c) ADJUSTMENT ON COUNTY BASIS.—

(1) IN GENERAL.—The Secretary may establish loan rates for a crop for producers in individual counties in a manner that results in the lowest loan rate being 95 percent of the national average loan rate, if those loan rates do not result in an increase in outlays.

(2) PROHIBITION.—Adjustments under this subsection shall not result in an increase in the national average loan rate for any year.

(d) ADJUSTMENT IN LOAN RATE FOR COTTON.—

(1) IN GENERAL.—The Secretary may make appropriate adjustments in the loan rate for cotton for differences in quality factors.

(2) TYPES OF ADJUSTMENTS.—Loan rate adjustments under paragraph (1) may include—

(A) the use of non-spot market price data, in addition to spot market price data, that would enhance the accuracy of the price information used in determining quality adjustments under this subsection;

(B) adjustments in the premiums or discounts associated with upland cotton with a staple length of 33 or above due to micronaire with the goal of eliminating any unnecessary artificial splits in the calculations of the premiums or discounts; and

(C) such other adjustments as the Secretary determines appropriate, after consultations conducted in accordance with paragraph (3).

(3) CONSULTATION WITH PRIVATE SECTOR.—

(A) PRIOR TO REVISION.—In making adjustments to the loan rate for cotton (including any review of the adjustments) as provided in this subsection, the Secretary shall consult with representatives of the United States cotton industry.

(B) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to consultations under this subsection.

(4) REVIEW OF ADJUSTMENTS.—The Secretary may review the operation of the upland cotton quality adjustments implemented pursuant to this subsection and may make further adjustments to the administration of the loan program for upland cotton, by revoking or revising any adjustment taken under paragraph (2).

(e) RICE.—The Secretary shall not make adjustments in the loan rates for long grain rice and medium grain rice, except for differences in grade and quality (including milling yields).

Subtitle C—Sugar

SEC. 1301. SUGAR POLICY.

(a) CONTINUATION OF CURRENT PROGRAM AND LOAN RATES.—

(1) SUGARCANE.—Section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) is amended—

(A) by inserting "and" at the end of paragraph (3);

(B) in paragraph (4), by striking "the 2011 crop year; and" and inserting "each of the 2011 through 2018 crop years."; and

(C) by striking paragraph (5).

(2) SUGAR BEETS.—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking "2012" and inserting "2018".

(3) EFFECTIVE PERIOD.—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking "2012" and inserting "2018".

(b) FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.—

(1) SUGAR ESTIMATES.—Section 359b(a)(1) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(a)(1)) is amended by striking "2012" and inserting "2018".

(2) EFFECTIVE PERIOD.—Section 359l(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(a)) is amended by striking "2012" and inserting "2018".

Subtitle D—Dairy

PART I—MARGIN PROTECTION PROGRAM FOR DAIRY PRODUCERS

7 USC 9051.

SEC. 1401. DEFINITIONS.

In this part and part III:

(1) ACTUAL DAIRY PRODUCTION MARGIN.—The term "actual dairy production margin" means the difference between the all-milk price and the average feed cost, as calculated under section 1402.

(2) ALL-MILK PRICE.—The term "all-milk price" means the average price received, per hundredweight of milk, by dairy operations for all milk sold to plants and dealers in the United States, as determined by the Secretary.

(3) AVERAGE FEED COST.—The term "average feed cost" means the average cost of feed used by a dairy operation to produce a hundredweight of milk, determined under section 1402 using the sum of the following:

(A) The product determined by multiplying 1.0728 by the price of corn per bushel.

(B) The product determined by multiplying 0.00735 by the price of soybean meal per ton.

(C) The product determined by multiplying 0.0137 by the price of alfalfa hay per ton.

(4) CONSECUTIVE 2-MONTH PERIOD.—The term "consecutive 2-month period" refers to the 2-month period consisting of the months of January and February, March and April, May and June, July and August, September and October, or November and December, respectively.

(5) DAIRY OPERATION.—

(A) IN GENERAL.—The term "dairy operation" means, as determined by the Secretary, 1 or more dairy producers that produce and market milk as a single dairy operation in which each dairy producer—

(i) shares in the risk of producing milk; and

(ii) makes contributions (including land, labor, management, equipment, or capital) to the dairy operation of the individual or entity, which are at least commensurate with the individual or entity's share of the proceeds of the operation.

(B) ADDITIONAL OWNERSHIP STRUCTURES.—The Secretary shall determine additional ownership structures to be covered by the definition of dairy operation.

(6) MARGIN PROTECTION PROGRAM.—The term "margin protection program" means the margin protection program required by section 1403.

(7) MARGIN PROTECTION PROGRAM PAYMENT.—The term "margin protection program payment" means a payment made to a participating dairy operation under the margin protection program pursuant to section 1406.

(8) PARTICIPATING DAIRY OPERATION.—The term "participating dairy operation" means a dairy operation that registers under section 1404 to participate in the margin protection program.

(9) PRODUCTION HISTORY.—The term "production history" means the production history determined for a participating dairy operation under subsection (a) or (b) of section 1405 when the participating dairy operation first registers to participate in the margin protection program.

(10) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(11) UNITED STATES.—The term "United States", in a geographical sense, means the 50 States, the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, and any other territory or possession of the United States.

SEC. 1402. CALCULATION OF AVERAGE FEED COST AND ACTUAL DAIRY PRODUCTION MARGINS. 7 USC 9052.

(a) CALCULATION OF AVERAGE FEED COST.—The Secretary shall calculate the national average feed cost for each month using the following data:

(1) The price of corn for a month shall be the price received during that month by farmers in the United States for corn, as reported in the monthly Agricultural Prices report by the Secretary.

(2) The price of soybean meal for a month shall be the central Illinois price for soybean meal, as reported in the Market News–Monthly Soybean Meal Price Report by the Secretary.

(3) The price of alfalfa hay for a month shall be the price received during that month by farmers in the United States for alfalfa hay, as reported in the monthly Agricultural Prices report by the Secretary.

(b) CALCULATION OF ACTUAL DAIRY PRODUCTION MARGIN.—

(1) IN GENERAL.—For use in the margin protection program, the Secretary shall calculate the actual dairy production margin for each consecutive 2-month period by subtracting—

(A) the average feed cost for that consecutive 2-month period, determined in accordance with subsection (a); from

(B) the all-milk price for that consecutive 2-month period.

(2) TIME FOR CALCULATION.—The calculation required by this subsection shall be made as soon as practicable using the full-month price of the applicable reference month.

SEC. 1403. ESTABLISHMENT OF MARGIN PROTECTION PROGRAM FOR DAIRY PRODUCERS. 7 USC 9053.

Not later than September 1, 2014, the Secretary shall establish and administer a margin protection program for dairy producers

under which participating dairy operations are paid a margin protection payment when actual dairy production margins are less than the threshold levels for a margin protection payment.

7 USC 9054.

SEC. 1404. PARTICIPATION OF DAIRY OPERATIONS IN MARGIN PROTECTION PROGRAM.

(a) ELIGIBILITY.—All dairy operations in the United States shall be eligible to participate in the margin protection program to receive margin protection payments.

(b) REGISTRATION PROCESS.—

(1) IN GENERAL.—The Secretary shall specify the manner and form by which a participating dairy operation may register to participate in the margin protection program.

(2) TREATMENT OF MULTIPRODUCER DAIRY OPERATIONS.—If a participating dairy operation is operated by more than 1 dairy producer, all of the dairy producers of the participating dairy operation shall be treated as a single dairy operation for purposes of participating in the margin protection program.

(3) TREATMENT OF PRODUCERS WITH MULTIPLE DAIRY OPERATIONS.—If a dairy producer operates 2 or more dairy operations, each dairy operation of the producer shall separately register to participate in the margin protection program.

(c) ANNUAL ADMINISTRATIVE FEE.—

(1) ADMINISTRATIVE FEE REQUIRED.—Each participating dairy operation shall—

(A) pay an administrative fee to register to participate in the margin protection program; and

(B) pay the administrative fee annually through the duration of the margin protection program specified in section 1409.

(2) AMOUNT OF FEE.—The administrative fee for a participating dairy operation shall be $100.

(3) USE OF FEES.—The Secretary shall use administrative fees collected under this subsection to cover administrative costs incurred to carry out the margin protection program.

(d) RELATION TO LIVESTOCK GROSS MARGIN FOR DAIRY PROGRAM.—A dairy operation may participate in the margin protection program or the livestock gross margin for dairy program under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), but not both.

7 USC 9055.

SEC. 1405. PRODUCTION HISTORY OF PARTICIPATING DAIRY OPERATIONS.

(a) PRODUCTION HISTORY.—

(1) IN GENERAL.—Except as provided in subsection (b), when a dairy operation first registers to participate in the margin protection program, the production history of the dairy operation for the margin protection program is equal to the highest annual milk marketings of the participating dairy operation during any one of the 2011, 2012, or 2013 calendar years.

(2) ADJUSTMENT.—In subsequent years, the Secretary shall adjust the production history of a participating dairy operation determined under paragraph (1) to reflect any increase in the national average milk production.

(b) ELECTION BY NEW DAIRY OPERATIONS.—In the case of a participating dairy operation that has been in operation for less than a year, the participating dairy operation shall elect 1 of the

following methods for the Secretary to determine the production history of the participating dairy operation:

(1) The volume of the actual milk marketings for the months the participating dairy operation has been in operation extrapolated to a yearly amount.

(2) An estimate of the actual milk marketings of the participating dairy operation based on the herd size of the participating dairy operation relative to the national rolling herd average data published by the Secretary.

(c) REQUIRED INFORMATION.—A participating dairy operation shall provide all information that the Secretary may require in order to establish the production history of the participating dairy operation for purposes of participating in the margin protection program.

SEC. 1406. MARGIN PROTECTION PAYMENTS. 7 USC 9056.

(a) COVERAGE LEVEL THRESHOLD AND COVERAGE PERCENTAGE.—For purposes of receiving margin protection payments for a consecutive 2-month period, a participating dairy operation shall annually elect—

(1) a coverage level threshold that is equal to $4.00, $4.50, $5.00, $5.50, $6.00, $6.50, $7.00, $7.50, or $8.00; and

(2) a percentage of coverage, in 5-percent increments, beginning with 25 percent and not exceeding 90 percent of the production history of the participating dairy operation.

(b) PAYMENT THRESHOLD.—A participating dairy operation shall receive a margin protection payment whenever the average actual dairy production margin for a consecutive 2-month period is less than the coverage level threshold selected by the participating dairy operation.

(c) AMOUNT OF MARGIN PROTECTION PAYMENT.—The margin protection payment for the participating dairy operation shall be determined as follows:

(1) The Secretary shall calculate the amount by which the coverage level threshold selected by the participating dairy operation exceeds the average actual dairy production margin for the consecutive 2-month period.

(2) The amount determined under paragraph (1) shall be multiplied by—

(A) the coverage percentage selected by the participating dairy operation; and

(B) the production history of the participating dairy operation divided by 6.

SEC. 1407. PREMIUMS FOR MARGIN PROTECTION PROGRAM. 7 USC 9057.

(a) CALCULATION OF PREMIUMS.—For purposes of participating in the margin protection program, a participating dairy operation shall pay an annual premium equal to the product obtained by multiplying—

(1) the coverage percentage elected by the participating dairy operation under section 1406(a)(2);

(2) the production history of the participating dairy operation; and

(3) the premium per hundredweight of milk imposed by this section for the coverage level selected.

(b) PREMIUM PER HUNDREDWEIGHT FOR FIRST 4 MILLION POUNDS OF PRODUCTION.—

(1) IN GENERAL.—For the first 4,000,000 pounds of milk marketings included in the production history of a participating dairy operation, the premium per hundredweight for each coverage level is specified in the table contained in paragraph (2).

(2) PRODUCER PREMIUMS.—Except as provided in paragraph (3), the following annual premiums apply:

Coverage Level	Premium per Cwt.
$4.00	None
$4.50	$0.010
$5.00	$0.025
$5.50	$0.040
$6.00	$0.055
$6.50	$0.090
$7.00	$0.217
$7.50	$0.300
$8.00	$0.475

(3) SPECIAL RULE.—The premium per hundredweight specified in the table contained in paragraph (2) for each coverage level (except the $8.00 coverage level) shall be reduced by 25 percent for each of calendar years 2014 and 2015.

(c) PREMIUM PER HUNDREDWEIGHT FOR PRODUCTION IN EXCESS OF 4 MILLION POUNDS.—

(1) IN GENERAL.—For milk marketings in excess of 4,000,000 pounds included in the production history of a participating dairy operation, the premium per hundredweight for each coverage level is specified in the table contained in paragraph (2).

(2) PRODUCER PREMIUMS.—The following annual premiums apply:

Coverage Level	Premium per Cwt.
$4.00	None
$4.50	$0.020
$5.00	$0.040
$5.50	$0.100
$6.00	$0.155
$6.50	$0.290
$7.00	$0.830
$7.50	$1.060
$8.00	$1.360

(d) TIME FOR PAYMENT OF PREMIUM.—The Secretary shall provide more than 1 method by which a participating dairy operation may pay the premium required under this section in any manner

that maximizes participating dairy operation payment flexibility and program integrity.

(e) PREMIUM OBLIGATIONS.—

(1) PRO-RATION OF PREMIUM FOR NEW PARTICIPANTS.—In the case of a participating dairy operation that first registers to participate in the margin protection program for a calendar year after the start of the calendar year, the participating dairy operation shall pay a pro-rated premium for that calendar year based on the portion of the calendar year for which the participating dairy operation purchases the coverage.

(2) LEGAL OBLIGATION.—A participating dairy operation in the margin protection program for a calendar year shall be legally obligated to pay the applicable premium for that calendar year, except that the Secretary may waive that obligation, under terms and conditions determined by the Secretary, for any participating dairy operation in the case of death, retirement, permanent dissolution of a participating dairy operation, or other circumstances as the Secretary considers appropriate to ensure the integrity of the program.

SEC. 1408. EFFECT OF FAILURE TO PAY ADMINISTRATIVE FEES OR PREMIUMS. 7 USC 9058.

(a) LOSS OF BENEFITS.—A participating dairy operation that fails to pay the required annual administrative fee under section 1404 or is in arrears on premium payments under section 1407—

(1) remains legally obligated to pay the administrative fee or premiums, as the case may be; and

(2) may not receive margin protection payments until the fees or premiums are fully paid.

(b) ENFORCEMENT.—The Secretary may take such action as necessary to collect administrative fees and premium payments for participation in the margin protection program.

SEC. 1409. DURATION. 7 USC 9059.

The margin protection program shall end on December 31, 2018.

SEC. 1410. ADMINISTRATION AND ENFORCEMENT. 7 USC 9060.

(a) IN GENERAL.—The Secretary shall promulgate regulations to address administrative and enforcement issues involved in carrying out the margin protection program.

(b) RECONSTITUTION.—The Secretary shall promulgate regulations to prohibit a dairy producer from reconstituting a dairy operation for the purpose of the dairy producer receiving margin protection payments.

(c) ADMINISTRATIVE APPEALS.—Using authorities under section 1001(h) of the Food Security Act of 1985 (7 U.S.C. 1308(h)) and subtitle H of the Department of Agriculture Reorganization Act (7 U.S.C. 6991 et seq.), the Secretary shall promulgate regulations to provide for administrative appeals of decisions of the Secretary that are adverse to participants of the margin protection program.

(d) INCLUSION OF ADDITIONAL ORDER.—Section 143(a)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7253(a)(2)) is amended by adding at the end the following new sentence: "Subsection (b) does not apply to the authority of the Secretary under this subsection.".

PART II—REPEAL OR REAUTHORIZATION OF OTHER DAIRY-RELATED PROVISIONS

SEC. 1421. REPEAL OF DAIRY PRODUCT PRICE SUPPORT PROGRAM.

Section 1501 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8771) is repealed.

SEC. 1422. TEMPORARY CONTINUATION AND EVENTUAL REPEAL OF MILK INCOME LOSS CONTRACT PROGRAM.

(a) TEMPORARY CONTINUATION OF PAYMENTS UNDER MILK INCOME LOSS CONTRACT PROGRAM.—Section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

"(6) TERMINATION DATE.—The term 'termination date' means the earlier of the following:

"(A) The date on which the Secretary certifies to Congress that the margin protection program required by section 1403 of the Agricultural Act of 2014 is operational.

"(B) September 1, 2014.";

(2) in subsection (c)(3)—

(A) in subparagraph (B), by inserting after "August 31, 2013," the following: "and for the period beginning February 1, 2014, and ending on the termination date,"; and

(B) in subparagraph (C), by striking "and thereafter," and inserting "and ending January 31, 2014,";

(3) in subsection (d)—

(A) in paragraph (2), by striking "For any month beginning on or after September 1, 2013," and inserting "During the period beginning on September 1, 2013, and ending on January 31, 2014,";

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following new paragraph (3):

"(3) FINAL ADJUSTMENT AUTHORITY.—During the period beginning on February 1, 2014, and ending on the termination date, if the National Average Dairy Feed Ration Cost for a month during that period is greater than $7.35 per hundredweight, the amount specified in subsection (c)(2)(A) used to determine the payment rate for that month shall be increased by 45 percent of the percentage by which the National Average Dairy Feed Ration Cost exceeds $7.35 per hundredweight.";

(4) in subsection (e)(2)(A)—

(A) in clause (ii), by inserting after "August 31, 2013," the following: "and for the period beginning February 1, 2014, and ending on the termination date,"; and

(B) in clause (iii), by striking "effective beginning September 1, 2013," and inserting "for the period beginning September 1, 2013, and ending January 31, 2014,";

(5) in subsection (g), by striking "during the period beginning on the date that is 90 days after the date of enactment of this Act and ending on September 30, 2013" and inserting "until the termination date"; and

(6) in subsection (h)(1), by striking "September 30, 2013" and inserting "the termination date".

(b) REPEAL OF MILK INCOME LOSS CONTRACT PROGRAM.— 7 USC 8773 note.

(1) REPEAL.—Effective on the termination date, section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) is repealed.

(2) TERMINATION DATE DEFINED.—In paragraph (1), the term "termination date" means the earlier of the following:

(A) The date on which the Secretary certifies to Congress that the margin protection program required by section 1403 is operational.

(B) September 1, 2014.

SEC. 1423. REPEAL OF DAIRY EXPORT INCENTIVE PROGRAM.

(a) REPEAL.—Section 153 of the Food Security Act of 1985 (15 U.S.C. 713a–14) is repealed.

(b) CONFORMING AMENDMENTS.—Section 902(2) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201(2)) is amended—

(1) by striking subparagraph (D); and

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively.

SEC. 1424. EXTENSION OF DAIRY FORWARD PRICING PROGRAM.

Section 1502(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8772(e)) is amended—

(1) in paragraph (1), by striking "2012" and inserting "2018"; and

(2) in paragraph (2), by striking "2015" and inserting "2021".

SEC. 1425. EXTENSION OF DAIRY INDEMNITY PROGRAM.

Section 3 of Public Law 90–484 (7 U.S.C. 450l) is amended by striking "2012" and inserting "2018".

SEC. 1426. EXTENSION OF DAIRY PROMOTION AND RESEARCH PROGRAM.

Section 113(e)(2) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(e)(2)) is amended by striking "2012" and inserting "2018".

SEC. 1427. REPEAL OF FEDERAL MILK MARKETING ORDER REVIEW COMMISSION.

Section 1509 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1726) is repealed.

PART III—DAIRY PRODUCT DONATION PROGRAM

SEC. 1431. DAIRY PRODUCT DONATION PROGRAM. 7 USC 9071.

(a) PROGRAM REQUIRED; PURPOSE.—Not later than 120 days after the date on which the Secretary certifies to Congress that the margin protection program is operational, the Secretary shall establish and administer a dairy product donation program for the purposes of—

(1) addressing low operating margins experienced by participating dairy operations; and

(2) providing nutrition assistance to individuals in low-income groups.

(b) PROGRAM TRIGGER.—The Secretary shall announce that the dairy product donation program is in effect for a month, and undertake activities under subsection (c) during the month, whenever the actual dairy production margin has been $4.00 or less per hundredweight of milk for each of the immediately preceding 2 months.

(c) REQUIRED PROGRAM ACTIVITIES.—

(1) IN GENERAL.—Whenever the dairy product donation program is in effect under subsection (b), the Secretary shall immediately purchase dairy products, at prevailing market prices, until such time as one of the termination conditions specified in subsection (d)(1) is met.

(2) CONSULTATION.—To determine the types and quantities of dairy products to purchase under the dairy product donation program, the Secretary shall consult with public and private nonprofit organizations organized to feed low-income populations

(d) TERMINATION OF PROGRAM ACTIVITIES.—

(1) TERMINATION THRESHOLDS.—The Secretary shall cease activities under the dairy product donation program, and shall not reinitiate activities under the program until the condition specified in subsection (b) is again met, whenever any one of the following occurs:

(A) The Secretary has made purchases under the dairy product donation program for three consecutive months, even if the actual dairy production margin remains $4.00 or less per hundredweight of milk.

(B) The actual dairy production margin has been greater than $4.00 per hundredweight of milk for the immediately preceding month.

(C) The actual dairy production margin has been $4.00 or less, but more than $3.00, per hundredweight of milk for the immediately preceding month and during the same month—

(i) the price in the United States for cheddar cheese was more than 5 percent above the world price; or

(ii) the price in the United States for non-fat dry milk was more than 5 percent above the world price of skim milk powder.

(D) The actual dairy production margin has been $3.00 or less per hundredweight of milk for the immediately preceding month and during the same month—

(i) the price in the United States for cheddar cheese was more than 7 percent above the world price; or

(ii) the price in the United States for non-fat dry milk was more than 7 percent above the world price of skim milk powder.

(2) DETERMINATIONS.—For purposes of this subsection, the Secretary shall determine the price in the United States for cheddar cheese and non-fat dry milk and the world price of cheddar cheese and skim milk powder.

(e) DISTRIBUTION OF PURCHASED DAIRY PRODUCTS.—

(1) IN GENERAL.—The Secretary of Agriculture shall distribute, but not store, the dairy products purchased under the dairy product donation program in a manner that encourages the domestic consumption of such dairy products by

diverting them to persons in low-income groups, as determined by the Secretary.

(2) USE OF PUBLIC OR PRIVATE NONPROFIT ORGANIZATIONS.—The Secretary shall utilize the services of public and private nonprofit organizations for the distribution of dairy products purchased under the dairy product donation program. A public or private nonprofit organization that receives dairy products may transfer the products to another public or private nonprofit organization that agrees to use the dairy products to provide, without cost or waste, nutrition assistance to individuals in low-income groups.

(f) PROHIBITION ON RESALE OF PRODUCTS.—A public or private nonprofit organization that receives dairy products under subsection (e) may not sell the products back into commercial markets.

(g) USE OF COMMODITY CREDIT CORPORATION FUNDS.—As specified in section 1601(a), the funds, facilities, and authorities of the Commodity Credit Corporation shall be available to the Secretary for the purposes of implementing and administering the dairy product donation program.

(h) DURATION.—In addition to the termination conditions specified in subsection (d)(1), the dairy product donation program shall end on December 31, 2018.

Subtitle E—Supplemental Agricultural Disaster Assistance Programs

SEC. 1501. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE. 7 USC 9081.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PRODUCER ON A FARM.—

(A) IN GENERAL.—The term "eligible producer on a farm" means an individual or entity described in subparagraph (B) that, as determined by the Secretary, assumes the production and market risks associated with the agricultural production of crops or livestock.

(B) DESCRIPTION.—An individual or entity referred to in subparagraph (A) is—

(i) a citizen of the United States;

(ii) a resident alien;

(iii) a partnership of citizens of the United States; or

(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law.

(2) FARM-RAISED FISH.—The term "farm-raised fish" means any aquatic species that is propagated and reared in a controlled environment.

(3) LIVESTOCK.—The term "livestock" includes—

(A) cattle (including dairy cattle);

(B) bison;

(C) poultry;

(D) sheep;

(E) swine;

(F) horses; and

(G) other livestock, as determined by the Secretary.

(4) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(b) LIVESTOCK INDEMNITY PAYMENTS.—

(1) PAYMENTS.—For fiscal year 2012 and each succeeding fiscal year, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to make livestock indemnity payments to eligible producers on farms that have incurred livestock death losses in excess of the normal mortality, as determined by the Secretary, due to—

(A) attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves and avian predators; or

(B) adverse weather, as determined by the Secretary, during the calendar year, including losses due to hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold.

(2) PAYMENT RATES.—Indemnity payments to an eligible producer on a farm under paragraph (1) shall be made at a rate of 75 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

(3) SPECIAL RULE FOR PAYMENTS MADE DUE TO DISEASE.—The Secretary shall ensure that payments made to an eligible producer under paragraph (1) are not made for the same livestock losses for which compensation is provided pursuant to section 10407(d) of the Animal Health Protection Act (7 U.S.C. 8306(d)).

(c) LIVESTOCK FORAGE DISASTER PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) COVERED LIVESTOCK.—

(i) IN GENERAL.—Except as provided in clause (ii), the term "covered livestock" means livestock of an eligible livestock producer that, during the 60 days prior to the beginning date of a qualifying drought or fire condition, as determined by the Secretary, the eligible livestock producer—

(I) owned;

(II) leased;

(III) purchased;

(IV) entered into a contract to purchase;

(V) is a contract grower; or

(VI) sold or otherwise disposed of due to qualifying drought conditions during—

(aa) the current production year; or

(bb) subject to paragraph (3)(B)(ii), 1 or both of the 2 production years immediately preceding the current production year.

(ii) EXCLUSION.—The term "covered livestock" does not include livestock that were or would have been in a feedlot, on the beginning date of the qualifying drought or fire condition, as a part of the normal business operation of the eligible livestock producer, as determined by the Secretary.

(B) DROUGHT MONITOR.—The term "drought monitor" means a system for classifying drought severity according to a range of abnormally dry to exceptional drought, as defined by the Secretary.

(C) ELIGIBLE LIVESTOCK PRODUCER.—

(i) IN GENERAL.—The term "eligible livestock producer" means an eligible producer on a farm that—

(I) is an owner, cash or share lessee, or contract grower of covered livestock that provides the pastureland or grazing land, including cash-leased pastureland or grazing land, for the livestock;

(II) provides the pastureland or grazing land for covered livestock, including cash-leased pastureland or grazing land that is physically located in a county affected by drought;

(III) certifies grazing loss; and

(IV) meets all other eligibility requirements established under this subsection.

(ii) EXCLUSION.—The term "eligible livestock producer" does not include an owner, cash or share lessee, or contract grower of livestock that rents or leases pastureland or grazing land owned by another person on a rate-of-gain basis.

(D) NORMAL CARRYING CAPACITY.—The term "normal carrying capacity", with respect to each type of grazing land or pastureland in a county, means the normal carrying capacity, as determined under paragraph (3)(D)(i), that would be expected from the grazing land or pastureland for livestock during the normal grazing period, in the absence of a drought or fire that diminishes the production of the grazing land or pastureland.

(E) NORMAL GRAZING PERIOD.—The term "normal grazing period", with respect to a county, means the normal grazing period during the calendar year for the county, as determined under paragraph (3)(D)(i).

(2) PROGRAM.—For fiscal year 2012 and each succeeding fiscal year, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide compensation for losses to eligible livestock producers due to grazing losses for covered livestock due to—

(A) a drought condition, as described in paragraph (3); or

(B) fire, as described in paragraph (4).

(3) ASSISTANCE FOR LOSSES DUE TO DROUGHT CONDITIONS.—

(A) ELIGIBLE LOSSES.—

(i) IN GENERAL.—An eligible livestock producer may receive assistance under this subsection only for grazing losses for covered livestock that occur on land that—

(I) is native or improved pastureland with permanent vegetative cover; or

(II) is planted to a crop planted specifically for the purpose of providing grazing for covered livestock.

(ii) EXCLUSIONS.—An eligible livestock producer may not receive assistance under this subsection for grazing losses that occur on land used for haying or grazing under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.).

(B) MONTHLY PAYMENT RATE.—

(i) IN GENERAL.—Except as provided in clause (ii), the payment rate for assistance under this paragraph for 1 month shall, in the case of drought, be equal to 60 percent of the lesser of—

(I) the monthly feed cost for all covered livestock owned or leased by the eligible livestock producer, as determined under subparagraph (C); or

(II) the monthly feed cost calculated by using the normal carrying capacity of the eligible grazing land of the eligible livestock producer.

(ii) PARTIAL COMPENSATION.—In the case of an eligible livestock producer that sold or otherwise disposed of covered livestock due to drought conditions in 1 or both of the 2 production years immediately preceding the current production year, as determined by the Secretary, the payment rate shall be 80 percent of the payment rate otherwise calculated in accordance with clause (i).

(C) MONTHLY FEED COST.—

(i) IN GENERAL.—The monthly feed cost shall equal the product obtained by multiplying—

(I) 30 days;

(II) a payment quantity that is equal to the feed grain equivalent, as determined under clause (ii); and

(III) a payment rate that is equal to the corn price per pound, as determined under clause (iii).

(ii) FEED GRAIN EQUIVALENT.—For purposes of clause (i)(II), the feed grain equivalent shall equal—

(I) in the case of an adult beef cow, 15.7 pounds of corn per day; or

(II) in the case of any other type of weight of livestock, an amount determined by the Secretary that represents the average number of pounds of corn per day necessary to feed the livestock.

(iii) CORN PRICE PER POUND.—For purposes of clause (i)(III), the corn price per pound shall equal the quotient obtained by dividing—

(I) the higher of—

(aa) the national average corn price per bushel for the 12-month period immediately preceding March 1 of the year for which the disaster assistance is calculated; or

(bb) the national average corn price per bushel for the 24-month period immediately preceding that March 1; by

(II) 56.

(D) NORMAL GRAZING PERIOD AND DROUGHT MONITOR INTENSITY.—

(i) FSA COUNTY COMMITTEE DETERMINATIONS.—

(I) IN GENERAL.—The Secretary shall determine the normal carrying capacity and normal grazing period for each type of grazing land or pastureland in the county served by the applicable committee.

(II) CHANGES.—No change to the normal carrying capacity or normal grazing period established for a county under subclause (I) shall be made unless the change is requested by the appropriate State and county Farm Service Agency committees.

(ii) DROUGHT INTENSITY.—

(I) D2.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having a D2 (severe drought) intensity in any area of the county for at least 8 consecutive weeks during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph in an amount equal to 1 monthly payment using the monthly payment rate determined under subparagraph (B).

(II) D3.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having at least a D3 (extreme drought) intensity in any area of the county at any time during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph—

(aa) in an amount equal to 3 monthly payments using the monthly payment rate determined under subparagraph (B);

(bb) if the county is rated as having a D3 (extreme drought) intensity in any area of the county for at least 4 weeks during the normal grazing period for the county, or is rated as having a D4 (exceptional drought) intensity in any area of the county at any time during the normal grazing period, in an amount equal to 4 monthly payments using the monthly payment rate determined under subparagraph (B); or

(cc) if the county is rated as having a D4 (exceptional drought) intensity in any area of the county for at least 4 weeks during the normal grazing period, in an amount equal to 5 monthly payments using the monthly rate determined under subparagraph (B).

(4) ASSISTANCE FOR LOSSES DUE TO FIRE ON PUBLIC MANAGED LAND.—

(A) IN GENERAL.—An eligible livestock producer may receive assistance under this paragraph only if—

(i) the grazing losses occur on rangeland that is managed by a Federal agency; and

(ii) the eligible livestock producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland due to a fire.

(B) PAYMENT RATE.—The payment rate for assistance under this paragraph shall be equal to 50 percent of the

monthly feed cost for the total number of livestock covered by the Federal lease of the eligible livestock producer, as determined under paragraph (3)(C).

(C) PAYMENT DURATION.—

(i) IN GENERAL.—Subject to clause (ii), an eligible livestock producer shall be eligible to receive assistance under this paragraph for the period—

(I) beginning on the date on which the Federal agency excludes the eligible livestock producer from using the managed rangeland for grazing; and

(II) ending on the last day of the Federal lease of the eligible livestock producer.

(ii) LIMITATION.—An eligible livestock producer may only receive assistance under this paragraph for losses that occur on not more than 180 days per year.

(5) NO DUPLICATIVE PAYMENTS.—An eligible livestock producer may elect to receive assistance for grazing or pasture feed losses due to drought conditions under paragraph (3) or fire under paragraph (4), but not both for the same loss, as determined by the Secretary.

(d) EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.—

(1) IN GENERAL.—For fiscal year 2012 and each succeeding fiscal year, the Secretary shall use not more than $20,000,000 of the funds of the Commodity Credit Corporation to provide emergency relief to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses due to disease (including cattle tick fever), adverse weather, or other conditions, such as blizzards and wildfires, as determined by the Secretary, that are not covered under subsection (b) or (c).

(2) USE OF FUNDS.—Funds made available under this subsection shall be used to reduce losses caused by feed or water shortages, disease, or other factors as determined by the Secretary.

(3) AVAILABILITY OF FUNDS.—Any funds made available under this subsection shall remain available until expended.

(e) TREE ASSISTANCE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ORCHARDIST.—The term "eligible orchardist" means a person that produces annual crops from trees for commercial purposes.

(B) NATURAL DISASTER.—The term "natural disaster" means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, or other occurrence, as determined by the Secretary.

(C) NURSERY TREE GROWER.—The term "nursery tree grower" means a person who produces nursery, ornamental, fruit, nut, or Christmas trees for commercial sale, as determined by the Secretary.

(D) TREE.—The term "tree" includes a tree, bush, and vine.

(2) ELIGIBILITY.—

(A) LOSS.—Subject to subparagraph (B), for fiscal year 2012 and each succeeding fiscal year, the Secretary shall

use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance—

(i) under paragraph (3) to eligible orchardists and nursery tree growers that planted trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary; and

(ii) under paragraph (3)(B) to eligible orchardists and nursery tree growers that have a production history for commercial purposes on planted or existing trees but lost the trees as a result of a natural disaster, as determined by the Secretary.

(B) LIMITATION.—An eligible orchardist or nursery tree grower shall qualify for assistance under subparagraph (A) only if the tree mortality of the eligible orchardist or nursery tree grower, as a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

(3) ASSISTANCE.—Subject to paragraph (4), the assistance provided by the Secretary to eligible orchardists and nursery tree growers for losses described in paragraph (2) shall consist of—

(A)(i) reimbursement of 65 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

(ii) at the option of the Secretary, sufficient seedlings to reestablish a stand; and

(B) reimbursement of 50 percent of the cost of pruning, removal, and other costs incurred by an eligible orchardist or nursery tree grower to salvage existing trees or, in the case of tree mortality, to prepare the land to replant trees as a result of damage or tree mortality due to a natural disaster, as determined by the Secretary, in excess of 15 percent damage or mortality (adjusted for normal tree damage and mortality).

(4) LIMITATIONS ON ASSISTANCE.—

(A) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this paragraph, the terms "legal entity" and "person" have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) AMOUNT.—The total amount of payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this subsection may not exceed $125,000 for any crop year, or an equivalent value in tree seedlings.

(C) ACRES.—The total quantity of acres planted to trees or tree seedlings for which a person or legal entity shall be entitled to receive payments under this subsection may not exceed 500 acres.

(f) PAYMENT LIMITATIONS.—

(1) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this subsection, the terms "legal entity" and "person" have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(2) AMOUNT.—The total amount of disaster assistance payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under

this section (excluding payments received under subsection (e)) may not exceed $125,000 for any crop year.

(3) DIRECT ATTRIBUTION.—Subsections (e) and (f) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) or any successor provisions relating to direct attribution shall apply with respect to assistance provided under this section.

Subtitle F—Administration

7 USC 9091.

SEC. 1601. ADMINISTRATION GENERALLY.

(a) USE OF COMMODITY CREDIT CORPORATION.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title.

(b) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this title shall be final and conclusive.

(c) REGULATIONS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, not later than 90 days after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this title and the amendments made by this title.

(2) PROCEDURE.—The promulgation of the regulations and administration of this title and the amendments made by this title and sections 11003 and 11017 shall be made without regard to—

(A) the notice and comment provisions of section 553 of title 5, United States Code;

(B) chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act"); and

(C) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking.

(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

(d) ADJUSTMENT AUTHORITY RELATED TO TRADE AGREEMENTS COMPLIANCE.—

(1) REQUIRED DETERMINATION; ADJUSTMENT.—If the Secretary determines that expenditures under this title that are subject to the total allowable domestic support levels under the Uruguay Round Agreements (as defined in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501)) will exceed such allowable levels for any applicable reporting period, the Secretary shall, to the maximum extent practicable, make adjustments in the amount of such expenditures during that period to ensure that such expenditures do not exceed the allowable levels.

(2) CONGRESSIONAL NOTIFICATION.—Before making any adjustment under paragraph (1), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the determination made under that paragraph and the extent of the adjustment to be made.

SEC. 1602. SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITY. 7 USC 9092.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to the 2014 through 2018 crops of covered commodities (as defined in section 1111), cotton, and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act through December 31, 2018:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 shall not be applicable to the 2014 through 2018 crops of covered commodities (as defined in section 1111), cotton, and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act and through December 31, 2018:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—The joint resolution entitled "A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended", approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to the crops of wheat planted for harvest in the calendar years 2014 through 2018.

SEC. 1603. PAYMENT LIMITATIONS.

(a) IN GENERAL.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking subsections (b) and (c) and inserting the following:

"(b) LIMITATION ON PAYMENTS FOR COVERED COMMODITIES (OTHER THAN PEANUTS).—The total amount of payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under sections 1116 and 1117 and as marketing loan gains or loan deficiency payments under subtitle B of title I of the Agricultural Act of 2014 (other than for peanuts) may not exceed $125,000.

"(c) LIMITATION ON PAYMENTS FOR PEANUTS.—The total amount of payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under sections 1116 and 1117 and as marketing loan gains or loan deficiency payments under subtitle B of title I of the Agricultural Act of 2014 for peanuts may not exceed $125,000.".

(b) CONFORMING AMENDMENTS.—

(1) LIMITATION ON APPLICABILITY.—Section 1001(d) of the Food Security Act of 1985 (7 U.S.C. 1308(d)) is amended by striking "the marketing assistance loan program or the loan deficiency payment program under title I of the Food, Conservation, and Energy Act of 2008" and inserting "the forfeiture of a commodity pledged as collateral for a loan made available under subtitle B of title I of the Agricultural Act of 2014".

(2) TREATMENT OF FEDERAL AGENCIES AND STATE AND LOCAL GOVERNMENTS.—Section 1001(f) of the Food Security Act of 1985 (7 U.S.C. 1308(f)) is amended—

(A) in paragraph (5)(A), by striking "or title XII" and inserting ", title I of the Agricultural Act of 2014, or title XII"; and

(B) in paragraph (6)(A), by striking "or title XII" and inserting ", title I of the Agricultural Act of 2014, or title XII".

(3) FOREIGN PERSONS INELIGIBLE.—Section 1001C(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3(a)) is amended by inserting "title I of the Agricultural Act of 2014," after "2008,".

7 USC 1308 note.

(c) APPLICATION.—The amendments made by this section shall apply beginning with the 2014 crop year.

7 USC 1308–1 note.

SEC. 1604. RULEMAKING RELATED TO SIGNIFICANT CONTRIBUTION FOR ACTIVE PERSONAL MANAGEMENT.

(a) REGULATIONS REQUIRED.—Within 180 days after the date of the enactment of this Act, the Secretary shall promulgate, with an opportunity for notice and comment, regulations—

(1) to define the term "significant contribution of active personal management" for purposes of section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1); and

(2) if the Secretary determines it is appropriate, to establish limits for varying types of farming operations on the number of individuals who may be considered to be actively engaged in farming with respect to the farming operation when a significant contribution of active personal management is the basis used to meet the requirement of being actively engaged in farming under section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1) by an individual or entity.

(b) CONSIDERATIONS.—In promulgating the regulations required under subsection (a), the Secretary shall consider—

(1) the size, nature, and management requirements of each type of farming operation;

(2) the changing nature of active personal management due to advancements of farming operations; and

(3) the degree to which the regulations promulgated pursuant to subsection (a) will adversely impact the long-term viability of the farming operation.

(c) FAMILY FARMS.—The Secretary shall not apply the regulations promulgated pursuant to subsection (a) to individuals or entities comprised solely of family members (as that term is defined in section 1001(a)(2) of the Food Security Act of 1985 (7 U.S.C. 1308(a)(2))).

(d) MONITORING.—The regulations promulgated pursuant to subsection (a) shall include a plan for monitoring the status of compliance reviews for whether a person or entity is in compliance with the regulations.

(e) PAPERWORK REDUCTION.—In order to conserve Federal resources and prevent unnecessary paperwork burdens, the Secretary shall ensure that any additional paperwork required as a result of the regulations promulgated pursuant to subsection (a) be limited to those persons who are subject to such regulations.

(f) RELATION TO OTHER REQUIREMENTS.—Nothing in this section may be construed to authorize the Secretary to alter, directly or indirectly, existing regulations for other requirements in section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1).

(g) EFFECTIVE DATE.—The requirements of any regulation promulgated pursuant to this section shall apply beginning with the 2015 crop year.

SEC. 1605. ADJUSTED GROSS INCOME LIMITATION.

(a) LIMITATIONS AND COVERED BENEFITS.—Section 1001D(b) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)) is amended—

(1) in the subsection heading, by striking "LIMITATIONS" and inserting "LIMITATIONS ON COMMODITY AND CONSERVATION PROGRAMS";

(2) by striking paragraphs (1) and (2) and inserting the following new paragraphs:

"(1) LIMITATION.—Notwithstanding any other provision of law, a person or legal entity shall not be eligible to receive any benefit described in paragraph (2) during a crop, fiscal, or program year, as appropriate, if the average adjusted gross income of the person or legal entity exceeds $900,000.

"(2) COVERED BENEFITS.—Paragraph (1) applies with respect to the following:

"(A) A payment or benefit under subtitle A or E of title I of the Agricultural Act of 2014.

"(B) A marketing loan gain or loan deficiency payment under subtitle B of title I of the Agricultural Act of 2014.

"(C) Starting with fiscal year 2015, a payment or benefit under title II of the Agricultural Act of 2014, title II of the Farm Security and Rural Investment Act of 2002, title II of the Food, Conservation, and Energy Act of 2008, or title XII of the Food Security Act of 1985.

"(D) A payment or benefit under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)).

"(E) A payment or benefit under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).".

(b) UPDATING DEFINITIONS.—Paragraph (1) of section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(a)) is amended to read as follows:

"(1) AVERAGE ADJUSTED GROSS INCOME.—In this section, the term 'average adjusted gross income', with respect to a person or legal entity, means the average of the adjusted gross income or comparable measure of the person or legal entity over the 3 taxable years preceding the most immediately preceding complete taxable year, as determined by the Secretary.".

(c) INCOME DETERMINATION.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively.

(d) CONFORMING AMENDMENTS.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a) is amended—

(1) in subsection (a)(2)—

(A) by striking "subparagraph (A) or (B) of"; and

(B) by striking ", the average adjusted gross farm income, and the average adjusted gross nonfarm income";

(2) in subsection (a)(3), by striking ", average adjusted gross farm income, and average adjusted gross nonfarm income" both places it appears;

(3) in subsection (c) (as redesignated by subsection (c)(2) of this section)—

(A) in paragraph (1), by striking ", average adjusted gross farm income, and average adjusted gross nonfarm income" both places it appears; and

(B) in paragraph (2), by striking "paragraphs (1)(C) and (2)(B) of subsection (b)" and inserting "subsection (b)(2)"; and

(4) in subsection (d) (as redesignated by subsection (c)(2) of this section)—

(A) by striking "paragraphs (1)(C) and (2)(B) of subsection (b)" and inserting "subsection (b)(2)"; and

(B) by striking ", average adjusted gross farm income, or average adjusted gross nonfarm income".

(e) EFFECTIVE PERIOD.—Subsection (e) of section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a), as redesignated by subsection (c)(2) of this section, is repealed.

(f) LIMITATION ON APPLICABILITY.—Section 1001(d) of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by inserting before the period at the end the following: "or title I of the Agricultural Act of 2014".

7 USC 1308–3a note.

(g) TRANSITION.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a), as in effect on the day before the date of the enactment of this Act, shall apply with respect to the 2013 crop, fiscal, or program year, as appropriate, for each program described in paragraphs (1)(C) and (2)(B) of subsection (b) of that section (as so in effect on that day).

SEC. 1606. GEOGRAPHICALLY DISADVANTAGED FARMERS AND RANCHERS.

Section 1621(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8792(d)) is amended by striking "each of fiscal years 2009 through 2012" and inserting "fiscal year 2009 and each succeeding fiscal year".

SEC. 1607. PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.

Section 164 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7284) is amended by striking "and title I of the Food, Conservation, and Energy Act of 2008" each place it appears and inserting "title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702 et seq.), and title I of the Agricultural Act of 2014".

7 USC 9093.

SEC. 1608. PREVENTION OF DECEASED INDIVIDUALS RECEIVING PAYMENTS UNDER FARM COMMODITY PROGRAMS.

(a) RECONCILIATION.—At least twice each year, the Secretary shall reconcile Social Security numbers of all individuals who receive payments under this title, whether directly or indirectly,

with the Commissioner of Social Security to determine if the individuals are alive.

(b) PRECLUSION.—The Secretary shall preclude the issuance of payments to, and on behalf of, deceased individuals that were not eligible for payments.

SEC. 1609. TECHNICAL CORRECTIONS.

(a) MISSING PUNCTUATION.—Section 359f(c)(1)(B) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ff(c)(1)(B)) is amended by adding a period at the end.

(b) ERRONEOUS CROSS REFERENCE.—

(1) AMENDMENT.—Section 1603(g) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1739) is amended in paragraphs (2) through (6) and the amendments made by those paragraphs by striking "1703(a)" each place it appears and inserting "1603(a)".

(2) EFFECTIVE DATE.—This subsection and the amendments made by this subsection take effect as if included in the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1651).

7 USC 1471g, 1524, 8204; 16 USC 2106a; 19 USC 2401.
7 USC 1471g note.

(c) CONTINUED APPLICABILITY OF APPROPRIATIONS GENERAL PROVISION.—Section 767 of division A of Public Law 108–7 (7 U.S.C. 7911 note; 117 Stat. 48) is amended—

(1) by striking "(a)";

(2) by striking "sections 1101 and 1102 of Public Law 107–171" and inserting "subtitle A of title I of the Agricultural Act of 2014"; and

(3) by striking "such section 1102" and inserting "such subtitle"; and

(4) by striking subsection (b).

SEC. 1610. APPEALS.

(a) DIRECTION, CONTROL, AND SUPPORT.—Section 272 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6992) is amended by striking subsection (c) and inserting the following:

"(c) DIRECTION, CONTROL, AND SUPPORT.—

"(1) DIRECTION AND CONTROL.—

"(A) IN GENERAL.—Except as provided in paragraph (2), the Director shall be free from the direction and control of any person other than the Secretary or the Deputy Secretary of Agriculture.

"(B) ADMINISTRATIVE SUPPORT.—The Division shall not receive administrative support (except on a reimbursable basis) from any agency other than the Office of the Secretary.

"(C) PROHIBITION ON DELEGATION.—The Secretary may not delegate to any other officer or employee of the Department, other than the Deputy Secretary of Agriculture or the Director, the authority of the Secretary with respect to the Division.

"(2) EXCEPTION.—The Assistant Secretary for Administration is authorized to investigate, enforce, and implement the provisions in law, Executive order, or regulations that relate in general to competitive and excepted service positions and employment within the Division, including the position of Director, and such authority may be further delegated to subordinate officials.".

(b) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended—

(1) in the matter preceding paragraph (1) by striking "affect—" and inserting "affect:";

(2) by striking "the authority" each place it appears in paragraphs (1) through (7) and inserting "The authority";

(3) by striking the semicolon at the end of each of paragraphs (1) through (5) and inserting a period;

(4) in paragraph (6)(C), by striking "; or" at the end and inserting a period; and

(5) by adding at the end the following:

"(8) The authority of the Secretary to carry out amendments made to this title by the Agricultural Act of 2014.".

7 USC 9094.

SEC. 1611. ASSIGNMENT OF PAYMENTS.

(a) IN GENERAL.—The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)), relating to assignment of payments, shall apply to payments made under this title.

(b) NOTICE.—The producer making the assignment, or the assignee, shall provide the Secretary with notice, in such manner as the Secretary may require, of any assignment made under this section.

7 USC 9095.

SEC. 1612. TRACKING OF BENEFITS.

As soon as practicable after the date of enactment of this Act, the Secretary may track the benefits provided, directly or indirectly, to individuals and entities under titles I and II and the amendments made by those titles.

7 USC 9096.

SEC. 1613. SIGNATURE AUTHORITY.

(a) IN GENERAL.—In carrying out this title and title II and amendments made by those titles, if the Secretary approves a document, the Secretary shall not subsequently determine the document is inadequate or invalid because of the lack of authority of any person signing the document on behalf of the applicant or any other individual, entity, general partnership, or joint venture, or the documents relied upon were determined inadequate or invalid, unless the person signing the program document knowingly and willfully falsified the evidence of signature authority or a signature.

(b) AFFIRMATION.—

(1) IN GENERAL.—Nothing in this section prohibits the Secretary from asking a proper party to affirm any document that otherwise would be considered approved under subsection (a).

(2) NO RETROACTIVE EFFECT.—A denial of benefits based on a lack of affirmation under paragraph (1) shall not be retroactive with respect to third-party producers who were not the subject of the erroneous representation of authority, if the third-party producers—

(A) relied on the prior approval by the Secretary of the documents in good faith; and

(B) substantively complied with all program requirements.

SEC. 1614. IMPLEMENTATION. 7 USC 9097.

(a) MAINTENANCE OF BASE ACRES AND PAYMENT YIELDS.—The Secretary shall maintain, for each covered commodity and upland cotton, base acres and payment yields on a farm established under sections 1001 and 1301 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702, 8751), as adjusted pursuant to sections 1101, 1102, 1108, and 1302 of such Act (7 U.S.C. 8711, 8712, 8718, 8752), as in effect on September 30, 2013.

(b) STREAMLINING.—In implementing this title, the Secretary shall—

(1) reduce administrative burdens and costs to producers by streamlining and reducing paperwork, forms, and other administrative requirements, including through the implementation of the Acreage Crop Reporting and Streamlining Initiative that, in part, shall ensure that—

(A) a producer (or an agent of a producer) may report information, electronically (including geospatial data) or conventionally, to the Department; and

(B) upon the request of the producer (or agent thereof) the Department of Agriculture electronically shares with the producer (or agent) in real time and without cost to the producer (or agent) the common land unit data, related farm level data, and other information of the producer;

(2) improve coordination, information sharing, and administrative work with the Farm Service Agency, Risk Management Agency, and the Natural Resources Conservation Service; and

(3) take advantage of new technologies to enhance efficiency and effectiveness of program delivery to producers.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—The Secretary shall make available to the Farm Service Agency to carry out this title $100,000,000.

(2) ADDITIONAL FUNDS.—

(A) INITIAL DETERMINATION.—If, by September 30, 2014, the Secretary notifies the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that the Farm Service Agency has made substantial progress toward implementing the requirements of subsection (b)(1), the Secretary shall make available to the Farm Service Agency to carry out this title $10,000,000 on October 1, 2014. The amount made available under this subparagraph is in addition to the amount made available under paragraph (1).

(B) SUBSEQUENT DETERMINATION.—If, by September 30, 2015, the Secretary notifies the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that the requirements of subsection (b)(1) have been fully implemented and those Committees provide written concurrence to the Secretary, the Secretary shall make available to the Farm Service Agency to carry out this title $10,000,000 on the date the written concurrence is provided or October 1, 2015, whichever is later. The amount made available under this subparagraph is in addition to the amount made available under paragraph (1) and any amount made available under subparagraph (A).

(3) PRODUCER EDUCATION.—

(A) IN GENERAL.—Of the funds made available under paragraph (1), the Secretary shall provide $3,000,000 to State extension services for the purpose of educating farmers and ranchers on the options made available under subtitles A, D, and E of this title and under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(B) WEB-BASED DECISION AIDS.—

(i) USE OF QUALIFIED UNIVERSITIES.—Of the funds made available under paragraph (1), the Secretary shall use $3,000,000 to support qualified universities (or university-based organizations) that represent a diversity of regions and commodities (including dairy), possess expertise regarding the programs authorized by this Act, have a history in the development of decision aids and producer outreach initiatives regarding farm risk management programs, and are able to meet the deadline established pursuant to clause (ii) to develop web-based decision aids to assist producers in understanding available options described in subparagraph (A) and to train producers to use these decision aids.

(ii) DEADLINES.—To the maximum extent practicable, the Secretary shall—

(I) obligate the funds made available under clause (i) within 30 days after the date of the enactment of this Act; and

(II) require the products described in clause (i) to be made available to producers on the internet within a reasonable period of time, as determined by the Secretary, after the implementation of the first rule implementing programs required under subtitle A of this title.

(d) LOAN IMPLEMENTATION.—

(1) IN GENERAL.—In any crop year in which an order is issued pursuant 2 U.S.C. 901(a), the Secretary shall use such sums as necessary of the funds of the Commodity Credit Corporation for such crop year to fully restore the support, loan, or assistance that is otherwise required under subtitles B or C of this title or under the amendments made by subtitles B or C, except with respect to the assistance provided under sections 1207(c) and 1208.

(2) REPAYMENT.—In carrying out this subsection, the Secretary shall ensure that when a producer repays a loan at a rate equal to the loan rate plus interest in accordance with the repayment provisions of subtitles B or C that the repayment amount shall include the portion of the loan amount provided under paragraph (1), except that this paragraph shall not affect or reduce marketing loan gains, loan deficiency payments, or forfeiture benefits provided for under subtitles B or C and as supplemented in accordance with paragraph (1).

SEC. 1615. RESEARCH OPTION.

(a) IN GENERAL.—Notwithstanding section 4(m) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(m)), funds of the Commodity Credit Corporation disbursed pursuant to the memorandum of understanding between the Government of the

United States of America and the Government of the Federative Republic of Brazil regarding a fund for technical assistance and capacity building with respect to dispute WT/DS 267 in the World Trade Organization may, upon resolution of the dispute, be used for research consistent with the conditions imposed by subsection (b).

(b) CONDITIONS.—Research authorized by subsection (a) must be conducted in collaboration with research agencies of the United States Department of Agriculture or with a college, university, or research foundation located in the United States. Such research and collaboration shall be subject to the agreement of the parties to the resolved dispute described in subsection (a).

TITLE II—CONSERVATION

Subtitle A—Conservation Reserve Program

SEC. 2001. EXTENSION AND ENROLLMENT REQUIREMENTS OF CONSERVATION RESERVE PROGRAM.

(a) EXTENSION.—Section 1231(a) of the Food Security Act of 1985 (16 U.S.C. 3831(a)) is amended by striking "2012" and inserting "2018".

(b) ELIGIBLE LAND.—Section 1231(b) of the Food Security Act of 1985 (16 U.S.C. 3831(b)) is amended—

(1) in paragraph (1)(B), by striking "the date of enactment of the Food, Conservation, and Energy Act of 2008" and inserting "the date of enactment of the Agricultural Act of 2014";

(2) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(3) by inserting before paragraph (4) the following new paragraph:

"(3) grasslands that—

"(A) contain forbs or shrubland (including improved rangeland and pastureland) for which grazing is the predominant use;

"(B) are located in an area historically dominated by grasslands; and

"(C) could provide habitat for animal and plant populations of significant ecological value if the land is retained in its current use or restored to a natural condition;";

(4) in paragraph (4)(C), by striking "filterstrips devoted to trees or shrubs" and inserting "filterstrips or riparian buffers devoted to trees, shrubs, or grasses"; and

(5) by striking paragraph (5) and inserting the following new paragraph:

"(5) the portion of land in a field not enrolled in the conservation reserve in a case in which—

"(A) more than 50 percent of the land in the field is enrolled as a buffer or filterstrip, or more than 75 percent of the land in the field is enrolled as a conservation practice other than as a buffer or filterstrip; and

"(B) the remainder of the field is—

"(i) infeasible to farm; and

"(ii) enrolled at regular rental rates.".

(c) PLANTING STATUS OF CERTAIN LAND.—Section 1231(c) of the Food Security Act of 1985 (16 U.S.C. 3831(c)) is amended by striking "if" and all that follows through the period at the end and inserting "if, during the crop year, the land was devoted to a conserving use.".

(d) ENROLLMENT.—Subsection (d) of section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended to read as follows:

"(d) ENROLLMENT.—

"(1) MAXIMUM ACREAGE ENROLLED.—The Secretary may maintain in the conservation reserve at any one time during—

"(A) fiscal year 2014, no more than 27,500,000 acres;

"(B) fiscal year 2015, no more than 26,000,000 acres;

"(C) fiscal year 2016, no more than 25,000,000 acres;

"(D) fiscal year 2017, no more than 24,000,000 acres; and

"(E) fiscal year 2018, no more than 24,000,000 acres.

"(2) GRASSLANDS.—

"(A) LIMITATION.—For purposes of applying the limitations in paragraph (1), no more than 2,000,000 acres of the land described in subsection (b)(3) may be enrolled in the program at any one time during the 2014 through 2018 fiscal years.

"(B) PRIORITY.—In enrolling acres under subparagraph (A), the Secretary may give priority to land with expiring conservation reserve program contracts.

"(C) METHOD OF ENROLLMENT.—In enrolling acres under subparagraph (A), the Secretary shall make the program available to owners or operators of eligible land on a continuous enrollment basis with one or more ranking periods.".

(e) DURATION OF CONTRACT.—Section 1231(e) of the Food Security Act of 1985 (16 U.S.C. 3831(e)) is amended by striking paragraphs (2) and (3) and inserting the following new paragraph:

"(2) SPECIAL RULE FOR CERTAIN LAND.—In the case of land devoted to hardwood trees, shelterbelts, windbreaks, or wildlife corridors under a contract entered into under this subchapter, the owner or operator of the land may, within the limitations prescribed under paragraph (1), specify the duration of the contract.".

(f) CONSERVATION PRIORITY AREAS.—Section 1231(f) of the Food Security Act of 1985 (16 U.S.C. 3831(f)) is amended—

(1) in paragraph (1), by striking "watershed areas of the Chesapeake Bay Region, the Great Lakes Region, the Long Island Sound Region, and other";

(2) in paragraph (2), by striking "WATERSHEDS.—Watersheds" and inserting "AREAS.—Areas"; and

(3) in paragraph (3), by striking "a watershed's designation—" and all that follows through the period at the end and inserting "an area's designation if the Secretary finds that the area no longer contains actual and significant adverse water quality or habitat impacts related to agricultural production activities.".

SEC. 2002. FARMABLE WETLAND PROGRAM.

(a) EXTENSION.—Section 1231B(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3831b(a)(1)) is amended—

(1) by striking "2012" and inserting "2018"; and

(2) by striking "a program" and inserting "a farmable wetland program".

(b) ELIGIBLE ACREAGE.—Section 1231B(b)(1)(B) of the Food Security Act of 1985 (16 U.S.C. 3831b(b)(1)(B)) is amended by striking "flow from a row crop agriculture drainage system" and inserting "surface and subsurface flow from row crop agricultural production".

(c) ACREAGE LIMITATION.—Section 1231B(c)(1)(B) of the Food Security Act of 1985 (16 U.S.C. 3831b(c)(1)(B)) is amended by striking "1,000,000" and inserting "750,000".

(d) CLERICAL AMENDMENTS.—Section 1231B of the Food Security Act of 1985 (16 U.S.C. 3831b) is amended—

(1) by striking the heading and inserting the following: "**FARMABLE WETLAND PROGRAM**"; and

(2) in subsection (f)(2), by striking "section 1234(c)(2)(B)" and inserting "section 1234(d)(2)(A)(ii)".

SEC. 2003. DUTIES OF OWNERS AND OPERATORS.

(a) LIMITATION ON HARVESTING, GRAZING, OR COMMERCIAL USE OF FORAGE.—Section 1232(a)(8) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(8)) is amended by striking "except that" and all that follows through the semicolon at the end of the paragraph and inserting "except as provided in subsection (b) or (c) of section 1233;".

(b) CONSERVATION PLAN REQUIREMENTS.—Subsection (b) of section 1232 of the Food Security Act of 1985 (16 U.S.C. 3832) is amended to read as follows:

"(b) CONSERVATION PLANS.—The plan referred to in subsection (a)(1) shall set forth—

"(1) the conservation measures and practices to be carried out by the owner or operator during the term of the contract; and

"(2) the commercial use, if any, to be permitted on the land during the term.".

(c) RENTAL PAYMENT REDUCTION.—Section 1232 of the Food Security Act of 1985 (16 U.S.C. 3832) is amended by striking subsection (d).

SEC. 2004. DUTIES OF THE SECRETARY.

Section 1233 of the Food Security Act of 1985 (16 U.S.C. 3833) is amended to read as follows:

"SEC. 1233. DUTIES OF THE SECRETARY.

"(a) COST-SHARE AND RENTAL PAYMENTS.—In return for a contract entered into by an owner or operator under the conservation reserve program, the Secretary shall—

"(1) share the cost of carrying out the conservation measures and practices set forth in the contract for which the Secretary determines that cost sharing is appropriate and in the public interest; and

"(2) for a period of years not in excess of the term of the contract, pay an annual rental payment in an amount necessary to compensate for—

"(A) the conversion of highly erodible cropland or other eligible lands normally devoted to the production of an agricultural commodity on a farm or ranch to a less intensive use;

"(B) the retirement of any base history that the owner or operator agrees to retire permanently; and

"(C) the development and management of grasslands for multiple natural resource conservation benefits, including to soil, water, air, and wildlife.

"(b) SPECIFIED ACTIVITIES PERMITTED.—The Secretary shall permit certain activities or commercial uses of land that is subject to a contract under the conservation reserve program if those activities or uses are consistent with a plan approved by the Secretary and include—

"(1) harvesting, grazing, or other commercial use of the forage in response to a drought, flooding, or other emergency, without any reduction in the rental rate;

"(2) consistent with the conservation of soil, water quality, and wildlife habitat (including habitat during primary nesting seasons for birds in the area), and in exchange for a reduction of not less than 25 percent in the annual rental rate for the acres covered by the authorized activity, managed harvesting and other commercial use (including the managed harvesting of biomass), except that in permitting those activities, the Secretary, in coordination with the State technical committee—

"(A) shall develop appropriate vegetation management requirements; and

"(B) shall identify periods during which the activities may be conducted, such that the frequency is at least every 5 but not more than once every 3 years;

"(3) subject to appropriate restrictions during the nesting season for birds in the local area that are economically significant, in significant decline, or conserved in accordance with Federal or State law, as determined by the Secretary in consultation with the State technical committee, and in exchange for a reduction of not less than 25 percent in the annual rental rate for the acres covered by the authorized activity—

"(A) prescribed grazing for the control of invasive species, which may be conducted annually;

"(B) routine grazing, except that in permitting such routine grazing, the Secretary, in coordination with the State technical committee—

"(i) shall develop appropriate vegetation management requirements and stocking rates for the land that are suitable for continued routine grazing; and

"(ii) shall identify the periods during which routine grazing may be conducted, such that the frequency is not more than once every 2 years, taking into consideration regional differences such as—

"(I) climate, soil type, and natural resources;

"(II) the number of years that should be required between routine grazing activities; and

"(III) how often during a year in which routine grazing is permitted that routine grazing should be allowed to occur; and

"(C) the installation of wind turbines and associated access, except that in permitting the installation of wind turbines, the Secretary shall determine the number and location of wind turbines that may be installed, taking into account—

"(i) the location, size, and other physical characteristics of the land;

"(ii) the extent to which the land contains threatened or endangered wildlife and wildlife habitat; and

"(iii) the purposes of the conservation reserve program under this subchapter;

"(4) the intermittent and seasonal use of vegetative buffer practices incidental to agricultural production on lands adjacent to the buffer such that the permitted use does not destroy the permanent vegetative cover; and

"(5) grazing by livestock of a beginning farmer or rancher without any reduction in the rental rate, if the grazing is—

"(A) consistent with the conservation of soil, water quality, and wildlife habitat;

"(B) subject to appropriate restrictions during the nesting season for birds in the local area that are economically significant, in significant decline, or conserved in accordance with Federal or State law, as determined by the Secretary in consultation with the State technical committee; and

"(C) described in subparagraph (A) or (B) of paragraph (3).

"(c) AUTHORIZED ACTIVITIES ON GRASSLANDS.—For eligible land described in section 1231(b)(3), the Secretary shall permit the following activities:

"(1) Common grazing practices, including maintenance and necessary cultural practices, on the land in a manner that is consistent with maintaining the viability of grassland, forb, and shrub species appropriate to that locality.

"(2) Haying, mowing, or harvesting for seed production, subject to appropriate restrictions during the nesting season for birds in the local area that are economically significant, in significant decline, or conserved in accordance with Federal or State law, as determined by the Secretary in consultation with the State technical committee.

"(3) Fire presuppression, fire-related rehabilitation, and construction of fire breaks.

"(4) Grazing-related activities, such as fencing and livestock watering.

"(d) RESOURCE CONSERVING USE.—

"(1) IN GENERAL.—Beginning on the date that is 1 year before the date of termination of a contract under the program, the Secretary shall allow an owner or operator to make conservation and land improvements for economic use that facilitate maintaining protection of enrolled land after expiration of the contract.

"(2) CONSERVATION PLAN.—The Secretary shall require an owner or operator carrying out the activities described in paragraph (1) to develop and implement a conservation plan.

"(3) RE-ENROLLMENT PROHIBITED.—Land improved under paragraph (1) may not be re-enrolled in the conservation reserve program for 5 years after the date of termination of the contract.

"(4) PAYMENT REDUCTION.—In the case of an activity carried out under paragraph (1), the Secretary shall reduce the payment otherwise payable under the contract by an amount commensurate with the economic value of the activity.".

16 USC 3834.

SEC. 2005. PAYMENTS.

(a) TREES, WINDBREAKS, SHELTERBELTS, AND WILDLIFE CORRIDORS.—Section 1234(b)(3)(A) of the Food Security Act of 1985 (16 U.S.C. 3834(b)(3)(A)) is amended to read as follows:

"(A) APPLICABILITY.—This paragraph applies to land devoted to the production of hardwood trees, windbreaks, shelterbelts, or wildlife corridors under a contract entered into under this subchapter after November 28, 1990.".

(b) INCENTIVES FOR THINNING.—Section 1234 of the Food Security Act of 1985 (16 U.S.C. 3834) is amended—

(1) in subsection (b)—

(A) in the heading, by striking "FEDERAL PERCENTAGE OF"; and

(B) in paragraph (3)(B)—

(i) in clause (i), by striking "or thinning"; and

(ii) by amending clause (ii) to read as follows:

"(ii) DURATION.—The Secretary shall make payments as described in clause (i) for a period of not less than 2 years, but not more than 4 years, beginning on the date of the planting of the trees or shrubs.";

(2) by redesignating subsections (c) through (g) as subsections (d) through (h), respectively; and

(3) by inserting after subsection (b) the following:

"(c) INCENTIVE PAYMENTS.—

"(1) IN GENERAL.—The Secretary may make incentive payments to an owner or operator of eligible land in an amount sufficient to encourage proper thinning and other practices to improve the condition of resources, promote forest management, or enhance wildlife habitat on the land.

"(2) LIMITATION.—A payment described in paragraph (1) may not exceed 150 percent of the total cost of thinning and other practices conducted by the owner or operator.".

(c) ANNUAL RENTAL PAYMENTS.—Section 1234(d) of the Food Security Act of 1985 (as redesignated by subsection (b)(2)) is amended—

(1) in paragraph (1), by inserting "or other eligible lands" after "highly erodible cropland" both places it appears;

(2) by striking paragraph (2) and inserting the following new paragraph:

"(2) METHODS OF DETERMINATION.—

"(A) IN GENERAL.—The amounts payable to owners or operators in the form of rental payments under contracts entered into under this subchapter may be determined through—

"(i) the submission of bids for such contracts by owners and operators in such manner as the Secretary may prescribe; or

"(ii) such other means as the Secretary determines are appropriate.

"(B) GRASSLANDS.—In the case of eligible land described in section 1231(b)(3), the Secretary shall make annual payments in an amount that is not more than 75 percent of the grazing value of the land covered by the contract."; and

(3) in paragraph (5)—

(A) in subparagraph (A), by striking "conduct an annual survey" and inserting ", not less frequently than once every other year, conduct a survey";

(B) in subparagraph (B), by striking "annual"; and

(C) by adding at the end the following:

"(C) USE.—The Secretary may use the estimates derived from the survey conducted under subparagraph (A) relating to dryland cash rental rates as a factor in determining rental rates under this section in a manner determined appropriate by the Secretary.".

(d) PAYMENT SCHEDULE.—Subsection (e) of section 1234 of the Food Security Act of 1985 (as redesignated by subsection (b)(2)) is amended to read as follows:

"(e) PAYMENT SCHEDULE.—

"(1) IN GENERAL.—Except as otherwise provided in this section, payments under this subchapter shall be made in cash in such amount and on such time schedule as is agreed on and specified in the contract.

"(2) ADVANCE PAYMENT.—Payments under this subchapter may be made in advance of determination of performance.".

(e) PAYMENT LIMITATION.—Section 1234(g) of the Food Security Act of 1985 (as redesignated by subsection (b)(2)) is amended—

(1) in paragraph (1), by striking ", including rental payments made in the form of in-kind commodities,";

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as paragraph (2).

SEC. 2006. CONTRACT REQUIREMENTS.

(a) EARLY TERMINATION BY OWNER OR OPERATOR.—Section 1235(e) of the Food Security Act of 1985 (16 U.S.C. 3835(e)) is amended—

(1) in paragraph (1)(A)—

(A) by striking "The Secretary" and inserting "During fiscal year 2015, the Secretary"; and

(B) by striking "before January 1, 1995,";

(2) in paragraph (2), by striking subparagraph (C) and inserting the following:

"(C) Land devoted to hardwood trees.

"(D) Wildlife habitat, duck nesting habitat, pollinator habitat, upland bird habitat buffer, wildlife food plots, State acres for wildlife enhancement, shallow water areas for wildlife, and rare and declining habitat.

"(E) Farmable wetland and restored wetland.

"(F) Land that contains diversions, erosion control structures, flood control structures, contour grass strips, living snow fences, salinity reducing vegetation, cross wind trap strips, and sediment retention structures.

"(G) Land located within a federally designated wellhead protection area.

"(H) Land that is covered by an easement under the conservation reserve program.

"(I) Land located within an average width, according to the applicable Natural Resources Conservation Service field office technical guide, of a perennial stream or permanent water body.

"(J) Land enrolled under the conservation reserve enhancement program."; and

(3) in paragraph (3), by striking "60 days after the date on which the owner or operator submits the notice required under paragraph (1)(C)" and inserting "upon approval by the Secretary".

(b) TRANSITION OPTION FOR CERTAIN FARMERS OR RANCHERS.—Section 1235(f) of the Food Security Act of 1985 (16 U.S.C. 3835(f)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking "DUTIES" and all that follows through "a beginning farmer or rancher or" and inserting "TRANSITION TO COVERED FARMER OR RANCHER.—In the case of a contract modification approved in order to facilitate the transfer of land subject to a contract from a retired farmer or rancher to a beginning farmer or rancher, a veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))), or a";

(B) in subparagraph (A)(i), by inserting ", including preparing to plant an agricultural crop" after "improvements";

(C) in subparagraph (D), by striking "the farmer or rancher" and inserting "the covered farmer or rancher"; and

(D) in subparagraph (E), by striking "section 1001A(b)(3)(B)" and inserting "section 1001"; and

(2) in paragraph (2), by striking "requirement of section 1231(h)(4)(B)" and inserting "option pursuant to section 1234(d)(2)(A)(ii)".

(c) FINAL YEAR CONTRACT.—Section 1235 of the Food Security Act of 1985 (16 U.S.C. 3835) is amended by adding at the end the following new subsections:

"(g) FINAL YEAR OF CONTRACT.—The Secretary shall not consider an owner or operator to be in violation of a term or condition of the conservation reserve contract if—

"(1) during the year prior to expiration of the contract, the land is enrolled in the conservation stewardship program; and

"(2) the activity required under the conservation stewardship program pursuant to such enrollment is consistent with this subchapter.

"(h) LAND ENROLLED IN AGRICULTURAL CONSERVATION EASEMENT PROGRAM.—The Secretary may terminate or modify a contract entered into under this subchapter if eligible land that is subject to such contract is transferred into the agricultural conservation easement program under subtitle H.".

SEC. 2007. CONVERSION OF LAND SUBJECT TO CONTRACT TO OTHER CONSERVING USES.

Section 1235A of the Food Security Act of 1985 (16 U.S.C. 3835a) is repealed.

16 USC 3831 note.

SEC. 2008. EFFECT ON EXISTING CONTRACTS.

(a) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this subtitle shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) before the

date of enactment of the Agricultural Act of 2014, or any payments required to be made in connection with the contract.

(b) UPDATING OF EXISTING CONTRACTS.—The Secretary shall permit an owner or operator of land subject to a contract entered into under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) before the date of enactment of the Agricultural Act of 2014, to update the contract to reflect the activities and uses of land under contract permitted under the terms and conditions of section 1233(b) of that Act (as amended by section 2004), as determined appropriate by the Secretary.

Subtitle B—Conservation Stewardship Program

SEC. 2101. CONSERVATION STEWARDSHIP PROGRAM.

(a) REVISION OF CURRENT PROGRAM.—Subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) is amended to read as follows:

"Subchapter B—Conservation Stewardship Program

"SEC. 1238D. DEFINITIONS. 16 USC 3838d.

"In this subchapter:

"(1) AGRICULTURAL OPERATION.—The term 'agricultural operation' means all eligible land, whether or not contiguous, that is—

"(A) under the effective control of a producer at the time the producer enters into a contract under the program; and

"(B) operated with equipment, labor, management, and production or cultivation practices that are substantially separate from other agricultural operations, as determined by the Secretary.

"(2) CONSERVATION ACTIVITIES.—

"(A) IN GENERAL.—The term 'conservation activities' means conservation systems, practices, or management measures.

"(B) INCLUSIONS.—The term 'conservation activities' includes—

"(i) structural measures, vegetative measures, and land management measures, including agriculture drainage management systems, as determined by the Secretary; and

"(ii) planning needed to address a priority resource concern.

"(3) CONSERVATION STEWARDSHIP PLAN.—The term 'conservation stewardship plan' means a plan that—

"(A) identifies and inventories priority resource concerns;

"(B) establishes benchmark data and conservation objectives;

"(C) describes conservation activities to be implemented, managed, or improved; and

"(D) includes a schedule and evaluation plan for the planning, installation, and management of the new and existing conservation activities.

"(4) ELIGIBLE LAND.—

"(A) IN GENERAL.—The term 'eligible land' means—

"(i) private or tribal land on which agricultural commodities, livestock, or forest-related products are produced; and

"(ii) lands associated with the land described in clause (i) on which priority resource concerns could be addressed through a contract under the program.

"(B) INCLUSIONS.—The term 'eligible land' includes—

"(i) cropland;

"(ii) grassland;

"(iii) rangeland;

"(iv) pasture land;

"(v) nonindustrial private forest land; and

"(vi) other land in agricultural areas (including cropped woodland, marshes, and agricultural land used or capable of being used for the production of livestock), as determined by the Secretary.

"(5) PRIORITY RESOURCE CONCERN.—The term 'priority resource concern' means a natural resource concern or problem, as determined by the Secretary, that—

"(A) is identified at the national, State, or local level as a priority for a particular area of a State;

"(B) represents a significant concern in a State or region; and

"(C) is likely to be addressed successfully through the implementation of conservation activities under this program.

"(6) PROGRAM.—The term 'program' means the conservation stewardship program established by this subchapter.

"(7) STEWARDSHIP THRESHOLD.—The term 'stewardship threshold' means the level of management required, as determined by the Secretary, to conserve and improve the quality and condition of a natural resource.

16 USC 3838e.

"SEC. 1238E. CONSERVATION STEWARDSHIP PROGRAM.

"(a) ESTABLISHMENT AND PURPOSE.—During each of fiscal years 2014 through 2018, the Secretary shall carry out a conservation stewardship program to encourage producers to address priority resource concerns and improve and conserve the quality and condition of natural resources in a comprehensive manner—

"(1) by undertaking additional conservation activities; and

"(2) by improving, maintaining, and managing existing conservation activities.

"(b) EXCLUSIONS.—

"(1) LAND ENROLLED IN OTHER CONSERVATION PROGRAMS.—Subject to paragraph (2), the following land (even if covered by the definition of eligible land) is not eligible for enrollment in the program:

"(A) Land enrolled in the conservation reserve program, unless—

"(i) the conservation reserve contract will expire at the end of the fiscal year in which the land is to be enrolled in the program; and

"(ii) conservation reserve program payments for land enrolled in the program cease before the first program payment is made to the applicant under this subchapter.

"(B) Land enrolled in a wetland reserve easement through the agricultural conservation easement program.

"(C) Land enrolled in the conservation security program.

"(2) CONVERSION TO CROPLAND.—Eligible land used for crop production after the date of enactment of the Agricultural Act of 2014, that had not been planted, considered to be planted, or devoted to crop production for at least 4 of the 6 years preceding that date shall not be the basis for any payment under the program, unless the land does not meet such requirement because—

"(A) the land had previously been enrolled in the conservation reserve program;

"(B) the land has been maintained using long-term crop rotation practices, as determined by the Secretary; or

"(C) the land is incidental land needed for efficient operation of the farm or ranch, as determined by the Secretary.

"SEC. 1238F. STEWARDSHIP CONTRACTS. 16 USC 3838f.

"(a) SUBMISSION OF CONTRACT OFFERS.—To be eligible to participate in the conservation stewardship program, a producer shall submit to the Secretary a contract offer for the agricultural operation that—

"(1) demonstrates to the satisfaction of the Secretary that the producer, at the time of the contract offer, meets or exceeds the stewardship threshold for at least 2 priority resource concerns; and

"(2) would, at a minimum, meet or exceed the stewardship threshold for at least 1 additional priority resource concern by the end of the stewardship contract by—

"(A) installing and adopting additional conservation activities; and

"(B) improving, maintaining, and managing existing conservation activities across the entire agricultural operation in a manner that increases or extends the conservation benefits in place at the time the contract offer is accepted by the Secretary.

"(b) EVALUATION OF CONTRACT OFFERS.—

"(1) RANKING OF APPLICATIONS.—In evaluating contract offers submitted under subsection (a), the Secretary shall rank applications based on—

"(A) the level of conservation treatment on all applicable priority resource concerns at the time of application;

"(B) the degree to which the proposed conservation activities effectively increase conservation performance;

"(C) the number of applicable priority resource concerns proposed to be treated to meet or exceed the stewardship threshold by the end of the contract;

"(D) the extent to which other priority resource concerns will be addressed to meet or exceed the stewardship threshold by the end of the contract period;

"(E) the extent to which the actual and anticipated conservation benefits from the contract are provided at the least cost relative to other similarly beneficial contract offers; and

"(F) the extent to which priority resource concerns will be addressed when transitioning from the conservation reserve program to agricultural production.

"(2) PROHIBITION.—The Secretary may not assign a higher priority to any application because the applicant is willing to accept a lower payment than the applicant would otherwise be eligible to receive.

"(3) ADDITIONAL CRITERIA.—The Secretary may develop and use such additional criteria that the Secretary determines are necessary to ensure that national, State, and local priority resource concerns are effectively addressed.

"(c) ENTERING INTO CONTRACTS.—After a determination that a producer is eligible for the program under subsection (a), and a determination that the contract offer ranks sufficiently high under the evaluation criteria under subsection (b), the Secretary shall enter into a conservation stewardship contract with the producer to enroll the eligible land to be covered by the contract.

"(d) CONTRACT PROVISIONS.—

"(1) TERM.—A conservation stewardship contract shall be for a term of 5 years.

"(2) REQUIRED PROVISIONS.—The conservation stewardship contract of a producer shall—

"(A) state the amount of the payment the Secretary agrees to make to the producer for each year of the conservation stewardship contract under section 1238G(d);

"(B) require the producer—

"(i) to implement a conservation stewardship plan that describes the program purposes to be achieved through 1 or more conservation activities;

"(ii) to maintain and supply information as required by the Secretary to determine compliance with the conservation stewardship plan and any other requirements of the program; and

"(iii) not to conduct any activities on the agricultural operation that would tend to defeat the purposes of the program;

"(C) permit all economic uses of the eligible land that—

"(i) maintain the agricultural nature of the land; and

"(ii) are consistent with the conservation purposes of the conservation stewardship contract;

"(D) include a provision to ensure that a producer shall not be considered in violation of the contract for failure to comply with the contract due to circumstances beyond the control of the producer, including a disaster or related condition, as determined by the Secretary;

"(E) include provisions requiring that upon the violation of a term or condition of the contract at any time the producer has control of the land—

"(i) if the Secretary determines that the violation warrants termination of the contract—

"(I) the producer shall forfeit all rights to receive payments under the contract; and

"(II) the producer shall refund all or a portion of the payments received by the producer under the contract, including any interest on the payments, as determined by the Secretary; or

"(ii) if the Secretary determines that the violation does not warrant termination of the contract, the producer shall refund or accept adjustments to the payments provided to the producer, as the Secretary determines to be appropriate;

"(F) include provisions in accordance with paragraphs (3) and (4); and

"(G) include any additional provisions the Secretary determines are necessary to carry out the program.

"(3) CHANGE OF INTEREST IN LAND SUBJECT TO A CONTRACT.—

"(A) IN GENERAL.—At the time of application, a producer shall have control of the eligible land to be enrolled in the program. Except as provided in subparagraph (B), a change in the interest of a producer in eligible land covered by a contract under the program shall result in the termination of the contract with regard to that land.

"(B) TRANSFER OF DUTIES AND RIGHTS.—Subparagraph (A) shall not apply if—

"(i) within a reasonable period of time (as determined by the Secretary) after the date of the change in the interest in eligible land covered by a contract under the program, the transferee of the land provides written notice to the Secretary that all duties and rights under the contract have been transferred to, and assumed by, the transferee for the portion of the land transferred;

"(ii) the transferee meets the eligibility requirements of the program; and

"(iii) the Secretary approves the transfer of all duties and rights under the contract.

"(4) MODIFICATION AND TERMINATION OF CONTRACTS.—

"(A) VOLUNTARY MODIFICATION OR TERMINATION.—The Secretary may modify or terminate a contract with a producer if—

"(i) the producer agrees to the modification or termination; and

"(ii) the Secretary determines that the modification or termination is in the public interest.

"(B) INVOLUNTARY TERMINATION.—The Secretary may terminate a contract if the Secretary determines that the producer violated the contract.

"(5) REPAYMENT.—If a contract is terminated, the Secretary may, consistent with the purposes of the program—

"(A) allow the producer to retain payments already received under the contract; or

"(B) require repayment, in whole or in part, of payments received and assess liquidated damages.

"(e) CONTRACT RENEWAL.—At the end of the initial 5-year contract period, the Secretary may allow the producer to renew the contract for 1 additional 5-year period if the producer—

"(1) demonstrates compliance with the terms of the initial contract;

"(2) agrees to adopt and continue to integrate conservation activities across the entire agricultural operation, as determined by the Secretary; and

"(3) agrees, by the end of the contract period—

"(A) to meet the stewardship threshold of at least 2 additional priority resource concerns on the agricultural operation; or

"(B) to exceed the stewardship threshold of 2 existing priority resource concerns that are specified by the Secretary in the initial contract.

16 USC 3838g.

"SEC. 1238G. DUTIES OF THE SECRETARY.

"(a) IN GENERAL.—To achieve the conservation goals of a contract under the conservation stewardship program, the Secretary shall—

"(1) make the program available to eligible producers on a continuous enrollment basis with 1 or more ranking periods, 1 of which shall occur in the first quarter of each fiscal year;

"(2) identify not less than 5 priority resource concerns in a particular watershed or other appropriate region or area within a State; and

"(3) establish a science-based stewardship threshold for each priority resource concern identified under paragraph (2).

"(b) ALLOCATION TO STATES.—The Secretary shall allocate acres to States for enrollment, based—

"(1) primarily on each State's proportion of eligible land to the total acreage of eligible land in all States; and

"(2) also on consideration of—

"(A) the extent and magnitude of the conservation needs associated with agricultural production in each State;

"(B) the degree to which implementation of the program in the State is, or will be, effective in helping producers address those needs; and

"(C) other considerations to achieve equitable geographic distribution of funds, as determined by the Secretary.

"(c) ACREAGE ENROLLMENT LIMITATION.—During the period beginning on the date of enactment of the Agricultural Act of 2014, and ending on September 30, 2022, the Secretary shall, to the maximum extent practicable—

"(1) enroll in the program an additional 10,000,000 acres for each fiscal year; and

"(2) manage the program to achieve a national average rate of $18 per acre, which shall include the costs of all financial assistance, technical assistance, and any other expenses associated with enrollment or participation in the program.

"(d) CONSERVATION STEWARDSHIP PAYMENTS.—

"(1) AVAILABILITY OF PAYMENTS.—The Secretary shall provide annual payments under the program to compensate the producer for—

"(A) installing and adopting additional conservation activities; and

"(B) improving, maintaining, and managing conservation activities in place at the agricultural operation of the producer at the time the contract offer is accepted by the Secretary.

"(2) PAYMENT AMOUNT.—The amount of the annual payment shall be determined by the Secretary and based, to the maximum extent practicable, on the following factors:

"(A) Costs incurred by the producer associated with planning, design, materials, installation, labor, management, maintenance, or training.

"(B) Income forgone by the producer.

"(C) Expected conservation benefits.

"(D) The extent to which priority resource concerns will be addressed through the installation and adoption of conservation activities on the agricultural operation.

"(E) The level of stewardship in place at the time of application and maintained over the term of the contract.

"(F) The degree to which the conservation activities will be integrated across the entire agricultural operation for all applicable priority resource concerns over the term of the contract.

"(G) Such other factors as are determined appropriate by the Secretary.

"(3) EXCLUSIONS.—A payment to a producer under this subsection shall not be provided for—

"(A) the design, construction, or maintenance of animal waste storage or treatment facilities or associated waste transport or transfer devices for animal feeding operations; or

"(B) conservation activities for which there is no cost incurred or income forgone to the producer.

"(4) DELIVERY OF PAYMENTS.—In making payments under this subsection, the Secretary shall, to the extent practicable—

"(A) prorate conservation performance over the term of the contract so as to accommodate, to the extent practicable, producers earning equal annual payments in each fiscal year; and

"(B) make such payments as soon as practicable after October 1 of each fiscal year for activities carried out in the previous fiscal year.

"(e) SUPPLEMENTAL PAYMENTS FOR RESOURCE-CONSERVING CROP ROTATIONS.—

"(1) AVAILABILITY OF PAYMENTS.—The Secretary shall provide additional payments to producers that, in participating in the program, agree to adopt or improve resource-conserving crop rotations to achieve beneficial crop rotations as appropriate for the eligible land of the producers.

"(2) BENEFICIAL CROP ROTATIONS.—The Secretary shall determine whether a resource-conserving crop rotation is a beneficial crop rotation eligible for additional payments under paragraph (1) based on whether the resource-conserving crop rotation is designed to provide natural resource conservation and production benefits.

"(3) ELIGIBILITY.—To be eligible to receive a payment described in paragraph (1), a producer shall agree to adopt and maintain beneficial resource-conserving crop rotations for the term of the contract.

"(4) RESOURCE-CONSERVING CROP ROTATION.—In this subsection, the term 'resource-conserving crop rotation' means a crop rotation that—

"(A) includes at least 1 resource-conserving crop (as defined by the Secretary);

"(B) reduces erosion;

"(C) improves soil fertility and tilth;

"(D) interrupts pest cycles; and

"(E) in applicable areas, reduces depletion of soil moisture or otherwise reduces the need for irrigation.

"(f) PAYMENT LIMITATIONS.—A person or legal entity may not receive, directly or indirectly, payments under the program that, in the aggregate, exceed $200,000 under all contracts entered into during fiscal years 2014 through 2018, excluding funding arrangements with Indian tribes, regardless of the number of contracts entered into under the program by the person or legal entity.

"(g) SPECIALTY CROP AND ORGANIC PRODUCERS.—The Secretary shall ensure that outreach and technical assistance are available, and program specifications are appropriate to enable specialty crop and organic producers to participate in the program.

"(h) COORDINATION WITH ORGANIC CERTIFICATION.—The Secretary shall establish a transparent means by which producers may initiate organic certification under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) while participating in a contract under the program.

"(i) REGULATIONS.—The Secretary shall promulgate regulations that—

"(1) prescribe such other rules as the Secretary determines to be necessary to ensure a fair and reasonable application of the limitations established under subsection (f); and

"(2) otherwise enable the Secretary to carry out the program.".

16 USC 3838d note.

(b) EFFECT ON EXISTING CONTRACTS.—

(1) IN GENERAL.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) before the date of enactment of the Agricultural Act of 2014, or any payments required to be made in connection with the contract.

(2) CONSERVATION STEWARDSHIP PROGRAM.—Funds made available under section 1241(a)(4) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(4)) (as amended by section 2601(a) of this title) may be used to administer and make payments to program participants that enrolled into contracts during any of fiscal years 2009 through 2013.

Subtitle C—Environmental Quality Incentives Program

SEC. 2201. PURPOSES.

Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3839aa) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking "and" at the end;

(B) by redesignating subparagraph (B) as subparagraph (C) and, in such subparagraph, by inserting "and" after the semicolon; and

(C) by inserting after subparagraph (A) the following new subparagraph:

"(B) developing and improving wildlife habitat; and";

(2) in paragraph (4), by striking "; and" and inserting a period; and

(3) by striking paragraph (5).

SEC. 2202. DEFINITIONS.

Section 1240A of the Food Security Act of 1985 (16 U.S.C. 3839aa–1) is amended—

(1) by striking paragraph (2) and redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively; and

(2) in paragraph (2) (as so redesignated), by inserting "established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.)" after "national organic program".

SEC. 2203. ESTABLISHMENT AND ADMINISTRATION.

Section 1240B of the Food Security Act of 1985 (16 U.S.C. 3839aa–2) is amended—

(1) in subsection (a), by striking "2014" and inserting "2018";

(2) in subsection (b), by striking paragraph (2) and inserting the following new paragraph:

"(2) TERM.—A contract under the program shall have a term that does not exceed 10 years.";

(3) in subsection (d)—

(A) in paragraph (3), by striking subparagraphs (A) through (G) and inserting the following:

"(A) soil health;

"(B) water quality and quantity improvement;

"(C) nutrient management;

"(D) pest management;

"(E) air quality improvement;

"(F) wildlife habitat development, including pollinator habitat; or

"(G) invasive species management."; and

(B) in paragraph (4)—

(i) in subparagraph (A), in the matter preceding clause (i), by inserting ", a veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)))," before "or a beginning farmer or rancher"; and

(ii) by striking subparagraph (B) and inserting the following new subparagraph:

"(B) ADVANCE PAYMENTS.—

"(i) IN GENERAL.—Not more than 50 percent of the amount determined under subparagraph (A) may be provided in advance for the purpose of purchasing materials or contracting.

"(ii) RETURN OF FUNDS.—If funds provided in advance are not expended during the 90-day period beginning on the date of receipt of the funds, the

funds shall be returned within a reasonable timeframe, as determined by the Secretary.";

(4) by striking subsection (f) and inserting the following new subsection:

"(f) ALLOCATION OF FUNDING.—

"(1) LIVESTOCK.—For each of fiscal years 2014 through 2018, at least 60 percent of the funds made available for payments under the program shall be targeted at practices relating to livestock production.

"(2) WILDLIFE HABITAT.—For each of fiscal years 2014 through 2018, at least 5 percent of the funds made available for payments under the program shall be targeted at practices benefitting wildlife habitat under subsection (g)."; and

(5) by striking subsection (g) and inserting the following new subsection:

"(g) WILDLIFE HABITAT INCENTIVE PROGRAM.—

"(1) IN GENERAL.—The Secretary shall provide payments under the environmental quality incentives program for conservation practices that support the restoration, development, protection, and improvement of wildlife habitat on eligible land, including—

"(A) upland wildlife habitat;

"(B) wetland wildlife habitat;

"(C) habitat for threatened and endangered species;

"(D) fish habitat;

"(E) habitat on pivot corners and other irregular areas of a field; and

"(F) other types of wildlife habitat, as determined by the Secretary.

"(2) STATE TECHNICAL COMMITTEE.—In determining the practices eligible for payment under paragraph (1) and targeted for funding under subsection (f), the Secretary shall consult with the relevant State technical committee not less often than once each year.".

SEC. 2204. EVALUATION OF APPLICATIONS.

Section 1240C(b) of the Food Security Act of 1985 (16 U.S.C. 3839aa–3(b)) is amended—

(1) in paragraph (1), by striking "environmental" and inserting "conservation"; and

(2) in paragraph (3), by striking "purpose of the environmental quality incentives program specified in section 1240(1)" and inserting "purposes of the program".

SEC. 2205. DUTIES OF PRODUCERS.

Section 1240D(2) of the Food Security Act of 1985 (16 U.S.C. 3839aa–4(2)) is amended by striking "farm, ranch, or forest" and inserting "enrolled".

SEC. 2206. LIMITATION ON PAYMENTS.

Section 1240G of the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is amended to read as follows:

"SEC. 1240G. LIMITATION ON PAYMENTS.

"A person or legal entity may not receive, directly or indirectly, cost-share or incentive payments under this chapter that, in aggregate, exceed $450,000 for all contracts entered into under this chapter by the person or legal entity during the period of fiscal

years 2014 through 2018, regardless of the number of contracts entered into under this chapter by the person or legal entity.".

SEC. 2207. CONSERVATION INNOVATION GRANTS AND PAYMENTS.

Section 1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–8) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (C), by striking "; and" and inserting a semicolon;

(B) in subparagraph (D), by striking the period and inserting a semicolon; and

(C) by adding at the end the following new subparagraphs:

"(E) facilitate on-farm conservation research and demonstration activities; and

"(F) facilitate pilot testing of new technologies or innovative conservation practices.";

(2) in subsection (b)(2)—

(A) by striking "$37,500,000" and inserting "$25,000,000"; and

(B) by striking "2012" and inserting "2018"; and

(3) by adding at the end the following new subsection:

"(c) REPORTING.—Not later than December 31, 2014, and every two years thereafter, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report on the status of projects funded under this section, including—

"(1) funding awarded;

"(2) project results; and

"(3) incorporation of project findings, such as new technology and innovative approaches, into the conservation efforts implemented by the Secretary.".

SEC. 2208. EFFECT ON EXISTING CONTRACTS.

16 USC 3839aa note.

The amendments made by this subtitle shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) before the date of enactment of the Agricultural Act of 2014, or any payments required to be made in connection with the contract.

Subtitle D—Agricultural Conservation Easement Program

SEC. 2301. AGRICULTURAL CONSERVATION EASEMENT PROGRAM.

(a) ESTABLISHMENT.—Title XII of the Food Security Act of 1985 is amended by adding at the end the following new subtitle:

"Subtitle H—Agricultural Conservation Easement Program

"SEC. 1265. ESTABLISHMENT AND PURPOSES.

16 USC 3865.

"(a) ESTABLISHMENT.—The Secretary shall establish an agricultural conservation easement program for the conservation of eligible

land and natural resources through easements or other interests in land.

"(b) PURPOSES.—The purposes of the program are to—

"(1) combine the purposes and coordinate the functions of the wetlands reserve program established under section 1237, the grassland reserve program established under section 1238N, and the farmland protection program established under section 1238I, as such sections were in effect on the day before the date of enactment of the Agricultural Act of 2014;

"(2) restore, protect, and enhance wetlands on eligible land;

"(3) protect the agricultural use and future viability, and related conservation values, of eligible land by limiting nonagricultural uses of that land; and

"(4) protect grazing uses and related conservation values by restoring and conserving eligible land.

16 USC 3865a.

"SEC. 1265A. DEFINITIONS.

"In this subtitle:

"(1) AGRICULTURAL LAND EASEMENT.—The term 'agricultural land easement' means an easement or other interest in eligible land that—

"(A) is conveyed for the purpose of protecting natural resources and the agricultural nature of the land; and

"(B) permits the landowner the right to continue agricultural production and related uses subject to an agricultural land easement plan, as approved by the Secretary.

"(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) an agency of State or local government or an Indian tribe (including a farmland protection board or land resource council established under State law); or

"(B) an organization that is—

"(i) organized for, and at all times since the formation of the organization has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), (iii), or (iv) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;

"(ii) an organization described in section 501(c)(3) of that Code that is exempt from taxation under section 501(a) of that Code; or

"(iii) described in—

"(I) paragraph (1) or (2) of section 509(a) of that Code; or

"(II) section 509(a)(3) of that Code and is controlled by an organization described in section 509(a)(2) of that Code.

"(3) ELIGIBLE LAND.—The term 'eligible land' means private or tribal land that is—

"(A) in the case of an agricultural land easement, agricultural land, including land on a farm or ranch—

"(i) that is subject to a pending offer for purchase of an agricultural land easement from an eligible entity;

"(ii)(I) that has prime, unique, or other productive soil;

"(II) that contains historical or archaeological resources;

"(III) the enrollment of which would protect grazing uses and related conservation values by restoring and conserving land; or

"(IV) the protection of which will further a State or local policy consistent with the purposes of the program; and

"(iii) that is—

"(I) cropland;

"(II) rangeland;

"(III) grassland or land that contains forbs, or shrubland for which grazing is the predominant use;

"(IV) located in an area that has been historically dominated by grassland, forbs, or shrubs and could provide habitat for animal or plant populations of significant ecological value;

"(V) pastureland; or

"(VI) nonindustrial private forest land that contributes to the economic viability of an offered parcel or serves as a buffer to protect such land from development;

"(B) in the case of a wetland reserve easement, a wetland or related area, including—

"(i) farmed or converted wetlands, together with adjacent land that is functionally dependent on that land, if the Secretary determines it—

"(I) is likely to be successfully restored in a cost-effective manner; and

"(II) will maximize the wildlife benefits and wetland functions and values, as determined by the Secretary in consultation with the Secretary of the Interior at the local level;

"(ii) cropland or grassland that was used for agricultural production prior to flooding from the natural overflow of—

"(I) a closed basin lake and adjacent land that is functionally dependent upon it, if the State or other entity is willing to provide 50 percent share of the cost of an easement; or

"(II) a pothole and adjacent land that is functionally dependent on it;

"(iii) farmed wetlands and adjoining lands that—

"(I) are enrolled in the conservation reserve program;

"(II) have the highest wetland functions and values, as determined by the Secretary; and

"(III) are likely to return to production after they leave the conservation reserve program;

"(iv) riparian areas that link wetlands that are protected by easements or some other device that achieves the same purpose as an easement; or

"(v) other wetlands of an owner that would not otherwise be eligible, if the Secretary determines that the inclusion of such wetlands in a wetland reserve easement would significantly add to the functional value of the easement; or

"(C) in the case of either an agricultural land easement or a wetland reserve easement, other land that is incidental to land described in subparagraph (A) or (B), if the Secretary determines that it is necessary for the efficient administration of an easement under the program.

"(4) PROGRAM.—The term 'program' means the agricultural conservation easement program established by this subtitle.

"(5) WETLAND RESERVE EASEMENT.—The term 'wetland reserve easement' means a reserved interest in eligible land that—

"(A) is defined and delineated in a deed; and

"(B) stipulates—

"(i) the rights, title, and interests in land conveyed to the Secretary; and

"(ii) the rights, title, and interests in land that are reserved to the landowner.

16 USC 3865b.

"SEC. 1265B. AGRICULTURAL LAND EASEMENTS.

"(a) AVAILABILITY OF ASSISTANCE.—The Secretary shall facilitate and provide funding for—

"(1) the purchase by eligible entities of agricultural land easements in eligible land; and

"(2) technical assistance to provide for the conservation of natural resources pursuant to an agricultural land easement plan.

"(b) COST-SHARE ASSISTANCE.—

"(1) IN GENERAL.—The Secretary shall protect the agricultural use, including grazing, and related conservation values of eligible land through cost-share assistance to eligible entities for purchasing agricultural land easements.

"(2) SCOPE OF ASSISTANCE AVAILABLE.—

"(A) FEDERAL SHARE.—An agreement described in paragraph (4) shall provide for a Federal share determined by the Secretary of an amount not to exceed 50 percent of the fair market value of the agricultural land easement, as determined by the Secretary using—

"(i) the Uniform Standards of Professional Appraisal Practice;

"(ii) an areawide market analysis or survey; or

"(iii) another industry-approved method.

"(B) NON-FEDERAL SHARE.—

"(i) IN GENERAL.—Under the agreement, the eligible entity shall provide a share that is at least equivalent to that provided by the Secretary.

"(ii) SOURCE OF CONTRIBUTION.—An eligible entity may include as part of its share under clause (i) a charitable donation or qualified conservation contribution (as defined by section 170(h) of the Internal Revenue Code of 1986) from the private landowner if the eligible entity contributes its own cash resources in an amount that is at least 50 percent of the amount contributed by the Secretary.

"(C) EXCEPTION.—

"(i) GRASSLANDS.—In the case of grassland of special environmental significance, as determined by the Secretary, the Secretary may provide an amount not

to exceed 75 percent of the fair market value of the agricultural land easement.

"(ii) CASH CONTRIBUTION.—For purposes of subparagraph (B)(ii), the Secretary may waive any portion of the eligible entity cash contribution requirement for projects of special significance, subject to an increase in the private landowner donation that is equal to the amount of the waiver, if the donation is voluntary and the property is in active agricultural production.

"(3) EVALUATION AND RANKING OF APPLICATIONS.—

"(A) CRITERIA.—The Secretary shall establish evaluation and ranking criteria to maximize the benefit of Federal investment under the program.

"(B) CONSIDERATIONS.—In establishing the criteria, the Secretary shall emphasize support for—

"(i) protecting agricultural uses and related conservation values of the land; and

"(ii) maximizing the protection of areas devoted to agricultural use.

"(C) BIDDING DOWN.—If the Secretary determines that 2 or more applications for cost-share assistance are comparable in achieving the purpose of the program, the Secretary shall not assign a higher priority to any of those applications solely on the basis of lesser cost to the program.

"(4) AGREEMENTS WITH ELIGIBLE ENTITIES.—

"(A) IN GENERAL.—The Secretary shall enter into agreements with eligible entities to stipulate the terms and conditions under which the eligible entity is permitted to use cost-share assistance provided under this section.

"(B) LENGTH OF AGREEMENTS.—An agreement shall be for a term that is—

"(i) in the case of an eligible entity certified under the process described in paragraph (5), a minimum of five years; and

"(ii) for all other eligible entities, at least three, but not more than five years.

"(C) MINIMUM TERMS AND CONDITIONS.—An eligible entity shall be authorized to use its own terms and conditions for agricultural land easements so long as the Secretary determines such terms and conditions—

"(i) are consistent with the purposes of the program;

"(ii) permit effective enforcement of the conservation purposes of such easements;

"(iii) include a right of enforcement for the Secretary, that may be used only if the terms of the easement are not enforced by the holder of the easement;

"(iv) subject the land in which an interest is purchased to an agricultural land easement plan that—

"(I) describes the activities which promote the long-term viability of the land to meet the purposes for which the easement was acquired;

"(II) requires the management of grasslands according to a grasslands management plan; and

"(III) includes a conservation plan, where appropriate, and requires, at the option of the Secretary, the conversion of highly erodible cropland to less intensive uses; and

"(v) include a limit on the impervious surfaces to be allowed that is consistent with the agricultural activities to be conducted.

"(D) SUBSTITUTION OF QUALIFIED PROJECTS.—An agreement shall allow, upon mutual agreement of the parties, substitution of qualified projects that are identified at the time of the proposed substitution.

"(E) EFFECT OF VIOLATION.—If a violation occurs of a term or condition of an agreement under this subsection—

"(i) the Secretary may terminate the agreement; and

"(ii) the Secretary may require the eligible entity to refund all or part of any payments received by the entity under the program, with interest on the payments as determined appropriate by the Secretary.

"(5) CERTIFICATION OF ELIGIBLE ENTITIES.—

"(A) CERTIFICATION PROCESS.—The Secretary shall establish a process under which the Secretary may—

"(i) directly certify eligible entities that meet established criteria;

"(ii) enter into long-term agreements with certified eligible entities; and

"(iii) accept proposals for cost-share assistance for the purchase of agricultural land easements throughout the duration of such agreements.

"(B) CERTIFICATION CRITERIA.—In order to be certified, an eligible entity shall demonstrate to the Secretary that the entity will maintain, at a minimum, for the duration of the agreement—

"(i) a plan for administering easements that is consistent with the purpose of the program;

"(ii) the capacity and resources to monitor and enforce agricultural land easements; and

"(iii) policies and procedures to ensure—

"(I) the long-term integrity of agricultural land easements on eligible land;

"(II) timely completion of acquisitions of such easements; and

"(III) timely and complete evaluation and reporting to the Secretary on the use of funds provided under the program.

"(C) REVIEW AND REVISION.—

"(i) REVIEW.—The Secretary shall conduct a review of eligible entities certified under subparagraph (A) every three years to ensure that such entities are meeting the criteria established under subparagraph (B).

"(ii) REVOCATION.—If the Secretary finds that a certified eligible entity no longer meets the criteria established under subparagraph (B), the Secretary may—

"(I) allow the certified eligible entity a specified period of time, at a minimum 180 days, in

which to take such actions as may be necessary to meet the criteria; and

"(II) revoke the certification of the eligible entity, if, after the specified period of time, the certified eligible entity does not meet such criteria.

"(c) METHOD OF ENROLLMENT.—The Secretary shall enroll eligible land under this section through the use of—

"(1) permanent easements; or

"(2) easements for the maximum duration allowed under applicable State laws.

"(d) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance, if requested, to assist in—

"(1) compliance with the terms and conditions of easements; and

"(2) implementation of an agricultural land easement plan.

"SEC. 1265C. WETLAND RESERVE EASEMENTS. 16 USC 3865c.

"(a) AVAILABILITY OF ASSISTANCE.—The Secretary shall provide assistance to owners of eligible land to restore, protect, and enhance wetlands through—

"(1) wetland reserve easements and related wetland reserve easement plans; and

"(2) technical assistance.

"(b) EASEMENTS.—

"(1) METHOD OF ENROLLMENT.—The Secretary shall enroll eligible land under this section through the use of—

"(A) 30-year easements;

"(B) permanent easements;

"(C) easements for the maximum duration allowed under applicable State laws; or

"(D) as an option for Indian tribes only, 30-year contracts.

"(2) LIMITATIONS.—

"(A) INELIGIBLE LAND.—The Secretary may not acquire easements on—

"(i) land established to trees under the conservation reserve program, except in cases where the Secretary determines it would further the purposes of this section; and

"(ii) farmed wetlands or converted wetlands where the conversion was not commenced prior to December 23, 1985.

"(B) CHANGES IN OWNERSHIP.—No wetland reserve easement shall be created on land that has changed ownership during the preceding 24-month period unless—

"(i) the new ownership was acquired by will or succession as a result of the death of the previous owner;

"(ii)(I) the ownership change occurred because of foreclosure on the land; and

"(II) immediately before the foreclosure, the owner of the land exercises a right of redemption from the mortgage holder in accordance with State law; or

"(iii) the Secretary determines that the land was acquired under circumstances that give adequate assurances that such land was not acquired for the purposes of placing it in the program.

"(3) EVALUATION AND RANKING OF OFFERS.—

"(A) CRITERIA.—The Secretary shall establish evaluation and ranking criteria for offers from landowners under this section to maximize the benefit of Federal investment under the program.

"(B) CONSIDERATIONS.—When evaluating offers from landowners, the Secretary may consider—

"(i) the conservation benefits of obtaining a wetland reserve easement, including the potential environmental benefits if the land was removed from agricultural production;

"(ii) the cost effectiveness of each wetland reserve easement, so as to maximize the environmental benefits per dollar expended;

"(iii) whether the landowner or another person is offering to contribute financially to the cost of the wetland reserve easement to leverage Federal funds; and

"(iv) such other factors as the Secretary determines are necessary to carry out the purposes of the program.

"(C) PRIORITY.—The Secretary shall give priority to acquiring wetland reserve easements based on the value of the wetland reserve easement for protecting and enhancing habitat for migratory birds and other wildlife.

"(4) AGREEMENT.—To be eligible to place eligible land into the program through a wetland reserve easement, the owner of such land shall enter into an agreement with the Secretary to—

"(A) grant an easement on such land to the Secretary;

"(B) authorize the implementation of a wetland reserve easement plan developed for the eligible land under subsection (f);

"(C) create and record an appropriate deed restriction in accordance with applicable State law to reflect the easement agreed to;

"(D) provide a written statement of consent to such easement signed by those holding a security interest in the land;

"(E) comply with the terms and conditions of the easement and any related agreements; and

"(F) permanently retire any existing base history for the land on which the easement has been obtained.

"(5) TERMS AND CONDITIONS OF EASEMENT.—

"(A) IN GENERAL.—A wetland reserve easement shall include terms and conditions that—

"(i) permit—

"(I) repairs, improvements, and inspections on the land that are necessary to maintain existing public drainage systems; and

"(II) owners to control public access on the easement areas while identifying access routes to be used for restoration activities and management and easement monitoring;

"(ii) prohibit—

"(I) the alteration of wildlife habitat and other natural features of such land, unless specifically authorized by the Secretary;

"(II) the spraying of such land with chemicals or the mowing of such land, except where such spraying or mowing is authorized by the Secretary or is necessary—

"(aa) to comply with Federal or State noxious weed control laws;

"(bb) to comply with a Federal or State emergency pest treatment program; or

"(cc) to meet habitat needs of specific wildlife species;

"(III) any activities to be carried out on the owner's or successor's land that is immediately adjacent to, and functionally related to, the land that is subject to the easement if such activities will alter, degrade, or otherwise diminish the functional value of the eligible land; and

"(IV) the adoption of any other practice that would tend to defeat the purposes of the program, as determined by the Secretary;

"(iii) provide for the efficient and effective establishment of wetland functions and values; and

"(iv) include such additional provisions as the Secretary determines are desirable to carry out the program or facilitate the practical administration thereof.

"(B) VIOLATION.—On the violation of a term or condition of a wetland reserve easement, the wetland reserve easement shall remain in force and the Secretary may require the owner to refund all or part of any payments received by the owner under the program, with interest on the payments as determined appropriate by the Secretary.

"(C) COMPATIBLE USES.—Land subject to a wetland reserve easement may be used for compatible economic uses, including such activities as hunting and fishing, managed timber harvest, or periodic haying or grazing, if such use is specifically permitted by the wetland reserve easement plan developed for the land under subsection (f) and is consistent with the long-term protection and enhancement of the wetland resources for which the easement was established.

"(D) RESERVATION OF GRAZING RIGHTS.—The Secretary may include in the terms and conditions of a wetland reserve easement a provision under which the owner reserves grazing rights if—

"(i) the Secretary determines that the reservation and use of the grazing rights—

"(I) is compatible with the land subject to the easement;

"(II) is consistent with the historical natural uses of the land and the long-term protection and enhancement goals for which the easement was established; and

"(III) complies with the wetland reserve easement plan developed for the land under subsection (f); and

"(ii) the agreement provides for a commensurate reduction in the easement payment to account for the grazing value, as determined by the Secretary.

"(6) COMPENSATION.—

"(A) DETERMINATION.—

"(i) PERMANENT EASEMENTS.—The Secretary shall pay as compensation for a permanent wetland reserve easement acquired under the program an amount necessary to encourage enrollment in the program, based on the lowest of—

"(I) the fair market value of the land, as determined by the Secretary, using the Uniform Standards of Professional Appraisal Practice or an areawide market analysis or survey;

"(II) the amount corresponding to a geographical cap, as determined by the Secretary in regulations; or

"(III) the offer made by the landowner.

"(ii) OTHER.—Compensation for a 30-year contract or 30-year wetland reserve easement shall be not less than 50 percent, but not more than 75 percent, of the compensation that would be paid for a permanent wetland reserve easement.

"(B) FORM OF PAYMENT.—Compensation for a wetland reserve easement shall be provided by the Secretary in the form of a cash payment, in an amount determined under subparagraph (A).

"(C) PAYMENT SCHEDULE.—

"(i) EASEMENTS VALUED AT $500,000 OR LESS.—For wetland reserve easements valued at $500,000 or less, the Secretary may provide payments in not more than 10 annual payments.

"(ii) EASEMENTS VALUED AT MORE THAN $500,000.—For wetland reserve easements valued at more than $500,000, the Secretary may provide payments in at least 5, but not more than 10 annual payments, except that, if the Secretary determines it would further the purposes of the program, the Secretary may make a lump-sum payment for such an easement.

"(c) EASEMENT RESTORATION.—

"(1) IN GENERAL.—The Secretary shall provide financial assistance to owners of eligible land to carry out the establishment of conservation measures and practices and protect wetland functions and values, including necessary maintenance activities, as set forth in a wetland reserve easement plan developed for the eligible land under subsection (f).

"(2) PAYMENTS.—The Secretary shall—

"(A) in the case of a permanent wetland reserve easement, pay an amount that is not less than 75 percent, but not more than 100 percent, of the eligible costs, as determined by the Secretary; and

"(B) in the case of a 30-year contract or 30-year wetland reserve easement, pay an amount that is not less than 50 percent, but not more than 75 percent, of the eligible costs, as determined by the Secretary.

"(d) TECHNICAL ASSISTANCE.—

"(1) IN GENERAL.—The Secretary shall assist owners in complying with the terms and conditions of a wetland reserve easement.

"(2) CONTRACTS OR AGREEMENTS.—The Secretary may enter into 1 or more contracts with private entities or agreements with a State, nongovernmental organization, or Indian tribe to carry out necessary restoration, enhancement, or maintenance of a wetland reserve easement if the Secretary determines that the contract or agreement will advance the purposes of the program.

"(e) WETLAND RESERVE ENHANCEMENT OPTION.—The Secretary may enter into 1 or more agreements with a State (including a political subdivision or agency of a State), nongovernmental organization, or Indian tribe to carry out a special wetland reserve enhancement option that the Secretary determines would advance the purposes of program.

"(f) ADMINISTRATION.—

"(1) WETLAND RESERVE EASEMENT PLAN.—The Secretary shall develop a wetland reserve easement plan for any eligible land subject to a wetland reserve easement, which shall include practices and activities necessary to restore, protect, enhance, and maintain the enrolled land.

"(2) DELEGATION OF EASEMENT ADMINISTRATION.—

"(A) IN GENERAL.—The Secretary may delegate any of the management, monitoring, and enforcement responsibilities of the Secretary under this section to other Federal or State agencies that have the appropriate authority, expertise, and resources necessary to carry out such delegated responsibilities, or to conservation organizations if the Secretary determines the organization has similar expertise and resources.

"(B) LIMITATION.—The Secretary shall not delegate any of the monitoring or enforcement responsibilities under this section to conservation organizations.

"(3) PAYMENTS.—

"(A) TIMING OF PAYMENTS.—The Secretary shall provide payment for obligations incurred by the Secretary under this section—

"(i) with respect to any easement restoration obligation under subsection (c), as soon as possible after the obligation is incurred; and

"(ii) with respect to any annual easement payment obligation incurred by the Secretary, as soon as possible after October 1 of each calendar year.

"(B) PAYMENTS TO OTHERS.—If an owner who is entitled to a payment under this section dies, becomes incompetent, is otherwise unable to receive such payment, or is succeeded by another person or entity who renders or completes the required performance, the Secretary shall make such payment, in accordance with regulations prescribed by the Secretary and without regard to any other provision of law, in such manner as the Secretary determines is fair and reasonable in light of all of the circumstances.

"(g) APPLICATION.—The relevant provisions of this section shall also apply to a 30-year contract.

16 USC 3865d.

"SEC. 1265D. ADMINISTRATION.

"(a) INELIGIBLE LAND.—The Secretary may not use program funds for the purposes of acquiring an easement on—

"(1) lands owned by an agency of the United States, other than land held in trust for Indian tribes;

"(2) lands owned in fee title by a State, including an agency or a subdivision of a State, or a unit of local government;

"(3) land subject to an easement or deed restriction which, as determined by the Secretary, provides similar protection as would be provided by enrollment in the program; or

"(4) lands where the purposes of the program would be undermined due to on-site or off-site conditions, such as risk of hazardous substances, proposed or existing rights of way, infrastructure development, or adjacent land uses.

"(b) PRIORITY.—In evaluating applications under the program, the Secretary may give priority to land that is currently enrolled in the conservation reserve program in a contract that is set to expire within 1 year and—

"(1) in the case of an agricultural land easement, is grassland that would benefit from protection under a long-term easement; and

"(2) in the case of a wetland reserve easement, is a wetland or related area with the highest wetland functions and value and is likely to return to production after the land leaves the conservation reserve program.

"(c) SUBORDINATION, EXCHANGE, MODIFICATION, AND TERMINATION.—

"(1) IN GENERAL.—The Secretary may subordinate, exchange, modify, or terminate any interest in land, or portion of such interest, administered by the Secretary, either directly or on behalf of the Commodity Credit Corporation under the program if the Secretary determines that—

"(A) it is in the Federal Government's interest to subordinate, exchange, modify, or terminate the interest in land;

"(B) the subordination, exchange, modification, or termination action—

"(i) will address a compelling public need for which there is no practicable alternative; or

"(ii) such action will further the practical administration of the program; and

"(C) the subordination, exchange, modification, or termination action will result in comparable conservation value and equivalent or greater economic value to the United States.

"(2) CONSULTATION.—The Secretary shall work with the owner, and eligible entity if applicable, to address any subordination, exchange, modification, or termination of the interest, or portion of such interest, in land.

"(3) NOTICE.—At least 90 days before taking any termination action described in paragraph (1), the Secretary shall provide written notice of such action to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

"(d) LAND ENROLLED IN OTHER PROGRAMS.—

"(1) CONSERVATION RESERVE PROGRAM.—The Secretary may terminate or modify a contract entered into under section

1231(a) if eligible land that is subject to such contract is transferred into the program.

"(2) OTHER.—In accordance with the provisions of subtitle H of title II of the Agricultural Act of 2014, land enrolled in the wetlands reserve program, grassland reserve program, or farmland protection program on the day before the date of enactment of the Agricultural Act of 2014 shall be considered enrolled in the program.

"(e) COMPLIANCE WITH CERTAIN REQUIREMENTS.—The Secretary may not provide assistance under this subtitle to an eligible entity or owner of eligible land unless the eligible entity or owner agrees, during the crop year for which the assistance is provided—

"(1) to comply with applicable conservation requirements under subtitle B; and

"(2) to comply with applicable wetland protection requirements under subtitle C.".

(b) CROSS REFERENCE; CALCULATION.—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting "and" at the end of subparagraph (A);

(ii) by striking "and" at the end of subparagraph (B); and

(iii) by striking subparagraph (C);

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

"(2) the agricultural conservation easement program established under subtitle H; and"; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking "programs administered under subchapters B and C of chapter 1 of subtitle D" and inserting "conservation reserve program established under subchapter B of chapter 1 of subtitle D and wetland reserve easements under section 1265C"; and

(ii) in subparagraph (B), by striking "an easement acquired under subchapter C of chapter 1 of subtitle D" and inserting "a wetland reserve easement under section 1265C";

(B) by striking paragraph (4) and inserting the following:

"(4) EXCLUSIONS.—

"(A) SHELTERBELTS AND WINDBREAKS.—The limitations established under paragraph (1) shall not apply to cropland that is subject to an easement under subchapter B of chapter 1 of subtitle D that is used for the establishment of shelterbelts and windbreaks.

"(B) WET AND SATURATED SOILS.—For the purposes of enrolling land in a wetland reserve easement under section 1265C, the limitations established under paragraph (1) shall not apply to cropland designated by the Secretary with subclass w in the land capability classes IV through

VIII because of severe use limitations due to soil saturation or inundation."; and

(C) by adding at the end the following new paragraph:

"(5) CALCULATION.—In calculating the percentages described in paragraph (1), the Secretary shall include any acreage that was included in calculations of percentages made under such paragraph, as in effect on the day before the date of enactment of the Agricultural Act of 2014, and that remains enrolled when the calculation is made after that date under paragraph (1).".

Subtitle E—Regional Conservation Partnership Program

SEC. 2401. REGIONAL CONSERVATION PARTNERSHIP PROGRAM.

Title XII of the Food Security Act of 1985 is amended by inserting after subtitle H, as added by section 2301, the following new subtitle:

"Subtitle I—Regional Conservation Partnership Program

16 USC 3871.

"SEC. 1271. ESTABLISHMENT AND PURPOSES.

"(a) ESTABLISHMENT.—The Secretary shall establish a regional conservation partnership program to implement eligible activities on eligible land through—

"(1) partnership agreements with eligible partners; and

"(2) contracts with producers.

"(b) PURPOSES.—The purposes of the program are as follows:

"(1) To use covered programs to accomplish purposes and functions similar to those of the following programs, as in effect on the day before the date of enactment of the Agricultural Act of 2014:

"(A) The agricultural water enhancement program established under section 1240I.

"(B) The Chesapeake Bay watershed program established under section 1240Q.

"(C) The cooperative conservation partnership initiative established under section 1243.

"(D) The Great Lakes basin program for soil erosion and sediment control established under section 1240P.

"(2) To further the conservation, restoration, and sustainable use of soil, water, wildlife, and related natural resources on eligible land on a regional or watershed scale.

"(3) To encourage eligible partners to cooperate with producers in—

"(A) meeting or avoiding the need for national, State, and local natural resource regulatory requirements related to production on eligible land; and

"(B) implementing projects that will result in the installation and maintenance of eligible activities that affect multiple agricultural or nonindustrial private forest operations on a local, regional, State, or multistate basis.

"SEC. 1271A. DEFINITIONS. 16 USC 3871a.

"In this subtitle:

"(1) COVERED PROGRAM.—The term 'covered program' means the following:

"(A) The agricultural conservation easement program.

"(B) The environmental quality incentives program.

"(C) The conservation stewardship program.

"(D) The healthy forests reserve program established under section 501 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6571).

"(2) ELIGIBLE ACTIVITY.—The term 'eligible activity' means a conservation activity for any of the following:

"(A) Water quality restoration or enhancement projects, including nutrient management and sediment reduction.

"(B) Water quantity conservation, restoration, or enhancement projects relating to surface water and groundwater resources, including—

"(i) the conversion of irrigated cropland to the production of less water-intensive agricultural commodities or dryland farming; or

"(ii) irrigation system improvement and irrigation efficiency enhancement.

"(C) Drought mitigation.

"(D) Flood prevention.

"(E) Water retention.

"(F) Air quality improvement.

"(G) Habitat conservation, restoration, and enhancement.

"(H) Erosion control and sediment reduction.

"(I) Forest restoration.

"(J) Other related activities that the Secretary determines will help achieve conservation benefits.

"(3) ELIGIBLE LAND.—

"(A) IN GENERAL.—The term 'eligible land' means—

"(i) land on which agricultural commodities, livestock, or forest-related products are produced; and

"(ii) lands associated with the lands described in clause (i).

"(B) INCLUSIONS.—The term 'eligible land' includes—

"(i) cropland;

"(ii) grassland;

"(iii) rangeland;

"(iv) pastureland;

"(v) nonindustrial private forest land; and

"(vi) other land incidental to agricultural production (including wetlands and riparian buffers) on which significant natural resource issues could be addressed under the program.

"(4) ELIGIBLE PARTNER.—The term 'eligible partner' means any of the following:

"(A) An agricultural or silvicultural producer association or other group of producers.

"(B) A State or unit of local government.

"(C) An Indian tribe.

"(D) A farmer cooperative.

"(E) A water district, irrigation district, rural water district or association, or other organization with specific water delivery authority to producers on agricultural land.

"(F) A municipal water or wastewater treatment entity.

"(G) An institution of higher education.

"(H) An organization or entity with an established history of working cooperatively with producers on agricultural land, as determined by the Secretary, to address—

"(i) local conservation priorities related to agricultural production, wildlife habitat development, or nonindustrial private forest land management; or

"(ii) critical watershed-scale soil erosion, water quality, sediment reduction, or other natural resource issues.

"(5) PARTNERSHIP AGREEMENT.—The term 'partnership agreement' means an agreement entered into under section 1271B between the Secretary and an eligible partner.

"(6) PROGRAM.—The term 'program' means the regional conservation partnership program established by this subtitle.

16 USC 3871b.

"SEC. 1271B. REGIONAL CONSERVATION PARTNERSHIPS.

"(a) PARTNERSHIP AGREEMENTS AUTHORIZED.—The Secretary may enter into a partnership agreement with an eligible partner to implement a project that will assist producers with installing and maintaining an eligible activity on eligible land.

"(b) LENGTH.—A partnership agreement shall be for a period not to exceed 5 years, except that the Secretary may extend the agreement one time for up to 12 months when an extension is necessary to meet the objectives of the program.

"(c) DUTIES OF PARTNERS.—

"(1) IN GENERAL.—Under a partnership agreement, the eligible partner shall—

"(A) define the scope of a project, including—

"(i) the eligible activities to be implemented;

"(ii) the potential agricultural or nonindustrial private forest land operations affected;

"(iii) the local, State, multistate, or other geographic area covered; and

"(iv) the planning, outreach, implementation, and assessment to be conducted;

"(B) conduct outreach and education to producers for potential participation in the project;

"(C) at the request of a producer, act on behalf of a producer participating in the project in applying for assistance under section 1271C;

"(D) leverage financial or technical assistance provided by the Secretary with additional funds to help achieve the project objectives;

"(E) conduct an assessment of the project's effects; and

"(F) at the conclusion of the project, report to the Secretary on its results and funds leveraged.

"(2) CONTRIBUTION.—An eligible partner shall provide a significant portion of the overall costs of the scope of the project that is the subject of the agreement entered into under subsection (a), as determined by the Secretary.

"(d) APPLICATIONS.—

"(1) COMPETITIVE PROCESS.—The Secretary shall conduct a competitive process to select applications for partnership agreements and may assess and rank applications with similar conservation purposes as a group.

"(2) CRITERIA USED.—In carrying out the process described in paragraph (1), the Secretary shall make public the criteria used in evaluating applications.

"(3) CONTENT.—An application to the Secretary shall include a description of—

"(A) the scope of the project, as described in subsection (c)(1)(A);

"(B) the plan for monitoring, evaluating, and reporting on progress made toward achieving the project's objectives;

"(C) the program resources requested for the project, including the covered programs to be used and estimated funding needed from the Secretary;

"(D) each eligible partner collaborating to achieve project objectives, including their roles, responsibilities, capabilities, and financial contribution; and

"(E) any other elements the Secretary considers necessary to adequately evaluate and competitively select applications for funding under the program.

"(4) PRIORITY TO CERTAIN APPLICATIONS.—The Secretary may give a higher priority to applications that—

"(A) assist producers in meeting or avoiding the need for a natural resource regulatory requirement;

"(B) have a high percentage of producers in the area to be covered by the agreement;

"(C) significantly leverage non-Federal financial and technical resources and coordinate with other local, State, or national efforts;

"(D) deliver high percentages of applied conservation to address conservation priorities or regional, State, or national conservation initiatives;

"(E) provide innovation in conservation methods and delivery, including outcome-based performance measures and methods; or

"(F) meet other factors that are important for achieving the purposes of the program, as determined by the Secretary.

"SEC. 1271C. ASSISTANCE TO PRODUCERS. 16 USC 3871c.

"(a) IN GENERAL.—The Secretary shall enter into contracts with producers to provide financial and technical assistance to—

"(1) producers participating in a project with an eligible partner; or

"(2) producers that fit within the scope of a project described in section 1271B or a critical conservation area designated under section 1271F, but who are seeking to implement an eligible activity on eligible land independent of an eligible partner.

"(b) TERMS AND CONDITIONS.—

"(1) CONSISTENCY WITH PROGRAM RULES.—

"(A) IN GENERAL.—Except as provided in subparagraph (B) and paragraph (2), the Secretary shall ensure that the terms and conditions of a contract under this section are consistent with the applicable rules of the covered

programs to be used as part of the partnership agreement, as described in the application under section 1271B(d)(3)(C).

"(B) ADJUSTMENTS.—

"(i) IN GENERAL.—The Secretary may adjust the rules of a covered program, including—

"(I) operational guidance and requirements for a covered program at the discretion of the Secretary so as to provide a simplified application and evaluation process; and

"(II) nonstatutory, regulatory rules or provisions to better reflect unique local circumstances and purposes if the Secretary determines such adjustments are necessary to achieve the purposes of the covered program.

"(ii) LIMITATION.—The Secretary shall not adjust the application of statutory requirements for a covered program, including requirements governing appeals, payment limits, and conservation compliance.

"(iii) IRRIGATION.—In States where irrigation has not been used significantly for agricultural purposes, as determined by the Secretary, the Secretary shall not limit eligibility under section 1271B or this section on the basis of prior irrigation history.

"(2) ALTERNATIVE FUNDING ARRANGEMENTS.—

"(A) IN GENERAL.—For the purposes of providing assistance for land described in subsection (a) and section 1271F, the Secretary may enter into alternative funding arrangements with a multistate water resource agency or authority if—

"(i) the Secretary determines that the goals and objectives of the program will be met by the alternative funding arrangements;

"(ii) the agency or authority certifies that the limitations established under this section on agreements with individual producers will not be exceeded; and

"(iii) all participating producers meet applicable payment eligibility provisions.

"(B) CONDITIONS.—As a condition of receiving funding under subparagraph (A), the multistate water resource agency or authority shall agree—

"(i) to submit an annual independent audit to the Secretary that describes the use of funds under this paragraph;

"(ii) to provide any data necessary for the Secretary to issue a report on the use of funds under this paragraph; and

"(iii) not to use any of the funds provided pursuant to subparagraph (A) for administration or to provide for administrative costs through contracts with another entity.

"(C) LIMITATION.—The Secretary may enter into not more than 20 alternative funding arrangements under this paragraph.

"(c) PAYMENTS.—

"(1) IN GENERAL.—In accordance with statutory requirements of the covered programs involved, the Secretary may make payments to a producer in an amount determined by the Secretary to be necessary to achieve the purposes of the program.

"(2) PAYMENTS TO CERTAIN PRODUCERS.—The Secretary may provide payments for a period of 5 years—

"(A) to producers participating in a project that addresses water quantity concerns and in an amount sufficient to encourage conversion from irrigated to dryland farming; and

"(B) to producers participating in a project that addresses water quality concerns and in an amount sufficient to encourage adoption of conservation practices and systems that improve nutrient management.

"(3) WAIVER AUTHORITY.—To assist in the implementation of the program, the Secretary may waive the applicability of the limitation in section 1001D(b)(2) of this Act for participating producers if the Secretary determines that the waiver is necessary to fulfill the objectives of the program.

"SEC. 1271D. FUNDING. 16 USC 3871d.

"(a) AVAILABILITY OF FUNDS.—The Secretary shall use $100,000,000 of the funds of the Commodity Credit Corporation for each of fiscal years 2014 through 2018 to carry out the program.

"(b) DURATION OF AVAILABILITY.—Funds made available under subsection (a) shall remain available until expended.

"(c) ADDITIONAL FUNDING AND ACRES.—

"(1) IN GENERAL.—In addition to the funds made available under subsection (a), the Secretary shall reserve 7 percent of the funds and acres made available for a covered program for each of fiscal years 2014 through 2018 in order to ensure additional resources are available to carry out this program.

"(2) UNUSED FUNDS AND ACRES.—Any funds or acres reserved under paragraph (1) for a fiscal year from a covered program that are not committed under this program by April 1 of that fiscal year shall be returned for use under the covered program.

"(d) ALLOCATION OF FUNDING.—Of the funds and acres made available for the program under subsection (a) and reserved for the program under subsection (c), the Secretary shall allocate—

"(1) 25 percent of the funds and acres to projects based on a State competitive process administered by the State Conservationist, with the advice of the State technical committee established under subtitle G;

"(2) 40 percent of the funds and acres to projects based on a national competitive process to be established by the Secretary; and

"(3) 35 percent of the funds and acres to projects for critical conservation areas designated under section 1271F.

"(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—None of the funds made available or reserved for the program may be used to pay for the administrative expenses of eligible partners.

"SEC. 1271E. ADMINISTRATION. 16 USC 3871e.

"(a) DISCLOSURE.—In addition to the criteria used in evaluating applications as described in section 1271B(d)(2), the Secretary shall

make publicly available information on projects selected through the competitive process described in section 1271B(d)(1).

"(b) REPORTING.—Not later than December 31, 2014, and every two years thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the status of projects funded under the program, including—

"(1) the number and types of eligible partners and producers participating in the partnership agreements selected;

"(2) the number of producers receiving assistance;

"(3) total funding committed to projects, including from Federal and non-Federal resources; and

"(4) a description of how the funds under section 1271C(b)(2) are being administered, including—

"(A) any oversight mechanisms that the Secretary has implemented;

"(B) the process through which the Secretary is resolving appeals by program participants; and

"(C) the means by which the Secretary is tracking adherence to any applicable provisions for payment eligibility.

16 USC 3871f.

"SEC. 1271F. CRITICAL CONSERVATION AREAS.

"(a) IN GENERAL.—In administering funds under section 1271D(d)(3), the Secretary shall select applications for partnership agreements and producer contracts within critical conservation areas designated under this section.

"(b) CRITICAL CONSERVATION AREA DESIGNATIONS.—

"(1) PRIORITY.—In designating critical conservation areas under this section, the Secretary shall give priority to geographical areas based on the degree to which the geographical area—

"(A) includes multiple States with significant agricultural production;

"(B) is covered by an existing regional, State, binational, or multistate agreement or plan that has established objectives, goals, and work plans and is adopted by a Federal, State, or regional authority;

"(C) would benefit from water quality improvement, including through reducing erosion, promoting sediment control, and addressing nutrient management activities affecting large bodies of water of regional, national, or international significance;

"(D) would benefit from water quantity improvement, including improvement relating to—

"(i) groundwater, surface water, aquifer, or other water sources; or

"(ii) a need to promote water retention and flood prevention; or

"(E) contains producers that need assistance in meeting or avoiding the need for a natural resource regulatory requirement that could have a negative impact on the economic scope of the agricultural operations within the area.

"(2) EXPIRATION.—Critical conservation area designations under this section shall expire after 5 years, subject to

redesignation, except that the Secretary may withdraw designation from an area if the Secretary finds the area no longer meets the conditions described in paragraph (1).

"(3) LIMITATION.—The Secretary may not designate more than 8 geographical areas as critical conservation areas under this section.

"(c) ADMINISTRATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall administer any partnership agreement or producer contract under this section in a manner that is consistent with the terms of the program.

"(2) RELATIONSHIP TO EXISTING ACTIVITY.—The Secretary shall, to the maximum extent practicable, ensure that eligible activities carried out in critical conservation areas designated under this section complement and are consistent with other Federal and State programs and water quality and quantity strategies.

"(3) ADDITIONAL AUTHORITY.—For a critical conservation area described in subsection (b)(1)(D), the Secretary may use authorities under the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.), other than section 14 of such Act (16 U.S.C. 1012), to carry out projects for the purposes of this section.".

Subtitle F—Other Conservation Programs

SEC. 2501. CONSERVATION OF PRIVATE GRAZING LAND.

Section 1240M(e) of the Food Security Act of 1985 (16 U.S.C. 3839bb(e)) is amended by striking "2012" and inserting "2018".

SEC. 2502. GRASSROOTS SOURCE WATER PROTECTION PROGRAM.

Section 1240O(b) of the Food Security Act of 1985 (16 U.S.C. 3839bb–2(b)) is amended to read as follows:

"(b) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2008 through 2018.

"(2) AVAILABILITY OF FUNDS.—In addition to funds made available under paragraph (1), of the funds of the Commodity Credit Corporation, the Secretary shall use $5,000,000, to remain available until expended.".

SEC. 2503. VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM.

(a) FUNDING.—Section 1240R(f)(1) of the Food Security Act of 1985 (16 U.S.C. 3839bb–5(f)(1)) is amended—

(1) in the heading, by striking "FISCAL YEARS 2009 THROUGH 2012" and inserting "MANDATORY FUNDING"; and

(2) by inserting "and $40,000,000 for the period of fiscal years 2014 through 2018" before the period at the end.

(b) REPORT ON PROGRAM EFFECTIVENESS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating the effectiveness

of the voluntary public access and habitat incentive program established by section 1240R of the Food Security Act of 1985 (16 U.S.C. 3839bb–5), including—

(1) identifying cooperating agencies;

(2) identifying the number of land holdings and total acres enrolled by State;

(3) evaluating the extent of improved access on eligible land, improved wildlife habitat, and related economic benefits; and

(4) any other relevant information and data relating to the program that would be helpful to such Committees.

SEC. 2504. AGRICULTURE CONSERVATION EXPERIENCED SERVICES PROGRAM.

Subsection (c)(2) of section 1252 of the Food Security Act of 1985 (16 U.S.C. 3851) is amended to read as follows:

"(2) EXCLUSION.—Funds made available to carry out the conservation reserve program may not be used to carry out the ACES program.".

SEC. 2505. SMALL WATERSHED REHABILITATION PROGRAM.

(a) AVAILABILITY OF FUNDS.—Section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)) is amended—

(1) in subparagraph (E), by striking "; and" and inserting a semicolon;

(2) in subparagraph (F), by striking the period and inserting a semicolon;

(3) in subparagraph (G), by striking the period and inserting "; and"; and

(4) by adding at the end the following new subparagraph:

"(H) $250,000,000 for fiscal year 2014, to remain available until expended.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 14(h)(2)(E) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(2)(E)) is amended by striking "2012" and inserting "2018".

SEC. 2506. EMERGENCY WATERSHED PROTECTION PROGRAM.

Section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) is amended—

(1) by striking "**Sec. 403.** The Secretary" and inserting the following:

"SEC. 403. EMERGENCY MEASURES.

"(a) IN GENERAL.—The Secretary"; and

(2) by adding at the end the following:

"(b) FLOODPLAIN EASEMENTS.—

"(1) MODIFICATION AND TERMINATION.—The Secretary may modify or terminate a floodplain easement administered by the Secretary under this section if—

"(A) the current owner agrees to the modification or termination; and

"(B) the Secretary determines that the modification or termination—

"(i) will address a compelling public need for which there is no practicable alternative; and

"(ii) is in the public interest.

"(2) CONSIDERATION.—

"(A) TERMINATION.—As consideration for termination of an easement and associated agreements under paragraph (1), the Secretary shall enter into compensatory arrangements as determined to be appropriate by the Secretary.

"(B) MODIFICATION.—In the case of a modification under paragraph (1)—

"(i) as a condition of the modification, the current owner shall enter into a compensatory arrangement (as determined to be appropriate by the Secretary) to incur the costs of modification; and

"(ii) the Secretary shall ensure that—

"(I) the modification will not adversely affect the floodplain functions and values for which the easement was acquired;

"(II) any adverse impacts will be mitigated by enrollment and restoration of other land that provides greater floodplain functions and values at no additional cost to the Federal Government; and

"(III) the modification will result in equal or greater environmental and economic values to the United States.".

SEC. 2507. TERMINAL LAKES.

Section 2507 of the Farm Security and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107–171) is amended to read as follows:

"SEC. 2507. TERMINAL LAKES ASSISTANCE.

"(a) DEFINITIONS.—In this section:

"(1) ELIGIBLE LAND.—The term 'eligible land' means privately owned agricultural land (including land in which a State has a property interest as a result of State water law)—

"(A) that a landowner voluntarily agrees to sell to a State; and

"(B) which—

"(i)(I) is ineligible for enrollment as a wetland reserve easement established under the agricultural conservation easement program under subtitle H of the Food Security Act of 1985;

"(II) is flooded to—

"(aa) an average depth of at least 6.5 feet; or

"(bb) a level below which the State determines the management of the water level is beyond the control of the State or landowner; or

"(III) is inaccessible for agricultural use due to the flooding of adjoining property (such as islands of agricultural land created by flooding);

"(ii) is located within a watershed with water rights available for lease or purchase; and

"(iii) has been used during at least 5 of the immediately preceding 30 years—

"(I) to produce crops or hay; or

"(II) as livestock pasture or grazing.

"(2) PROGRAM.—The term 'program' means the voluntary land purchase program established under this section.

"(3) TERMINAL LAKE.—The term 'terminal lake' means a lake and its associated riparian and watershed resources that is—

"(A) considered flooded because there is no natural outlet for water accumulating in the lake or the associated riparian area such that the watershed and surrounding land is consistently flooded; or

"(B) considered terminal because it has no natural outlet and is at risk due to a history of consistent Federal assistance to address critical resource conditions, including insufficient water available to meet the needs of the lake, general uses, and water rights.

"(b) ASSISTANCE.—The Secretary shall—

"(1) provide grants under subsection (c) for the purchase of eligible land impacted by a terminal lake described in subsection (a)(3)(A); and

"(2) provide funds to the Secretary of the Interior pursuant to subsection (e)(2) with assistance in accordance with subsection (d) for terminal lakes described in subsection (a)(3)(B).

"(c) LAND PURCHASE GRANTS.—

"(1) IN GENERAL.—Using funds provided under subsection (e)(1), the Secretary shall make available land purchase grants to States for the purchase of eligible land in accordance with this subsection.

"(2) IMPLEMENTATION.—

"(A) AMOUNT.—A land purchase grant shall be in an amount not to exceed the lesser of—

"(i) 50 percent of the total purchase price per acre of the eligible land; or

"(ii)(I) in the case of eligible land that was used to produce crops or hay, $400 per acre; and

"(II) in the case of eligible land that was pasture or grazing land, $200 per acre.

"(B) DETERMINATION OF PURCHASE PRICE.—A State purchasing eligible land with a land purchase grant shall ensure, to the maximum extent practicable, that the purchase price of such land reflects the value, if any, of other encumbrances on the eligible land to be purchased, including easements and mineral rights.

"(C) COST-SHARE REQUIRED.—To be eligible to receive a land purchase grant, a State shall provide matching non-Federal funds in an amount equal to 50 percent of the amount described in subparagraph (A), including additional non-Federal funds.

"(D) CONDITIONS.—To receive a land purchase grant, a State shall agree—

"(i) to ensure that any eligible land purchased is—

"(I) conveyed in fee simple to the State; and

"(II) free from mortgages or other liens at the time title is transferred;

"(ii) to maintain ownership of the eligible land in perpetuity;

"(iii) to pay (from funds other than grant dollars awarded) any costs associated with the purchase of

eligible land under this section, including surveys and legal fees; and

"(iv) to keep eligible land in a conserving use, as defined by the Secretary.

"(E) LOSS OF FEDERAL BENEFITS.—Eligible land purchased with a grant under this section shall lose eligibility for any benefits under other Federal programs, including—

"(i) benefits under title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.);

"(ii) benefits under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

"(iii) covered benefits described in section 1001D(b) of the Food Security Act of 1985 (7 U.S.C. 1308–3a).

"(F) PROHIBITION.—Any Federal rights or benefits associated with eligible land prior to purchase by a State may not be transferred to any other land or person in anticipation of or as a result of such purchase.

"(d) WATER ASSISTANCE.—

"(1) IN GENERAL.—The Secretary of the Interior, acting through the Commissioner of Reclamation, may use the funds described in subsection (e)(2) to administer and provide financial assistance to carry out this subsection to provide water and assistance to a terminal lake described in subsection (a)(3)(B) through willing sellers or willing participants only—

"(A) to lease water;

"(B) to purchase land, water appurtenant to the land, and related interests; and

"(C) to carry out research, support, and conservation activities for associated fish, wildlife, plant, and habitat resources.

"(2) EXCLUSIONS.—The Secretary of the Interior may not use this subsection to deliver assistance to the Great Salt Lake in Utah, lakes that are considered dry lakes, or other lakes that do not meet the purposes of this section, as determined by the Secretary of the Interior.

"(3) TRANSITIONAL PROVISION.—

"(A) IN GENERAL.—Notwithstanding any other provision of this section, any funds made available before the date of enactment of the Agricultural Act of 2014 under a provision of law described in subparagraph (B) shall remain available using the provisions of law (including regulations) in effect on the day before the date of enactment of that Act.

"(B) DESCRIBED LAWS.—The provisions of law described in this section are—

"(i) section 2507 of the Farm Security and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107–171) (as in effect on the day before the date of enactment of the Agricultural Act of 2014);

"(ii) section 207 of the Energy and Water Development Appropriations Act, 2003 (Public Law 108–7; 117 Stat. 146);

"(iii) section 208 of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2268, 123 Stat. 2856); and

"(iv) section 208 of the Energy and Water Development and Related Agencies Appropriations Act, 2010

(Public Law 111–85; 123 Stat. 2858, 123 Stat. 2967, 125 Stat. 867).

"(e) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out subsection (c) $25,000,000, to remain available until expended.

"(2) COMMODITY CREDIT CORPORATION.—As soon as practicable after the date of enactment of the Agricultural Act of 2014, the Secretary shall transfer to the 'Bureau of Reclamation—Water and Related Resources' account $150,000,000 from the funds of the Commodity Credit Corporation to carry out subsection (d), to remain available until expended.".

SEC. 2508. SOIL AND WATER RESOURCES CONSERVATION.

(a) CONGRESSIONAL POLICY AND DECLARATION OF PURPOSE.—Section 4 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2003) is amended—

(1) in subsection (b), by inserting "and tribal" after "State" each place it appears; and

(2) in subsection (c)(2), by inserting ", tribal," after "State".

(b) CONTINUING APPRAISAL OF SOIL, WATER, AND RELATED RESOURCES.—Section 5 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2004) is amended—

(1) in subsection (a)(4), by striking "and State" and inserting ", State, and tribal";

(2) in subsection (b), by inserting ", tribal" after "State" each place it appears; and

(3) in subsection (c)—

(A) by striking "State soil" and inserting "State and tribal soil"; and

(B) by striking "local" and inserting "local, tribal,".

(c) SOIL AND WATER CONSERVATION PROGRAM.—Section 6(a) of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2005(a)) is amended—

(1) by inserting ", tribal," after "State" the first place it appears;

(2) by inserting ", tribal" after "State" each other place it appears; and

(3) by inserting ", tribal," after "private".

(d) UTILIZATION OF AVAILABLE INFORMATION AND DATA.—Section 9 of the Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2008) is amended by inserting ", tribal" after "State".

Subtitle G—Funding and Administration

SEC. 2601. FUNDING.

(a) IN GENERAL.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (a) and inserting the following:

"(a) ANNUAL FUNDING.—For each of fiscal years 2014 through 2018, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out the following programs under this title (including the provision of technical assistance):

"(1) The conservation reserve program under subchapter B of chapter 1 of subtitle D, including, to the maximum extent practicable—

"(A) $10,000,000 for the period of fiscal years 2014 through 2018 to provide payments under section 1234(c); and

"(B) $33,000,000 for the period of fiscal years 2014 through 2018 to carry out section 1235(f) to facilitate the transfer of land subject to contracts from retired or retiring owners and operators to beginning farmers or ranchers and socially disadvantaged farmers or ranchers.

"(2) The agricultural conservation easement program under subtitle H using to the maximum extent practicable—

"(A) $400,000,000 for fiscal year 2014;

"(B) $425,000,000 for fiscal year 2015;

"(C) $450,000,000 for fiscal year 2016;

"(D) $500,000,000 for fiscal year 2017; and

"(E) $250,000,000 for fiscal year 2018.

"(3) The conservation security program under subchapter A of chapter 2 of subtitle D, using such sums as are necessary to administer contracts entered into before September 30, 2008.

"(4) The conservation stewardship program under subchapter B of chapter 2 of subtitle D.

"(5) The environmental quality incentives program under chapter 4 of subtitle D, using, to the maximum extent practicable—

"(A) $1,350,000,000 for fiscal year 2014;

"(B) $1,600,000,000 for fiscal year 2015;

"(C) $1,650,000,000 for fiscal year 2016;

"(D) $1,650,000,000 for fiscal year 2017; and

"(E) $1,750,000,000 for fiscal year 2018.".

(b) GUARANTEED AVAILABILITY OF FUNDS.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) by redesignating subsections (b) through (h) as subsections (c) through (i), respectively;

(2) by inserting after subsection (a) the following:

"(b) AVAILABILITY OF FUNDS.—Amounts made available by subsection (a) for fiscal years 2014 through 2018 shall be used by the Secretary to carry out the programs specified in such subsection and shall remain available until expended."; and

(3) in subsection (d) (as redesignated by paragraph (1)), by striking "subsection (b)" and inserting "subsection (c)".

SEC. 2602. TECHNICAL ASSISTANCE.

Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (c) (as redesignated by section 2601(b)(1)) and inserting the following:

"(c) TECHNICAL ASSISTANCE.—

"(1) AVAILABILITY.—Commodity Credit Corporation funds made available for a fiscal year for each of the programs specified in subsection (a)—

"(A) shall be available for the provision of technical assistance for the programs for which funds are made available as necessary to implement the programs effectively;

"(B) except for technical assistance for the conservation reserve program under subchapter B of chapter 1 of subtitle

D, shall be apportioned for the provision of technical assistance in the amount determined by the Secretary, at the sole discretion of the Secretary; and

"(C) shall not be available for the provision of technical assistance for conservation programs specified in subsection (a) other than the program for which the funds were made available.

"(2) PRIORITY.—

"(A) IN GENERAL.—In the delivery of technical assistance under the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.), the Secretary shall give priority to producers who request technical assistance from the Secretary in order to comply for the first time with the requirements of subtitle B and subtitle C of this title as a result of the amendments made by section 2611 of the Agricultural Act of 2014.

"(B) REPORT.—Not later than 270 days after the date of enactment of the Agricultural Act of 2014, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report regarding the extent to which the conservation compliance requirements contained in the amendments made by section 2611 of the Agricultural Act of 2014 apply to and impact specialty crop growers, including national analysis and surveys to determine the extent of specialty crop acreage that includes highly erodible land and wetlands.

"(3) REPORT.—Not later than December 31, 2014, the Secretary shall submit (and update as necessary in subsequent years) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report—

"(A) detailing the amount of technical assistance funds requested and apportioned in each program specified in subsection (a) during the preceding fiscal year; and

"(B) any other data relating to this provision that would be helpful to such Committees.

"(4) COMPLIANCE REPORT.—Not later than November 1 of each year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes—

"(A) a description of the extent to which the requests for highly erodible land conservation and wetland compliance determinations are being addressed in a timely manner;

"(B) the total number of requests completed in the previous fiscal year;

"(C) the incomplete determinations on record; and

"(D) the number of requests that are still outstanding more than 1 year since the date on which the requests were received from the producer.".

SEC. 2603. REGIONAL EQUITY.

Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by striking subsection (e) (as redesignated by section 2601(b)(1)) and inserting the following:

"(e) REGIONAL EQUITY.—

"(1) EQUITABLE DISTRIBUTION.—When determining funding allocations each fiscal year, the Secretary shall, after considering available funding and program demand in each State, provide a distribution of funds for conservation programs under subtitle D (excluding the conservation reserve program under subchapter B of chapter 1), subtitle H, and subtitle I to ensure equitable program participation proportional to historical funding allocations and usage by all States.

"(2) MINIMUM PERCENTAGE.—In determining the specific funding allocations under paragraph (1), the Secretary shall—

"(A) ensure that during the first quarter of each fiscal year each State has the opportunity to establish that the State can use an aggregate allocation amount of at least 0.6 percent of the funds made available for those conservation programs; and

"(B) for each State that can so establish, provide an aggregate amount of at least 0.6 percent of the funds made available for those conservation programs.".

SEC. 2604. RESERVATION OF FUNDS TO PROVIDE ASSISTANCE TO CERTAIN FARMERS OR RANCHERS FOR CONSERVATION ACCESS.

Subsection (h) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) (as redesignated by section 2601(b)(1)) is amended—

(1) in paragraph (1) by striking "2012" and inserting "2018"; and

(2) by adding at the end the following new paragraph:

"(4) PREFERENCE.—In providing assistance under paragraph (1), the Secretary shall give preference to a veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))) that qualifies under subparagraph (A) or (B) of paragraph (1).".

SEC. 2605. ANNUAL REPORT ON PROGRAM ENROLLMENTS AND ASSISTANCE.

Subsection (i) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) (as redesignated by section 2601(b)(1)) is amended—

(1) in paragraph (1), by striking "wetlands reserve program" and inserting "agricultural conservation easement program";

(2) by striking paragraphs (2) and (3) and redesignating paragraphs (4), (5), and (6) as paragraphs (2), (3), and (4), respectively;

(3) in paragraph (3) (as so redesignated)—

(A) by striking "agricultural water enhancement program" and inserting "regional conservation partnership program"; and

(B) by striking "1240I(g)" and inserting "1271C(c)(3)"; and

(4) by adding at the end the following:

"(5) Payments made under the conservation stewardship program.

"(6) Exceptions provided by the Secretary under section 1265B(b)(2)(C).".

SEC. 2606. ADMINISTRATIVE REQUIREMENTS APPLICABLE TO ALL CONSERVATION PROGRAMS.

Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) in subsection (a)(2), by adding at the end the following new subparagraph:

"(E) Veteran farmers or ranchers (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))).";

(2) in subsection (d), by inserting ", H, and I" before the period at the end;

(3) in subsection (f)—

(A) in paragraph (1)(B), by striking "country" and inserting "county"; and

(B) in paragraph (3), by striking "subsection (c)(2)(B) or (f)(4)" and inserting "subsection (d)(2)(A)(ii) or (g)(2)";

(4) in subsection (h)(2), by inserting ", including, to the extent practicable, practices that maximize benefits for honey bees" after "pollinators"; and

(5) by adding at the end the following new subsections:

"(j) IMPROVED ADMINISTRATIVE EFFICIENCY AND EFFECTIVENESS.—In administrating a conservation program under this title, the Secretary shall, to the maximum extent practicable—

"(1) seek to reduce administrative burdens and costs to producers by streamlining conservation planning and program resources; and

"(2) take advantage of new technologies to enhance efficiency and effectiveness.

"(k) RELATION TO OTHER PAYMENTS.—Any payment received by an owner or operator under this title, including an easement payment or rental payment, shall be in addition to, and not affect, the total amount of payments that the owner or operator is otherwise eligible to receive under any of the following:

"(1) This Act.

"(2) The Agricultural Act of 1949 (7 U.S.C. 1421 et seq.).

"(3) The Agricultural Act of 2014.

"(4) Any law that succeeds a law specified in paragraph (1), (2), or (3).

"(l) FUNDING FOR INDIAN TRIBES.—In carrying out the conservation stewardship program under subchapter B of chapter 2 of subtitle D and the environmental quality incentives program under chapter 4 of subtitle D, the Secretary may enter into alternative funding arrangements with Indian tribes if the Secretary determines that the goals and objectives of the programs will be met by such arrangements, and that statutory limitations regarding contracts with individual producers will not be exceeded by any tribal member.".

SEC. 2607. STANDARDS FOR STATE TECHNICAL COMMITTEES.

Section 1261(b) of the Food Security Act of 1985 (16 U.S.C. 3861(b)) is amended by striking "Not later than 180 days after the date of enactment of the Food, Conservation, and Energy Act of 2008, the Secretary shall develop" and inserting "The Secretary shall review and update as necessary".

SEC. 2608. RULEMAKING AUTHORITY.

Subtitle E of title XII of the Food Security Act of 1985 (16 U.S.C. 3841 et seq.) is amended by adding at the end the following new section:

"SEC. 1246. REGULATIONS. 16 USC 3846.

"(a) IN GENERAL.—The Secretary shall promulgate such regulations as are necessary to implement programs under this title, including such regulations as the Secretary determines to be necessary to ensure a fair and reasonable application of the limitations established under section 1244(f).

"(b) RULEMAKING PROCEDURE.—The promulgation of regulations and administration of programs under this title—

"(1) shall be carried out without regard to chapter 35 of title 44, United States Code (commonly known as the Paperwork Reduction Act); and

"(2) shall be made as an interim rule effective on publication with an opportunity for notice and comment.

"(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In promulgating regulations under this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.".

SEC. 2609. WETLANDS MITIGATION.

Section 1222(k) of the Food Security Act of 1985 (16 U.S.C. 3822(k)) is amended to read as follows:

"(k) MITIGATION BANKING.—

"(1) MITIGATION BANKING PROGRAM.—

"(A) IN GENERAL.—Using authorities available to the Secretary, the Secretary shall operate a program or work with third parties to establish mitigation banks to assist persons in complying with the provisions of this section while mitigating any loss of wetland values and functions.

"(B) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use $10,000,000, to remain available until expended, to carry out this paragraph.

"(2) APPLICABILITY.—Subsection (f)(2)(C) shall not apply to this subsection.

"(3) POLICY AND CRITERIA.—The Secretary shall develop the appropriate policy and criteria that will allow willing persons to access existing mitigation banks, under this section or any other authority, that will serve the purposes of this section without requiring the Secretary to hold an easement, in whole or in part, in a mitigation bank.".

SEC. 2610. LESSER PRAIRIE-CHICKEN CONSERVATION REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the results of a review and analysis of each of the activities (including those administered by the Secretary) that pertain to the conservation of the lesser prairie-chicken, including the conservation reserve program, the environmental quality incentives program, the Lesser Prairie-Chicken Initiative, the Western Association of Fish and Wildlife Agencies Candidate Conservation Agreement with Assurances for Oil and Gas, and

the Western Association of Fish and Wildlife Agencies Lesser Prairie-Chicken Range-Wide Conservation Plan.

(b) CONTENTS.—The Secretary shall include in the report required by this section, at a minimum—

(1) with respect to each activity described in subsection (a) as it relates to the conservation of the lesser prairie-chicken, findings regarding—

(A) the cost of the activity to the Federal Government, impacted State governments, and the private sector;

(B) the conservation effectiveness of the activity; and

(C) the cost effectiveness of the activity; and

(2) a ranking of the activities described in subsection (a) based on their relative cost effectiveness.

SEC. 2611. HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION FOR CROP INSURANCE.

(a) HIGHLY ERODIBLE LAND PROGRAM INELIGIBILITY.—

(1) IN GENERAL.—Section 1211(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3811(a)(1)) is amended—

(A) in subparagraph (C), by striking "or" at the end;

(B) in subparagraph (D), by adding "or" at the end; and

(C) by adding at the end the following:

"(E) any portion of the premium paid by the Federal Crop Insurance Corporation for a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), on the condition that if a person is determined to have committed a violation under this subsection during a crop year, ineligibility under this subparagraph shall—

"(i) only apply to reinsurance years subsequent to the date of final determination of a violation, including all administrative appeals; and

"(ii) not apply to the existing reinsurance year or any reinsurance year prior to the date of final determination;".

(2) EXEMPTIONS.—Section 1212(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3812(a)(2)) is amended—

(A) in the first sentence, by striking "(2) If," and inserting the following:

"(2) ELIGIBILITY BASED ON COMPLIANCE WITH CONSERVATION PLAN.—

"(A) IN GENERAL.—If,";

(B) in the second sentence, by striking "In carrying" and inserting the following:

"(B) MINIMIZATION OF DOCUMENTATION.—In carrying"; and

(C) by adding at the end the following:

"(C) CROP INSURANCE.—

"(i) OPERATIONS NEW TO COMPLIANCE.—Notwithstanding section 1211(a), in the case of a person that is subject to section 1211 for the first time solely due to the amendment made by section 2611(a) of the Agricultural Act of 2014, any person who produces an agricultural commodity on the land that is the basis of the payments described in section 1211(a)(1)(E) shall have 5 reinsurance years after the date on which such payments become subject to section 1211 to develop

and comply with an approved conservation plan so as to maintain eligibility for such payments.

"(ii) EXISTING OPERATIONS WITH PRIOR VIOLATIONS.—Notwithstanding section 1211(a), in the case of a person that the Secretary determines would have been in violation of section 1211(a) if the person had continued participation in the programs requiring compliance at any time after the date of enactment of the Agricultural Act of 2014 and is currently in violation of section 1211(a), the person shall have 2 reinsurance years after the date on which the payments described in section 1211(a)(1)(E) become subject to section 1211 to develop and comply with an approved conservation plan, as determined by the Secretary, so as to maintain eligibility for such payments.

"(iii) APPLICABLE REINSURANCE YEAR.—Ineligibility for the payment described in section 1211(a)(1)(E) for a violation under this subparagraph during a crop year shall—

"(I) only apply to reinsurance years subsequent to the date of a final determination of a violation, including all administrative appeals; and

"(II) not apply to the existing reinsurance year or any reinsurance year prior to the date of the final determination.".

(3) CROP INSURANCE PREMIUM ASSISTANCE.—Section 1213(d) of the Food Security Act of 1985 (16 U.S.C. 3812a(d)) is amended by adding at the end the following:

"(4) CROP INSURANCE PREMIUM ASSISTANCE.—For the purpose of determining the eligibility of a person for the payment described in section 1211(a)(1)(E), the Secretary shall apply the procedures described in section 1221(c)(3)(E) and coordinate the certification process so as to avoid duplication or unnecessary paperwork.".

(b) WETLAND CONSERVATION PROGRAM INELIGIBILITY.—Section 1221 of the Food Security Act of 1985 (16 U.S.C. 3821) is amended—

(1) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

(2) by inserting after subsection (b) the following:

"(c) INELIGIBILITY FOR CROP INSURANCE PREMIUM ASSISTANCE.—

"(1) REQUIREMENTS.—

"(A) IN GENERAL.—If a person is determined to have committed a violation under subsection (a) or (d) during a crop year, the person shall be ineligible to receive any payment of any portion of premium paid by the Federal Crop Insurance Corporation for a plan or policy of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) pursuant to this subsection.

"(B) APPLICABILITY.—Ineligibility under this subsection shall—

"(i) only apply to reinsurance years subsequent to the date of a final determination of a violation, including all administrative appeals; and

"(ii) not apply to the existing reinsurance year or any reinsurance year prior to the date of the final determination.

"(2) CONVERSIONS.—

"(A) IN GENERAL.—Notwithstanding paragraph (1), ineligibility for crop insurance premium assistance shall apply in accordance with this paragraph.

"(B) NEW CONVERSIONS.—In the case of a wetland that the Secretary determines was converted after the date of enactment of the Agricultural Act of 2014—

"(i) the person shall be ineligible to receive crop insurance premium subsidies in subsequent reinsurance years unless the Secretary determines that an exemption pursuant to section 1222 applies; or

"(ii) for any violation that the Secretary determines impacts less than 5 acres of an entire farm, the person may pay a contribution in an amount equal to 150 percent of the cost of mitigation, as determined by the Secretary, to the fund described in section 1241(f) for wetland restoration in lieu of ineligibility to receive crop insurance premium assistance.

"(C) PRIOR CONVERSIONS.—In the case of a wetland that the Secretary determines was converted prior to the date of enactment of the Agricultural Act of 2014, ineligibility under this subsection shall not apply.

"(D) CONVERSIONS AND NEW POLICIES OR PLANS OF INSURANCE.—In the case of an agricultural commodity for which an individual policy or plan of insurance is available for the first time to the person after the date of enactment of the Agricultural Act of 2014—

"(i) ineligibility shall apply only to conversions that take place after the date on which the policy or plan of insurance first becomes available to the person; and

"(ii) the person shall take such steps as the Secretary determines appropriate to mitigate any prior conversion in a timely manner but not to exceed 2 reinsurance years.

"(3) LIMITATIONS.—

"(A) MITIGATION REQUIRED.—Except as otherwise provided in this paragraph, a person subject to a final determination, including all administrative appeals, of a violation described in subsection (d) shall have 1 reinsurance year to initiate a mitigation plan to remedy the violation, as determined by the Secretary, before becoming ineligible under this subsection in the following reinsurance year to receive any payment of any portion of the premium paid by the Federal Crop Insurance Corporation for a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

"(B) PERSONS COVERED FOR THE FIRST TIME.—Notwithstanding the requirements of paragraph (1), in the case of a person that is subject to this subsection for the first time solely due to the amendment made by section 2611(b) of the Agricultural Act of 2014, the person shall have 2 reinsurance years after the reinsurance year in which a final determination is made, including all administrative appeals, of a violation described in this subsection to take such steps as the Secretary determines appropriate to remedy or mitigate the violation in accordance with this subsection.

"(C) GOOD FAITH.—If the Secretary determines that a person subject to a final determination, including all administrative appeals, of a violation described in this subsection acted in good faith and without intent to commit a violation described in this subsection as described in section 1222(h), the person shall have 2 reinsurance years to take such steps as the Secretary determines appropriate to remedy or mitigate the violation in accordance with this subsection.

"(D) TENANT RELIEF.—

"(i) IN GENERAL.—If a tenant is determined to be ineligible for payments and other benefits under this subsection, the Secretary may limit the ineligibility only to the farm that is the basis for the ineligibility determination if the tenant has established, to the satisfaction of the Secretary that—

"(I) the tenant has made a good faith effort to meet the requirements of this section, including enlisting the assistance of the Secretary to obtain a reasonable plan for restoration or mitigation for the farm;

"(II) the landlord on the farm refuses to comply with the plan on the farm; and

"(III) the Secretary determines that the lack of compliance is not a part of a scheme or device to avoid the compliance.

"(ii) REPORT.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report concerning the ineligibility determinations limited during the previous 12-month period under this subparagraph.

"(E) CERTIFICATE OF COMPLIANCE.—

"(i) IN GENERAL.—Beginning with the first full reinsurance year immediately following the date of enactment of this paragraph, all persons seeking eligibility for the payment of a portion of the premium paid by the Federal Crop Insurance Corporation for a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) shall provide certification of compliance with this section as determined by the Secretary.

"(ii) TIMELY EVALUATION.—The Secretary shall evaluate the certification in a timely manner and—

"(I) a person who has properly complied with certification shall be held harmless with regard to eligibility during the period of evaluation; and

"(II) if the Secretary fails to evaluate the certification in a timely manner and the person is subsequently found to be in violation of this subsection, ineligibility shall not apply to the person for that violation.

"(iii) EQUITABLE CONTRIBUTION.—

"(I) IN GENERAL.—If a person fails to notify the Secretary as required and is subsequently found to be in violation of this subsection, the Secretary shall—

"(aa) determine the amount of an equitable contribution to conservation by the person for the violation; and

"(bb) deposit the contribution in the fund described in section 1241(f).

"(II) LIMITATION.—The contribution shall not exceed the total of the portion of the premium paid by the Federal Crop Insurance Corporation for a policy or plan of insurance for all years the person is determined to have been in violation subsequent to the date on which certification was first required under this subparagraph.

"(4) DUTIES OF THE SECRETARY.—

"(A) IN GENERAL.—In carrying out this subsection, the Secretary shall use existing processes and procedures for certifying compliance.

"(B) RESPONSIBILITY.—The Secretary, acting through the agencies of the Department of Agriculture, shall be solely responsible for determining whether a producer is eligible to receive crop insurance premium subsidies in accordance with this subsection.

"(C) LIMITATION.—The Secretary shall ensure that no agent, approved insurance provider, or employee or contractor of an agency or approved insurance provider, bears responsibility or liability for the eligibility of an insured producer under this subsection, other than in cases of misrepresentation, fraud, or scheme and device.".

Subtitle H—Repeal of Superseded Program Authorities and Transitional Provisions; Technical Amendments

SEC. 2701. COMPREHENSIVE CONSERVATION ENHANCEMENT PROGRAM.

Section 1230 of the Food Security Act of 1985 (16 U.S.C. 3830) is repealed.

16 USC 3831a note.

SEC. 2702. EMERGENCY FORESTRY CONSERVATION RESERVE PROGRAM.

(a) REPEAL.—Except as provided in subsection (b), section 1231A of the Food Security Act of 1985 (16 U.S.C. 3831a) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract or agreement entered into by the Secretary of Agriculture under section 1231A of the Food Security Act of 1985 (16 U.S.C. 3831a) before the date of enactment of the Agricultural Act of 2014, or any payments required to be made in connection with the contract or agreement.

(2) FUNDING.—The Secretary may use funds made available to carry out the conservation reserve program under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) to continue to carry out

contracts or agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts or agreements as in existence on the day before the date of enactment of the Agricultural Act of 2014.

SEC. 2703. WETLANDS RESERVE PROGRAM.

(a) REPEAL.—Except as provided in subsection (b), subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.) is repealed.

16 USC 3837 and note, 3837a–3837f.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS, AGREEMENTS, AND EASEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract, agreement, or easement entered into by the Secretary of Agriculture under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.) before the date of enactment of the Agricultural Act of 2014, or any payments required to be made in connection with the contract, agreement, or easement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.), any funds made available from the Commodity Credit Corporation to carry out the wetlands reserve program under that subchapter for fiscal years 2009 through 2013 shall be made available to carry out contracts, agreements, or easements referred to in paragraph (1) that were entered into prior to the date of enactment of the Agricultural Act of 2014 (including the provision of technical assistance), provided that no such contract, agreement, or easement is modified so as to increase the amount of the payment received.

(B) OTHER.—The Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, to continue to carry out contracts, agreements, and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts, agreements, and easements as in existence on the day before the date of enactment of the Agricultural Act of 2014.

SEC. 2704. FARMLAND PROTECTION PROGRAM AND FARM VIABILITY PROGRAM.

(a) REPEAL.—Except as provided in subsection (b), subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) is repealed.

16 USC 3838h and note, 3838i, 3838j.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING AGREEMENTS AND EASEMENTS.—The amendment made by this section shall not affect the validity or terms of any agreement or easement entered into by the Secretary of Agriculture under subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) before the date of enactment of the Agricultural Act of 2014, or any payments required to be made in connection with the agreement or easement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.), any funds made available from the Commodity Credit Corporation to carry out the farmland protection program under that subchapter for fiscal years 2009 through 2013 shall be made available to carry out agreements and easements referred to in paragraph (1) that were entered into prior to the date of enactment of the Agricultural Act of 2014 (including the provision of technical assistance).

(B) OTHER.—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, to continue to carry out agreements and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such agreements and easements as in existence on the day before the date of enactment of the Agricultural Act of 2014.

SEC. 2705. GRASSLAND RESERVE PROGRAM.

(a) REPEAL.—Except as provided in subsection (b), subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.) is repealed.

16 USC 3838n and note, 3838o–3838q.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS, AGREEMENTS, AND EASEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract, agreement, or easement entered into by the Secretary of Agriculture under subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.) before the date of enactment of the Agricultural Act of 2014, or any payments required to be made in connection with the contract, agreement, or easement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.), any funds made available from the Commodity Credit Corporation to carry out the grassland reserve program under that subchapter for fiscal years 2009 through 2013 shall be made available to carry out contracts, agreements, or easements referred to in paragraph (1) that were entered into prior to the date of enactment of the Agricultural Act of 2014 (including the provision of technical assistance), provided that no such contract, agreement, or easement is modified so as to increase the amount of the payment received.

(B) OTHER.—The Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, to continue to carry out contracts, agreements, and easements referred

to in paragraph (1) using the provisions of law and regulation applicable to such contracts, agreements, and easements as in existence on the day before the date of enactment of the Agricultural Act of 2014.

SEC. 2706. AGRICULTURAL WATER ENHANCEMENT PROGRAM.

16 USC 3839aa–9 note.

(a) REPEAL.—Except as provided in subsection (b), section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa–9) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract or agreement entered into by the Secretary of Agriculture under section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa–9) before the date of enactment of the Agricultural Act of 2014, or any payments required to be made in connection with the contract or agreement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa–9), any funds made available from the Commodity Credit Corporation to carry out the agricultural water enhancement program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) that were entered into prior to the date of enactment of the Agricultural Act of 2014 (including the provision of technical assistance).

(B) OTHER.—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the regional conservation partnership program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401, to continue to carry out contracts and agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and agreements as in existence on the day before the date of enactment of the Agricultural Act of 2014.

SEC. 2707. WILDLIFE HABITAT INCENTIVE PROGRAM.

16 USC 3839bb–1 note.

(a) REPEAL.—Except as provided in subsection (b), section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract or agreement entered into by the Secretary of Agriculture under section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1) before the date of enactment of the Agricultural Act of 2014, or any payments required to be made in connection with the contract or agreement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1), any funds made available from the Commodity Credit Corporation to carry out the wildlife habitat incentive program under that section for fiscal

years 2009 through 2013 shall be made available to carry out contracts or agreements referred to in paragraph (1) which were entered into prior to the date of enactment of the Agricultural Act of 2014 (including the provision of technical assistance).

(B) OTHER.—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the environmental quality incentives program under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) to continue to carry out contracts or agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts or agreements as in existence on the day before the date of enactment of the Agricultural Act of 2014.

SEC. 2708. GREAT LAKES BASIN PROGRAM.

Section 1240P of the Food Security Act of 1985 (16 U.S.C. 3839bb–3) is repealed.

16 USC 3839bb–4 note.

SEC. 2709. CHESAPEAKE BAY WATERSHED PROGRAM.

(a) REPEAL.—Except as provided in subsection (b), section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb–4) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS, AGREEMENTS, AND EASEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract, agreement, or easement entered into by the Secretary of Agriculture under section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb–4) before the date of enactment of the Agricultural Act of 2014, or any payments required to be made in connection with the contract, agreement, or easement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb–4), any funds made available from the Commodity Credit Corporation to carry out the Chesapeake Bay watershed program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts, agreements, and easements referred to in paragraph (1) that were entered into prior to the date of enactment of the Agricultural Act of 2014 (including the provision of technical assistance).

(B) OTHER.—The Secretary may use funds made available to carry out the regional conservation partnership program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401, to continue to carry out contracts, agreements, and easements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts, agreements, and easements as in existence on the day before the date of enactment of the Agricultural Act of 2014.

16 USC 3843 note.

SEC. 2710. COOPERATIVE CONSERVATION PARTNERSHIP INITIATIVE.

(a) REPEAL.—Except as provided in subsection (b), section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.—The amendment made by this section shall not affect the validity or terms of any contract or agreement entered into by the Secretary of Agriculture under section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843) before the date of enactment of the Agricultural Act of 2014, or any payments required to be made in connection with the contract or agreement.

(2) FUNDING.—

(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843), any funds made available from the Commodity Credit Corporation to carry out the cooperative conservation partnership initiative under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts and agreements referred to in paragraph (1) that were entered into prior to the date of enactment of the Agricultural Act of 2014 (including the provision of technical assistance).

(B) OTHER.—On exhaustion of funds made available under subparagraph (A), the Secretary may use funds made available to carry out the regional conservation partnership program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401, to continue to carry out contracts and agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts and agreements as in existence on the day before the date of enactment of the Agricultural Act of 2014.

SEC. 2711. ENVIRONMENTAL EASEMENT PROGRAM.

Chapter 3 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839 et seq.) is repealed.

16 USC 3839–3839d.

SEC. 2712. TEMPORARY ADMINISTRATION OF CONSERVATION PROGRAMS.

16 USC 3801 note.

(a) APPLICABILITY.—This section is applicable to activities under—

(1) the wetlands reserve program, the farmland protection program, and the farm viability program being merged into the agricultural conservation easement program under the amendment made by section 2301;

(2) the wildlife habitat incentive program being merged into the environmental quality incentives program under the amendments made by subtitle C;

(3) the agricultural water enhancement program, the Chesapeake Bay watershed program, the cooperative conservation partnership initiative, and the Great Lakes basin program being merged into the regional conservation partnership program under the amendment made by section 2401; and

(4) the grassland reserve program being merged into the conservation reserve program under the amendments made by subtitle A and into the agricultural conservation easement program under the amendment made by section 2301.

(b) INTERIM ADMINISTRATION.—Subject to subsection (d), with respect to the implementation of the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301, the amendments to the environmental quality incentives program made by subtitle C, the

regional conservation partnership program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401, and the amendments to the conservation reserve program made by subtitle A, the Secretary shall use the regulations in existence as of the day before the date of enactment of this Act that are applicable to the wetlands reserve program, the grassland reserve program, the farmland protection program, the farm viability program, the wildlife habitat incentive program, the agricultural water enhancement program, the Chesapeake Bay watershed program, the cooperative conservation partnership initiative, and the Great Lakes basin program repealed by this subtitle, to the extent that the terms and conditions of such regulations are consistent with—

(1) the provisions of the agricultural conservation easement program and the regional conservation partnership program; and

(2) the amendments to the environmental quality incentives program and the conservation reserve program made by this title.

(c) FUNDING.—The Secretary may only use funds authorized in this title or in the amendments made by this title for the specific programs listed in subsection (b), including any restrictions on the use of those funds, for the purposes identified in paragraphs (1) and (2) of subsection (b).

(d) TERMINATION OF AUTHORITY.—The authority of the Secretary to carry out subsection (b) shall terminate on the date that is 270 days after the date of enactment of this Act.

(e) PERMANENT ADMINISTRATION.—Effective beginning on the termination date described in subsection (d), the Secretary shall provide technical assistance, financial assistance, and easement enrollment in accordance with any final regulations that the Secretary considers necessary to carry out this title and the amendments made by this title.

SEC. 2713. TECHNICAL AMENDMENTS.

(a) DEFINITIONS.—Section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a)) is amended in the matter preceding paragraph (1) by striking "E" and inserting "I".

(b) PROGRAM INELIGIBILITY.—Section 1211(a) of the Food Security Act of 1985 (16 U.S.C. 3811(a)) is amended by striking "predominate" each place it appears and inserting "predominant".

(c) SPECIALTY CROP PRODUCERS.—Section 1242(i) of the Food Security Act of 1985 (16 U.S.C. 3842(i)) is amended in the header by striking "SPECIALITY" and inserting "SPECIALTY".

TITLE III—TRADE

Subtitle A—Food for Peace Act

SEC. 3001. GENERAL AUTHORITY.

Section 201 of the Food for Peace Act (7 U.S.C. 1721) is amended—

(1) in the matter preceding paragraph (1), by inserting "(to be implemented by the Administrator)" after "under this title"; and

(2) by striking paragraph (7) and the second sentence and inserting the following new paragraph:

"(7) build resilience to mitigate and prevent food crises and reduce the future need for emergency aid.".

SEC. 3002. SET-ASIDE FOR SUPPORT FOR ORGANIZATIONS THROUGH WHICH NONEMERGENCY ASSISTANCE IS PROVIDED.

Section 202(e) of the Food for Peace Act (7 U.S.C. 1722(e)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking "13 percent" and inserting "20 percent";

(B) in subparagraph (A), by striking "new" and inserting "and enhancing";

(C) by striking subparagraph (B);

(D) by redesignating subparagraph (C) as subparagraph (D); and

(E) by inserting after subparagraph (A) the following new subparagraphs:

"(B) meeting specific administrative, management, personnel, transportation, storage, and distribution costs for carrying out programs in foreign countries under this title;

"(C) implementing income-generating, community development, health, nutrition, cooperative development, agricultural, and other developmental activities within 1 or more recipient countries or within 1 or more countries in the same region; and"; and

(2) by adding at the end the following new paragraph:

"(4) INVESTMENT AUTHORITY.—An eligible organization that receives funds made available under paragraph (1) may invest the funds pending the eligible organization's use of the funds. Any interest earned on such investment may be used for the purposes for which the assistance was provided to the eligible organization without further appropriation by Congress.".

SEC. 3003. FOOD AID QUALITY.

Section 202(h) of the Food for Peace Act (7 U.S.C. 1722(h)) is amended—

(1) by striking paragraph (1) and inserting the following new paragraph:

"(1) IN GENERAL.—The Administrator shall use funds made available for fiscal year 2014 and subsequent fiscal years to carry out this title—

"(A) to assess the types and quality of agricultural commodities and products donated for food aid;

"(B) to adjust products and formulations, including potential introduction of new fortificants and products, as necessary to cost-effectively meet nutrient needs of target populations;

"(C) to test prototypes;

"(D) to adopt new specifications or improve existing specifications for micronutrient fortified food aid products, based on the latest developments in food and nutrition science, and in coordination with other international partners;

"(E) to develop new program guidance to facilitate improved matching of products to purposes having nutritional intent, in coordination with other international partners;

"(F) to develop improved guidance for implementing partners on how to address nutritional deficiencies that emerge among recipients for whom food assistance is the sole source of diet in emergency programs that extend beyond 1 year, in coordination with other international partners; and

"(G) to evaluate, in appropriate settings and as necessary, the performance and cost-effectiveness of new or modified specialized food products and program approaches designed to meet the nutritional needs of the most vulnerable groups, such as pregnant and lactating mothers, and children under the age of 5."; and

(2) in paragraph (3), by striking "fiscal years 2009 through 2011" and inserting "fiscal years 2014 through 2018".

SEC. 3004. MINIMUM LEVELS OF ASSISTANCE.

Section 204(a) of the Food for Peace Act (7 U.S.C. 1724(a)) is amended—

(1) in paragraph (1), by striking "2012" and inserting "2018"; and

(2) in paragraph (2), by striking "2012" and inserting "2018".

SEC. 3005. FOOD AID CONSULTATIVE GROUP.

(a) MEMBERSHIP.—Section 205(b) of the Food for Peace Act (7 U.S.C. 1725(b)) is amended—

(1) by striking "and" at the end of paragraph (6);

(2) by redesignating paragraph (7) as paragraph (8); and

(3) by inserting after paragraph (6) the following new paragraph:

"(7) representatives from the United States agricultural processing sector involved in providing agricultural commodities for programs under this Act; and".

(b) CONSULTATION.—Section 205(d) of the Food for Peace Act (7 U.S.C. 1725(d)) is amended—

(1) by striking the first sentence and inserting the following:

"(1) CONSULTATION IN ADVANCE OF ISSUANCE OF IMPLEMENTATION REGULATIONS, HANDBOOKS, AND GUIDELINES.—Not later than 45 days before a proposed regulation, handbook, or guideline implementing this title, or a proposed significant revision to a regulation, handbook, or guideline implementing this title, becomes final, the Administrator shall provide the proposal to the Group for review and comment."; and

(2) by adding at the end the following new paragraph:

"(2) CONSULTATION REGARDING FOOD AID QUALITY EFFORTS.—The Administrator shall seek input from and consult with the Group on the implementation of section 202(h).".

(c) REAUTHORIZATION.—Section 205(f) of the Food for Peace Act (7 U.S.C. 1725(f)) is amended by striking "2012" and inserting "2018".

SEC. 3006. OVERSIGHT, MONITORING, AND EVALUATION.

(a) REGULATIONS AND GUIDANCE.—Section 207(c) of the Food for Peace Act (7 U.S.C. 1726a(c)) is amended—

(1) in the subsection heading, by inserting "AND GUIDANCE" after "REGULATIONS";

(2) in paragraph (1), by adding at the end the following new sentence: "Not later than 270 days after the date of the enactment of the Agricultural Act of 2014, the Administrator shall issue all regulations and revisions to agency guidance necessary to implement the amendments made to this title by such Act."; and

(3) in paragraph (2), by inserting "and guidance" after "develop regulations".

(b) FUNDING.—Section 207(f) of the Food for Peace Act (7 U.S.C. 1726a(f)) is amended—

(1) in paragraph (2)(F), by striking "upgraded" and inserting "maintenance of";

(2) by striking paragraphs (3) and (4); and

(3) by redesignating paragraphs (5) and (6) as paragraphs (3) and (4), respectively; and

(4) in paragraph (4) (as so redesignated)—

(A) in subparagraph (A), by striking "$22,000,000" and all that follows through the period at the end and inserting "$17,000,000 of the funds made available under this title for each of fiscal years 2014 through 2018, except for paragraph (2)(F), for which not more than $500,000 shall be made available for each of the fiscal years 2014 through 2018."; and

(B) in subparagraph (B)(i), by striking "2012" and inserting "2018".

(c) IMPLEMENTATION REPORTS.—Not later than 270 days after the date of the enactment of this Act, the Administrator of the Agency for International Development shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committees on Agriculture and Foreign Affairs of the House of Representatives a report describing—

(1) the implementation of section 207(c) of the Food for Peace Act (7 U.S.C. 1726a(c));

(2) the surveys, studies, monitoring, reporting, and audit requirements for programs conducted under title II of such Act (7 U.S.C. 1721 et seq.) by an eligible organization that is a nongovernmental organization (as such term is defined in section 402 of such Act (7 U.S.C. 1732)); and

(3) the surveys, studies, monitoring, reporting, and audit requirements for such programs by an eligible organization that is an intergovernmental organization, such as the World Food Program or other multilateral organization.

SEC. 3007. ASSISTANCE FOR STOCKPILING AND RAPID TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF-STABLE PREPACKAGED FOODS.

Section 208(f) of the Food for Peace Act (7 U.S.C. 1726b(f)) is amended by striking "$8,000,000 for each of fiscal years 2001 through 2012" and inserting "$10,000,000 for each of fiscal years 2014 through 2018".

SEC. 3008. IMPACT ON LOCAL FARMERS AND ECONOMY AND REPORT ON USE OF FUNDS.

(a) IMPACT ON LOCAL FARMERS AND ECONOMY.—Section 403(b) of the Food for Peace Act (7 U.S.C. 1733(b)) is amended by adding at the end the following new sentence: "The Secretary or the Administrator, as appropriate, shall seek information, as part of the regular proposal and submission process, from implementing

agencies on the potential costs and benefits to the local economy of sales of agricultural commodities within the recipient country.".

(b) REPORT ON USE OF FUNDS.—Section 403 of the Food for Peace Act (7 U.S.C. 1733) is amended by adding at the end the following new subsection:

"(m) REPORT ON USE OF FUNDS.—

"(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of the Agricultural Act of 2014, and annually thereafter, the Administrator shall submit to Congress a report that—

"(A) specifies the amount of funds (including funds for administrative costs, indirect cost recovery, internal transportation, storage, and handling, and associated distribution costs) provided to each eligible organization that received assistance under this Act in the previous fiscal year;

"(B) describes how those funds were used by the eligible organization;

"(C) describes the actual rate of return for each commodity made available under this Act, including—

"(i) factors that influenced the rate of return; and

"(ii) for the commodity, the costs of bagging or further processing, ocean transportation, inland transportation in the recipient country, storage costs, and any other information that the Administrator determines to be necessary; and

"(D) for each instance in which a commodity was made available under this Act at a rate of return less than 70 percent, describes the reasons for the rate of return realized.

"(2) RATE OF RETURN DESCRIBED.—For purposes of applying paragraph (1)(C), the rate of return for a commodity shall be equal to the proportion that—

"(A) the proceeds the implementing partners generate through monetization; bears to

"(B) the cost to the Federal Government to procure and ship the commodity to a recipient country for monetization.".

SEC. 3009. PREPOSITIONING OF AGRICULTURAL COMMODITIES.

Section 407(c)(4) of the Food for Peace Act (7 U.S.C. 1736a(c)(4)) is amended—

(1) in subparagraph (A)—

(A) by striking "2012" and inserting "2018"; and

(B) by striking "for each such fiscal year not more than $10,000,000 of such funds" and inserting "for each of fiscal years 2001 through 2013 not more than $10,000,000 of such funds and for each of fiscal years 2014 through 2018 not more than $15,000,000 of such funds"; and

(2) by striking subparagraph (B) and inserting the following new subparagraph:

"(B) ADDITIONAL PREPOSITIONING SITES.—The Administrator may establish additional sites for prepositioning in foreign countries or change the location of current sites for prepositioning in foreign countries after conducting,

and based on the results of, assessments of need, the availability of appropriate technology for long-term storage, feasibility, and cost.".

SEC. 3010. ANNUAL REPORT REGARDING FOOD AID PROGRAMS AND ACTIVITIES.

Section 407(f)(1) of the Food for Peace Act (7 U.S.C. 1736a(f)(1)) is amended—

(1) in the paragraph heading, by striking "AGRICULTURAL TRADE" and inserting "FOOD AID";

(2) in subparagraph (B)(ii), by inserting before the semicolon at the end the following: "and the total number of beneficiaries of the project and the activities carried out through such project"; and

(3) in subparagraph (B)(iii)—

(A) in the matter preceding subclause (I), by inserting ", and the total number of beneficiaries in," after "commodities made available to";

(B) by striking "and" at the end of subclause (I);

(C) by inserting "and" at the end of subclause (II); and

(D) by inserting after subclause (II) the following new subclause:

"(III) the McGovern-Dole International Food for Education and Child Nutrition Program established by section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1);".

SEC. 3011. DEADLINE FOR AGREEMENTS TO FINANCE SALES OR TO PROVIDE OTHER ASSISTANCE.

Section 408 of the Food for Peace Act (7 U.S.C. 1736b) is amended by striking "2012" and inserting "2018".

SEC. 3012. MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.

Subsection (e) of section 412 of the Food for Peace Act (7 U.S.C. 1736f) is amended to read as follows:

"(e) MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.—

"(1) IN GENERAL.—Subject to paragraph (2), of the amounts made available to carry out emergency and nonemergency food assistance programs under title II, not less than 20 nor more than 30 percent for each of fiscal years 2014 through 2018 shall be expended for nonemergency food assistance programs under title II.

"(2) MINIMUM LEVEL.—The amount made available to carry out nonemergency food assistance programs under title II shall not be less than $350,000,000 for any fiscal year.".

SEC. 3013. MICRONUTRIENT FORTIFICATION PROGRAMS.

(a) ELIMINATION OF OBSOLETE REFERENCE TO STUDY.—Section 415(a)(2)(B) of the Food for Peace Act (7 U.S.C. 1736g–2(a)(2)(B)) is amended by striking ", using recommendations" and all that follows through "quality enhancements".

(b) EXTENSION.—Section 415(c) of the Food for Peace Act (7 U.S.C. 1736g–2(c)) is amended by striking "2012" and inserting "2018".

SEC. 3014. JOHN OGONOWSKI AND DOUG BEREUTER FARMER-TO-FARMER PROGRAM.

(a) FUNDING AND REAUTHORIZATION OF PROGRAM.—Section 501 of the Food for Peace Act (7 U.S.C. 1737) is amended—

(1) in subsection (d), in the matter preceding paragraph (1), by striking "2012" and inserting "2013, and not less than the greater of $15,000,000 or 0.6 percent of the amounts made available for each of fiscal years 2014 through 2018,"; and

(2) in subsection (e)(1), by striking "2012" and inserting "2018".

(b) COMPTROLLER GENERAL REPORT.—Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that contains—

(1) a review of the John Ogonowski and Doug Bereuter Farmer-to-Farmer Program authorized by section 501 of the Food for Peace Act (7 U.S.C. 1737); and

(2) recommendations relating to actions that the Comptroller General determines to be necessary to improve the monitoring and evaluation of assistance provided under such program.

SEC. 3015. COORDINATION OF FOREIGN ASSISTANCE PROGRAMS REPORT.

Section 413 of the Food for Peace Act (7 U.S.C. 1736g) is amended—

(1) by striking "(a) IN GENERAL.—To the maximum" and inserting "To the maximum"; and

(2) by striking subsection (b).

Subtitle B—Agricultural Trade Act of 1978

SEC. 3101. EXPORT CREDIT GUARANTEE PROGRAM.

(a) SHORT-TERM CREDIT GUARANTEES.—Section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622) is amended—

(1) in subsection (a), by striking "3-year" and inserting "24-month";

(2) in subsection (d), by striking "country" and inserting "obligor";

(3) by striking subsection (i);

(4) by redesignating subsections (j) and (k) as subsections (i) and (j), respectfully; and

(5) in subsection (j)(2) (as so redesignated)—

(A) by striking subparagraphs (A) and (B);

(B) by redesignating subparagraphs (C) through (E) as subparagraphs (A) through (C), respectfully;

(C) in subparagraph (B) (as so redesignated), by striking "and" at the end;

(D) in subparagraph (C) (as so redesignated)—

(i) by striking ", but do not exceed,"; and

(ii) by striking the period at the end and inserting "; and"; and

(E) by adding at the end the following new subparagraph:

"(D) notwithstanding any other provision of this section, administer and carry out (only after consulting with

the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition and Forestry of the Senate) the program pursuant to such terms as may be agreed between the parties to address the World Trade Organization dispute WTO/DS267 to the extent not superseded by any applicable international undertakings on officially supported export credits to which the United States is a party.".

(b) FUNDING.—Subsection (b) of section 211 of the Agricultural Trade Act of 1978 (7 U.S.C. 5641) is amended to read as follows:

"(b) EXPORT CREDIT GUARANTEE PROGRAM.—The Commodity Credit Corporation shall make available for each fiscal year $5,500,000,000 of credit guarantees under section 202(a).".

SEC. 3102. FUNDING FOR MARKET ACCESS PROGRAM.

Section 211(c)(1)(A) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)(A)) is amended by striking "2012" and inserting "2018".

SEC. 3103. FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.

Section 703(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5723(a)) is amended by striking "2012" and inserting "2018".

Subtitle C—Other Agricultural Trade Laws

SEC. 3201. FOOD FOR PROGRESS ACT OF 1985.

(a) EXTENSION.—The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended—

(1) in subsection (f)(3), by striking "2012" and inserting "2018";

(2) in subsection (g), by striking "2012" and inserting "2018";

(3) in subsection (k), by striking "2012" and inserting "2018"; and

(4) in subsection (l)(1), by striking "2012" and inserting "2018".

(b) REPEAL OF COMPLETED PROJECT.—Subsection (f) of the Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended by striking paragraph (6).

SEC. 3202. BILL EMERSON HUMANITARIAN TRUST ACT.

Section 302 of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1) is amended—

(1) in subsection (b)(2)(B)(i), by striking "2012" both places it appears and inserting "2018"; and

(2) in subsection (h), by striking "2012" both places it appears and inserting "2018".

SEC. 3203. PROMOTION OF AGRICULTURAL EXPORTS TO EMERGING MARKETS.

(a) DIRECT CREDITS OR EXPORT CREDIT GUARANTEES.—Section 1542(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 7 U.S.C. 5622 note) is amended by striking "2012" and inserting "2018".

(b) DEVELOPMENT OF AGRICULTURAL SYSTEMS.—Section 1542(d)(1)(A)(i) of the Food, Agriculture, Conservation, and Trade

Act of 1990 (Public Law 101–624; 7 U.S.C. 5622 note) is amended by striking "2012" and inserting "2018".

SEC. 3204. MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.

(a) REAUTHORIZATION.—Section 3107(l)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1(l)(2)) is amended by striking "2012" and inserting "2018".

(b) TECHNICAL CORRECTION.—Section 3107(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1(d)) is amended by striking "to" in the matter preceding paragraph (1).

SEC. 3205. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.

(a) PURPOSE.—Section 3205(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680(b)) is amended by striking "related barriers to trade" and inserting "technical barriers to trade".

(b) FUNDING.—Section 3205(e)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680(e)(2)) is amended—

(1) by inserting "and" at the end of subparagraph (C); and

(2) by striking subparagraphs (D) and (E) and inserting the following new subparagraph:

"(D) $9,000,000 for each of fiscal years 2011 through 2018.".

(c) U.S. ATLANTIC SPINY DOGFISH STUDY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall conduct an economic study on the existing market in the United States for U.S. Atlantic Spiny Dogfish.

SEC. 3206. GLOBAL CROP DIVERSITY TRUST.

Section 3202(c) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 22 U.S.C. 2220a note) is amended by striking "2008 through 2012" and inserting "2014 through 2018".

SEC. 3207. LOCAL AND REGIONAL FOOD AID PROCUREMENT PROJECTS.

Section 3206 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1726c) is amended—

(1) in subsection (b)—

(A) by striking "(b) STUDY; FIELD-BASED PROJECTS.—" and all that follows through "(2) FIELD-BASED PROJECTS.—" and inserting the following:

"(b) FIELD-BASED PROJECTS.—";

(B) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and indenting appropriately;

(C) in paragraph (1) (as so redesignated), by striking "subparagraph (B)" and inserting "paragraph (2)"; and

(D) in paragraph (2) (as so redesignated), by striking "subparagraph (A)" and inserting "paragraph (1)";

(2) in subsection (c)(1), by striking "subsection (b)(2)" and inserting "subsection (b)";

(3) by striking subsections (d), (f), and (g);

(4) by redesignating subsection (e) as subsection (d);

(5) in subsection (d) (as so redesignated)—

(A) in paragraph (2)—

(i) by striking subparagraph (B); and

(ii) in subparagraph (A)—

(I) by striking "(A) APPLICATION.—" and all that follows through "To be eligible" in clause (i) and inserting the following:

"(A) IN GENERAL.—To be eligible";

(II) by redesignating clause (ii) as subparagraph (B) and indenting appropriately; and

(III) in subparagraph (B) (as so redesignated), by striking "clause (i)" and inserting "subparagraph (A)"; and

(B) by striking paragraph (4); and

(6) by adding at the end the following new subsection:

"(e) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $80,000,000 for each of fiscal years 2014 through 2018.

"(2) PREFERENCE.—In carrying out this section, the Secretary may give a preference to eligible organizations that have, or are working toward, projects under the McGovern-Dole International Food for Education and Child Nutrition Program established under section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1).

"(3) REPORTING.—Each year, the Secretary shall submit to the appropriate committees of Congress a report that describes the use of funds under this section, including—

"(A) the impact of procurements and projects on—

"(i) local and regional agricultural producers; and

"(ii) markets and consumers, including low-income consumers; and

"(B) implementation time frames and costs.".

SEC. 3208. UNDER SECRETARY OF AGRICULTURE FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS.

7 USC 6935.

(a) DEFINITION OF AGRICULTURE COMMITTEES AND SUBCOMMITTEES.—In this section, the term "agriculture committees and subcommittees" means—

(1) the Committee on Agriculture of the House of Representatives;

(2) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(3) the subcommittees on agriculture, rural development, food and drug administration, and related agencies of the Committees on Appropriations of the House of Representatives and the Senate.

(b) PROPOSAL.—

(1) IN GENERAL.—The Secretary, in consultation with the agriculture committees and subcommittees, shall propose a reorganization of international trade functions for imports and exports of the Department of Agriculture.

(2) CONSIDERATIONS.—In producing the proposal under this section, the Secretary shall—

(A) in recognition of the importance of agricultural exports to the farm economy and the economy as a whole, include a plan for the establishment of an Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs;

(B) take into consideration how the Under Secretary described in subparagraph (A) would serve as a multi-agency coordinator of sanitary and phytosanitary issues and nontariff trade barriers in agriculture with respect to imports and exports of agricultural products; and

(C) take into consideration all implications of a reorganization described in paragraph (1) on domestic programs and operations of the Department of Agriculture.

(3) REPORT.—Not later than 180 days after the date of enactment of this Act and before the reorganization described in paragraph (1) can take effect, the Secretary shall submit to the agriculture committees and subcommittees a report that—

(A) includes the results of the proposal under this section; and

(B) provides a notice of the reorganization plan.

(4) IMPLEMENTATION.—Not later than 1 year after the date of the submission of the report under paragraph (3), the Secretary shall implement a reorganization of international trade functions for imports and exports of the Department of Agriculture, including the establishment of an Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs.

(c) CONFIRMATION REQUIRED.—The position of Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs established under subsection (b)(2)(A) shall be appointed by the President, by and with the advice and consent of the Senate.

TITLE IV—NUTRITION

Subtitle A—Supplemental Nutrition Assistance Program

SEC. 4001. PREVENTING PAYMENT OF CASH TO RECIPIENTS OF SUPPLEMENTAL NUTRITION ASSISTANCE BENEFITS FOR THE RETURN OF EMPTY BOTTLES AND CANS USED TO CONTAIN FOOD PURCHASED WITH BENEFITS PROVIDED UNDER THE PROGRAM.

Section 3(k)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)(1)) is amended—

(1) by striking "and hot foods" and inserting "hot foods"; and

(2) by adding at the end the following: "and any deposit fee in excess of the amount of the State fee reimbursement (if any) required to purchase any food or food product contained in a returnable bottle or can, regardless of whether the fee is included in the shelf price posted for the food or food product,".

SEC. 4002. RETAIL FOOD STORES.

(a) DEFINITION OF RETAIL FOOD STORE.—Section 3(p)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)(1)(A)) is amended—

(1) by inserting "at least 7" after "a variety of"; and

(2) by striking "at least 2" and inserting "at least 3".

(b) ALTERNATIVE BENEFIT DELIVERY.—Section 7(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(f)) is amended—

(1) by striking paragraph (2) and inserting the following:

"(2) IMPOSITION OF COSTS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall require participating retail food stores (including restaurants participating in a State option restaurant program intended to serve the elderly, disabled, and homeless) to pay 100 percent of the costs of acquiring, and arrange for the implementation of, electronic benefit transfer point-of-sale equipment and supplies, including related services.

"(B) EXEMPTIONS.—The Secretary may exempt from subparagraph (A)—

"(i) farmers' markets and other direct-to-consumer markets, military commissaries, nonprofit food buying cooperatives, and establishments, organizations, programs, or group living arrangements described in paragraphs (5), (7), and (8) of section 3(k); and

"(ii) establishments described in paragraphs (3), (4), and (9) of section 3(k), other than restaurants participating in a State option restaurant program.

"(C) INTERCHANGE FEES.—Nothing in this paragraph permits the charging of fees relating to the redemption of supplemental nutrition assistance program benefits, in accordance with subsection (h)(13).''; and

(2) by adding at the end the following:

"(4) TERMINATION OF MANUAL VOUCHERS.—

"(A) IN GENERAL.—Effective beginning on the date of enactment of this paragraph, except as provided in subparagraph (B), no State shall issue manual vouchers to a household that receives supplemental nutrition assistance under this Act or allow retail food stores to accept manual vouchers as payment, unless the Secretary determines that the manual vouchers are necessary, such as in the event of an electronic benefit transfer system failure or a disaster situation.

"(B) EXEMPTIONS.—The Secretary may exempt categories of retail food stores or individual retail food stores from subparagraph (A) based on criteria established by the Secretary.

"(5) UNIQUE IDENTIFICATION NUMBER REQUIRED.—

"(A) IN GENERAL.—To enhance the anti-fraud protections of the program, the Secretary shall require all parties providing electronic benefit transfer services to provide for and maintain unique terminal identification number information through the supplemental nutrition assistance program electronic benefit transfer transaction routing system.

"(B) REGULATIONS.—

"(i) IN GENERAL.—Not earlier than 2 years after the date of enactment of this paragraph, the Secretary shall issue proposed regulations to carry out this paragraph.

"(ii) COMMERCIAL PRACTICES.—In issuing regulations to carry out this paragraph, the Secretary shall

consider existing commercial practices for other point-of-sale debit transactions.".

(c) ELECTRONIC BENEFIT TRANSFER AUDITABILITY.—Section 7(h)(2)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(2)(C)) is amended by striking clause (ii) and inserting the following:

"(ii) unless determined by the Secretary to be located in an area with significantly limited access to food, measures that require an electronic benefit transfer system—

"(I) to set and enforce sales restrictions based on benefit transfer payment eligibility by using scanning or product lookup entry; and

"(II) to deny benefit tenders for manually entered sales of ineligible items.".

(d) ELECTRONIC BENEFIT TRANSFERS.—Section 7(h)(3)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(3)(B)) is amended by striking "is operational—" and all that follows through "(ii) in the case of other participating stores," and inserting "is operational".

(e) APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) is amended—

(1) in subsection (a)(1), in the second sentence, by striking "; and (C)" and inserting "; (C) whether the applicant is located in an area with significantly limited access to food; and (D)";

(2) in subsection (c), in the first sentence, by inserting "purchase invoices, or program-related records," after "relevant income and sales tax filing documents,"; and

(3) by adding at the end the following:

"(g) EBT SERVICE REQUIREMENT.—An approved retail food store shall provide adequate EBT service as described in section 7(h)(3)(B).".

SEC. 4003. ENHANCING SERVICES TO ELDERLY AND DISABLED SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM PARTICIPANTS.

(a) ENHANCING SERVICES TO ELDERLY AND DISABLED PROGRAM PARTICIPANTS.—Section 3(p) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)) is amended—

(1) in paragraph (3), by striking "and" at the end;

(2) in paragraph (4), by striking the period at the end and inserting "; and"; and

(3) by inserting after paragraph (4) the following:

"(5) a governmental or private nonprofit food purchasing and delivery service that—

"(A) purchases food for, and delivers the food to, individuals who are—

"(i) unable to shop for food; and

"(ii)(I) not less than 60 years of age; or

"(II) physically or mentally handicapped or otherwise disabled;

"(B) clearly notifies the participating household at the time the household places a food order—

"(i) of any delivery fee associated with the food purchase and delivery provided to the household by the service; and

"(ii) that a delivery fee cannot be paid with benefits provided under supplemental nutrition assistance program; and

"(C) sells food purchased for the household at the price paid by the service for the food and without any additional cost markup.".

(b) IMPLEMENTATION.— 7 USC 2012 note.

(1) ISSUANCE OF RULES.—The Secretary shall issue regulations that—

(A) establish criteria to identify a food purchasing and delivery service referred to in section 3(p)(5) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)(5)); and

(B) establish procedures to ensure that the service—

(i) does not charge more for a food item than the price paid by the service for the food item;

(ii) offers food delivery service at no or low cost to households under that Act;

(iii) ensures that benefits provided under the supplemental nutrition assistance program are used only to purchase food (as defined in section 3 of that Act (7 U.S.C. 2012));

(iv) limits the purchase of food, and the delivery of the food, to households eligible to receive services described in section 3(p)(5) of that Act (7 U.S.C. 2012(p)(5));

(v) has established adequate safeguards against fraudulent activities, including unauthorized use of electronic benefit cards issued under that Act; and

(vi) meets such other requirements as the Secretary determines to be appropriate.

(2) LIMITATION.—Before the issuance of rules under paragraph (1), the Secretary may not approve more than 20 food purchasing and delivery services referred to in section 3(p)(5) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)(5)) to participate as retail food stores under the supplemental nutrition assistance program.

SEC. 4004. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.

(a) IN GENERAL.—Section 4(b)(6)(F) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)(6)(F)) is amended by striking "2012" and inserting "2018".

(b) FEASIBILITY STUDY, REPORT, AND DEMONSTRATION PROJECT FOR INDIAN TRIBES.— 7 USC 2013 note.

(1) DEFINITIONS.—In this subsection:

(A) INDIAN; INDIAN TRIBE.—The terms "Indian" and "Indian tribe" have the meaning given the terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(B) TRIBAL ORGANIZATION.—The term "tribal organization" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) STUDY.—The Secretary shall conduct a study to determine the feasibility of tribal administration of Federal food assistance programs, services, functions, and activities (or portions thereof), in lieu of State agencies or other administrating entities.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(A) contains a list of programs, services, functions, and activities with respect to which it would be feasible to be administered by a tribal organization;

(B) a description of whether that administration would necessitate a statutory or regulatory change; and

(C) such other issues that may be determined by the Secretary and developed through consultation pursuant to paragraph (4).

(4) CONSULTATION WITH INDIAN TRIBES.—In developing the report required by paragraph (3), the Secretary shall consult with tribal organizations.

(5) FUNDING.—Out of any funds made available under section 18 for fiscal year 2014, the Secretary shall make available to carry out the study and report described in paragraphs (2) and (3) $1,000,000, to remain available until expended.

(6) TRADITIONAL AND LOCAL FOODS DEMONSTRATION PROJECT.—

(A) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall pilot a demonstration project by awarding a grant to 1 or more tribal organizations authorized to administer the food distribution program on Indian reservations under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)) for the purpose of purchasing nutritious and traditional foods, and when practicable, foods produced locally by Indian producers, for distribution to recipients of foods distributed under that program.

(B) ADMINISTRATION.—The Secretary may award a grant on a noncompetitive basis to 1 or more tribal organizations that have the administrative and financial capability to conduct a demonstration project, as determined by the Secretary.

(C) CONSULTATION, TECHNICAL ASSISTANCE, AND TRAINING.—During the implementation phase of the demonstration project, the Secretary shall consult with Indian tribes and provide outreach to Indian farmers, ranchers, and producers regarding the training and capacity to participate in the demonstration project.

(D) FUNDING.—

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2014 through 2018.

(ii) RELATIONSHIP TO OTHER AUTHORITIES.—The funds and authorities provided under this subparagraph are in addition to any other funds or authorities the Secretary may have to carry out activities described in this paragraph.

SEC. 4005. EXCLUSION OF MEDICAL MARIJUANA FROM EXCESS MEDICAL EXPENSE DEDUCTION.

Section 5(e)(5) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(5)) is amended by adding at the end the following:

"(C) EXCLUSION OF MEDICAL MARIJUANA.—The Secretary shall promulgate rules to ensure that medical marijuana is not treated as a medical expense for purposes of this paragraph.".

SEC. 4006. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCES IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—Section 5(e)(6)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6)(C)) is amended—

(1) in clause (i), by inserting ", subject to clause (iv)" after "Secretary"; and

(2) in clause (iv), by striking subclause (I) and inserting the following:

"(I) IN GENERAL.—Subject to subclause (II), if a State agency elects to use a standard utility allowance that reflects heating and cooling costs, the standard utility allowance shall be made available to households that received a payment, or on behalf of which a payment was made, under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.) or other similar energy assistance program, if in the current month or in the immediately preceding 12 months, the household either received such a payment, or such a payment was made on behalf of the household, that was greater than $20 annually, as determined by the Secretary.".

(b) CONFORMING AMENDMENT.—Section 2605(f)(2)(A) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)(A)) is amended by inserting before the semicolon the following: ", except that, for purposes of the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), such payments or allowances were greater than $20 annually, consistent with section 5(e)(6)(C)(iv)(I) of that Act (7 U.S.C. 2014(e)(6)(C)(iv)(I)), as determined by the Secretary of Agriculture".

(c) APPLICATION AND IMPLEMENTATION.— 7 USC 2014 note.

(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section shall—

(A) take effect 30 days after the date of enactment of this Act; and

(B) apply with respect to certification periods that begin after that date.

(2) STATE OPTION TO DELAY IMPLEMENTATION FOR CURRENT RECIPIENTS.—A State may, at the option of the State, implement a policy that eliminates or reduces the effect of the amendments made by this section on households that received a standard utility allowance as of the date of enactment of this Act, for not more than a 5-month period beginning on the date on which the amendments would otherwise apply to the respective household.

SEC. 4007. ELIGIBILITY DISQUALIFICATIONS.

Section 6(e)(3)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e)(3)(B)) is amended by striking "section;" and inserting the following:

"section, subject to the condition that the course or program of study—

"(i) is part of a program of career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) that may be completed in not more than 4 years at an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); or

"(ii) is limited to remedial courses, basic adult education, literacy, or English as a second language;".

SEC. 4008. ELIGIBILITY DISQUALIFICATIONS FOR CERTAIN CONVICTED FELONS.

(a) IN GENERAL.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by adding at the end the following:

"(r) DISQUALIFICATION FOR CERTAIN CONVICTED FELONS.—

"(1) IN GENERAL.—An individual shall not be eligible for benefits under this Act if—

"(A) the individual is convicted of—

"(i) aggravated sexual abuse under section 2241 of title 18, United States Code;

"(ii) murder under section 1111 of title 18, United States Code;

"(iii) an offense under chapter 110 of title 18, United States Code;

"(iv) a Federal or State offense involving sexual assault, as defined in 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

"(v) an offense under State law determined by the Attorney General to be substantially similar to an offense described in clause (i), (ii), or (iii); and

"(B) the individual is not in compliance with the terms of the sentence of the individual or the restrictions under subsection (k).

"(2) EFFECTS ON ASSISTANCE AND BENEFITS FOR OTHERS.—The amount of benefits otherwise required to be provided to an eligible household under this Act shall be determined by considering the individual to whom paragraph (1) applies not to be a member of the household, except that the income and resources of the individual shall be considered to be income and resources of the household.

"(3) ENFORCEMENT.—Each State shall require each individual applying for benefits under this Act to attest to whether the individual, or any member of the household of the individual, has been convicted of a crime described in paragraph (1).".

(b) CONFORMING AMENDMENT.—Section 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)) is amended in the second sentence by striking "sections 6(b), 6(d)(2), and 6(g)" and inserting "subsections (b), (d)(2), (g), and (r) of section 6".

7 USC 2014 note.

(c) INAPPLICABILITY TO CONVICTIONS OCCURRING ON OR BEFORE ENACTMENT.—The amendments made by this section shall not apply to a conviction if the conviction is for conduct occurring on or before the date of enactment of this Act.

SEC. 4009. ENDING SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS FOR LOTTERY OR GAMBLING WINNERS.

(a) IN GENERAL.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) (as amended by section 4008) is amended by adding at the end the following:

"(s) INELIGIBILITY FOR BENEFITS DUE TO RECEIPT OF SUBSTANTIAL LOTTERY OR GAMBLING WINNINGS.—

"(1) IN GENERAL.—Any household in which a member receives substantial lottery or gambling winnings, as determined by the Secretary, shall lose eligibility for benefits immediately upon receipt of the winnings.

"(2) DURATION OF INELIGIBILITY.—A household described in paragraph (1) shall remain ineligible for participation until the household meets the allowable financial resources and income eligibility requirements under subsections (c), (d), (e), (f), (g), (i), (k), (l), (m), and (n) of section 5.

"(3) AGREEMENTS.—As determined by the Secretary, each State agency, to the maximum extent practicable, shall establish agreements with entities responsible for the regulation or sponsorship of gaming in the State to determine whether individuals participating in the supplemental nutrition assistance program have received substantial lottery or gambling winnings.".

SEC. 4010. IMPROVING SECURITY OF FOOD ASSISTANCE.

Section 7(h)(8) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(8)) is amended—

(1) in the paragraph heading, by striking "CARD FEE" and inserting "OF CARDS";

(2) by striking "A State" and inserting the following:

"(A) FEES.—A State"; and

(3) by adding after subparagraph (A) (as so designated) the following:

"(B) PURPOSEFUL LOSS OF CARDS.—

"(i) IN GENERAL.—Subject to terms and conditions established by the Secretary in accordance with clause (ii), if a household makes excessive requests for replacement of the electronic benefit transfer card of the household, the Secretary may require a State agency to decline to issue a replacement card to the household unless the household, upon request of the State agency, provides an explanation for the loss of the card.

"(ii) REQUIREMENTS.—The terms and conditions established by the Secretary shall provide that—

"(I) the household be given the opportunity to provide the requested explanation and meet the requirements under this paragraph promptly;

"(II) after an excessive number of lost cards, the head of the household shall be required to review program rights and responsibilities with State agency personnel authorized to make determinations under section 5(a); and

"(III) any action taken, including actions required under section 6(b)(2), other than the withholding of the electronic benefit transfer card until an explanation described in subclause (I) is provided, shall be consistent with the due process

protections under section 6(b) or 11(e)(10), as appropriate.

"(C) PROTECTING VULNERABLE PERSONS.—In implementing this paragraph, a State agency shall act to protect homeless persons, persons with disabilities, victims of crimes, and other vulnerable persons who lose electronic benefit transfer cards but are not intentionally committing fraud.

"(D) EFFECT ON ELIGIBILITY.—While a State may decline to issue an electronic benefits transfer card until a household satisfies the requirements under this paragraph, nothing in this paragraph shall be considered a denial of, or limitation on, the eligibility for benefits under section 5.".

SEC. 4011. TECHNOLOGY MODERNIZATION FOR RETAIL FOOD STORES.

(a) MOBILE TECHNOLOGIES.—Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) (as amended by section 4030(e)) is amended by adding at the end the following:

"(14) MOBILE TECHNOLOGIES.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall approve retail food stores to redeem benefits through electronic means other than wired point of sale devices for electronic benefit transfer transactions, if the retail food stores—

"(i) establish recipient protections regarding privacy, ease of use, access, and support similar to the protections provided for transactions made in retail food stores;

"(ii) bear the costs of obtaining, installing, and maintaining mobile technologies, including mechanisms needed to process EBT cards and transaction fees;

"(iii) demonstrate the foods purchased with benefits issued under this section through mobile technologies are purchased at a price not higher than the price of the same food purchased by other methods used by the retail food store, as determined by the Secretary;

"(iv) provide adequate documentation for each authorized transaction, as determined by the Secretary; and

"(v) meet other criteria as established by the Secretary.

"(B) DEMONSTRATION PROJECT ON ACCEPTANCE OF BENEFITS OF MOBILE TRANSACTIONS.—

"(i) IN GENERAL.—Before authorizing implementation of subparagraph (A) in all States, the Secretary shall pilot the use of mobile technologies determined by the Secretary to be appropriate to test the feasibility and implications for program integrity, by allowing retail food stores to accept benefits from recipients of supplemental nutrition assistance through mobile transactions.

"(ii) DEMONSTRATION PROJECTS.—To be eligible to participate in a demonstration project under clause

(i), a retail food store shall submit to the Secretary for approval a plan that includes—

"(I) a description of the technology;

"(II) the manner by which the retail food store will provide proof of the transaction to households;

"(III) the provision of data to the Secretary, consistent with requirements established by the Secretary, in a manner that allows the Secretary to evaluate the impact of the demonstration on participant access, ease of use, and program integrity; and

"(IV) such other criteria as the Secretary may require.

"(iii) DATE OF COMPLETION.—The demonstration projects under this subparagraph shall be completed and final reports submitted to the Secretary by not later than July 1, 2016.

"(C) REPORT TO CONGRESS.—The Secretary shall—

"(i) by not later than January 1, 2017, authorize implementation of subparagraph (A) in all States, unless the Secretary makes a finding, based on the data provided under subparagraph (B), that implementation in all States is not in the best interest of the supplemental nutrition assistance program; and

"(ii) if the determination made in clause (i) is not to implement subparagraph (A) in all States, submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that includes the basis of the finding.".

(b) ACCEPTANCE OF BENEFITS THROUGH ON-LINE TRANSACTIONS.—

(1) IN GENERAL.—Section 7 of the Food and Nutrition Act of 2008 (7 U.S.C. 2016) is amended by adding at the end the following:

"(k) OPTION TO ACCEPT PROGRAM BENEFITS THROUGH ON-LINE TRANSACTIONS.—

"(1) IN GENERAL.—Subject to paragraph (4), the Secretary shall approve retail food stores to accept benefits from recipients of supplemental nutrition assistance through on-line transactions.

"(2) REQUIREMENTS TO ACCEPT BENEFITS.—A retail food store seeking to accept benefits from recipients of supplemental nutrition assistance through on-line transactions shall—

"(A) establish recipient protections regarding privacy, ease of use, access, and support similar to the protections provided for transactions made in retail food stores;

"(B) ensure benefits are not used to pay delivery, ordering, convenience, or other fees or charges;

"(C) clearly notify participating households at the time a food order is placed—

"(i) of any delivery, ordering, convenience, or other fee or charge associated with the food purchase; and

"(ii) that any such fee cannot be paid with benefits provided under this Act;

"(D) ensure the security of on-line transactions by using the most effective technology available that the Secretary

considers appropriate and cost-effective and that is comparable to the security of transactions at retail food stores; and

"(E) meet other criteria as established by the Secretary.

"(3) STATE AGENCY ACTION.—Each State agency shall ensure that recipients of supplemental nutrition assistance can use benefits on-line as described in this subsection as appropriate.

"(4) DEMONSTRATION PROJECT ON ACCEPTANCE OF BENEFITS THROUGH ON-LINE TRANSACTIONS.—

"(A) IN GENERAL.—Before the Secretary authorizes implementation of paragraph (1) in all States, the Secretary shall carry out a number of demonstration projects as determined by the Secretary to test the feasibility of allowing retail food stores to accept benefits through on-line transactions.

"(B) DEMONSTRATION PROJECTS.—To be eligible to participate in a demonstration project under subparagraph (A), a retail food store shall submit to the Secretary for approval a plan that includes—

"(i) a method of ensuring that benefits may be used to purchase only eligible items under this Act;

"(ii) a description of the method of educating participant households about the availability and operation of on-line purchasing;

"(iii) adequate testing of the on-line purchasing option prior to implementation;

"(iv) the provision of data as requested by the Secretary for purposes of analyzing the impact of the project on participant access, ease of use, and program integrity;

"(v) reports on progress, challenges, and results, as determined by the Secretary; and

"(vi) such other criteria, including security criteria, as established by the Secretary.

"(C) DATE OF COMPLETION.—The demonstration projects under this paragraph shall be completed and final reports submitted to the Secretary by not later than July 1, 2016.

"(5) REPORT TO CONGRESS.—The Secretary shall—

"(A) by not later than January 1, 2017, authorize implementation of paragraph (1) in all States, unless the Secretary makes a finding, based on the data provided under paragraph (4), that implementation in all States is not in the best interest of the supplemental nutrition assistance program; and

"(B) if the determination made in subparagraph (A) is not to implement in all States, submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that includes the basis of the finding.".

(2) CONFORMING AMENDMENTS.—

(A) Section 7(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(b)) is amended by striking "purchase food in retail food stores" and inserting "purchase food from retail food stores".

(B) Section 10 of the Food and Nutrition Act of 2008 (7 U.S.C. 2019) is amended in the first sentence by inserting "retail food stores authorized to accept and redeem benefits through on-line transactions shall be authorized to accept benefits prior to the delivery of food if the delivery occurs within a reasonable time of the purchase, as determined by the Secretary," after "food so purchased,".

(c) SAVINGS CLAUSE.—Nothing in this section or an amendment made by this section alters any requirements of the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) unless specifically authorized in this section or an amendment made by this section. 7 USC 2016 note.

SEC. 4012. USE OF BENEFITS FOR PURCHASE OF COMMUNITY-SUPPORTED AGRICULTURE SHARE.

Subsection (o)(4) of section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) (as redesignated by section 4030(a)(4)) is amended by inserting ", or agricultural producers who market agricultural products directly to consumers" after "such food".

SEC. 4013. IMPROVED WAGE VERIFICATION USING THE NATIONAL DIRECTORY OF NEW HIRES.

Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(1) in paragraph (3), by inserting "and after compliance with the requirement specified in paragraph (24)" after "section 16(e) of this Act";

(2) in paragraph (22), by striking "and" at the end;

(3) in paragraph (23)(C), by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following:

"(24) that the State agency shall request wage data directly from the National Directory of New Hires established under section 453(i) of the Social Security Act (42 U.S.C. 653(i)) relevant to determining eligibility to receive supplemental nutrition assistance program benefits and determining the correct amount of those benefits at the time of certification.".

SEC. 4014. RESTAURANT MEALS PROGRAM.

(a) IN GENERAL.—Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) (as amended by section 4013) is amended—

(1) in paragraph (23)(C), by striking "and" at the end;

(2) in paragraph (24), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(25) if the State elects to carry out a program to contract with private establishments to offer meals at concessional prices, as described in paragraphs (3), (4), and (9) of section 3(k)—

"(A) the plans of the State agency for operating the program, including—

"(i) documentation of a need that eligible homeless, elderly, and disabled clients are underserved in a particular geographic area;

"(ii) the manner by which the State agency will limit participation to only those private establishments

that the State determines necessary to meet the need identified in clause (i); and

"(iii) any other conditions the Secretary may prescribe, such as the level of security necessary to ensure that only eligible recipients participate in the program; and

"(B) a report by the State agency to the Secretary annually, the schedule of which shall be established by the Secretary, that includes—

"(i) the number of households and individual recipients authorized to participate in the program, including any information on whether the individual recipient is elderly, disabled, or homeless; and

"(ii) an assessment of whether the program is meeting an established need, as documented under subparagraph (A)(i).".

(b) APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) (as amended by section 4002(d)(2)) is amended by adding at the end the following:

"(h) PRIVATE ESTABLISHMENTS.—

"(1) IN GENERAL.—Subject to paragraph (2), no private establishment that contracts with a State agency to offer meals at concessional prices as described in paragraphs (3), (4), and (9) of section 3(k) may be authorized to accept and redeem benefits unless the Secretary determines that the participation of the private establishment is required to meet a documented need in accordance with section 11(e)(25).

"(2) EXISTING CONTRACTS.—

"(A) IN GENERAL.—If, on the day before the date of enactment of this subsection, a State has entered into a contract with a private establishment described in paragraph (1) and the Secretary has not determined that the participation of the private establishment is necessary to meet a documented need in accordance with section 11(e)(25), the Secretary shall allow the operation of the private establishment to continue without that determination of need for a period not to exceed 180 days from the date on which the Secretary establishes determination criteria, by regulation, under section 11(e)(25).

"(B) JUSTIFICATION.—If the Secretary determines to terminate a contract with a private establishment that is in effect on the date of enactment of this subsection, the Secretary shall provide justification to the State in which the private establishment is located for that termination.

"(3) REPORT TO CONGRESS.—Not later than 90 days after September 30, 2014, and 90 days after the last day of each fiscal year thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the effectiveness of a program under this subsection using any information received from States under section 11(e)(25) as well as any other information the Secretary may have relating to the manner in which benefits are used.".

(c) CONFORMING AMENDMENTS.—Section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)) is amended by inserting

"subject to section 9(h)" after "concessional prices" each place it appears.

SEC. 4015. MANDATING STATE IMMIGRATION VERIFICATION.

Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by striking subsection (p) and inserting the following:

"(p) STATE VERIFICATION OPTION.—In carrying out the supplemental nutrition assistance program, a State agency shall be required to use an immigration status verification system established under section 1137 of the Social Security Act (42 U.S.C. 1320b–7), and an income and eligibility verification system, in accordance with standards set by the Secretary.".

SEC. 4016. DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.

(a) DATA EXCHANGE STANDARDIZATION.—Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

"(v) DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.—

"(1) DESIGNATION.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget, and considering State government perspectives, designate data exchange standards to govern, under this Act—

"(A) necessary categories of information that State agencies operating related programs are required under applicable law to electronically exchange with another State agency; and

"(B) Federal reporting and data exchange required under applicable law.

"(2) REQUIREMENTS.—The data exchange standards required by paragraph (1) shall, to the maximum extent practicable—

"(A) incorporate a widely accepted, nonproprietary, searchable, computer-readable format, such as the eXtensible Markup Language;

"(B) contain interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model;

"(C) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

"(D) be consistent with and implement applicable accounting principles;

"(E) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

"(F) be capable of being continually upgraded as necessary.

"(3) RULES OF CONSTRUCTION.—Nothing in this subsection requires a change to existing data exchange standards for Federal reporting found to be effective and efficient.".

(b) APPLICATION DATE.— 7 USC 2020 note.

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall issue a proposed rule to carry out the amendments made by this section.

(2) REQUIREMENTS.—The rule shall—

(A) identify federally required data exchanges;

(B) include specification and timing of exchanges to be standardized;

(C) address the factors used in determining whether and when to standardize data exchanges;

(D) specify State implementation options; and

(E) describe future milestones.

SEC. 4017. PILOT PROJECTS TO IMPROVE FEDERAL-STATE COOPERATION IN IDENTIFYING AND REDUCING FRAUD IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 12 of the Food and Nutrition Act of 2008 (7 U.S.C. 2021) is amended by adding at the end the following:

"(i) PILOT PROJECTS TO IMPROVE FEDERAL-STATE COOPERATION IN IDENTIFYING AND REDUCING FRAUD IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

"(1) PILOT PROJECTS REQUIRED.—

"(A) IN GENERAL.—The Secretary shall carry out, under such terms and conditions as are determined by the Secretary, pilot projects to test innovative Federal-State partnerships to identify, investigate, and reduce fraud by retail food stores and wholesale food concerns in the supplemental nutrition assistance program, including allowing States to operate programs to investigate that fraud.

"(B) REQUIREMENT.—At least 1 pilot project described in subparagraph (A) shall be carried out in an urban area that is among the 10 largest urban areas in the United States (based on population), if—

"(i) the supplemental nutrition assistance program is separately administered in the area; and

"(ii) if the administration of the supplemental nutrition assistance program in the area complies with the other applicable requirements of the program.

"(2) SELECTION CRITERIA.—Pilot projects shall be selected based on criteria the Secretary establishes, which shall include—

"(A) enhancing existing efforts by the Secretary to reduce fraud described in paragraph (1)(A);

"(B) requiring participant States to maintain the overall level of effort of the States at addressing recipient fraud, as determined by the Secretary, prior to participation in the pilot project;

"(C) collaborating with other law enforcement authorities as necessary to carry out an effective pilot project;

"(D) commitment of the participant State agency to follow Federal rules and procedures with respect to investigations described in paragraph (1)(A); and

"(E) the extent to which a State has committed resources to recipient fraud and the relative success of those efforts.

"(3) EVALUATION.—

"(A) IN GENERAL.—The Secretary shall evaluate the pilot projects selected under this subsection to measure the impact of the pilot projects.

"(B) REQUIREMENTS.—The evaluation shall include—

"(i) the impact of each pilot project on increasing the capacity of the Secretary to address fraud described in paragraph (1)(A);

"(ii) the effectiveness of the pilot projects in identifying, preventing and reducing fraud described in paragraph (1)(A); and

"(iii) the cost effectiveness of the pilot projects.

"(4) REPORT TO CONGRESS.—Not later than September 30, 2017, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report that includes a description of the results of each pilot project, including—

"(A) an evaluation of the impact of the pilot project on fraud described in paragraph (1)(A); and

"(B) the costs associated with the pilot project.

"(5) FUNDING.—Any costs incurred by a State to operate pilot projects under this subsection that are in excess of the amount expended under this Act to identify, investigate, and reduce fraud described in paragraph (1)(A) in the respective State in the previous fiscal year shall not be eligible for Federal reimbursement under this Act.".

SEC. 4018. PROHIBITING GOVERNMENT-SPONSORED RECRUITMENT ACTIVITIES.

(a) ADMINISTRATIVE COST-SHARING AND QUALITY CONTROL.—Section 16(a)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)(4)) is amended by inserting after "recruitment activities" the following: "designed to persuade an individual to apply for program benefits or that promote the program through television, radio, or billboard advertisements".

(b) LIMITATION ON USE OF FUNDS AUTHORIZED TO BE APPROPRIATED UNDER ACT.—Section 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027) is amended by adding at the end the following:

"(g) BAN ON RECRUITMENT AND PROMOTION ACTIVITIES.—

"(1) IN GENERAL.—Except as provided in paragraph (2), no funds authorized to be appropriated under this Act shall be used by the Secretary for—

"(A) recruitment activities designed to persuade an individual to apply for supplemental nutrition assistance program benefits;

"(B) television, radio, or billboard advertisements that are designed to promote supplemental nutrition assistance program benefits and enrollment; or

"(C) any agreements with foreign governments designed to promote supplemental nutrition assistance program benefits and enrollment.

"(2) LIMITATION.—Paragraph (1)(B) shall not apply to programmatic activities undertaken with respect to benefits made under section 5(h).".

(c) BAN ON RECRUITMENT ACTIVITIES BY ENTITIES THAT RECEIVE FUNDS.—Section 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027) (as amended by subsection (b)) is amended by adding at the end the following:

"(h) BAN ON RECRUITMENT BY ENTITIES THAT RECEIVE FUNDS.—The Secretary shall issue regulations that prohibit entities that

receive funds under this Act to compensate any person for conducting outreach activities relating to participation in, or for recruiting individuals to apply to receive benefits under, the supplemental nutrition assistance program, if the amount of the compensation would be based on the number of individuals who apply to receive the benefits.".

SEC. 4019. TOLERANCE LEVEL FOR EXCLUDING SMALL ERRORS.

Section 16(c)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(1)(A)) is amended—

(1) by striking "In carrying" and inserting the following:

"(i) IN GENERAL.—In carrying"; and

(2) by adding at the end the following:

"(ii) TOLERANCE LEVEL FOR EXCLUDING SMALL ERRORS.—The Secretary shall set the tolerance level for excluding small errors for the purposes of this subsection—

"(I) for fiscal year 2014, at an amount not greater than $37; and

"(II) for each fiscal year thereafter, the amount specified in subclause (I) adjusted by the percentage by which the thrifty food plan is adjusted under section 3(u)(4) between June 30, 2013, and June 30 of the immediately preceding fiscal year.".

SEC. 4020. QUALITY CONTROL STANDARDS.

(a) IN GENERAL.—Section 16(c)(1)(D)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(1)(D)(i)) is amended by striking subclause (I).

(b) CONFORMING AMENDMENTS.—

(1) Section 13(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2022(a)(1)) is amended in the first sentence by striking "section 16(c)(1)(D)(i)(III)" and inserting "section 16(c)(1)(D)(i)(II)".

(2) Section 16(c)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(1)) is amended—

(A) in subparagraph (D)—

(i) in clause (i)—

(I) by redesignating subclauses (II) through (IV) as subclauses (I) through (III), respectively; and

(II) in subclause (III) (as so redesignated), by striking "through (III)" and inserting "and (II)"; and

(ii) in clause (ii), by striking "waiver amount or";

(B) in subparagraph (E)(i), by striking "(D)(i)(III)" and inserting "(D)(i)(II)"; and

(C) in subparagraph (F), by striking "(D)(i)(II)" each place it appears and inserting "(D)(i)(I)".

SEC. 4021. PERFORMANCE BONUS PAYMENTS.

Section 16(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(d)) is amended by adding at the end the following:

"(5) USE OF PERFORMANCE BONUS PAYMENTS.—A State agency may use a performance bonus payment received under this subsection only to carry out the program established under this Act, including investments in—

"(A) technology;

"(B) improvements in administration and distribution; and

"(C) actions to prevent fraud, waste, and abuse.".

SEC. 4022. PILOT PROJECTS TO REDUCE DEPENDENCY AND INCREASE WORK REQUIREMENTS AND WORK EFFORT UNDER SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 16(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by striking "15 months" and inserting "24 months"; and

(ii) by striking ", except that for fiscal year 2013 and fiscal year 2014, the amount shall be $79,000,000";

(B) in subparagraph (C)—

(i) by striking "If a State" and inserting the following:

"(i) IN GENERAL.—If a State"; and

(ii) by adding at the end the following:

"(ii) TIMING.—The Secretary shall collect such information as the Secretary determines to be necessary about the expenditures and anticipated expenditures by the State agencies of the funds initially allocated to the State agencies under subparagraph (A) to make reallocations of unexpended funds under clause (i) within a timeframe that allows each State agency to which funds are reallocated at least 270 days to expend the reallocated funds.

"(iii) OPPORTUNITY.—The Secretary shall ensure that all State agencies have an opportunity to obtain reallocated funds."; and

(C) by adding at the end the following:

"(F) PILOT PROJECTS TO REDUCE DEPENDENCY AND INCREASE WORK REQUIREMENTS AND WORK EFFORT UNDER SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

"(i) PILOT PROJECTS REQUIRED.—

"(I) IN GENERAL.—The Secretary shall carry out pilot projects under which State agencies shall enter into cooperative agreements with the Secretary to develop and test methods, including operating work programs with certain features comparable to the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), for employment and training programs and services to raise the number of work registrants under section 6(d) of this Act who obtain unsubsidized employment, increase the earned income of the registrants, and reduce the reliance of the registrants on public assistance, so as to reduce the need for supplemental nutrition assistance benefits.

"(II) REQUIREMENTS.—Pilot projects shall—

"(aa) meet such terms and conditions as the Secretary considers to be appropriate; and

"(bb) except as otherwise provided in this subparagraph, be in accordance with the requirements of sections 6(d) and 20.

"(ii) SELECTION CRITERIA.—

"(I) IN GENERAL.—The Secretary shall select pilot projects under this subparagraph in accordance with the criteria established under this clause and additional criteria established by the Secretary.

"(II) QUALIFYING CRITERIA.—To be eligible to participate in a pilot project, a State agency shall—

"(aa) agree to participate in the evaluation described in clause (vii), including providing evidence that the State has a robust data collection system for program administration and cooperating to make available State data on the employment activities and post-participation employment, earnings, and public benefit receipt of participants to ensure proper and timely evaluation;

"(bb) commit to collaborate with the State workforce board and other job training programs in the State and local area; and

"(cc) commit to maintain at least the amount of State funding for employment and training programs and services under paragraphs (2) and (3) and under section 20 as the State expended for fiscal year 2013.

"(III) SELECTION CRITERIA.—In selecting pilot projects, the Secretary shall—

"(aa) consider the degree to which the pilot project would enhance existing employment and training programs in the State;

"(bb) consider the degree to which the pilot project would enhance the employment and earnings of program participants;

"(cc) consider whether there is evidence that the pilot project could be replicated easily by other States or political subdivisions;

"(dd) consider whether the State agency has a demonstrated capacity to operate high quality employment and training programs; and

"(ee) ensure the pilot projects, when considered as a group, test a range of strategies, including strategies that—

"(AA) target individuals with low skills or limited work experience, individuals subject to the requirements under section 6(o), and individuals who are working;

"(BB) are located in a range of geographic areas and States, including rural and urban areas;

"(CC) emphasize education and training, rehabilitative services for individuals with barriers to employment,

rapid attachment to employment, and mixed strategies; and

"(DD) test programs that assign work registrants to mandatory and voluntary participation in employment and training activities.

"(iii) ACCOUNTABILITY .—

"(I) IN GENERAL.—The Secretary shall establish and implement a process to terminate a pilot project for which the State has failed to meet the criteria described in clause (ii) or other criteria established by the Secretary.

"(II) TIMING.—The process shall include a reasonable time period, not to exceed 180 days, for State agencies found noncompliant to correct the noncompliance.

"(iv) EMPLOYMENT AND TRAINING ACTIVITIES.—Allowable programs and services carried out under this subparagraph shall include those programs and services authorized under this Act and employment and training activities authorized under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), including:

"(I) Employment in the public or private sector that is not subsidized by any public program.

"(II) Employment in the private sector for which the employer receives a subsidy from public funds to offset all or a part of the wages and costs of employing an adult.

"(III) Employment in the public sector for which the employer receives a subsidy from public funds to offset all or a part of the wages and costs of employing an adult.

"(IV) A work activity that—

"(aa) is performed in return for public benefits;

"(bb) provides an adult with an opportunity to acquire the general skills, knowledge, and work habits necessary to obtain employment;

"(cc) is designed to improve the employability of those who cannot find unsubsidized employment; and

"(dd) is supervised by an employer, work site sponsor, or other responsible party on an ongoing basis.

"(V) Training in the public or private sector that—

"(aa) is given to a paid employee while the employee is engaged in productive work; and

"(bb) provides knowledge and skills essential to the full and adequate performance of the job.

"(VI) Job search, obtaining employment, or preparation to seek or obtain employment, including—

"(aa) life skills training;

"(bb) substance abuse treatment or mental health treatment, determined to be necessary and documented by a qualified medical, substance abuse, or mental health professional; and

"(cc) rehabilitation activities, supervised by a public agency or other responsible party on an ongoing basis.

"(VII) Structured programs and embedded activities—

"(aa) in which adults perform work for the direct benefit of the community under the auspices of public or nonprofit organizations;

"(bb) that are limited to projects that serve useful community purposes in fields such as health, social service, environmental protection, education, urban and rural redevelopment, welfare, recreation, public facilities, public safety, and child care;

"(cc) that are designed to improve the employability of adults not otherwise able to obtain unsubsidized employment;

"(dd) that are supervised on an ongoing basis; and

"(ee) with respect to which a State agency takes into account, to the maximum extent practicable, the prior training, experience, and skills of a recipient in making appropriate community service assignments.

"(VIII) Career and technical training programs that are—

"(aa) directly related to the preparation of adults for employment in current or emerging occupations; and

"(bb) supervised on an ongoing basis.

"(IX) Training or education for job skills that are—

"(aa) required by an employer to provide an adult with the ability to obtain employment or to advance or adapt to the changing demands of the workplace; and

"(bb) supervised on an ongoing basis.

"(X) Education that is—

"(aa) related to a specific occupation, job, or job offer; and

"(bb) supervised on an ongoing basis.

"(XI) In the case of an adult who has not completed secondary school or received a certificate of general equivalence, regular attendance that is—

"(aa) in accordance with the requirements of the secondary school or course of study, at a secondary school or in a course of study

leading to a certificate of general equivalence; and

"(bb) supervised on an ongoing basis.

"(XII) Providing child care to enable another recipient of public benefits to participate in a community service program that—

"(aa) does not provide compensation for the community service;

"(bb) is a structured program designed to improve the employability of adults who participate in the program; and

"(cc) is supervised on an ongoing basis.

"(v) SANCTIONS.—Subject to clause (vi), no work registrant shall be eligible to participate in the supplemental nutrition assistance program if the individual refuses without good cause to participate in an employment and training program under this subparagraph, to the extent required by the State agency.

"(vi) STANDARDS.—

"(I) IN GENERAL.—Employment and training activities under this subparagraph shall be considered to be carried out under section 6(d), including for the purpose of satisfying any conditions of participation and duration of ineligibility.

"(II) STANDARDS FOR CERTAIN EMPLOYMENT ACTIVITIES.—The Secretary shall establish standards for employment activities described in subclauses (I), (II), and (III) of clause (iv) that ensure that failure to work for reasons beyond the control of an individual, such as involuntary reduction in hours of employment, shall not result in ineligibility.

"(III) PARTICIPATION IN OTHER PROGRAMS.—Before assigning a work registrant to mandatory employment and training activities, a State agency shall—

"(aa) assess whether the work registrant is participating in substantial employment and training activities outside of the pilot project that are expected to result in the work registrant gaining increased skills, training, work, or experience consistent with the objectives of the pilot project; and

"(bb) if determined to be acceptable, count hours engaged in the activities toward any minimum participation requirement.

"(vii) EVALUATION AND REPORTING.—

"(I) INDEPENDENT EVALUATION.—

"(aa) IN GENERAL.—The Secretary shall, under such terms and conditions as the Secretary determines to be appropriate, conduct for each State agency that enters into a cooperative agreement under clause (i) an independent longitudinal evaluation of each pilot project of the State agency under this subparagraph, with results reported not less

frequently than in consecutive 12-month increments.

"(bb) PURPOSE.—The purpose of the independent evaluation shall be to measure the impact of employment and training programs and services provided by each State agency under the pilot projects on the ability of adults in each pilot project target population to find and retain employment that leads to increased household income and reduced reliance on public assistance, as well as other measures of household well-being, compared to what would have occurred in the absence of the pilot project.

"(cc) METHODOLOGY.—The independent evaluation shall use valid statistical methods that can determine, for each pilot project, the difference, if any, between supplemental nutrition assistance and other public benefit receipt expenditures, employment, earnings and other impacts as determined by the Secretary—

"(AA) as a result of the employment and training programs and services provided by the State agency under the pilot project; as compared to

"(BB) a control group that is not subject to the employment and training programs and services provided by the State agency under the pilot project.

"(II) REPORTING.—Not later than December 31, 2015, and each December 31 thereafter until the completion of the last evaluation under subclause (I), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate and share broadly, including by posting on the Internet website of the Department of Agriculture, a report that includes a description of—

"(aa) the status of each pilot project carried out under this subparagraph;

"(bb) the results of the evaluation completed during the previous fiscal year;

"(cc) to the maximum extent practicable, baseline information relevant to the stated goals and desired outcomes of the pilot project;

"(dd) the employment and training programs and services each State tested under the pilot, including—

"(AA) the system of the State for assessing the ability of work registrants to participate in and meet the requirements of employment and training activities and assigning work registrants to appropriate activities; and

"(BB) the employment and training activities and services provided under the pilot;

"(ee) the impact of the employment and training programs and services on appropriate employment, income, and public benefit receipt as well as other outcomes among households participating in the pilot project, relative to households not participating; and

"(ff) the steps and funding necessary to incorporate into State employment and training programs and services the components of the pilot projects that demonstrate increased employment and earnings.

"(viii) FUNDING.—

"(I) IN GENERAL.—Subject to subclause (II), from amounts made available under section 18(a)(1), the Secretary shall use to carry out this subparagraph—

"(aa) for fiscal year 2014, $10,000,000; and

"(bb) for fiscal year 2015, $190,000,000.

"(II) LIMITATIONS.—

"(aa) IN GENERAL.—The Secretary shall not fund more than 10 pilot projects under this subparagraph.

"(bb) DURATION.—Each pilot project shall be in effect for not more than 3 years.

"(III) AVAILABILITY OF FUNDS.—Funds made available under subclause (I) shall remain available through September 30, 2018.

"(ix) USE OF FUNDS.—

"(I) IN GENERAL.—Funds made available under this subparagraph for pilot projects shall be used only for—

"(aa) pilot projects that comply with this Act;

"(bb) the program and administrative costs of carrying out the pilot projects;

"(cc) the costs incurred in developing systems and providing information and data for the independent evaluations under clause (vii); and

"(dd) the costs of the evaluations under clause (vii).

"(II) MAINTENANCE OF EFFORT.—Funds made available under this subparagraph shall be used only to supplement, not to supplant, non-Federal funds used for existing employment and training activities or services.

"(III) OTHER FUNDS.—In carrying out pilot projects, States may contribute additional funds obtained from other sources, including Federal, State, or private funds, on the condition that the use of the contributions is permissible under Federal law."; and

(2) by striking paragraph (5) and inserting the following:

"(5) MONITORING.—

"(A) IN GENERAL.—The Secretary shall monitor the employment and training programs carried out by State agencies under section 6(d)(4) and assess the effectiveness of the programs in—

"(i) preparing members of households participating in the supplemental nutrition assistance program for employment, including the acquisition of basic skills necessary for employment; and

"(ii) increasing the number of household members who obtain and retain employment subsequent to participation in the employment and training programs.

"(B) REPORTING MEASURES.—

"(i) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor, shall develop State reporting measures that identify improvements in the skills, training, education, or work experience of members of households participating in the supplemental nutrition assistance program.

"(ii) REQUIREMENTS.—Measures shall—

"(I) be based on common measures of performance for Federal workforce training programs; and

"(II) include additional indicators that reflect the challenges facing the types of members of households participating in the supplemental nutrition assistance program who participate in a specific employment and training component.

"(iii) STATE REQUIREMENTS.—The Secretary shall require that each State employment and training plan submitted under section 11(e)(19) identifies appropriate reporting measures for each proposed component that serves a threshold number of participants determined by the Secretary of at least 100 people a year.

"(iv) INCLUSIONS.—Reporting measures described in clause (iii) may include—

"(I) the percentage and number of program participants who received employment and training services and are in unsubsidized employment subsequent to the receipt of those services;

"(II) the percentage and number of program participants who obtain a recognized credential, including a registered apprenticeship, or a regular secondary school diploma or its recognized equivalent, while participating in, or within 1 year after receiving, employment and training services;

"(III) the percentage and number of program participants who are in an education or training program that is intended to lead to a recognized credential, including a registered apprenticeship or on-the-job training program, a regular secondary school diploma or its recognized equivalent, or unsubsidized employment;

"(IV) subject to terms and conditions established by the Secretary, measures developed by each State agency to assess the skills acquisition of employment and training program participants that reflect the goals of the specific employment

and training program components of the State agency, which may include, at a minimum—

"(aa) the percentage and number of program participants who are meeting program requirements in each component of the education and training program of the State agency;

"(bb) the percentage and number of program participants who are gaining skills likely to lead to employment as measured through testing, quantitative or qualitative assessment, or other method; and

"(cc) the percentage and number of program participants who do not comply with employment and training requirements and who are ineligible under section 6(b); and

"(V) other indicators approved by the Secretary.

"(C) OVERSIGHT OF STATE EMPLOYMENT AND TRAINING ACTIVITIES.—The Secretary shall assess State employment and training programs on a periodic basis to ensure—

"(i) compliance with Federal employment and training program rules and regulations;

"(ii) that program activities are appropriate to meet the needs of the individuals referred by the State agency to an employment and training program component;

"(iii) that reporting measures are appropriate to identify improvements in skills, training, work and experience for participants in an employment and training program component; and

"(iv) for States receiving additional allocations under paragraph (1)(E), any information the Secretary may require to evaluate the compliance of the State agency with paragraph (1), which may include—

"(I) a report for each fiscal year of the number of individuals in the State who meet the conditions of paragraph (1)(E)(ii), the number of individuals the State agency offers a position in a program described in subparagraph (B) or (C) of section 6(o)(2), and the number who participate in such a program;

"(II) a description of the types of employment and training programs the State agency uses to comply with paragraph (1)(E) and the availability of those programs throughout the State; and

"(III) any additional information the Secretary determines to be appropriate.

"(D) STATE REPORT.—Each State agency shall annually prepare and submit to the Secretary a report on the State employment and training program that includes, using measures identified under subparagraph (B), the numbers of supplemental nutrition assistance program participants who have gained skills, training, work, or experience that will increase the ability of the participants to obtain regular employment.

"(E) MODIFICATIONS TO THE STATE EMPLOYMENT AND TRAINING PLAN.—Subject to terms and conditions established by the Secretary, if the Secretary determines that the performance of a State agency with respect to employment and training outcomes is inadequate, the Secretary may require the State agency to make modifications to the State employment and training plan to improve the outcomes.

"(F) PERIODIC EVALUATION.—Subject to terms and conditions established by the Secretary, not later than October 1, 2016, and not less frequently than once every 5 years thereafter, the Secretary shall conduct a study to review existing practice and research to identify employment and training program components and practices that—

"(i) effectively assist members of households participating in the supplemental nutrition assistance program in gaining skills, training, work, or experience that will increase the ability of the participants to obtain regular employment; and

"(ii) are best integrated with statewide workforce development systems.".

(b) CONFORMING AMENDMENTS.—

(1) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(A) in subsection (d)(14), by inserting "or a pilot project under section 16(h)(1)(F)" after "6(d)(4)(I)";

(B) in subsection (e)(3)(B)(iii), by inserting "or a pilot project under section 16(h)(1)(F)" after "6(d)(4)"; and

(C) in subsection (g)(3), in the first sentence, by inserting "or a pilot project under section 16(h)(1)(F)" after "6(d)".

(2) Section 16(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)) is amended—

(A) in paragraph (3), by inserting "or a pilot project under paragraph (1)(F)" after "6(d)(4)"; and

(B) in paragraph (4), by inserting "or a pilot project under paragraph (1)(F)" after "6(d)(4)".

(3) Section 17(b)(1)(B)(iv)(III)(hh) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(hh)) is amended by inserting "(h)(1)(F)," after "(g),".

(c) APPLICATION DATE.—

7 USC 2014 note.

(1) IN GENERAL.—The amendments made by this section (other than the amendments made by subsection (a)(2)) shall apply beginning on the date of enactment of this Act.

7 USC 2025 note.

(2) PROCESS FOR SELECTING PILOT PROGRAMS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(i) develop and publish the process for selecting pilot projects under section 16(h)(1)(F) of the Food and Nutrition Act of 2008 (as added by subsection (a)(1)(C)); and

(ii) issue such request for proposals for the independent evaluation as is determined appropriate by the Secretary.

(B) APPLICATION.—The Secretary shall begin considering proposals not earlier than 90 days after the date

on which the Secretary completes the actions described in subparagraph (A).

(C) SELECTION.—Not later than 180 days after the date on which the Secretary completes the actions described in subparagraph (A), the Secretary shall select pilot projects from the applications submitted in response to the request for proposals issued under subparagraph (A).

(3) MONITORING OF EMPLOYMENT AND TRAINING PROGRAMS.— 7 USC 2025 note.

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall issue interim final regulations implementing the amendments made by subsection (a)(2).

(B) STATE ACTION.—States shall include reporting measures required under section 16(h)(5) of the Food and Nutrition Act of 2008 (as amended by subsection (a)(2)) in the employment and training plans of the States for the first full fiscal year that begins not earlier than 180 days after the date that the regulations described in subparagraph (A) are published.

SEC. 4023. COOPERATION WITH PROGRAM RESEARCH AND EVALUATION.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended by adding at the end the following:

"(l) COOPERATION WITH PROGRAM RESEARCH AND EVALUATION.—Subject to the requirements of this Act, including protections under section 11(e)(8), States, State agencies, local agencies, institutions, facilities such as data consortiums, and contractors participating in programs authorized under this Act shall—

"(1) cooperate with officials and contractors acting on behalf of the Secretary in the conduct of evaluations and studies under this Act; and

"(2) submit information at such time and in such manner as the Secretary may require.".

SEC. 4024. AUTHORIZATION OF APPROPRIATIONS.

Section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended in the first sentence by striking "2012" and inserting "2018".

SEC. 4025. REVIEW, REPORT, AND REGULATION OF CASH NUTRITION ASSISTANCE PROGRAM BENEFITS PROVIDED IN PUERTO RICO.

Section 19 of the Food and Nutrition Act of 2008 (7 U.S.C. 2028) is amended by adding at the end the following:

"(e) REVIEW, REPORT, AND REGULATION OF CASH NUTRITION ASSISTANCE PROGRAM BENEFITS PROVIDED IN PUERTO RICO.—

"(1) REVIEW.—The Secretary, in consultation with the Secretary of Health and Human Services, shall carry out a review of the provision of nutrition assistance in Puerto Rico in the form of cash benefits under this section that shall include—

"(A) an examination of the history of and purpose for distribution of a portion of monthly benefits in the form of cash;

"(B) an examination of current barriers to the redemption of non-cash benefits by current program participants and retailers;

"(C) an examination of current usage of cash benefits for the purchase of non-food and other prohibited items;

"(D) an identification and assessment of potential adverse effects of the discontinuation of a portion of benefits in the form of cash for program participants and retailers; and

"(E) an examination of such other factors as the Secretary determines to be relevant.

"(2) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report that describes the results of the review conducted under this subsection.

"(3) REGULATION.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), and notwithstanding the second sentence of subsection (b)(1)(B)(i), the Secretary shall disapprove any plan submitted pursuant to subsection (b)(1)(A)—

"(i) for fiscal year 2017 that provides for the distribution of more than 20 percent of the nutrition assistance benefit of a participant in the form of cash;

"(ii) for fiscal year 2018 that provides for the distribution of more than 15 percent of the nutrition assistance benefit of a participant in the form of cash;

"(iii) for fiscal year 2019 that provides for the distribution of more than 10 percent of the nutrition assistance benefit of a participant in the form of cash;

"(iv) for fiscal year 2020 that provides for the distribution of more than 5 percent of the nutrition assistance benefit of a participant in the form of cash; and

"(v) for fiscal year 2021 that provides for the distribution of any portion of the nutrition assistance benefit of a participant in the form of cash.

"(B) EXCEPTION.—Notwithstanding subparagraph (A), the Secretary, informed by the report required under paragraph (2), may approve a plan that exempts participants or categories of participants if the Secretary determines that discontinuation of benefits in the form of cash is likely to have significant adverse effects.

"(4) FUNDING.—Out of any funds made available under section 18 for fiscal year 2014, the Secretary shall make available to carry out the review and report described in paragraphs (1) and (2) $1,000,000, to remain available until expended.".

SEC. 4026. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.

Section 25 of the Food and Nutrition Act of 2008 (7 U.S.C. 2034) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B)—

(i) in clause (i)—

(I) in subclause (I), by inserting after "individuals" the following: "through food distribution, community outreach to assist in participation in Federally assisted nutrition programs, or improving access to food as part of a comprehensive service;"; and

(II) in subclause (III), by inserting "food access," after "food,"; and

(ii) in clause (ii), by striking subclause (I) and inserting the following:

"(I) equipment necessary for the efficient operation of a project;"; and

(B) by striking paragraphs (2) and (3) and inserting the following:

"(2) GLEANER.—The term 'gleaner' means an entity that—

"(A) collects edible, surplus food that would be thrown away and distributes the food to agencies or nonprofit organizations that feed the hungry; or

"(B) harvests for free distribution to the needy, or for donation to agencies or nonprofit organizations for ultimate distribution to the needy, an agricultural crop that has been donated by the owner of the crop.

"(3) HUNGER-FREE COMMUNITIES GOAL.—The term 'hunger-free communities goal' means any of the 14 goals described in House Concurrent Resolution 302, 102nd Congress, agreed to October 5, 1992.";

(2) in subsection (b)(2)—

(A) in subparagraph (A), by striking "and" at the end;

(B) in subparagraph (B), by striking "fiscal year 2008 and each fiscal year thereafter." and inserting the following: "each of fiscal years 2008 through 2014; and

"(C) $9,000,000 for fiscal year 2015 and each fiscal year thereafter.";

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking "private nonprofit entity" and inserting "public food program service provider, a tribal organization, or a private nonprofit entity, including gleaners,";

(B) in paragraph (1)—

(i) in subparagraph (A), by striking "or" after the semicolon at the end;

(ii) in subparagraph (B), by inserting "or" after the semicolon at the end; and

(iii) by adding at the end the following:

"(C) efforts to reduce food insecurity in the community, including food distribution, improving access to services, or coordinating services and programs;";

(C) in paragraph (2), by striking "and" after the semicolon at the end;

(D) in paragraph (3), by striking the period at the end and inserting "; and"; and

(E) by adding at the end the following:

"(4) collaborate with 1 or more local partner organizations to achieve at least 1 hunger-free communities goal.";

(4) in subsection (d)—

(A) in paragraph (3), by striking "or" after the semicolon at the end;

(B) in paragraph (4), by striking the period at the end and inserting "; or"; and

(C) by adding at the end the following:

"(5) develop new resources and strategies to help reduce food insecurity in the community and prevent food insecurity in the future by—

"(A) developing creative food resources;

"(B) coordinating food services with park and recreation programs and other community-based outlets to reduce barriers to access; or

"(C) creating nutrition education programs for at- risk populations to enhance food-purchasing and food- preparation skills and to heighten awareness of the connection between diet and health.";

(5) in subsection (f)(2), by striking "3 years" and inserting "5 years"; and

(6) by striking subsections (h) and (i) and inserting the following:

"(h) REPORTS TO CONGRESS.—Not later than September 30, 2014, and each year thereafter, the Secretary shall submit to Congress a report that describes each grant made under this section, including—

"(1) a description of any activity funded;

"(2) the degree of success of each activity funded in achieving hunger-free community goals; and

"(3) the degree of success in improving the long-term capacity of a community to address food and agriculture problems related to hunger or access to healthy food.".

SEC. 4027. EMERGENCY FOOD ASSISTANCE.

(a) PURCHASE OF COMMODITIES.—Section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) is amended—

(1) in paragraph (1), by striking "2008 through 2012" and inserting "2014 through 2018";

(2) in paragraph (2)—

(A) in subparagraph (B), by striking "and" at the end;

(B) in subparagraph (C)—

(i) by striking "2012" and inserting "2018"; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

"(D) for each of fiscal years 2015 through 2018, the sum obtained by adding the total dollar amount of commodities specified in subparagraph (C) and—

"(i) for fiscal year 2015, $50,000,000;

"(ii) for fiscal year 2016, $40,000,000;

"(iii) for fiscal year 2017, $20,000,000; and

"(iv) for fiscal year 2018, $15,000,000; and

"(E) for fiscal year 2019 and each subsequent fiscal year, the total dollar amount of commodities specified in subparagraph (D)(iv) adjusted by the percentage by which the thrifty food plan has been adjusted under section 3(u)(4) to reflect changes between June 30, 2017, and June 30 of the immediately preceding fiscal year."; and

(3) by adding at the end the following:

"(3) FUNDS AVAILABILITY.—For purposes of the funds described in this subsection, the Secretary shall—

"(A) make the funds available for 2 fiscal years; and

"(B) allow States to carry over unexpended balances to the next fiscal year pursuant to such terms and conditions as are determined by the Secretary.".

(b) EMERGENCY FOOD PROGRAM INFRASTRUCTURE GRANTS.—Section 209(d) of the Emergency Food Assistance Act of 1983 (7

U.S.C. 7511a(d)) is amended by striking "2012" and inserting "2018".

SEC. 4028. NUTRITION EDUCATION.

Section 28(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a(b)) is amended by inserting "and physical activity" after "healthy food choices".

SEC. 4029. RETAIL FOOD STORE AND RECIPIENT TRAFFICKING.

The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

"SEC. 29. RETAIL FOOD STORE AND RECIPIENT TRAFFICKING. 7 USC 2036b.

"(a) PURPOSE.—The purpose of this section is to provide the Department of Agriculture with additional resources to prevent trafficking in violation of this Act by strengthening recipient and retail food store program integrity.

"(b) USE OF FUNDS.—

"(1) IN GENERAL.—Additional funds are provided under this section to supplement the retail food store and recipient integrity activities of the Department.

"(2) INFORMATION TECHNOLOGIES.—The Secretary shall use an appropriate amount of the funds provided under this section to employ information technologies known as data mining and data warehousing and other available information technologies to administer the supplemental nutrition assistance program and enforce regulations promulgated under section 4(c).

"(c) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2014 through 2018.

"(2) MANDATORY FUNDING.—

"(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section not less than $15,000,000 for fiscal year 2014, to remain available until expended.

"(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subparagraph (A), without further appropriation.

"(C) MAINTENANCE OF FUNDING.—The funding provided under subparagraph (A) shall supplement (and not supplant) other Federal funding for programs carried out under this Act.".

SEC. 4030. TECHNICAL AND CONFORMING AMENDMENTS.

(a) Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) in subsection (g), by striking "coupon," the last place it appears and inserting "coupon";

(2) in subsection (k)(7), by striking "or are" and inserting "and";

(3) by striking subsection (*l*);

(4) by redesignating subsections (m) through (t) as subsections (*l*) through (s), respectively; and

(5) by inserting after subsection (s) (as so redesignated) the following:

"(t) 'Supplemental nutrition assistance program' means the program operated pursuant to this Act.".

(b) Section 4(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(a)) is amended in the last sentence by striking "benefits" and inserting "Benefits".

(c) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the last sentence of subsection (i)(2)(D), by striking "section 13(b)(2)" and inserting "section 13(b)"; and

(2) in subsection (k)(4)(A), by striking "paragraph (2)(H)" and inserting "paragraph (2)(G)".

(d) Section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)) is amended in subparagraphs (B)(vii) and (F)(iii) by indenting both clauses appropriately.

(e) Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) is amended by redesignating the second paragraph (12) (relating to interchange fees) as paragraph (13).

(f) Section 9(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2018(a)) is amended by indenting paragraph (3) appropriately.

(g) Section 12 of the Food and Nutrition Act of 2008 (7 U.S.C. 2021) is amended—

(1) in subsection (b)(3)(C), by striking "civil money penalties" and inserting "civil penalties"; and

(2) in subsection (g)(1), by striking "(7 U.S.C. 1786)" and inserting "(42 U.S.C. 1786)".

(h) Section 15(b)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2024(b)(1)) is amended in the first sentence by striking "an benefit" both places it appears and inserting "a benefit".

(i) Section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is amended in the proviso following paragraph (8) by striking "as amended.".

(j) Section 18(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(e)) is amended in the first sentence by striking "sections 7(f)" and inserting "section 7(f)".

(k) Section 22(b)(10)(B)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(b)(10)(B)(i)) is amended in the last sentence by striking "Food benefits" and inserting "Benefits".

(l) Section 26(f)(3)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2035(f)(3)(C)) is amended by striking "subsection" and inserting "subsections".

(m) Section 27(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)(1)) is amended by striking "(Public Law 98–8; 7 U.S.C. 612c note)" and inserting "(7 U.S.C. 7515)".

(n) Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (21 U.S.C. 862a) is amended—

(1) in subsection (a)(2), by striking "food stamp program (as defined in section 3(l) of the Food Stamp Act of 1977) or any State program carried out under the Food Stamp Act of 1977" and inserting "supplemental nutrition assistance program (as defined in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012)) or any State program carried out under that Act";

(2) in subsection (b)(2)—

(A) in the paragraph heading, by striking "THE FOOD STAMP ACT OF 1977" and inserting "THE FOOD AND NUTRITION ACT OF 2008"; and

(B) by striking "food stamp program (as defined in section 3(l) of the Food Stamp Act of 1977), or any State program carried out under the Food Stamp Act of 1977" and inserting "supplemental nutrition assistance program (as defined in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012)), or any State program carried out under that Act"; and

(3) in subsection (e)(2), by striking "section 3(s) of the Food Stamp Act of 1977, when referring to the food stamp program (as defined in section 3(l) of the Food Stamp Act of 1977) or any State program carried out under the Food Stamp Act of 1977" and inserting "section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), when referring to the supplemental nutrition assistance program (as defined in that section) or any State program carried out under that Act".

(o) Section 3803(c)(2)(C)(vii) of title 31 of the United States Code is amended by striking "section 3(l)" and inserting "section 3".

(p) Section 453(j)(10) of the Social Security Act (42 U.S.C. 653(j)(10)) is amended in the paragraph heading by striking "FOOD STAMP PROGRAMS" and inserting "SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS".

(q) Section 1137 of the Social Security Act (42 U.S.C. 1320b–7)—

(1) in subsection (a)(5)(B), by striking "food stamp" and inserting "supplemental nutrition assistance"; and

(2) in subsection (b)(4), by striking "food stamp program under the Food Stamp Act of 1977" and inserting "supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)".

(r) Section 1631(n) of the Social Security Act (42 U.S.C. 1383) is amended in the subsection heading by striking "FOOD STAMP" and inserting "SUPPLEMENTAL NUTRITION ASSISTANCE".

(s) Section 509 of the Older Americans Act of 1965 (42 U.S.C. 3056g) is amended in the section heading by striking "**FOOD STAMP PROGRAMS**" and inserting "**SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAMS**".

(t) Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended by striking "Food Stamp Act of 1977" and inserting "Food and Nutrition Act of 2008".

(u) Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended—

(1) in subsection (h)(1), by striking "food stamps" and inserting "the supplemental nutrition assistance program";

(2) in subsection (i)(1), by striking "food stamps provided under the Food Stamp Act of 1977" and inserting "supplemental nutrition assistance benefits provided under the Food and Nutrition Act of 2008"; and

(3) in subsection (*l*)(2)(B), by striking "Food Stamp Act of 1977" and inserting "Food and Nutrition Act of 2008".

(v) Section 4115(c)(2)(H) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1871) is amended by striking "531" and inserting "454". 42 USC 654.

48 USC 1841 note.

SEC. 4031. COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS PILOT PROGRAM.

(a) STUDY.—

(1) IN GENERAL.—Prior to establishing the pilot program under subsection (b), the Secretary shall conduct a study to be completed not later than 2 years after the date of enactment of this Act to assess—

(A) the capabilities of the Commonwealth of the Northern Mariana Islands to operate the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) in a similar manner as the program is operated in the States (as defined in section 3 of that Act (7 U.S.C. 2012)); and

(B) alternative models of the supplemental nutrition assistance program operation and benefit delivery that best meet the nutrition assistance needs of the Commonwealth of the Northern Mariana Islands.

(2) SCOPE.—The study conducted under paragraph (1)(A) shall assess the capability of the Commonwealth of the Northern Mariana Islands to fulfill the responsibilities of a State agency (as defined in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012)), including—

(A) extending and limiting participation to eligible households, as required by sections 5 and 6 of that Act (7 U.S.C. 2014, 2015);

(B) issuing benefits through EBT cards, as required by section 7 of that Act (7 U.S.C. 2016);

(C) maintaining the integrity of the program, including operation of a quality control system, as required by section 16(c) of that Act (7 U.S.C. 2025(c));

(D) implementing work requirements, including operating an employment and training program, as required by section 6(d) of that Act (7 U.S.C. 2015(d)); and

(E) paying a share of administrative costs with non-Federal funds, as required by section 16(a) of that Act (7 U.S.C. 2016(a)).

(b) ESTABLISHMENT.—If the Secretary determines that a pilot program is feasible, the Secretary shall establish a pilot program for the Commonwealth of the Northern Mariana Islands to operate the supplemental nutrition assistance program in the same manner in which the program is operated in the States.

(c) SCOPE.—The Secretary shall use the information obtained from the study conducted under subsection (a) to establish the scope of the pilot program established under subsection (b).

(d) REPORT.—Not later than June 30, 2019, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the pilot program carried out under this section, including an analysis of the feasibility of operating the supplemental nutrition assistance program in the Commonwealth of the Northern Mariana Islands in the same manner in which the program is operated in the States.

(e) FUNDING.—

(1) STUDY.—Of the funds made available under section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)), the Secretary may use to conduct the study

described in subsection (a) not more than $1,000,000 for each of fiscal years 2014 and 2015.

(2) PILOT PROGRAM.—

(A) IN GENERAL.—Except as provided in subparagraph (B), of the funds made available under section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)), the Secretary may use to establish and carry out the pilot program under subsection (b), including the Federal costs for providing technical assistance to the Commonwealth of the Northern Mariana Islands, authorizing and monitoring retail food stores, and assessing pilot operations, not more than—

(i) $13,500,000 for fiscal year 2016; and

(ii) $8,500,000 for each of fiscal years 2017 and 2018.

(B) EXCEPTION.—If the Secretary determines that a pilot program described in subsection (b) is not feasible, the Secretary shall provide to the Commonwealth of the Northern Mariana Islands any unspent funds described in subparagraph (A), which shall—

(i) be made available for obligation under the Commonwealth of the Northern Mariana Islands nutrition assistance program block grant in addition to any other funds made available for that grant; and

(ii) remain available until expended.

SEC. 4032. ANNUAL STATE REPORT ON VERIFICATION OF SNAP PARTICIPATION. 7 USC 2036c.

(a) ANNUAL REPORT.—Not later than 1 year after the date specified by the Secretary during the 180-day period beginning on the date of enactment of this Act, and annually thereafter, each State agency that carries out the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) shall submit to the Secretary a report containing sufficient information for the Secretary to determine whether the State agency has, for the most recently concluded fiscal year preceding that annual date, verified that the State agency in that fiscal year—

(1) did not issue benefits to a deceased individual; and

(2) did not issue benefits to an individual who had been permanently disqualified from receiving benefits.

(b) PENALTY FOR NONCOMPLIANCE.—For any fiscal year for which a State agency fails to comply with subsection (a), the Secretary shall impose a penalty that includes a reduction of up to 50 percent of the amount that would be otherwise payable to the State agency under section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)) with respect to that fiscal year.

(c) REPORT OF PILOT PROGRAM TO TEST PREVENTION OF DUPLICATE PARTICIPATION.—Not later than 90 days after the completion in multiple States of a temporary pilot program to test the detection and prevention of duplicate participation by beneficiaries of the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report assessing the feasibility, effectiveness, and cost for the expansion of the pilot program nationwide.

25 USC 443d.

SEC. 4033. SERVICE OF TRADITIONAL FOODS IN PUBLIC FACILITIES.

(a) PURPOSES.—The purposes of this section are—

(1) to provide access to traditional foods in food service programs;

(2) to encourage increased consumption of traditional foods to decrease health disparities among Indians, particularly Alaska Natives; and

(3) to provide alternative food options for food service programs.

(b) DEFINITIONS.—In this section:

(1) ALASKA NATIVE.—The term "Alaska Native" means a person who is a member of any Native village, Village Corporation, or Regional Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).

(2) COMMISSIONER.—The term "Commissioner" means the Commissioner of Food and Drugs.

(3) FOOD SERVICE PROGRAM.—The term "food service program" includes—

(A) food service at residential child care facilities that have a license from an appropriate State agency;

(B) any child nutrition program (as that term is defined in section 25(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769f(b));

(C) food service at hospitals, clinics, and long-term care facilities; and

(D) senior meal programs.

(4) INDIAN; INDIAN TRIBE.—The terms "Indian" and "Indian tribe" have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(5) TRADITIONAL FOOD.—

(A) IN GENERAL.—The term "traditional food" means food that has traditionally been prepared and consumed by an Indian tribe.

(B) INCLUSIONS.—The term "traditional food" includes—

(i) wild game meat;
(ii) fish;
(iii) seafood;
(iv) marine mammals;
(v) plants; and
(vi) berries.

(6) TRIBAL ORGANIZATION.—The term "tribal organization" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(c) PROGRAM.—The Secretary and the Commissioner shall allow the donation to and serving of traditional food through food service programs at public facilities and nonprofit facilities, including facilities operated by Indian tribes and facilities operated by tribal organizations, that primarily serve Indians if the operator of the food service program—

(1) ensures that the food is received whole, gutted, gilled, as quarters, or as a roast, without further processing;

(2) makes a reasonable determination that—

(A) the animal was not diseased;

(B) the food was butchered, dressed, transported, and stored to prevent contamination, undesirable microbial growth, or deterioration; and

(C) the food will not cause a significant health hazard or potential for human illness;

(3) carries out any further preparation or processing of the food at a different time or in a different space from the preparation or processing of other food for the applicable program to prevent cross-contamination;

(4) cleans and sanitizes food-contact surfaces of equipment and utensils after processing the traditional food;

(5) labels donated traditional food with the name of the food;

(6) stores the traditional food separately from other food for the applicable program, including through storage in a separate freezer or refrigerator or in a separate compartment or shelf in the freezer or refrigerator;

(7) follows Federal, State, local, county, tribal, or other non-Federal law regarding the safe preparation and service of food in public or nonprofit facilities; and

(8) follows other such criteria as established by the Secretary and Commissioner.

(d) LIABILITY.—

(1) IN GENERAL.—The United States, an Indian tribe, and a tribal organization shall not be liable in any civil action for any damage, injury, or death caused to any person by the donation to or serving of traditional foods through food service programs.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) alters any liability or other obligation of the United States under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 1450 et seq.).

Subtitle B—Commodity Distribution Programs

SEC. 4101. COMMODITY DISTRIBUTION PROGRAM.

Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended in the first sentence by striking "2012" and inserting "2018".

SEC. 4102. COMMODITY SUPPLEMENTAL FOOD PROGRAM.

Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended—

(1) in paragraphs (1) and (2)(B) of subsection (a), by striking "2012" each place it appears and inserting "2018";

(2) in the first sentence of subsection (d)(2), by striking "2012" and inserting "2018";

(3) by striking subsection (g) and inserting the following:

"(g) ELIGIBILITY.—Except as provided in subsection (m), the States shall only provide assistance under the commodity supplemental food program to low-income persons aged 60 and older."; and

(4) by adding at the end the following:

"(m) PHASE-OUT.—Notwithstanding any other provision of law, an individual who receives assistance under the commodity supplemental food program on the day before the date of enactment of this subsection shall continue to receive that assistance until the date on which the individual is no longer eligible for assistance under the eligibility requirements for the program in effect on the day before the date of enactment of this subsection.".

SEC. 4103. DISTRIBUTION OF SURPLUS COMMODITIES TO SPECIAL NUTRITION PROJECTS.

Section 1114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e(2)(A)) is amended in the first sentence by striking "2012" and inserting "2018".

SEC. 4104. PROCESSING OF COMMODITIES.

(a) IN GENERAL.—Section 17 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100–237) is amended—

(1) in the section heading, by inserting "**AND PROCESSING**" after "**DONATIONS**"; and

(2) by adding at the end the following:

"(c) PROCESSING.—

"(1) IN GENERAL.—For any program included under subsection (b), the Secretary may, notwithstanding any other provision of Federal or State law relating to the procurement of goods and services—

"(A) retain title to commodities delivered to a processor, on behalf of a State (including a State distributing agency and a recipient agency), until such time as end products containing the commodities, or similar commodities as approved by the Secretary, are delivered to a State distributing agency or to a recipient agency; and

"(B) promulgate regulations to ensure accountability for commodities provided to a processor for processing into end products, and to facilitate processing of commodities into end products for use by recipient agencies.

"(2) REGULATIONS.—The regulations described in paragraph (1)(B) may provide that—

"(A) a processor that receives commodities for processing into end products, or provides a service with respect to the commodities or end products, in accordance with the agreement of the processor with a State distributing agency or a recipient agency, provide to the Secretary a bond or other means of financial assurance to protect the value of the commodities; and

"(B) in the event a processor fails to deliver to a State distributing agency or a recipient agency an end product in conformance with the processing agreement entered into under this Act, the Secretary—

"(i) take action with respect to the bond or other means of financial assurance pursuant to regulations promulgated under this subsection; and

"(ii) distribute any proceeds obtained by the Secretary to 1 or more State distributing agencies and recipient agencies, as determined appropriate by the Secretary.".

(b) DEFINITIONS.—Section 18 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note;

Public Law 100–237) is amended by striking paragraphs (1) and (2) and inserting the following:

"(1) COMMODITIES.—The term 'commodities' means agricultural commodities and their products that are donated by the Secretary for use by recipient agencies.

"(2) END PRODUCT.—The term 'end product' means a food product that contains processed commodities.".

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100–237) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking subparagraph (B) and inserting the following:

"(B) the program established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));"; and

(B) in paragraph (3)(D), by striking "the Committee on Education and Labor" and inserting "the Committee on Education and the Workforce";

(2) in subsection (b)(1)(A)(ii), by striking "section 32 of the Agricultural Adjustment Act (7 U.S.C. 601 et seq.)" and inserting "section 32 of the Act of August 24, 1935 (7 U.S.C. 612c)";

(3) in subsection (e)(1)(D)(iii), by striking subclause (II) and inserting the following:

"(II) the program established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));"; and

(4) in subsection (k), by striking "the Committee on Education and Labor" and inserting "the Committee on Education and the Workforce".

Subtitle C—Miscellaneous

SEC. 4201. PURCHASE OF FRESH FRUITS AND VEGETABLES FOR DISTRIBUTION TO SCHOOLS AND SERVICE INSTITUTIONS.

Section 10603(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c–4(b)) is amended by striking "2012" and inserting "2018".

SEC. 4202. PILOT PROJECT FOR PROCUREMENT OF UNPROCESSED FRUITS AND VEGETABLES.

Section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755) is amended by adding at the end the following:

"(f) PILOT PROJECT FOR PROCUREMENT OF UNPROCESSED FRUITS AND VEGETABLES.—

"(1) IN GENERAL.—The Secretary shall conduct a pilot project under which the Secretary shall facilitate the procurement of unprocessed fruits and vegetables in not more than 8 States receiving funds under this Act.

"(2) PURPOSE.—The purpose of the pilot project required by this subsection is to provide selected States flexibility for the procurement of unprocessed fruits and vegetables by permitting each State—

"(A) to utilize multiple suppliers and products established and qualified by the Secretary; and

"(B) to allow geographic preference, if desired, in the procurement of the products under the pilot project.

"(3) SELECTION AND PARTICIPATION.—

"(A) IN GENERAL.—The Secretary shall select States for participation in the pilot project in accordance with criteria established by the Secretary and terms and conditions established for participation.

"(B) REQUIREMENT.—The Secretary shall ensure that at least 1 project is located in a State in each of—

"(i) the Pacific Northwest Region;

"(ii) the Northeast Region;

"(iii) the Western Region;

"(iv) the Midwest Region; and

"(v) the Southern Region.

"(4) PRIORITY.—In selecting States for participation in the pilot project, the Secretary shall prioritize applications based on—

"(A) the quantity and variety of growers of local fruits and vegetables in the States on a per capita basis;

"(B) the demonstrated commitment of the States to farm-to-school efforts, as evidenced by prior efforts to increase and promote farm-to-school programs in the States; and

"(C) whether the States contain a sufficient quantity of local educational agencies, various population sizes, and geographical locations.

"(5) RECORDKEEPING AND REPORTING REQUIREMENTS.—

"(A) RECORDKEEPING REQUIREMENT.—States selected to participate in the pilot project, and participating school food authorities within those States, shall keep records of the fruits and vegetables received under the pilot project in such manner and form as requested by the Secretary.

"(B) REPORTING REQUIREMENT.—Each participating State shall submit to the Secretary a report on the success of the pilot project in the State, including information on—

"(i) the quantity and cost of each type of fruit and vegetable received by the State under the pilot project; and

"(ii) the benefit provided by those procurements in conducting school food service in the State, including meeting school meal requirements.".

SEC. 4203. SENIORS FARMERS' MARKET NUTRITION PROGRAM.

(a) IN GENERAL.—Section 4402(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007(a)) is amended by striking "2012" and inserting "2018".

7 USC 3007 note.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on October 1, 2013.

SEC. 4204. DIETARY GUIDELINES FOR AMERICANS.

Section 301(a) of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341(a)) is amended by adding at the end the following:

"(3) PREGNANT WOMEN AND YOUNG CHILDREN.—Not later than the 2020 report and in each report thereafter, the Secretaries shall include national nutritional and dietary information

and guidelines for pregnant women and children from birth until the age of 2.".

SEC. 4205. MULTIAGENCY TASK FORCE.

Subtitle D of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6951 et seq.) is amended by adding at the end the following:

"SEC. 242. MULTIAGENCY TASK FORCE. 7 USC 6952.

"(a) IN GENERAL.—The Secretary shall establish, in the office of the Under Secretary for Food, Nutrition, and Consumer Services, a multiagency task force for the purpose of providing coordination and direction for commodity programs.

"(b) COMPOSITION.—The Task Force shall be composed of at least 4 members, including—

"(1) a representative from the Food Distribution Division of the Food and Nutrition Service, who shall—

"(A) be appointed by the Under Secretary for Food, Nutrition, and Consumer Services; and

"(B) serve as Chairperson of the Task Force;

"(2) at least 1 representative from the Agricultural Marketing Service, who shall be appointed by the Under Secretary for Marketing and Regulatory Programs;

"(3) at least 1 representative from the Farm Services Agency, who shall be appointed by the Under Secretary for Farm and Foreign Agricultural Services; and

"(4) at least 1 representative from the Food Safety and Inspection Service, who shall be appointed by the Under Secretary for Food Safety.

"(c) DUTIES.—

"(1) IN GENERAL.—The Task Force shall be responsible for evaluation and monitoring of the commodity programs to ensure that the commodity programs meet the mission of the Department—

"(A) to support the United States farm sector; and

"(B) to contribute to the health and well-being of individuals in the United States through the distribution of domestic agricultural products through commodity programs.

"(2) SPECIFIC DUTIES.—In carrying out paragraph (1), the Task Force shall—

"(A) review and make recommendations regarding the specifications used for the procurement of food commodities;

"(B) review and make recommendations regarding the efficient and effective distribution of food commodities; and

"(C) review and make recommendations regarding the degree to which the quantity, quality, and specifications of procured food commodities align the needs of producers and the preferences of recipient agencies.

"(d) REPORTS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary shall submit to Congress a report that describes, for the period covered by the report—

"(1) the findings and recommendations of the Task Force; and

"(2) policies implemented for the improvement of commodity procurement programs.".

SEC. 4206. HEALTHY FOOD FINANCING INITIATIVE.

Subtitle D of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6951 et seq.) (as amended by section 4205) is amended by adding at the end the following:

7 USC 6953.

"SEC. 243. HEALTHY FOOD FINANCING INITIATIVE.

"(a) PURPOSE.—The purpose of this section is to enhance the authorities of the Secretary to support efforts to provide access to healthy food by establishing an initiative to improve access to healthy foods in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities by providing loans and grants to eligible fresh, healthy food retailers to overcome the higher costs and initial barriers to entry in underserved areas.

"(b) DEFINITIONS.—In this section:

"(1) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term 'community development financial institution' has the meaning given the term in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702).

"(2) INITIATIVE.—The term 'Initiative' means the Healthy Food Financing Initiative established under subsection (c)(1).

"(3) NATIONAL FUND MANAGER.—The term 'national fund manager' means a community development financial institution that is—

"(A) in existence on the date of enactment of this section; and

"(B) certified by the Community Development Financial Institution Fund of the Department of Treasury to manage the Initiative for purposes of—

"(i) raising private capital;

"(ii) providing financial and technical assistance to partnerships; and

"(iii) funding eligible projects to attract fresh, healthy food retailers to underserved areas, in accordance with this section.

"(4) PARTNERSHIP.—The term 'partnership' means a regional, State, or local public-private partnership that—

"(A) is organized to improve access to fresh, healthy foods;

"(B) provides financial and technical assistance to eligible projects; and

"(C) meets such other criteria as the Secretary may establish.

"(5) PERISHABLE FOOD.—The term 'perishable food' means a staple food that is fresh, refrigerated, or frozen.

"(6) QUALITY JOB.—The term 'quality job' means a job that provides wages and other benefits comparable to, or better than, similar positions in existing businesses of similar size in similar local economies.

"(7) STAPLE FOOD.—

"(A) IN GENERAL.—The term 'staple food' means food that is a basic dietary item.

"(B) INCLUSIONS.—The term 'staple food' includes—

"(i) bread or cereal;

"(ii) flour;

"(iii) fruits;

"(iv) vegetables;

"(v) meat; and

"(vi) dairy products.

"(c) INITIATIVE.—

"(1) ESTABLISHMENT.—The Secretary shall establish an initiative to achieve the purpose described in subsection (a) in accordance with this subsection.

"(2) IMPLEMENTATION.—

"(A) IN GENERAL.—

"(i) IN GENERAL.—In carrying out the Initiative, the Secretary shall provide funding to entities with eligible projects, as described in subparagraph (B), subject to the priorities described in subparagraph (C).

"(ii) USE OF FUNDS.—Funds provided to an entity pursuant to clause (i) shall be used—

"(I) to create revolving loan pools of capital or other products to provide loans to finance eligible projects or partnerships;

"(II) to provide grants for eligible projects or partnerships;

"(III) to provide technical assistance to funded projects and entities seeking Initiative funding; and

"(IV) to cover administrative expenses of the national fund manager in an amount not to exceed 10 percent of the Federal funds provided.

"(B) ELIGIBLE PROJECTS.—Subject to the approval of the Secretary, the national fund manager shall establish eligibility criteria for projects under the Initiative, which shall include the existence or planned execution of agreements—

"(i) to expand or preserve the availability of staple foods in underserved areas with moderate- and low-income populations by maintaining or increasing the number of retail outlets that offer an assortment of perishable food and staple food items, as determined by the Secretary, in those areas; and

"(ii) to accept benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

"(C) PRIORITIES.—In carrying out the Initiative, priority shall be given to projects that—

"(i) are located in severely distressed low-income communities, as defined by the Community Development Financial Institutions Fund of the Department of Treasury; and

"(ii) include 1 or more of the following characteristics:

"(I) The project will create or retain quality jobs for low-income residents in the community.

"(II) The project supports regional food systems and locally grown foods, to the maximum extent practicable.

"(III) In areas served by public transit, the project is accessible by public transit.

"(IV) The project involves women- or minority-owned businesses.

"(V) The project receives funding from other sources, including other Federal agencies.

"(VI) The project otherwise advances the purpose of this section, as determined by the Secretary.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $125,000,000, to remain available until expended.".

SEC. 4207. PURCHASE OF HALAL AND KOSHER FOOD FOR EMERGENCY FOOD ASSISTANCE PROGRAM.

Section 202 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7502) is amended by adding at the end the following:

"(h) KOSHER AND HALAL FOOD.—As soon as practicable after the date of enactment of this subsection, the Secretary shall finalize and implement a plan—

"(1) to increase the purchase of Kosher and Halal food from food manufacturers with a Kosher or Halal certification to carry out the program established under this Act if the Kosher and Halal food purchased is cost neutral as compared to food that is not from food manufacturers with a Kosher or Halal certification; and

"(2) to modify the labeling of the commodities list used to carry out the program in a manner that enables Kosher and Halal distribution entities to identify which commodities to obtain from local food banks.".

SEC. 4208. FOOD INSECURITY NUTRITION INCENTIVE.

Section 4405 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517) is amended to read as follows:

"SEC. 4405. FOOD INSECURITY NUTRITION INCENTIVE.

"(a) IN GENERAL.—In this section:

"(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) a nonprofit organization (including an emergency feeding organization);

"(B) an agricultural cooperative;

"(C) a producer network or association;

"(D) a community health organization;

"(E) a public benefit corporation;

"(F) an economic development corporation;

"(G) a farmers' market;

"(H) a community-supported agriculture program;

"(I) a buying club;

"(J) a retail food store participating in the supplemental nutrition assistance program;

"(K) a State, local, or tribal agency; and

"(L) any other entity the Secretary designates.

"(2) EMERGENCY FEEDING ORGANIZATION.—The term 'emergency feeding organization' has the meaning given the term in section 201A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501).

"(3) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—The term 'supplemental nutrition assistance program' means the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

"(b) FOOD INSECURITY NUTRITION INCENTIVE GRANTS.—

"(1) AUTHORIZATION.—

"(A) IN GENERAL.—In each of the years specified in subsection (c), the Secretary shall make grants to eligible entities in accordance with paragraph (2).

"(B) FEDERAL SHARE.—The Federal share of the cost of carrying out an activity under this subsection shall not exceed 50 percent of the total cost of the activity.

"(C) NON-FEDERAL SHARE.—

"(i) IN GENERAL.—The non-Federal share of the cost of an activity under this subsection may be provided—

"(I) in cash or in-kind contributions as determined by the Secretary, including facilities, equipment, or services; and

"(II) by a State or local government or a private source.

"(ii) LIMITATION.—In the case of a for-profit entity, the non-Federal share described in clause (i) shall not include services of an employee, including salaries paid or expenses covered by the employer.

"(2) CRITERIA.—

"(A) IN GENERAL.—For purposes of this subsection, an eligible entity is a governmental agency or nonprofit organization that—

"(i) meets the application criteria set forth by the Secretary; and

"(ii) proposes a project that, at a minimum—

"(I) has the support of the State agency;

"(II) would increase the purchase of fruits and vegetables by low-income consumers participating in the supplemental nutrition assistance program by providing incentives at the point of purchase;

"(III) agrees to participate in the evaluation described in paragraph (4);

"(IV) ensures that the same terms and conditions apply to purchases made by individuals with benefits issued under this Act and incentives provided for in this subsection as apply to purchases made by individuals who are not members of households receiving benefits, such as provided for in section 278.2(b) of title 7, Code of Federal Regulations (or a successor regulation); and

"(V) includes effective and efficient technologies for benefit redemption systems that may be replicated in other States and communities.

"(B) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to projects that—

"(i) maximize the share of funds used for direct incentives to participants;

"(ii) use direct-to-consumer sales marketing;

"(iii) demonstrate a track record of designing and implementing successful nutrition incentive programs that connect low-income consumers and agricultural producers;

"(iv) provide locally or regionally produced fruits and vegetables;

"(v) are located in underserved communities; or

"(vi) address other criteria as established by the Secretary.

"(3) APPLICABILITY.—

"(A) IN GENERAL.—The value of any benefit provided to a participant in any activity funded under this subsection shall be treated as supplemental nutrition benefits under section 8(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2017(b)).

"(B) PROHIBITION ON COLLECTION OF SALES TAXES.—Each State shall ensure that no State or local tax is collected on a purchase of food under this subsection.

"(C) NO LIMITATION ON BENEFITS.—A grant made available under this subsection shall not be used to carry out any project that limits the use of benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) or any other Federal nutrition law.

"(D) HOUSEHOLD ALLOTMENT.—Assistance provided under this subsection to households receiving benefits under the supplemental nutrition assistance program shall not—

"(i) be considered part of the supplemental nutrition assistance program benefits of the household; or

"(ii) be used in the collection or disposition of claims under section 13 of the Food and Nutrition Act of 2008 (7 U.S.C. 2022).

"(4) EVALUATION.—

"(A) INDEPENDENT EVALUATION.—The Secretary shall provide for an independent evaluation of projects selected under this subsection that measures the impact of each project on—

"(i) improving the nutrition and health status of participating households receiving incentives under this subsection; and

"(ii) increasing fruit and vegetable purchases in participating households.

"(B) REQUIREMENT.—The independent evaluation under subparagraph (A) shall use rigorous methodologies capable of producing scientifically valid information regarding the effectiveness of a project.

"(C) COSTS.—The Secretary may use funds not to exceed 10 percent of the funding provided to carry out this section to pay costs associated with administering, monitoring, and evaluating each project.

"(c) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (b) $5,000,000 for each of fiscal years 2014 through 2018.

"(2) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out subsection (b)—

"(A) $35,000,000 for the period of fiscal years 2014 and 2015;

"(B) $20,000,000 for each of fiscal years 2016 and 2017; and

"(C) $25,000,000 for fiscal year 2018.".

SEC. 4209. FOOD AND AGRICULTURE SERVICE LEARNING PROGRAM.

Title IV of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7630 et seq.) is amended by adding at the end the following:

"SEC. 413. FOOD AND AGRICULTURE SERVICE LEARNING PROGRAM. 7 USC 7633.

"(a) IN GENERAL.—Subject to the availability of appropriations under subsection (e), the Secretary, acting through the Director of the National Institute of Food and Agriculture, and working in consultation with other appropriate Federal agencies that oversee national service programs, shall administer a competitively awarded food and agriculture service learning grant program (referred to in this section as the 'Program') to increase knowledge of agriculture and improve the nutritional health of children.

"(b) PURPOSES.—The purposes of the Program are—

"(1) to increase capacity for food, garden, and nutrition education within host organizations or entities and school cafeterias and in the classroom;

"(2) to complement and build on the efforts of the farm to school programs implemented under section 18(g) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g));

"(3) to complement efforts by the Department and school food authorities to implement the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773);

"(4) to carry out activities that advance the nutritional health of children and nutrition education in elementary schools and secondary schools (as those terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)); and

"(5) to foster higher levels of community engagement and support the expansion of national service and volunteer opportunities.

"(c) GRANTS.—

"(1) IN GENERAL.—In carrying out the Program, the Director of the National Institute of Food and Agriculture shall make competitive grants to eligible entities that carry out the purposes described in paragraphs (1) through (5) of subsection (b).

"(2) PRIORITIES.—In making grants under this section, the Secretary may consider projects that are carried out by entities that—

"(A) have a proven track record in carrying out the purposes described in subsection (b);

"(B) work in underserved rural and urban communities;

"(C) teach and engage children in experiential learning about agriculture, gardening, nutrition, cooking, and where food comes from; and

"(D) facilitate a connection between elementary schools and secondary schools and agricultural producers in the local and regional area.

"(d) ACCOUNTABILITY.—

"(1) IN GENERAL.—The Secretary may require a partner organization or other qualified entity to collect and report any data on the activities carried out under the Program, as determined by the Secretary.

"(2) EVALUATION.—The Secretary shall—

"(A) conduct regular evaluations of the activities carried out under the Program; and

"(B) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes a description of the results of each evaluation conducted under subparagraph (A).

"(e) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the Program $25,000,000, to remain available until expended.

"(2) ADMINISTRATION.—Paragraphs (4), (7), (8), and (11)(B) of subsection (b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)) shall apply with respect to the making of a competitive grant under this section.

"(3) MAINTENANCE OF EFFORT.—Funds made available under paragraph (1) shall be used only to supplement, not to supplant, the amount of Federal funding otherwise expended for nutrition, research, and extension programs of the Department.".

SEC. 4210. NUTRITION INFORMATION AND AWARENESS PILOT PROGRAM.

Section 4403 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3171 note; Public Law 107–171) is repealed.

SEC. 4211. TERMINATION OF EXISTING AGREEMENT.

Effective beginning on the date of the enactment of this Act, the memorandum of understanding entered into on July 22, 2004, by the Secretary of Agriculture of the United States Department of Agriculture and the Secretary of Foreign Affairs of the Republic of Mexico and known as the "Partnership for Nutrition Assistance Initiative" is null and void.

SEC. 4212. REVIEW OF SOLE-SOURCE CONTRACTS IN FEDERAL NUTRITION PROGRAMS.

(a) IN GENERAL.—The Secretary shall conduct an evaluation of sole-source contracts in Federal nutrition programs carried out by the Secretary, and the effect the contracts have on program participation, program goals, nonprogram consumers, retailers, and free market dynamics.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the findings of the review conducted under subsection (a).

42 USC 1755b.

SEC. 4213. PULSE CROP PRODUCTS.

(a) PURPOSE.—The purpose of this section is to encourage greater awareness and interest in the number and variety of pulse crop products available to schoolchildren, as recommended by the

most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).

(b) DEFINITIONS.—In this section:

(1) ELIGIBLE PULSE CROP.—The term "eligible pulse crop" means dry beans, dry peas, lentils, and chickpeas.

(2) PULSE CROP PRODUCT.—The term "pulse crop product" means a food product derived in whole or in part from an eligible pulse crop.

(c) PURCHASE OF PULSE CROPS AND PULSE CROP PRODUCTS.—In addition to the commodities delivered under section 6 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755), subject to the availability of appropriations, the Secretary shall purchase eligible pulse crops and pulse crop products for use in—

(1) the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); and

(2) the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

(d) EVALUATION.—Not later than September 30, 2016, the Secretary shall conduct an evaluation of the activities conducted under subsection (c), including—

(1) an evaluation of whether children participating in the school lunch and breakfast programs described in subsection (c) increased overall consumption of eligible pulse crops as a result of the activities;

(2) an evaluation of which eligible pulse crops and pulse crop products are most acceptable for use in the school lunch and breakfast programs;

(3) any recommendations of the Secretary regarding the integration of the use of pulse crop products in carrying out the school lunch and breakfast programs;

(4) an evaluation of any change in the nutrient composition in the school lunch and breakfast programs due to the activities; and

(5) an evaluation of any other outcomes determined to be appropriate by the Secretary.

(e) REPORT.—As soon as practicable after the completion of the evaluation under subsection (d), the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Education and the Workforce of the House of Representative a report describing the results of the evaluation.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000, to remain available until expended.

SEC. 4214. PILOT PROJECT FOR CANNED, FROZEN, OR DRIED FRUITS AND VEGETABLES.

42 USC 1769a note.

(a) IN GENERAL.—Subject to subsection (b), in the 2014–2015 school year, the Secretary shall carry out a pilot project in schools participating in the Fresh Fruit and Vegetable Program under section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a) (referred to in this section as the "Program"), in not less than 5 States, to evaluate the impact of allowing schools to offer canned, frozen, or dried fruits and vegetables as part of the Program.

(b) REQUIREMENTS.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish criteria for the conditions under which canned, frozen, or dried fruits and vegetables may be offered, which shall be in accordance with the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).

(c) EVALUATION.—With respect to the pilot project, the Secretary shall evaluate—

(1) the impacts on fruit and vegetable consumption at the schools participating in the pilot project;

(2) the impacts of the pilot project on school participation in the Program and operation of the Program;

(3) the implementation strategies used by the schools participating in the pilot project;

(4) the acceptance of the pilot project by key stakeholders; and

(5) such other outcomes as are determined by the Secretary.

(d) REPORTS.—

(1) INTERIM REPORT.—Not later than January 1, 2015, the Secretary shall submit to the Committee on Education and Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the evaluation under subsection (c).

(2) FINAL REPORT.—On completion of the pilot project, the Secretary shall submit to the Committee on Education and Workforce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the evaluation under subsection (c).

(e) NOTICE OF AVAILABILITY.—As soon as practicable after the date on which the Secretary establishes the criteria for the pilot project under subsection (b), the Secretary shall notify potentially eligible schools of the potential eligibility of the schools for participation in the pilot project.

(f) RELATIONSHIP TO FRESH FRUIT AND VEGETABLE PROGRAM.—Nothing in this section permits a school that is not a part of the pilot project to offer anything other than fresh fruits and vegetables through the Program.

(g) FUNDING.—The Secretary shall use $5,000,000 of amounts otherwise made available to the Secretary to carry out this section.

TITLE V—CREDIT

Subtitle A—Farm Ownership Loans

SEC. 5001. ELIGIBILITY FOR FARM OWNERSHIP LOANS.

(a) IN GENERAL.—Section 302(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922(a)) is amended—

(1) by striking "(a) IN GENERAL.—The" and inserting the following:

"(a) IN GENERAL.—

"(1) ELIGIBILITY REQUIREMENTS.—The";

(2) in the first sentence, by striking "and limited liability companies" and inserting "limited liability companies, and such other legal entities as the Secretary considers appropriate,";

(3) in the second sentence, by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively;

(4) in each of the second and third sentences, by striking "and limited liability companies" each place it appears and inserting "limited liability companies, and such other legal entities";

(5) in the third sentence—

(A) by striking "clause (3)" and inserting "subparagraph (C)";

(B) by striking "clause (4)" and inserting "subparagraph (D)"; and

(6) by adding at the end the following:

"(2) SPECIAL RULES.—

"(A) ELIGIBILITY OF CERTAIN OPERATING-ONLY ENTITIES.—An entity that is or will become only the operator of a family farm shall be considered to meet the owner-operator requirements of paragraph (1) if the individuals that are the owners of the family farm own more than 50 percent (or such other percentage as the Secretary determines is appropriate) of the entity.

"(B) ELIGIBILITY OF CERTAIN EMBEDDED ENTITIES.—An entity that is an owner-operator described in paragraph (1), or an operator described in subparagraph (A) of this paragraph that is owned, in whole or in part, by other entities, shall be considered to meet the direct ownership requirement imposed under paragraph (1) if at least 75 percent of the ownership interests of each embedded entity of the entity is owned directly or indirectly by the individuals that own the family farm.".

(b) DIRECT FARM OWNERSHIP EXPERIENCE REQUIREMENT.—Section 302(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922(b)(1)) is amended in the matter preceding subparagraph (A) by inserting "or has other acceptable experience for a period of time, as determined by the Secretary," after "3 years".

(c) CONFORMING AMENDMENTS.—

(1) Section 304(c)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924(c)(2)) by striking "paragraphs (1) and (2) of section 302(a)" and inserting "subparagraphs (A) and (B) of section 302(a)(1)".

(2) Section 310D(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1934(a)) is amended in the second sentence—

(A) by inserting after "partnership" the following: ", or such other legal entities as the Secretary considers appropriate,"; and

(B) by striking "or partners" each place it appears and inserting "partners, or owners".

SEC. 5002. CONSERVATION LOAN AND LOAN GUARANTEE PROGRAM.

(a) ELIGIBILITY.—Section 304(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924(c)) is amended by striking "or limited liability companies" and inserting "limited liability

companies, or such other legal entities as the Secretary considers appropriate".

(b) LIMITATIONS APPLICABLE TO LOAN GUARANTEES.—Section 304(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924(e)) is amended by striking "shall be 75 percent of the principal amount of the loan." and inserting "shall be—

"(1) 80 percent of the principal amount of the loan; or

"(2) in the case of a producer that is a qualified socially disadvantaged farmer or rancher or a beginning farmer or rancher, 90 percent of the principal amount of the loan.".

(c) EXTENSION OF PROGRAM.—Section 304 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924) is amended by striking subsection (h) and inserting the following:

"(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $150,000,000 for each of fiscal years 2014 through 2018.".

SEC. 5003. JOINT FINANCING ARRANGEMENTS.

Section 307(a)(3) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1927(a)(3)) is amended by striking subparagraph (D) and inserting the following:

"(D) JOINT FINANCING ARRANGEMENTS.—If a direct farm ownership loan is made under this subtitle as part of a joint financing arrangement and the amount of the direct farm ownership loan does not exceed 50 percent of the total principal amount financed under the arrangement, the interest rate on the direct farm ownership loan shall be a rate equal to the greater of—

"(i) the difference between—

"(I) 2 percent; and

"(II) the interest rate for farm ownership loans under this subtitle; or

"(ii) 2.5 percent.".

SEC. 5004. ELIMINATION OF MINERAL RIGHTS APPRAISAL REQUIREMENT.

Section 307 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1927) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 5005. DOWN PAYMENT LOAN PROGRAM.

(a) IN GENERAL.—Section 310E(b)(1)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1935(b)(1)(C)) is amended by striking "$500,000" and inserting "$667,000".

(b) TECHNICAL CORRECTION.—Section 310E(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1935(b)) is amended by striking paragraph (2) (as added by section 7(a) of Public Law 102–554; 106 Stat. 4145).

Subtitle B—Operating Loans

SEC. 5101. ELIGIBILITY FOR FARM OPERATING LOANS.

Section 311(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(a)) is amended—

(1) by striking "(a) IN GENERAL.—The" and inserting the following:

"(a) IN GENERAL.—

"(1) ELIGIBILITY REQUIREMENTS.—The";

(2) in the first sentence, by striking "and limited liability companies" and inserting " limited liability companies, and such other legal entities as the Secretary considers appropriate,";

(3) in the second sentence, by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively;

(4) in each of the second and third sentences, by striking "and limited liability companies" each place it appears and inserting "limited liability companies, and such other legal entities";

(5) in the third sentence—

(A) by striking "clause (3)" and inserting "subparagraph (C)"; and

(B) by striking "clause (4)" and inserting "subparagraph (D)"; and

(6) by adding at the end the following:

"(2) SPECIAL RULE.—An entity that is an operator described in paragraph (1) that is owned, in whole or in part, by other entities, shall be considered to meet the direct ownership requirement imposed under paragraph (1) if at least 75 percent of the ownership interests of each embedded entity of the entity is owned directly or indirectly by the individuals that own the family farm.".

SEC. 5102. ELIMINATION OF RURAL RESIDENCY REQUIREMENT FOR OPERATING LOANS TO YOUTH.

Section 311(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(b)(1)) is amended by striking "who are rural residents".

SEC. 5103. DEFAULTS BY YOUTH LOAN BORROWERS.

Section 311(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(b)) is amended by adding at the end the following:

"(5) EQUITABLE CONSIDERATIONS FOR DEFAULT.—

"(A) DEBT FORGIVENESS.—

"(i) IN GENERAL.—The Secretary may, on a case-by-case basis, provide debt forgiveness to a borrower for a loan made under this subsection if the borrower was unable to timely repay the loan due to circumstances beyond the control of the borrower, as determined by the Secretary, including any natural disaster, act of terrorism, or other man-made disaster that results in an inordinate level of damage or disruption severely affecting the borrower.

"(ii) ELIGIBILITY FOR FUTURE LOANS.—Notwithstanding any other provision of law, debt forgiveness provided under this subparagraph shall not be used by any Federal agency in determining the eligibility of the borrower for any loan made or guaranteed by the agency.

"(B) EDUCATION LOANS.—Notwithstanding any other provision of law, if a borrower becomes delinquent or is provided with debt forgiveness with respect to a youth loan made under this subsection, the borrower shall not become ineligible, as a result of the delinquency or debt

forgiveness, to receive loans and loan guarantees from the Federal Government to pay for education expenses of the borrower.".

SEC. 5104. TERM LIMITS ON DIRECT OPERATING LOANS.

Section 311(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(c)) is amended by adding at the end the following:

"(5) ANNUAL REPORT ON TERM LIMITS ON DIRECT OPERATING LOANS.—

"(A) IN GENERAL.—The Secretary shall prepare a report annually that describes—

"(i) the status of the direct operating loan program of the Department of Agriculture; and

"(ii) the impact of term limits on direct loan borrowers.

"(B) DEMOGRAPHIC INFORMATION.—

"(i) IN GENERAL.—The report shall provide a demographic breakdown, on a State-by-State basis, of—

"(I) all direct loan borrowers; and

"(II) borrowers that have reached the eligibility limit for direct lending programs during the previous calendar year.

"(ii) DEMOGRAPHIC INFORMATION.—The available demographic information shall include, to the maximum extent practicable, a description of race or ethnicity, gender, age, type of farm or ranch, financial classification, number of years of indebtedness, veteran status, and other similar information, as determined by the Secretary.

"(C) ADDITIONAL CONTENT.—In addition to information described in subparagraph (B), the report shall provide—

"(i) a demographic analysis of the borrowers impacted by term limits;

"(ii) information on the conditions impacting the direct lending portfolio of the Department of Agriculture, including impacts by region and agriculture sector, and credit availability within those regions and sectors;

"(iii) to the maximum extent practicable, information on the status of borrower operations impacted by term limits; and

"(iv) recommendations, if appropriate, to address any identifiable unmet credit needs.

"(D) SUBMISSION.—The Secretary shall—

"(i) annually submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a copy of the report; and

"(ii) make the report available to the public, including posting the report on the website of the Department of Agriculture.".

SEC. 5105. VALUATION OF LOCAL OR REGIONAL CROPS.

Section 312 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1942) is amended by adding at the end the following:

"(e) VALUATION OF LOCAL OR REGIONAL CROPS.—

"(1) IN GENERAL.—The Secretary shall develop ways to determine unit prices (or other appropriate forms of valuation)

for crops and other agricultural products, the end use of which is intended to be in locally or regionally produced agricultural food products, to facilitate lending to local and regional food producers.

"(2) PRICE HISTORY.—The Secretary shall implement a mechanism for local and regional food producers to establish price history for the crops and other agricultural products produced by local and regional food producers.".

SEC. 5106. MICROLOANS.

(a) IN GENERAL.—Section 313 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1943) is amended by adding at the end the following:

"(c) MICROLOANS.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary may establish a program to make or guarantee microloans.

"(2) LIMITATIONS.—The Secretary shall not make or guarantee a microloan under this subsection that would cause the total principal indebtedness outstanding at any 1 time for microloans made under this title to any 1 borrower to exceed $50,000.

"(3) APPLICATIONS.—To the maximum extent practicable, the Secretary shall limit the administrative burdens and streamline the application and approval process for microloans under this subsection.

"(4) COOPERATIVE LENDING PILOT PROJECTS.—

"(A) IN GENERAL.—Subject to subparagraph (B), during each of the 2014 through 2018 fiscal years, the Secretary may carry out a pilot project to make loans to community development financial institutions, as the Secretary determines appropriate—

"(i) to make or guarantee microloans consistent with the terms provided under this subsection; and

"(ii) to provide business, financial, marketing, and credit management services to microloan borrowers.

"(B) REQUIREMENTS.—Prior to making a loan to an institution described in subparagraph (A), the Secretary shall—

"(i) review and approve—

"(I) the loan loss reserve fund for microloans established by the institution; and

"(II) the underwriting standards for microloans of the institution; and

"(ii) establish such other requirements for making a loan to the institution as the Secretary determines necessary.

"(C) ELIGIBILITY.—To be eligible for a loan under subparagraph (A), an institution described in subparagraph (A) shall, as determined by the Secretary—

"(i) have the legal authority necessary to carry out the actions described in subparagraph (A);

"(ii) have a proven track record of successfully assisting agricultural borrowers; and

"(iii) have the services of a staff with appropriate loan making and servicing expertise.

"(D) OVERSIGHT.—Not less often than annually, on a date determined by the Secretary, an institution that has

a loan under this paragraph shall provide to the Secretary such information as the Secretary may require to ensure that the services provided by the institution are serving the purposes of this subsection.

"(E) LIMITATION.—The Secretary shall not make more than $10,000,000 in loans under this paragraph in any fiscal year.".

(b) CONFORMING AMENDMENTS.—

(1) Section 311(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(c)) is amended by striking paragraph (2) and inserting the following:

"(2) DEFINITION OF DIRECT OPERATING LOAN.—In this subsection, the term 'direct operating loan' does not include—

"(A) a loan made to a youth under subsection (b); or

"(B) a microloan made to a beginning farmer or rancher or a veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)).".

(2) Section 312(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1942(a)) is amended in the matter preceding paragraph (1) by inserting "(including a microloan, as defined by the Secretary)" after "A direct loan".

(3) Section 316(a)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1946(a)(2)) is amended in the matter preceding subparagraph (A) by inserting "a microloan to a beginning farmer or rancher or veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)), or" after "The interest rate on".

SEC. 5107. TERM LIMITS ON GUARANTEED OPERATING LOANS.

Section 319 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1949) is amended—

(1) in subsection (a), by striking "(a) GRADUATION PLAN.—"; and

(2) by striking subsection (b).

Subtitle C—Emergency Loans

SEC. 5201. ELIGIBILITY FOR EMERGENCY LOANS.

Section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) is amended—

(1) by striking "owner-operators (in the case of loans for a purpose under subtitle A) or operators (in the case of loans for a purpose under subtitle B)" each place it appears and inserting "(in the case of farm ownership loans in accordance with subtitle A) owner-operators or operators, or (in the case of loans for a purpose under subtitle B) operators";

(2) in the first sentence—

(A) by inserting ", or such other legal entities as the Secretary considers appropriate" after "limited liability companies" the first place it appears;

(B) by inserting ", or other legal entities" after "limited liability companies" the second place it appears; and

(C) by striking "and limited liability companies," and inserting "limited liability companies, and such other legal entities";

(3) in the second sentence, by striking "ownership and operator" and inserting "ownership or operator"; and

(4) by adding at the end the following: "An entity that is an owner-operator or operator described in this subsection shall be considered to meet the direct ownership requirement imposed under this subsection if at least 75 percent of the ownership interests of each embedded entity of the entity is owned directly or indirectly by the individuals that own the family farm.".

Subtitle D—Administrative Provisions

SEC. 5301. BEGINNING FARMER AND RANCHER INDIVIDUAL DEVELOPMENT ACCOUNTS PILOT PROGRAM.

Section 333B(h) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983b(h)) is amended by striking "2012" and inserting "2018".

SEC. 5302. FARMER LOAN PILOT PROJECTS.

Subtitle D of the Consolidated Farm and Rural Development Act is amended by inserting after section 333C (7 U.S.C. 1983c) the following:

"SEC. 333D. FARMER LOAN PILOT PROJECTS. 7 USC 1983d.

"(a) IN GENERAL.—The Secretary may conduct pilot projects of limited scope and duration that are consistent with subtitle A through this subtitle to evaluate processes and techniques that may improve the efficiency and effectiveness of the programs carried out under subtitle A through this subtitle.

"(b) NOTIFICATION.—The Secretary shall—

"(1) not less than 60 days before the date on which the Secretary initiates a pilot project under subsection (a), submit notice of the proposed pilot project to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

"(2) consider any recommendations or feedback provided to the Secretary in response to the notice provided under paragraph (1).".

SEC. 5303. DEFINITION OF QUALIFIED BEGINNING FARMER OR RANCHER.

(a) IN GENERAL.—Section 343(a)(11) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(11)) is amended in subparagraphs (C) and (D)—

(1) by striking "or joint operation," each place it appears and inserting "joint operation, or such other legal entity as the Secretary considers appropriate,";

(2) by striking "or joint operators," each place it appears and inserting "joint operators, or owners,"; and

(3) in subparagraph (D), by striking "corporation, has stockholders," each place it appears in clauses (i)(II)(bb) and (ii)(II)(bb) and inserting "cooperative, corporation, partnership, joint operation, or other such legal entity as the Secretary

considers appropriate, has members, stockholders, partners, or joint operators,".

(b) MODIFICATION OF ACREAGE OWNERSHIP LIMITATION.—Section 343(a)(11)(F) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(11)(F)) is amended by striking "median acreage" and inserting "average acreage".

SEC. 5304. LOAN AUTHORIZATION LEVELS.

Section 346(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)(1)) is amended in the matter preceding subparagraph (A) by striking "2012" and inserting "2018".

SEC. 5305. LOAN FUND SET-ASIDES.

Section 346(b)(2)(A)(ii)(III) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)(2)(A)(ii)(III)) is amended—

(1) by striking "2012" and inserting "2018"; and

(2) by striking "of the total amount".

SEC. 5306. BORROWER TRAINING.

Section 359(c)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2006a(c)(2)) is amended by striking "section 302(a)(2) or 311(a)(2)" and inserting "section 302(a)(1)(B) or 311(a)(1)(B)".

Subtitle E—Miscellaneous

SEC. 5401. STATE AGRICULTURAL MEDIATION PROGRAMS.

Section 506 of the Agricultural Credit Act of 1987 (7 U.S.C. 5106) is amended by striking "2015" and inserting "2018".

SEC. 5402. LOANS TO PURCHASERS OF HIGHLY FRACTIONATED LAND.

The first section of Public Law 91–229 (25 U.S.C. 488) is amended—

(1) in subsection (a), in the first sentence, by striking "loans from" and all that follows through "1929)" and inserting "direct loans in a manner consistent with direct loans pursuant to subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981 et seq.)"; and

(2) in subsection (b)(1)—

(A) by striking "pursuant to section 205(c) of the Indian Land Consolidation Act (25 U.S.C. 2204(c))"; and

(B) by inserting "or to intermediaries in order to establish revolving loan funds for the purchase of highly fractionated land under that section" before the period at the end.

25 USC 488a.

SEC. 5403. REMOVAL OF DUPLICATIVE APPRAISALS.

Notwithstanding any other law (including regulations), in making loans under the first section of Public Law 91–229 (25 U.S.C. 488), borrowers who are Indian tribes, members of Indian tribes, or tribal corporations shall only be required to obtain 1 appraisal under an appraisal standard recognized as of the date of enactment of this Act by the Secretary or the Secretary of the Interior.

12 USC 2252 note.

SEC. 5404. COMPENSATION DISCLOSURE BY FARM CREDIT SYSTEM INSTITUTIONS.

(a) FINDINGS.—Congress finds that —

(1) the reasonable disclosure to stockholders by Farm Credit System institutions regarding the compensation of Farm Credit System institution senior officers is beneficial to stockholders' understanding of the operation of their institutions;

(2) transparency regarding compensation practices reinforces the cooperative nature of Farm Credit System institutions;

(3) the unique cooperative structure of the Farm Credit System should be considered when promulgating rules;

(4) the participation of stockholders in the election of the boards of directors of Farm Credit System institutions provides stockholders the opportunity to participate in the management of their institutions;

(5) as representatives of stockholders, the boards of directors of Farm Credit System institutions importantly establish and oversee the compensation practices of Farm Credit System institutions to ensure the safe and sound operation of those institutions; and

(6) any regulation should strengthen and not hinder the ability of Farm Credit System boards of directors to oversee compensation practices.

(b) IMPLEMENTATION.—Not later than 60 days after the date of enactment of this Act, the Farm Credit Administration shall review its rules to reflect Congressional intent that a primary responsibility of the boards of directors of Farm Credit System institutions, as elected representatives of their stockholders, is to oversee compensation practices.

TITLE VI—RURAL DEVELOPMENT

Subtitle A—Consolidated Farm and Rural Development Act

SEC. 6001. WATER, WASTE DISPOSAL, AND WASTEWATER FACILITY GRANTS.

Section 306(a)(2)(B)(vii) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(2)(B)(vii)) is amended by striking "2012" and inserting "2018".

SEC. 6002. ELIMINATION OF RESERVATION OF COMMUNITY FACILITIES GRANT PROGRAM FUNDS.

Section 306(a)(19) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(19)) is amended by striking subparagraph (C).

SEC. 6003. RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.

Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) is amended by striking paragraph (22) and inserting the following:

"(22) RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.—

"(A) IN GENERAL.—The Secretary shall continue a national rural water and wastewater circuit rider program that—

"(i) is consistent with the activities and results of the program conducted before the date of enactment of this clause, as determined by the Secretary; and

"(ii) receives funding from the Secretary, acting through the Rural Utilities Service.

"(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $20,000,000 for fiscal year 2014 and each fiscal year thereafter.".

SEC. 6004. USE OF LOAN GUARANTEES FOR COMMUNITY FACILITIES.

Section 306(a)(24) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(24)) is amended by adding at the end the following:

"(C) USE OF LOAN GUARANTEES FOR COMMUNITY FACILITIES.—The Secretary shall consider the benefits to communities that result from using loan guarantees in carrying out the community facilities program and, to the maximum extent practicable, use guarantees to enhance community involvement.".

SEC. 6005. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL COMMUNITY FACILITIES.

Section 306(a)(25)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(25)(C)) is amended by striking "2012" and inserting "2018".

SEC. 6006. ESSENTIAL COMMUNITY FACILITIES TECHNICAL ASSISTANCE AND TRAINING.

Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) is amended by adding at the end the following:

"(26) ESSENTIAL COMMUNITY FACILITIES TECHNICAL ASSISTANCE AND TRAINING.—

"(A) IN GENERAL.—The Secretary may make grants to public bodies and private nonprofit corporations (such as States, counties, cities, townships, and incorporated towns and villages, boroughs, authorities, districts, and Indian tribes on Federal and State reservations) that will serve rural areas for the purpose of enabling the public bodies and private nonprofit corporations to provide to associations described in paragraph (1) technical assistance and training, with respect to essential community facilities programs authorized under this subsection—

"(i) to assist communities in identifying and planning for community facility needs;

"(ii) to identify public and private resources to finance community facility needs;

"(iii) to prepare reports and surveys necessary to request financial assistance to develop community facilities;

"(iv) to prepare applications for financial assistance;

"(v) to improve the management, including financial management, related to the operation of community facilities; or

"(vi) to assist with other areas of need identified by the Secretary.

"(B) SELECTION PRIORITY.—In selecting recipients of grants under this paragraph, the Secretary shall give priority to private, nonprofit, or public organizations that have experience in providing technical assistance and training to rural entities.

"(C) FUNDING.—Not less than 3 nor more than 5 percent of any funds appropriated to carry out each of the essential community facilities grant, loan and loan guarantee programs as authorized under this subsection for a fiscal year shall be reserved for grants under this paragraph.".

SEC. 6007. EMERGENCY AND IMMINENT COMMUNITY WATER ASSISTANCE GRANT PROGRAM.

Section 306A(i)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926a(i)(2)) is amended by striking "2012" and inserting "2018".

SEC. 6008. WATER SYSTEMS FOR RURAL AND NATIVE VILLAGES IN ALASKA.

Section 306D(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926d(d)(1)) is amended by striking "2012" and inserting "2018".

SEC. 6009. HOUSEHOLD WATER WELL SYSTEMS.

Section 306E(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926e(d)) is amended by striking "$10,000,000 for each of fiscal years 2008 through 2012" and inserting "$5,000,000 for each of fiscal years 2014 through 2018".

SEC. 6010. RURAL BUSINESS AND INDUSTRY LOAN PROGRAM.

(a) IN GENERAL.—Section 310B(a)(2)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)(2)(A)) is amended by inserting "(including through the financing of working capital)" after "employment".

(b) GREATER FLEXIBILITY FOR ADEQUATE COLLATERAL THROUGH ACCOUNTS RECEIVABLE.—Section 310B(g)(7) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(7)) is amended—

(1) by striking "In determining" and inserting the following:

"(A) IN GENERAL.—In determining"; and

(2) by adding at the end the following:

"(B) ACCOUNTS RECEIVABLE.—In the discretion of the Secretary, if the Secretary determines that the action would not create or otherwise contribute to an unreasonable risk of default or loss to the Federal Government, the Secretary may take accounts receivable as security for the obligations entered into in connection with loans and a borrower may use accounts receivable as collateral to secure a loan made or guaranteed under this subsection.".

(c) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to implement the amendments made by this section. 7 USC 1932 note.

SEC. 6011. SOLID WASTE MANAGEMENT GRANTS.

Section 310B(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(b)) is amended—

(1) by striking "The Secretary" and by inserting the following:

"(1) IN GENERAL.—The Secretary"; and

(2) by adding at the end the following

"(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2014 through 2018.".

SEC. 6012. RURAL BUSINESS DEVELOPMENT GRANTS.

(a) IN GENERAL.—Section 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932) is amended by striking subsection (c) and inserting the following:

"(c) RURAL BUSINESS DEVELOPMENT GRANTS.—

"(1) IN GENERAL.—The Secretary may make grants under this subsection to eligible entities described in paragraph (2) in rural areas that primarily serve rural areas for purposes described in paragraph (3).

"(2) ELIGIBLE ENTITIES.—The Secretary may make grants under this subsection to—

"(A) governmental entities;

"(B) Indian tribes; and

"(C) nonprofit entities.

"(3) ELIGIBLE PURPOSES FOR GRANTS.—Eligible entities that receive grants under this subsection may use the grant funds for—

"(A) business opportunity projects that—

"(i) identify and analyze business opportunities;

"(ii) identify, train, and provide technical assistance to existing or prospective rural entrepreneurs and managers;

"(iii) assist in the establishment of new rural businesses and the maintenance of existing businesses, including through business support centers;

"(iv) conduct regional, community, and local economic development planning and coordination, and leadership development; and

"(v) establish centers for training, technology, and trade that will provide training to rural businesses in the use of interactive communications technologies to develop international trade opportunities and markets; and

"(B) projects that support the development of business enterprises that finance or facilitate—

"(i) the development of small and emerging private business enterprise;

"(ii) the establishment, expansion, and operation of rural distance learning networks;

"(iii) the development of rural learning programs that provide educational instruction or job training instruction related to potential employment or job advancement to adult students; and

"(iv) the provision of technical assistance and training to rural communities for the purpose of improving passenger transportation services or facilities.

"(4) AUTHORIZATION OF APPROPRIATIONS.—

"(A) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this subsection $65,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.

"(B) ALLOCATION.—Of the funds made available under subparagraph (A) for a fiscal year, not more than 10 percent shall be used for the purposes described in paragraph (3)(A).".

(b) CONFORMING AMENDMENT.—Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) is amended by striking paragraph (11).

SEC. 6013. RURAL COOPERATIVE DEVELOPMENT GRANTS.

Section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)) is amended—

(1) by redesignating paragraph (12) as paragraph (13);

(2) by inserting after paragraph (11) the following:

"(12) INTERAGENCY WORKING GROUP.—Not later than 90 days after the date of enactment of the Agricultural Act of 2014, the Secretary shall coordinate and chair an interagency working group to foster cooperative development and ensure coordination with Federal agencies and national and local cooperative organizations that have cooperative programs and interests."; and

(3) in paragraph (13) (as so redesignated), by striking "$50,000,000 for each of fiscal years 2008 through 2012" and inserting "$40,000,000 for each of fiscal years 2014 through 2018".

SEC. 6014. LOCALLY OR REGIONALLY PRODUCED AGRICULTURAL FOOD PRODUCTS.

Section 310B(g)(9)(B)(v)(I) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(9)(B)(v)(I)) is amended by striking "2012" and inserting "2018".

SEC. 6015. APPROPRIATE TECHNOLOGY TRANSFER FOR RURAL AREAS PROGRAM.

Section 310B(i)(4) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(i)(4)) is amended by striking "2012" and inserting "2018".

SEC. 6016. RURAL ECONOMIC AREA PARTNERSHIP ZONES.

Section 310B(j) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(j)) is amended by striking "2012" and inserting "2018".

SEC. 6017. INTERMEDIARY RELENDING PROGRAM.

(a) IN GENERAL.—Subtitle A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922 et seq.) is amended by adding at the end the following:

"SEC. 310H. INTERMEDIARY RELENDING PROGRAM. 7 USC 1936b.

"(a) IN GENERAL.—The Secretary may make or guarantee loans to eligible entities described in subsection (b) so that the eligible entities may relend the funds to individuals and entities for the purposes described in subsection (c).

"(b) ELIGIBLE ENTITIES.—Entities eligible for loans and loan guarantees described in subsection (a) are—

"(1) public agencies;

"(2) Indian tribes;
"(3) cooperatives; and
"(4) nonprofit corporations.

"(c) ELIGIBLE PURPOSES.—The proceeds from loans made or guaranteed by the Secretary pursuant to subsection (a) may be relent by eligible entities for projects that—

"(1) predominately serve communities in rural areas; and
"(2) as determined by the Secretary—
"(A) promote community development;
"(B) establish new businesses;
"(C) establish and support microlending programs; and
"(D) create or retain employment opportunities.

"(d) LIMITATION.—The Secretary shall not make loans under section 623(a) of the Community Economic Development Act of 1981 (42 U.S.C. 9812(a)).

"(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $25,000,000 for each of fiscal years 2014 through 2018.".

(b) CONFORMING AMENDMENTS.—Section 1323(b)(2) of the Food Security Act of 1985 (Public Law 99–198; 7 U.S.C. 1932 note) is amended—

(1) in subparagraph (A), by adding "and" at the end;
(2) in subparagraph (B), by striking "; and" and inserting a period; and
(3) by striking subparagraph (C).

SEC. 6018. RURAL COLLEGE COORDINATED STRATEGY.

Section 331 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981) is amended by adding at the end the following:

"(d) RURAL COLLEGE COORDINATED STRATEGY.—

"(1) IN GENERAL.—The Secretary shall develop a coordinated strategy across the relevant programs within the Rural Development mission areas to serve the specific, local needs of rural communities when making investments in rural community colleges and technical colleges through other authorities in effect on the date of enactment of this subsection.

"(2) CONSULTATION.—In developing a coordinated strategy, the Secretary shall consult with groups representing rural-serving community colleges and technical colleges to coordinate critical investments in rural community colleges and technical colleges involved in workforce training.

"(3) ADMINISTRATION.—Nothing in this subsection provides a priority for funding under authorities in effect on the date of enactment of this subsection.

"(4) USE.—The Secretary shall use the coordinated strategy and information developed for the strategy to more effectively serve rural communities with respect to investments in community colleges and technical colleges.".

SEC. 6019. RURAL WATER AND WASTE DISPOSAL INFRASTRUCTURE.

Section 333 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983) is amended—

(1) in the matter preceding paragraph (1), by striking "require";
(2) in paragraph (1), by inserting "require" after "(1)";
(3) in paragraph (2), by inserting ", require" after "314";
(4) in paragraph (3), by inserting "require" after "loans,";
(5) in paragraph (4)—

(A) by inserting "require" after "(4)"; and

(B) by striking "and" after the semicolon;

(6) in paragraph (5)—

(A) by inserting "require" after "(5)"; and

(B) by striking the period at the end and inserting "; and"; and

(7) by adding at the end the following:

"(6) in the case of water and waste disposal direct and guaranteed loans provided under section 306, encourage, to the maximum extent practicable, private or cooperative lenders to finance rural water and waste disposal facilities by—

"(A) maximizing the use of loan guarantees to finance eligible projects in rural communities in which the population exceeds 5,500;

"(B) maximizing the use of direct loans to finance eligible projects in rural communities if the impact on ratepayers will be material when compared to financing with a loan guarantee;

"(C) establishing and applying a materiality standard when determining the difference in impact on ratepayers between a direct loan and a loan guarantee;

"(D) in the case of projects that require interim financing in excess of $500,000, requiring that the projects initially seek the financing from private or cooperative lenders; and

"(E) determining if an existing direct loan borrower can refinance with a private or cooperative lender, including with a loan guarantee, prior to providing a new direct loan.".

SEC. 6020. SIMPLIFIED APPLICATIONS.

(a) IN GENERAL.—Section 333A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983a) is amended by adding at the end the following:

"(h) SIMPLIFIED APPLICATION FORMS.—Except as provided in subsection (g)(2), the Secretary shall, to the maximum extent practicable, develop a simplified application process, including a single page application if practicable, for grants and relending authorized under sections 306, 306C, 306D, 306E, 310B(b), 310B(c), 310B(e), 310B(f), 310H, 379B, and 379E.".

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that contains an evaluation of the implementation of the amendment made by subsection (a).

SEC. 6021. NATIONAL RURAL DEVELOPMENT PARTNERSHIP.

Section 378 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008m) is amended—

(1) in subsection (g)(1), by striking "2012" and inserting "2018"; and

(2) in subsection (h), by striking "2012" and inserting "2018".

SEC. 6022. GRANTS FOR NOAA WEATHER RADIO TRANSMITTERS.

Section 379B(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008p(d)) is amended by striking subsection (d) and inserting the following:

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for each of fiscal years 2014 through 2018.".

SEC. 6023. RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM.

Section 379E(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s(d)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "and" after the semicolon at the end;

(B) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(C) $3,000,000 for each of fiscal years 2014 through 2018."; and

(2) in paragraph (2), by striking "2012" and inserting "2018".

SEC. 6024. HEALTH CARE SERVICES.

Section 379G(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008u(e)) is amended by striking "2012" and inserting "2018".

SEC. 6025. STRATEGIC ECONOMIC AND COMMUNITY DEVELOPMENT.

Subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981 et seq.) is amended by adding at the end the following:

7 USC 2008v.

"SEC. 379H. STRATEGIC ECONOMIC AND COMMUNITY DEVELOPMENT.

"(a) IN GENERAL.—In the case of any rural development program described in subsection (d)(2), the Secretary may give priority to an application for a project that, as determined and approved by the Secretary—

"(1) meets the applicable eligibility requirements of this title;

"(2) will be carried out solely in a rural area; and

"(3) supports strategic community and economic development plans on a multijurisdictional basis.

"(b) RURAL AREA.—For purposes of subsection (a)(2), the Secretary shall consider an application to be for a project that will be carried out solely in a rural area only if—

"(1) in the case of an application for a project in the rural community facilities category described in subsection (d)(2)(A), the project will be carried out in a rural area described in section 343(a)(13)(C);

"(2) in the case of an application for a project in the rural utilities category described in subsection (d)(2)(B), the project will be carried out in a rural area described in section 343(a)(13)(B); and

"(3) in the case of an application for a project in the rural business and cooperative development category described in subsection (d)(2)(C), the project will be carried out in a rural area described in section 343(a)(13)(A).

"(c) EVALUATION.—

"(1) IN GENERAL.—In evaluating strategic applications, the Secretary shall give a higher priority to strategic applications for a plan described in subsection (a) that demonstrates to the Secretary—

"(A) the plan was developed through the collaboration of multiple stakeholders in the service area of the plan, including the participation of combinations of stakeholders such as State, local, and tribal governments, nonprofit institutions, institutions of higher education, and private entities;

"(B) an understanding of the applicable regional resources that could support the plan, including natural resources, human resources, infrastructure, and financial resources;

"(C) investment from other Federal agencies;

"(D) investment from philanthropic organizations; and

"(E) clear objectives for the plan and the ability to establish measurable performance measures and to track progress toward meeting the objectives.

"(2) CONSISTENCY WITH PLANS.—Applications involving State, county, municipal, or tribal governments shall include an indication of consistency with an adopted regional economic or community development plan.

"(d) FUNDS.—

"(1) IN GENERAL.—Subject to paragraph (3) and subsection (e), the Secretary may reserve for projects that support multi-jurisdictional strategic community and economic development plans described in subsection (a) an amount that does not exceed 10 percent of the funds made available for a fiscal year for a functional category described in paragraph (2).

"(2) FUNCTIONAL CATEGORIES.—The functional categories described in this subsection are the following:

"(A) RURAL COMMUNITY FACILITIES CATEGORY.—The rural community facilities category consists of all amounts made available for community facility grants and direct and guaranteed loans under paragraph (1), (19), (20), (21), (24), or (25) of section 306(a).

"(B) RURAL UTILITIES CATEGORY.—The rural utilities category consists of all amounts made available for—

"(i) water or waste disposal grants or direct or guaranteed loans under paragraph (1), (2), or (24) of section 306(a);

"(ii) rural water or wastewater technical assistance and training grants under section 306(a)(14);

"(iii) emergency community water assistance grants under section 306A; or

"(iv) solid waste management grants under section 310B(b).

"(C) RURAL BUSINESS AND COOPERATIVE DEVELOPMENT CATEGORY.—The rural business and cooperative development category consists of all amounts made available for—

"(i) business and industry direct and guaranteed loans under section 310B(a)(2)(A); or

"(ii) rural business development grants under section 310B(c).

"(3) PERIOD.—The reservation of funds described in paragraph (2) may only extend through June 30 of the fiscal year in which the funds were first made available.

"(e) APPROVED APPLICATIONS.—

"(1) IN GENERAL.—Any applicant who submitted a rural development application that was approved before the date of enactment of this section may amend the application to qualify for the funds reserved under subsection (d)(1).

"(2) RURAL UTILITIES.—Any rural development application authorized under section 306(a)(2), 306(a)(14), 306(a)(24), 306A, or 310B(b) and approved by the Secretary before the date of enactment of this section shall be eligible for the funds reserved under subsection (d)(1) on the same basis as the applications submitted under this section until September 30, 2016.".

SEC. 6026. DELTA REGIONAL AUTHORITY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 382M(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–12(a)) is amended by striking "2012" and inserting "2018".

(b) TERMINATION OF AUTHORITY.—Section 382N of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–13) is amended by striking "2012" and inserting "2018".

SEC. 6027. NORTHERN GREAT PLAINS REGIONAL AUTHORITY.

(a) AUDIT.—Section 383L(c) of the Consolidated Farm and Rural Development Ac (7 U.S.C. 2009bb-10(c)) is amended by inserting "for any fiscal year for which funds are appropriated" after "annual basis".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 383N(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009bb–12(a)) is amended by striking "2012" and inserting "2018".

(c) TERMINATION OF AUTHORITY.—Section 383O of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009bb–13) is amended by striking "2012" and inserting "2018".

SEC. 6028. RURAL BUSINESS INVESTMENT PROGRAM.

Section 384S of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–18) is amended by striking "$50,000,000 for the period of fiscal years 2008 through 2012" and inserting "$20,000,000 for each of fiscal years 2014 through 2018".

Subtitle B—Rural Electrification Act of 1936

SEC. 6101. FEES FOR CERTAIN LOAN GUARANTEES.

The Rural Electrification Act of 1936 is amended by inserting after section 4 (7 U.S.C. 904) the following:

7 USC 905.

"SEC. 5. FEES FOR CERTAIN LOAN GUARANTEES.

"(a) IN GENERAL.—For electrification baseload generation loan guarantees, the Secretary shall, at the request of the borrower, charge an upfront fee to cover the costs of the loan guarantee.

"(b) FEE.—The fee described in subsection (a) for a loan guarantee shall be equal to the costs of the loan guarantee (within the meaning of section 502(5)(C) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)(C))).

"(c) LIMITATION.—Funds received from a borrower to pay the fee described in this section shall not be derived from a loan or other debt obligation that is made or guaranteed by the Federal Government.".

SEC. 6102. GUARANTEES FOR BONDS AND NOTES ISSUED FOR ELECTRIFICATION OR TELEPHONE PURPOSES.

Section 313A(f) of the Rural Electrification Act of 1936 (7 U.S.C. 940c–1(f)) is amended by striking "2012" and inserting "2018".

SEC. 6103. EXPANSION OF 911 ACCESS.

Section 315(d) of the Rural Electrification Act of 1936 (7 U.S.C. 940e(d)) is amended by striking "2012" and inserting "2018".

SEC. 6104. ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS.

(a) IN GENERAL.—Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(1) in subsection (c), by striking paragraph (2) and inserting the following:

"(2) PRIORITY.—In making loans or loan guarantees under paragraph (1), the Secretary shall—

"(A) establish not less than 2 evaluation periods for each fiscal year to compare loan and loan guarantee applications and to prioritize loans and loan guarantees to all or part of rural communities that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e);

"(B) give the highest priority to applicants that offer to provide broadband service to the greatest proportion of unserved households or households that do not have residential broadband service that meets the minimum acceptable level of broadband service established under subsection (e), as—

"(i) certified by the affected community, city, county, or designee; or

"(ii) demonstrated on—

"(I) the broadband map of the affected State if the map contains address-level data; or

"(II) the National Broadband Map if address-level data is unavailable; and

"(C) provide equal consideration to all qualified applicants, including applicants that have not previously received loans or loan guarantees under paragraph (1); and

"(D) give priority to applicants that offer in the applications of the applicants to provide broadband service not predominantly for business service, if at least 25 percent of the customers in the proposed service territory are commercial interests.";

(2) in subsection (d)—

(A) in paragraph (1)(A), by striking clause (i) and inserting the following:

"(i) demonstrate the ability to furnish, improve in order to meet the minimum acceptable level of broadband service established under subsection (e), or extend broadband service to all or part of an unserved

rural area or an area below the minimum acceptable level of broadband service established under subsection (e);";

(B) in paragraph (2)—

(i) in subparagraph (A), by striking clause (i) and inserting the following:

"(i) not less than 15 percent of the households in the proposed service territory are unserved or have service levels below the minimum acceptable level of broadband service established under subsection (e); and";

(ii) in the heading of subparagraph (B), by striking "25"; and

(iii) in subparagraph (C)—

(I) in the subparagraph heading, by striking "3 OR MORE"; and

(II) by striking clause (i) and inserting the following:

"(i) IN GENERAL.—Except as provided in clause (ii), subparagraph (A)(ii) shall not apply to an incumbent service provider in the portion of a proposed service territory in which the provider is upgrading broadband service to meet the minimum acceptable level of broadband service established under subsection (e) for the existing territory of the incumbent service provider.";

(C) in paragraph (3)(B), by adding at the end the following:

"(iii) INFORMATION.—Information submitted under this subparagraph shall be—

"(I) certified by the affected community, city, county, or designee; or

"(II) demonstrated on—

"(aa) the broadband map of the affected State if the map contains address-level data; or

"(bb) the National Broadband Map if address-level data is unavailable.";

(D) by striking paragraph (5) and inserting the following:

"(5) NOTICE REQUIREMENTS.—The Secretary shall promptly provide a fully searchable database on the website of the Rural Utilities Service that contains, at a minimum—

"(A) notice of each application for a loan or loan guarantee under this section describing the application, including—

"(i) the identity of the applicant;

"(ii) a description of each application, including—

"(I) each area proposed to be served by the applicant; and

"(II) the amount and type of support requested by each applicant;

"(iii) the status of each application;

"(iv) the estimated number and proportion relative to the service territory of households without terrestrial-based broadband service in those areas; and

"(v) a list of the census block groups or proposed service territory, in a manner specified by the Secretary, that the applicant proposes to service;

"(B) notice of each entity receiving assistance under this section, including—

"(i) the name of the entity;

"(ii) the type of assistance being received;

"(iii) the purpose for which the entity is receiving the assistance;

"(iv) each semiannual report submitted under paragraph (8)(A) (redacted to protect any proprietary information in the report); and

"(C) such other information as is sufficient to allow the public to understand assistance provided under this section.";

(E) by adding at the end the following:

"(8) REPORTING.—

"(A) IN GENERAL.—The Secretary shall require any entity receiving assistance under this section to submit a semiannual report for 3 years after completion of the project, in a format specified by the Secretary, that describes—

"(i) the use by the entity of the assistance, including new equipment and capacity enhancements that support high-speed broadband access for educational institutions, health care providers, and public safety service providers (including the estimated number of end users who are currently using or forecasted to use the new or upgraded infrastructure); and

"(ii) the progress towards fulfilling the objectives for which the assistance was granted, including—

"(I) the number and location of residences and businesses that will receive new broadband service, existing network service improvements, and facility upgrades resulting from the Federal assistance;

"(II) the speed of broadband service;

"(III) the average price of broadband service in a proposed service area;

"(IV) any changes in broadband service adoption rates, including new subscribers generated from demand-side projects; and

"(V) any metrics the Secretary determines to be appropriate;

"(B) ADDITIONAL REPORTING.—The Secretary may require any additional reporting and information by any recipient of any assistance under this section so as to ensure compliance with this section.

"(9) DEFAULT AND DEOBLIGATION.—In addition to other authority under applicable law, the Secretary shall establish written procedures for all broadband programs administered by the Rural Utilities Service under this or any other Act that, to the maximum extent practicable—

"(A) recover funds from loan defaults;

"(B) deobligate any awards, less allowable costs that demonstrate an insufficient level of performance (including

metrics determined by the Secretary) or fraudulent spending, to the extent funds with respect to the award are available in the account relating to the program established by this section;

"(C) award those funds, on a competitive basis, to new or existing applicants consistent with this section; and

"(D) minimize overlap among the programs.

"(10) SERVICE AREA ASSESSMENT.—The Secretary shall, with respect to an application for assistance under this section—

"(A) provide not less than 15 days for broadband service providers to voluntarily submit information concerning the broadband services that the providers offer in the census block groups or tracts described in paragraph (5)(A)(v) so that the Secretary may assess whether the applications submitted meet the eligibility requirements under this section; and

"(B) if no broadband service provider submits information under subparagraph (A), consider the number of providers in the census block group or tract to be established by using—

"(i) the most current National Broadband Map of the National Telecommunications and Information Administration; or

"(ii) any other data regarding the availability of broadband service that the Secretary may collect or obtain through reasonable efforts.";

(3) in subsection (e)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—Subject to paragraph (2), for purposes of this section, the minimum acceptable level of broadband service for a rural area shall be at least—

"(A) a 4-Mbps downstream transmission capacity; and

"(B) a 1-Mbps upstream transmission capacity.

"(2) ADJUSTMENTS.—

"(A) IN GENERAL.—At least once every 2 years, the Secretary shall review, and may adjust through notice published in the Federal Register, the minimum acceptable level of broadband service established under paragraph (1) to ensure that high quality, cost-effective broadband service is provided to rural areas over time.

"(B) CONSIDERATIONS.—In making an adjustment to the minimum acceptable level of broadband service under subparagraph (A), the Secretary may consider establishing different transmission rates for fixed broadband service and mobile broadband service.";

(4) in subsection (g), by striking paragraph (2) and inserting the following:

"(2) TERMS.—In determining the term and conditions of a loan or loan guarantee, the Secretary may—

"(A) consider whether the recipient is or would be serving an area that is unserved or has service levels

below the minimum acceptable level of broadband service established under subsection (e); and

"(B) if the Secretary makes a determination in the affirmative under subparagraph (A), establish a limited initial deferral period or comparable terms necessary to achieve the financial feasibility and long-term sustainability of the project.";

(5) in subsection (j)—

(A) in paragraph (1), by inserting ", including any loan terms or conditions for which the Secretary provided additional assistance to unserved areas" before the semicolon at the end;

(B) in paragraph (5), by striking "and" after the semicolon at the end;

(C) in paragraph (6), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(7) the overall progress towards fulfilling the goal of improving the quality of rural life by expanding rural broadband access, as demonstrated by metrics, including—

"(A) the number of residences and businesses receiving new broadband services;

"(B) network improvements, including facility upgrades and equipment purchases;

"(C) average broadband speeds and prices on a local and statewide basis;

"(D) any changes in broadband adoption rates; and

"(E) any specific activities that increased high speed broadband access for educational institutions, health care providers, and public safety service providers."; and

(6) in subsections (k)(1) and (l), by striking "2012" each place it appears and inserting "2018".

(b) STUDY ON PROVIDING EFFECTIVE DATA FOR NATIONAL BROADBAND MAP.—.

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Commerce and the Chairman of the Federal Communications Commission, shall conduct a study of the ways that data collected under the broadband programs of the Secretary of Agriculture could be most effectively shared with the Commission to support the development and maintenance of the National Broadband Map by the Commission.

(2) INCLUSIONS.—The study shall include a consideration of the circumstances under which address-level data could be collected by the Secretary and appropriately shared with the Commission.

(3) COMPLETION.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete the study required under this subsection.

(4) REPORT.—Not later than 60 days after the date of completion of the study, the Secretary shall submit a report describing the results of the study to—

(A) the Committee on Agriculture of the House of Representatives;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(D) the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 6105. RURAL GIGABIT NETWORK PILOT PROGRAM.

Title VI of the Rural Electrification Act of 1936 (7 U.S.C. 950bb et seq.) is amended by adding at the end the following:

7 USC 950bb–2.

"SEC. 603. RURAL GIGABIT NETWORK PILOT PROGRAM.

"(a) DEFINITION OF ULTRA-HIGH SPEED SERVICE.—In this section, the term 'ultra-high speed service' means broadband service operating at a 1 gigabit per second downstream transmission capacity.

"(b) PILOT PROGRAM.—The Secretary shall establish a pilot program to be known as the 'Rural Gigabit Network Pilot Program', under which the Secretary may, at the discretion of the Secretary, provide grants, loans, or loan guarantees to eligible entities.

"(c) ELIGIBILITY.—

"(1) IN GENERAL.—To be eligible to obtain assistance under this section, an entity shall—

"(A) demonstrate to the Secretary the ability to furnish or extend ultra-high speed service to a rural area;

"(B) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require;

"(C) not already provide ultra-high speed service to a rural area within any State in the proposed service territory; and

"(D) agree to complete buildout of ultra-high speed service by not later than 3 years after the initial date on which assistance under this section is made available.

"(2) ELIGIBLE PROJECTS.—Assistance under this section may only be used to carry out a project in a proposed service territory if—

"(A) the proposed service territory is a rural area; and

"(B) ultra-high speed service is not provided in any part of the proposed service territory.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014 through 2018.".

Subtitle C—Miscellaneous

SEC. 6201. DISTANCE LEARNING AND TELEMEDICINE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 2335A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa–5) is amended by striking "$100,000,000 for each of fiscal years 1996 through 2012" and inserting "$75,000,000 for each of fiscal years 2014 through 2018".

(b) CONFORMING AMENDMENT.—Section 1(b) of Public Law 102–551 (7 U.S.C. 950aaa note) is amended by striking "2012" and inserting "2018".

SEC. 6202. AGRICULTURAL TRANSPORTATION.

Section 203(j) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(j)) is amended by striking "the Interstate Commerce

Commission, the Maritime Commission,," and inserting "the Surface Transportation Board, the Federal Maritime Commission,".

SEC. 6203. VALUE-ADDED AGRICULTURAL PRODUCT MARKET DEVELOPMENT GRANTS.

Section 231(b) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(b)) is amended—

(1) by striking paragraph (6) and inserting the following:

"(6) PRIORITY.—

"(A) ELIGIBLE INDEPENDENT PRODUCERS OF VALUE-ADDED AGRICULTURAL PRODUCTS.—In awarding grants under paragraph (1)(A), the Secretary shall give priority to—

"(i) operators of small- and medium-sized farms and ranches that are structured as family farms;

"(ii) beginning farmers or ranchers;

"(iii) socially disadvantaged farmers or ranchers; and

"(iv) veteran farmers or ranchers (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))).

"(B) ELIGIBLE AGRICULTURAL PRODUCER GROUPS, FARMER OR RANCHER COOPERATIVES, AND MAJORITY-CONTROLLED PRODUCER-BASED BUSINESS VENTURE.—In awarding grants under paragraph (1)(B), the Secretary shall give priority to projects (including farmer or rancher cooperative projects) that best contribute to creating or increasing marketing opportunities for operators, farmers, and ranchers described in subparagraph (A)."; and

(2) in paragraph (7)—

(A) in subparagraph (A)—

(i) by striking "On October 1, 2008," and inserting "On the date of enactment of the Agricultural Act of 2014,"; and

(ii) by striking "$15,000,000" and inserting "$63,000,000"; and

(B) in subparagraph (B), by striking "2012" and inserting "2018".

SEC. 6204. AGRICULTURE INNOVATION CENTER DEMONSTRATION PROGRAM.

Section 6402(i) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1632b(i)) is amended by striking "$6,000,000 for each of fiscal years 2008 through 2012" and inserting "$1,000,000 for each of fiscal years 2014 through 2018".

SEC. 6205. RURAL ENERGY SAVINGS PROGRAM.

Subtitle E of title VI of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 116 Stat. 424) is amended by adding at the end the following:

"SEC. 6407. RURAL ENERGY SAVINGS PROGRAM. 7 USC 8107a.

"(a) PURPOSE.—The purpose of this section is to help rural families and small businesses achieve cost savings by providing loans to qualified consumers to implement durable cost-effective energy efficiency measures.

"(b) DEFINITIONS.—In this section:

"(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) any public power district, public utility district, or similar entity, or any electric cooperative described in section 501(c)(12) or 1381(a)(2) of the Internal Revenue Code of 1986, that borrowed and repaid, prepaid, or is paying an electric loan made or guaranteed by the Rural Utilities Service (or any predecessor agency);

"(B) any entity primarily owned or controlled by 1 or more entities described in subparagraph (A); or

"(C) any other entity that is an eligible borrower of the Rural Utilities Service, as determined under section 1710.101 of title 7, Code of Federal Regulations (or a successor regulation).

"(2) ENERGY EFFICIENCY MEASURES.—The term 'energy efficiency measures' means, for or at property served by an eligible entity, structural improvements and investments in cost-effective, commercial technologies to increase energy efficiency.

"(3) QUALIFIED CONSUMER.—The term 'qualified consumer' means a consumer served by an eligible entity that has the ability to repay a loan made under subsection (d), as determined by the eligible entity.

"(4) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture, acting through the Administrator of the Rural Utilities Service.

"(c) LOANS TO ELIGIBLE ENTITIES.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall make loans to eligible entities that agree to use the loan funds to make loans to qualified consumers for the purpose of implementing energy efficiency measures.

"(2) REQUIREMENTS.—

"(A) IN GENERAL.—As a condition of receiving a loan under this subsection, an eligible entity shall—

"(i) establish a list of energy efficiency measures that is expected to decrease energy use or costs of qualified consumers;

"(ii) prepare an implementation plan for use of the loan funds, including use of any interest to be received pursuant to subsection (d)(1)(A);

"(iii) provide for appropriate measurement and verification to ensure—

"(I) the effectiveness of the energy efficiency loans made by the eligible entity; and

"(II) that there is no conflict of interest in carrying out this section; and

"(iv) demonstrate expertise in effective use of energy efficiency measures at an appropriate scale.

"(B) REVISION OF LIST OF ENERGY EFFICIENCY MEASURES.—Subject to the approval of the Secretary, an eligible entity may update the list required under subparagraph (A)(i) to account for newly available efficiency technologies.

"(C) EXISTING ENERGY EFFICIENCY PROGRAMS.—An eligible entity that, at any time before the date that is 60 days after the date of enactment of this section, has established an energy efficiency program for qualified consumers may use an existing list of energy efficiency measures, implementation plan, or measurement and verification system of that program to satisfy the requirements of subparagraph (A) if the Secretary determines

the list, plan, or systems are consistent with the purposes of this section.

"(3) NO INTEREST.—A loan under this subsection shall bear no interest.

"(4) REPAYMENT.—With respect to a loan under paragraph (1)—

"(A) the term shall not exceed 20 years from the date on which the loan is closed; and

"(B) except as provided in paragraph (6), the repayment of each advance shall be amortized for a period not to exceed 10 years.

"(5) AMOUNT OF ADVANCES.—Any advance of loan funds to an eligible entity in any single year shall not exceed 50 percent of the approved loan amount.

"(6) SPECIAL ADVANCE FOR START-UP ACTIVITIES.—

"(A) IN GENERAL.—In order to assist an eligible entity in defraying the appropriate start-up costs (as determined by the Secretary) of establishing new programs or modifying existing programs to carry out subsection (d), the Secretary shall allow an eligible entity to request a special advance.

"(B) AMOUNT.—No eligible entity may receive a special advance under this paragraph for an amount that is greater than 4 percent of the loan amount received by the eligible entity under paragraph (1).

"(C) REPAYMENT.—Repayment of the special advance—

"(i) shall be required during the 10-year period beginning on the date on which the special advance is made; and

"(ii) at the election of the eligible entity, may be deferred to the end of the 10-year period.

"(7) LIMITATION.—All special advances shall be made under a loan described in paragraph (1) during the first 10 years of the term of the loan.

"(d) LOANS TO QUALIFIED CONSUMERS.—

"(1) TERMS OF LOANS.—Loans made by an eligible entity to qualified consumers using loan funds provided by the Secretary under subsection (c)—

"(A) may bear interest, not to exceed 3 percent, to be used for purposes that include—

"(i) to establish a loan loss reserve; and

"(ii) to offset personnel and program costs of eligible entities to provide the loans;

"(B) shall finance energy efficiency measures for the purpose of decreasing energy usage or costs of the qualified consumer by an amount that ensures, to the maximum extent practicable, that a loan term of not more than 10 years will not pose an undue financial burden on the qualified consumer, as determined by the eligible entity;

"(C) shall not be used to fund purchases of, or modifications to, personal property unless the personal property is or becomes attached to real property (including a manufactured home) as a fixture;

"(D) shall be repaid through charges added to the electric bill for the property for, or at which, energy efficiency measures are or will be implemented, on the condition that this requirement does not prohibit—

"(i) the voluntary prepayment of a loan by the owner of the property; or

"(ii) the use of any additional repayment mechanisms that are—

"(I) demonstrated to have appropriate risk mitigation features, as determined by the eligible entity; or

"(II) required if the qualified consumer is no longer a customer of the eligible entity; and

"(E) shall require an energy audit by an eligible entity to determine the impact of proposed energy efficiency measures on the energy costs and consumption of the qualified consumer.

"(2) CONTRACTORS.—In addition to any other qualified general contractor, eligible entities may serve as general contractors.

"(e) CONTRACT FOR MEASUREMENT AND VERIFICATION, TRAINING, AND TECHNICAL ASSISTANCE.—

"(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary—

"(A) shall establish a plan for measurement and verification, training, and technical assistance of the program; and

"(B) may enter into 1 or more contracts with a qualified entity for the purposes of—

"(i) providing measurement and verification activities; and

"(ii) developing a program to provide technical assistance and training to the employees of eligible entities to carry out this section.

"(2) USE OF SUBCONTRACTORS AUTHORIZED.—A qualified entity that enters into a contract under paragraph (1) may use subcontractors to assist the qualified entity in carrying out the contract.

"(f) ADDITIONAL AUTHORITY.—The authority provided in this section is in addition to any other authority of the Secretary to offer loans under any other law.

"(g) EFFECTIVE PERIOD.—Subject to the availability of funds and except as otherwise provided in this section, the loans and other expenditures required to be made under this section shall be available until expended, with the Secretary authorized to make new loans as loans are repaid.

"(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $75,000,000 for each of fiscal years 2014 through 2018.".

SEC. 6206. STUDY OF RURAL TRANSPORTATION ISSUES.

(a) IN GENERAL.—The Secretary of Agriculture and the Secretary of Transportation shall publish an updated version of the study described in section 6206 of the Food, Conservation, and Energy Act of 2008 (as amended by subsection (b)).

(b) ADDITION TO STUDY.—Section 6206(b) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1971) is amended—

(1) in paragraph (3), by striking "and" at the end;

(2) in paragraph (4), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(5) the sufficiency of infrastructure along waterways in the United States and the impact of the infrastructure on the movement of agricultural goods in terms of safety, efficiency and speed, as well as the benefits derived through upgrades and repairs to locks and dams.".

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of Transportation shall submit to Congress the updated version of the study required by subsection (a).

SEC. 6207. REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT.

Section 15751 of title 40, United States Code, is amended—

(1) in subsection (a), by striking "2012" and inserting "2018"; and

(2) in subsection (b)—

(A) by striking "Not more than" and inserting the following:

"(1) IN GENERAL.—Except as provided in paragraph (2), not more than"; and

(B) by adding at the end the following:

"(2) LIMITED FUNDING.—In a case in which less than $10,000,000 is made available to a Commission for a fiscal year under this section, paragraph (1) shall not apply.".

SEC. 6208. DEFINITION OF RURAL AREA FOR PURPOSES OF THE HOUSING ACT OF 1949.

The second sentence of section 520 of the Housing Act of 1949 (42 U.S.C. 1490) is amended—

(1) by striking "1990 or 2000 decennial census shall continue to be so classified until the receipt of data from the decennial census in the year 2010" and inserting "1990, 2000, or 2010 decennial census, and any area deemed to be a 'rural area' for purposes of this title under any other provision of law at any time during the period beginning January 1, 2000, and ending December 31, 2010, shall continue to be so classified until the receipt of data from the decennial census in the year 2020"; and

(2) by striking "25,000" and inserting "35,000".

SEC. 6209. PROGRAM METRICS. 7 USC 2207b.

(a) IN GENERAL.—The Secretary shall collect data regarding economic activities created through grants and loans, including any technical assistance provided as a component of the grant or loan program, and measure the short- and long-term viability of award recipients and any entities to whom those recipients provide assistance using award funds, under—

(1) section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a);

(2) section 313(b)(2) of the Rural Electrification Act of 1936 (7 U.S.C. 940c(b)(2)); or

(3) section 310B(c), 310B(e), 310B(g), 310H, or 379E, or subtitle E, of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(c), 1932(e), 1932(g), 2008s, 2009 et seq.).

(b) DATA.—The data collected under subsection (a) shall include information collected from recipients both during the award period

and for a period of time, as determined by the Secretary, which is not less than 2 years after the award period ends.

(c) REPORT.—

(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that contains the data described in subsection (a).

(2) DETAILED INFORMATION.—The report shall include detailed information regarding—

(A) actions taken by the Secretary to use the data;

(B) the percentage increase of employees;

(C) the number of business starts and clients served;

(D) any benefit, such as an increase in revenue or customer base; and

(E) such other information as the Secretary considers appropriate.

SEC. 6210. FUNDING OF PENDING RURAL DEVELOPMENT LOAN AND GRANT APPLICATIONS.

(a) IN GENERAL.—The Secretary shall use funds made available under subsection (b) to provide funds for applications that are pending on the date of enactment of this Act in accordance with the terms and conditions of section 6029 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1955).

(b) FUNDING.—Notwithstanding any other provision of law, beginning in fiscal year 2014, of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $150,000,000, to remain available until expended.

TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS

Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977

SEC. 7101. OPTION TO BE INCLUDED AS NON-LAND-GRANT COLLEGE OF AGRICULTURE.

Section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103) is amended—

(1) by striking paragraph (5) and inserting the following new paragraph:

"(5) COOPERATING FORESTRY SCHOOL.—

"(A) IN GENERAL.—The term 'cooperating forestry school' means an institution—

"(i) that is eligible to receive funds under Public Law 87–788 (commonly known as the McIntire-Stennis Cooperative Forestry Act; 16 U.S.C. 582a et seq.); and

"(ii) with respect to which the Secretary has not received a declaration of the intent of that institution to not be considered a cooperating forestry school.

"(B) TERMINATION OF DECLARATION.—A declaration of the intent of an institution to not be considered a cooperating forestry school submitted to the Secretary shall be in effect until September 30, 2018.";

(2) in paragraph (10)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking "that";

(ii) in clause (i)—

(I) by inserting "that" before "qualify"; and

(II) by striking "and" at the end;

(iii) in clause (ii)—

(I) by inserting "that" before "offer"; and

(II) by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following new clause:

"(iii) with respect to which the Secretary has not received a declaration of the intent of a college or university to not be considered a Hispanic-serving agricultural college or university."; and

(B) by adding at the end the following new subparagraph:

"(C) TERMINATION OF DECLARATION OF INTENT.—A declaration of the intent of a college or university to not be considered a Hispanic-serving agricultural college or university submitted to the Secretary shall be in effect until September 30, 2018."; and

(3) in paragraph (14)—

(A) in subparagraph (A), by striking "agriculture or forestry" and inserting "food and agricultural sciences";

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph:

"(B) DESIGNATION.—Not later than 90 days after the date of the enactment of this subparagraph, the Secretary shall establish an ongoing process through which public colleges or universities may apply for designation as an NLGCA Institution.".

SEC. 7102. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.

(a) EXTENSION OF TERMINATION DATE.—Section 1408(h) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(h)) is amended by striking "2012" and inserting "2018".

(b) DUTIES OF NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.—Section 1408(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(c)) is amended—

(1) in paragraph (1)—

(A) by striking "Committee on Appropriations of the Senate" and all that follows through the semi-colon and inserting "Committee on Appropriations of the Senate on—"; and

(B) by adding at the end the following new subparagraphs:

"(A) long-term and short-term national policies and priorities consistent with the purposes specified in section 1402 for agricultural research, extension, education, and economics; and

"(B) the annual establishment of priorities that—

"(i) are in accordance with the purposes specified in a provision of a covered law (as defined in subsection (d) of section 1492) under which competitive grants (described in subsection (c) of such section) are awarded; and

"(ii) the Board determines are national priorities.";

(2) in paragraph (3), by striking "and" at the end;

(3) in paragraph (4)—

(A) in subparagraph (B), by striking "the national research policies and priorities set forth in" inserting "national research policies and priorities that are consistent with the purposes specified in"; and

(B) in subparagraph (C), by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following new paragraph:

"(5) consult with industry groups on agricultural research, extension, education, and economics, and make recommendations to the Secretary based on that consultation.".

SEC. 7103. SPECIALTY CROP COMMITTEE.

(a) ESTABLISHMENT OF SUBCOMMITTEE.—Section 1408A(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a(a)) is amended—

(1) by striking "Not later than" and inserting the following:

"(1) IN GENERAL.—Not later than"; and

(2) by adding at the end the following new paragraph:

"(2) CITRUS DISEASE SUBCOMMITTEE.—

"(A) IN GENERAL.—Not later than 45 days after the date of the enactment of the Agricultural Act of 2014, the Secretary shall establish within the speciality crops committee, and appoint the initial members of, a citrus disease subcommittee to carry out the responsibilities of the subcommittee described in subsection (g) in accordance with subsection (j)(3) of section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632).

"(B) COMPOSITION.—The citrus disease subcommittee shall be composed of 9 members, each of whom is a domestic producer of citrus in a State, represented as follows:

"(i) Three of such members shall represent Arizona or California.

"(ii) Five of such members shall represent Florida.

"(iii) One of such members shall represent Texas.

"(C) MEMBERSHIP.—The Secretary may appoint individuals who are not members of the specialty crops committee or the Advisory Board established under section 1408 as members of the citrus disease subcommittee

"(D) TERMINATION.—The subcommittee established under subparagraph (A) shall terminate on September 30, 2018.

"(E) FEDERAL ADVISORY COMMITTEE ACT.—The subcommittee established under subparagraph (A) shall be covered by the exemption to section 9(c) of the Federal Advisory Committee Act (5 U.S.C. App.) applicable to the Advisory Board under section 1408(f).".

(b) MEMBERS.—Section 1408A(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a(b)) is amended—

(1) by striking "Individuals" and inserting the following: "(1) ELIGIBILITY.—Individuals";

(2) by striking "Members" and inserting the following: "(2) SERVICE.—Members"; and

(3) by adding at the end the following new paragraph: "(3) DIVERSITY.—Membership of the specialty crops committee shall reflect diversity in the specialty crops represented.".

(c) ANNUAL COMMITTEE REPORT.—Section 1408A(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a(c)) is amended—

(1) in paragraph (1), by striking "Measures" and inserting "Programs";

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively;

(4) in paragraph (2) (as so redesignated)—

(A) in the matter preceding subparagraph (A), by striking "Programs that would" and inserting "Research, extension, and teaching programs designed to improve competitiveness in the specialty crop industry, including programs that would";

(B) in subparagraph (D), by inserting ", including improving the quality and taste of processed specialty crops" before the semicolon; and

(C) in subparagraph (G), by inserting "the remote sensing and the" before "mechanization"; and

(5) by adding at the end the following: "(5) Analysis of the alignment of specialty crops committee recommendations with grants awarded through the specialty crop research initiative established under section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632).".

(d) CONSULTATION WITH SPECIALTY CROP INDUSTRY.—Section 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(2) by inserting after subsection (c) the following: "(d) CONSULTATION WITH SPECIALTY CROP INDUSTRY.—In studying the scope and effectiveness of programs under subsection (a), the specialty crops committee shall consult on an ongoing basis with diverse sectors of the specialty crop industry."; and

(3) in subsection (f) (as redesignated by paragraph (1)), by striking "subsection (d)" and inserting "subsection (e)".

(e) DUTIES OF CITRUS DISEASE SUBCOMMITTEE.—Section 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a), as amended by subsection

(d), is further amended by adding at the end the following new subsection:

"(g) CITRUS DISEASE SUBCOMMITTEE DUTIES.—For the purposes of subsection (j) of section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632), the citrus disease subcommittee shall—

"(1) advise the Secretary on citrus research, extension, and development needs;

"(2) propose, by a favorable vote of two-thirds of the members of the subcommittee, a research and extension agenda and annual budgets for the funds made available to carry out such subsection;

"(3) evaluate and review ongoing research and extension funded under the emergency citrus disease research and extension program (as defined in such subsection);

"(4) establish, by a favorable vote of two-thirds of the members of the subcommittee, annual priorities for the award of grants under such subsection;

"(5) provide the Secretary any comments on grants awarded under such subsection during the previous fiscal year; and

"(6) engage in regular consultation and collaboration with the Department and other institutional, governmental, and private persons conducting scientific research on, and extension activities related to, the causes or treatments of citrus diseases and pests, both domestic and invasive, for purposes of—

"(A) maximizing the effectiveness of research and extension projects funded under the citrus disease research and extension program;

"(B) hastening the development of useful treatments;

"(C) avoiding duplicative and wasteful expenditures; and

"(D) providing the Secretary with such information and advice as the Secretary may request.".

SEC. 7104. VETERINARY SERVICES GRANT PROGRAM.

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by inserting after section 1415A (7 U.S.C. 3151a) the following new section:

7 USC 3151b.

"SEC. 1415B. VETERINARY SERVICES GRANT PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) QUALIFIED ENTITY.—The term 'qualified entity' means—

"(A) a for-profit or nonprofit entity located in the United States that, or an individual who, operates a veterinary clinic providing veterinary services—

"(i) in a rural area, as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)); and

"(ii) in a veterinarian shortage situation;

"(B) a State, national, allied, or regional veterinary organization or specialty board recognized by the American Veterinary Medical Association;

"(C) a college or school of veterinary medicine accredited by the American Veterinary Medical Association;

"(D) a university research foundation or veterinary medical foundation;

"(E) a department of veterinary science or department of comparative medicine accredited by the Department of Education;

"(F) a State agricultural experiment station; or

"(G) a State, local, or tribal government agency.

"(2) VETERINARIAN SHORTAGE SITUATION.—The term 'veterinarian shortage situation' means a veterinarian shortage situation as determined by the Secretary under section 1415A.

"(b) ESTABLISHMENT.—

"(1) COMPETITIVE GRANTS.—The Secretary shall carry out a program to make competitive grants to qualified entities that carry out programs or activities described in paragraph (2) for the purpose of developing, implementing, and sustaining veterinary services.

"(2) ELIGIBILITY REQUIREMENTS.—A qualified entity shall be eligible to receive a grant described in paragraph (1) if the entity carries out programs or activities that the Secretary determines will—

"(A) substantially relieve veterinarian shortage situations;

"(B) support or facilitate private veterinary practices engaged in public health activities; or

"(C) support or facilitate the practices of veterinarians who are providing or have completed providing services under an agreement entered into with the Secretary under section 1415A(a)(2).

"(c) AWARD PROCESSES AND PREFERENCES.—

"(1) APPLICATION, EVALUATION, AND INPUT PROCESSES.—In administering the grant program established under this section, the Secretary shall—

"(A) use an appropriate application and evaluation process, as determined by the Secretary; and

"(B) seek the input of interested persons.

"(2) COORDINATION PREFERENCE.—In selecting recipients of grants to be used for any of the purposes described in subsection (d)(1), the Secretary shall give a preference to qualified entities that provide documentation of coordination with other qualified entities, with respect to any such purpose.

"(3) CONSIDERATION OF AVAILABLE FUNDS.—In selecting recipients of grants to be used for any of the purposes described in subsection (d), the Secretary shall take into consideration the amount of funds available for grants and the purposes for which the grant funds will be used.

"(4) NATURE OF GRANTS.—A grant awarded under this section shall be considered to be a competitive research, extension, or education grant.

"(d) USE OF GRANTS TO RELIEVE VETERINARIAN SHORTAGE SITUATIONS AND SUPPORT VETERINARY SERVICES.—

"(1) IN GENERAL.—Except as provided in paragraph (2), a qualified entity may use funds provided by a grant awarded under this section to relieve veterinarian shortage situations and support veterinary services for any of the following purposes:

"(A) To promote recruitment (including for programs in secondary schools), placement, and retention of veterinarians, veterinary technicians, students of veterinary medicine, and students of veterinary technology.

"(B) To allow veterinary students, veterinary interns, externs, fellows, and residents, and veterinary technician students to cover expenses (other than the types of expenses described in section 1415A(c)(5)) to attend training programs in food safety or food animal medicine.

"(C) To establish or expand accredited veterinary education programs (including faculty recruitment and retention), veterinary residency and fellowship programs, or veterinary internship and externship programs carried out in coordination with accredited colleges of veterinary medicine.

"(D) To provide continuing education and extension, including veterinary telemedicine and other distance-based education, for veterinarians, veterinary technicians, and other health professionals needed to strengthen veterinary programs and enhance food safety.

"(E) To provide technical assistance for the preparation of applications submitted to the Secretary for designation as a veterinarian shortage situation under this section or section 1415A.

"(2) QUALIFIED ENTITIES OPERATING VETERINARY CLINICS.—A qualified entity described in subsection (a)(1)(A) may only use funds provided by a grant awarded under this section to establish or expand veterinary practices, including—

"(A) equipping veterinary offices;

"(B) sharing in the reasonable overhead costs of such veterinary practices, as determined by the Secretary; or

"(C) establishing mobile veterinary facilities in which a portion of the facilities will address education or extension needs.

"(e) SPECIAL REQUIREMENTS FOR CERTAIN GRANTS.—

"(1) TERMS OF SERVICE REQUIREMENTS.—

"(A) IN GENERAL.—Funds provided through a grant made under this section to a qualified entity described in subsection (a)(1)(A) and used by such entity under subsection (d)(2) shall be subject to an agreement between the Secretary and such entity that includes a required term of service for such entity (including a qualified entity operating as an individual), as established by the Secretary.

"(B) CONSIDERATIONS.—In establishing a term of service under subparagraph (A), the Secretary shall consider only—

"(i) the amount of the grant awarded; and

"(ii) the specific purpose of the grant.

"(2) BREACH REMEDIES.—

"(A) IN GENERAL.—An agreement under paragraph (1) shall provide remedies for any breach of the agreement by the qualified entity referred to in paragraph (1)(A), including repayment or partial repayment of the grant funds, with interest.

"(B) WAIVER.—The Secretary may grant a waiver of the repayment obligation for breach of contract if the Secretary determines that such qualified entity demonstrates extreme hardship or extreme need.

"(C) TREATMENT OF AMOUNTS RECOVERED.—Funds recovered under this paragraph shall—

"(i) be credited to the account available to carry out this section; and

"(ii) remain available until expended without further appropriation.

"(f) PROHIBITION ON USE OF GRANT FUNDS FOR CONSTRUCTION.—Except as provided in subsection (d)(2), funds made available for grants under this section may not be used—

"(1) to construct a new building or facility; or

"(2) to acquire, expand, remodel, or alter an existing building or facility, including site grading and improvement and architect fees.

"(g) REGULATIONS.—Not later than 1 year after the date of the enactment of this section, the Secretary shall promulgate regulations to carry out this section.

"(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $10,000,000 for fiscal year 2014 and each fiscal year thereafter, to remain available until expended.".

SEC. 7105. GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURE SCIENCES EDUCATION.

Section 1417(m) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(m)) is amended by striking "section $60,000,000" and all that follows and inserting the following: "section—

"(1) $60,000,000 for each of fiscal years 1990 through 2013; and

"(2) $40,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7106. AGRICULTURAL AND FOOD POLICY RESEARCH CENTERS.

Section 1419A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3155) is amended—

(1) in the section heading, by inserting "**AGRICULTURAL AND FOOD**" before "**POLICY**";

(2) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking "Secretary may" and inserting "Secretary shall, acting through the Office of the Chief Economist,"; and

(B) by striking "make grants, competitive grants, and special research grants to, and enter into cooperative agreements and other contracting instruments with," and inserting "make competitive grants to, or enter into cooperative agreements with,";

(3) by striking subsection (b) and inserting the following new subsection:

"(b) ELIGIBLE RECIPIENTS.—An entity eligible to apply for funding under subsection (a) is a State agricultural experiment station, college or university, or other public research institution or organization that has a history of providing—

"(1) unbiased, nonpartisan economic analysis to Congress on the areas specified in paragraphs (1) through (4) of subsection (a); or

"(2) objective, scientific information to Federal agencies and the public to support and enhance efficient, accurate implementation of Federal drought preparedness and drought

response programs, including interagency thresholds used to determine eligibility for mitigation or emergency assistance.";

(4) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(5) by inserting after subsection (b) the following new subsection:

"(c) PREFERENCE.—In making awards under this section, the Secretary shall give a preference to policy research centers that have—

"(1) extensive databases, models, and demonstrated experience in providing Congress with agricultural market projections, rural development analysis, agricultural policy analysis, and baseline projections at the farm, multiregional, national, and international levels; or

"(2) information, analysis, and research relating to drought mitigation.";

(6) in subsection (d)(2) (as redesignated by paragraph (4)), by inserting "applied" after "theoretical and"; and

(7) by striking subsection (e) (as redesignated by paragraph (4)) and inserting the following new subsection:

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7107. EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

Section 1419B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3156) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "(or grants without regard to any requirement for competition)"; and

(B) in paragraph (3), by striking "2012" and inserting "2018"; and

(2) in subsection (b)—

(A) in paragraph (1), by striking "(or grants without regard to any requirement for competition)"; and

(B) in paragraph (3), by striking "2012" and inserting "2018".

SEC. 7108. REPEAL OF HUMAN NUTRITION INTERVENTION AND HEALTH PROMOTION RESEARCH PROGRAM.

Section 1424 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3174) is repealed.

SEC. 7109. REPEAL OF PILOT RESEARCH PROGRAM TO COMBINE MEDICAL AND AGRICULTURAL RESEARCH.

Section 1424A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3174a) is repealed.

SEC. 7110. NUTRITION EDUCATION PROGRAM.

Section 1425(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175(f)) is amended by striking "2012" and inserting "2018".

SEC. 7111. CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

(a) IN GENERAL.—Section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195) is amended to read as follows:

"SEC. 1433. CONTINUING ANIMAL HEALTH AND DISEASE, FOOD SECURITY, AND STEWARDSHIP RESEARCH, EDUCATION, AND EXTENSION PROGRAMS.

"(a) CAPACITY AND INFRASTRUCTURE PROGRAM.—

"(1) IN GENERAL.—In each State with one or more accredited colleges of veterinary medicine, the deans of the accredited college or colleges and the director of the State agricultural experiment station shall develop a comprehensive animal health and disease research program for the State based on the animal health research capacity of each eligible institution in the State, which shall be submitted to the Secretary for approval and shall be used for the allocation of funds available to the State under this section.

"(2) USE OF FUNDS.—An eligible institution allocated funds to carry out animal health and disease research under this section may only use such funds—

"(A) to meet the expenses of conducting animal health and disease research, publishing and disseminating the results of such research, and contributing to the retirement of employees subject to the Act of March 4, 1940 (7 U.S.C. 331);

"(B) for administrative planning and direction; and

"(C) to purchase equipment and supplies necessary for conducting research described in subparagraph (A).

"(3) COOPERATION AMONG ELIGIBLE INSTITUTIONS.—The Secretary, to the maximum extent practicable, shall encourage eligible institutions to cooperate in setting research priorities under this section through conducting regular regional and national meetings.

"(b) COMPETITIVE GRANT PROGRAM.—

"(1) IN GENERAL.—The Secretary, for purposes of addressing the critical needs of animal agriculture, shall award competitive grants to eligible entities under which such eligible entities—

"(A) conduct research—

"(i) to promote food security, such as by—

"(I) improving feed efficiency;

"(II) improving energetic efficiency;

"(III) connecting genomics, proteomics, metabolomics and related phenomena to animal production;

"(IV) improving reproductive efficiency; and

"(V) enhancing pre- and post-harvest food safety systems; and

"(ii) on the relationship between animal and human health, such as by—

"(I) exploring new approaches for vaccine development;

"(II) understanding and controlling zoonosis, including its impact on food safety;

"(III) improving animal health through feed; and

"(IV) enhancing product quality and nutritive value; and

"(B) develop and disseminate to the public tools and information based on the research conducted under subparagraph (A) and sound science.

"(2) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this subsection is any of the following:

"(A) A State cooperative institution.

"(B) An NLGCA Institution.

"(3) ADMINISTRATION.—In carrying out this subsection, the Secretary shall establish procedures—

"(A) to seek and accept proposals for grants;

"(B) to review and determine the relevance and merit of proposals, in consultation with representatives of the animal agriculture industry;

"(C) to provide a scientific peer review of each proposal conducted by a panel of subject matter experts from Federal agencies, academic institutions, State animal health agencies, and the animal agriculture industry; and

"(D) to award competitive grants on the basis of merit, quality, and relevance.

"(c) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $25,000,000 for each of fiscal years 2014 through 2018.

"(2) RESERVATION OF FUNDS.—The Secretary shall reserve not less than $5,000,000 of the funds made available under paragraph (1) to carry out the capacity and infrastructure program under subsection (a).

"(3) INITIAL APPORTIONMENT.—The amounts made available under paragraph (1) that are remaining after the reservation of funds under paragraph (2), shall be apportioned as follows:

"(A) 15 percent of such amounts shall be used to carry out the capacity and infrastructure program under subsection (a).

"(B) 85 percent of such funds shall be used to carry out the competitive grant program under subsection (b).

"(4) ADDITIONAL APPORTIONMENT.—The funds reserved under paragraph (2) and apportioned under paragraph (3)(A) to carry out the capacity and infrastructure program under subsection (a) shall be apportioned as follows:

"(A) Four percent shall be retained by the Department of Agriculture for administration, program assistance to the eligible institutions, and program coordination.

"(B) 48 percent shall be distributed among the several States in the proportion that the value of and income to producers from domestic livestock, poultry, and commercial aquaculture species in each State bears to the total value of and income to producers from domestic livestock, poultry, and commercial aquaculture species in all the States. The Secretary shall determine the total value of and income from domestic livestock, poultry, and commercial aquaculture species in all the States and the proportionate value of and income from domestic livestock, poultry, and commercial aquaculture species for each State, based on the most current inventory of all cattle, sheep,

swine, horses, poultry, and commercial aquaculture species published by the Department of Agriculture.

"(C) 48 percent shall be distributed among the several States in the proportion that the animal health research capacity of the eligible institutions in each State bears to the total animal health research capacity in all the States. The Secretary shall determine the animal health research capacity of the eligible institutions.

"(5) SPECIAL RULES FOR APPORTIONMENT OF CERTAIN FUNDS.—With respect to funds reserved under paragraph (2) and apportioned under paragraph (3)(A) to carry out the capacity and infrastructure program under subsection (a), the following shall apply:

"(A) When the amount available under this section for allotment to any State on the basis of domestic livestock, poultry, and commercial aquaculture species values and incomes exceeds the amount for which the eligible institution or institutions in the State are eligible on the basis of animal health research capacity, the excess may be used, at the discretion of the Secretary, for remodeling of facilities, construction of new facilities, or increase in staffing, proportionate to the need for added research capacity.

"(B) Whenever a new college of veterinary medicine is established in a State and is accredited, the Secretary, after consultation with the dean of such college and the director of the State agricultural experiment station and where applicable, deans of other accredited colleges in the State, shall provide for the reallocation of funds available to the State pursuant to paragraph (4) between the new college and other eligible institutions in the State, based on the animal health research capacity of each eligible institution.

"(C) Whenever two or more States jointly establish an accredited regional college of veterinary medicine or jointly support an accredited college of veterinary medicine serving the States involved, the Secretary is authorized to make funds which are available to such States pursuant to paragraph (4) available for such college in such amount that reflects the combined relative value of, and income from, domestic livestock, poultry, and commercial aquaculture species in the cooperating States, such amount to be adjusted, as necessary, pursuant to subsection (a)(1) and subparagraph (B).".

(b) CONFORMING AMENDMENTS.—

(1) DEFINITION OF STATE COOPERATIVE INSTITUTION.—Section 1404(18) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(18)) is amended—

(A) in subparagraph (E), by striking "and" at the end;

(B) in subparagraph (F), by striking "subtitles E, G," and inserting "subtitles G,";

(C) by redesignating subparagraph (F) as subparagraph (G); and

(D) by inserting after subparagraph (E) the following new subparagraph:

"(F) section 1430; and".

(2) DEFINITION OF CAPACITY AND INFRASTRUCTURE PROGRAM.—Section 251(f)(1)(C)(vi) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(C)(vi)) is amended by inserting "except for the competitive grant program under section 1433(b)" before the period at the end.

(3) SUBTITLE E OF THE NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977.—Subtitle E of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended—

(A) in section 1431(a) (7 U.S.C. 3193(a)), by inserting "under sections 1433(a) and 1434" after "eligible institutions";

(B) in section 1435 (7 U.S.C. 3197), by striking "for allocation under the terms of this subtitle" and inserting "to carry out sections 1433(a) and 1434";

(C) in section 1436 (7 U.S.C. 3198), in the first sentence, by striking "section 1433 of this title" and inserting "subsection (c) of section 1433 to carry out subsection (a) of such section";

(D) in section 1437 (7 U.S.C. 3199), in the first sentence, by striking "States under section 1433 of this title" and inserting "States under subsection (c) of section 1433 to carry out subsection (a) of such section";

(E) in section 1438 (7 U.S.C. 3200), in the first sentence by striking "under this subtitle" and inserting "under subsection (c) of section 1433 to carry out subsection (a) of such section"; and

(F) in section 1439 (7 U.S.C. 3201), by striking "under this subtitle" and inserting "under subsection (c) of section 1433 to carry out subsection (a) of such section or section 1434, as applicable,".

(4) AUTHORIZATION FOR APPROPRIATIONS FOR EXISTING AND CERTAIN NEW AGRICULTURAL RESEARCH PROGRAMS.—Section 1463(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311(c)) is amended by striking "sections 1433 and 1434" and inserting "sections 1433(a) and 1434".

SEC. 7112. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

Section 1447(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b(b)) is amended by striking "2012" and inserting "2018".

SEC. 7113. GRANTS TO UPGRADE AGRICULTURE AND FOOD SCIENCE FACILITIES AND EQUIPMENT AT INSULAR AREA LAND-GRANT INSTITUTIONS.

(a) SUPPORTING TROPICAL AND SUBTROPICAL AGRICULTURAL RESEARCH.—

(1) IN GENERAL.—Section 1447B(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b–2(a)) is amended to read as follows:

"(a) PURPOSE.—It is the intent of Congress to assist the land-grant colleges and universities in the insular areas in efforts to—

"(1) acquire, alter, or repair facilities or relevant equipment necessary for conducting agricultural research; and

"(2) support tropical and subtropical agricultural research, including pest and disease research.".

(2) CONFORMING AMENDMENT.—Section 1447B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b–2) is amended in the heading—

(A) by inserting "**AND SUPPORT TROPICAL AND SUBTROPICAL AGRICULTURAL RESEARCH**" after "**EQUIPMENT**"; and

(B) by striking "**INSTITUTIONS**" and inserting "**COLLEGES AND UNIVERSITIES**".

(b) EXTENSION.—Section 1447B(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b–2(d)) is amended by striking "2012" and inserting "2018".

SEC. 7114. REPEAL OF NATIONAL RESEARCH AND TRAINING VIRTUAL CENTERS.

Section 1448 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222c) is repealed.

SEC. 7115. HISPANIC-SERVING INSTITUTIONS.

Section 1455(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241(c)) is amended by striking "2012" and inserting "2018".

SEC. 7116. COMPETITIVE GRANTS PROGRAM FOR HISPANIC AGRICULTURAL WORKERS AND YOUTH.

Section 1456(e)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3243(e)(1)) is amended to read as follows:

"(1) IN GENERAL.—The Secretary shall establish a competitive grants program—

"(A) to fund fundamental and applied research and extension at Hispanic-serving agricultural colleges and universities in agriculture, human nutrition, food science, bioenergy, and environmental science; and

"(B) to award competitive grants to Hispanic-serving agricultural colleges and universities to provide for training in the food and agricultural sciences of Hispanic agricultural workers and Hispanic youth working in the food and agricultural sciences.".

SEC. 7117. COMPETITIVE GRANTS FOR INTERNATIONAL AGRICULTURAL SCIENCE AND EDUCATION PROGRAMS.

Section 1459A(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b(c)) is amended to read as follows:

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) such sums as are necessary for each of fiscal years 1999 through 2013; and

"(2) $5,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7118. REPEAL OF RESEARCH EQUIPMENT GRANTS.

Section 1462A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310a) is repealed.

SEC. 7119. UNIVERSITY RESEARCH.

Section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311) is amended by

striking "2012" each place it appears in subsections (a) and (b) and inserting "2018".

SEC. 7120. EXTENSION SERVICE.

Section 1464 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3312) is amended by striking "2012" and inserting "2018".

SEC. 7121. AUDITING, REPORTING, BOOKKEEPING, AND ADMINISTRATIVE REQUIREMENTS.

Section 1469 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3315) is amended—

(1) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and

(2) by inserting after subsection (a) the following new subsection:

"(b) AGREEMENTS WITH FORMER AGRICULTURAL RESEARCH FACILITIES OF THE DEPARTMENT.—To the maximum extent practicable, the Secretary, for purposes of supporting ongoing research and information dissemination activities, including supporting research and those activities through co-locating scientists and other technical personnel, sharing of laboratory and field equipment, and providing financial support, shall enter into grants, contracts, cooperative agreements, or other legal instruments with former Department of Agriculture agricultural research facilities.".

SEC. 7122. SUPPLEMENTAL AND ALTERNATIVE CROPS.

(a) AUTHORIZATION OF APPROPRIATIONS AND TERMINATION.—Section 1473D of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d) is amended—

(1) in subsection (a), by striking "2012" and inserting "2018"; and

(2) by adding at the end the following new subsection:

"(e) There are authorized to be appropriated to carry out this section—

"(1) such sums as are necessary for fiscal year 2013; and

"(2) $1,000,000 for each of fiscal years 2014 through 2018.".

(b) COMPETITIVE GRANTS.—Section 1473D(c)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d(c)(1)) is amended by striking "use such research funding, special or competitive grants, or other means, as the Secretary determines," and inserting "make competitive grants".

SEC. 7123. CAPACITY BUILDING GRANTS FOR NLGCA INSTITUTIONS.

Section 1473F(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319i(b)) is amended by striking "2012" and inserting "2018".

SEC. 7124. AQUACULTURE ASSISTANCE PROGRAMS.

(a) COMPETITIVE GRANTS.—Section 1475(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3322(b)) is amended in the matter preceding paragraph (1), by inserting "competitive" before "grants".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1477 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324) is amended to read as follows:

"SEC. 1477. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle—

"(1) $7,500,000 for each of fiscal years 1991 through 2013; and

"(2) $5,000,000 for each of fiscal years 2014 through 2018.

"(b) PROHIBITION ON USE.—Funds made available under this section may not be used to acquire or construct a building.".

SEC. 7125. RANGELAND RESEARCH PROGRAMS.

Section 1483(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3336(a)) is amended by striking "subtitle" and all that follows and inserting the following: "subtitle—

"(1) $10,000,000 for each of fiscal years 1991 through 2013; and

"(2) $2,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7126. SPECIAL AUTHORIZATION FOR BIOSECURITY PLANNING AND RESPONSE.

Section 1484(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3351(a)) is amended by striking "response such sums as are necessary" and all that follows and inserting the following: "response—

"(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

"(2) $20,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7127. DISTANCE EDUCATION AND RESIDENT INSTRUCTION GRANTS PROGRAM FOR INSULAR AREA INSTITUTIONS OF HIGHER EDUCATION.

(a) DISTANCE EDUCATION GRANTS FOR INSULAR AREAS.—

(1) COMPETITIVE GRANTS.—Section 1490(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362(a)) is amended by striking "or noncompetitive".

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 1490(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362(f)) is amended by striking "section" and all that follows and inserting the following: "section—

"(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

"(2) $2,000,000 for each of fiscal years 2014 through 2018.".

(b) RESIDENT INSTRUCTION GRANTS FOR INSULAR AREAS.—Section 1491(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363(c)) is amended by striking "such sums as are necessary" and all that follows and inserting the following: "to carry out this section—

"(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

"(2) $2,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7128. MATCHING FUNDS REQUIREMENT.

(a) IN GENERAL.—The National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3101 et seq.) is amended by adding at the end the following new subtitle:

"Subtitle P—General Provisions

7 USC 3371.

"SEC. 1492. MATCHING FUNDS REQUIREMENT.

"(a) IN GENERAL.—The recipient of a competitive grant that is awarded by the Secretary under a covered law shall provide funds, in-kind contributions, or a combination of both, from sources other than funds provided through such grant in an amount that is at least equal to the amount of such grant.

"(b) EXCEPTION.—The matching funds requirement under subsection (a) shall not apply to grants awarded—

"(1) to a research agency of the Department of Agriculture; or

"(2) to an entity eligible to receive funds under a capacity and infrastructure program (as defined in section 251(f)(1)(C) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(C))), including a partner of such entity.

"(c) WAIVER.—The Secretary may waive the matching funds requirement under subsection (a) for a year with respect to a competitive grant that involves research or extension activities that are consistent with the priorities established by the National Agricultural Research, Extension, Education, and Economics Advisory Board under section 1408(c)(1)(B) for the year involved.

"(d) COVERED LAW.—In this section, the term 'covered law' means each of the following provisions of law:

"(1) This title.

"(2) Title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5801 et seq.).

"(3) The Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601 et seq.).

"(4) Part III of subtitle E of title VII of the Food, Conservation, and Energy Act of 2008.

"(5) The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i).".

(b) CONFORMING AMENDMENTS.—

(1) NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977.—The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended—

(A) in section 1415(a) (7 U.S.C. 3151(a)), by striking the second sentence;

(B) in section 1475(b) (7 U.S.C. 3322(b)), in the matter following paragraph (4), by striking "Except in the case of" and all that follows; and

(C) in section 1480 (7 U.S.C. 3333)—

(i) by striking subsection (b); and

(ii) by striking "(a) IN GENERAL.—The Secretary" and inserting "The Secretary".

(2) FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990.—The Food, Agriculture, Conservation, and Trade Act of 1990 is amended—

(A) in section 1623(d)(2) (7 U.S.C. 5813(d)(2)), by adding at the end the following: "The matching funds requirement under section 1492 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 shall not apply to grants awarded under this section.";

(B) in section 1671 (7 U.S.C. 5924)—

(i) by striking subsection (e); and

(ii) by redesignating subsection (f) as subsection (e);

(C) in section 1672 (7 U.S.C. 5925)—

(i) by striking subsection (c); and

(ii) by redesignating subsections (d) through (j) as subsections (c) through (i), respectively; and

(D) in section 1672B (7 U.S.C. 5925b)—

(i) by striking subsection (c); and

(ii) by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively.

(3) AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT OF 1998.—The Agricultural Research, Extension, and Education Reform Act of 1998 is amended—

(A) in section 406 (7 U.S.C. 7626)—

(i) by striking subsection (d); and

(ii) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(B) in section 412(e) (7 U.S.C. 7632(e))—

(i) by striking paragraph (3); and

(ii) by redesignating paragraph (4) as paragraph (3).

(4) COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANT ACT.—Subsection (b)(9) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(9)) is amended—

(A) in subparagraph (A), by adding at the end the following new clause:

"(iii) EXEMPTION.—The matching funds requirement under section 1492 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 shall not apply in the case of a grant made under paragraph (6)(A)."; and

(B) by striking subparagraph (B).

(5) SUN GRANT PROGRAM.—Section 7526(c)(1)(D)(iv) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114(c)(1)(D)(iv)) is amended by adding at the end the following new subclause:

"(IV) RELATION TO OTHER MATCHING FUND REQUIREMENT.—The matching funds requirement under section 1492 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 shall not apply in the case of a grant provided by a sun grant center or subcenter under this paragraph.".

(c) APPLICATION TO AMENDMENTS.— 7 USC 3371 note.

(1) NEW GRANTS.—Section 1492 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as added by subsection (a), shall apply with respect to grants described in such section awarded after October 1, 2014, unless the provision of a covered law under which such grants are awarded specifically exempts such grants from the matching funds requirement under such section.

(2) GRANTS AWARDED ON OR BEFORE OCTOBER 1, 2014.—Notwithstanding the amendments made by subsection (b), a matching funds requirement in effect on or before the date of the enactment of this section under a provision of a covered

law shall continue to apply to a grant awarded under such provision on or before October 1, 2014.

7 USC 321 note.

SEC. 7129. DESIGNATION OF CENTRAL STATE UNIVERSITY AS 1890 INSTITUTION.

(a) DESIGNATION.—Any provision of a Federal law relating to colleges and universities eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University, shall apply to Central State University.

(b) FUNDING RESTRICTION.—Notwithstanding the designation under subsection (a), for fiscal years 2014 and 2015, Central State University shall not be eligible to receive formula funds under—

(1) section 1444 or 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221 and 3222);

(2) section 3(d) of the Smith-Lever Act (7 U.S.C. 343(d)) to carry out the national education program established under section 1425 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175);

(3) the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.); or

(4) Public Law 87–788 (commonly known as the McIntire-Stennis Cooperative Forestry Act; 16 U.S.C. 582a et seq.).

Subtitle B—Food, Agriculture, Conservation, and Trade Act of 1990

SEC. 7201. BEST UTILIZATION OF BIOLOGICAL APPLICATIONS.

Section 1624 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5814) is amended in the first sentence—

(1) by striking "$40,000,000 for each fiscal year"; and

(2) by inserting "$40,000,000 for each of fiscal years 2013 through 2018" after "chapter".

SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.

Section 1627(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5821(d)) is amended to read as follows:

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section through the National Institute of Food and Agriculture $20,000,000 for each of fiscal years 2013 through 2018.".

SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND TRANSFER PROGRAM.

Section 1628(f) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5831(f)) is amended to read as follows:

"(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) such sums as are necessary for fiscal year 2013; and

"(2) $5,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7204. NATIONAL TRAINING PROGRAM.

Section 1629(i) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5832(i)) is amended to read as follows:

"(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the National Training Program $20,000,000 for each of fiscal years 2013 through 2018.".

SEC. 7205. NATIONAL GENETICS RESOURCES PROGRAM.

Section 1635(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5844(b)) is amended—

(1) by striking "such funds as may be necessary"; and

(2) by striking "subtitle" and all that follows and inserting the following: "subtitle—

"(1) such sums as are necessary for each of fiscal years 1991 through 2013; and

"(2) $1,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7206. NATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM.

Section 1641(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5855(c)) is amended—

(1) by striking "$5,000,000 to carry out this subtitle" and inserting "to carry out this subtitle $5,000,000"; and

(2) by inserting "and $1,000,000 for each of fiscal years 2014 through 2018" before the period at the end.

SEC. 7207. REPEAL OF RURAL ELECTRONIC COMMERCE EXTENSION PROGRAM.

Section 1670 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5923) is repealed.

SEC. 7208. AGRICULTURAL GENOME INITIATIVE.

Section 1671(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5924(c)) is amended by adding at the end the following:

"(3) CONSORTIA.—The Secretary shall encourage awards under this section to consortia of eligible entities.".

SEC. 7209. HIGH-PRIORITY RESEARCH AND EXTENSION INITIATIVES.

Section 1672 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925) is amended—

(1) in the first sentence of subsection (a), by striking "subsections (e) through (i)" and inserting "subsections (d) through (g)";

(2) in subsection (b)(2), in the first sentence, by striking "subsections (e) through (i)" and inserting "subsections (d) through (g)";

(3) by striking subsection (h) (as redesignated by section 7128(b)(2)(C)(ii));

(4) by redesignating subsection (i) (as redesignated by such section) as subsection (h);

(5) in subsection (d) (as redesignated by such section)—

(A) by striking paragraphs (1) through (5), (7), (8), (11) through (43), (47), (48), (51), and (52);

(B) by redesignating paragraphs (6), (9), (10), (44), (45), (46), (49), and (50) as paragraphs (1), (2), (3), (4), (5), (6), (7), and (8), respectively; and

(C) by adding at the end the following new paragraphs:

"(9) COFFEE PLANT HEALTH INITIATIVE.—Research and extension grants may be made under this section for the purposes of—

"(A) developing and disseminating science-based tools and treatments to combat the coffee berry borer (Hypothenemus hampei); and

"(B) establishing an areawide integrated pest management program in areas affected by, or areas at risk of, being affected by the coffee berry borer.

"(10) CORN, SOYBEAN MEAL, CEREAL GRAINS, AND GRAIN BYPRODUCTS RESEARCH AND EXTENSION.—Research and extension grants may be made under this section for the purpose of carrying out or enhancing research to improve the digestibility, nutritional value, and efficiency of the use of corn, soybean meal, cereal grains, and grain byproducts for the poultry and food animal production industries.";

(6) by striking subsection (e) (as redesignated by such section) and inserting the following new subsection:

"(e) PULSE CROP HEALTH INITIATIVE.—

"(1) DEFINITIONS.—In this subsection:

"(A) INITIATIVE.—The term 'Initiative' means the pulse crop health initiative established by paragraph (2).

"(B) PULSE CROP.—The term 'pulse crop' means dry beans, dry peas, lentils, and chickpeas.

"(2) ESTABLISHMENT.—The Secretary shall carry out a pulse crop health competitive research and extension initiative to address the critical needs of the pulse crop industry by developing and disseminating science-based tools and information, including—

"(A) research conducted with respect to pulse crops in the areas of health and nutrition, such as—

"(i) pulse crop diets and the ability of such diets to reduce obesity and associated chronic disease; and

"(ii) the underlying mechanisms of the health benefits of pulse crop consumption;

"(B) research related to the functionality of pulse crops, such as—

"(i) improving the functional properties of pulse crops and pulse crop fractions; and

"(ii) developing new and innovative technologies to improve pulse crops as an ingredient in food products;

"(C) research conducted with respect to pulse crops for purposes of enhancing sustainability and global food security, such as—

"(i) improving pulse crop productivity, nutrient density, and phytonutrient content using plant breeding, genetics, and genomics;

"(ii) improving pest and disease management, including resistance to pests and diseases; and

"(iii) improving nitrogen fixation and water use efficiency to reduce the carbon and energy footprint of agriculture;

"(D) the optimization of systems used in producing pulse crops to reduce water usage; and

"(E) education and technical assistance programs with respect to pulse crops, such as programs—

"(i) providing technical expertise to help food companies include pulse crops in innovative and healthy food; and

"(ii) establishing an educational program to encourage pulse crop consumption in the United States.

"(3) ADMINISTRATION.—Paragraphs (4), (7), (8), and (11)(B) of subsection (b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)) shall apply with respect to the making of a competitive grant under this subsection.

"(4) PRIORITIES.—In making competitive grants under this subsection, the Secretary shall provide a higher priority to projects that—

"(A) are multistate, multiinstitutional, and multidisciplinary; and

"(B) include explicit mechanisms to communicate results to the pulse crop industry and the public.

"(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $25,000,000 for each of fiscal years 2014 through 2018.";

(7) by striking subsection (f) (as redesignated by such section) and inserting the following new subsection:

"(f) TRAINING COORDINATION FOR FOOD AND AGRICULTURE PROTECTION.—

"(1) IN GENERAL.—The Secretary shall make a competitive grant to, or enter into a contract or a cooperative agreement with, an eligible entity (described in paragraph (2)) for purposes of establishing an internationally integrated training system to enhance the protection of the food supply in the United States, to be known as the 'Comprehensive Food Safety Training Network' (referred to in this subsection as the 'Network').

"(2) ELIGIBILITY.—

"(A) IN GENERAL.—For purposes of this subsection, an eligible entity is a multiinstitutional consortium that includes—

"(i) a nonprofit institution that provides food safety protection training; and

"(ii) one or more training centers in institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that have demonstrated expertise in developing and delivering community-based training in food supply and agricultural safety and defense.

"(B) COLLECTIVE CONSIDERATION.—The Secretary may consider such consortium collectively and not on an institution-by-institution basis.

"(3) DUTIES OF ELIGIBLE ENTITY.—As a condition of receiving a competitive grant or entering into a contract or a cooperative agreement with the Secretary under this subsection, the eligible entity, in cooperation with the Secretary, shall establish and maintain the Network, including by—

"(A) providing basic, technical, management, and leadership training (including by developing curricula) to regulatory and public health officials, producers, processors, and other agribusinesses;

"(B) serving as the hub for the administration of the Network;

"(C) implementing a standardized national curriculum to ensure the consistent delivery of quality training throughout the United States;

"(D) building and overseeing a nationally recognized instructor cadre to ensure the availability of highly qualified instructors;

"(E) reviewing training proposed through the National Institute of Food and Agriculture and other relevant Federal agencies that report to the Secretary on the quality and content of proposed and existing courses;

"(F) assisting Federal agencies in the implementation of food safety protection training requirements including requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the Agricultural Act of 2014, and any provision of law amended by such Act; and

"(G) performing evaluation and outcome-based studies to provide to the Secretary information on the effectiveness and impact of training and metrics on jurisdictions and sectors within the food safety system.

"(4) MEMBERSHIP.—An eligible entity may alter the consortium membership to meet specific training expertise needs.

"(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.";

(8) in subsection (g) (as redesignated by such section)—

(A) by striking "2012" each place it appears in paragraphs (1)(B), (2)(B), and (3) and inserting "2018";

(B) in paragraph (3)—

(i) in the heading, by striking "PEST AND PATHOGEN"; and

(ii) by striking "pest and pathogen surveillance" and inserting "pest, pathogen, health, and population status surveillance";

(C) by redesignating paragraph (4) as paragraph (5);

(D) by inserting after paragraph (3) the following new paragraph:

"(4) CONSULTATION.—The Secretary, in consultation with the Secretary of the Interior and the Administrator of the Environmental Protection Agency, shall publish guidance on enhancing pollinator health and the long-term viability of populations of pollinators, including recommendations related to—

"(A) allowing for managed honey bees to forage on National Forest System lands where compatible with other natural resource management priorities; and

"(B) planting and maintaining managed honey bee and native pollinator foraging on National Forest System lands where compatible with other natural resource management priorities."; and

(E) in paragraph (5) (as redesignated by subparagraph (C))—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and moving the margins of such subparagraphs two ems to the right;

(ii) by striking "annual report describing" and inserting the following: "annual report—

"(A) describing";

(iii) in clause (i) (as redesignated by clause (i) of this subparagraph)—

(I) by inserting "and honey bee health disorders" after "collapse"; and

(II) by striking "and" at the end;

(iv) in clause (ii) (as redesignated by clause (i) of this subparagraph)—

(I) by inserting ", including best management practices" after "strategies"; and

(II) by striking the period at the end and inserting "; and";

(v) by adding at the end the following new clause:

"(iii) addressing the decline of managed honey bees and native pollinators;"; and

(vi) by adding at the end the following new subparagraphs:

"(B) assessing Federal efforts to mitigate pollinator losses and threats to the United States commercial beekeeping industry; and

"(C) providing recommendations to Congress regarding how to better coordinate Federal agency efforts to address the decline of managed honey bees and native pollinators."; and

(9) in subsection (h) (as redesignated by paragraph (4)), by striking "2012" and inserting "2018".

SEC. 7210. REPEAL OF NUTRIENT MANAGEMENT RESEARCH AND EXTENSION INITIATIVE.

Section 1672A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925a) is repealed.

SEC. 7211. ORGANIC AGRICULTURE RESEARCH AND EXTENSION INITIATIVE.

Section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ", education," after "support research";

(B) in paragraph (1), by inserting "and improvement" after "development";

(C) in paragraph (2), by striking "to producers and processors who use organic methods" and inserting "of organic agricultural production and methods to producers, processors, and rural communities"; and

(D) in paragraph (6), by striking "and marketing and to socioeconomic conditions" and inserting ", marketing, food safety, socioeconomic conditions, and farm business management"; and

(2) in subsection (e) (as redesignated by section 7128(b)(2)(D)(ii))—

(A) in paragraph (1)—

(i) in the heading, by striking "FOR FISCAL YEARS 2009 THROUGH 2012";

(ii) in subparagraph (A), by striking "and" at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following:

"(C) $20,000,000 for each of fiscal years 2014 through 2018."; and

(B) in paragraph (2)—

(i) in the heading, by striking "2009 THROUGH 2012" and inserting "2014 THROUGH 2018"; and

(ii) by striking "2009 through 2012" and inserting "2014 through 2018".

SEC. 7212. REPEAL OF AGRICULTURAL BIOENERGY FEEDSTOCK AND ENERGY EFFICIENCY RESEARCH AND EXTENSION INITIATIVE.

(a) REPEAL.—Section 1672C of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925e) is repealed.

(b) CONFORMING AMENDMENT.—Section 251(f)(1)(D) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(D)) is amended—

(1) by striking clause (xi); and

(2) by redesignating clauses (xii) and (xiii) as clauses (xi) and (xii), respectively.

SEC. 7213. FARM BUSINESS MANAGEMENT.

Section 1672D(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925f(d)) is amended by striking "such sums as are necessary to carry out this section." and inserting the following: "to carry out this section—

"(1) such sums as are necessary for fiscal year 2013; and

"(2) $5,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7214. CENTERS OF EXCELLENCE.

(a) IN GENERAL.—The Food, Agriculture, Conservation, and Trade Act of 1990 is amended by inserting after section 1672D (7 U.S.C. 5925f) the following new section:

7 USC 5926.

"SEC. 1673. CENTERS OF EXCELLENCE.

"(a) FUNDING PRIORITIES.—The Secretary shall prioritize centers of excellence established for purposes of carrying out research, extension, and education activities relating to the food and agricultural sciences (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)) for the receipt of funding for any competitive research or extension program administered by the Secretary.

"(b) COMPOSITION.—A center of excellence is composed of 1 or more of the eligible entities specified in subsection (b)(7) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(7)) that provide financial or in-kind support to the center of excellence.

"(c) CRITERIA FOR CENTERS OF EXCELLENCE.—

"(1) REQUIRED EFFORTS.—The criteria for recognition as a center of excellence shall include efforts—

"(A) to ensure coordination and cost effectiveness by reducing unnecessarily duplicative efforts regarding research, teaching, and extension;

"(B) to leverage available resources by using public-private partnerships among agricultural industry groups, institutions of higher education, and the Federal Government;

"(C) to implement teaching initiatives to increase awareness and effectively disseminate solutions to target audiences through extension activities; and

"(D) to increase the economic returns to rural communities by identifying, attracting, and directing funds to high-priority agricultural issues.

"(2) ADDITIONAL EFFORTS.—Where practicable, the criteria for recognition as a center of excellence shall include efforts to improve teaching capacity and infrastructure at colleges and universities (including land-grant colleges and universities, cooperating forestry schools, NLGCA Institutions (as those terms are defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)), and schools of veterinary medicine).".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2014. 7 USC 5926 note.

SEC. 7215. REPEAL OF RED MEAT SAFETY RESEARCH CENTER.

Section 1676 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5929) is repealed.

SEC. 7216. ASSISTIVE TECHNOLOGY PROGRAM FOR FARMERS WITH DISABILITIES.

Section 1680(c)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5933(c)(1)) is amended—

(1) by striking "is" and inserting "are"; and

(2) by striking "section" and all that follows and inserting the following: "section—

"(A) $6,000,000 for each of fiscal years 1999 through 2013; and

"(B) $5,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7217. NATIONAL RURAL INFORMATION CENTER CLEARINGHOUSE.

Section 2381(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is amended by striking "2012" and inserting "2018".

Subtitle C—Agricultural Research, Extension, and Education Reform Act of 1998

SEC. 7301. RELEVANCE AND MERIT OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION FUNDED BY THE DEPARTMENT.

Section 103(a)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7613(a)(2)) is amended—

(1) in the heading by striking "MERIT REVIEW OF EXTENSION" and inserting "RELEVANCE AND MERIT REVIEW OF RESEARCH, EXTENSION,";

(2) in subparagraph (A)—

(A) by inserting "relevance and" before "merit"; and

(B) by striking "extension or education" and inserting "research, extension, or education"; and

(3) in subparagraph (B), by inserting "on a continuous basis" after "procedures".

SEC. 7302. INTEGRATED RESEARCH, EDUCATION, AND EXTENSION COMPETITIVE GRANTS PROGRAM.

Subsection (e) of section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626) (as

redesignated by section 7128(b)(3)(A)(ii)) is amended by striking "2012" and inserting "2018".

SEC. 7303. SUPPORT FOR RESEARCH REGARDING DISEASES OF WHEAT, TRITICALE, AND BARLEY CAUSED BY FUSARIUM GRAMINEARUM OR BY TILLETIA INDICA.

Section 408(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7628(e)) is amended to read as follows:

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) such sums as may be necessary for each of fiscal years 1999 through 2013; and

"(2) $10,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7304. REPEAL OF BOVINE JOHNE'S DISEASE CONTROL PROGRAM.

Section 409 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7629) is repealed.

SEC. 7305. GRANTS FOR YOUTH ORGANIZATIONS.

Section 410(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7630(d)) is amended by striking "section such sums as are necessary" and all that follows and inserting the following: "section—

"(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

"(2) $3,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7306. SPECIALTY CROP RESEARCH INITIATIVE.

Section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(B) by inserting before paragraph (2) (as so redesignated), the following new paragraph:

"(1) CITRUS DISEASE SUBCOMMITTEE.—The term 'citrus disease subcommittee' means the subcommittee established under section 1408A(a)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977."; and

(C) by adding at the end the following new paragraph:

"(4) SPECIALTY CROPS COMMITTEE.—The term 'specialty crops committee' means the committee established under section 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a).";

(2) in subsection (b)—

(A) in paragraph (1), by striking "and genomics" and inserting "genomics, and other methods"; and

(B) in paragraph (3), by inserting "handling and processing," after "production efficiency,";

(3) in subsection (c), in the matter preceding paragraph (1), by striking "the Initiative" and inserting "this section";

(4) by striking subsection (d) and inserting the following new subsection:

"(d) REVIEW OF PROPOSALS.—In carrying out this section, the Secretary shall award competitive grants on the basis of—

"(1) a scientific peer review conducted by a panel of subject matter experts from Federal agencies, non-Federal entities, and the specialty crop industry; and

"(2) a review and ranking for merit, relevance, and impact conducted by a panel of specialty crop industry representatives for the specific specialty crop.";

(5) by redesignating subsections (e) (as amended by section 7128(b)(3)(B)), (f), (g), and (h) as subsections (g), (h), (i), and (k), respectively;

(6) by inserting after subsection (d) the following new subsections:

"(e) CONSULTATION.—Each fiscal year, before conducting the scientific peer review described in paragraph (1) of subsection (d) and the merit and relevancy review described in paragraph (2) of such subsection, the Secretary shall consult with the specialty crops committee regarding such reviews. The committee shall provide the Secretary—

"(1) in the first fiscal year in which that consultation occurs, any recommendations for conducting such reviews in such fiscal year; and

"(2) in any subsequent fiscal year in which such consultation occurs—

"(A) an assessment of the procedures and objectives used by the Secretary for such reviews in the previous fiscal year;

"(B) any recommendations for such reviews for the current fiscal year; and

"(C) any comments on grants awarded under subsection (d) during the previous fiscal year.

"(f) REPORT.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on—

"(1) the results of the consultations with the specialty crops committee (and subcommittees thereof) conducted under subsection (e) of this section and subsection (g) of section 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a);

"(2) the specialty crops committee's (and subcommittees thereof) recommendations, if any, provided to the Secretary during such consultations; and

"(3) the specialty crops committee's (and subcommittees thereof) review of the grants awarded under subsection (d) and (j), as applicable, in the previous fiscal year.";

(7) in subsection (g) (as so redesignated)—

(A) by striking paragraph (1) and inserting the following new paragraph:

"(1) IN GENERAL.—With respect to grants awarded under this section, the Secretary shall seek and accept proposals for grants."; and

(B) in paragraph (3) (as redesignated by section 7128(b)(3)(B)), by striking "this section" and inserting "the Initiative";

(8) in subsection (h) (as so redesignated), in the matter preceding paragraph (1), by striking "this section" and inserting "the Initiative";

(9) in subsection (k) (as so redesignated)—

(A) in paragraph (1)—

(i) by striking "(1) MANDATORY FUNDING FOR FISCAL YEARS 2008 THROUGH 2012.—Of the funds" and inserting the following:

"(1) MANDATORY FUNDING.—

"(A) FISCAL YEARS 2008 THROUGH 2012.—Of the funds"; and

(ii) by adding at the end the following new subparagraph:

"(B) SUBSEQUENT FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section $80,000,000 for fiscal year 2014 and each fiscal year thereafter.

"(C) RESERVATION.—For each of fiscal years 2014 through 2018, the Secretary shall reserve not less than $25,000,000 of the funds made available under subparagraph (B) to carry out the program established under subsection (j).

"(D) AVAILABILITY OF FUNDS.—Funds reserved under subparagraph (C) shall remain available and reserved for the purpose described in such subparagraph until expended."; and

(B) in paragraph (2)—

(i) in the heading, by striking "2008 THROUGH 2012" and inserting "2014 THROUGH 2018" ; and

(ii) by striking "2008 through 2012" and inserting "2014 through 2018"; and

(10) by inserting after subsection (i) the following new subsection:

"(j) EMERGENCY CITRUS DISEASE RESEARCH AND EXTENSION PROGRAM.—

"(1) ESTABLISHMENT AND PURPOSE.—The Secretary shall establish a competitive research and extension grant program to combat diseases of citrus under which the Secretary awards competitive grants to eligible entities—

"(A) to conduct scientific research and extension activities, technical assistance, and development activities to combat citrus diseases and pests, both domestic and invasive, which pose imminent harm to the United States citrus production and threaten the future viability of the citrus industry, including *huanglongbing* and the Asian Citrus Psyllid; and

"(B) to provide support for the dissemination and commercialization of relevant information, techniques, and technologies discovered pursuant to research and extension activities funded through—

"(i) the emergency citrus disease research and extension program; or

"(ii) other research and extension projects intended to solve problems caused by citrus production diseases and invasive pests.

"(2) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to grants that address the research and extension priorities established pursuant to subsection (g)(4) of section 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a).

"(3) COORDINATION.—When developing the proposed research and extension agenda and budget under subsection (g)(2) of section 1408A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a) for the funds made available under this subsection for a fiscal year, the citrus disease subcommittee shall—

"(A) seek input from Federal and State agencies and other entities involved in citrus disease response; and

"(B) take into account other public and private citrus-related research and extension projects and the funding for such projects.

"(4) NONDUPLICATION.—The Secretary shall ensure that funds made available to carry out the emergency citrus disease research and extension activities under this subsection shall be in addition to and not supplant funds made available to carry out other citrus disease activities carried out by the Department of Agriculture in consultation with State agencies.

"(5) AUTHORIZATION OF APPROPRIATIONS.—In addition to the amounts reserved under subsection (k)(1)(C), there are authorized to be appropriated to carry out this subsection, $25,000,000 for each of fiscal years 2014 through 2018.

"(6) DEFINITIONS.—In this subsection:

"(A) CITRUS.—The term 'citrus' means edible fruit of the family Rutaceae, including any hybrid of such fruits and products of such hybrids that are produced for commercial purposes in the United States.

"(B) CITRUS PRODUCER.—The term 'citrus producer' means any person that is engaged in the domestic production and commercial sale of citrus in the United States.

"(C) EMERGENCY CITRUS DISEASE RESEARCH AND EXTENSION PROGRAM.—The term 'emergency citrus disease research and extension program' means the emergency citrus research and extension grant program established under this subsection.".

SEC. 7307. [H7308] FOOD ANIMAL RESIDUE AVOIDANCE DATABASE PROGRAM.

Section 604(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7642(e)) is amended by striking "2012" and inserting "2018".

SEC. 7308. REPEAL OF NATIONAL SWINE RESEARCH CENTER.

Section 612 of the Agricultural Research, Extension, and Education Reform Act of 1998 (Public Law 105–185; 112 Stat. 605) is repealed.

SEC. 7309. OFFICE OF PEST MANAGEMENT POLICY.

Section 614(f) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7653(f)) is amended—

(1) by striking "such sums as are necessary"; and

(2) by striking "section" and all that follows and inserting the following: "section—

"(1) such sums as are necessary for each of fiscal years 1999 through 2013; and

"(2) $3,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7310. FORESTRY PRODUCTS ADVANCED UTILIZATION RESEARCH.

Subtitle B of title VI of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7651 et seq.) is amended by inserting after section 616 (7 U.S.C. 7655) the following new section:

7 USC 7655b.

"SEC. 617. FORESTRY PRODUCTS ADVANCED UTILIZATION RESEARCH.

"(a) ESTABLISHMENT.—The Secretary shall establish a forestry and forestry products research and extension initiative to develop and disseminate science-based tools that address the needs of the forestry sector and their respective regions, forest and timberland owners and managers, and forestry products engineering, manufacturing, and related interests.

"(b) ACTIVITIES.—The initiative described in subsection (a) shall include the following activities:

"(1) Research conducted for purposes of—

"(A) wood quality improvement with respect to lumber strength and grade yield;

"(B) the development of novel engineered lumber products and renewable energy from wood; and

"(C) enhancing the longevity, sustainability, and profitability of timberland through sound management and utilization.

"(2) Demonstration activities and technology transfer to demonstrate the beneficial characteristics of wood as a green building material, including investments in life cycle assessment for wood products.

"(3) Projects designed to improve—

"(A) forestry products, lumber, and evaluation standards and valuation techniques;

"(B) lumber quality and value-based, on-forest management techniques; and

"(C) forestry products conversion and manufacturing efficiency, productivity, and profitability over the long term (including forestry product marketing).

"(c) GRANTS.—

"(1) IN GENERAL.—The Secretary shall make competitive grants to carry out the activities described in subsection (b).

"(2) PRIORITIES.—In making grants under this section, the Secretary shall give higher priority to activities that are carried out by entities that—

"(A) are multistate, multiinstitutional, or multidisciplinary;

"(B) have explicit mechanisms to communicate results to producers, forestry industry stakeholders, policymakers, and the public; and

"(C) have—

"(i) extensive history and demonstrated experience in forestry and forestry products research;

"(ii) existing capacity in forestry products research and dissemination; and

"(iii) a demonstrated means of evaluating and responding to the needs of the related commercial sector.

"(3) ADMINISTRATION.—In making grants under this section, the Secretary shall follow the requirements of paragraphs

(4), (7), (8), and (11)(B) of subsection (b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i).

"(4) TERM.—The term of a grant made under this section may not exceed 10 years.

"(d) COORDINATION.— The Secretary shall ensure that any activities carried out under this section are carried out in coordination with the Forest Service, including the Forest Products Laboratory, and other appropriate agencies of the Department.

"(e) REPORT.—The Secretary shall submit an annual report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate describing, for the period covered by the report—

"(1) the research that has been conducted under paragraph (2) of subsection (b);

"(2) the number of buildings the Forest Service has built with wood as the primary structural material; and

"(3) the investments made by the Forest Service in green building and wood promotion.

"(f) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There are authorized to be appropriated to carry out this section $7,000,000 for each of fiscal years 2014 through 2018.

"(2) MATCHING FUNDS.—To the extent practicable, the Secretary shall match any funds made available under paragraph (1) with funds made available under section 7 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C.1646).".

SEC. 7311. REPEAL OF STUDIES OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION.

Subtitle C of title VI of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7671 et seq.) is repealed.

Subtitle D—Other Laws

SEC. 7401. CRITICAL AGRICULTURAL MATERIALS ACT.

Section 16(a) of the Critical Agricultural Materials Act (7 U.S.C. 178n(a)) is amended—

(1) by striking "such sums as are necessary"; and

(2) by striking "Act" and all that follows and inserting the following: "Act—

"(1) such sums as are necessary for each of fiscal years 1991 through 2013; and

"(2) $2,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7402. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.

(a) DEFINITION OF 1994 INSTITUTION.—

(1) IN GENERAL.—Section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended to read as follows:

"SEC. 532. DEFINITION OF 1994 INSTITUTION.

"In this part, the term '1994 Institution' means any of the following colleges:

"(1) Aaniiih Nakoda College.

"(2) Bay Mills Community College.
"(3) Blackfeet Community College.
"(4) Cankdeska Cikana Community College.
"(5) Chief Dull Knife College.
"(6) College of Menominee Nation.
"(7) College of the Muscogee Nation.
"(8) D–Q University.
"(9) Dine College.
"(10) Fond du Lac Tribal and Community College.
"(11) Fort Berthold Community College.
"(12) Fort Peck Community College.
"(13) Haskell Indian Nations University.
"(14) Ilisagvik College.
"(15) Institute of American Indian and Alaska Native Culture and Arts Development.
"(16) Keweenaw Bay Ojibwa Community College.
"(17) Lac Courte Oreilles Ojibwa Community College.
"(18) Leech Lake Tribal College.
"(19) Little Big Horn College.
"(20) Little Priest Tribal College.
"(21) Navajo Technical College.
"(22) Nebraska Indian Community College.
"(23) Northwest Indian College.
"(24) Oglala Lakota College.
"(25) Saginaw Chippewa Tribal College.
"(26) Salish Kootenai College.
"(27) Sinte Gleska University.
"(28) Sisseton Wahpeton College.
"(29) Sitting Bull College.
"(30) Southwestern Indian Polytechnic Institute.
"(31) Stone Child College.
"(32) Tohono O'odham Community College.
"(33) Turtle Mountain Community College.
"(34) United Tribes Technical College.
"(35) White Earth Tribal and Community College.".

7 USC 301 note.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2014.

(b) ENDOWMENT FOR 1994 INSTITUTIONS.—Section 533(b) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended in the first sentence by striking "2012" and inserting "2018".

(c) INSTITUTIONAL CAPACITY BUILDING GRANTS.—Section 535 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended by striking "2012" each place it appears in subsections (b)(1) and (c) and inserting "2018".

(d) RESEARCH GRANTS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 536(c) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended in the first sentence by striking "2012" and inserting "2018".

(2) RESEARCH GRANT REQUIREMENTS.—Section 536(b) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended by striking "with at least 1 other land-grant college or university" and all that follows and inserting the following: "with—

"(1) the Agricultural Research Service of the Department of Agriculture; or

"(2) at least 1—

"(A) other land-grant college or university (exclusive of another 1994 Institution);

"(B) non-land-grant college of agriculture (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); or

"(C) cooperating forestry school (as defined in that section).".

SEC. 7403. RESEARCH FACILITIES ACT.

Section 6(a) of the Research Facilities Act (7 U.S.C. 390d(a)) is amended by striking "2012" and inserting "2018".

SEC. 7404. COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANT ACT.

(a) EXTENSION.—Subsection (b)(11)(A) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(11)(A)) is amended, in the matter preceding clause (i), by striking "2012" and inserting "2018".

(b) PRIORITY AREAS.—Subsection (b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(2)) is amended—

(1) in subparagraph (B)—

(A) in clause (vii), by striking "and" at the end;

(B) in clause (viii), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new clauses:

"(ix) the research and development of surveillance methods, vaccines, vaccination delivery systems, or diagnostic tests for pests and diseases, including—

"(I) epizootic diseases in domestic livestock (including deer, elk, bison, and other animals of the family Cervidae); and

"(II) zoonotic diseases (including bovine brucellosis and bovine tuberculosis) in domestic livestock or wildlife reservoirs that present a potential concern to public health; and

"(x) the identification of animal drug needs and the generation and dissemination of data for safe and effective therapeutic applications of animal drugs for minor species and minor uses of such drugs in major species.";

(2) in subparagraph (D)—

(A) in the heading, by striking "RENEWABLE ENERGY" and inserting "BIOENERGY";

(B) by redesignating clauses (iv), (v), and (vi) as clauses (v), (vi), and (vii), respectively; and

(C) by inserting after clause (iii) the following new clause:

"(iv) the effectiveness of conservation practices and technologies designed to address nutrient losses and improve water quality;"; and

(3) in subparagraph (F)—

(A) in the matter preceding clause (i), by inserting "economics," after "trade,";

(B) by redesignating clauses (v) and (vi) as clauses (vi) and (vii), respectively; and

(C) by inserting after clause (iv) the following new clause:

"(v) the economic costs, benefits, and viability of producers adopting conservation practices and technologies designed to improve water quality;".

(c) GENERAL ADMINISTRATION.—Subsection (b)(4) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(4)) is amended—

(1) in subparagraph (D), by striking "and" at the end;

(2) in subparagraph (E), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(F) establish procedures, including timelines, under which an entity established under a commodity promotion law (as such term is defined under section 501(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401(a))) or a State commodity board (or other equivalent State entity) may directly submit to the Secretary for consideration proposals for requests for applications that specifically address particular issues related to the priority areas specified in paragraph (2). ".

(d) SPECIAL CONSIDERATIONS.—Subsection (b)(6) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(6)) is amended—

(1) in subparagraph (C), by striking "and" at the end;

(2) in subparagraph (D), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(E) to eligible entities to carry out the specific proposals submitted under procedures established under paragraph (4)(F) only if such specific proposals are consistent with a priority area specified in paragraph (2).".

(e) ELIGIBLE ENTITIES.—Subsection (b)(7)(G) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(7)(G)) is amended by striking "or corporations" and inserting ", foundations, or corporations".

(f) SPECIAL CONTRIBUTION REQUIREMENT FOR CERTAIN GRANTS.—Subsection (b)(9) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(9)) (as amended by section 7128(b)(4)) is amended by adding at the end the following new subparagraph:

"(B) CONTRIBUTION REQUIREMENT FOR COMMODITY PROMOTION GRANTS.—

"(i) IN GENERAL.—Subject to clauses (ii) and (iii), as a condition of funding a grant under paragraph (6)(E), the Secretary shall require that the grant be matched with an equal contribution of funds from the entities described in paragraph (4)(F) submitting proposals under procedures established under such paragraph.

"(ii) AVAILABILITY OF FUNDS.—

"(I) IN GENERAL.—Contributions required by clause (i) shall be available to the Secretary for obligation and remain available until expended for

the purpose of making grants under paragraph (6)(E).

"(II) ADMINISTRATION.—Of amounts contributed to the Secretary under clause (i), not more than 4 percent may be retained by the Secretary to pay administrative costs incurred by the Secretary in carrying out this subsection.

"(III) RESTRICTION.—Funds contributed to the Secretary by an entity under clause (i) in connection with a proposal submitted by that entity under procedures established under paragraph (4)(F) may only be used to fund grants in connection with that proposal.

"(IV) REMAINING FUNDS.—Funds contributed to the Secretary by an entity under clause (i) that remain unobligated at the time of grant closeout shall be returned to that entity.

"(V) INDIRECT COSTS.—The indirect cost rate applicable to appropriated funds for a grant funded under paragraph (6)(E) shall apply to amounts contributed by an entity under clause (i).

"(iii) OTHER MATCHING FUNDS REQUIREMENTS.—The contribution requirement under clause (i) shall be in addition to any matching funds requirement for grant recipients required by section 1492 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977.".

(g) INTER-REGIONAL RESEARCH PROJECT NUMBER 4.—Subsection (e) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(e)) is amended—

(1) in paragraph (1)(A), by striking "minor use pesticides" and inserting "pesticides for minor agricultural use and for use on specialty crops (as defined in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note)),"; and

(2) in paragraph (4)—

(A) in subparagraph (A), by inserting "and for use on specialty crops" after "minor agricultural use";

(B) in subparagraph (B), by striking "and" at the end;

(C) by redesignating subparagraph (C) as subparagraph (G); and

(D) by inserting after subparagraph (B) the following new subparagraphs:

"(C) prioritize potential pest management technology for minor agricultural use and for use on specialty crops;

"(D) conduct research to develop the data necessary to facilitate pesticide registrations, reregistrations, and associated tolerances;

"(E) assist in removing trade barriers caused by residues of pesticides registered for minor agricultural use and for use on domestically grown specialty crops;

"(F) assist in the registration and reregistration of pest management technologies for minor agricultural use and for use on specialty crops; and".

SEC. 7405. RENEWABLE RESOURCES EXTENSION ACT OF 1978.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1675) is amended in the first sentence by striking "2012" and inserting "2018".

(b) TERMINATION DATE.—Section 8 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 note; Public Law 95–306) is amended by striking "2012" and inserting "2018".

SEC. 7406. NATIONAL AQUACULTURE ACT OF 1980.

Section 10 of the National Aquaculture Act of 1980 (16 U.S.C. 2809) is amended by striking "2012" each place it appears and inserting "2018".

SEC. 7407. REPEAL OF USE OF REMOTE SENSING DATA.

Section 892 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 5935) is repealed.

SEC. 7408. REPEAL OF REPORTS UNDER FARM SECURITY AND RURAL INVESTMENT ACT OF 2002.

(a) REPEAL OF REPORT ON PRODUCERS AND HANDLERS FOR ORGANIC PRODUCTS.—Section 7409 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5925b note; Public Law 107–171) is repealed.

(b) REPEAL OF REPORT ON GENETICALLY MODIFIED PEST-PROTECTED PLANTS.—Section 7410 of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 116 Stat. 462) is repealed.

(c) REPEAL OF STUDY ON NUTRIENT BANKING.—Section 7411 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5925a note; Public Law 107–171) is repealed.

SEC. 7409. BEGINNING FARMER AND RANCHER DEVELOPMENT PROGRAM.

Section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking subparagraphs (A) through (R) and inserting the following new subparagraphs:

"(A) basic livestock, forest management, and crop farming practices;

"(B) innovative farm, ranch, and private, nonindustrial forest land transfer strategies;

"(C) entrepreneurship and business training;

"(D) financial and risk management training (including the acquisition and management of agricultural credit);

"(E) natural resource management and planning;

"(F) diversification and marketing strategies;

"(G) curriculum development;

"(H) mentoring, apprenticeships, and internships;

"(I) resources and referral;

"(J) farm financial benchmarking;

"(K) assisting beginning farmers or ranchers in acquiring land from retiring farmers and ranchers;

"(L) agricultural rehabilitation and vocational training for veterans;

"(M) farm safety and awareness; and

"(N) other similar subject areas of use to beginning farmers or ranchers.";

(B) in paragraph (2)(C), by striking "and nongovernmental organization" and inserting "or nongovernmental organization";

(C) in paragraph (7), by striking "and community-based organizations" and inserting ", community-based organizations, and school-based agricultural educational organizations";

(D) by striking paragraph (8) and inserting the following new paragraph:

"(8) SET-ASIDES.—

"(A) IN GENERAL.—Not less than 5 percent of the funds used to carry out this subsection for a fiscal year shall be used to support programs and services that address the needs of—

"(i) limited resource beginning farmers or ranchers (as defined by the Secretary);

"(ii) socially disadvantaged farmers or ranchers (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)) who are beginning farmers or ranchers; and

"(iii) farmworkers desiring to become farmers or ranchers.

"(B) VETERAN FARMERS AND RANCHERS.—Not less than 5 percent of the funds used to carry out this subsection for a fiscal year shall be used to support programs and services that address the needs of veteran farmers and ranchers (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))). "; and

(E) by adding at the end the following new paragraphs:

"(11) LIMITATION ON INDIRECT COSTS.—A recipient of a grant under this subsection may not use more than 10 percent of the funds provided by the grant for the indirect costs of carrying out the initiatives described in paragraph (1).

"(12) COORDINATION PERMITTED.—A recipient of a grant under this subsection using the grant as described in paragraph (8)(B) may coordinate with a recipient of a grant under section 1680 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5933) in addressing the needs of veteran farmers and ranchers with disabilities.";

(2) in subsection (h)(1)—

(A) in the paragraph heading, by striking "2012" and inserting "2018";

(B) in subparagraph (A), by striking "and" at the end;

(C) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following new subparagraph:

"(C) $20,000,000 for each of fiscal years 2014 through 2018, to remain available until expended."; and

(3) in subsection (h)(2)—

(A) in the paragraph heading, by striking "2008 THROUGH 2012" and inserting "2014 THROUGH 2018"; and

(B) by striking "2008 through 2012" and inserting "2014 through 2018".

SEC. 7410. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT AMENDMENTS OF 1985.

Section 1431 of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985 (Public Law 99–198; 99 Stat. 1556) is amended by striking "2012" and inserting "2018".

Subtitle E—Food, Conservation, and Energy Act of 2008

PART I—AGRICULTURAL SECURITY

SEC. 7501. AGRICULTURAL BIOSECURITY COMMUNICATION CENTER.

Section 14112(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8912(c)) is amended to read as follows:

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

"(2) $2,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7502. ASSISTANCE TO BUILD LOCAL CAPACITY IN AGRICULTURAL BIOSECURITY PLANNING, PREPARATION, AND RESPONSE.

Section 14113 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8913) is amended—

(1) in subsection (a)(2)—

(A) by striking "such sums as may be necessary"; and

(B) by striking "subsection" and all that follows and inserting the following: "subsection—

"(A) such sums as are necessary for each of fiscal years 2008 through 2013; and

"(B) $15,000,000 for each of fiscal years 2014 through 2018."; and

(2) in subsection (b)(2), by striking "is authorized to be appropriated to carry out this subsection" and all that follows and inserting the following: "are authorized to be appropriated to carry out this subsection—

"(A) $25,000,000 for each of fiscal years 2008 through 2013; and

"(B) $15,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7503. RESEARCH AND DEVELOPMENT OF AGRICULTURAL COUNTERMEASURES.

Section 14121(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8921(b)) is amended by striking "is authorized to be appropriated to carry out this section" and all that follows and inserting the following: "are authorized to be appropriated to carry out this section—

"(1) $50,000,000 for each of fiscal years 2008 through 2013; and

"(2) $15,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7504. AGRICULTURAL BIOSECURITY GRANT PROGRAM.

Section 14122(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8922(e)) is amended—

(1) by striking "sums as are necessary"; and

(2) by striking "section" and all that follows and inserting the following: "section—

"(1) such sums as are necessary for each of fiscal years 2008 through 2013, to remain available until expended; and

"(2) $5,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.".

PART II—MISCELLANEOUS PROVISIONS

SEC. 7511. ENHANCED USE LEASE AUTHORITY PILOT PROGRAM.

7 USC 3125a note.

Section 308 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 3125a) is amended—

(1) in subsection (b)(6)(A), by striking "5 years" and inserting "10 years"; and

(2) in subsection (d)(2), in the matter preceding subparagraph (A), by striking "1, 3, and 5 years" and inserting "6, 8, and 10 years".

SEC. 7512. GRAZINGLANDS RESEARCH LABORATORY.

Section 7502 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2019) is amended by striking "5-year period" and inserting "10-year period".

SEC. 7513. BUDGET SUBMISSION AND FUNDING.

Section 7506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7614c) is amended—

(1) by striking subsection (a) and inserting the following new subsection:

"(a) DEFINITIONS.—In this section:

"(1) COVERED PROGRAM.—The term 'covered program' means—

"(A) each research program carried out by the Agricultural Research Service or the Economic Research Service for which annual appropriations are requested in the annual budget submission of the President; and

"(B) each competitive program carried out by the National Institute of Food and Agriculture for which annual appropriations are requested in the annual budget submission of the President.

"(2) REQUEST FOR APPLICATIONS.—The term 'request for applications' means a funding announcement published by the National Institute of Food and Agriculture that provides detailed information on funding opportunities at the Institute, including the purpose, eligibility, restriction, focus areas, evaluation criteria, regulatory information, and instructions on how to apply for such opportunities."; and

(2) by adding at the end the following new subsections:

"(e) ADDITIONAL PRESIDENTIAL BUDGET SUBMISSION REQUIREMENT.—

"(1) IN GENERAL.—Each year, the President shall submit to Congress for each funding request for a covered program—

"(A) in the case of the information described in paragraph (2), such information together with the annual budget submission of the President; and

"(B) in the case of any additional information described in paragraph (3), such additional information within a reasonable period that begins after the date of the annual budget submission of the President.

"(2) INFORMATION DESCRIBED.—The information described in this paragraph includes—

"(A) baseline information, including with respect to each covered program—

"(i) the funding level for the program for the fiscal year preceding the year for which the annual budget submission of the President is submitted;

"(ii) the funding level requested in the annual budget submission of the President, including any increase or decrease in the funding level; and

"(iii) an explanation justifying any change from the funding level specified in clause (i) to the level specified in clause (ii);

"(B) with respect to each covered program that is carried out by the Economic Research Service or the Agricultural Research Service, the location and staff years of the program;

"(C) the proposed funding levels to be allocated to, and the expected publication date, scope, and allocation level for, each request for applications to be published under or associated with—

"(i) each priority area specified in subsection (b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(2));

"(ii) each research and extension project carried out under section 1621(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5811(a));

"(iii) each grant awarded under section 1672B(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b(a));

"(iv) each grant awarded under section 412(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(d)); and

"(v) each grant awarded under section 7405(c)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f(c)(1)); and

"(D) any other information the Secretary determines will increase congressional oversight with respect to covered programs.

"(3) ADDITIONAL INFORMATION DESCRIBED.—The additional information described in this paragraph is information that the Secretary, after consulting with the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Senate, determines is a necessary revision or clarification to the information described in paragraph (2).

"(4) PROHIBITION.—Unless the President submits the information described in paragraph (2)(C) for a fiscal year, the President may not carry out any program during that fiscal year that is authorized under—

"(A) subsection (b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b));

"(B) section 1621 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5811);

"(C) section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b);

"(D) section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632); or

"(E) section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f).

"(f) REPORT OF THE SECRETARY OF AGRICULTURE.—Each year on a date that is not later than the date on which the President submits the annual budget, the Secretary shall submit to Congress a report containing a description of the agricultural research, extension, and education activities carried out by the Federal Government during the fiscal year that immediately precedes the year for which the report is submitted, including—

"(1) a review of the extent to which those activities—

"(A) are duplicative or overlap within the Department of Agriculture; or

"(B) are similar to activities carried out by—

"(i) other Federal agencies;

"(ii) the States (including the District of Columbia, the Commonwealth of Puerto Rico and other territories or possessions of the United States);

"(iii) institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

"(iv) the private sector; and

"(2) for each report submitted under this section on or after January 1, 2014, a 5-year projection of national priorities with respect to agricultural research, extension, and education, taking into account domestic needs.

"(g) INTERCHANGEABILITY OF FUNDS.—Nothing in this section shall be construed so as to limit the authority of the Secretary under section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257(b)), with respect to the reprogramming or transfer of funds.".

SEC. 7514. REPEAL OF SEED DISTRIBUTION.

Section 7523 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 415–1) is repealed.

SEC. 7515. NATURAL PRODUCTS RESEARCH PROGRAM.

Section 7525(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5937(e)) is amended to read as follows:

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $7,000,000 for each of fiscal years 2014 through 2018.".

SEC. 7516. SUN GRANT PROGRAM.

(a) IN GENERAL.—Section 7526 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114) is amended—

(1) in subsection (a)(4)(B), by striking "the Department of Energy" and inserting "other appropriate Federal agencies (as determined by the Secretary)";

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking "at South Dakota State University";

(B) in subparagraph (B), by striking "at the University of Tennessee at Knoxville";

(C) in subparagraph (C), by striking "at Oklahoma State University";

(D) in subparagraph (D), by striking "at Oregon State University";

(E) in subparagraph (E), by striking "at Cornell University"; and

(F) in subparagraph (F), by striking "at the University of Hawaii";

(3) in subsection (c)(1)—

(A) in subparagraph (B), by striking "multistate" and all that follows through "technology implementation" and inserting "integrated, multistate research, extension, and education programs on technology development and technology implementation";

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking "in accordance with paragraph (2)";

(ii) by striking "gasification" and inserting "bioproducts"; and

(iii) by striking "the Department of Energy" and inserting "other appropriate Federal agencies";

(B) by striking paragraph (2); and

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(5) in subsection (g), by striking "2012" and inserting "2018".

(b) CONFORMING AMENDMENT.—Section 7526(f)(1) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114(f)) is amended by striking "subsection (c)(1)(D)(i)" and inserting "subsection (c)(1)(C)(i)".

SEC. 7517. REPEAL OF STUDY AND REPORT ON FOOD DESERTS.

Section 7527 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2039) is repealed.

SEC. 7518. REPEAL OF AGRICULTURAL AND RURAL TRANSPORTATION RESEARCH AND EDUCATION.

Section 7529 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5938) is repealed.

Subtitle F—Miscellaneous Provisions

7 USC 5939.

SEC. 7601. FOUNDATION FOR FOOD AND AGRICULTURE RESEARCH.

(a) DEFINITIONS.—In this section:

(1) BOARD.—The term "Board" means the Board of Directors described in subsection (e).

(2) DEPARTMENT.—The term "Department" means the Department of Agriculture.

(3) FOUNDATION.—The term "Foundation" means the Foundation for Food and Agriculture Research established under subsection (b).

(4) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a nonprofit corporation to be known as the "Foundation for Food and Agriculture Research".

(2) STATUS.—The Foundation shall not be an agency or instrumentality of the United States Government.

(c) PURPOSES.—The purposes of the Foundation shall be—

(1) to advance the research mission of the Department by supporting agricultural research activities focused on addressing key problems of national and international significance including—

(A) plant health, production, and plant products;

(B) animal health, production, and products;

(C) food safety, nutrition, and health;

(D) renewable energy, natural resources, and the environment;

(E) agricultural and food security;

(F) agriculture systems and technology; and

(G) agriculture economics and rural communities; and

(2) to foster collaboration with agricultural researchers from the Federal Government, State (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)) governments, institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), industry, and nonprofit organizations.

(d) DUTIES.—

(1) IN GENERAL.—The Foundation shall—

(A) award grants to, or enter into contracts, memoranda of understanding, or cooperative agreements with, scientists and entities, which may include agricultural research agencies in the Department, university consortia, public-private partnerships, institutions of higher education, nonprofit organizations, and industry, to efficiently and effectively advance the goals and priorities of the Foundation;

(B) in consultation with the Secretary—

(i) identify existing and proposed Federal intramural and extramural research and development programs relating to the purposes of the Foundation described in subsection (c); and

(ii) coordinate Foundation activities with those programs so as to minimize duplication of existing efforts and to avoid conflicts;

(C) identify unmet and emerging agricultural research needs after reviewing the roadmap for agricultural research, education, and extension authorized by section 7504 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7614a);

(D) facilitate technology transfer and release of information and data gathered from the activities of the Foundation to the agricultural research community;

(E) promote and encourage the development of the next generation of agricultural research scientists; and

(F) carry out such other activities as the Board determines to be consistent with the purposes of the Foundation.

(2) RELATIONSHIP TO OTHER ACTIVITIES.—The activities described in paragraph (1) shall be supplemental to any other activities at the Department and shall not preempt any authority or responsibility of the Department under another provision of law.

(e) BOARD OF DIRECTORS.—

(1) ESTABLISHMENT.—The Foundation shall be governed by a Board of Directors.

(2) COMPOSITION.—

(A) IN GENERAL.—The Board shall be composed of appointed and ex-officio, nonvoting members.

(B) EX-OFFICIO MEMBERS.—The ex-officio members of the Board shall be the following individuals or designees of such individuals:

(i) The Secretary.

(ii) The Under Secretary of Agriculture for Research, Education, and Economics.

(iii) The Administrator of the Agricultural Research Service.

(iv) The Director of the National Institute of Food and Agriculture.

(v) The Director of the National Science Foundation.

(C) APPOINTED MEMBERS.—

(i) IN GENERAL.—The ex-officio members of the Board (as specified in subparagraph (B)) shall, by majority vote, appoint to the Board 15 individuals, of whom—

(I) 8 shall be selected from a list of candidates to be provided by the National Academy of Sciences; and

(II) 7 shall be selected from lists of candidates provided by industry.

(ii) REQUIREMENTS.—

(I) EXPERTISE.—The ex-officio members shall ensure that a majority of the appointed members of the Board have actual experience in agricultural research and, to the extent practicable, represent diverse sectors of agriculture.

(II) LIMITATION.—No employee of the Federal Government may serve as an appointed member of the Board under this subparagraph.

(III) NOT FEDERAL EMPLOYMENT.—Appointment to the Board under this subparagraph shall not constitute Federal employment.

(iii) AUTHORITY.—All appointed members of the Board shall be voting members.

(D) CHAIR.—The Board shall, from among the members of the Board, designate an individual to serve as Chair of the Board.

(3) INITIAL MEETING.—Not later than 60 days after the date of enactment of this Act, the Secretary shall convene a meeting of the ex-officio members of the Board—

(A) to incorporate the Foundation; and

(B) to appoint the members of the Board in accordance with paragraph (2)(C)(i).

(4) DUTIES.—

(A) IN GENERAL.—The Board shall—

(i) establish bylaws for the Foundation that, at a minimum, include—

(I) policies for the selection of future Board members, officers, employees, agents, and contractors of the Foundation;

(II) policies, including ethical standards, for—

(aa) the acceptance, solicitation, and disposition of donations and grants to the Foundation; and

(bb) the disposition of assets of the Foundation, including appropriate limits on the ability of donors to designate, by stipulation or restriction, the use or recipient of donated funds;

(III) policies that would subject all employees, fellows, trainees, and other agents of the Foundation (including members of the Board) to conflict of interest standards in the same manner as Federal employees are subject to the conflict of interest standards under section 208 of title 18, United States Code;

(IV) policies for writing, editing, printing, publishing, and vending of books and other materials;

(V) policies for the conduct of the general operations of the Foundation, including a cap on administrative expenses for recipients of a grant, contract, or cooperative agreement from the Foundation; and

(VI) specific duties for the Executive Director;

(ii) prioritize and provide overall direction for the activities of the Foundation;

(iii) evaluate the performance of the Executive Director; and

(iv) carry out any other necessary activities regarding the Foundation.

(B) ESTABLISHMENT OF BYLAWS.—In establishing bylaws under subparagraph (A)(i), the Board shall ensure that the bylaws do not—

(i) reflect unfavorably on the ability of the Foundation to carry out the duties of the Foundation in a fair and objective manner; or

(ii) compromise, or appear to compromise, the integrity of any governmental agency or program, or any officer or employee employed by, or involved in, a governmental agency or program.

(5) TERMS AND VACANCIES.—

(A) TERMS.—

(i) IN GENERAL.—The term of each member of the Board appointed under paragraph (2)(C) shall be 5

years, except that of the members initially appointed, 8 of the members shall each be appointed for a term of 3 years and 7 of the members shall each be appointed for a term of 2 years.

(ii) PARTIAL TERMS.—If a member of the Board does not serve the full term applicable under clause (i), the individual appointed to fill the resulting vacancy shall be appointed for the remainder of the term of the predecessor of the individual.

(iii) TRANSITION.—A member of the Board may continue to serve after the expiration of the term of the member until a successor is appointed.

(B) VACANCIES.—After the initial appointment of the members of the Board under paragraph (2)(C), any vacancy in the membership of the Board shall be filled as provided in the bylaws established under paragraph (4)(A)(i).

(6) COMPENSATION.—Members of the Board may not receive compensation for service on the Board but may be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out the duties of the Board.

(7) MEETINGS AND QUORUM.—A majority of the members of the Board shall constitute a quorum for purposes of conducting the business of the Board.

(f) ADMINISTRATION.—

(1) EXECUTIVE DIRECTOR.—

(A) IN GENERAL.—The Board shall hire an Executive Director who shall carry out such duties and responsibilities as the Board may prescribe.

(B) SERVICE.—The Executive Director shall serve at the pleasure of the Board.

(2) ADMINISTRATIVE POWERS.—

(A) IN GENERAL.—In carrying out this section, the Board, acting through the Executive Director, may—

(i) adopt, alter, and use a corporate seal, which shall be judicially noticed;

(ii) hire, promote, compensate, and discharge 1 or more officers, employees, and agents, as may be necessary, and define the duties of the officers, employees, and agents;

(iii) solicit and accept any funds, gifts, grants, devises, or bequests of real or personal property made to the Foundation, including such support from private entities;

(iv) prescribe the manner in which—

(I) real or personal property of the Foundation is acquired, held, and transferred;

(II) general operations of the Foundation are to be conducted; and

(III) the privileges granted to the Board by law are exercised and enjoyed;

(v) with the consent of the applicable executive department or independent agency, use the information, services, and facilities of the department or agency in carrying out this section on a reimbursable basis;

(vi) enter into contracts with public and private organizations for the writing, editing, printing, and publishing of books and other material;

(vii) hold, administer, invest, and spend any funds, gifts, grant, devise, or bequest of real or personal property made to the Foundation;

(viii) enter into such contracts, leases, cooperative agreements, and other transactions as the Board considers appropriate to conduct the activities of the Foundation;

(ix) modify or consent to the modification of any contract or agreement to which the Foundation is a party or in which the Foundation has an interest;

(x) take such action as may be necessary to obtain and maintain patents for and to license inventions (as defined in section 201 of title 35, United States Code) developed by the Foundation, employees of the Foundation, or derived from the collaborative efforts of the Foundation;

(xi) sue and be sued in the corporate name of the Foundation, and complain and defend in courts of competent jurisdiction;

(xii) appoint other groups of advisors as may be determined necessary to carry out the functions of the Foundation; and

(xiii) exercise such other incidental powers as are necessary to carry out the duties and functions of the Foundation in accordance with this section.

(B) LIMITATION.—No appointed member of the Board or officer or employee of the Foundation or of any program established by the Foundation (other than ex-officio members of the Board) shall exercise administrative control over any Federal employee.

(3) RECORDS.—

(A) AUDITS.—The Foundation shall—

(i) provide for annual audits of the financial condition of the Foundation; and

(ii) make the audits, and all other records, documents, and other papers of the Foundation, available to the Secretary and the Comptroller General of the United States for examination or audit.

(B) REPORTS.—

(i) ANNUAL REPORT ON FOUNDATION.—

(I) IN GENERAL.—Not later than 5 months following the end of each fiscal year, the Foundation shall publish a report for the preceding fiscal year that includes—

(aa) a description of Foundation activities, including accomplishments; and

(bb) a comprehensive statement of the operations and financial condition of the Foundation.

(II) FINANCIAL CONDITION.—Each report under subclause (I) shall include a description of all gifts, grants, devises, or bequests to the Foundation of real or personal property or money, which shall include—

(aa) the source of the gifts, grants, devises, or bequests; and

(bb) any restrictions on the purposes for which the gift, grant, devise, or bequest may be used.

(III) AVAILABILITY.—The Foundation shall—

(aa) make copies of each report submitted under subclause (I) available for public inspection; and

(bb) on request, provide a copy of the report to any individual.

(IV) PUBLIC MEETING.—The Board shall hold an annual public meeting to summarize the activities of the Foundation.

(ii) GRANT REPORTING.—Any recipient of a grant under subsection (d)(1)(A) shall provide the Foundation with a report at the conclusion of any research or studies conducted that describes the results of the research or studies, including any data generated.

(4) INTEGRITY.—

(A) IN GENERAL.—To ensure integrity in the operations of the Foundation, the Board shall develop and enforce procedures relating to standards of conduct, financial disclosure statements, conflicts of interest (including recusal and waiver rules), audits, and any other matters determined appropriate by the Board.

(B) FINANCIAL CONFLICTS OF INTEREST.—Any individual who is an officer, employee, or member of the Board is prohibited from any participation in deliberations by the Foundation of a matter that would directly or predictably affect any financial interest of—

(i) the individual;

(ii) a relative (as defined in section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.)) of that individual; or

(iii) a business organization or other entity in which the individual has an interest, including an organization or other entity with which the individual is negotiating employment.

(5) INTELLECTUAL PROPERTY.—The Board shall adopt written standards to govern the ownership and licensing of any intellectual property rights derived from the collaborative efforts of the Foundation.

(6) LIABILITY.—The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation nor shall the full faith and credit of the United States extend to any obligations of the Foundation.

(g) FUNDS.—

(1) MANDATORY FUNDING.—

(A) IN GENERAL.—On the date of the enactment of this Act, of the funds of the Commodity Credit Corporation, the Secretary shall transfer to the Foundation to carry out this section $200,000,000, to remain available until expended under the conditions described in subparagraph (B).

(B) CONDITIONS ON EXPENDITURE.—The Foundation may use the funds made available under subparagraph (A) to carry out the purposes of the Foundation only to

the extent that the Foundation secures an equal amount of non-Federal matching funds for each expenditure.

(C) PROHIBITION ON CONSTRUCTION.—None of the funds made available under subparagraph (A) may be used for construction.

(2) SEPARATION OF FUNDS.—The Executive Director shall ensure that any funds received under paragraph (1) are held in separate accounts from funds received from nongovernmental entities as described in subsection (f)(2)(A)(iii).

SEC. 7602. CONCESSIONS AND AGREEMENTS WITH NONPROFIT ORGANIZATIONS FOR NATIONAL ARBORETUM.

Section 6 of the Act of March 4, 1927 (20 U.S.C. 196), is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following new paragraph:

"(1) negotiate concessions and agreements for the National Arboretum with nonprofit scientific or educational organizations, the interests of which are complementary to the mission of the National Arboretum, or nonprofit organizations that support the purpose of the National Arboretum, except that the net proceeds of the organizations from the concessions or agreements, as applicable, shall be used exclusively for—

"(A) the research and educational work for the benefit of the National Arboretum; and

"(B) the operation and maintenance of the facilities of the National Arboretum, including enhancements, upgrades, restoration, and conservation;"; and

(2) by adding at the end the following new subsection:

"(d) RECOGNITION OF DONORS.—A nonprofit organization that entered into a concession or agreement under subsection (a)(1) may recognize donors if that recognition is approved in advance by the Secretary of Agriculture. In considering whether to approve such recognition, the Secretary shall broadly exercise the discretion of the Secretary to the fullest extent allowed under Federal law.".

SEC. 7603. AGRICULTURAL AND FOOD LAW RESEARCH, LEGAL TOOLS, AND INFORMATION.

7 USC 3125a–1.

(a) PARTNERSHIPS.—The Secretary of Agriculture, acting through the National Agricultural Library, shall support the dissemination of objective, scholarly, and authoritative agricultural and food law research, legal tools, and information by entering into cooperative agreements with institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that on the date of enactment of this Act are carrying out objective programs for research, legal tools, and information in agricultural and food law.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for fiscal year 2014 and each fiscal year thereafter.

SEC. 7604. COTTON DISEASE RESEARCH REPORT.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the fungus Fusarium oxysporum f. sp. vasinfectum race 4 (referred to in this section as "FOV Race 4") and the impact of such fungus on cotton, including—

(1) an overview of the threat FOV Race 4 poses to the cotton industry in the United States;

(2) the status and progress of Federal research initiatives to detect, contain, or eradicate FOV Race 4, including current FOV Race 4-specific research projects; and

(3) a comprehensive strategy to combat FOV Race 4 that establishes—

(A) detection and identification goals;

(B) containment goals;

(C) eradication goals; and

(D) a plan to partner with the cotton industry in the United States to maximize resources, information sharing, and research responsiveness and effectiveness.

SEC. 7605. MISCELLANEOUS TECHNICAL CORRECTIONS.

7 USC 2241a, 3125a note.

Sections 7408 and 7409 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2013) are both amended by striking "Title III of the Department of Agriculture Reorganization Act of 1994" and inserting "Title III of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994".

7 USC 5940.

SEC. 7606. LEGITIMACY OF INDUSTRIAL HEMP RESEARCH.

(a) IN GENERAL.—Notwithstanding the Controlled Substances Act (21 U.S.C. 801 et seq.), the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.), chapter 81 of title 41, United States Code, or any other Federal law, an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or a State department of agriculture may grow or cultivate industrial hemp if—

(1) the industrial hemp is grown or cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research; and

(2) the growing or cultivating of industrial hemp is allowed under the laws of the State in which such institution of higher education or State department of agriculture is located and such research occurs.

(b) DEFINITIONS.—In this section:

(1) AGRICULTURAL PILOT PROGRAM.—The term "agricultural pilot program" means a pilot program to study the growth, cultivation, or marketing of industrial hemp—

(A) in States that permit the growth or cultivation of industrial hemp under the laws of the State; and

(B) in a manner that—

(i) ensures that only institutions of higher education and State departments of agriculture are used to grow or cultivate industrial hemp;

(ii) requires that sites used for growing or cultivating industrial hemp in a State be certified by, and registered with, the State department of agriculture; and

(iii) authorizes State departments of agriculture to promulgate regulations to carry out the pilot program in the States in accordance with the purposes of this section.

(2) INDUSTRIAL HEMP.—The term "industrial hemp" means the plant Cannabis sativa L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol

concentration of not more than 0.3 percent on a dry weight basis.

(3) STATE DEPARTMENT OF AGRICULTURE.—The term "State department of agriculture" means the agency, commission, or department of a State government responsible for agriculture within the State.

TITLE VIII—FORESTRY

Subtitle A—Repeal of Certain Forestry Programs

SEC. 8001. FOREST LAND ENHANCEMENT PROGRAM.

(a) REPEAL.—Section 4 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103) is repealed.

(b) CONFORMING AMENDMENT.—Section 8002 of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 16 U.S.C. 2103 note) is amended by striking subsection (a).

SEC. 8002. WATERSHED FORESTRY ASSISTANCE PROGRAM.

Section 6 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103b) is repealed.

SEC. 8003. EXPIRED COOPERATIVE NATIONAL FOREST PRODUCTS MARKETING PROGRAM.

Section 18 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2112) is repealed.

SEC. 8004. HISPANIC-SERVING INSTITUTION AGRICULTURAL LAND NATIONAL RESOURCES LEADERSHIP PROGRAM.

Section 8402 of the Food, Conservation, and Energy Act of 2008 (16 U.S.C. 1649a) is repealed.

SEC. 8005. TRIBAL WATERSHED FORESTRY ASSISTANCE PROGRAM.

Section 303 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6542) is repealed.

SEC. 8006. SEPARATE FOREST SERVICE DECISIONMAKING AND APPEALS PROCESS.

(a) REPEAL.—Section 322 of the Department of the Interior and Related Agencies Appropriations Act, 1993 (16 U.S.C. 1612 note; Public Law 102–381) is repealed.

(b) FOREST SERVICE PRE-DECISIONAL OBJECTION PROCESS.—Section 428 of division E of the Consolidated Appropriations Act, 2012 (16 U.S.C. 6515 note; Public Law 112–74) shall not apply to any project or activity implementing a land and resource management plan developed under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) that is categorically excluded from documentation in an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

Subtitle B—Reauthorization of Cooperative Forestry Assistance Act of 1978 Programs

SEC. 8101. STATE-WIDE ASSESSMENT AND STRATEGIES FOR FOREST RESOURCES.

Section 2A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a) is amended—

(1) in subsection (c)—

(A) in paragraph (4), by striking "and";

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following new paragraph:

"(5) as feasible, appropriate military installations where the voluntary participation and management of private or State-owned or other public forestland is able to support, promote, and contribute to the missions of such installations; and"; and

(2) in subsection (f)(1), by striking "2012" and inserting "2018".

Subtitle C—Reauthorization of Other Forestry-Related Laws

SEC. 8201. RURAL REVITALIZATION TECHNOLOGIES.

Section 2371(d)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 6601(d)(2)) is amended by striking "2012" and inserting "2018".

SEC. 8202. OFFICE OF INTERNATIONAL FORESTRY.

Section 2405(d) of the Global Climate Change Prevention Act of 1990 (7 U.S.C. 6704(d)) is amended by striking "2012" and inserting "2018".

SEC. 8203. HEALTHY FORESTS RESERVE PROGRAM.

(a) DEFINITION OF ACREAGE OWNED BY INDIAN TRIBES.—Section 502(e)(3) of the Healthy Forests Restoration Act (16 U.S.C. 6572(e)(3)) is amended—

(1) in subparagraph (C), by striking "subparagraphs (A) and (B)" and inserting "clauses (i) and (ii)";

(2) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately; and

(3) by striking "In the case of" and inserting the following:

"(A) DEFINITION OF ACREAGE OWNED BY INDIAN TRIBES.—In this paragraph, the term 'acreage owned by Indian tribes' includes—

"(i) land that is held in trust by the United States for Indian tribes or individual Indians;

"(ii) land, the title to which is held by Indian tribes or individual Indians subject to Federal restrictions against alienation or encumbrance;

"(iii) land that is subject to rights of use, occupancy, and benefit of certain Indian tribes;

"(iv) land that is held in fee title by an Indian tribe; or

"(v) land that is owned by a native corporation formed under section 17 of the Act of June 18, 1934 (commonly known as the 'Indian Reorganization Act') (25 U.S.C. 477) or section 8 of the Alaska Native Claims Settlement Act (43 U.S.C. 1607); or

"(vi) a combination of 1 or more types of land described in clauses (i) through (v).

"(B) ENROLLMENT OF ACREAGE.—In the case of".

(b) CHANGE IN FUNDING SOURCE FOR HEALTHY FORESTS RESERVE PROGRAM.—Section 508 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6578) is amended—

(1) in subsection (a), by striking "IN GENERAL" and inserting "FISCAL YEARS 2009 THROUGH 2013";

(2) by redesignating subsection (b) as subsection (d); and

(3) by inserting after subsection (a) the following:

"(b) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to the Secretary of Agriculture to carry out this section $12,000,000 for each of fiscal years 2014 through 2018.

"(c) ADDITIONAL SOURCE OF FUNDS.—In addition to funds appropriated pursuant to the authorization of appropriations in subsection (b) for a fiscal year, the Secretary may use such amount of the funds appropriated for that fiscal year to carry out the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.) as the Secretary determines necessary to cover the cost of technical assistance, management, and enforcement responsibilities for land enrolled in the healthy forests reserve program pursuant to subsections (a) and (b) of section 504.".

SEC. 8204. INSECT AND DISEASE INFESTATION.

Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591 et seq.) is amended by adding at the end the following:

"SEC. 602. DESIGNATION OF TREATMENT AREAS. 16 USC 6591a.

"(a) DEFINITION OF DECLINING FOREST HEALTH.—In this section, the term 'declining forest health' means a forest that is experiencing—

"(1) substantially increased tree mortality due to insect or disease infestation; or

"(2) dieback due to infestation or defoliation by insects or disease.

"(b) DESIGNATION OF TREATMENT AREAS.—

"(1) INITIAL AREAS.—Not later than 60 days after the date of enactment of the Agricultural Act of 2014, the Secretary shall, if requested by the Governor of the State, designate as part of an insect and disease treatment program 1 or more landscape-scale areas, such as subwatersheds (sixth-level hydrologic units, according to the System of Hydrologic Unit Codes of the United States Geological Survey), in at least 1 national forest in each State that is experiencing an insect or disease epidemic.

"(2) ADDITIONAL AREAS.—After the end of the 60-day period described in paragraph (1), the Secretary may designate additional landscape-scale areas under this section as needed to address insect or disease threats.

"(c) REQUIREMENTS.—To be designated a landscape-scale area under subsection (b), the area shall be—

"(1) experiencing declining forest health, based on annual forest health surveys conducted by the Secretary;

"(2) at risk of experiencing substantially increased tree mortality over the next 15 years due to insect or disease infestation, based on the most recent National Insect and Disease Risk Map published by the Forest Service; or

"(3) in an area in which the risk of hazard trees poses an imminent risk to public infrastructure, health, or safety.

"(d) TREATMENT OF AREAS.—

"(1) IN GENERAL.—The Secretary may carry out priority projects on Federal land in the areas designated under subsection (b) to reduce the risk or extent of, or increase the resilience to, insect or disease infestation in the areas.

"(2) AUTHORITY.—Any project under paragraph (1) for which a public notice to initiate scoping is issued on or before September 30, 2018, may be carried out in accordance with subsections (b), (c), and (d) of section 102, and sections 104, 105, and 106.

"(3) EFFECT.—Projects carried out under this subsection shall be considered authorized hazardous fuel reduction projects for purposes of the authorities described in paragraph (2).

"(4) REPORT.—

"(A) IN GENERAL.—In accordance with the schedule described in subparagraph (B), the Secretary shall issue 2 reports on actions taken to carry out this subsection, including—

"(i) an evaluation of the progress towards project goals; and

"(ii) recommendations for modifications to the projects and management treatments.

"(B) SCHEDULE.—The Secretary shall—

"(i) not earlier than September 30, 2018, issue the initial report under subparagraph (A); and

"(ii) not earlier than September 30, 2024, issue the second report under that subparagraph.

"(e) TREE RETENTION.—The Secretary shall carry out projects under subsection (d) in a manner that maximizes the retention of old-growth and large trees, as appropriate for the forest type, to the extent that the trees promote stands that are resilient to insects and disease.

"(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $200,000,000 for each of fiscal years 2014 through 2024.

16 USC 6591b.

"SEC. 603. ADMINISTRATIVE REVIEW.

"(a) IN GENERAL.—Except as provided in subsection (d), a project described in subsection (b) that is conducted in accordance with section 602(d) may be—

"(1) considered an action categorically excluded from the requirements of Public Law 91–190 (42 U.S.C. 4321 et seq.); and

"(2) exempt from the special administrative review process under section 105.

"(b) COLLABORATIVE RESTORATION PROJECT.—

"(1) IN GENERAL.—A project referred to in subsection (a) is a project to carry out forest restoration treatments that—

"(A) maximizes the retention of old-growth and large trees, as appropriate for the forest type, to the extent that the trees promote stands that are resilient to insects and disease;

"(B) considers the best available scientific information to maintain or restore the ecological integrity, including maintaining or restoring structure, function, composition, and connectivity; and

"(C) is developed and implemented through a collaborative process that—

"(i) includes multiple interested persons representing diverse interests; and

"(ii)(I) is transparent and nonexclusive; or

"(II) meets the requirements for a resource advisory committee under subsections (c) through (f) of section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125).

"(2) INCLUSION.—A project under this subsection may carry out part of a proposal that complies with the eligibility requirements of the Collaborative Forest Landscape Restoration Program under section 4003(b) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(b)).

"(c) LIMITATIONS.—

"(1) PROJECT SIZE.—A project under this section may not exceed 3000 acres.

"(2) LOCATION.—A project under this section shall be limited to areas—

"(A) in the wildland-urban interface; or

"(B) Condition Classes 2 or 3 in Fire Regime Groups I, II, or III, outside the wildland-urban interface.

"(3) ROADS.—

"(A) PERMANENT ROADS.—

"(i) PROHIBITION ON ESTABLISHMENT.—A project under this section shall not include the establishment of permanent roads.

"(ii) EXISTING ROADS.—The Secretary may carry out necessary maintenance and repairs on existing permanent roads for the purposes of this section.

"(B) TEMPORARY ROADS.—The Secretary shall decommission any temporary road constructed under a project under this section not later than 3 years after the date on which the project is completed.

"(d) EXCLUSIONS.—This section does not apply to—

"(1) a component of the National Wilderness Preservation System;

"(2) any Federal land on which, by Act of Congress or Presidential proclamation, the removal of vegetation is restricted or prohibited;

"(3) a congressionally designated wilderness study area; or

"(4) an area in which activities under subsection (a) would be inconsistent with the applicable land and resource management plan.

"(e) FOREST MANAGEMENT PLANS.—All projects and activities carried out under this section shall be consistent with the land

and resource management plan established under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) for the unit of the National Forest System containing the projects and activities.

"(f) PUBLIC NOTICE AND SCOPING.—The Secretary shall conduct public notice and scoping for any project or action proposed in accordance with this section.

"(g) ACCOUNTABILITY.—

"(1) IN GENERAL.—The Secretary shall prepare an annual report on the use of categorical exclusions under this section that includes a description of all acres (or other appropriate unit) treated through projects carried out under this section.

"(2) SUBMISSION.—Not later than 1 year after the date of enactment of this section, and each year thereafter, the Secretary shall submit the reports required under paragraph (1) to—

"(A) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

"(B) the Committee on Environment and Public Works of the Senate;

"(C) the Committee on Agriculture of the House of Representatives;

"(D) the Committee on Natural Resources of the House of Representatives; and

"(E) the Government Accountability Office.".

SEC. 8205. STEWARDSHIP END RESULT CONTRACTING PROJECTS.

(a) IN GENERAL.—Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591) (as amended by section 8204) is amended by adding at the end the following:

16 USC 6591c.

"SEC. 604. STEWARDSHIP END RESULT CONTRACTING PROJECTS.

"(a) DEFINITIONS.—In this section:

"(1) CHIEF.—The term 'Chief' means the Chief of the Forest Service.

"(2) DIRECTOR.—The term 'Director' means the Director of the Bureau of Land Management.

"(b) PROJECTS.—The Chief and the Director, via agreement or contract as appropriate, may enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.

"(c) LAND MANAGEMENT GOALS.—The land management goals of a project under subsection (b) may include any of the following:

"(1) Road and trail maintenance or obliteration to restore or maintain water quality.

"(2) Soil productivity, habitat for wildlife and fisheries, or other resource values.

"(3) Setting of prescribed fires to improve the composition, structure, condition, and health of stands or to improve wildlife habitat.

"(4) Removing vegetation or other activities to promote healthy forest stands, reduce fire hazards, or achieve other land management objectives.

"(5) Watershed restoration and maintenance.

"(6) Restoration and maintenance of wildlife and fish.

"(7) Control of noxious and exotic weeds and reestablishing native plant species.

"(d) AGREEMENTS OR CONTRACTS.—

"(1) PROCUREMENT PROCEDURE.—A source for performance of an agreement or contract under subsection (b) shall be selected on a best-value basis, including consideration of source under other public and private agreements or contracts.

"(2) CONTRACT FOR SALE OF PROPERTY.—A contract entered into under this section may, at the discretion of the Secretary of Agriculture, be considered a contract for the sale of property under such terms as the Secretary may prescribe without regard to any other provision of law.

"(3) TERM.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the Chief and the Director may enter into a contract under subsection (b) in accordance with section 3903 of title 41, United States Code.

"(B) MAXIMUM.—The period of the contract under subsection (b) may exceed 5 years but may not exceed 10 years.

"(4) OFFSETS.—

"(A) IN GENERAL.—The Chief and the Director may apply the value of timber or other forest products removed as an offset against the cost of services received under the agreement or contract described in subsection (b).

"(B) METHODS OF APPRAISAL.—The value of timber or other forest products used as an offset under subparagraph (A)—

"(i) shall be determined using appropriate methods of appraisal commensurate with the quantity of products to be removed; and

"(ii) may—

"(I) be determined using a unit of measure appropriate to the contracts; and

"(II) may include valuing products on a per-acre basis.

"(5) RELATION TO OTHER LAWS.—Notwithstanding subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a), the Chief may enter into an agreement or contract under subsection (b).

"(6) CONTRACTING OFFICER.—Notwithstanding any other provision of law, the Secretary or the Secretary of the Interior may determine the appropriate contracting officer to enter into and administer an agreement or contract under subsection (b).

"(7) FIRE LIABILITY PROVISIONS.—Not later than 90 days after the date of enactment of this section, the Chief and the Director shall issue for use in all contracts and agreements under this section fire liability provisions that are in substantially the same form as the fire liability provisions contained in—

"(A) integrated resource timber contracts, as described in the Forest Service contract numbered 2400–13, part H, section H.4; and

"(B) timber sale contracts conducted pursuant to section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a).

"(e) RECEIPTS.—

"(1) IN GENERAL.—The Chief and the Director may collect monies from an agreement or contract under subsection (b) if the collection is a secondary objective of negotiating the contract that will best achieve the purposes of this section.

"(2) USE.—Monies from an agreement or contract under subsection (b)—

"(A) may be retained by the Chief and the Director; and

"(B) shall be available for expenditure without further appropriation at the project site from which the monies are collected or at another project site.

"(3) RELATION TO OTHER LAWS.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, the value of services received by the Chief or the Director under a stewardship contract project conducted under this section, and any payments made or resources provided by the contractor, Chief, or Director shall not be considered monies received from the National Forest System or the public lands.

"(B) KNUTSON-VANDERBERG ACT.—The Act of June 9, 1930 (commonly known as the 'Knutson-Vanderberg Act') (16 U.S.C. 576 et seq.) shall not apply to any agreement or contract under subsection (b).

"(f) COSTS OF REMOVAL.—Notwithstanding the fact that a contractor did not harvest the timber, the Chief may collect deposits from a contractor covering the costs of removal of timber or other forest products under—

"(1) the Act of August 11, 1916 (16 U.S.C. 490); and

"(2) the Act of June 30, 1914 (16 U.S.C. 498).

"(g) PERFORMANCE AND PAYMENT GUARANTEES.—

"(1) IN GENERAL.—The Chief and the Director may require performance and payment bonds under sections 28.103–2 and 28.103–3 of the Federal Acquisition Regulation, in an amount that the contracting officer considers sufficient to protect the investment in receipts by the Federal Government generated by the contractor from the estimated value of the forest products to be removed under a contract under subsection (b).

"(2) EXCESS OFFSET VALUE.—If the offset value of the forest products exceeds the value of the resource improvement treatments, the Chief and the Director may—

"(A) collect any residual receipts under the Act of June 9, 1930 (commonly known as the 'Knutson-Vanderberg Act') (16 U.S.C. 576 et seq.); and

"(B) apply the excess to other authorized stewardship projects.

"(h) MONITORING AND EVALUATION.—

"(1) IN GENERAL.—The Chief and the Director shall establish a multiparty monitoring and evaluation process that accesses the stewardship contracting projects conducted under this section.

"(2) PARTICIPANTS.—Other than the Chief and Director, participants in the process described in paragraph (1) may include—

"(A) any cooperating governmental agencies, including tribal governments; and

"(B) any other interested groups or individuals.

"(i) REPORTING.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Chief and the Director shall report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives on—

"(1) the status of development, execution, and administration of agreements or contracts under subsection (b);

"(2) the specific accomplishments that have resulted; and

"(3) the role of local communities in the development of agreements or contract plans.".

(b) CONFORMING AMENDMENT.—Section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105–277) is repealed.

SEC. 8206. GOOD NEIGHBOR AUTHORITY. 16 USC 2113a.

(a) DEFINITIONS.—In this section:

(1) AUTHORIZED RESTORATION SERVICES.—The term "authorized restoration services" means similar and complementary forest, rangeland, and watershed restoration services carried out—

(A) on Federal land and non-Federal land; and

(B) by either the Secretary or a Governor pursuant to a good neighbor agreement.

(2) FEDERAL LAND.—

(A) IN GENERAL.—The term "Federal land" means land that is—

(i) National Forest System land; or

(ii) public land (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(B) EXCLUSIONS.—The term "Federal land" does not include—

(i) a component of the National Wilderness Preservation System;

(ii) Federal land on which the removal of vegetation is prohibited or restricted by Act of Congress or Presidential proclamation (including the applicable implementation plan); or

(iii) a wilderness study area.

(3) FOREST, RANGELAND, AND WATERSHED RESTORATION SERVICES.—

(A) IN GENERAL.—The term "forest, rangeland, and watershed restoration services" means—

(i) activities to treat insect- and disease-infected trees;

(ii) activities to reduce hazardous fuels; and

(iii) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(B) EXCLUSIONS.—The term "forest, rangeland, and watershed restoration services" does not include—

(i) construction, reconstruction, repair, or restoration of paved or permanent roads or parking areas; or

(ii) construction, alteration, repair or replacement of public buildings or works.

(4) GOOD NEIGHBOR AGREEMENT.—The term "good neighbor agreement" means a cooperative agreement or contract (including a sole source contract) entered into between the Secretary and a Governor to carry out authorized restoration services under this section.

(5) GOVERNOR.—The term "Governor" means the Governor or any other appropriate executive official of an affected State or the Commonwealth of Puerto Rico.

(6) ROAD.—The term "road" has the meaning given the term in section 212.1 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(7) SECRETARY.—The term "Secretary" means—

(A) the Secretary of Agriculture, with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to Bureau of Land Management land.

(b) GOOD NEIGHBOR AGREEMENTS.—

(1) GOOD NEIGHBOR AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into a good neighbor agreement with a Governor to carry out authorized restoration services in accordance with this section.

(B) PUBLIC AVAILABILITY.—The Secretary shall make each good neighbor agreement available to the public.

(2) TIMBER SALES.—

(A) IN GENERAL.—Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a(d) and (g)) shall not apply to services performed under a cooperative agreement or contract entered into under subsection (a).

(B) APPROVAL OF SILVICULTURE PRESCRIPTIONS AND MARKING GUIDES.—The Secretary shall provide or approve all silviculture prescriptions and marking guides to be applied on Federal land in all timber sale projects conducted under this section.

(3) RETENTION OF NEPA RESPONSIBILITIES.—Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any authorized restoration services to be provided under this section on Federal land shall not be delegated to a Governor.

Subtitle D—Miscellaneous Provisions

16 USC 1642 note.

SEC. 8301. REVISION OF STRATEGIC PLAN FOR FOREST INVENTORY AND ANALYSIS.

(a) REVISION REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the strategic plan for forest inventory and analysis initially prepared pursuant to section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e)) to address the requirements imposed by subsection (b).

(b) ELEMENTS OF REVISED STRATEGIC PLAN.—In revising the strategic plan, the Secretary shall describe in detail the organization, procedures, and funding needed to achieve each of the following:

(1) Complete the transition to a fully annualized forest inventory program and include inventory and analysis of interior Alaska.

(2) Implement an annualized inventory of trees in urban settings, including the status and trends of trees and forests, and assessments of their ecosystem services, values, health, and risk to pests and diseases.

(3) Report information on renewable biomass supplies and carbon stocks at the local, State, regional, and national level, including by ownership type.

(4) Engage State foresters and other users of information from the forest inventory and analysis in reevaluating the list of core data variables collected on forest inventory and analysis plots with an emphasis on demonstrated need.

(5) Improve the timeliness of the timber product output program and accessibility of the annualized information on that database.

(6) Foster greater cooperation among the forest inventory and analysis program, research station leaders, and State foresters and other users of information from the forest inventory and analysis.

(7) Promote availability of and access to non-Federal resources to improve information analysis and information management.

(8) Collaborate with the Natural Resources Conservation Service, National Aeronautics and Space Administration, National Oceanic and Atmospheric Administration, and United States Geological Survey to integrate remote sensing, spatial analysis techniques, and other new technologies in the forest inventory and analysis program.

(9) Understand and report on changes in land cover and use.

(10) Expand existing programs to promote sustainable forest stewardship through increased understanding, in partnership with other Federal agencies, of the over 10,000,000 family forest owners, their demographics, and the barriers to forest stewardship.

(11) Implement procedures to improve the statistical precision of estimates at the sub-State level.

(c) SUBMISSION OF REVISED STRATEGIC PLAN.—The Secretary shall submit the revised strategic plan to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 8302. FOREST SERVICE PARTICIPATION IN ACES PROGRAM. 16 USC 3851a.

The Secretary, acting through the Chief of the Forest Service, may use funds derived from conservation-related programs executed on National Forest System land to utilize the Agriculture Conservation Experienced Services Program established pursuant to section 1252 of the Food Security Act of 1985 (16 U.S.C. 3851) to provide technical services for conservation-related programs and authorities carried out by the Secretary on National Forest System land.

SEC. 8303. EXTENSION OF STEWARDSHIP CONTRACTS AUTHORITY REGARDING USE OF DESIGNATION BY PRESCRIPTION TO ALL THINNING SALES UNDER NATIONAL FOREST MANAGEMENT ACT OF 1976.

Section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) is amended by striking subsection (g) and inserting the following:

"(g) DESIGNATION AND SUPERVISION OF HARVESTING.—

"(1) IN GENERAL.—Designation, including marking when necessary, designation by description, or designation by prescription, and supervision of harvesting of trees, portions of trees, or forest products shall be conducted by persons employed by the Secretary of Agriculture.

"(2) REQUIREMENT.—Persons employed by the Secretary of Agriculture under paragraph (1)—

"(A) shall have no personal interest in the purchase or harvest of the products; and

"(B) shall not be directly or indirectly in the employment of the purchaser of the products.

"(3) METHODS FOR DESIGNATION.—Designation by prescription and designation by description shall be considered valid methods for designation, and may be supervised by use of post-harvest cruise, sample weight scaling, or other methods determined by the Secretary of Agriculture to be appropriate.".

42 USC 1856e.

SEC. 8304. REIMBURSEMENT OF FIRE FUNDS.

(a) DEFINITION OF STATE.—In this section, the term "State" means—

(1) a State; and

(2) the Commonwealth of Puerto Rico.

(b) IN GENERAL.—If a State seeks reimbursement for amounts expended for resources and services provided to another State for the management and suppression of a wildfire, the Secretary, subject to subsections (c) and (d)—

(1) may accept the reimbursement amounts from the other State; and

(2) shall pay those amounts to the State seeking reimbursement.

(c) MUTUAL ASSISTANCE AGREEMENT.—As a condition of seeking and providing reimbursement under subsection (b), the State seeking reimbursement and the State providing reimbursement must each have a mutual assistance agreement with the Forest Service or another Federal agency for providing and receiving wildfire management and suppression resources and services.

(d) TERMS AND CONDITIONS.—The Secretary may prescribe the terms and conditions determined to be necessary to carry out subsection (b).

(e) EFFECT ON PRIOR REIMBURSEMENTS.—Any acceptance of funds or reimbursements made by the Secretary before the date of enactment of this Act that otherwise would have been authorized under this section shall be considered to have been made in accordance with this section.

(f) AMENDMENT.—Section 5(b) of the Act of May 27, 1955 (42 U.S.C. 1856d(b)) is amended in the first sentence by inserting "or Department of Agriculture" after "Department of Defense".

SEC. 8305. FOREST SERVICE LARGE AIRTANKER AND AERIAL ASSET FIREFIGHTING RECAPITALIZATION PILOT PROGRAM.

16 USC 551c note.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Chief of the Forest Service, may establish a large airtanker and aerial asset lease program in accordance with this section.

(b) AIRCRAFT REQUIREMENTS.—In carrying out the program described in subsection (a), the Secretary may enter into a multiyear lease contract for up to 5 aircraft that meet the criteria—

(1) described in the Forest Service document entitled "Large Airtanker Modernization Strategy" and dated February 10, 2012, for large airtankers; and

(2) determined by the Secretary, for other aerial assets.

(c) LEASE TERMS.—The term of any individual lease agreement into which the Secretary enters under this section shall be—

(1) up to 5 years, inclusive of any options to renew or extend the initial lease term; and

(2) in accordance with section 3903 of title 41, United States Code.

(d) PROHIBITION.—No lease entered into under this section shall provide for the purchase of the aircraft by, or the transfer of ownership to, the Forest Service.

SEC. 8306. LAND CONVEYANCE, JEFFERSON NATIONAL FOREST IN WISE COUNTY, VIRGINIA.

(a) DEFINITIONS.—In this section:

(1) ASSOCIATION.—The term "Association" means the Mullins and Sturgill Cemetery Association of Pound, Virginia.

(2) MAP.—The term "map" means the map titled "Mullins and Sturgill Cemetery" dated March 1, 2013.

(b) CONVEYANCE REQUIRED.—Upon payment by the Association of the consideration under subsection (c) and the costs under subsection (e), the Secretary shall, subject to valid existing rights, convey to the Association all right, title, and interest of the United States in and to a parcel of National Forest System land in the Jefferson National Forest in Wise County, Virginia, consisting of approximately 0.70 acres and containing the Mullins and Sturgill Cemetery and an easement to provide access to the parcel, as generally depicted on the map.

(c) CONSIDERATION.—

(1) FAIR MARKET VALUE.—As consideration for the land conveyed under subsection (b), the Association shall pay to the Secretary cash in an amount equal to the market value of the land, as determined by an appraisal approved by the Secretary and conducted in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(2) DEPOSIT.—The consideration received by the Secretary under paragraph (1) shall be deposited into the general fund of the Treasury of the United States for the purposes of deficit reduction.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the land to be conveyed under subsection (b) shall be determined by a survey satisfactory to the Secretary.

(e) COSTS.—The Association shall pay to the Secretary at closing the reasonable costs of the survey, the appraisal, and any administrative and environmental analyses required by law.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (b) as the Secretary considers appropriate to protect the interests of the United States.

TITLE IX—ENERGY

SEC. 9001. DEFINITIONS.

Section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101) is amended by—

(1) redesignating paragraphs (9), (10), (11), (12), (13), and (14) as paragraphs (10), (11), (12), (13), (15), and (17);

(2) inserting after paragraph (8), the following new paragraph:

"(9) FOREST PRODUCT.—

"(A) IN GENERAL.—The term 'forest product' means a product made from materials derived from the practice of forestry or the management of growing timber.

"(B) INCLUSIONS.—The term 'forest product' includes—

"(i) pulp, paper, paperboard, pellets, lumber, and other wood products; and

"(ii) any recycled products derived from forest materials.";

(3) by inserting after paragraph (13) (as redesignated by paragraph (1) of this section) the following:

"(14) RENEWABLE CHEMICAL.—The term 'renewable chemical' means a monomer, polymer, plastic, formulated product, or chemical substance produced from renewable biomass."; and

(4) inserting after paragraph (15) (as so redesignated), the following new paragraph:

"(16) RENEWABLE ENERGY SYSTEM.—

"(A) IN GENERAL.—Subject to subparagraph (B), the term 'renewable energy system' means a system that—

"(i) produces usable energy from a renewable energy source; and

"(ii) may include distribution components necessary to move energy produced by such system to the initial point of sale.

"(B) LIMITATION.—A system described in subparagraph (A) may not include a mechanism for dispensing energy at retail.".

SEC. 9002. BIOBASED MARKETS PROGRAM.

(a) IN GENERAL.—Section 9002 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A)(i)—

(i) in subclause (I), by striking "and" at the end;

(ii) in subclause (II)(bb), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(III) establish a targeted biobased-only procurement requirement under which the procuring agency shall issue a certain number of biobased-only contracts when the procuring agency is purchasing products, or purchasing services that include the use of products, that are included in a biobased product category designated by the Secretary."; and

(B) in paragraph (3)—

(i) in subparagraph (B)—

(I) in clause (v), by inserting "as determined to be necessary by the Secretary based on the availability of data," before "provide information";

(II) by redesignating clauses (v) and (vi) as clauses (vii) and (viii), respectively; and

(III) by inserting after clause (iv) the following:

"(v) require reporting of quantities and types of biobased products purchased by procuring agencies;

"(vi) promote biobased products, including forest products, that apply an innovative approach to growing, harvesting, sourcing, procuring, processing, manufacturing, or application of biobased products regardless of the date of entry into the marketplace;"; and

(ii) by adding at the end the following:

"(F) REQUIRED DESIGNATIONS.—Not later than 1 year after the date of enactment of this subparagraph, the Secretary shall begin to designate intermediate ingredients or feedstocks and assembled and finished biobased products in the guidelines issued under this paragraph.";

(2) in subsection (b)—

(A) in paragraph (3)—

(i) by striking "The Secretary" and inserting the following:

"(A) IN GENERAL.—The Secretary"; and

(ii) by adding at the end the following:

"(B) AUDITING AND COMPLIANCE.—The Secretary may carry out such auditing and compliance activities as the Secretary determines to be necessary to ensure compliance with subparagraph (A)."; and

(B) by adding at the end the following:

"(4) ASSEMBLED AND FINISHED PRODUCTS.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall begin issuing criteria for determining which assembled and finished products may qualify to receive the label under paragraph (1).";

(3) in subsection (g)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A) by striking "The report" and inserting "Each report under paragraph (1)";

(ii) in subparagraph (A), by striking "and" at the end;

(iii) in subparagraph (B)(ii), by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following new subparagraph:

"(C) the progress made by other Federal agencies in compliance with the biobased procurement requirements, including the quantity of purchases made."; and

(B) by adding at the end the following:

"(3) ECONOMIC IMPACT STUDY AND REPORT.—

"(A) IN GENERAL.—The Secretary shall conduct a study to assess the economic impact of the biobased products industry, including—

"(i) the quantity of biobased products sold;

"(ii) the value of the biobased products;

"(iii) the quantity of jobs created;

"(iv) the quantity of petroleum displaced;

"(v) other environmental benefits; and

"(vi) areas in which the use or manufacturing of biobased products could be more effectively used, including identifying any technical and economic obstacles and recommending how those obstacles can be overcome.

"(B) REPORT.—Not later than 1 year after the date of enactment of this subparagraph, the Secretary shall submit to Congress a report describing the results of the study conducted under subparagraph (A).";

(4) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively;

(5) by inserting after subsection (f) the following new subsection:

"(g) FOREST PRODUCTS LABORATORY COORDINATION.—In determining whether products are eligible for the 'USDA Certified Biobased Product' label, the Secretary (acting through the Forest Products Laboratory) shall provide appropriate technical and other assistance to the program and applicants for forest products."; and

(6) in subsection (i) (as redesignated by paragraph (4)), by striking paragraphs (1) and (2) and inserting the following new paragraphs:

"(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $3,000,000 for each of fiscal years 2014 through 2018.

"(2) DISCRETIONARY FUNDING.—There is authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2014 through 2018."; and

(7) by adding at the end the following new subsection:

"(j) BIOBASED PRODUCT INCLUSION.—In this section, the term 'biobased product' (as defined in section 9001) includes, with respect to forestry materials, forest products that meet biobased content requirements, notwithstanding the market share the product holds, the age of the product, or whether the market for the product is new or emerging.".

(b) CONFORMING AMENDMENT.—Section 944(c)(2)(A) of the Energy Policy Act of 2005 (42 U.S.C. 16253(c)(2)(A)) is amended by striking "section 9002(h)(1)" and inserting "section 9002(b)".

SEC. 9003. BIOREFINERY ASSISTANCE.

(a) PROGRAM ADJUSTMENTS.—Section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) is amended—

(1) in the section heading, by inserting "**, RENEWABLE CHEMICAL, AND BIOBASED PRODUCT MANUFACTURING**" after "**BIOREFINERY**";

(2) in subsection (a), in the matter preceding paragraph (1), by inserting "renewable chemicals, and biobased product manufacturing" after "advanced biofuels,";

(3) in subsection (b)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(B) by inserting before paragraph (2) (as so redesignated) the following:

"(1) BIOBASED PRODUCT MANUFACTURING.—The term 'biobased product manufacturing' means development, construction, and retrofitting of technologically new commercial-scale processing and manufacturing equipment and required facilities that will be used to convert renewable chemicals and other biobased outputs of biorefineries into end-user products on a commercial scale.";

(4) in subsection (c), by striking "to eligible entities" and all that follows through "guarantees for loans" and inserting "to eligible entities guarantees for loans";

(5) by striking subsection (d);

(6) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively; and

(7) in subsection (d) (as so redesignated)—

(A) in paragraph (1), by adding at the end the following new subparagraph:

"(D) PROJECT DIVERSITY.—In approving loan guarantee applications, the Secretary shall ensure that, to the extent practicable, there is diversity in the types of projects approved for loan guarantees to ensure that as wide a range as possible of technologies, products, and approaches are assisted.".

(B) by striking "subsection (c)(2)" each place it appears and inserting "subsection (c)"; and

(C) in paragraph (2)(C), by striking "subsection (h)" and inserting "subsection (g)".

(b) FUNDING.—Subsection (g) of section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) (as redesignated by paragraph (6)) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) MANDATORY FUNDING.—

"(A) IN GENERAL.—Subject to subparagraph (B), of the funds of the Commodity Credit Corporation, the Secretary shall use for the cost of loan guarantees under this section, to remain available until expended—

"(i) $100,000,000 for fiscal year 2014; and

"(ii) $50,000,000 for each of fiscal years 2015 and 2016.

"(B) BIOBASED PRODUCT MANUFACTURING.—Of the total amount of funds made available for fiscal years 2014 and 2015 under subparagraph (A), the Secretary may use for the cost of loan guarantees under this section not more than 15 percent of such funds to promote biobased product manufacturing."; and

(2) in paragraph (2), by striking "$150,000,000 for each of fiscal years 2009 through 2013" and inserting "$75,000,000 for each of fiscal years 2014 through 2018".

SEC. 9004. REPOWERING ASSISTANCE PROGRAM.

Section 9004(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104(d)) is amended—

(1) in paragraph (1), by striking "$35,000,000 for fiscal year 2009" and inserting "$12,000,000 for fiscal year 2014"; and

(2) in paragraph (2), by striking "$15,000,000 for each of fiscal years 2009 through 2013" and inserting "$10,000,000 for each of fiscal years 2014 through 2018".

SEC. 9005. BIOENERGY PROGRAM FOR ADVANCED BIOFUELS.

Section 9005(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8105(g)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking "; and" and inserting a semicolon;

(B) in subparagraph (D), by striking the period and inserting "; and"; and

(C) by adding at the end the following new subparagraph:

"(E) $15,000,000 for each of fiscal years 2014 through 2018."; and

(2) in paragraph (2), by striking "$25,000,000 for each of fiscal years 2009 through 2013" and inserting "$20,000,000 for each of fiscal years 2014 through 2018".

SEC. 9006. BIODIESEL FUEL EDUCATION PROGRAM.

Section 9006(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(d)) is amended—

(1) in paragraph (1)—

(A) in the heading, by striking "FISCAL YEARS 2009 THROUGH 2012" and inserting "MANDATORY FUNDING" ; and

(B) by striking "2012" and inserting "2018"; and

(2) in paragraph (2)—

(A) in the heading, by striking "AUTHORIZATION OF APPROPRIATIONS" and inserting "DISCRETIONARY FUNDING" ; and

(B) by striking "fiscal year 2013" and inserting "each of fiscal years 2014 through 2018".

SEC. 9007. RURAL ENERGY FOR AMERICA PROGRAM.

(a) PROGRAM ADJUSTMENTS.—Section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (C), by striking "and" at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

"(D) a council (as defined in section 1528 of the Agriculture and Food Act of 1981 (16 U.S.C. 3451)); and"; and

(2) in subsection (c)—

(A) by striking paragraph (3);

(B) by redesignating paragraph (4) as paragraph (3); and

(C) by adding at the end the following:

"(4) TIERED APPLICATION PROCESS.—

"(A) IN GENERAL.—In providing loan guarantees and grants under this subsection, the Secretary shall use a 3-tiered application process that reflects the size of proposed projects in accordance with this paragraph.

"(B) TIER 1.—The Secretary shall establish a separate application process for projects for which the cost of the activity funded under this subsection is not more than $80,000.

"(C) TIER 2.—The Secretary shall establish a separate application process for projects for which the cost of the activity funded under this subsection is greater than $80,000 but less than $200,000.

"(D) TIER 3.—The Secretary shall establish a separate application process for projects for which the cost of the activity funded under this subsection is equal to or greater than $200,000.

"(E) APPLICATION PROCESS.—The Secretary shall establish an application, evaluation, and oversight process that is the most simplified for tier I projects and more comprehensive for each subsequent tier.".

(b) FUNDING.—Section 9007(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(g)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking "; and" and inserting a semicolon;

(B) in subparagraph (D), by striking the period and inserting "; and"; and

(C) by adding at the end the following new subparagraph:

"(E) $50,000,000 for fiscal year 2014 and each fiscal year thereafter."; and

(2) in paragraph (3), by striking "$25,000,000 for each of fiscal years 2009 through 2013" and inserting "$20,000,000 for each of fiscal years 2014 through 2018".

SEC. 9008. BIOMASS RESEARCH AND DEVELOPMENT.

Section 9008(h) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8108(h)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking "; and" and inserting a semicolon;

(B) in subparagraph (D), by striking the period and inserting "; and"; and

(C) by adding at the end the following new subparagraph:

"(E) $3,000,000 for each of fiscal years 2014 through 2017."; and

(2) in paragraph (2), by striking "$35,000,000 for each of fiscal years 2009 through 2013" and inserting "$20,000,000 for each of fiscal years 2014 through 2018".

SEC. 9009. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

Section 9010(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110(b)) is amended—

(1) in paragraph (1)(A), by striking "2013" and inserting "2018"; and

(2) in paragraph (2)(A), by striking "2013" and inserting "2018".

SEC. 9010. BIOMASS CROP ASSISTANCE PROGRAM.

Section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) is amended to read as follows:

"SEC. 9011. BIOMASS CROP ASSISTANCE PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) BCAP.—The term 'BCAP' means the Biomass Crop Assistance Program established under this section.

"(2) BCAP PROJECT AREA.—The term 'BCAP project area' means an area that—

"(A) has specified boundaries that are submitted to the Secretary by the project sponsor and subsequently approved by the Secretary;

"(B) includes producers with contract acreage that will supply a portion of the renewable biomass needed by a biomass conversion facility; and

"(C) is physically located within an economically practicable distance from the biomass conversion facility.

"(3) CONTRACT ACREAGE.—The term 'contract acreage' means eligible land that is covered by a BCAP contract entered into with the Secretary.

"(4) ELIGIBLE CROP.—

"(A) IN GENERAL.—The term 'eligible crop' means a crop of renewable biomass.

"(B) EXCLUSIONS.—The term 'eligible crop' does not include—

"(i) any crop that is eligible to receive payments under title I of the Agricultural Act of 2014 or an amendment made by that title; or

"(ii) any plant that is invasive or noxious or species or varieties of plants that credible risk assessment tools or other credible sources determine are potentially invasive, as determined by the Secretary in consultation with other appropriate Federal or State departments and agencies.

"(5) ELIGIBLE LAND.—

"(A) IN GENERAL.—The term 'eligible land' includes—

"(i) agricultural and nonindustrial private forest lands (as defined in section 5(c) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103a(c)); and

"(ii) land enrolled in the conservation reserve program established under subchapter B of chapter I of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.), or the Agricultural Conservation Easement Program established under subtitle H of title XII of that Act, under a contract that will expire at the end of the current fiscal year.

"(B) EXCLUSIONS.—The term 'eligible land' does not include—

"(i) Federal- or State-owned land;

"(ii) land that is native sod, as of the date of enactment of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.);

"(iii) land enrolled in the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.), other than land described in subparagraph (A)(ii); or

"(iv) land enrolled in the Agricultural Conservation Easement Program established under subtitle H of title XII of that Act, other than land described in subparagraph (A)(ii).

"(6) ELIGIBLE MATERIAL.—

"(A) IN GENERAL.—The term 'eligible material' means renewable biomass harvested directly from the land, including crop residue from any crop that is eligible to receive payments under title I of the Agricultural Act of 2014 or an amendment made by that title.

"(B) INCLUSIONS.—The term 'eligible material' shall only include—

"(i) eligible material that is collected or harvested by the eligible material owner—

"(I) directly from—

"(aa) National Forest System;

"(bb) Bureau of Land Management land;

"(cc) non-Federal land; or

"(dd) land owned by an individual Indian or Indian tribe that is held in trust by the United States for the benefit of the individual Indian or Indian tribe or subject to a restriction against alienation imposed by the United States;

"(II) in a manner that is consistent with—

"(aa) a conservation plan;

"(bb) a forest stewardship plan; or

"(cc) a plan that the Secretary determines is equivalent to a plan described in item (aa) or (bb) and consistent with Executive Order 13112 (42 U.S.C. 4321 note; relating to invasive species);

"(ii) if woody eligible material, woody eligible material that is produced on land other than contract acreage that—

"(I) is a byproduct of a preventative treatment that is removed to reduce hazardous fuel or to reduce or contain disease or insect infestation; and

"(II) if harvested from Federal land, is harvested in accordance with section 102(e) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6512(e)); and

"(iii) eligible material that is delivered to a qualified biomass conversion facility to be used for heat, power, biobased products, research, or advanced biofuels.

"(C) EXCLUSIONS.—The term 'eligible material' does not include—

"(i) material that is whole grain from any crop that is eligible to receive payments under title I of the Agricultural Act of 2014 or an amendment made by that title, including—

"(I) barley, corn, grain sorghum, oats, rice, or wheat;
"(II) honey;
"(III) mohair;
"(IV) oilseeds, including canola, crambe, flaxseed, mustard seed, rapeseed, safflower seed, soybeans, sesame seed, and sunflower seed;
"(V) peanuts;
"(VI) pulse;
"(VII) chickpeas, lentils, and dry peas;
"(VIII) dairy products;
"(IX) sugar; and
"(X) wool and cotton boll fiber;
"(ii) animal waste and byproducts, including fat, oil, grease, and manure;
"(iii) food waste and yard waste;
"(iv) algae;
"(v) woody eligible material that—
"(I) is removed outside contract acreage; and
"(II) is not a byproduct of a preventative treatment to reduce hazardous fuel or to reduce or contain disease or insect infestation;
"(vi) any woody eligible material collected or harvested outside contract acreage that would otherwise be used for existing market products; or
"(vii) bagasse.

"(7) PRODUCER.—The term 'producer' means an owner or operator of contract acreage that is physically located within a BCAP project area.

"(8) PROJECT SPONSOR.—The term 'project sponsor' means—
"(A) a group of producers; or
"(B) a biomass conversion facility.

"(9) SOCIALLY DISADVANTAGED FARMER OR RANCHER.—The term 'socially disadvantaged farmer or rancher' has the meaning given the term in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)).

"(b) ESTABLISHMENT AND PURPOSE.—The Secretary shall establish and administer a Biomass Crop Assistance Program to—

"(1) support the establishment and production of eligible crops for conversion to bioenergy in selected BCAP project areas; and

"(2) assist agricultural and forest land owners and operators with the collection, harvest, storage, and transportation of eligible material for use in a biomass conversion facility.

"(c) BCAP PROJECT AREA.—

"(1) IN GENERAL.—The Secretary shall provide financial assistance to a producer of an eligible crop in a BCAP project area.

"(2) SELECTION OF PROJECT AREAS.—
"(A) IN GENERAL.—To be considered for selection as a BCAP project area, a project sponsor shall submit to the Secretary a proposal that, at a minimum, includes—
"(i) a description of the eligible land and eligible crops of each producer that will participate in the proposed BCAP project area;
"(ii) a letter of commitment from a biomass conversion facility that the facility will use the eligible crops

intended to be produced in the proposed BCAP project area;

"(iii) evidence that the biomass conversion facility has sufficient equity available, as determined by the Secretary, if the biomass conversion facility is not operational at the time the proposal is submitted to the Secretary; and

"(iv) any other information about the biomass conversion facility or proposed biomass conversion facility that the Secretary determines necessary for the Secretary to be reasonably assured that the plant will be in operation by the date on which the eligible crops are ready for harvest.

"(B) BCAP PROJECT AREA SELECTION CRITERIA.—In selecting BCAP project areas, the Secretary shall consider—

"(i) the volume of the eligible crops proposed to be produced in the proposed BCAP project area and the probability that those crops will be used for the purposes of the BCAP;

"(ii) the volume of renewable biomass projected to be available from sources other than the eligible crops grown on contract acres;

"(iii) the anticipated economic impact in the proposed BCAP project area;

"(iv) the opportunity for producers and local investors to participate in the ownership of the biomass conversion facility in the proposed BCAP project area;

"(v) the participation rate by—

"(I) beginning farmers or ranchers (as defined in accordance with section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))); or

"(II) socially disadvantaged farmers or ranchers;

"(vi) the impact on soil, water, and related resources;

"(vii) the variety in biomass production approaches within a project area, including (as appropriate)—

"(I) agronomic conditions;

"(II) harvest and postharvest practices; and

"(III) monoculture and polyculture crop mixes;

"(viii) the range of eligible crops among project areas;

"(ix) existing project areas that have received funding under this section and the continuation of funding of such project areas to advance the maturity of such project areas; and

"(x) any additional information that the Secretary determines to be necessary.

"(3) CONTRACT.—

"(A) IN GENERAL.—On approval of a BCAP project area by the Secretary, each producer in the BCAP project area shall enter into a contract directly with the Secretary.

"(B) MINIMUM TERMS.—At a minimum, a contract under this subsection shall include terms that cover—

"(i) an agreement to make available to the Secretary, or to an institution of higher education or other entity designated by the Secretary, such information as the Secretary considers to be appropriate to promote the production of eligible crops and the development of biomass conversion technology;

"(ii) compliance with the highly erodible land conservation requirements of subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) and the wetland conservation requirements of subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

"(iii) the implementation of (as determined by the Secretary)—

"(I) a conservation plan;

"(II) a forest stewardship plan; or

"(III) a plan that is equivalent to a conservation or forest stewardship plan; and

"(iv) any additional requirements that Secretary determines to be necessary.

"(C) DURATION.—A contract under this subsection shall have a term of not more than—

"(i) 5 years for annual and perennial crops; or

"(ii) 15 years for woody biomass.

"(4) RELATIONSHIP TO OTHER PROGRAMS.—In carrying out this subsection, the Secretary shall provide for the preservation of cropland base and yield history applicable to the land enrolled in a BCAP contract.

"(5) PAYMENTS.—

"(A) IN GENERAL.—The Secretary shall make establishment and annual payments directly to producers to support the establishment and production of eligible crops on contract acreage.

"(B) AMOUNT OF ESTABLISHMENT PAYMENTS.—

"(i) IN GENERAL.—Subject to clause (ii), the amount of an establishment payment under this subsection shall be not more than 50 percent of the costs of establishing an eligible perennial crop covered by the contract but not to exceed $500 per acre, including—

"(I) the cost of seeds and stock for perennials;

"(II) the cost of planting the perennial crop, as determined by the Secretary; and

"(III) in the case of nonindustrial private forestland, the costs of site preparation and tree planting.

"(ii) SOCIALLY DISADVANTAGED FARMERS OR RANCHERS.—In the case of socially disadvantaged farmers or ranchers, the costs of establishment may not exceed $750 per acre.

"(C) AMOUNT OF ANNUAL PAYMENTS.—

"(i) IN GENERAL.—Subject to clause (ii), the amount of an annual payment under this subsection shall be determined by the Secretary.

"(ii) REDUCTION.—The Secretary shall reduce an annual payment by an amount determined to be appropriate by the Secretary, if—

"(I) an eligible crop is used for purposes other than the production of energy at the biomass conversion facility;

"(II) an eligible crop is delivered to the biomass conversion facility;

"(III) the producer receives a payment under subsection (d);

"(IV) the producer violates a term of the contract; or

"(V) the Secretary determines a reduction is necessary to carry out this section.

"(D) EXCLUSION.—The Secretary shall not make any BCAP payments on land for which payments are received under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) or the agricultural conservation easement program established under subtitle H of title XII of that Act.

"(d) ASSISTANCE WITH COLLECTION, HARVEST, STORAGE, AND TRANSPORTATION.—

"(1) IN GENERAL.—The Secretary shall make a payment for the delivery of eligible material to a biomass conversion facility to—

"(A) a producer of an eligible crop that is produced on BCAP contract acreage; or

"(B) a person with the right to collect or harvest eligible material, regardless of whether the eligible material is produced on contract acreage.

"(2) PAYMENTS.—

"(A) COSTS COVERED.—A payment under this subsection shall be in an amount described in subparagraph (B) for—

"(i) collection;

"(ii) harvest;

"(iii) storage; and

"(iv) transportation to a biomass conversion facility.

"(B) AMOUNT.—Subject to paragraph (3), the Secretary may provide matching payments at a rate of up to $1 for each $1 per ton provided by the biomass conversion facility, in an amount not to exceed $20 per dry ton for a period of 2 years.

"(3) LIMITATION ON ASSISTANCE FOR BCAP CONTRACT ACREAGE.—As a condition of the receipt of an annual payment under subsection (c), a producer receiving a payment under this subsection for collection, harvest, storage, or transportation of an eligible crop produced on BCAP acreage shall agree to a reduction in the annual payment.

"(e) REPORT.—Not later than 4 years after the date of enactment of the Agricultural Act of 2014, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the dissemination by the Secretary of the best practice data and information gathered from participants receiving assistance under this section.

"(f) FUNDING.—

"(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $25,000,000 for each of fiscal years 2014 through 2018.

"(2) COLLECTION, HARVEST, STORAGE, AND TRANSPORTATION PAYMENTS.—Of the amount made available under paragraph (1) for each fiscal year, the Secretary shall use not less than 10 percent, nor more than 50 percent, of the amount to make collection, harvest, transportation, and storage payments under subsection (d)(2).

"(3) TECHNICAL ASSISTANCE.—

"(A) IN GENERAL.—Effective for fiscal year 2014 and each subsequent fiscal year, funds made available under this subsection shall be available for the provision of technical assistance with respect to activities authorized under this section.

"(B) RELATIONSHIP TO OTHER LAWS.—To the extent funds obligated or expended under subparagraph (A) include funds of the Commodity Credit Corporation, such funds shall not be considered an allotment or fund transfer from the Commodity Credit Corporation for purposes of the limit on expenditures for technical assistance imposed by section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i).".

SEC. 9011. REPEAL OF FOREST BIOMASS FOR ENERGY.

Section 9012 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8112) is repealed.

SEC. 9012. COMMUNITY WOOD ENERGY PROGRAM.

(a) DEFINITION OF BIOMASS CONSUMER COOPERATIVE.—Section 9013(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(a)) is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(2) by inserting before paragraph (2) (as so redesignated) the following:

"(1) BIOMASS CONSUMER COOPERATIVE.—The term 'biomass consumer cooperative' means a consumer membership organization the purpose of which is to provide members with services or discounts relating to the purchase of biomass heating products or biomass heating systems.".

(b) GRANT PROGRAM.—Section 9013(b)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(b)(1)) is amended—

(1) in subparagraph (A), by striking "and" after the semicolon at the end;

(2) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(C) grants of up to $50,000 to biomass consumer cooperatives for the purpose of establishing or expanding biomass consumer cooperatives that will provide consumers with services or discounts relating to—

"(i) the purchase of biomass heating systems;

"(ii) biomass heating products, including wood chips, wood pellets, and advanced biofuels; or

"(iii) the delivery and storage of biomass of heating products.".

(c) MATCHING FUNDS.—Section 9013(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(d)) is amended—

(1) by striking "A State or local government that receives a grant under subsection (b)" and inserting the following:

"(1) STATE AND LOCAL GOVERNMENTS.—A State or local government that receives a grant under subparagraph (A) or (B) of subsection (b)(1)"; and

(2) by adding at the end the following:

"(2) BIOMASS CONSUMER COOPERATIVES.—A biomass consumer cooperative that receives a grant under subsection (b)(1)(C) shall contribute an amount of non-Federal funds (which may include State, local, and nonprofit funds and membership dues) toward the establishment or expansion of a biomass consumer cooperative that is at least equal to 50 percent of the amount of Federal funds received for that purpose.".

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 9013(e) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(e)) is amended by striking "2013" and inserting "2018".

SEC. 9013. REPEAL OF BIOFUELS INFRASTRUCTURE STUDY.

Section 9002 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2095) is repealed.

SEC. 9014. REPEAL OF RENEWABLE FERTILIZER STUDY.

Section 9003 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2096) is repealed.

SEC. 9015. ENERGY EFFICIENCY REPORT FOR USDA FACILITIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on energy use and energy efficiency projects at the Washington, District of Columbia, headquarters and the major regional facilities of the Department of Agriculture.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An analysis of energy use by the Department of Agriculture headquarters and major regional facilities.

(2) A list of energy audits that have been conducted at such facilities.

(3) A list of energy efficiency projects that have been conducted at such facilities.

(4) A list of energy savings projects that could be achieved with enacting a consistent, timely, and proper mechanical insulation maintenance program and upgrading mechanical insulation at such facilities.

TITLE X—HORTICULTURE

SEC. 10001. SPECIALTY CROPS MARKET NEWS ALLOCATION.

Section 10107(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622b(b)) is amended by striking "2012" and inserting "2018".

7 USC 1622c note.

SEC. 10002. REPEAL OF GRANT PROGRAM TO IMPROVE MOVEMENT OF SPECIALTY CROPS.

Effective October 1, 2013, section 10403 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622c) is repealed.

SEC. 10003. FARMERS' MARKET AND LOCAL FOOD PROMOTION PROGRAM.

Section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005) is amended—

(1) in the section heading, by inserting "**AND LOCAL FOOD**" after "**FARMERS' MARKET**";

(2) in subsection (a)—

(A) by inserting "and Local Food" after "Farmers' Market";

(B) by striking "farmers' markets and to promote"; and

(C) by striking the period and inserting "and assist in the development of local food business enterprises.";

(3) by striking subsection (b) and inserting the following:

"(b) PROGRAM PURPOSES.—The purposes of the Program are to increase domestic consumption of and access to locally and regionally produced agricultural products, and to develop new market opportunities for farm and ranch operations serving local markets, by developing, improving, expanding, and providing outreach, training, and technical assistance to, or assisting in the development, improvement and expansion of—

"(1) domestic farmers' markets, roadside stands, community-supported agriculture programs, agritourism activities, and other direct producer-to-consumer market opportunities; and

"(2) local and regional food business enterprises (including those that are not direct producer-to-consumer markets) that process, distribute, aggregate, or store locally or regionally produced food products.";

(4) in subsection (c)(1)—

(A) by inserting "or other agricultural business entity" after "cooperative"; and

(B) by inserting ", including a community supported agriculture network or association" after "association";

(5) by redesignating subsection (e) as subsection (g);

(6) by inserting after subsection (d) the following:

"(e) PRIORITIES.—In providing grants under the Program, priority shall be given to applications that include projects that benefit underserved communities, including communities that—

"(1) are located in areas of concentrated poverty with limited access to fresh locally or regionally grown foods; and

"(2) have not received benefits from the Program in the recent past.

"(f) FUNDS REQUIREMENTS FOR ELIGIBLE ENTITIES.—

"(1) MATCHING FUNDS.—An entity receiving a grant under this section for a project to carry out a purpose described in subsection (b)(2) shall provide matching funds in the form of cash or an in-kind contribution in an amount equal to 25 percent of the total cost of the project.

"(2) LIMITATION ON USE OF FUNDS.—An eligible entity may not use a grant or other assistance provided under this section for the purchase, construction, or rehabilitation of a building or structure."; and

(7) in subsection (g) (as redesignated by paragraph (5))—

(A) in paragraph (1)—

(i) in the paragraph heading, by striking "FISCAL YEARS 2008 THROUGH 2012" and inserting "MANDATORY FUNDING";

(ii) in subparagraph (B), by striking "and" at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following:

"(D) $30,000,000 for each of fiscal years 2014 through 2018.";

(B) by striking paragraphs (3) and (5);

(C) by redesignating paragraph (4) as paragraph (6); and

(D) by inserting after paragraph (2) the following:

"(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014 through 2018.

"(4) USE OF FUNDS.—Of the funds made available to carry out this section for a fiscal year—

"(A) 50 percent of the funds shall be used for the purposes described in subsection (b)(1); and

"(B) 50 percent of the funds shall be used for the purposes described in subsection (b)(2).

"(5) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 4 percent of the total amount made available to carry out this section for a fiscal year may be used for administrative expenses.".

SEC. 10004. ORGANIC AGRICULTURE.

(a) ORGANIC PRODUCTION AND MARKET DATA INITIATIVES.—Section 7407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5925c) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting "and annually thereafter" after "this subsection";

(B) in paragraph (1), by striking "and" at the end;

(C) by redesignating paragraph (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following:

"(2) describes how data collection agencies (such as the Agricultural Marketing Service and the National Agricultural Statistics Service) are coordinating with data user agencies (such as the Risk Management Agency) to ensure that data collected under this section can be used by data user agencies, including by the Risk Management Agency to offer price elections for all organic crops; and"; and

(2) in subsection (d)—

(A) by striking paragraph (3);

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

"(2) MANDATORY FUNDING.—In addition to any funds made available under paragraph (1), of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $5,000,000, to remain available until expended."; and

(D) in paragraph (3) (as redesignated by subparagraph (B))—

(i) in the paragraph heading, by striking "FOR FISCAL YEARS 2008 THROUGH 2012";

(ii) by striking "paragraph (1)" and inserting "paragraphs (1) and (2)"; and

(iii) by striking "2012" and inserting "2018".

(b) MODERNIZATION AND TECHNOLOGY UPGRADE FOR NATIONAL ORGANIC PROGRAM.—Section 2123 of the Organic Foods Production Act of 1990 (7 U.S.C. 6522) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking "and" at the end;

(B) by redesignating paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following:

"(6) $15,000,000 for each of fiscal years 2014 through 2018; and"; and

(2) by adding at the end the following:

"(c) MODERNIZATION AND TECHNOLOGY UPGRADE FOR NATIONAL ORGANIC PROGRAM.—

"(1) IN GENERAL.—The Secretary shall modernize database and technology systems of the national organic program.

"(2) FUNDING.—Of the funds of the Commodity Credit Corporation and in addition to any other funds made available for that purpose, the Secretary shall make available to carry out this subsection $5,000,000 for fiscal year 2014, to remain available until expended.".

(c) NATIONAL ORGANIC CERTIFICATION COST-SHARE PROGRAM.—Section 10606(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523(d)) is amended by striking paragraph (1) and inserting the following:

"(1) MANDATORY FUNDING FOR FISCAL YEARS 2014 THROUGH 2018.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section $11,500,000 for each of fiscal years 2014 through 2018, to remain available until expended.".

(d) EXEMPTION OF CERTIFIED ORGANIC PRODUCTS FROM PROMOTION ORDER ASSESSMENTS.—Section 501 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401) is amended by striking subsection (e) and inserting the following;

"(e) EXEMPTION OF CERTIFIED ORGANIC PRODUCTS FROM PROMOTION ORDER ASSESSMENTS.—

"(1) IN GENERAL.—Notwithstanding any provision of a commodity promotion law, a person that produces, handles, markets, or imports organic products may be exempt from the payment of an assessment under a commodity promotion law with respect to any agricultural commodity that is certified as 'organic' or '100 percent organic' (as defined in part 205 of title 7, Code of Federal Regulations (or a successor regulation)).

"(2) SPLIT OPERATIONS.—The exemption described in paragraph (1) shall apply to the certified 'organic' or '100 percent organic' (as defined in part 205 of title 7 of the Code of Federal Regulations (or a successor regulation)) products of a producer, handler, or marketer regardless of whether the agricultural commodity subject to the exemption is produced, handled, or marketed by a person that also produces, handles, or markets

conventional or nonorganic agricultural products, including conventional or nonorganic agricultural products of the same agricultural commodity as that for which the exemption is claimed.

"(3) APPROVAL.—The Secretary shall approve the exemption of a person under this subsection if the person maintains a valid organic certificate issued under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

"(4) TERMINATION OF EFFECTIVENESS.—This subsection shall be effective until the date on which the Secretary issues an organic commodity promotion order in accordance with subsection (f).

"(5) REGULATIONS.—The Secretary shall promulgate regulations concerning eligibility and compliance for an exemption under paragraph (1).".

(e) ORGANIC COMMODITY PROMOTION ORDER.—Section 501 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401) is amended by adding at the end the following:

"(f) ORGANIC COMMODITY PROMOTION ORDER.—

"(1) DEFINITIONS.—In this subsection:

"(A) CERTIFIED ORGANIC FARM.—The term 'certified organic farm' has the meaning given the term in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502).

"(B) COVERED PERSON.—The term 'covered person' means a producer, handler, marketer, or importer of an organic agricultural commodity.

"(C) DUAL-COVERED AGRICULTURAL COMMODITY.—The term 'dual-covered agricultural commodity' means an agricultural commodity that—

"(i) is produced on a certified organic farm; and

"(ii) is covered under both—

"(I) an organic commodity promotion order issued pursuant to paragraph (2); and

"(II) any other agricultural commodity promotion order issued under section 514.

"(2) AUTHORIZATION.—The Secretary may issue an organic commodity promotion order under section 514 that includes any agricultural commodity that—

"(A) is produced or handled (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502)) and that is certified to be sold or labeled as 'organic' or '100 percent organic' (as defined in part 205 of title 7, Code of Federal Regulations (or a successor regulation)); or

"(B) is imported with a valid organic certificate (as defined in that part).

"(3) ELECTION.—If the Secretary issues an organic commodity promotion order described in paragraph (2), a covered person may elect, for applicable dual-covered agricultural commodities and in the sole discretion of the covered person, whether to be assessed under the organic commodity promotion order or another applicable agricultural commodity promotion order.

"(4) REGULATIONS.—The Secretary shall promulgate regulations concerning eligibility and compliance for an exemption under paragraph (1).".

(f) DEFINITION OF AGRICULTURAL COMMODITY.—Section 513(1) of the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7412(1)) is amended—

(1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(2) by inserting after subparagraph (D) the following:

"(E) products, as a class, that are—

"(i) produced on a certified organic farm (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502)); and

"(ii) certified to be sold or labeled as 'organic' or '100 percent organic' (as defined in part 205 of title 7, Code of Federal Regulations (or a successor regulation));".

SEC. 10005. INVESTIGATIONS AND ENFORCEMENT OF THE ORGANIC FOODS PRODUCTION ACT OF 1990.

(a) RECORDKEEPING BY CERTIFIED OPERATIONS.—Section 2112 of the Organic Foods Production Act of 1990 (7 U.S.C. 6511) is amended by striking subsection (d).

(b) RECORDKEEPING BY CERTIFYING AGENTS.—

(1) IN GENERAL.—Section 2116 of the Organic Foods Production Act of 1990 (7 U.S.C. 6515) is amended—

(A) by striking subsection (c);

(B) by redesignating subsections (d) through (j) as subsections (c) through (i), respectively; and

(C) in subsection (d) (as so redesignated), in the matter preceding paragraph (1), by striking "subsection (d)" and inserting "subsection (c)".

(2) CONFORMING AMENDMENT.—Section 2107(a)(8) of the Organic Foods Production Act of 1990 (7 U.S.C. 6506(a)(8)) is amended by striking "section 2116(h)" and inserting "section 2116(g)".

(c) RECORDKEEPING, INVESTIGATIONS, AND ENFORCEMENT.—Section 2120 of the Organic Foods Production Act of 1990 (7 U.S.C. 6519) is amended to read as follows:

"SEC. 2120. RECORDKEEPING, INVESTIGATIONS, AND ENFORCEMENT.

"(a) RECORDKEEPING.—

"(1) IN GENERAL.—Except as otherwise provided in this title, each person who sells, labels, or represents any agricultural product as having been produced or handled using organic methods shall make available to the Secretary or the applicable governing State official, on request by the Secretary or official, all records associated with the agricultural product.

"(2) CERTIFIED OPERATIONS.—Each producer that operates a certified organic farm or certified organic handling operation under this title shall maintain, for a period of not less than 5 years, all records concerning the production or handling of any agricultural product sold or labeled as organically produced under this title, including—

"(A) a detailed history of substances applied to fields or agricultural products;

"(B) the name and address of each person who applied such a substance; and

"(C) the date, rate, and method of application of each such substance.

"(3) CERTIFYING AGENTS.—

"(A) MAINTENANCE OF RECORDS.—A certifying agent shall maintain all records concerning the activities of the certifying agent under this title for a period of not less than 10 years.

"(B) ACCESS FOR SECRETARY.—A certifying agent shall provide to the Secretary and the applicable governing State official (or a representative) access to all records concerning the activities of the certifying agent under this title.

"(C) TRANSFERENCE OF RECORDS.—If a private person that was certified under this title is dissolved or loses accreditation, all records and copies of records concerning the activities of the person under this title shall be—

"(i) transferred to the Secretary; and

"(ii) made available to the applicable governing State official.

"(4) UNLAWFUL ACT.—It shall be unlawful and a violation of this title for any person covered by this title to fail or refuse to provide accurate information (including a delay in the timely delivery of such information) required by the Secretary under this title.

"(5) CONFIDENTIALITY.—Except as provided in section 2107(a)(9), or as otherwise directed by the Secretary or the Attorney General for enforcement purposes, no officer, employee, or agent of the United States shall make available to the public any information, statistic, or document obtained from, or made available by, any person under this title, other than in a manner that ensures that confidentiality is preserved regarding—

"(A) the identity of all relevant persons (including parties to a contract); and

"(B) proprietary business information.

"(b) INVESTIGATIONS.—

"(1) IN GENERAL.—The Secretary may take such investigative actions as the Secretary considers to be necessary—

"(A) to verify the accuracy of any information reported or made available under this title; and

"(B) to determine whether a person covered by this title has committed a violation of any provision of this title, including an order or regulation promulgated by the Secretary pursuant to this title.

"(2) SPECIFIC INVESTIGATIVE POWERS.—In carrying out this title, the Secretary may—

"(A) administer oaths and affirmations;

"(B) subpoena witnesses;

"(C) compel attendance of witnesses;

"(D) take evidence; and

"(E) require the production of any records required to be maintained under this title that are relevant to an investigation.

"(c) VIOLATIONS OF TITLE.—

"(1) MISUSE OF LABEL.—Any person who knowingly sells or labels a product as organic, except in accordance with this title, shall be subject to a civil penalty of not more than $10,000.

"(2) FALSE STATEMENT.—Any person who makes a false statement under this title to the Secretary, a governing State official, or a certifying agent shall be punished in accordance with section 1001 of title 18, United States Code.

"(3) INELIGIBILITY.—

"(A) IN GENERAL.—Except as provided in subparagraph (C), any person that carries out an activity described in subparagraph (B), after notice and an opportunity to be heard, shall not be eligible, for the 5-year period beginning on the date of the occurrence, to receive a certification under this title with respect to any farm or handling operation in which the person has an interest.

"(B) DESCRIPTION OF ACTIVITIES.—An activity referred to in subparagraph (A) is—

"(i) making a false statement;

"(ii) attempting to have a label indicating that an agricultural product is organically produced affixed to an agricultural product that a person knows, or should have reason to know, to have been produced or handled in a manner that is not in accordance with this title; or

"(iii) otherwise violating the purposes of the applicable organic certification program, as determined by the Secretary.

"(C) WAIVER.—Notwithstanding subparagraph (A), the Secretary may modify or waive a period of ineligibility under this paragraph if the Secretary determines that the modification or waiver is in the best interests of the applicable organic certification program established under this title.

"(4) REPORTING OF VIOLATIONS.—A certifying agent shall immediately report any violation of this title to the Secretary or the applicable governing State official.

"(5) VIOLATIONS BY CERTIFYING AGENT.—A certifying agent that is a private person that violates the provisions of this title or falsely or negligently certifies any farming or handling operation that does not meet the terms and conditions of the applicable organic certification program as an organic operation, as determined by the Secretary or the applicable governing State official shall, after notice and an opportunity to be heard—

"(A) lose accreditation as a certifying agent under this title; and

"(B) be ineligible to be accredited as a certifying agent under this title for a period of not less than 3 years, beginning on the date of the determination.

"(6) EFFECT ON OTHER LAW.—Nothing in this title alters—

"(A) the authority of the Secretary concerning meat, poultry and egg products under—

"(i) the Federal Meat Inspection Act (21 U.S.C. 601 et seq.);

"(ii) the Poultry Products Inspection Act (21 U.S.C. 451 et seq.); or

"(iii) the Egg Products Inspection Act (21 U.S.C. 1031 et seq.);

"(B) the authority of the Secretary of Health and Human Services under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

"(C) the authority of the Administrator of the Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).".

SEC. 10006. FOOD SAFETY EDUCATION INITIATIVES.

Section 10105(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7655a(c)) is amended by striking "2012" and inserting "2018".

SEC. 10007. CONSOLIDATION OF PLANT PEST AND DISEASE MANAGEMENT AND DISASTER PREVENTION PROGRAMS.

(a) RELOCATION OF LEGISLATIVE LANGUAGE RELATING TO NATIONAL CLEAN PLANT NETWORK.—Section 420 of the Plant Protection Act (7 U.S.C. 7721) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

"(e) NATIONAL CLEAN PLANT NETWORK.—

"(1) IN GENERAL.—The Secretary shall establish a program to be known as the 'National Clean Plant Network' (referred to in this subsection as the 'Program').

"(2) REQUIREMENTS.—Under the Program, the Secretary shall establish a network of clean plant centers for diagnostic and pathogen elimination services—

"(A) to produce clean propagative plant material; and

"(B) to maintain blocks of pathogen-tested plant material in sites located throughout the United States.

"(3) AVAILABILITY OF CLEAN PLANT SOURCE MATERIAL.—Clean plant source material may be made available to—

"(A) a State for a certified plant program of the State; and

"(B) private nurseries and producers.

"(4) CONSULTATION AND COLLABORATION.—In carrying out the Program, the Secretary shall—

"(A) consult with—

"(i) State departments of agriculture; and

"(ii) land-grant colleges and universities and NLGCA Institutions (as those terms are defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); and

"(B) to the extent practicable and with input from the appropriate State officials and industry representatives, use existing Federal or State facilities to serve as clean plant centers.

"(5) FUNDING FOR FISCAL YEAR 2013.—There is authorized to be appropriated to carry out the Program $5,000,000 for fiscal year 2013.".

(b) FUNDING.—Subsection (f) of section 420 of the Plant Protection Act (7 U.S.C. 7721) (as so redesignated) is amended—

(1) in paragraph (3), by striking "and" at the end;

(2) in paragraph (4), by striking "and each fiscal year thereafter." and inserting a semicolon; and

(3) by adding at the end the following:

"(5) $62,500,000 for each of fiscal years 2014 through 2017; and

"(6) $75,000,000 for fiscal year 2018 and each fiscal year thereafter.".

(c) REPEAL OF EXISTING PROVISION.—Section 10202 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7761) is repealed.

(d) USE OF FUNDS FOR CLEAN PLANT NETWORK.—Section 420 of the Plant Protection Act (7 U.S.C. 7721) (as amended by subsection (a)), is amended by adding at the end the following:

"(g) USE OF FUNDS FOR CLEAN PLANT NETWORK.—Of the funds made available under subsection (f) to carry out this section for a fiscal year, not less than $5,000,000 shall be available to carry out the National Clean Plant Network under subsection (e).

"(h) LIMITATION ON INDIRECT COSTS FOR THE CONSOLIDATION OF PLANT PEST AND DISEASE MANAGEMENT AND DISASTER PREVENTION PROGRAMS.—Indirect costs charged against a cooperative agreement under this section shall not exceed the lesser of—

"(1) 15 percent of the total Federal funds provided under the cooperative agreement, as determined by the Secretary; and

"(2) the indirect cost rate applicable to the recipient as otherwise established by law.".

SEC. 10008. IMPORTATION OF SEED.

Section 17(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136o(c)) is amended—

(1) by striking "The Secretary" and inserting the following:

"(1) IN GENERAL.—The Secretary"; and

(2) by adding at the end the following:

"(2) IMPORTATION OF SEED.—Notwithstanding any other provision of law, no person is required to notify the Administrator of the arrival of a plant-incorporated protectant (as defined in section 174.3 of title 40, Code of Federal Regulations (or any successor regulation)) that is contained in a seed, if—

"(A) that plant-incorporated protectant is registered under section 3;

"(B) the Administrator has issued an experimental use permit for that plant-incorporated protectant under section 5; or

"(C) the seed is covered by a permit (as defined in part 340 of title 7, Code of Federal Regulations (or any successor regulation)) or a notification.

"(3) COOPERATION.—

"(A) IN GENERAL.—In response to a request from the Administrator, the Secretary of Agriculture shall provide to the Administrator a list of seed containing plant-incorporated protectants (as defined in section 174.3 of title 40, Code of Federal Regulations (or any successor regulation)) if the importation of that seed into the United States has been approved under a permit or notification referred to in paragraph (2).

"(B) CONTENTS.—The list under subparagraph (A) shall be provided in a form and at such intervals as may be agreed to by the Secretary and the Administrator.

"(4) APPLICABILITY.—Nothing in this subsection precludes or limits the authority of the Secretary of Agriculture with respect to the importation or movement of plants, plant products, or seeds under—

"(A) the Plant Protection Act (7 U.S.C. 7701 et seq.); and

"(B) the Federal Seed Act (7 U.S.C. 1551 et seq.).".

SEC. 10009. BULK SHIPMENTS OF APPLES TO CANADA.

(a) BULK SHIPMENT OF APPLES TO CANADA.—Section 4 of the Export Apple Act (7 U.S.C. 584) is amended—

(1) by striking "SEC. 4. Apples in" and inserting the following:

"SEC. 4. EXEMPTIONS.

"(a) IN GENERAL.—Apples in"; and

(2) by adding at the end the following:

"(b) BULK CONTAINERS.—Apples may be shipped to Canada in bulk containers without complying with the provisions of this Act.".

(b) DEFINITION OF BULK CONTAINER.—Section 9 of the Export Apple Act (7 U.S.C. 589) is amended by adding at the end the following:

"(5) The term 'bulk container' means a container that contains a quantity of apples weighing more than 100 pounds.".

(c) REGULATIONS.—Not later than 60 days after the date of enactment of this Act, the Secretary shall issue regulations to carry out the amendments made by this section.

SEC. 10010. SPECIALTY CROP BLOCK GRANTS.

Section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465) is amended—

(1) in subsection (a)—

(A) by striking "subsection (j)" and inserting "subsection (l)"; and

(B) by striking "2012" and inserting "2018";

(2) by striking subsection (b) and inserting the following:

"(b) GRANTS BASED ON VALUE AND ACREAGE.—Subject to subsection (c), for each State whose application for a grant for a fiscal year that is accepted by the Secretary under subsection (f), the amount of the grant for that fiscal year to the State under this section shall bear the same ratio to the total amount made available under subsection (l)(1) for that fiscal year as—

"(1) the average of the most recent available value of specialty crop production in the State and the acreage of specialty crop production in the State, as demonstrated in the most recent Census of Agriculture data; bears to

"(2) the average of the most recent available value of specialty crop production in all States and the acreage of specialty crop production in all States, as demonstrated in the most recent Census of Agriculture data.";

(3) by redesignating subsection (j) as subsection (l);

(4) by inserting after subsection (i) the following:

"(j) MULTISTATE PROJECTS.—Not later than 180 days after the effective date of the Agricultural Act of 2014, the Secretary of Agriculture shall issue guidance for the purpose of making grants to multistate projects under this section for projects involving—

"(1) food safety;

"(2) plant pests and disease;

"(3) research;

"(4) crop-specific projects addressing common issues; and

"(5) any other area that furthers the purposes of this section, as determined by the Secretary.

"(k) ADMINISTRATION.—

"(1) DEPARTMENT.—The Secretary of Agriculture may not use more than 3 percent of the funds made available to carry out this section for a fiscal year for administrative expenses.

"(2) STATES.—A State receiving a grant under this section may not use more than 8 percent of the funds received under the grant for a fiscal year for administrative expenses."; and

(5) in subsection (l) (as redesignated by paragraph (3))—

(A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and indenting appropriately;

(B) by striking "Of the funds" and inserting the following:

"(1) IN GENERAL.—Of the funds";

(C) in paragraph (1) (as so designated)—

(i) in subparagraph (B) (as redesignated by subparagraph (A)), by striking "and" at the end;

(ii) in subparagraph (C) (as redesignated by subparagraph (A)), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

"(D) $72,500,000 for each of fiscal years 2014 through 2017; and

"(E) $85,000,000 for fiscal year 2018 and each fiscal year thereafter."; and

(D) by adding at the end the following:

"(2) MULTISTATE PROJECTS.—Of the funds made available under paragraph (1), the Secretary may use to carry out subsection (j), to remain available until expended—

"(A) $1,000,000 for fiscal year 2014;

"(B) $2,000,000 for fiscal year 2015;

"(C) $3,000,000 for fiscal year 2016;

"(D) $4,000,000 for fiscal year 2017; and

"(E) $5,000,000 for fiscal year 2018.".

SEC. 10011. DEPARTMENT OF AGRICULTURE CONSULTATION REGARDING ENFORCEMENT OF CERTAIN LABOR LAW PROVISIONS.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall consult with the Secretary of Labor regarding the restraining of shipments of agricultural commodities, or the confiscation of agricultural commodities, by the Department of Labor for actual or suspected labor law violations in order to consider—

(1) the perishable nature of the commodities;

(2) the impact of the restraining or confiscation on the economic viability of farming operations; and

(3) the competitiveness of specialty crops through grants awarded to States under section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465).

(b) REPORT.—The Secretary of Labor shall submit to the Committees on Agriculture and Education and Workforce of the House of Representative and the Committees on Agriculture, Nutrition, and Forestry and Health, Education, Labor, and Pensions of the Senate a report that describes the number of instances during the period of fiscal years 2008 through 2013 that the Department of Labor has contacted a purchaser of perishable agricultural

commodities to notify that purchaser of an investigation or pending enforcement action against a producer from whom the purchaser has purchased perishable agricultural commodities.

SEC. 10012. REPORT ON HONEY.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with persons affected by the potential establishment of a Federal standard for the identity of honey, shall submit to the Commissioner of Food and Drugs a report describing how an appropriate Federal standard for the identity of honey would be in the interest of consumers, the honey industry, and United States agriculture.

(b) CONSIDERATIONS.—In preparing the report required under subsection (a), the Secretary shall take into consideration the March 2006, Standard of Identity citizens petition filed with the Food and Drug Administration, including any current industry amendments or clarifications necessary to update that petition.

SEC. 10013. REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than 180 days and 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency and Secretaries of Commerce, Agriculture and the Interior shall submit to the Committees on Agriculture and Natural Resources of the House of Representatives and the Committees on Agriculture, Nutrition, and Forestry and Environment and Public Works of the Senate, 2 reports that describe approaches and actions taken by the Environmental Protection Agency, the United States Fish and Wildlife Service, and the National Marine Fisheries Service—

(1) to implement recommendations, including an analysis of how any identified delays to implementation will be overcome, of the 2013 Expert Report authored by the National Research Council of the National Academies entitled "Assessing Risks to Endangered and Threatened Species from Pesticides";

(2) to otherwise minimize delays in integrating—

(A) the pesticide registration and registration review requirements of sections 3 and 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a, 136w–8); and

(B) the species and habitat protection processes described in sections 7 and 10 of the Endangered Species Act of 1973 (16 U.S.C. 1536, 1539); and

(3) to ensure public participation and transparency during the development, implementation, and evaluation of the approaches to implement the recommendations contained in the report described in paragraph (1).

(b) REQUIREMENT FOR FINAL REPORT.—In addition to the requirements of subsection (a), the final report submitted to Congress under that subsection shall—

(1) inform Congress of specific actions that have been and will be taken to address the recommendations identified in subsection (a)(1), including an evaluation to establish that—

(A) the approaches utilize the best available science;

(B) reasonable and prudent alternatives within biological opinions are technologically and economically feasible;

(C) reasonable and prudent measures are necessary and appropriate; and

(D) the agencies ensure public participation and transparency in the development of reasonable and prudent alternatives and reasonable and prudent measures; and

(2) update the study and report required by subsections (b) and (c) of section 1010 of Public Law 100–478 (7 U.S.C. 136a note).

SEC. 10014. STAY OF REGULATIONS.

Not later than 60 days after the date of enactment of this Act, the Secretary shall lift the administrative stay imposed under the rule of the Secretary entitled "Christmas Tree Promotion, Research, and Information Order; Stay of Regulations" and published by the Department of Agriculture on November 17, 2011 (76 Fed. Reg. 71241), on the regulations in subpart A of part 1214 of title 7, Code of Federal Regulations, establishing an industry-funded promotion, research, and information program for fresh-cut Christmas trees.

21 USC 346a note.

SEC. 10015. REGULATION OF SULFURYL FLUORIDE.

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency shall exclude nonpesticideal sources of fluoride from any aggregate exposure assessment required under section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a) when assessing tolerances associated with residues from the pesticide.

7 USC 2204h.

SEC. 10016. LOCAL FOOD PRODUCTION AND PROGRAM EVALUATION.

(a) IN GENERAL.—The Secretary shall—

(1) collect data on—

(A) the production and marketing of locally or regionally produced agricultural food products; and

(B) direct and indirect regulatory compliance costs affecting the production and marketing of locally or regionally produced agricultural food products;

(2) facilitate interagency collaboration and data sharing on programs relating to local and regional food systems;

(3) monitor—

(A) the effectiveness of programs designed to expand or facilitate local food systems; and

(B) barriers to local and regional market access due to Federal regulation of small-scale production; and

(4) evaluate the manner in which local food systems—

(A) contribute to improving community food security; and

(B) assist populations with limited access to healthy food.

(b) REQUIREMENTS.—In carrying out this section, the Secretary shall, at a minimum—

(1) collect and distribute comprehensive reporting of prices and volume of locally or regionally produced agricultural food products;

(2) conduct surveys and analysis and publish reports relating to the production, handling, distribution, retail sales, and trend studies (including consumer purchasing patterns) of or on locally or regionally produced agricultural food products;

(3) evaluate the effectiveness of existing programs in growing local and regional food systems, including—

(A) the impact of local food systems on job creation and economic development;

(B) the level of participation in the Farmers' Market and Local Food Promotion Program established under section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005), including the percentage of projects funded in comparison to applicants and the types of eligible entities receiving funds;

(C) the ability of participants to leverage private capital and a synopsis of the places from which non-Federal funds are derived; and

(D) any additional resources required to aid in the development or expansion of local and regional food systems;

(4) evaluate the impact that Federal regulation of small commercial producers of agricultural food products intended for local and regional consumption may have on—

(A) local job creation and economic development;

(B) access to local and regional fruit and vegetable markets, including for new and beginning small commercial producers; and

(C) participation in—

(i) supplier networks;

(ii) high volume distribution systems; and

(iii) retail sales outlets;

(5) expand the Agricultural Resource Management Survey of the Department to include questions on locally or regionally produced agricultural food products; and

(6) seek to establish or expand private-public partnerships to facilitate, to the maximum extent practicable, the collection of data on locally or regionally produced agricultural food products, including the development of a nationally coordinated and regionally balanced evaluation of the redevelopment of locally or regionally produced food systems.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the progress that has been made in implementing this section and identifying any additional needs and barriers related to developing local and regional food systems.

SEC. 10017. CLARIFICATION OF USE OF FUNDS FOR TECHNICAL ASSISTANCE.

15 USC 714i note.

In the case of each program established or amended by this title that is authorized or required to be carried out using funds of the Commodity Credit Corporation, the use of those funds to provide technical assistance shall not be considered an allotment or fund transfer from the Commodity Credit Corporation for purposes of the limit on expenditures for technical assistance imposed by section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i).

TITLE XI—CROP INSURANCE

SEC. 11001. INFORMATION SHARING.

Section 502(c) of the Federal Crop Insurance Act (7 U.S.C. 1502(c)) is amended by adding at the end the following:

"(4) INFORMATION.—

"(A) REQUEST.—Subject to subparagraph (B), the Farm Service Agency shall, in a timely manner, provide to an agent or an approved insurance provider authorized by the producer any information (including Farm Service Agency Form 578s (or any successor form)) or maps (or any corrections to those forms or maps) that may assist the agent or approved insurance provider in insuring the producer under a policy or plan of insurance under this subtitle.

"(B) PRIVACY.—Except as provided in subparagraph (C), an agent or approved insurance provider that receives the information of a producer pursuant to subparagraph (A) shall treat the information in accordance with paragraph (1).

"(C) SHARING.—Nothing in this section prohibits the sharing of the information of a producer pursuant to subparagraph (A) between the agent and the approved insurance provider of the producer.".

SEC. 11002. PUBLICATION OF INFORMATION ON VIOLATIONS OF PROHIBITION ON PREMIUM ADJUSTMENTS.

Section 508(a)(9) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(9)) is amended by adding at the end the following:

"(C) PUBLICATION OF VIOLATIONS.—

"(i) PUBLICATION REQUIRED.—Subject to clause (ii), the Corporation shall publish in a timely manner on the website of the Risk Management Agency information regarding each violation of this paragraph, including any sanctions imposed in response to the violation, in sufficient detail so that the information may serve as effective guidance to approved insurance providers, agents, and producers.

"(ii) PROTECTION OF PRIVACY.—In providing information under clause (i) regarding violations of this paragraph, the Corporation shall redact the identity of the persons and entities committing the violations in order to protect the privacy of those persons and entities.".

SEC. 11003. SUPPLEMENTAL COVERAGE OPTION.

(a) AVAILABILITY OF SUPPLEMENTAL COVERAGE OPTION.—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by striking paragraph (3) and inserting the following:

"(3) YIELD AND LOSS BASIS OPTIONS.—A producer shall have the option of purchasing additional coverage based on—

"(A)(i) an individual yield and loss basis; or

"(ii) an area yield and loss basis; or

"(B) an individual yield and loss basis, supplemented with coverage based on an area yield and loss basis to cover a part of the deductible under the individual yield and loss policy, as described in paragraph (4)(C).".

(b) LEVEL OF COVERAGE.—Section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended by striking paragraph (4) and inserting the following:

"(4) LEVEL OF COVERAGE.—

"(A) DOLLAR DENOMINATION AND PERCENTAGE OF YIELD.—Except as provided in subparagraph (C), the level of coverage—

"(i) shall be dollar denominated; and

"(ii) may be purchased at any level not to exceed 85 percent of the individual yield or 95 percent of the area yield (as determined by the Corporation).

"(B) INFORMATION.—The Corporation shall provide producers with information on catastrophic risk and additional coverage in terms of dollar coverage (within the allowable limits of coverage provided in this paragraph).

"(C) SUPPLEMENTAL COVERAGE OPTION.—

"(i) IN GENERAL.—Notwithstanding subparagraph (A), in the case of the supplemental coverage option described in paragraph (3)(B), the Corporation shall offer producers the opportunity to purchase coverage in combination with a policy or plan of insurance offered under this subtitle that would allow indemnities to be paid to a producer equal to a part of the deductible under the policy or plan of insurance—

"(I) at a county-wide level to the fullest extent practicable; or

"(II) in counties that lack sufficient data, on the basis of such larger geographical area as the Corporation determines to provide sufficient data for purposes of providing the coverage.

"(ii) TRIGGER.—Coverage offered under paragraph (3)(B) and clause (i) shall be triggered only if the losses in the area exceed 14 percent of normal levels (as determined by the Corporation).

"(iii) COVERAGE.—Subject to the trigger described in clause (ii), coverage offered under paragraph (3)(B) and clause (i) shall not exceed the difference between—

"(I) 86 percent; and

"(II) the coverage level selected by the producer for the underlying policy or plan of insurance.

"(iv) INELIGIBLE CROPS AND ACRES.—Crops for which the producer has elected under section 1116 of the Agricultural Act of 2014 to receive agriculture risk coverage and acres that are enrolled in the stacked income protection plan under section 508B shall not be eligible for supplemental coverage under this subparagraph.

"(v) CALCULATION OF PREMIUM.—Notwithstanding subsection (d), the premium for coverage offered under paragraph (3)(B) and clause (i) shall—

"(I) be sufficient to cover anticipated losses and a reasonable reserve; and

"(II) include an amount for operating and administrative expenses established in accordance with subsection (k)(4)(F).".

(c) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Section 508(e)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(2)) is amended by adding at the end the following:

"(H) In the case of the supplemental coverage option authorized in subsection (c)(4)(C), the amount shall be equal to the sum of—

"(i) 65 percent of the additional premium associated with the coverage; and

"(ii) the amount determined under subsection (c)(4)(C)(v)(II), subject to subsection (k)(4)(F), for the coverage to cover operating and administrative expenses.".

7 USC 1508 note.

(d) APPLICATION DATE.—The Federal Crop Insurance Corporation shall begin to provide additional coverage based on an individual yield and loss basis, supplemented with coverage based on an area yield and loss basis, as described in the amendments made by this section, not later than for the 2015 crop year.

SEC. 11004. CROP MARGIN COVERAGE OPTION.

Section 508(c)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(3)) (as amended by section 11003) is amended—

(1) in subparagraph (A)(ii), by striking "or" at the end;

(2) in subparagraph (B), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(C) a margin basis alone or in combination with the coverages available under subparagraph (A) or (B).".

SEC. 11005. PREMIUM AMOUNTS FOR CATASTROPHIC RISK PROTECTION.

Section 508(d)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(2)) is amended by striking subparagraph (A) and inserting the following:

"(A) In the case of catastrophic risk protection, the amount of the premium established by the Corporation for each crop for which catastrophic risk protection is available shall be reduced by the percentage equal to the difference between the average loss ratio for the crop and 100 percent, plus a reasonable reserve, as determined by the Corporation.".

SEC. 11006. PERMANENT ENTERPRISE UNIT SUBSIDY.

Section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended by striking subparagraph (A) and inserting the following:

"(A) IN GENERAL.—The Corporation may pay a portion of the premiums for plans or policies of insurance for which the insurable unit is defined on a whole farm or enterprise unit basis that is higher than would otherwise be paid in accordance with paragraph (2).".

SEC. 11007. ENTERPRISE UNITS FOR IRRIGATED AND NONIRRIGATED CROPS.

Section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended by adding at the end the following:

"(D) NONIRRIGATED CROPS.—Beginning with the 2015 crop year, the Corporation shall make available separate

enterprise units for irrigated and nonirrigated acreage of crops in counties.".

SEC. 11008. DATA COLLECTION.

Section 508(g)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(2)) is amended by adding at the end the following:

"(E) SOURCES OF YIELD DATA.—To determine yields under this paragraph, the Corporation—

"(i) shall use county data collected by the Risk Management Agency, the National Agricultural Statistics Service, or both; or

"(ii) if sufficient county data is not available, may use other data considered appropriate by the Secretary.".

SEC. 11009. ADJUSTMENT IN ACTUAL PRODUCTION HISTORY TO ESTABLISH INSURABLE YIELDS.

Section 508(g) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)) (as amended by section 11008) is amended—

(1) in paragraph (2)(A), by inserting "and paragraph (4)(C)" after "(B)"; and

(2) in paragraph (4)—

(A) by redesignating subparagraph (C) as subparagraph (D);

(B) in subparagraph (D) (as so redesignated), by inserting "or (C)" after "(B)"; and

(C) by inserting after subparagraph (B) the following:

"(C) ELECTION TO EXCLUDE CERTAIN HISTORY.—

"(i) IN GENERAL.—Notwithstanding paragraph (2), with respect to 1 or more of the crop years used to establish the actual production history of an agricultural commodity of the producer, the producer may elect to exclude any recorded or appraised yield for any crop year in which the per planted acre yield of the agricultural commodity in the county of the producer was at least 50 percent below the simple average of the per planted acre yield of the agricultural commodity in the county during the previous 10 consecutive crop years.

"(ii) CONTIGUOUS COUNTIES.—In any crop year that a producer in a county is eligible to make an election to exclude a yield under clause (i), a producer in a contiguous county is eligible to make such an election.

"(iii) IRRIGATION PRACTICE.—For purposes of determining whether the per planted acre yield of the agricultural commodity in the county of the producer was at least 50 percent below the simple average of the per planted acre yield of the agricultural commodity in the county during the previous 10 consecutive crop years, the Corporation shall make a separate determination for irrigated and nonirrigated acreage.".

SEC. 11010. SUBMISSION OF POLICIES AND BOARD REVIEW AND APPROVAL.

(a) IN GENERAL.—Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) by striking "(1) IN GENERAL.—In addition" and inserting the following:

"(1) AUTHORITY TO SUBMIT.—

"(A) IN GENERAL.—In addition"; and

(C) by adding at the end the following:

"(B) REVIEW AND SUBMISSION BY CORPORATION.—The Corporation shall review any policy developed under section 522(c) or any pilot program developed under section 523 and submit the policy or program to the Board under this subsection if the Corporation, at the sole discretion of the Corporation, finds that the policy or program—

"(i) will likely result in a viable and marketable policy consistent with this subsection;

"(ii) would provide crop insurance coverage in a significantly improved form; and

"(iii) adequately protects the interests of producers."; and

(2) by striking paragraph (3) and inserting the following:

"(3) REVIEW AND APPROVAL BY THE BOARD.—

"(A) IN GENERAL.—A policy, plan of insurance, or other material submitted to the Board under this subsection shall be reviewed by the Board and shall be approved by the Board for reinsurance and for sale by approved insurance providers to producers at actuarially appropriate rates and under appropriate terms and conditions if the Board determines that—

"(i) the interests of producers are adequately protected;

"(ii) the proposed policy or plan of insurance will—

"(I) provide a new kind of coverage that is likely to be viable and marketable;

"(II) provide crop insurance coverage in a manner that addresses a clear and identifiable flaw or problem in an existing policy; or

"(III) provide a new kind of coverage for a commodity that previously had no available crop insurance, or has demonstrated a low level of participation or coverage level under existing coverage; and

"(iii) the proposed policy or plan of insurance will not have a significant adverse impact on the crop insurance delivery system.

"(B) CONSIDERATION.—In approving policies or plans of insurance, the Board shall in a timely manner—

"(i) first, consider policies or plans of insurance that address underserved commodities, including commodities for which there is no insurance;

"(ii) second, consider existing policies or plans of insurance for which there is inadequate coverage or there exists low levels of participation; and

"(iii) last, consider all policies or plans of insurance submitted to the Board that do not meet the criteria described in clause (i) or (ii).

"(C) SPECIFIED REVIEW AND APPROVAL PRIORITIES.—In reviewing policies and other materials submitted to the Board under this subsection for approval, the Board—

"(i) shall make the development and approval of a revenue policy for peanut producers a priority so that a revenue policy is available to peanut producers in time for the 2015 crop year;

"(ii) shall make the development and approval of a margin coverage policy for rice producers a priority so that a margin coverage policy is available to rice producers in time for the 2015 crop year; and

"(iii) may approve a submission that is made pursuant to this subsection that would, beginning with the 2015 crop year, allow producers that purchase policies in accordance with subsection (e)(5)(A) to separate enterprise units by risk rating for acreage of crops in counties.".

(b) APPROVAL OF COSTS FOR RESEARCH AND DEVELOPMENT.—Section 522(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)(2)) is amended by striking subparagraph (E) and inserting the following:

"(E) APPROVAL.—

"(i) IN GENERAL.—The Board may approve up to 50 percent of the projected total research and development costs to be paid in advance to an applicant, in accordance with the procedures developed by the Board for the making of the payments, if, after consideration of the reviewer reports described in subparagraph (D) and such other information as the Board determines appropriate, the Board determines that—

"(I) the concept, in good faith, will likely result in a viable and marketable policy consistent with section 508(h);

"(II) at the sole discretion of the Board, the concept, if developed into a policy and approved by the Board, would provide crop insurance coverage—

"(aa) in a significantly improved form;

"(bb) to a crop or region not traditionally served by the Federal crop insurance program; or

"(cc) in a form that addresses a recognized flaw or problem in the program;

"(III) the applicant agrees to provide such reports as the Corporation determines are necessary to monitor the development effort;

"(IV) the proposed budget and timetable are reasonable, as determined by the Board; and

"(V) the concept proposal meets any other requirements that the Board determines appropriate.

"(ii) WAIVER.—The Board may waive the 50-percent limitation and, upon request of the submitter after the submitter has begun research and development activities, the Board may approve an additional 25 percent advance payment to the submitter for

research and development costs, if, at the sole discretion of the Board, the Board determines that—

"(I) the intended policy or plan of insurance developed by the submitter will provide coverage for a region or crop that is underserved by the Federal crop insurance program, including specialty crops; and

"(II) the submitter is making satisfactory progress towards developing a viable and marketable policy or plan of insurance consistent with section 508(h).".

SEC. 11011. CONSULTATION.

Section 508(h)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)(4)) is amended by adding at the end the following:

"(E) CONSULTATION.—

"(i) REQUIREMENT.—As part of the feasibility and research associated with the development of a policy or other material for fruits and vegetables, tree nuts, dried fruits, and horticulture and nursery crops (including floriculture), the submitter prior to making a submission under this subsection shall consult with groups representing producers of those agricultural commodities in all major producing areas for the commodities to be served or potentially impacted, either directly or indirectly.

"(ii) SUBMISSION TO THE BOARD.—Any submission made to the Board under this subsection shall contain a summary and analysis of the feasibility and research findings from the impacted groups described in clause (i), including a summary assessment of the support for or against development of the policy and an assessment on the impact of the proposed policy to the general marketing and production of the crop from both a regional and national perspective.

"(iii) EVALUATION BY THE BOARD.—In evaluating whether the interests of producers are adequately protected pursuant to paragraph (3) with respect to a submission made under this subsection, the Board shall review the information provided pursuant to clause (ii) to determine if the submission will create adverse market distortions with respect to the production of commodities that are the subject of the submission.".

SEC. 11012. BUDGET LIMITATIONS ON RENEGOTIATION OF THE STANDARD REINSURANCE AGREEMENT.

Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) is amended by adding at the end the following:

"(F) BUDGET.—

"(i) IN GENERAL.—The Board shall ensure that any Standard Reinsurance Agreement negotiated under subparagraph (A)(ii) shall—

"(I) to the maximum extent practicable, be estimated as budget neutral with respect to the total amount of payments described in paragraph

(9) as compared to the total amount of such payments estimated to be made under the immediately preceding Standard Reinsurance Agreement if that Agreement were extended over the same period of time;

"(II) comply with the applicable provisions of this Act establishing the rates of reimbursement for administrative and operating costs for approved insurance providers and agents, except that, to the maximum extent practicable, the estimated total amount of reimbursement for those costs shall not be less than the total amount of the payments to be made under the immediately preceding Standard Reinsurance Agreement if that Agreement were extended over the same period of time, as estimated on the date of enactment of the Agricultural Act of 2014; and

"(III) in no event significantly depart from budget neutrality unless otherwise required by this Act.

"(ii) USE OF SAVINGS.—To the extent that any budget savings are realized in the renegotiation of a Standard Reinsurance Agreement under subparagraph (A)(ii), and the savings are determined not to be a significant departure from budget neutrality under clause (i), the savings shall be used to increase reimbursements or payments described under paragraphs (4) and (9).".

SEC. 11013. TEST WEIGHT FOR CORN.

Section 508(m) of the Federal Crop Insurance Act (7 U.S.C. 1508(m)) is amended by adding at the end the following:

"(6) TEST WEIGHT FOR CORN.—

"(A) IN GENERAL.—The Corporation shall establish procedures to allow insured producers not more than 120 days to settle claims, in accordance with procedures established by the Secretary, involving corn that is determined to have low test weight.

"(B) IMPLEMENTATION.—As soon as practicable after the date of enactment of this paragraph, the Corporation shall implement subparagraph (A) on a regional basis based on market conditions and the interests of producers.

"(C) TERMINATION OF EFFECTIVENESS.—The authority provided by this paragraph terminates effective on the date that is 5 years after the date on which subparagraph (A) is implemented.".

SEC. 11014. CROP PRODUCTION ON NATIVE SOD.

(a) FEDERAL CROP INSURANCE.—Section 508(o) of the Federal Crop Insurance Act (7 U.S.C. 1508(o)) is amended—

(1) in paragraph (1)(B), by inserting ", or the producer cannot substantiate that the ground has ever been tilled," after "tilled";

(2) in paragraph (2)—

(A) in the paragraph heading, by striking "INELIGIBILITY FOR" and inserting "REDUCTION IN";

(B) by striking subparagraph (A) and inserting the following:

"(A) IN GENERAL.—During the first 4 crop years of planting, as determined by the Secretary, native sod acreage that has been tilled for the production of an annual crop after the date of enactment of the Agricultural Act of 2014 shall be subject to a reduction in benefits under this subtitle as described in this paragraph."; and

(C) by adding at the end the following:

"(C) ADMINISTRATION.—

"(i) REDUCTION.—For purposes of the reduction in benefits for the acreage described in subparagraph (A)—

"(I) the crop insurance guarantee shall be determined by using a yield equal to 65 percent of the transitional yield of the producer; and

"(II) the crop insurance premium subsidy provided for the producer under this subtitle, except for coverage authorized pursuant to subsection (b)(1), shall be 50 percentage points less than the premium subsidy that would otherwise apply.

"(ii) YIELD SUBSTITUTION.—During the period native sod acreage is covered by this subsection, a producer may not substitute yields for the native sod.";

(3) by striking paragraph (3) and inserting the following:

"(3) APPLICATION.—This subsection shall only apply to native sod acreage in the States of Minnesota, Iowa, North Dakota, South Dakota, Montana, and Nebraska.".

(b) NONINSURED CROP DISASTER ASSISTANCE.—Section 196(a)(4) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(a)(4)) is amended—

(1) in the paragraph heading, by striking "INELIGIBILITY" and inserting "REDUCTION IN BENEFITS";

(2) in subparagraph (A)(ii), by inserting ", or the producer cannot substantiate that the ground has ever been tilled," after "tilled";

(3) in subparagraph (B)—

(A) in the subparagraph heading, by striking "INELIGIBILITY FOR" and inserting "REDUCTION IN";

(B) by striking clause (i) and inserting the following:

"(i) IN GENERAL.—During the first 4 crop years of planting, as determined by the Secretary, native sod acreage that has been tilled for the production of an annual crop after the date of enactment of the Agricultural Act of 2014 shall be subject to a reduction in benefits under this section as described in this subparagraph."; and

(C) by adding at the end the following:

"(iii) REDUCTION.—For purposes of the reduction in benefits for the acreage described in clause (i)—

"(I) the approved yield shall be determined by using a yield equal to 65 percent of the transitional yield of the producer; and

"(II) the service fees or premiums for crops planted on native sod shall be equal to 200 percent of the amount determined in subsections (*l*)(2) or (k), as applicable, but in no case shall exceed the amount determined in subsection (*l*)(2)(B)(ii)."; and

(4) by striking subparagraph (C) and inserting the following:

"(C) APPLICATION.—This paragraph shall only apply to native sod acreage in the States of Minnesota, Iowa, North Dakota, South Dakota, Montana, and Nebraska.".

(c) CROPLAND REPORT.—

(1) BASELINE.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the cropland acreage in each applicable county and State, and the change in cropland acreage from the preceding year in each applicable county and State, beginning with calendar year 2000 and including that information for the most recent year for which that information is available.

(2) ANNUAL UPDATES.—Not later than January 1, 2015, and each January 1 thereafter through January 1, 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(A) the cropland acreage in each applicable county and State as of the date of submission of the report; and

(B) the change in cropland acreage from the preceding year in each applicable county and State.

SEC. 11015. COVERAGE LEVELS BY PRACTICE.

Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended by adding at the end the following:

"(p) COVERAGE LEVELS BY PRACTICE.—Beginning with the 2015 crop year, a producer that produces an agricultural commodity on both dry land and irrigated land may elect a different coverage level for each production practice.".

SEC. 11016. BEGINNING FARMER AND RANCHER PROVISIONS.

(a) DEFINITION.—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) is amended—

(1) by redesignating paragraphs (3) through (9) as paragraphs (4) through (10), respectively; and

(2) by inserting after paragraph (2) the following:

"(3) BEGINNING FARMER OR RANCHER.—The term 'beginning farmer or rancher' means a farmer or rancher who has not actively operated and managed a farm or ranch with a bona fide insurable interest in a crop or livestock as an owner-operator, landlord, tenant, or sharecropper for more than 5 crop years, as determined by the Secretary.".

(b) PREMIUM ADJUSTMENTS.—Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) in subsection (b)(5)(E), by inserting "and beginning farmers or ranchers" after "limited resource farmers";

(2) in subsection (e), by adding at the end the following:

"(8) PREMIUM FOR BEGINNING FARMERS OR RANCHERS.—Notwithstanding any other provision of this subsection regarding payment of a portion of premiums, a beginning farmer or rancher shall receive premium assistance that is 10 percentage points greater than premium assistance that would otherwise be available under paragraphs (2) (except for

subparagraph (A) of that paragraph), (5), (6), and (7) for the applicable policy, plan of insurance, and coverage level selected by the beginning farmer or rancher."; and

(3) in subsection (g)—

(A) in paragraph (2)(B)—

(i) in clause (i), by striking "or" at the end;

(ii) in clause (ii)(III), by striking the period at the end and inserting "; or"; and

(iii) by adding at the end the following:

"(iii) if the producer is a beginning farmer or rancher who was previously involved in a farming or ranching operation, including involvement in the decisionmaking or physical involvement in the production of the crop or livestock on the farm, for any acreage obtained by the beginning farmer or rancher, a yield that is the higher of—

"(I) the actual production history of the previous producer of the crop or livestock on the acreage determined under subparagraph (A); or

"(II) a yield of the producer, as determined in clause (i).."; and

(B) in paragraph (4)(B)(ii)—

(i) by inserting "(I)" after "(ii)";

(ii) by striking the period at the end and inserting "; or"; and

(iii) by adding at the end the following:

"(II) in the case of beginning farmers or ranchers, replace each excluded yield with a yield equal to 80 percent of the applicable transitional yield.".

SEC. 11017. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

(a) AVAILABILITY OF STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.—The Federal Crop Insurance Act is amended by inserting after section 508A (7 U.S.C. 1508a) the following:

7 USC 1508b.

"SEC. 508B. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

"(a) AVAILABILITY.—Beginning not later than the 2015 crop of upland cotton, the Corporation shall make available to producers of upland cotton an additional policy (to be known as the 'Stacked Income Protection Plan'), which shall provide coverage consistent with the Group Risk Income Protection Plan (and the associated Harvest Revenue Option Endorsement) offered by the Corporation for the 2011 crop year.

"(b) REQUIRED TERMS.—The Corporation may modify the Stacked Income Protection Plan on a program-wide basis, except that the Stacked Income Protection Plan shall comply with the following requirements:

"(1) Provide coverage for revenue loss of not less than 10 percent and not more than 30 percent of expected county revenue, specified in increments of 5 percent. The deductible shall be the minimum percent of revenue loss at which indemnities are triggered under the plan, not to be less than 10 percent of the expected county revenue.

"(2) Be offered to producers of upland cotton in all counties with upland cotton production—

"(A) at a county-wide level to the fullest extent practicable; or

"(B) in counties that lack sufficient data, on the basis of such larger geographical area as the Corporation determines to provide sufficient data for purposes of providing the coverage.

"(3) Be purchased in addition to any other individual or area coverage in effect on the producer's acreage or as a stand-alone policy, except that if a producer has an individual or area coverage for the same acreage, the maximum coverage available under the Stacked Income Protection Plan shall not exceed the deductible for the individual or area coverage.

"(4) Establish coverage based on—

"(A) the expected price established under existing Group Risk Income Protection or area wide policy offered by the Corporation for the applicable county (or area) and crop year; and

"(B) an expected county yield that is the higher of—

"(i) the expected county yield established for the existing area-wide plans offered by the Corporation for the applicable county (or area) and crop year (or, in geographic areas where area-wide plans are not offered, an expected yield determined in a manner consistent with those of area-wide plans); or

"(ii) the average of the applicable yield data for the county (or area) for the most recent 5 years, excluding the highest and lowest observations, from the Risk Management Agency or the National Agricultural Statistics Service (or both) or, if sufficient county data is not available, such other data considered appropriate by the Secretary.

"(5) Use a multiplier factor to establish maximum protection per acre (referred to as a 'protection factor') of not less than the higher of the level established on a program wide basis or 120 percent.

"(6) Pay an indemnity based on the amount that the expected county revenue exceeds the actual county revenue, as applied to the individual coverage of the producer. Indemnities under the Stacked Income Protection Plan shall not include or overlap the amount of the deductible selected under paragraph (1).

"(7) In all counties for which data are available, establish separate coverage levels for irrigated and nonirrigated practices.

"(c) PREMIUM.—Notwithstanding section 508(d), the premium for the Stacked Income Protection Plan shall—

"(1) be sufficient to cover anticipated losses and a reasonable reserve; and

"(2) include an amount for operating and administrative expenses established in accordance with section 508(k)(4)(F).

"(d) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Subject to section 508(e)(4), the amount of premium paid by the Corporation for all qualifying coverage levels of the Stacked Income Protection Plan shall be—

"(1) 80 percent of the amount of the premium established under subsection (c) for the coverage level selected; and

"(2) the amount determined under subsection (c)(2), subject to section 508(k)(4)(F), for the coverage to cover administrative and operating expenses.

"(e) RELATION TO OTHER COVERAGES.—The Stacked Income Protection Plan is in addition to all other coverages available to producers of upland cotton.".

(b) CONFORMING AMENDMENT.—Section 508(k)(4)(F) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)(F)) is amended by inserting "or authorized under subsection (c)(4)(C) or section 508B" after "of this subparagraph".

SEC. 11018. PEANUT REVENUE CROP INSURANCE.

The Federal Crop Insurance Act is amended by inserting after section 508B (as added by section 11017), the following:

7 USC 1508c.

"SEC. 508C. PEANUT REVENUE CROP INSURANCE.

"(a) IN GENERAL.—Effective beginning with the 2015 crop year, the Risk Management Agency and the Corporation shall make available to producers of peanuts a revenue crop insurance program for peanuts.

"(b) EFFECTIVE PRICE.—Subject to subsection (c), for purposes of the revenue crop insurance program and the multiperil crop insurance program under this Act, the effective price for peanuts shall be equal to the Rotterdam price index for peanuts or other appropriate price as determined by the Secretary, as adjusted to reflect the farmer stock price of peanuts in the United States.

"(c) ADJUSTMENTS.—

"(1) IN GENERAL.—The effective price for peanuts established under subsection (b) may be adjusted by the Risk Management Agency and the Corporation to correct distortions.

"(2) ADMINISTRATION.—If an adjustment is made under paragraph (1), the Risk Management Agency and the Corporation shall—

"(A) make the adjustment in an open and transparent manner; and

"(B) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the reasons for the adjustment.".

SEC. 11019. AUTHORITY TO CORRECT ERRORS.

Section 515(c) of the Federal Crop Insurance Act (7 U.S.C. 1515(c)) is amended—

(1) in the first sentence, by striking "The Secretary" and inserting the following:

"(1) IN GENERAL.—The Secretary";

(2) in the second sentence, by striking "Beginning with" and inserting the following:

"(2) FREQUENCY.—Beginning with"; and

(3) by adding at the end the following:

"(3) CORRECTIONS.—

"(A) IN GENERAL.—In addition to the corrections permitted by the Corporation as of the day before the date of enactment of the Agricultural Act of 2014, the Corporation shall establish procedures that allow an agent or an approved insurance provider, subject to subparagraph (B)—

"(i) within a reasonable amount of time following the applicable sales closing date, to correct errors in

information that is provided by a producer for the purpose of obtaining coverage under any policy or plan of insurance made available under this subtitle to ensure that the eligibility information is correct and consistent with information reported by the producer for other programs administered by the Secretary;

"(ii) within a reasonable amount of time following—

"(I) the acreage reporting date, to reconcile errors in the information reported by the producer with correct information determined from any other program administered by the Secretary; or

"(II) the date of any subsequent correction of data by the Farm Service Agency made as a result of the verification of information, to make conforming corrections; and

"(iii) at any time, to correct electronic transmission errors that were made by an agent or approved insurance provider, or such errors made by the Farm Service Agency or any other agency of the Department of Agriculture in transmitting the information provided by the producer for purposes of other programs of the Department to the extent an agent or approved insurance provider relied upon the erroneous information for crop insurance purposes.

"(B) LIMITATION.—In accordance with the procedures of the Corporation, correction to the information described in clauses (i) and (ii) of subparagraph (A) may only be made if the corrections do not allow the producer—

"(i) to avoid ineligibility requirements for insurance or obtain a disproportionate benefit under the crop insurance program or any related program administered by the Secretary;

"(ii) to obtain, enhance, or increase an insurance guarantee or indemnity if a cause of loss exists or has occurred before any correction has been made, or avoid premium owed if no loss is likely to occur; or

"(iii) to avoid an obligation or requirement under any Federal or State law.

"(C) EXCEPTION TO LATE FILING SANCTIONS.—Any corrections made within a reasonable amount of time, in accordance with established procedures, pursuant to this paragraph shall not be subject to any late filing sanctions authorized in the reinsurance agreement with the Corporation.

"(D) LATE PAYMENT OF DEBT.—In the case of a producer that has inadvertently failed to pay a debt due as specified by regulations of the Corporation and has been determined to be ineligible for crop insurance pursuant to the terms of the policy as a result of that failure, the Corporation may determine to allow the producer to pay the debt and purchase the crop insurance after the sales closing date, in accordance with procedures and limitations established by the Corporation.".

SEC. 11020. IMPLEMENTATION.

Section 515 of the Federal Crop Insurance Act (7 U.S.C. 1515) is amended—

(1) in subsection (j), by striking paragraph (1) and inserting the following:

"(1) SYSTEMS MAINTENANCE AND UPGRADES.—

"(A) IN GENERAL.—The Secretary shall maintain and upgrade the information management systems of the Corporation used in the administration and enforcement of this subtitle.

"(B) REQUIREMENT.—

"(i) IN GENERAL.—In maintaining and upgrading the systems, the Secretary shall ensure that new hardware and software are compatible with the hardware and software used by other agencies of the Department to maximize data sharing and promote the purposes of this section.

"(ii) ACREAGE REPORT STREAMLINING INITIATIVE PROJECT.—As soon as practicable, the Secretary shall develop and implement an acreage report streamlining initiative project to allow producers to report acreage and other information directly to the Department."; and

(2) in subsection (k), by striking paragraph (1) and inserting the following:

"(1) INFORMATION TECHNOLOGY.—

"(A) IN GENERAL.—For purposes of subsection (j)(1), the Corporation may use, from amounts made available from the insurance fund established under section 516(c), not more than—

"(i)(I) for fiscal year 2014, $14,000,000; and

"(II) for each of fiscal years 2015 through 2018, $9,000,000; or

"(ii) if the Acreage Crop Reporting Streamlining Initiative (ACRSI) project is substantially completed by September 30, 2015, not more than $14,000,000 for each of the fiscal years 2015 through 2018.

"(B) NOTIFICATION.—The Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate of the substantial completion of the Acreage Crop Reporting Streamlining Initiative (ACRSI) project not later than July 1, 2015.".

SEC. 11021. CROP INSURANCE FRAUD.

Section 516(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1516(b)(2)) is amended by adding at the end the following:

"(C) REVIEWS, COMPLIANCE, AND INTEGRITY.—

"(i) IN GENERAL.—For each of the 2014 and subsequent reinsurance years, the Corporation may use the insurance fund established under subsection (c), but not to exceed $9,000,000 for each fiscal year, to pay costs—

"(I) to reimburse expenses incurred for the operations and review of policies, plans of insurance, and related materials (including actuarial and related information); and

"(II) to assist the Corporation in maintaining program actuarial soundness and financial integrity.

"(ii) SECRETARIAL ACTION.—For the purposes described in clause (i), the Secretary may, without further appropriation—

"(I) merge some or all of the funds made available under this subparagraph into the accounts of the Risk Management Agency; and

"(II) obligate those funds.

"(iii) MAINTENANCE OF FUNDING.—Funds made available under this subparagraph shall be in addition to other funds made available for costs incurred by the Corporation or the Risk Management Agency.".

SEC. 11022. RESEARCH AND DEVELOPMENT PRIORITIES.

(a) AUTHORITY TO CONDUCT RESEARCH AND DEVELOPMENT, PRIORITIES.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended—

(1) in the subsection heading, by striking "CONTRACTING";

(2) in paragraph (1), in the matter preceding subparagraph (A), by striking "may enter into contracts to carry out research and development to" and inserting "may conduct activities or enter into contracts to carry out research and development to maintain or improve existing policies or develop new policies to";

(3) in paragraph (2)—

(A) in subparagraph (A), by inserting "conduct research and development or" after "The Corporation may"; and

(B) in subparagraph (B), by inserting "conducting research and development or" after "Before";

(4) in paragraph (5), by inserting "after expert review in accordance with section 505(e)" after "approved by the Board";

(5) in paragraph (6), by striking "a pasture, range, and forage program" and inserting "policies that increase participation by producers of underserved agricultural commodities, including sweet sorghum, biomass sorghum, rice, peanuts, sugarcane, alfalfa, pennycress, dedicated energy crops, and specialty crops";

(6) by redesignating paragraph (17) as paragraph (25); and

(7) by inserting after paragraph (16), the following:

"(17) MARGIN COVERAGE FOR CATFISH.—

"(A) IN GENERAL.—The Corporation shall offer to enter into a contract with a qualified entity to conduct research and development regarding a policy to insure producers against reduction in the margin between the market value of catfish and selected costs incurred in the production of catfish.

"(B) ELIGIBILITY.—Eligibility for the policy described in subparagraph (A) shall be limited to freshwater species of catfish that are propagated and reared in controlled or selected environments.

"(C) IMPLEMENTATION.—The Board shall review the policy described in subparagraph (B) under section 508(h) and approve the policy if the Board finds that the policy—

"(i) will likely result in a viable and marketable policy consistent with this subsection;

"(ii) would provide crop insurance coverage in a significantly improved form;

"(iii) adequately protects the interests of producers; and

"(iv) meets other requirements of this subtitle determined appropriate by the Board.

"(18) BIOMASS AND SWEET SORGHUM ENERGY CROP INSURANCE POLICIES.—

"(A) IN GENERAL.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out research and development regarding—

"(i) a policy to insure biomass sorghum that is grown expressly for the purpose of producing a feedstock for renewable biofuel, renewable electricity, or biobased products; and

"(ii) a policy to insure sweet sorghum that is grown for a purpose described in clause (i).

"(B) RESEARCH AND DEVELOPMENT.—Research and development with respect to each of the policies required in subparagraph (A) shall evaluate the effectiveness of risk management tools for the production of biomass sorghum or sweet sorghum, including policies and plans of insurance that—

"(i) are based on market prices and yields;

"(ii) to the extent that insufficient data exist to develop a policy based on market prices and yields, evaluate the policies and plans of insurance based on the use of weather indices, including excessive or inadequate rainfall, to protect the interest of crop producers; and

"(iii) provide protection for production or revenue losses, or both.

"(19) STUDY ON SWINE CATASTROPHIC DISEASE PROGRAM.—

"(A) IN GENERAL.—The Corporation shall contract with 1 or more qualified entities to conduct a study to determine the feasibility of insuring swine producers for a catastrophic event.

"(B) REPORT.—Not later than 1 year after the date of the enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).

"(20) WHOLE FARM DIVERSIFIED RISK MANAGEMENT INSURANCE PLAN.—

"(A) IN GENERAL.—Unless the Corporation approves a whole farm insurance plan, similar to the plan described in this paragraph, to be available to producers for the 2016 reinsurance year, the Corporation shall conduct activities or enter into contracts to carry out research and development to develop a whole farm risk management insurance plan, with a liability limitation of $1,500,000, that allows a diversified crop or livestock producer the option to qualify for an indemnity if actual gross farm

revenue is below 85 percent of the average gross farm revenue or the expected gross farm revenue that can reasonably be expected of the producer, as determined by the Corporation.

"(B) ELIGIBLE PRODUCERS.—The Corporation shall permit producers (including direct-to-consumer marketers and producers servicing local and regional and farm identity-preserved markets) who produce multiple agricultural commodities, including specialty crops, industrial crops, livestock, and aquaculture products, to participate in the plan developed under subparagraph (A) in lieu of any other plan under this subtitle.

"(C) DIVERSIFICATION.—The Corporation may provide diversification-based additional coverage payment rates, premium discounts, or other enhanced benefits in recognition of the risk management benefits of crop and livestock diversification strategies for producers that—

"(i) grow multiple crops; or

"(ii) may have income from the production of livestock that uses a crop grown on the farm.

"(D) MARKET READINESS.—The Corporation may include coverage for the value of any packing, packaging, or any other similar on-farm activity the Corporation determines to be the minimum required in order to remove the commodity from the field.

"(21) STUDY ON POULTRY CATASTROPHIC DISEASE PROGRAM.—

"(A) IN GENERAL.—The Corporation shall contract with a qualified person to conduct a study to determine the feasibility of insuring poultry producers for a catastrophic event.

"(B) REPORT.—Not later than 1 year after the date of the enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).

"(22) POULTRY BUSINESS INTERRUPTION INSURANCE POLICY.—

"(A) DEFINITIONS.—In this paragraph, the terms 'poultry' and 'poultry grower' have the meanings given those terms in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

"(B) AUTHORITY.—The Corporation shall offer to enter into a contract or cooperative agreement with an institution of higher education or other legal entity to carry out research and development regarding a policy to insure the commercial production of poultry against business interruptions caused by integrator bankruptcy.

"(C) RESEARCH AND DEVELOPMENT.—As part of the research and development conducted pursuant to a contract or cooperative agreement entered into under subparagraph (B), the entity shall—

"(i) evaluate the market place for business interruption insurance that is available to poultry growers;

"(ii) determine what statutory authority would be necessary to implement a business interruption insurance through the Corporation;

"(iii) assess the feasibility of a policy or plan of insurance offered under this subtitle to insure against a portion of losses due to business interruption or to the bankruptcy of an business integrator; and

"(iv) analyze the costs to the Federal Government of a Federal business interruption insurance program for poultry growers or producers.

"(D) DEADLINE FOR CONTRACT OR COOPERATIVE AGREEMENT.—Not later than 180 days after the date of enactment of this paragraph, the Corporation shall offer to enter into the contract or cooperative agreement required by subparagraph (B).

"(E) DEADLINE FOR COMPLETION OF RESEARCH AND DEVELOPMENT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the research and development conducted pursuant to the contract or cooperative agreement entered into under subparagraph (B).]

"(23) STUDY OF FOOD SAFETY INSURANCE.—

"(A) IN GENERAL.—The Corporation shall offer to enter into a contract with 1 or more qualified entities to conduct a study to determine whether offering policies that provide coverage for specialty crops from food safety and contamination issues would benefit agricultural producers.

"(B) SUBJECT.—The study described in subparagraph (A) shall evaluate policies and plans of insurance coverage that provide protection for production or revenue impacted by food safety concerns including, at a minimum, government, retail, or national consumer group announcements of a health advisory, removal, or recall related to a contamination concern.

"(C) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).".

"(24) ALFALFA CROP INSURANCE POLICY.—

"(A) IN GENERAL.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out research and development regarding a policy to insure alfalfa.

"(B) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).".

(b) FUNDING.—Section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) in the subparagraph heading, by striking "AUTHORITY.—" and inserting "CONDUCTING AND CONTRACTING FOR RESEARCH AND DEVELOPMENT.—"; and

(ii) by inserting "conduct research and development and" after "the Corporation may use to"; and

(B) in subparagraph (B), by inserting "conduct research and development and" after "for the fiscal year to";

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking "to provide either reimbursement payments or contract payments"; and

(3) by striking paragraph (4).

SEC. 11023. CROP INSURANCE FOR ORGANIC CROPS.

(a) IN GENERAL.—Section 508(c)(6) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(6)) is amended by adding at the end the following:

"(D) ORGANIC CROPS.—

"(i) IN GENERAL.—As soon as possible, but not later than the 2015 reinsurance year, the Corporation shall offer producers of organic crops price elections for all organic crops produced in compliance with standards issued by the Department of Agriculture under the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) that reflect the actual retail or wholesale prices, as appropriate, received by producers for organic crops, as determined by the Secretary using all relevant sources of information.

"(ii) ANNUAL REPORT.—The Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report on progress made in developing and improving Federal crop insurance for organic crops, including—

"(I) the numbers and varieties of organic crops insured;

"(II) the progress of implementing the price elections required under this subparagraph, including the rate at which additional price elections are adopted for organic crops;

"(III) the development of new insurance approaches relevant to organic producers; and

"(IV) any recommendations the Corporation considers appropriate to improve Federal crop insurance coverage for organic crops.".

(b) CONFORMING AMENDMENT.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) (as amended by section 11022) is amended—

(1) by striking paragraph (10); and

(2) by redesignating paragraphs (11) through (25) as paragraphs (10) through (24), respectively.

SEC. 11024. PROGRAM COMPLIANCE PARTNERSHIPS.

(a) IN GENERAL.—Section 522(d) of the Federal Crop Insurance Act (7 U.S.C. 1522(d)) is amended by striking paragraph (1) and inserting the following:

"(1) PURPOSE.—The purpose of this subsection is to authorize the Corporation to enter into partnerships with public and private entities for the purpose of either—

"(A) increasing the availability of loss mitigation, financial, and other risk management tools for producers, with a priority given to risk management tools for producers of agricultural commodities covered by section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333), specialty crops, and underserved agricultural commodities; or

"(B) improving analysis tools and technology regarding compliance or identifying and using innovative compliance strategies.".

(b) OBJECTIVES.—Section 522(d)(3) of the Federal Crop Insurance Act (7 U.S.C. 1522(d)(3)) is amended—

(1) in subparagraph (F), by striking "and" at the end;

(2) by redesignating subparagraph (G) as subparagraph (H); and

(3) by inserting after subparagraph (F) the following:

"(G) to improve analysis tools and technology regarding compliance or identifying and using innovative compliance strategies; and".

SEC. 11025. PILOT PROGRAMS.

Section 523(a) of the Federal Crop Insurance Act (7 U.S.C. 1523(a)) is amended—

(1) in paragraph (1), by inserting ", at the sole discretion of the Corporation," after "may"; and

(2) by striking paragraph (5).

SEC. 11026. INDEX-BASED WEATHER INSURANCE PILOT PROGRAM.

Section 523 of the Federal Crop Insurance Act (7 U.S.C. 1523) is amended by adding at the end the following:

"(i) UNDERSERVED CROPS AND REGIONS PILOT PROGRAMS.—

"(1) DEFINITION OF LIVESTOCK COMMODITY.—In this subsection, the term 'livestock commodity' includes cattle, sheep, swine, goats, and poultry, including pasture, rangeland, and forage as a source of feed for that livestock.

"(2) AUTHORIZATION.—Notwithstanding subsection (a)(2), the Corporation may conduct 2 or more pilot programs to provide producers of underserved specialty crops and livestock commodities with index-based weather insurance, subject to the requirements of this section.

"(3) REVIEW AND APPROVAL OF SUBMISSIONS.—

"(A) IN GENERAL.—The Board shall approve 2 or more proposed policies or plans of insurance from approved insurance providers if the Board determines that the policies or plans provide coverage as specified in paragraph (2), and meet the conditions described in this paragraph

"(B) REQUIREMENTS.—To be eligible for approval under this subsection, the approved insurance provider shall have—

"(i) adequate experience underwriting and administering policies or plans of insurance that are comparable to the proposed policy or plan of insurance;

"(ii) sufficient assets or reinsurance to satisfy the underwriting obligations of the approved insurance provider, and possess a sufficient insurance credit rating from an appropriate credit rating bureau, in accordance with Board procedures; and

"(iii) applicable authority and approval from each State in which the approved insurance provider intends to sell the insurance product.

"(C) REVIEW REQUIREMENTS.—In reviewing applications under this subsection, the Board shall conduct the review in a manner consistent with the standards, rules, and procedures for policies or plans of insurance submitted under section 508(h) and the actuarial soundness requirements applied to other policies and plans of insurance made available under this subtitle.

"(D) PRIORITIZATION.—The Board shall prioritize applications that provide a new kind of coverage for specialty crops and livestock commodities that previously had no available crop insurance, or has demonstrated a low level of participation under existing coverage.

"(4) PAYMENT OF PREMIUM SUPPORT.—

"(A) IN GENERAL.—The Corporation shall pay a portion of the premium for producers that purchase a policy or plan of insurance approved pursuant to this subsection.

"(B) AMOUNT.—The premium subsidy shall provide a similar dollar amount of premium subsidy per acre that the Corporation pays for comparable policies or plans of insurance reinsured under this subtitle, except that in no case shall the premium subsidy exceed 60 percent of total premium, as determined by the Corporation.

"(C) CALCULATION.—The premium subsidy, as determined by the Corporation, shall be calculated as—

"(i) a percentage of premium;

"(ii) a percentage of expected loss determined pursuant to a reasonable actuarial methodology; or

"(iii) a fixed dollar amount per acre.

"(D) PAYMENT.—Subject to subparagraphs (B) and (C), the premium subsidy under this subsection shall be paid by the Corporation in the same manner and under the same terms and conditions as premium subsidy for other policies and plans of insurance.

"(E) OPERATING AND ADMINISTRATIVE EXPENSE PAYMENTS.—

"(i) IN GENERAL.—Subject to clause (ii), operating and administrative expense payments may be made for policies and plans of insurance approved under this subsection in an amount that is commensurate with similar policies and plans of insurance reinsured under this subtitle, on the condition that the operating and administrative expenses are not included in premiums.

"(ii) LIMITATION.—Subject to subparagraph (F)(i), Federal reinsurance, research and development costs, other reimbursements, or maintenance fees shall not

be provided or collected for policies and plans of insurance approved under this subsection.

"(F) APPROVED INSURANCE PROVIDERS.—Any policy or plan of insurance approved under this subsection may be sold only by the approved insurance provider that submits the application and by any additional approved insurance provider that—

"(i) agrees to pay maintenance fees or other payments to the approved insurance provider that submitted the application in an amount agreed to by the applicant and the additional approved insurance provider, on the condition that the fees or payments shall be reasonable and appropriate to ensure that the policies or plans of insurance may be made available by additional approved insurance providers; and

"(ii) meets the eligibility criteria of paragraph (3)(B), as determined by the Board.

"(G) RELATIONSHIP TO OTHER PROVISIONS.—The requirements of this paragraph shall apply notwithstanding paragraph (6).

"(5) OVERSIGHT.—The Corporation shall develop and publish procedures to administer policies or plans of insurance approved under this subsection that—

"(A) require each approved insurance provider to report sales, acreage and claim data, and any other data that the Corporation determines to be appropriate, to allow the Corporation to evaluate sales and performance of the product; and

"(B) contain such other requirements as the Corporation determines necessary to ensure that the products—

"(i) do not have a significant adverse impact on the crop insurance delivery system;

"(ii) are in the best interests of producers; and

"(iii) do not result in a reduction of program integrity.

"(6) CONFIDENTIALITY.—

"(A) IN GENERAL.—All reports required under paragraph (5) and all other proprietary information and data generated or derived from applicants under this subsection shall be considered to be confidential commercial or financial information for the purposes of section 552(b)(4) of title 5, United States Code.

"(B) STANDARD.—If information concerning a proposal could be withheld by the Secretary under the standard for privileged or confidential information pertaining to trade secrets and commercial or financial information under section 552(b)(4) of title 5, United States Code, the information shall not be released to the public.

"(7) INELIGIBLE PURPOSES.—In no case shall a policy or plan of insurance made available under this subsection provide coverage substantially similar to privately available hail insurance.

"(8) FUNDING.—

"(A) LIMITATION ON EXPENDITURES.—Notwithstanding any other provision in this subsection, of the funds of the Corporation, the Corporation shall use to carry out this section not more than $12,500,000 for each of fiscal

years 2015 through 2018, to remain available until expended.

"(B) RELATION TO OTHER PROGRAMS.—The amount of funds made available under this section shall be in addition to amounts made available under other provisions of this subtitle, including amounts made available under subsection (b).".

SEC. 11027. ENHANCING PRODUCER SELF-HELP THROUGH FARM FINANCIAL BENCHMARKING.

(a) DEFINITION.—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) (as amended by section 11016(a)(1)) is amended—

(1) by redesignating paragraphs (7) through (10) as paragraphs (8) through (11), respectively; and

(2) by inserting after paragraph (6) the following:

"(7) FARM FINANCIAL BENCHMARKING.—The term 'farm financial benchmarking' means—

"(A) the process of comparing the performance of an agricultural enterprise against the performance of other similar enterprises, through the use of comparable and reliable data, in order to identify business management strengths, weaknesses, and steps necessary to improve management performance and business profitability; and

"(B) benchmarking of the type conducted by farm management and producer associations consistent with the activities described in or funded pursuant to section 1672D of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925f).".

(b) PARTNERSHIPS FOR RISK MANAGEMENT FOR PRODUCERS OF SPECIALTY CROPS AND UNDERSERVED AGRICULTURAL COMMODITIES.—Section 522(d)(3)(F) of the Federal Crop Insurance Act (7 U.S.C. 1522(d)(3)(F)) is amended by inserting "farm financial benchmarking," after "management,".

(c) CROP INSURANCE EDUCATION AND RISK MANAGEMENT ASSISTANCE.—Section 524(a) of the Federal Crop Insurance Act (7 U.S.C. 1524(a)) is amended—

(1) in paragraph (3)(A), by inserting "farm financial benchmarking," after "risk reduction,"; and

(2) in paragraph (4), in the matter preceding subparagraph (A), by inserting "(including farm financial benchmarking)" after "management strategies".

SEC. 11028. TECHNICAL AMENDMENTS.

(a) Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) in subsection (b)—

(A) by striking paragraph (7); and

(B) by redesignating paragraphs (8) through (11) as paragraphs (7) through (10), respectively;

(2) in subsection (e)(2), in the matter preceding subparagraph (A), by striking "paragraph (3)" and inserting "paragraphs (3), (6), and (7)"; and

(3) in subsection (k)(8)(C), by striking "subparagraph (A)(iii)" and inserting "subparagraph (A)(ii)".

(b) Section 522 of the Federal Crop Insurance Act (7 U.S.C. 1522) is amended—

(1) in subsection (b)(4)(A), by striking "paragraphs (1)" and inserting "paragraph (1)"; and

(2) in subsection (e)(1), by adding a period at the end.

(c) Section 531(d)(3)(A) of the Federal Crop Insurance Act (7 U.S.C. 1531(d)(3)(A)) is amended—

(1) by striking "(A) ELIGIBLE LOSSES.—" and all that follows through "An eligible" in clause (i) and inserting the following:

"(A) ELIGIBLE LOSSES.—An eligible";

(2) by striking clause (ii); and

(3) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and indenting appropriately.

(d) Section 901(d)(3)(A) of the Trade Act of 1974 (19 U.S.C. 2497(d)(3)(A)) is amended—

(1) by striking "(A) ELIGIBLE LOSSES.—" and all that follows through "An eligible" in clause (i) and inserting the following:

"(A) ELIGIBLE LOSSES.—An eligible";

(2) by striking clause (ii); and

(3) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and indenting appropriately.

TITLE XII—MISCELLANEOUS

Subtitle A—Livestock

7 USC 8304 note.

SEC. 12101. TRICHINAE CERTIFICATION PROGRAM.

(a) ALTERNATIVE CERTIFICATION PROCESS.—The Secretary of Agriculture shall amend the rule made under paragraph (2) of section 11010(a) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8304(a)) to implement the voluntary trichinae certification program established under paragraph (1) of such section, to include a requirement to establish an alternative trichinae certification process based on surveillance or other methods consistent with international standards for categorizing compartments as having negligible risk for trichinae.

(b) FINAL REGULATIONS.—Not later than one year after the date on which the international standards referred to in subsection (a) are adopted, the Secretary shall finalize the rule amended under such subsection.

(c) REAUTHORIZATION.—Section 10405(d)(1) of the Animal Health Protection Act (7 U.S.C. 8304(d)(1)) is amended in subparagraphs (A) and (B) by striking "2012" each place it appears and inserting "2018".

SEC. 12102. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM.

(a) IN GENERAL.—Subtitle A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

7 USC 1627a.

"SEC. 209. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM.

"(a) ESTABLISHMENT.—The Secretary of Agriculture, acting through the Administrator of the Agricultural Marketing Service, shall establish a competitive grant program for the purposes of strengthening and enhancing the production and marketing of sheep and sheep products in the United States, including through—

"(1) the improvement of—

"(A) infrastructure;

"(B) business; and

"(C) resource development; and

"(2) the development of innovative approaches to solve long-term needs.

"(b) ELIGIBILITY.—The Secretary shall make grants under this section to at least one national entity, the mission of which is consistent with the purpose of the grant program.

"(c) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section $1,500,000 for fiscal year 2014, to remain available until expended.".

(b) CONFORMING AMENDMENT.—Section 375 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j) (as in existence on the day before the date of the enactment of this Act) is—

(1) amended in subsection (e)—

(A) in paragraph (3)(D), by striking "3 percent" and inserting "10 percent"; and

(B) by striking paragraph (6);

(2) redesignated as section 210 of the Agricultural Marketing Act of 1946; and 7 USC 1627b.

(3) moved so as to appear at the end of subtitle A of that Act (as amended by subsection (a)).

SEC. 12103. NATIONAL AQUATIC ANIMAL HEALTH PLAN.

Section 11013(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8322(d)) is amended by striking "2012" and inserting "2018".

SEC. 12104. COUNTRY OF ORIGIN LABELING.

(a) ECONOMIC ANALYSIS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture, acting through the Office of the Chief Economist, shall conduct an economic analysis of the final rule entitled "Mandatory Country of Origin Labeling of Beef, Pork, Lamb, Chicken, Goat Meat, Wild and Farm-raised Fish and Shellfish, Perishable Agricultural Commodities, Peanuts, Pecans, Ginseng and Macadamia Nuts" published by the Department of Agriculture on May 24, 2013 (78 Fed. Reg. 31367) that makes certain amendments to parts 60 and 65 of title 7, Code of Federal Regulations.

(2) CONTENTS.—The economic analysis described in subsection (a) shall include, with respect to the labeling of beef, pork, and chicken, an analysis of the impact on consumers, producers, and packers in the United States of—

(A) the implementation of subtitle D of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638 et seq.); and

(B) the final rule referred to in subsection (a).

(b) APPLYING COUNTRY OF ORIGIN LABELING REQUIREMENTS TO VENISON.—

(1) DEFINITION OF COVERED COMMODITY.—Section 281(2)(A) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638(2)(A)) is amended—

(A) in clause (i), by striking "and pork" and inserting "pork, and venison"; and

(B) in clause (ii), by striking "and ground pork" and inserting "ground pork, and ground venison".

(2) NOTICE OF COUNTRY OF ORIGIN.—Section 282(a)(2) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a(a)(2)) is amended—

(A) in the heading, by striking "AND GOAT" and inserting "GOAT, AND VENISON";

(B) by striking "or goat" and inserting "goat, or venison" each place it appears in subparagraphs (A), (B), (C), and (D); and

(C) in subparagraph (E)—

(i) in the heading, by striking "AND GOAT" and inserting "GOAT, AND VENISON"; and

(ii) by striking "or ground goat" each place it appears and inserting "ground goat, or ground venison".

SEC. 12105. NATIONAL ANIMAL HEALTH LABORATORY NETWORK.

The Animal Health Protection Act is amended by inserting after section 10409 (7 U.S.C. 8308) the following new section:

"SEC. 10409A. NATIONAL ANIMAL HEALTH LABORATORY NETWORK.

"(a) DEFINITION OF ELIGIBLE LABORATORY.—In this section, the term 'eligible laboratory' means a diagnostic laboratory that meets specific criteria developed by the Secretary, in consultation with State animal health officials, State veterinary diagnostic laboratories, and veterinary diagnostic laboratories at institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

"(b) IN GENERAL.—The Secretary, in consultation with State veterinarians, shall offer to enter into contracts, grants, cooperative agreements, or other legal instruments with eligible laboratories for any of the following purposes:

"(1) To enhance the capability of the Secretary to respond in a timely manner to emerging or existing bioterrorist threats to animal health.

"(2) To provide the capacity and capability for standardized—

"(A) test procedures, reference materials, and equipment;

"(B) laboratory biosafety and biosecurity levels;

"(C) quality management system requirements;

"(D) interconnected electronic reporting and transmission of data; and

"(E) evaluation for emergency preparedness.

"(3) To coordinate the development, implementation, and enhancement of national veterinary diagnostic laboratory capabilities, with special emphasis on surveillance planning and vulnerability analysis, technology development and validation, training, and outreach.

"(c) PRIORITY.—To the extent practicable and to the extent capacity and specialized expertise may be necessary, the Secretary shall give priority to existing Federal facilities, State facilities, and facilities at institutions of higher education.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2014 through 2018.".

SEC. 12106. FOOD SAFETY INSPECTION.

(a) INSPECTIONS.—

(1) IN GENERAL.—Section 1(w) of the Federal Meat Inspection Act (21 U.S.C. 601(w)) is amended by striking paragraph (2) and inserting the following:

"(2) all fish of the order Siluriformes; and".

(2) CONDITIONS.—Section 6 of the Federal Meat Inspection Act (21 U.S.C. 606) is amended by striking subsection (b) and inserting the following:

"(b) CERTAIN FISH.—In the case of an examination and inspection under subsection (a) of a meat food product derived from any fish described in section 1(w)(2), the Secretary shall take into account the conditions under which the fish is raised and transported to a processing establishment.".

(3) INAPPLICABILITY.—Section 25 of the Federal Meat Inspection Act (21 U.S.C. 625) is amended by striking "not apply" and all that follows and inserting "not apply to any fish described in section 1(w)(2).".

(4) CONFORMING AMENDMENT.—Section 203(n) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622(n)) is amended by striking paragraph (1) and inserting the following:

"(1) all fish of the order Siluriformes; and".

(b) IMPLEMENTATION.— 21 USC 601 note.

(1) IN GENERAL.—The Secretary shall—

(A) not later than 60 days after the date of enactment of this Act, issue final regulations to carry out the amendments made by section 11016(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2130), as further clarified by the amendments made by this section; and

(B) not later than 1 year after the date of enactment of this Act, implement the amendments described in subparagraph (A).

(2) NOTIFICATION.—Beginning 30 days after the date of enactment of this Act and every 30 days thereafter until the date of full implementation of the amendments described in paragraph (1)(A), the Secretary shall submit a report describing the status of implementation to—

(A) the Committee on Agriculture of the House of Representatives;

(B) the Committee on Agriculture, Nutrition and Forestry of the Senate;

(C) the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the House of Representatives; and

(D) the Subcommittee on Agriculture, Rural Development, and Related Agencies of the Committee on Appropriations of the Senate.

(3) PROCEDURE.—Section 1601(c)(2) applies to the promulgation of the regulations and administration of this section and the amendments made by this section.

(4) CONFORMING AMENDMENT.—Section 11016(b) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2130) is amended by striking paragraph (2) and inserting the following: 21 USC 601 note.

"(2) IMPLEMENTATION.—

"(A) REGULATIONS.—Not later than 60 days after the date of enactment of the Agricultural Act of 2014, the Secretary, in consultation with the Commissioner of Food and Drugs, shall issue final regulations to carry out the amendments made by paragraph (1) and section 12106

of that Act in a manner that ensures that there is no duplication in inspection activities.

"(B) INTERAGENCY COORDINATION.—Not later than 60 days after the date of enactment of the Agricultural Act of 2014, the Secretary shall execute a memorandum of understanding with the Commissioner of Food and Drugs for the following purposes:

"(i) To improve interagency cooperation on food safety and fraud prevention, building upon any other prior agreements, including provisions, performance metrics, and timelines as appropriate.

"(ii) To maximize the effectiveness of limited personnel and resources by ensuring that—

"(I) inspections conducted by the Department satisfy requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.);

"(II) inspections of shipments and processing facilities for fish of the order Siluriformes by the Department and the Food and Drug Administration are not duplicative; and

"(III) any information resulting from examination, testing, and inspections conducted is considered in making risk-based determinations, including the establishment of inspection priorities.".

21 USC 601 note.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect as if enacted as part of section 11016(b) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2130).

7 USC 8308 note.

SEC. 12107. NATIONAL POULTRY IMPROVEMENT PLAN.

The Secretary of Agriculture shall ensure that the Department of Agriculture continues to administer the diagnostic surveillance program for H5/H7 low pathogenic avian influenza with respect to commercial poultry under section 146.14 of title 9, Code of Federal Regulations (or a successor regulation), without amending the regulations in section 147.43 of title 9, Code of Federal Regulations (as in effect on the date of the enactment of this Act), with respect to the governance of the General Conference Committee established under such section. The Secretary of Agriculture shall maintain—

(1) the operations of the General Conference Committee—

(A) in the physical location at which the Committee was located on the date of the enactment of this Act; and

(B) with the organizational structure within the Department of Agriculture in effect as of such date; and

(2) the funding levels for the National Poultry Improvement Plan for Commercial Poultry (established under part 146 of title 9, Code of Federal Regulations, or a successor regulation) at the fiscal year 2013 funding levels for the Plan.

SEC. 12108. SENSE OF CONGRESS REGARDING FERAL SWINE ERADICATION.

It is the sense of the Congress that—

(1) the Secretary of Agriculture should recognize the threat feral swine pose to the domestic swine population and the entire agriculture industry; and

(2) feral swine eradication is a high priority that the Secretary should carry out under the authorities of the Animal Health Protection Act (7 U.S.C. 8301 et seq.).

Subtitle B—Socially Disadvantaged Producers and Limited Resource Producers

SEC. 12201. OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS AND VETERAN FARMERS AND RANCHERS.

(a) OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS AND VETERAN FARMERS AND RANCHERS.—Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended—

(1) in the section heading, by inserting "**AND VETERAN FARMERS AND RANCHERS**" after "**RANCHERS**";

(2) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting "and veteran farmers or ranchers" after "ranchers";

(B) in paragraph (2)(B)(i), by inserting "and veteran farmers or ranchers" after "ranchers"; and

(C) in paragraph (4)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by striking "2012" and inserting "2018";

(II) in clause (i), by striking "and" at the end;

(III) in clause (ii), by striking the period at the end and inserting "; and"; and

(IV) by adding at the end the following new clause:

"(iii) $10,000,000 for each of fiscal years 2014 through 2018."; and

(ii) by adding at the end the following new subparagraph:

"(E) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2014 through 2018.";

(3) in subsection (b)(2), by inserting "or veteran farmers and ranchers" after "socially disadvantaged farmers and ranchers";

(4) in subsection (c)—

(A) in paragraph (1)(A), by inserting "veteran farmers or ranchers and" before "members"; and

(B) in paragraph (2)(A), by inserting "veteran farmers or ranchers and" before "members"; and

(5) in subsection (e)(5)(A)—

(A) in clause (i), by inserting "and veteran farmers or ranchers" after "ranchers"; and

(B) in clause (ii), by inserting "and veteran farmers or ranchers" after "ranchers".

(b) DEFINITION OF VETERAN FARMER OR RANCHER.—Section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)) is amended by adding at the end the following new paragraph:

"(7) VETERAN FARMER OR RANCHER.—The term 'veteran farmer or rancher' means a farmer or rancher who has served in the Armed Forces (as defined in section 101(10) of title 38 United States Code) and who—

"(A) has not operated a farm or ranch; or

"(B) has operated a farm or ranch for not more than 10 years.".

SEC. 12202. OFFICE OF ADVOCACY AND OUTREACH.

Paragraph (3) of section 226B(f) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(f)) is amended to read as follows:

"(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection—

"(A) such sums as are necessary for each of fiscal years 2009 through 2013; and

"(B) $2,000,000 for each of fiscal years 2014 through 2018.".

SEC. 12203. SOCIALLY DISADVANTAGED FARMERS AND RANCHERS POLICY RESEARCH CENTER.

Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), as amended by section 12201, is amended by adding at the end the following new subsection:

"(i) SOCIALLY DISADVANTAGED FARMERS AND RANCHERS POLICY RESEARCH CENTER.—The Secretary shall award a grant to a college or university eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University, to establish a policy research center to be known as the 'Socially Disadvantaged Farmers and Ranchers Policy Research Center' for the purpose of developing policy recommendations for the protection and promotion of the interests of socially disadvantaged farmers and ranchers.".

SEC. 12204. RECEIPT FOR SERVICE OR DENIAL OF SERVICE FROM CERTAIN DEPARTMENT OF AGRICULTURE AGENCIES.

Section 2501A(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279–1(e)) is amended by striking "and, at the time of the request, also requests a receipt".

Subtitle C—Other Miscellaneous Provisions

SEC. 12301. GRANTS TO IMPROVE SUPPLY, STABILITY, SAFETY, AND TRAINING OF AGRICULTURAL LABOR FORCE.

Subsection (d) of section 14204 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2008q–1) is amended to read as follows:

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

"(2) $10,000,000 for each of fiscal years 2014 through 2018.".

SEC. 12302. PROGRAM BENEFIT ELIGIBILITY STATUS FOR PARTICIPANTS IN HIGH PLAINS WATER STUDY.

Section 2901 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1818) is amended by striking "this Act or an amendment made by this Act" and inserting "this Act, an amendment made by this Act, the Agricultural Act of 2014, or an amendment made by the Agricultural Act of 2014".

SEC. 12303. OFFICE OF TRIBAL RELATIONS.

Title III of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 is amended by adding after section 308 (7 U.S.C. 3125a note; Public Law 103–354) the following new section:

"SEC. 309. OFFICE OF TRIBAL RELATIONS. 7 USC 6921.

"The Secretary shall maintain in the Office of the Secretary an Office of Tribal Relations, which shall advise the Secretary on policies related to Indian tribes and carry out such other functions as the Secretary considers appropriate.".

SEC. 12304. MILITARY VETERANS AGRICULTURAL LIAISON.

Subtitle A of the Department of Agriculture Reorganization Act of 1994 is amended by inserting after section 218 (7 U.S.C. 6918) the following new section:

"SEC. 219. MILITARY VETERANS AGRICULTURAL LIAISON. 7 USC 6919.

"(a) AUTHORIZATION.—The Secretary shall establish in the Department the position of Military Veterans Agricultural Liaison.

"(b) DUTIES.—The Military Veterans Agricultural Liaison shall—

"(1) provide information to returning veterans about, and connect returning veterans with, beginning farmer training and agricultural vocational and rehabilitation programs appropriate to the needs and interests of returning veterans, including assisting veterans in using Federal veterans educational benefits for purposes relating to beginning a farming or ranching career;

"(2) provide information to veterans concerning the availability of, and eligibility requirements for, participation in agricultural programs, with particular emphasis on beginning farmer and rancher programs;

"(3) serve as a resource for assisting veteran farmers and ranchers, and potential farmers and ranchers, in applying for participation in agricultural programs; and

"(4) advocate on behalf of veterans in interactions with employees of the Department.

"(c) CONTRACTS AND COOPERATIVE AGREEMENTS.—For purposes of carrying out the duties under subsection (b), the Military Veterans Agricultural Liaison may enter into contracts or cooperative agreements with the research centers of the Agricultural Research Service, institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), or nonprofit organizations for—

"(1) the conduct of regional research on the profitability of small farms;

"(2) the development of educational materials;

"(3) the conduct of workshops, courses, and certified vocational training;

"(4) the conduct of mentoring activities; or
"(5) the provision of internship opportunities.".

SEC. 12305. NONINSURED CROP ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—

"(A) COVERAGES.—In the case of an eligible crop described in paragraph (2), the Secretary of Agriculture shall operate a noninsured crop disaster assistance program to provide coverages based on individual yields (other than for value-loss crops) equivalent to—

"(i) catastrophic risk protection available under section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)); or

"(ii) except in the case of crops and grasses used for grazing, additional coverage available under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) that does not exceed 65 percent, as described in subsection (l).

"(B) ADMINISTRATION.—The Secretary shall carry out this section through the Farm Service Agency (referred to in this section as the 'Agency').."; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (i), by striking "and" after the semicolon at the end;

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following:

"(ii) for which additional coverage under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) is not available; and"; and

(ii) in subparagraph (B), by striking "and industrial crops" and inserting "sweet sorghum, biomass sorghum, and industrial crops (including those grown expressly for the purpose of producing a feedstock for renewable biofuel, renewable electricity, or biobased products)";

(2) in subsection (i)(2), by striking "$100,000" and inserting "$125,000";

(3) in subsection (k)(2), by striking "limited resource farmer" and inserting "limited resource, beginning, or socially disadvantaged farmer"; and

(4) by adding at the end the following:

"(l) PAYMENT EQUIVALENT TO ADDITIONAL COVERAGE.—

"(1) IN GENERAL.—The Secretary shall make available noninsured assistance under this subsection (other than for crops and grasses used for grazing) at a payment amount that is equivalent to an indemnity for additional coverage under subsections (c) and (h) of section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) and equal to the product obtained by multiplying—

"(A) the amount that—

"(i) the additional coverage yield, which shall be equal to the product obtained by multiplying—

"(I) an amount not less than 50 percent nor more than 65 percent, as elected by the producer and specified in 5-percent increments; and

"(II) the approved yield for the crop, as determined by the Secretary; exceeds

"(ii) the actual yield;

"(B) 100 percent of the average market price for the crop, as determined by the Secretary; and

"(C) a payment rate for the type of crop, as determined by the Secretary, that reflects—

"(i) in the case of a crop that is produced with a significant and variable harvesting expense, the decreasing cost incurred in the production cycle for the crop that is, as applicable—

"(I) harvested;

"(II) planted but not harvested; or

"(III) prevented from being planted because of drought, flood, or other natural disaster, as determined by the Secretary; or

"(ii) in the case of a crop that is produced without a significant and variable harvesting expense, such rate as shall be determined by the Secretary.

"(2) SERVICE FEE AND PREMIUM.—To be eligible to receive a payment under this subsection, a producer shall pay—

"(A) the service fee required by subsection (k); and

"(B) the lesser of—

"(i) the sum of the premiums for each eligible crop, with the premium for each eligible crop obtained by multiplying—

"(I) the number of acres devoted to the eligible crop;

"(II) the yield, as determined by the Secretary under subsection (e);

"(III) the coverage level elected by the producer;

"(IV) the average market price, as determined by the Secretary; and

"(V) a 5.25-percent premium fee; or

"(ii) the product obtained by multiplying—

"(I) a 5.25-percent premium fee; and

"(II) the applicable payment limit.

"(3) ADDITIONAL AVAILABILITY.—

"(A) IN GENERAL.—As soon as practicable after October 1, 2013, the Secretary shall make assistance available to producers of an otherwise eligible crop described in subsection (a)(2) that suffered losses—

"(i) to a 2012 annual fruit crop grown on a bush or tree; and

"(ii) in a county covered by a declaration by the Secretary of a natural disaster for production losses due to a freeze or frost.

"(B) ASSISTANCE.—The Secretary shall make assistance available under subparagraph (A) in an amount equivalent

to assistance available under paragraph (1), less any fees not previously paid under paragraph (2).

"(4) LIMITED RESOURCE, BEGINNING, AND SOCIALLY DISADVANTAGED FARMERS.—The coverage made available under this subsection shall be available to limited resource, beginning, and socially disadvantaged farmers, as determined by the Secretary, in exchange for a premium that is 50 percent of the premium determined under paragraph (2).

"(5) EFFECTIVE DATE.—Except as provided in paragraph (3)(A), additional coverage under this subsection shall be available for each of the 2015 through 2018 crop years.".

(b) PROHIBITION ON CATASTROPHIC RISK PROTECTION.—Section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)) is amended by striking paragraph (1) and inserting the following:

"(1) COVERAGE AVAILABILITY.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the Corporation shall offer a catastrophic risk protection plan to indemnify producers for crop loss due to loss of yield or prevented planting, if provided by the Corporation, when the producer is unable, because of drought, flood, or other natural disaster (as determined by the Secretary), to plant other crops for harvest on the acreage for the crop year.

"(B) EXCEPTION.—Coverage described in subparagraph (A) shall not be available for crops and grasses used for grazing.".

7 USC 1632c.

SEC. 12306. ACER ACCESS AND DEVELOPMENT PROGRAM.

(a) GRANTS AUTHORIZED.—The Secretary of Agriculture may make competitive grants to States, tribal governments, and research institutions to support the efforts of such States, tribal governments, and research institutions to promote the domestic maple syrup industry through the following activities:

(1) Promotion of research and education related to maple syrup production.

(2) Promotion of natural resource sustainability in the maple syrup industry.

(3) Market promotion for maple syrup and maple-sap products.

(4) Encouragement of owners and operators of privately held land containing species of trees in the genus Acer—

(A) to initiate or expand maple-sugaring activities on the land; or

(B) to voluntarily make the land available, including by lease or other means, for access by the public for maple-sugaring activities.

(b) APPLICATION.—In submitting an application for a competitive grant under this section, a State, tribal government, or research institution shall include—

(1) a description of the activities to be supported using the grant funds;

(2) a description of the benefits that the State, tribal government, or research institution intends to achieve as a result of engaging in such activities; and

(3) an estimate of the increase in maple-sugaring activities or maple syrup production that the State, tribal government,

or research institution anticipates will occur as a result of engaging in such activities.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed so as to preempt a State or tribal government law, including a State or tribal government liability law.

(d) DEFINITION OF MAPLE-SUGARING.—In this section, the term "maple-sugaring" means the collection of sap from any species of tree in the genus Acer for the purpose of boiling to produce food.

(e) REGULATIONS.—The Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2014 through 2018.

SEC. 12307. SCIENCE ADVISORY BOARD.

Section 8 of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4365) is amended—

(1) by striking subsection (e) and inserting the following:

"(e) COMMITTEES.—

"(1) MEMBER COMMITTEES.—

"(A) IN GENERAL.—The Board is authorized to establish such member committees and investigative panels as the Administrator and the Board determine to be necessary to carry out this section.

"(B) CHAIRMANSHIP.—Each member committee or investigative panel established under this subsection shall be chaired by a member of the Board.

"(2) AGRICULTURE-RELATED COMMITTEES.—

"(A) IN GENERAL.—The Administrator and the Board—

"(i) shall establish a standing agriculture-related committee; and

"(ii) may establish such additional agriculture-related committees and investigative panels as the Administrator and the Board determines to be necessary to carry out the duties under subparagraph (C).

"(B) MEMBERSHIP.—The standing committee and each agriculture-related committee or investigative panel established under subparagraph (A) shall be—

"(i) composed of—

"(I) such quantity of members as the Administrator and the Board determines to be necessary; and

"(II) individuals who are not members of the Board on the date of appointment to the committee or investigative panel; and

"(ii) appointed by the Administrator and the Board, in consultation with the Secretary of Agriculture.

"(C) DUTIES.—The agriculture-related standing committee and each additional committee and investigative panel established under subparagraph (A) shall provide scientific and technical advice to the Board relating to matters referred to the Board that the Administrator and the Board determines, in consultation with the Secretary of Agriculture, to have a significant direct impact on enterprises that are engaged in the business of the production

of food and fiber, ranching and raising livestock, aquaculture, and all other farming- and agriculture-related industries."; and

(2) by adding at the end the following:

"(h) PUBLIC PARTICIPATION AND TRANSPARENCY.—The Board shall make every effort, consistent with applicable law, including section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act') and section 552a of title 5, United States Code (commonly known as the 'Privacy Act'), to maximize public participation and transparency, including making the scientific and technical advice of the Board and any committees or investigative panels of the Board publically available in electronic form on the website of the Environmental Protection Agency.

"(i) REPORT TO CONGRESS.—The Administrator shall annually report to the Committees on Environment and Public Works and Agriculture of the Senate and the Committees on Transportation and Infrastructure, Energy and Commerce, and Agriculture of the House of Representatives regarding the membership and activities of the standing agriculture-related committee established pursuant to subsection (e)(2)(A)(i).".

SEC. 12308. AMENDMENTS TO ANIMAL WELFARE ACT.

(a) LICENSING OF DEALERS AND EXHIBITORS.—

(1) DEFINITION.—Section 2 of the Animal Welfare Act (7 U.S.C. 2132) is amended—

(A) in the matter preceding subsection (a), by striking "When used in this Act—" and inserting "In this Act:";

(B) in subsection (f), by striking "(2) any dog for hunting, security, or breeding purposes" and all that follows through the semicolon at the end and inserting "(2) any dog for hunting, security, or breeding purposes. Such term does not include a retail pet store (other than a retail pet store which sells any animals to a research facility, an exhibitor, or another dealer).";

(C) in each of subsections (a), (b), (d), (e), (g), (h), (i), (j), (k), and (m), by striking the semicolon at the end and inserting a period; and

(D) in subsection (n), by striking "; and" at the end and inserting a period.

(2) LICENSING.—Section 3 of the Animal Welfare Act (7 U.S.C. 2133) is amended by striking ": *Provided, however,* That any retail pet store" and all that follows through "under this Act." and inserting the following ": *Provided, however,* That a dealer or exhibitor shall not be required to obtain a license as a dealer or exhibitor under this Act if the size of the business is determined by the Secretary to be de minimis.".

(b) PROHIBITION ON ATTENDING AN ANIMAL FIGHT OR CAUSING AN INDIVIDUAL WHO HAS NOT ATTAINED THE AGE OF 16 TO ATTEND AN ANIMAL FIGHT; ENFORCEMENT OF ANIMAL FIGHTING PROVISIONS.—

(1) PROHIBITION ON ATTENDING AN ANIMAL FIGHT OR CAUSING AN INDIVIDUAL WHO HAS NOT ATTAINED THE AGE OF 16 TO ATTEND AN ANIMAL FIGHT.—Section 26(a) of the Animal Welfare Act (7 U.S.C. 2156(a)) is amended—

(A) in the heading, by striking "SPONSORING OR EXHIBITING AN ANIMAL IN" and inserting "SPONSORING OR EXHIBITING AN ANIMAL IN, ATTENDING, OR CAUSING AN INDIVIDUAL WHO HAS NOT ATTAINED THE AGE OF 16 TO ATTEND,"; and

(B) in paragraph (1)—

(i) in the heading, by striking "IN GENERAL" and inserting "SPONSORING OR EXHIBITING"; and

(ii) by striking "paragraph (2)" and inserting "paragraph (3)";

(iii) by redesignating paragraph (2) as paragraph (3); and

(iv) by inserting after paragraph (1) the following:

"(2) ATTENDING OR CAUSING AN INDIVIDUAL WHO HAS NOT ATTAINED THE AGE OF 16 TO ATTEND.—It shall be unlawful for any person to—

"(A) knowingly attend an animal fighting venture; or

"(B) knowingly cause an individual who has not attained the age of 16 to attend an animal fighting venture.".

(2) ENFORCEMENT OF ANIMAL FIGHTING PROHIBITIONS.—Section 49 of title 18, United States Code, is amended—

(A) by striking "Whoever" and inserting "(a) IN GENERAL.—Whoever";

(B) in subsection (a), as designated by subparagraph (A), by striking "subsection (a)," and inserting "subsection (a)(1),"; and

(C) by adding at the end the following:

"(b) ATTENDING AN ANIMAL FIGHTING VENTURE.—Whoever violates subsection (a)(2)(A) of section 26 of the Animal Welfare Act (7 U.S.C. 2156) shall be fined under this title, imprisoned for not more than 1 year, or both, for each violation.

"(c) CAUSING AN INDIVIDUAL WHO HAS NOT ATTAINED THE AGE OF 16 TO ATTEND AN ANIMAL FIGHTING VENTURE.—Whoever violates subsection (a)(2)(B) of section 26 (7 U.S.C. 2156) of the Animal Welfare Act shall be fined under this title, imprisoned for not more than 3 years, or both, for each violation.".

SEC. 12309. PRODUCE REPRESENTED AS GROWN IN THE UNITED STATES WHEN IT IS NOT IN FACT GROWN IN THE UNITED STATES.

19 USC 1304a.

(a) TECHNICAL ASSISTANCE TO CBP.—The Secretary of Agriculture shall make available to U.S. Customs and Border Protection technical assistance related to the identification of produce represented as grown in the United States when it is not in fact grown in the United States.

(b) REPORT TO CONGRESS.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on produce represented as grown in the United States when it is not in fact grown in the United States.

SEC. 12310. REPORT ON WATER SHARING.

22 USC 277i.

Not later than 120 days after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to Congress a report on efforts by Mexico to meet its treaty deliveries of water to the Rio Grande in accordance with the Treaty between the United States and Mexico Respecting Utilization of

waters of the Colorado and Tijuana Rivers and of the Rio Grande (done at Washington, February 3, 1944).

21 USC 350h note.

SEC. 12311. SCIENTIFIC AND ECONOMIC ANALYSIS OF THE FDA FOOD SAFETY MODERNIZATION ACT.

(a) IN GENERAL.—When publishing a final rule with respect to "Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption" published by the Department of Health and Human Services on January 16, 2013 (78 Fed. Reg. 3504), the Secretary of Health and Human Services (referred to in this section as the "Secretary") shall ensure that the final rule (referred to in this section as the "final rule") includes the following information:

(1) An analysis of the scientific information used to promulgate the final rule, taking into consideration any information about farming and ranching operations of a variety of sizes, with regional differences, and that have a diversity of production practices and methods.

(2) An analysis of the economic impact of the final rule.

(3) A plan to systematically—

(A) evaluate the impact of the final rule on farming and ranching operations; and

(B) develop an ongoing process to evaluate and respond to business concerns.

(b) REPORT.—Not later than 1 year after the date on which the Secretary promulgates the final rule referred to in subsection (a), the Comptroller General of the United States shall submit to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Health, Education, and Labor of the Senate and the Committee on Agriculture and the Committee on Energy and Commerce of the House of Representatives a report on the effectiveness of the ongoing evaluation and response process referred to in subsection (a)(3)(B). Not later than one year after the date on which such report is submitted, the Comptroller General of the United States shall submit to such committees an updated report on such process.

SEC. 12312. PAYMENT IN LIEU OF TAXES.

Section 6906 of title 31, United States Code, is amended, in the matter preceding paragraph (1), by striking "2013" and inserting "2014".

SEC. 12313. SILVICULTURAL ACTIVITIES.

Section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)) is amended by adding at the end the following:

"(3) SILVICULTURAL ACTIVITIES.—

"(A) NPDES PERMIT REQUIREMENTS FOR SILVICULTURAL ACTIVITIES.—The Administrator shall not require a permit under this section nor directly or indirectly require any State to require a permit under this section for a discharge from runoff resulting from the conduct of the following silviculture activities conducted in accordance with standard industry practice: nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance.

"(B) OTHER REQUIREMENTS.—Nothing in this paragraph exempts a discharge from silvicultural activity from any permitting requirement under section 404, existing permitting requirements under section 402, or from any other federal law.

"(C) The authorization provided in Section 505(a) does not apply to any non-permitting program established under 402(p)(6) for the silviculture activities listed in 402(l)(3)(A), or to any other limitations that might be deemed to apply to the silviculture activities listed in 402(l)(3)(A).".

SEC. 12314. PIMA AGRICULTURE COTTON TRUST FUND. 7 USC 2101 note.

(a) ESTABLISHMENT OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the "Pima Agriculture Cotton Trust Fund" (in this section referred to as the "Trust Fund"), consisting of such amounts as may be transferred to the Trust Fund pursuant to subsection (h), and to be used for the purpose of reducing the injury to domestic manufacturers resulting from tariffs on cotton fabric that are higher than tariffs on certain apparel articles made of cotton fabric.

(b) DISTRIBUTION OF FUNDS.—From amounts in the Trust Fund, the Secretary shall make payments annually beginning in calendar year 2014 for calendar years 2014 through 2018 as follows:

(1) Twenty-five percent of the amounts in the Trust Fund shall be paid to one or more nationally recognized associations established for the promotion of pima cotton for use in textile and apparel goods.

(2) Twenty-five percent of the amounts in the Trust Fund shall be paid to yarn spinners of pima cotton that produce ring spun cotton yarns in the United States, to be allocated to each spinner in an amount that bears the same ratio as—

(A) the spinner's production of ring spun cotton yarns, measuring less than 83.33 decitex (exceeding 120 metric number) from pima cotton in single and plied form during calendar year 2013 (as evidenced by an affidavit provided by the spinner that meets the requirements of subsection (c)), bears to—

(B) the production of the yarns described in subparagraph (A) during calendar year 2013 for all spinners who qualify under this paragraph.

(3) Fifty percent of the amounts in the Trust Fund shall be paid to manufacturers who cut and sew cotton shirts in the United States who certify that they used imported cotton fabric during calendar year 2013, to be allocated to each such manufacturer in an amount that bears the same ratio as—

(A) the dollar value (excluding duty, shipping, and related costs) of imported woven cotton shirting fabric of 80s or higher count and 2-ply in warp purchased by the manufacturer during calendar year 2013 (as evidenced by an affidavit provided by the manufacturer that meets the requirements of subsection (d)) used in the manufacturing of men's and boys' cotton shirts, bears to—

(B) the dollar value (excluding duty, shipping, and related costs) of the fabric described in subparagraph (A) purchased during calendar year 2013 by all manufacturers who qualify under this paragraph.

(c) AFFIDAVIT OF YARN SPINNERS.—The affidavit required by subsection (b)(2)(A) is a notarized affidavit provided annually by an officer of a producer of ring spun yarns that affirms—

(1) that the producer used pima cotton during the year in which the affidavit is filed and during calendar year 2013 to produce ring spun cotton yarns in the United States, measuring less than 83.33 decitex (exceeding 120 metric number), in single and plied form;

(2) the quantity, measured in pounds, of ring spun cotton yarns, measuring less than 83.33 decitex (exceeding 120 metric number), in single and plied form during calendar year 2013; and

(3) that the producer maintains supporting documentation showing the quantity of such yarns produced, and evidencing the yarns as ring spun cotton yarns, measuring less than 83.33 decitex (exceeding 120 metric number), in single and plied form during calendar year 2013.

(d) AFFIDAVIT OF SHIRTING MANUFACTURERS.—

(1) IN GENERAL.—The affidavit required by subsection (b)(3)(A) is a notarized affidavit provided annually by an officer of a manufacturer of men's and boys' shirts that affirms—

(A) that the manufacturer used imported cotton fabric during the year in which the affidavit is filed and during calendar year 2013, to cut and sew men's and boys' woven cotton shirts in the United States;

(B) the dollar value of imported woven cotton shirting fabric of 80s or higher count and 2-ply in warp purchased by the manufacturer during calendar year 2013;

(C) that the manufacturer maintains invoices along with other supporting documentation (such as price lists and other technical descriptions of the fabric qualities) showing the dollar value of such fabric purchased, the date of purchase, and evidencing the fabric as woven cotton fabric of 80s or higher count and 2-ply in warp; and

(D) that the fabric was suitable for use in the manufacturing of men's and boys' cotton shirts.

(2) DATE OF PURCHASE.—For purposes of the affidavit under paragraph (1), the date of purchase shall be the invoice date, and the dollar value shall be determined excluding duty, shipping, and related costs.

(e) FILING DEADLINE FOR AFFIDAVITS.—Any person required to provide an affidavit under this section shall file the affidavit with the Secretary or as directed by the Secretary—

(1) in the case of an affidavit required for calendar year 2014, not later than 60 days after the date of the enactment of this Act; and

(2) in the case of an affidavit required for any of calendar years 2015 through 2018, not later than March 15 of that calendar year.

(f) TIMING OF DISTRIBUTIONS.—The Secretary shall make a payment under paragraph (2) or (3) of subsection (b)—

(1) for calendar year 2014—

(A) not later than the date that is 30 days after the filing of the affidavit required with respect to that payment; or

(B) if the Secretary is unable to make the payment by the date described in subparagraph (A), as soon as practicable thereafter; and

(2) for calendar years 2015 through 2018, not later than the date that is 30 days after the filing of the affidavit required with respect to that payment.

(g) MEMORANDUM OF UNDERSTANDING.—The Secretary and the Commissioner responsible for U.S. Customs and Border Protection shall, as soon as practicable after the date of the enactment of this Act, negotiate a memorandum of understanding to establish procedures pursuant to which the Commissioner will assist the Secretary in carrying out the provisions of this section.

(h) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall transfer to the Trust Fund $16,000,000 for each of calendar years 2014 through 2018, to remain available until expended.

SEC. 12315. AGRICULTURE WOOL APPAREL MANUFACTURERS TRUST FUND. 7 USC 7101 note.

(a) ESTABLISHMENT OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the "Agriculture Wool Apparel Manufacturers Trust Fund" (in this section referred to as the "Trust Fund"), consisting of such amounts as may be transferred to the Trust Fund pursuant to subsection (f), and to be used for the purpose of reducing the injury to domestic manufacturers resulting from tariffs on wool fabric that are higher than tariffs on certain apparel articles made of wool fabric.

(b) DISTRIBUTION OF FUNDS.—

(1) IN GENERAL.—From amounts in the Trust Fund, the Secretary may make payments annually beginning in calendar year 2014 for calendar years 2010 through 2019 as follows:

(A) To each eligible manufacturer under paragraph (3) of section 4002(c) of the Wool Suit and Textile Trade Extension Act of 2004 (Public Law 108–429; 118 Stat. 2600), as amended by section 1633(c) of the Miscellaneous Trade and Technical Corrections Act of 2006 (Public Law 109–280; 120 Stat. 1166) and section 325(b) of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008 (division C of Public Law 110–343; 122 Stat. 3875), and any successor-in-interest to such a manufacturer as provided for under paragraph (4) of such section 4002(c), that submits an affidavit in accordance with paragraph (2) for the year of the payment—

(i) for calendar years 2010 through 2015, payments that, when added to any other payments made to the manufacturer or successor-in-interest under paragraph (3) of such section 4002(c) in such calendar years, equal the total amount of payments authorized to be provided to the manufacturer or successor-in-interest under that paragraph, or the provisions of this section, in such calendar years; and

(ii) for calendar years 2016 through 2019, payments in amounts authorized under that paragraph.

(B) To each eligible manufacturer under paragraph (6) of such section 4002(c)—

(i) for calendar years 2010 through 2014, payments that, when added to any other payments made to

eligible manufacturers under that paragraph in such calendar years, equal the total amount of payments authorized to be provided to the manufacturer under that paragraph, or the provisions of this section, in such calendar years; and

(ii) for calendar years 2015 through 2019, payments in amounts authorized under that paragraph.

(2) SUBMISSION OF AFFIDAVITS.—An affidavit required by paragraph (1)(A) shall be submitted—

(A) in each of calendar years 2010 through 2015, to the Commissioner responsible for U.S. Customs and Border Protection not later than April 15; and

(B) in each of calendar years 2016 through 2019, to the Secretary, or as directed by the Secretary, and not later than March 1.

(c) PAYMENT OF AMOUNTS.—The Secretary shall make payments to eligible manufacturers and successors-in-interest described in paragraphs (1) and (2) of subsection (b)—

(1) for calendar years 2010 through 2014, not later than 30 days after the transfer of amounts from the Commodity Credit Corporation to the Trust Fund under subsection (f); and

(2) for calendar years 2015 through 2019, not later than April 15 of the year of the payment.

(d) MEMORANDA OF UNDERSTANDING.—The Secretary shall, as soon as practicable after the date of the enactment of this Act, negotiate memoranda of understanding with the Commissioner responsible for U.S. Customs and Border Protection and the Secretary of Commerce to establish procedures pursuant to which the Commissioner and the Secretary of Commerce will assist in carrying out the provisions of this section.

(e) INCREASE IN PAYMENTS IN THE EVENT OF EXPIRATION OF DUTY SUSPENSIONS.—

(1) IN GENERAL.—In any calendar year in which the suspension of duty on wool fabrics provided for under headings 9902.51.11, 9902.51.13, 9902.51.14, 9902.51.15, and 9902.51.16 of the Harmonized Tariff Schedule of the United States are not in effect, the amount of any payment described in subsection (b)(1) to a manufacturer or successor-in-interest shall be increased by an amount the Secretary, after consultation with the Secretary of Commerce, determines is equal to the amount the manufacturer or successor-in-interest would have saved during the calendar year of the payment if the suspension of duty on wool fabrics were in effect.

(2) NO APPEAL OF DETERMINATIONS.—A determination of the Secretary under this subsection shall be final and not subject to appeal or protest.

(f) FUNDING.—

(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall transfer to the Trust Fund for each of calendar years 2014 through 2019 an amount equal to the lesser of—

(A) the amount the Secretary determines to be necessary to make payments required by this section in that calendar year; or

(B) $30,000,000.

(2) AVAILABILITY.—Amounts transferred to the Trust Fund under paragraph (1) shall remain available until expended.

SEC. 12316. WOOL RESEARCH AND PROMOTION.

7 USC 7101.

(a) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to provide grants described in section 506(d) of the Trade and Development Act of 2000 (7 U.S.C. 7101 note) $2,250,000 for each of calendar years 2015 through 2019, to remain available until expended.

(b) AUTHORIZATION TO DISTRIBUTE UNEXPENDED BALANCE.—In addition to funds made available under subsection (a) and notwithstanding subsection (f) of section 506 of the Trade and Development Act of 2000 (7 U.S.C. 7101 note), the Secretary may use any unexpended balances remaining in the Wool Research, Development, and Promotion Trust Fund established under that section as of December 31, 2014, to provide grants described in subsection (d) of that section.

Subtitle D—Oilheat Efficiency, Renewable Fuel Research and Jobs Training

Oilheat Efficiency, Renewable Fuel Research and Jobs Training Act of 2014. 42 USC 6201 note.

SEC. 12401. SHORT TITLE.

This subtitle may be cited as the "Oilheat Efficiency, Renewable Fuel Research and Jobs Training Act of 2014".

SEC. 12402. FINDINGS AND PURPOSES.

Section 702 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended—

(1) in paragraph (4), by striking "and" after the semicolon at the end;

(2) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(6) consumers of oilheat fuel are provided service by thousands of small businesses that are unable to individually develop training programs to facilitate the entry of new and qualified workers into the oilheat fuel industry;

"(7) small businesses and trained employees are in an ideal position—

"(A) to provide information to consumers about the benefits of improved efficiency; and

"(B) to encourage consumers to value efficiency in energy choices and assist individuals in conserving energy;

"(8) additional research is necessary—

"(A) to improve oilheat fuel equipment; and

"(B) to develop domestic renewable resources that can be used to safely and affordably heat homes;

"(9) since there are no Federal resources available to assist the oilheat fuel industry, it is necessary and appropriate to develop a self-funded program dedicated—

"(A) to improving efficiency in customer homes;

"(B) to assist individuals to gain employment in the oilheat fuel industry; and

"(C) to develop domestic renewable resources;

"(10) both consumers of oilheat fuel and retailers would benefit from the self-funded program; and

"(11) the oilheat fuel industry is committed to providing appropriate funding necessary to carry out the purposes of this title without passing additional costs on to residential consumers.".

SEC. 12403. DEFINITIONS.

(a) IN GENERAL.—Section 703 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended—

(1) by redesignating paragraphs (3) through (15) as paragraphs (4) through (16), respectively;

(2) by inserting after paragraph (2) the following:

"(3) COST-EFFECTIVE.—The term 'cost-effective', with respect to a program or activity carried out under section 707(f)(4), means that the program or activity meets a total resource cost test under which—

"(A) the net present value of economic benefits over the life of the program or activity, including avoided supply and delivery costs and deferred or avoided investments; is greater than

"(B) the net present value of the economic costs over the life of the program or activity, including program costs and incremental costs borne by the energy consumer."; and

(3) by striking paragraph (8) (as redesignated in paragraph (1)) and inserting the following:

"(8) OILHEAT FUEL.—The term 'oilheat fuel' means fuel that—

"(A) is—

"(i) No. 1 distillate;

"(ii) No. 2 dyed distillate;

"(iii) a liquid blended with No. 1 distillate or No. 2 dyed distillate; or

"(iv) a biobased liquid; and

"(B) is used as a fuel for nonindustrial commercial or residential space or hot water heating.".

(b) CONFORMING AMENDMENTS.—

(1) The National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended by striking "oilheat" each place it appears and inserting "oilheat fuel".

(2) Section 704(d) of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended in the subsection heading by striking "OILHEAT" and inserting "OILHEAT FUEL".

(3) Section 706(c)(2) of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended in the paragraph heading by striking "OILHEAT" and inserting "OILHEAT FUEL".

(4) Section 707(c) of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended in the subsection heading by striking "OILHEAT" and inserting "OILHEAT FUEL".

SEC. 12404. MEMBERSHIP.

(a) SELECTION.—Section 705 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended by striking subsection (a) and inserting the following:

"(a) SELECTION.—

"(1) LIST.—

"(A) IN GENERAL.—The Alliance shall provide to the Secretary a list of qualified nominees for membership in the Alliance.

"(B) REQUIREMENT.—Except as provided in subsection (c)(1)(C), members of the Alliance shall be representatives of the oilheat fuel industry in a State, selected from a list of nominees submitted by the qualified State association in the State.

"(2) VACANCIES.—A vacancy in the Alliance shall be filled in the same manner as the original selection.

"(3) SECRETARIAL ACTION.—

"(A) IN GENERAL.—The Secretary shall have 60 days to review nominees provided under paragraph (1).

"(B) FAILURE TO ACT.—If the Secretary takes no action during the 60-day period described in subparagraph (A), the nominees shall be considered to be members of the Alliance.".

(b) REPRESENTATION.—Section 705(b) of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended in the matter preceding paragraph (1) by striking "qualified industry organization" and inserting "Alliance".

(c) NUMBER OF MEMBERS.—Section 705(c) of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—The Alliance shall be composed of the following members:

"(A) 1 member representing each State participating in the Alliance.

"(B) 5 representatives of retail marketers, of whom 1 shall be selected by each of the qualified State associations of the 5 States with the highest volume of annual oilheat fuel sales.

"(C) 5 additional representatives of retail marketers.

"(D) 21 representatives of wholesale distributors.

"(E) 6 public members, who shall be representatives of significant users of oilheat fuel, the oilheat fuel research community, State energy officials, or other groups with expertise in oilheat fuel, including consumer and low-income advocacy groups."; and

(2) in paragraph (2), by striking "the qualified industry organization or".

SEC. 12405. FUNCTIONS.

(a) RENEWABLE FUEL RESEARCH.—Section 706(a)(3)(B)(i)(I) of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended by inserting before the semicolon at the end the following: ", including research to develop renewable fuels and to examine the compatibility of different renewable fuels with oilheat fuel utilization equipment, with priority given to research on the development and use of advanced biofuels".

(b) BIENNIAL BUDGETS.—Section 706(e) of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) PUBLICATION OF PROPOSED BUDGET.—Not later than August 1, 2014, and every 2 years thereafter, the Alliance shall, in consultation with the Secretary, develop and publish for public review and comment a proposed biennial budget for the next 2 calendar years, including the probable operating and planning costs of all programs, projects, and contracts and other agreements."; and

(2) by striking paragraph (4) and inserting the following:

"(4) IMPLEMENTATION.—

"(A) IN GENERAL.—The Alliance shall not implement a proposed budget until the expiration of 60 days after submitting the proposed budget to the Secretary.

"(B) RECOMMENDATIONS FOR CHANGES BY SECRETARY.—

"(i) IN GENERAL.—The Secretary may recommend to the Alliance changes to the budget programs and activities of the Alliance that the Secretary considers appropriate.

"(ii) RESPONSE BY ALLIANCE.—Not later than 30 days after the receipt of any recommendations made under clause (i), the Alliance shall submit to the Secretary a final budget for the next 2 calendar years that incorporates or includes a description of the response of the Alliance to any changes recommended under clause (i).".

SEC. 12406. ASSESSMENTS.

(a) IN GENERAL.—Section 707 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) RATE.—The assessment rate shall be equal to 2/10 of 1 cent per gallon of oilheat fuel."; and

(2) in subsection (b), by adding at the end the following:

"(8) PROHIBITION ON PASS THROUGH.—None of the assessments collected under this title may be passed through or otherwise required to be paid by residential consumers of oilheat fuel.".

(b) FUNDS MADE AVAILABLE TO QUALIFIED STATE ASSOCIATIONS.—Section 707(e)(2) of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended by adding at the end the following:

"(B) SEPARATE ACCOUNTS.—As a condition of receipt of funds made available to a qualified State association under this title, the qualified State association shall deposit the funds in an account that is separate from other funds of the qualified State association.".

(c) ADMINISTRATION.—Section 707 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended by adding at the end the following:

"(f) USE OF ASSESSMENTS.—

"(1) IN GENERAL.—Notwithstanding any other provision of this title, the Secretary and the Alliance shall ensure that assessments collected for each calendar year under this title are allocated and used in accordance with this subsection.

"(2) RESEARCH, DEVELOPMENT, AND DEMONSTRATION.—

"(A) IN GENERAL.—The Alliance shall ensure that not less than 30 percent of the assessments collected for each calendar year under this title are used by qualified State associations or the Alliance to conduct research, development, and demonstration activities relating to oilheat fuel, including the development of energy-efficient heating and the transition and facilitation of the entry of energy efficient heating systems into the marketplace.

"(B) COORDINATION.—The Alliance shall coordinate with the Secretary to develop priorities for the use of assessments under this paragraph.

"(C) PLAN.—The Alliance shall develop a coordinated research plan to carry out research programs and activities under this section.

"(D) REPORT.—

"(i) IN GENERAL.—No later than 1 year after the date of enactment of this subsection, the Alliance shall prepare a report on the use of biofuels in oilheat fuel utilization equipment.

"(ii) CONTENTS.—The report required under clause (i) shall—

"(I) provide information on the environmental benefits, economic benefits, and any technical limitations on the use of biofuels in oilheat fuel utilization equipment; and

"(II) describe market acceptance of the fuel, and information on State and local governments that are encouraging the use of biofuels in oilheat fuel utilization equipment.

"(iii) COPIES.—The Alliance shall submit a copy of the report required under clause (i) to—

"(I) Congress;

"(II) the Governor of each State, and other appropriate State leaders, in which the Alliance is operating; and

"(III) the Administrator of the Environmental Protection Agency.

"(E) CONSUMER EDUCATION MATERIALS.—The Alliance, in conjunction with an institution or organization engaged in biofuels research, shall develop consumer education materials describing the benefits of using biofuels as or in oilheat fuel based on the technical information developed in the report required under subparagraph (D) and other information generally available.

"(3) COST SHARING.—

"(A) IN GENERAL.—In carrying out a research, development, demonstration, or commercial application program or activity that is commenced after the date of enactment of this subsection, the Alliance shall require cost-sharing in accordance with this section.

"(B) RESEARCH AND DEVELOPMENT.—

"(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), the Alliance shall require that not less than 20 percent of the cost of a research or development program or activity described in subparagraph (A) to be provided by a source other than the Alliance.

"(ii) EXCLUSION.—Clause (i) shall not apply to a research or development program or activity described in subparagraph (A) that is of a basic or fundamental nature, as determined by the Alliance.

"(iii) REDUCTION.—The Alliance may reduce or eliminate the requirement of clause (i) for a research and development program or activity of an applied nature if the Alliance determines that the reduction is necessary and appropriate.

"(C) DEMONSTRATION AND COMMERCIAL APPLICATION.—The Alliance shall require that not less than 50 percent of the cost of a demonstration or commercial application program or activity described in subparagraph (A) to be provided by a source other than the Alliance.

"(4) HEATING OIL EFFICIENCY AND UPGRADE PROGRAM.—

"(A) IN GENERAL.—The Alliance shall ensure that not less than 15 percent of the assessments collected for each calendar year under this title are used by qualified State associations or the Alliance to carry out programs to assist consumers—

"(i) to make cost-effective upgrades to more fuel efficient heating oil systems or otherwise make cost-effective modifications to an existing heating system to improve the efficiency of the system;

"(ii) to improve energy efficiency or reduce energy consumption through cost-effective energy efficiency programs for consumers; or

"(iii) to improve the safe operation of a heating system.

"(B) PLAN.—The Alliance shall, to the maximum extent practicable, coordinate, develop, and implement the programs and activities of the Alliance in conjunction with existing State energy efficiency program administrators.

"(C) ADMINISTRATION.—

"(i) IN GENERAL.—In carrying out this paragraph, the Alliance shall, to the maximum extent practicable, ensure that heating system conversion assistance is coordinated with, and developed after consultation with, persons or organizations responsible for administering—

"(I) the low-income home energy assistance program established under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.);

"(II) the Weatherization Assistance Program for Low-Income Persons established under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.); or

"(III) other energy efficiency programs administered by the State or other parties in the State.

"(ii) DISTRIBUTION OF FUNDS.—The Alliance shall ensure that funds distributed to carry out this paragraph are—

"(I) distributed equitably to States based on the proportional contributions of the States through collected assessments;

"(II) used to supplement (and not supplant) State or alternative sources of funding for energy efficiency programs; and

"(III) used only to carry out this paragraph.

"(5) CONSUMER EDUCATION, SAFETY, AND TRAINING.—The Alliance shall ensure that not more than 30 percent of the assessments collected for each calendar year under this title are used—

"(A) to conduct consumer education activities relating to oilheat fuel, including providing information to consumers on—

"(i) energy conservation strategies;

"(ii) safety;

"(iii) new technologies that reduce consumption or improve safety and comfort;

"(iv) the use of biofuels blends; and

"(v) Federal, State, and local programs designed to assist oilheat fuel consumers;

"(B) to conduct worker safety and training activities relating to oilheat fuel, including energy efficiency training (including classes to obtain Building Performance Institute or Residential Energy Services Network certification);

"(C) to carry out other activities recommended by the Secretary; or

"(D) to the maximum extent practicable, a data collection process established, in collaboration with the Secretary or other appropriate Federal agencies, to track equipment, service, and related safety issues and to develop measures to improve safety.

"(6) ADMINISTRATIVE COSTS.—

"(A) IN GENERAL.—The Alliance shall ensure that not more than 5 percent of the assessments collected for each calendar year under this title are used for—

"(i) administrative costs; or

"(ii) indirect costs incurred in carrying out paragraphs (1) through (5).

"(B) ADMINISTRATION.—Activities under this section shall be documented pursuant to a transparent process and procedures developed in coordination with the Secretary.

"(7) REPORTS.—

"(A) ANNUAL REPORTS.—

"(i) IN GENERAL.—Each qualified State association or the Alliance shall prepare an annual report describing he development and administration of this section, and yearly expenditures under this section.

"(ii) CONTENTS.—Each report required under clause (i) shall include a description of the use of proceeds under this section, including a description of—

"(I) advancements made in energy-efficient heating systems and biofuel heating oil blends; and

"(II) heating system upgrades and modifications and energy efficiency programs funded under this section.

"(iii) VERIFICATION.—

"(I) IN GENERAL.—The Alliance shall ensure that an independent third-party reviews each report described in clause (i) and verifies the accuracy of the report.

"(II) COUNCILS.—If a State has a stakeholder efficiency oversight council, the council shall be the entity that reviews and verifies the report of the State association or Alliance for the State under clause (i).

"(B) REPORTS ON HEATING OIL EFFICIENCY AND UPGRADE PROGRAM.—At least once every 3 years, the Alliance shall prepare a detailed report describing the consumer savings, cost-effectiveness of, and the lifetime and annual energy savings achieved by heating system upgrades and modifications and energy efficiency programs funded under paragraph (4).

"(C) AVAILABILITY.—Each report, and any subsequent changes to the report, described in this paragraph shall be made publically available, with notice of availability provided to the Secretary, and posted on the website of the Alliance.".

SEC. 12407. MARKET SURVEY AND CONSUMER PROTECTION.

Section 708 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is repealed.

SEC. 12408. LOBBYING RESTRICTIONS.

Section 710 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended—

(1) by striking "No funds" and inserting the following: "(a) IN GENERAL.—No funds";

(2) by inserting "or to lobby" after "elections"; and

(3) by adding at the end the following:

"(b) ASSESSMENTS.—

"(1) IN GENERAL.—Subject to paragraph (2), no funds derived from assessments collected by the Alliance under section 707 shall be used, directly or indirectly, to influence Federal, State, or local legislation or elections, or the manner of administering of a law.

"(2) INFORMATION.—The Alliance may use funds described in paragraph (1) to provide information requested by a Member of Congress, or an official of any Federal, State, or local agency, in the course of the official business of the Member or official.".

SEC. 12409. NONCOMPLIANCE.

Section 712 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended by adding at the end the following:

"(g) NONCOMPLIANCE.—If the Alliance, a qualified State association, or any other entity or person violates this title, the Secretary shall—

"(1) notify Congress of the noncompliance; and

"(2) provide notice of the noncompliance on the Alliance website.".

SEC. 12410. SUNSET.

Section 713 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106–469) is amended by striking "9 years" and inserting "18 years".

Approved February 7, 2014.

LEGISLATIVE HISTORY—H.R. 2642 (S. 954):

HOUSE REPORTS: No. 113–333 (Comm. of Conference).
SENATE REPORTS: No. 113–88 (Comm. on Agriculture, Nutrition, and Forestry) accompanying S. 954.
CONGRESSIONAL RECORD:
Vol. 159 (2013): July 11, considered and passed House.
July 18, considered and passed Senate, amended, in lieu of S. 954.
Sept. 28, House concurred in Senate amendment pursuant to H. Res. 361.
Oct. 1, Senate disagreed to House amendment.
Vol. 160 (2014): Jan. 29, House agreed to conference report.
Jan. 30, Feb. 3, 4, Senate considered and agreed to conference report.
DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
Feb. 7, Presidential remarks.

Public Law 113–80
113th Congress

An Act

To amend title 5, United States Code, to provide that the Inspector General of the Office of Personnel Management may use amounts in the revolving fund of the Office to fund audits, investigations, and oversight activities, and for other purposes.

Feb. 12, 2014
[H.R. 2860]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

OPM IG Act.

5 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "OPM IG Act".

SEC. 2. USE OF OFFICE OF PERSONNEL MANAGEMENT REVOLVING FUND FOR AUDITS, INVESTIGATIONS, AND OVERSIGHT ACTIVITIES.

Subsection (e) of section 1304 of title 5, United States Code, is amended—

(1) in paragraph (1), by adding before the period at the end of the first sentence the following: ", and for the cost of audits, investigations, and oversight activities, conducted by the Inspector General of the Office, of the fund and the activities financed by the fund"; and

(2) in paragraph (5)—

(A) by striking "The Office" and inserting "(A) The Office"; and

(B) by adding at the end the following:

Budget estimate.

"(B) Such budget shall include an estimate from the Inspector General of the Office of the amount required to pay the expenses to audit, investigate, and provide other oversight activities with respect to the fund and the activities financed by the fund.

"(C) The amount requested by the Inspector General under subparagraph (B) shall not exceed .33 percent of the total budgetary authority requested by the Office under subparagraph (A).".

Approved February 12, 2014.

LEGISLATIVE HISTORY—H.R. 2860:

HOUSE REPORTS: No. 113–268 (Comm. on Oversight and Government Reform).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Jan. 14, considered and passed House.
Jan. 29, considered and passed Senate.

Public Law 113–81
113th Congress

An Act

To authorize the President to extend the term of the nuclear energy agreement with the Republic of Korea until March 19, 2016.

Feb. 12, 2014
[S. 1901]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

Support for United States-Republic of Korea Civil Nuclear Cooperation Act. 42 USC 2153 note.

This Act may be cited as the "Support for United States-Republic of Korea Civil Nuclear Cooperation Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In the 60th year of the alliance, the relationship between the United States and the Republic of Korea could not be stronger. It is based on mutual sacrifice, mutual respect, shared interests, and shared responsibility to promote peace and security in the Asia-Pacific region and throughout the world.

(2) North Korea's nuclear weapons programs, including uranium enrichment and plutonium reprocessing technologies, undermine security on the Korean Peninsula. The United States and the Republic of Korea have a shared interest in preventing further proliferation, including through the implementation of the 2005 Joint Statement of the Six-Party Talks.

(3) Both the United States and Republic of Korea have a shared objective in strengthening the Treaty on the Non-Proliferation of Nuclear Weapons, done at London, Moscow, and Washington July 1, 1968, and a political and a commercial interest in working collaboratively to address challenges to their respective peaceful civil nuclear programs.

(4) The nuclear energy agreement referred to in section 3 is scheduled to expire on March 19, 2014. In order to maintain healthy and uninterrupted cooperation in this area between the two countries while a new agreement is being negotiated, Congress should authorize the President to extend the duration of the current agreement until March 19, 2016.

SEC. 3. EXTENSION OF NUCLEAR ENERGY AGREEMENT WITH THE REPUBLIC OF KOREA.

Notwithstanding section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), the President is authorized to take such actions as may be required to extend the term of the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of Korea Concerning Civil Uses of Atomic Energy, done at Washington November 24, 1972 (24 UST 775; TIAS 7583), and amended on May 15, 1974

(25 UST 1102; TIAS 7842), to a date that is not later than March 19, 2016.

SEC. 4. REPORT TO CONGRESS ON PROGRESS OF NEGOTIATIONS BETWEEN THE UNITED STATES AND REPUBLIC OF KOREA.

Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until a new Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of Korea Concerning Civil Uses of Nuclear Energy is submitted to Congress, the President shall provide to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report on the progress of negotiations on a new civil nuclear cooperation agreement.

Approved February 12, 2014.

LEGISLATIVE HISTORY—S. 1901:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Jan. 27, considered and passed Senate.
Jan. 28, considered and passed House.

Public Law 113–82
113th Congress

An Act

To ensure that the reduced annual cost-of-living adjustment to the retired pay of members and former members of the Armed Forces under the age of 62 required by the Bipartisan Budget Act of 2013 will not apply to members or former members who first became members prior to January 1, 2014, and for other purposes.

Feb. 15, 2014
[S. 25]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF DIRECT SPENDING REDUCTION FOR FISCAL YEAR 2024.

Paragraph (6)(B) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) is amended by striking "and for fiscal year 2023" and by inserting ", for fiscal year 2023, and for fiscal year 2024".

SEC. 2. INAPPLICABILITY OF REDUCED ANNUAL ADJUSTMENT OF RETIRED PAY FOR MEMBERS OF THE ARMED FORCES UNDER THE AGE OF 62 UNDER THE BIPARTISAN BUDGET ACT OF 2013 WHO FIRST BECAME MEMBERS PRIOR TO JANUARY 1, 2014.

(a) IN GENERAL.—Section 1401a(b)(4) of title 10, United States Code, as added by section 403(a) of the Bipartisan Budget Act of 2013 (Public Law 113–67) and amended by section 10001 of the Department of Defense Appropriations Act, 2014 (Public Law 113–76), is amended by adding at the end the following new subparagraph:

"(G) MEMBERS COVERED.—This paragraph applies to a member or former member of an armed force who first became a member of a uniformed service on or after January 1, 2014.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on December 1, 2015, immediately after the coming into effect of section 403 of the Bipartisan Budget Act of 2013 and the amendments made by that section.

10 USC 1401a note.

SEC. 3. TRANSITIONAL FUND FOR SUSTAINABLE GROWTH RATE (SGR) REFORM.

Section 1898 of the Social Security Act (42 U.S.C. 1395iii) is amended—

(1) by amending the heading to read as follows: "TRANSITIONAL FUND FOR SUSTAINABLE GROWTH RATE (SGR) REFORM";

(2) by amending subsection (a) to read as follows:

"(a) ESTABLISHMENT.—The Secretary shall establish under this title a Transitional Fund for Sustainable Growth Rate (SGR) Reform (in this section referred to as the 'Fund') which shall be available

to the Secretary to provide funds to pay for physicians' services under part B to supplement the conversion factor under section 1848(d) for 2017 if the conversion factor for 2017 is less than conversion factor for 2013.";

(3) in subsection (b)(1), by striking "during—" and all that follows and inserting "during or after 2017, $2,300,000,000."; and

(4) in subsection (b)(2), by striking "from the Federal" and all that follows and inserting "from the Federal Supplementary Medical Insurance Trust Fund.".

Approved February 15, 2014.

LEGISLATIVE HISTORY—S. 25 (H.R. 251):

HOUSE REPORTS: No. 113–78 (Comm. on Natural Resources) accompanying H.R. 251.
SENATE REPORTS: No. 113–15 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): June 19, considered and passed Senate.
Vol. 160 (2014): Feb. 11, considered and passed House, amended.
Feb. 12, Senate concurred in House amendment.

Public Law 113–83
113th Congress

An Act

To temporarily extend the public debt limit, and for other purposes.

Feb. 15, 2014
[S. 540]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Temporary Debt Limit Extension Act. 31 USC 3101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Temporary Debt Limit Extension Act".

SEC. 2. TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT.

(a) IN GENERAL.—Section 3101(b) of title 31, United States Code, shall not apply for the period beginning on the date of the enactment of this Act and ending on March 15, 2015.

(b) SPECIAL RULE RELATING TO OBLIGATIONS ISSUED DURING EXTENSION PERIOD.—Effective March 16, 2015, the limitation in effect under section 3101(b) of title 31, United States Code, shall be increased to the extent that— Effective date.

(1) the face amount of obligations issued under chapter 31 of such title and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) outstanding on March 16, 2015, exceeds

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

SEC. 3. RESTORING CONGRESSIONAL AUTHORITY OVER THE NATIONAL DEBT.

(a) EXTENSION LIMITED TO NECESSARY OBLIGATIONS.—An obligation shall not be taken into account under section 2(b)(1) unless the issuance of such obligation was necessary to fund a commitment incurred pursuant to law by the Federal Government that required payment before March 16, 2015.

(b) PROHIBITION ON CREATION OF CASH RESERVE DURING EXTENSION PERIOD.—The Secretary of the Treasury shall not issue obligations during the period specified in section 2(a) for the purpose

of increasing the cash balance above normal operating balances in anticipation of the expiration of such period.

Approved February 15, 2014.

LEGISLATIVE HISTORY—S. 540:

CONGRESSIONAL RECORD:
Vol. 159 (2013): Mar. 21, considered and passed Senate.
Vol. 160 (2014): Feb. 11, considered and passed House, amended.
Feb. 12, Senate concurred in House amendment.

Public Law 113–84
113th Congress

Joint Resolution

Providing for the appointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution.

Feb. 21, 2014
[S.J. Res. 28]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Roger W. Sant of the District of Columbia, on October 24, 2013, is filled by the appointment of John Fahey of the District of Columbia. The appointment is for a term of 6 years, beginning on the date of enactment of this joint resolution.

Effective date.

Approved February 21, 2014.

LEGISLATIVE HISTORY—S.J. Res. 28:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Jan. 29, considered and passed Senate.
Feb. 11, considered and passed House.

Public Law 113–85
113th Congress

Joint Resolution

Feb. 21, 2014
[S.J. Res. 29]

Providing for the appointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Patricia Q. Stonesifer of Washington, DC, on December 21, 2013, is filled by the appointment of Risa Lavizzo-Mourey of Pennsylvania. The appointment is for a term of 6 years, beginning on the later of December 22, 2013, or the date of enactment of this joint resolution.

Effective date.

Approved February 21, 2014.

LEGISLATIVE HISTORY—S.J. Res. 29:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Jan. 29, considered and passed Senate.
Feb. 11, considered and passed House.

Public Law 113–86
113th Congress

An Act

To reauthorize the National Integrated Drought Information System.

Mar. 6, 2014
[H.R. 2431]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National Integrated Drought Information System Reauthorization Act of 2014.
15 USC 311 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Integrated Drought Information System Reauthorization Act of 2014".

SEC. 2. NIDIS PROGRAM AMENDMENTS.

Section 3 of the National Integrated Drought Information System Act of 2006 (15 U.S.C. 313d) is amended—

(1) in subsection (a), by inserting before the period at the end the following: "to better inform and provide for more timely decisionmaking to reduce drought related impacts and costs";

(2) by striking subsection (b) and inserting the following:

"(b) SYSTEM FUNCTIONS.—The National Integrated Drought Information System shall—

"(1) provide an effective drought early warning system that—

"(A) collects and integrates information on the key indicators of drought and drought impacts in order to make usable, reliable, and timely forecasts of drought, including assessments of the severity of drought conditions and impacts; and

"(B) provides such information, forecasts, and assessments on both national and regional levels;

"(2) communicate drought forecasts, drought conditions, and drought impacts on an ongoing basis to public and private entities engaged in drought planning and preparedness, including—

"(A) decisionmakers at the Federal, regional, State, tribal, and local levels of government;

"(B) the private sector; and

"(C) the public;

"(3) provide timely data, information, and products that reflect local, regional, and State differences in drought conditions;

"(4) coordinate, and integrate as practicable, Federal research and monitoring in support of a drought early warning system; Coordination.

"(5) build upon existing forecasting and assessment programs and partnerships, including through the designation of

one or more cooperative institutes to assist with National Integrated Drought Information System functions; and

"(6) continue ongoing research and monitoring activities related to drought, including research activities relating to length, severity, and impacts of drought and the role of extreme weather events and climate variability in drought."; and

(3) by adding at the end the following:

"(e) REPORT.—

"(1) IN GENERAL.—Not later than 18 months after the date of enactment of the National Integrated Drought Information System Reauthorization Act of 2014, the Under Secretary shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that contains—

Analysis.

"(A) an analysis of the implementation of the National Integrated Drought Information System program, including how the information, forecasts, and assessments are utilized in drought policy planning and response activities;

Plans.

"(B) specific plans for continued development of such program, including future milestones; and

"(C) an identification of research, monitoring, and forecasting needs to enhance the predictive capability of drought early warnings that include—

"(i) the length and severity of droughts;

"(ii) the contribution of weather events to reducing the severity or ending drought conditions; and

"(iii) regionally specific drought impacts.

"(2) CONSULTATION.—In developing the report under paragraph (1), the Under Secretary shall consult with relevant Federal, regional, State, tribal, and local government agencies, research institutions, and the private sector.".

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 4 of such Act (15 U.S.C. 313d note) is amended to read as follows:

"SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this Act $13,500,000 for each of fiscal years 2014 through 2018.".

Approved March 6, 2014.

LEGISLATIVE HISTORY—H.R. 2431:

HOUSE REPORTS: No. 113–348 (Comm. on Science, Space, and Technology).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Feb. 10, considered and passed House.
Feb. 25, considered and passed Senate.
DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
Mar. 6, Presidential statement.

Public Law 113–87
113th Congress

An Act

To designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes.

Mar. 13, 2014
[S. 23]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Sleeping Bear Dunes National Lakeshore Conservation and Recreation Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sleeping Bear Dunes National Lakeshore Conservation and Recreation Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term "map" means the map consisting of 6 sheets entitled "Sleeping Bear Dunes National Lakeshore Proposed Wilderness Boundary", numbered 634/80,083B, and dated November 2010.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 3. SLEEPING BEAR DUNES WILDERNESS.

16 USC 1132 note.

(a) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land and inland water within the Sleeping Bear Dunes National Lakeshore comprising approximately 32,557 acres along the mainland shore of Lake Michigan and on certain nearby islands in Benzie and Leelanau Counties, Michigan, as generally depicted on the map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the "Sleeping Bear Dunes Wilderness".

(b) MAP.—

(1) AVAILABILITY.—The map shall be on file and available for public inspection in appropriate offices of the National Park Service.

(2) CORRECTIONS.—The Secretary may correct any clerical or typographical errors in the map.

(3) LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a legal description of the wilderness boundary and submit a copy of the map and legal description to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

(c) ROAD SETBACKS.—The wilderness boundary shall be—

(1) 100 feet from the centerline of adjacent county roads; and

(2) 300 feet from the centerline of adjacent State highways.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—Subject to valid existing rights, the wilderness area designated by section 3(a) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) MAINTENANCE OF ROADS OUTSIDE WILDERNESS BOUNDARY.—Nothing in this Act prevents the maintenance and improvement of roads that are located outside the boundary of the wilderness area designated by section 3(a).

(c) FISH AND WILDLIFE.—Nothing in this Act affects the jurisdiction of the State of Michigan with respect to the management of fish and wildlife, including hunting and fishing within the national lakeshore in accordance with section 5 of Public Law 91–479 (16 U.S.C. 460x–4).

(d) SAVINGS PROVISIONS.—Nothing in this Act modifies, alters, or affects—

(1) any treaty rights; or

(2) any valid private property rights in existence on the day before the date of enactment of this Act.

Approved March 13, 2014.

LEGISLATIVE HISTORY—S. 23:

SENATE REPORTS: No. 113–14 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): June 19, considered and passed Senate.
Vol. 160 (2014): Mar. 4, considered and passed House.
DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
Mar. 13, Presidential statement.

Public Law 113–88
113th Congress

An Act

To allow the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota to lease or transfer certain land.

Mar. 21, 2014
[H.R. 2650]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONGRESSIONAL APPROVAL OF CERTAIN LAND TRANSACTIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law (including regulations), and without further approval, ratification, or authorization by the United States, the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota (referred to in this Act as the "Band") may lease, sell, convey, warrant, or otherwise transfer all or any portion of the interest of the Band in any real property that is not held in trust by the United States for the benefit of the Band.

(b) NO EFFECT ON TRUST LAND.—Nothing in this Act—

(1) authorizes the Band to lease, sell, convey, warrant, or otherwise transfer all or any portion of any interest in any real property that is held in trust by the United States for the benefit of the Band; or

(2) affects any Federal law (including regulations) relating to leasing, selling, conveying, warranting, or otherwise transferring any interest in the real property described in paragraph (1).

Approved March 21, 2014.

LEGISLATIVE HISTORY—H.R. 2650:

HOUSE REPORTS: No. 113–194 (Comm. on Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Dec. 3, considered and passed House.
Vol. 160 (2014): Mar. 13, considered and passed Senate.

Public Law 113–89
113th Congress

An Act

Mar. 21, 2014
[H.R. 3370]

To delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Homeowner Flood Insurance Affordability Act of 2014.
42 USC 4001 note.

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Homeowner Flood Insurance Affordability Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

42 USC 4005.

SEC. 2. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Federal Emergency Management Agency.

(2) NATIONAL FLOOD INSURANCE PROGRAM.—The term "National Flood Insurance Program" means the program established under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

SEC. 3. REPEAL OF CERTAIN RATE INCREASES.

42 USC 4014 note.

(a) REPEAL.—

(1) IN GENERAL.—Section 1307(g) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(g)) is amended—

(A) by striking paragraphs (1) and (2);

(B) in paragraph (3), by striking "as a result of the deliberate choice of the holder of such policy" and inserting ", unless the decision of the policy holder to permit a lapse in flood insurance coverage was as a result of the property covered by the policy no longer being required to retain such coverage"; and

(C) by redesignating paragraphs (3) and (4) as paragraphs (1) and (2), respectively.

(2) EFFECTIVE DATE.—The Administrator shall make available such rate tables, as necessary to implement the amendments made by paragraph (1) as if it were enacted as part of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 957).

(3) IMPLEMENTATION, COORDINATION, AND GUIDANCE.—

(A) FACILITATION OF TIMELY REFUNDS.—To ensure the participation of Write Your Own companies (as such term is defined in section 100202(a) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4004(a)), the Administrator and the Federal Emergency Management Agency shall consult with Write Your Own companies throughout the development of guidance and rate tables necessary to implement the provisions of and the amendments made by this Act.

Consultation.

(B) IMPLEMENTATION AND GUIDANCE.—The Administrator shall issue final guidance and rate tables necessary to implement the provisions of and the amendments made by this Act not later than eight months following the date of the enactment of this Act. Write Your Own companies, in coordination with the Federal Emergency Management Agency, shall have not less than six months but not more than eight months following the issuance of such final guidance and rate tables to implement the changes required by such final guidance and rate tables.

Deadline.

Time period.

(4) REFUND OF EXCESS PREMIUM CHARGES COLLECTED.—The Administrator shall refund directly to insureds any premiums for flood insurance coverage under the National Flood Insurance Program collected in excess of the rates required under the provisions of and amendments made by this section. To allow for necessary and appropriate implementation of such provisions and amendments, any premium changes necessary to implement such provisions and amendments, including any such premium refund due to policy holders, which shall be paid directly by the National Flood Insurance Program, shall not be charged or paid to policyholders by the National Flood Insurance Program until after the Administrator issues guidance and makes available such rate tables to implement the provisions of and amendments made by this Act.

(b) ASSUMPTION OF POLICIES AT EXISTING PREMIUM RATES.—The Administrator shall provide that the purchaser of a property that, as of the date of such purchase, is covered under an existing flood insurance policy under this title may assume such existing policy and coverage for the remainder of the term of the policy

at the chargeable premium rates under such existing policy. Such rates shall continue with respect to such property until the implementation of subsection (a).

SEC. 4. RESTORATION OF GRANDFATHERED RATES.

(a) IN GENERAL.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—

(1) by striking subsection (h); and

(2) by redesignating subsection (i) as subsection (h).

42 USC 4015 note.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted as part of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 957).

SEC. 5. REQUIREMENTS REGARDING ANNUAL RATE INCREASES.

Section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)) is amended—

(1) in the matter preceding paragraph (1), by striking ", the chargeable risk premium rates for flood insurance under this title for any properties";

(2) in paragraph (1), by inserting "the chargeable risk premium rates for flood insurance under this title for any properties" before "within any";

(3) in paragraph (2), by inserting "the chargeable risk premium rates for flood insurance under this title for any properties" before "described in";

(4) by redesignating paragraphs (1) and (2), as so amended, as paragraphs (3) and (4), respectively; and

(5) by inserting before paragraph (3), as so redesignated, the following new paragraphs:

"(1) the chargeable risk premium rate for flood insurance under this title for any property may not be increased by more than 18 percent each year, except—

"(A) as provided in paragraph (4);

"(B) in the case of property identified under section 1307(g); or

"(C) in the case of a property that—

"(i) is located in a community that has experienced a rating downgrade under the community rating system program carried out under section 1315(b);

"(ii) is covered by a policy with respect to which the policyholder has—

"(I) decreased the amount of the deductible; or

"(II) increased the amount of coverage; or

"(iii) was misrated;

Time period.

"(2) the chargeable risk premium rates for flood insurance under this title for any properties initially rated under section 1307(a)(2) within any single risk classification, excluding properties for which the chargeable risk premium rate is not less than the applicable estimated risk premium rate under section 1307(a)(1), shall be increased by an amount that results in an average of such rate increases for properties within the risk classification during any 12-month period of not less than 5 percent of the average of the risk premium rates for such properties within the risk classification upon the commencement of such 12-month period;";

(6) in paragraph (3) (as so redesignated by paragraph (4) of this section), by striking "20 percent" and inserting "15 percent"; and

(7) in paragraph (4) (as so redesignated) by paragraph (4) of this section), by striking "paragraph (1)" and inserting "paragraph (3)".

SEC. 6. CLARIFICATION OF RATES FOR PROPERTIES NEWLY MAPPED INTO AREAS WITH SPECIAL FLOOD HAZARDS.

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

"(i) RATES FOR PROPERTIES NEWLY MAPPED INTO AREAS WITH SPECIAL FLOOD HAZARDS.—Notwithstanding subsection (f), the premium rate for flood insurance under this title that is purchased on or after the date of the enactment of this subsection—

"(1) on a property located in an area not previously designated as having special flood hazards and that, pursuant to any issuance, revision, updating, or other change in a flood insurance map, becomes designated as such an area; and

"(2) where such flood insurance premium rate is calculated under subsection (a)(1) of section 1307 (42 U.S.C. 4014(a)(1)), shall for the first policy year be the preferred risk premium for the property and upon renewal shall be calculated in accordance with subsection (e) of this section until the rate reaches the rate calculated under subsection (a)(1) of section 1307.".

SEC. 7. PREMIUMS AND REPORTS.

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

"(j) PREMIUMS AND REPORTS.—In setting premium risk rates, in addition to striving to achieve the objectives of this title the Administrator shall also strive to minimize the number of policies with annual premiums that exceed one percent of the total coverage provided by the policy. For any policies premiums that exceed this one percent threshold, the Administrator shall report such exceptions to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.".

SEC. 8. ANNUAL PREMIUM SURCHARGE.

(a) PREMIUM SURCHARGE.—Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amended by inserting after section 1308 the following new section:

"SEC. 1308A. PREMIUM SURCHARGE. 42 USC 4015a.

"(a) IMPOSITION AND COLLECTION.—The Administrator shall impose and collect an annual surcharge, in the amount provided in subsection (b), on all policies for flood insurance coverage under the National Flood Insurance Program that are newly issued or renewed after the date of the enactment of this section. Such surcharge shall be in addition to the surcharge under section 1304(b) and any other assessments and surcharges applied to such coverage.

"(b) AMOUNT.—The amount of the surcharge under subsection (a) shall be—

"(1) $25, except as provided in paragraph (2); and

"(2) $250, in the case of a policy for any property that is—

"(A) a non-residential property; or

"(B) a residential property that is not the primary residence of an individual.

"(c) TERMINATION.—Subsections (a) and (b) shall cease to apply on the date on which the chargeable risk premium rate for flood insurance under this title for each property covered by flood insurance under this title, other than properties for which premiums are calculated under subsection (e) or (f) of section 1307 or section 1336 of this Act (42 U.S.C. 4014, 4056) or under section 100230 of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4014 note), is not less than the applicable estimated risk premium rate under section 1307(a)(1) for such property.".

(b) DEPOSIT IN RESERVE FUND.—Subsection (c) of section 1310A of the National Flood Insurance Act of 1968 (42 U.S.C. 4017a) is amended by adding at the end the following new paragraph:

"(4) DEPOSIT OF PREMIUM SURCHARGES.—The Administrator shall deposit in the Reserve Fund any surcharges collected pursuant to section 1308A.".

SEC. 9. DRAFT AFFORDABILITY FRAMEWORK.

(a) IN GENERAL.—The Administrator shall prepare a draft affordability framework that proposes to address, via programmatic and regulatory changes, the issues of affordability of flood insurance sold under the National Flood Insurance Program, including issues identified in the affordability study required under section 100236 of the Bigger-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 957).

(b) CRITERIA.—In carrying out the requirements under subsection (a), the Administrator shall consider the following criteria:

(1) Accurate communication to consumers of the flood risk associated with their properties.

(2) Targeted assistance to flood insurance policy holders based on their financial ability to continue to participate in the National Flood Insurance Program.

(3) Individual or community actions to mitigate the risk of flood or lower the cost of flood insurance.

(4) The impact of increases in risk premium rates on participation in the National Flood Insurance Program.

(5) The impact flood insurance rate map updates have on the affordability of flood insurance.

(c) DEADLINE FOR SUBMISSION.—Not later than 18 months after the date on which the Administrator submits the affordability study referred to in subsection (a), the Administrator shall submit to the full Committee on Banking, Housing, and Urban Affairs and the full Committee on Appropriations of the Senate and the full Committee on Financial Services and the full Committee on Appropriations of the House of Representatives the draft affordability framework required under subsection (a).

(d) INTERAGENCY AGREEMENTS.—The Administrator may enter into an agreement with another Federal agency to—

(1) complete the affordability study referred to in subsection (a); or

(2) prepare the draft affordability framework required under subsection (a).

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide the Administrator with the authority to provide assistance to homeowners based on affordability that was not available prior to the enactment of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 916).

SEC. 10. RISK TRANSFER.

Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081) is amended by adding at the end the following new subsection:

"(e) RISK TRANSFER.—The Administrator may secure reinsurance of coverage provided by the flood insurance program from the private reinsurance and capital markets at rates and on terms determined by the Administrator to be reasonable and appropriate, in an amount sufficient to maintain the ability of the program to pay claims.".

SEC. 11. MONTHLY INSTALLMENT PAYMENT FOR PREMIUMS.

(a) IN GENERAL.—Subsection (g) of section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(g)) is amended by striking "either annually or in more frequent installments" and inserting "annually or monthly".

(b) IMPLEMENTATION.—The Administrator shall implement the requirement under section 1308(g) of the National Flood Insurance Act of 1968, as amended by subsection (a), not later than the expiration of the 18-month period beginning on the date of the enactment of this Act. 42 USC 4015 note.

SEC. 12. OPTIONAL HIGH-DEDUCTIBLE POLICIES FOR RESIDENTIAL PROPERTIES.

Section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013) is amended by adding at the end the following new subsection:

"(d) OPTIONAL HIGH-DEDUCTIBLE POLICIES FOR RESIDENTIAL PROPERTIES.—

"(1) AVAILABILITY.—In the case of residential properties, the Administrator shall make flood insurance coverage available, at the option of the insured, that provides for a loss-deductible for damage to the covered property in various amounts, up to and including $10,000.

"(2) DISCLOSURE.—

"(A) FORM.—The Administrator shall provide the information described in subparagraph (B) clearly and conspicuously on the application form for flood insurance coverage or on a separate form, segregated from all unrelated information and other required disclosures.

"(B) INFORMATION.—The information described in this subparagraph is—

"(i) information sufficient to inform the applicant of the availability of the coverage option required by paragraph (1) to applicants for flood insurance coverage; and

"(ii) a statement explaining the effect of a loss-deductible and that, in the event of an insured loss, the insured is responsible out-of-pocket for losses to the extent of the deductible selected.".

SEC. 13. EXCLUSION OF DETACHED STRUCTURES FROM MANDATORY PURCHASE REQUIREMENT.

(a) EXCLUSION.—Subsection (c) of section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(c)) is amended by adding at the end the following new paragraph:

"(3) DETACHED STRUCTURES.—Notwithstanding any other provision of this section, flood insurance shall not be required, in the case of any residential property, for any structure that is a part of such property but is detached from the primary residential structure of such property and does not serve as a residence.".

(b) RESPA STATEMENT.—Section 5(b) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604(b)) is amended—

(1) in paragraph (14), by inserting before the period at the end the following: ", and the following statement: 'Although you may not be required to maintain flood insurance on all structures, you may still wish to do so, and your mortgage lender may still require you to do so to protect the collateral securing the mortgage. If you choose to not maintain flood insurance on a structure, and it floods, you are responsible for all flood losses relating to that structure.' "; and

(2) by transferring and inserting paragraph (14), as so amended, after paragraph (13).

SEC. 14. ACCOUNTING FOR FLOOD MITIGATION ACTIVITIES IN ESTIMATES OF PREMIUM RATES.

Subparagraph (A) of section 1307(a)(1) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)(1)(A)) is amended to read as follows:

"(A) based on consideration of—

"(i) the risk involved and accepted actuarial principles; and

"(ii) the flood mitigation activities that an owner or lessee has undertaken on a property, including differences in the risk involved due to land use measures, floodproofing, flood forecasting, and similar measures, and".

SEC. 15. HOME IMPROVEMENT FAIRNESS.

Section 1307(a)(2)(E)(ii) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)(2)(E)(ii)) is amended by striking "30 percent" and inserting "50 percent".

SEC. 16. AFFORDABILITY STUDY AND REPORT.

(a) STUDY ISSUES.—Subsection (a) of section 100236 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 957) is amended—

(1) in paragraph (3), by striking "and" at the end;

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

"(5) options for maintaining affordability if annual premiums for flood insurance coverage were to increase to an amount greater than 2 percent of the liability coverage amount under the policy, including options for enhanced mitigation assistance and means-tested assistance;

"(6) the effects that the establishment of catastrophe savings accounts would have regarding long-term affordability of flood insurance coverage; and

"(7) options for modifying the surcharge under 1308A, including based on homeowner income, property value or risk of loss.".

(b) TIMING OF SUBMISSION.—Notwithstanding the deadline under section 100236(c) of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 957), not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the full Committee on Banking, Housing, and Urban Affairs and the full Committee on Appropriations of the Senate and the full Committee on Financial Services and the full Committee on Appropriations of the House of Representatives the affordability study and report required under such section 100236. Deadline.

(c) AFFORDABILITY STUDY FUNDING.—Section 100236(d) of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 957) is amended by striking "$750,000" and inserting "$2,500,000".

SEC. 17. FLOOD INSURANCE RATE MAP CERTIFICATION.

42 USC 4101d.

The Administrator shall implement a flood mapping program for the National Flood Insurance Program, only after review by the Technical Mapping Advisory Council, that, when applied, results in technically credible flood hazard data in all areas where Flood Insurance Rate Maps are prepared or updated, shall certify in writing to the Congress when such a program has been implemented, and shall provide to the Congress the Technical Mapping Advisory Council review report. Reports.

SEC. 18. FUNDS TO REIMBURSE HOMEOWNERS FOR SUCCESSFUL MAP APPEALS.

(a) IN GENERAL.—Section 1363(f) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(f)) is amended—

(1) in the first sentence, by inserting after "as the case may be," the following: "or, in the case of an appeal that is resolved by submission of conflicting data to the Scientific Resolution Panel provided for in section 1363A, the community,"; and

(2) by striking the second sentence and inserting the following: "The Administrator may use such amounts from the National Flood Insurance Fund established under section 1310 as may be necessary to carry out this subsection.".

(b) CONFORMING AMENDMENTS.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (6), by striking "and" at the end;

(2) in paragraph (7), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(8) for carrying out section 1363(f).".

SEC. 19. FLOOD PROTECTION SYSTEMS.

(a) ADEQUATE PROGRESS ON CONSTRUCTION OF FLOOD PROTECTION SYSTEMS.—Section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e)) is amended—

(1) in the first sentence, by inserting "or reconstruction" after "construction";

(2) by amending the second sentence to read as follows: "The Administrator shall find that adequate progress on the construction or reconstruction of a flood protection system, based on the present value of the completed flood protection system, has been made only if: (1) 100 percent of the cost of the system has been authorized; (2) at least 60 percent of the cost of the system has been appropriated; (3) at least 50 percent of the cost of the system has been expended; and (4) the system is at least 50 percent completed."; and

(3) by adding at the end the following: "Notwithstanding any other provision of law, in determining whether a community has made adequate progress on the construction, reconstruction, or improvement of a flood protection system, the Administrator shall consider all sources of funding, including Federal, State, and local funds.".

(b) COMMUNITIES RESTORING DISACCREDITED FLOOD PROTECTION SYSTEMS.—Section 1307(f) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(f)) is amended by amending the first sentence to read as follows: "Notwithstanding any other provision of law, this subsection shall apply to riverine and coastal levees that are located in a community which has been determined by the Administrator of the Federal Emergency Management Agency to be in the process of restoring flood protection afforded by a flood protection system that had been previously accredited on a Flood Insurance Rate Map as providing 100-year frequency flood protection but no longer does so, and shall apply without regard to the level of Federal funding of or participation in the construction, reconstruction, or improvement of the flood protection system.".

Applicability.

SEC. 20. QUARTERLY REPORTS REGARDING RESERVE FUND RATIO.

Subsection (e) of section 1310A of the National Flood Insurance Act of 1968 (42 U.S.C. 4017a) is amended, in the matter preceding paragraph (1), by inserting ", on a calendar quarterly basis," after "submit".

42 USC 4012a note.

SEC. 21. TREATMENT OF FLOODPROOFED RESIDENTIAL BASEMENTS.

The Administrator shall continue to extend exceptions and variances for flood-proofed basements consistent with section 60.6 of title 44, Code of Federal Regulations, which are effective April 3, 2009; and section 60.3 of such title, which are effective April 3, 2009.

42 USC 4101e.

SEC. 22. EXEMPTION FROM FEES FOR CERTAIN MAP CHANGE REQUESTS.

Notwithstanding any other provision of law, a requester shall be exempt from submitting a review or processing fee for a request for a flood insurance rate map change based on a habitat restoration project that is funded in whole or in part with Federal or State funds, including dam removal, culvert redesign or installation, or the installation of fish passage.

SEC. 23. STUDY OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDY.—

(1) STUDY REQUIRED.—The Administrator shall conduct a study to assess options, methods, and strategies for making

available voluntary community-based flood insurance policies through the National Flood Insurance Program.

(2) CONSIDERATIONS.—The study conducted under paragraph (1) shall—

(A) take into consideration and analyze how voluntary community-based flood insurance policies—

(i) would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches; and

(ii) could satisfy the applicable requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a); and

(B) evaluate the advisability of making available voluntary community-based flood insurance policies to communities, subdivisions of communities, and areas of residual risk.

(3) CONSULTATION.—In conducting the study required under paragraph (1), the Administrator may consult with the Comptroller General of the United States, as the Administrator determines is appropriate.

(b) REPORT BY THE ADMINISTRATOR.—

(1) REPORT REQUIRED.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results and conclusions of the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include recommendations for— Recommendations.

(A) the best manner to incorporate voluntary community-based flood insurance policies into the National Flood Insurance Program; and

(B) a strategy to implement voluntary community-based flood insurance policies that would encourage communities to undertake flood mitigation activities, including the construction, reconstruction, or improvement of levees, dams, or other flood control structures. Strategy.

(c) REPORT BY COMPTROLLER GENERAL.—Not later than 6 months after the date on which the Administrator submits the report required under subsection (b), the Comptroller General of the United States shall—

(1) review the report submitted by the Administrator; and Review.

(2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains— Recommendations.

(A) an analysis of the report submitted by the Administrator; Analysis.

(B) any comments or recommendations of the Comptroller General relating to the report submitted by the Administrator; and

(C) any other recommendations of the Comptroller General relating to community-based flood insurance policies.

42 USC 4033.

SEC. 24. DESIGNATION OF FLOOD INSURANCE ADVOCATE.

(a) IN GENERAL.—The Administrator shall designate a Flood Insurance Advocate to advocate for the fair treatment of policy holders under the National Flood Insurance Program and property owners in the mapping of flood hazards, the identification of risks from flood, and the implementation of measures to minimize the risk of flood.

(b) DUTIES AND RESPONSIBILITIES.—The duties and responsibilities of the Flood Insurance Advocate designated under subsection (a) shall be to—

(1) educate property owners and policyholders under the National Flood Insurance Program on—

(A) individual flood risks;

(B) flood mitigation;

(C) measures to reduce flood insurance rates through effective mitigation;

(D) the flood insurance rate map review and amendment process; and

(E) any changes in the flood insurance program as a result of any newly enacted laws (including this Act);

(2) assist policy holders under the National Flood Insurance Program and property owners to understand the procedural requirements related to appealing preliminary flood insurance rate maps and implementing measures to mitigate evolving flood risks;

(3) assist in the development of regional capacity to respond to individual constituent concerns about flood insurance rate map amendments and revisions;

(4) coordinate outreach and education with local officials and community leaders in areas impacted by proposed flood insurance rate map amendments and revisions; and

(5) aid potential policy holders under the National Flood Insurance Program in obtaining and verifying accurate and reliable flood insurance rate information when purchasing or renewing a flood insurance policy.

SEC. 25. EXCEPTIONS TO ESCROW REQUIREMENT FOR FLOOD INSURANCE PAYMENTS.

(a) IN GENERAL.—Section 102(d)(1) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)(1)) is amended—

(1) in subparagraph (A), in the second sentence, by striking "subparagraph (C)" and inserting "subparagraph (B)"; and

(2) in subparagraph (B)—

(A) in clause (ii), by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively, and adjusting the margins accordingly;

(B) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and adjusting the margins accordingly;

(C) in the matter preceding subclause (I), as redesignated by subparagraph (B), by striking "(A) or (B), if—" and inserting the following: "(A)—

"(i) if—";

(D) by striking the period at the end and inserting "; or"; and

(E) by adding at the end the following:

"(ii) in the case of a loan that—

"(I) is in a junior or subordinate position to a senior lien secured by the same residential improved real estate or mobile home for which flood insurance is being provided at the time of the origination of the loan;

"(II) is secured by residential improved real estate or a mobile home that is part of a condominium, cooperative, or other project development, if the residential improved real estate or mobile home is covered by a flood insurance policy that—

"(aa) meets the requirements that the regulated lending institution is required to enforce under subsection (b)(1);

"(bb) is provided by the condominium association, cooperative, homeowners association, or other applicable group; and

"(cc) the premium for which is paid by the condominium association, cooperative, homeowners association, or other applicable group as a common expense;

"(III) is secured by residential improved real estate or a mobile home that is used as collateral for a business purpose;

"(IV) is a home equity line of credit;

"(V) is a nonperforming loan; or

"(VI) has a term of not longer than 12 months.".

(b) APPLICABILITY.— 42 USC 4012a note.

(1) IN GENERAL.—

(A) REQUIRED APPLICATION.—The amendments to section 102(d)(1) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)(1)) made by section 100209(a) of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 920) and by subsection (a) of this section shall apply to any loan that is originated, refinanced, increased, extended, or renewed on or after January 1, 2016.

(B) OPTIONAL APPLICATION.—

(i) DEFINITIONS.—In this subparagraph—

(I) the terms "Federal entity for lending regulation", "improved real estate", "regulated lending institution", and "servicer" have the meanings given the terms in section 3 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4003);

(II) the term "outstanding loan" means a loan that—

(aa) is outstanding as of January 1, 2016;

(bb) is not subject to the requirement to escrow premiums and fees for flood insurance under section 102(d)(1) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)(1)) as in effect on July 5, 2012; and

(cc) would, if the loan had been originated, refinanced, increased, extended, or renewed on or after January 1, 2016, be subject to the requirements under section 102(d)(1)(A)

of the Flood Disaster Protection Act of 1973, as amended; and

(III) the term "section 102(d)(1)(A) of the Flood Disaster Protection Act of 1973, as amended" means section 102(d)(1)(A) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)(1)(A)), as amended by—

(aa) section 100209(a) of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 920); and

(bb) subsection (a) of this section.

Consultation. Coordination. Regulation.

(ii) OPTION TO ESCROW FLOOD INSURANCE PAYMENTS.—Each Federal entity for lending regulation (after consultation and coordination with the Federal Financial Institutions Examination Council) shall, by regulation, direct that each regulated lending institution or servicer of an outstanding loan shall offer and make available to a borrower the option to have the borrower's payment of premiums and fees for flood insurance under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), including the escrow of such payments, be treated in the same manner provided under section 102(d)(1)(A) of the Flood Disaster Protection Act of 1973, as amended.

(2) REPEAL OF 2-YEAR DELAY ON APPLICABILITY.—Subsection (b) of section 100209 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 920) is repealed.

42 USC 4012a note.

42 USC 4012a note.

(3) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to supersede, during the period beginning on July 6, 2012 and ending on December 31, 2015, the requirements under section 102(d)(1) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)(1)), as in effect on July 5, 2012.

SEC. 26. FLOOD MITIGATION METHODS FOR BUILDINGS.

(a) GUIDELINES.—

(1) IN GENERAL.—Section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C. 4102) is amended by adding at the end the following new subsection:

"(d) FLOOD MITIGATION METHODS FOR BUILDINGS.—The Administrator shall establish guidelines for property owners that—

"(1) provide alternative methods of mitigation, other than building elevation, to reduce flood risk to residential buildings that cannot be elevated due to their structural characteristics, including—

"(A) types of building materials; and

"(B) types of floodproofing; and

"(2) inform property owners about how the implementation of mitigation methods described in paragraph (1) may affect risk premium rates for flood insurance coverage under the National Flood Insurance Program.".

Deadline. Time period. 42 USC 4102 note.

(2) ISSUANCE.—The Administrator shall issue the guidelines required under section 1361(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4102(d)), as added by the amendment made by paragraph (1) of this subsection, not later

than the expiration of the 1-year period beginning on the date of the enactment of this Act.

(b) CALCULATION OF RISK PREMIUM RATES.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

"(k) CONSIDERATION OF MITIGATION METHODS.—In calculating the risk premium rate charged for flood insurance for a property under this section, the Administrator shall take into account the implementation of any mitigation method identified by the Administrator in the guidance issued under section 1361(d) (42 U.S.C. 4102(d)).".

SEC. 27. MAPPING OF NON-STRUCTURAL FLOOD MITIGATION FEATURES.

Section 100216 of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101b) is amended—

(1) in subsection (b)(1)(A)—

(A) in clause (iv), by striking "and" at the end;

(B) by redesignating clause (v) as clause (vi);

(C) by inserting after clause (iv) the following new clause:

"(v) areas that are protected by non-structural flood mitigation features; and"; and

(D) in clause (vi) (as so redesignated), by inserting before the semicolon at the end the following: "and by non-structural flood mitigation features"; and

(2) in subsection (d)(1)—

(A) by redesignating subparagraphs (A) through (C) as subparagraphs (B) through (D), respectively;

(B) in subparagraph (C) (as so redesignated), by striking "subparagraph (A)" and inserting "subparagraph (B)"; and

(C) by inserting before subparagraph (B) (as so redesignated) the following new subparagraph:

"(A) work with States, local communities, and property owners to identify areas and features described in subsection (b)(1)(A)(v);".

SEC. 28. CLEAR COMMUNICATIONS.

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

"(l) CLEAR COMMUNICATIONS.—The Administrator shall clearly communicate full flood risk determinations to individual property owners regardless of whether their premium rates are full actuarial rates.".

SEC. 29. PROTECTION OF SMALL BUSINESSES, NON-PROFITS, HOUSES OF WORSHIP, AND RESIDENCES.

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

"(m) PROTECTION OF SMALL BUSINESSES, NON-PROFITS, HOUSES OF WORSHIP, AND RESIDENCES.—

"(1) REPORT.—Not later than 18 months after the date of the enactment of this section and semiannually thereafter, the Administrator shall monitor and report to Committee on Financial Services of the House Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, the Administrator's assessment of the impact, if any, of the rate increases required under subparagraphs (A) and (D) of section 1307(a)(2) and the surcharges required under section 1308A on the affordability of flood insurance for—

"(A) small businesses with less than 100 employees;

"(B) non-profit entities;

"(C) houses of worship; and

"(D) residences with a value equal to or less than 25 percent of the median home value of properties in the State in which the property is located.

Determination.
Deadline.

"(2) RECOMMENDATIONS.—If the Administrator determines that the rate increases or surcharges described in paragraph (1) are having a detrimental effect on affordability, including resulting in lapsed policies, late payments, or other criteria related to affordability as identified by the Administrator, for any of the properties identified in subparagraphs (A) through (D) of such paragraph, the Administrator shall, not later than 3 months after making such a determination, make such recommendations as the Administrator considers appropriate to improve affordability to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.".

SEC. 30. MAPPING.

Section 100216(d)(1) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101b(d)(1)), as amended by section 27 of this Act, is further amended—

(1) in subparagraph (C)—

(A) by striking "subparagraph (B)" and inserting "subparagraph (E)"; and

(B) by striking "and" at the end;

(2) by redesignating subparagraphs (A), (B), (C), and (D) as subparagraphs (D), (E), (F), and (H), respectively;

(3) by inserting before subparagraph (D), as so redesignated, the following new subparagraphs:

Notification.

"(A) before commencement of any mapping or map updating process, notify each community affected of the model or models that the Administrator plans to use in such process and provide an explanation of why such model or models are appropriate;

Time period.
Consultation.

"(B) provide each community affected a 30-day period beginning upon notification under subparagraph (A) to consult with the Administrator regarding the appropriateness, with respect to such community, of the mapping model or models to be used; provided that consultation by a community pursuant to this subparagraph shall not waive or otherwise affect any right of the community to appeal any flood hazard determinations;

Records.
Time period.

"(C) upon completion of the first Independent Data Submission, transmit a copy of such Submission to the affected community, provide the affected community a 30-day period during which the community may provide data

to Administrator that can be used to supplement or modify the existing data, and incorporate any data that is consistent with prevailing engineering principles;"; and

(4) by inserting after subparagraph (F), as so redesignated, the following new subparagraph:

"(G) not less than 30 days before issuance of any preliminary map, notify the Senators for each State affected and each Member of the House of Representatives for each congressional district affected by the preliminary map in writing of— Deadline. Notification.

"(i) the estimated schedule for—

"(I) community meetings regarding the preliminary map;

"(II) publication of notices regarding the preliminary map in local newspapers; and

"(III) the commencement of the appeals process regarding the map; and

"(ii) the estimated number of homes and businesses that will be affected by changes contained in the preliminary map, including how many structures will be that were not previously located in an area having special flood hazards will be located within such an area under the preliminary map; and".

SEC. 31. DISCLOSURE.

(a) CHANGES IN RATES RESULTING FROM THIS ACT.—Not later than the date that is 6 months before the date on which any change in risk premium rates for flood insurance coverage under the National Flood Insurance Program resulting from this Act or any amendment made by this Act is implemented, the Administrator shall make publicly available the rate tables and underwriting guidelines that provide the basis for the change. Deadline. Public information. 42 USC 4014 note.

(b) REPORT ON POLICY AND CLAIMS DATA.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the Congress a report on the feasibility of—

(A) releasing property-level policy and claims data for flood insurance coverage under the National Flood Insurance Program; and

(B) establishing guidelines for releasing property-level policy and claims data for flood insurance coverage under the National Flood Insurance Program in accordance with section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974).

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) an analysis and assessment of how releasing property-level policy and claims data for flood insurance coverage under the National Flood Insurance Program will aid policy holders and insurers to understand how the Administration determines actuarial premium rates and assesses flood risks; and Analysis. Assessment.

Recommendations.

(B) recommendations for protecting personal information in accordance with section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974).

Approved March 21, 2014.

LEGISLATIVE HISTORY—H.R. 3370:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 4, considered and passed House.
Mar. 13, considered and passed Senate.

Public Law 113–90
113th Congress

An Act

To address shortages and interruptions in the availability of propane and other home heating fuels in the United States, and for other purposes.

Mar. 21, 2014
[H.R. 4076]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Home Heating Emergency Assistance Through Transportation Act of 2014.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Home Heating Emergency Assistance Through Transportation Act of 2014" or the "HHEATT Act of 2014".

SEC. 2. PROPANE AND HOME HEATING FUEL EMERGENCY TRANSPORTATION.

Termination date. Consultation. Determination.

(a) IN GENERAL.—Notwithstanding any other provision of law, a covered emergency exemption issued by the Federal Motor Carrier Safety Administration shall remain in effect until May 31, 2014, unless the Secretary of Transportation, after consultation with the Governors of affected States, determines that the emergency for which the exemption was provided ends before that date.

(b) COVERED EMERGENCY EXEMPTION DEFINED.—In this section, the term "covered emergency exemption" means an exemption issued under section 390.23 of title 49, Code of Federal Regulations, or extended under section 390.25 of such title that—

(1) was issued or extended during the period beginning on February 5, 2014, and ending on the date of enactment of this Act; and

(2) provided regulatory relief for commercial motor vehicle operations providing direct assistance supporting the delivery of propane and home heating fuels.

(c) RULE OF CONSTRUCTION.—Nothing in subsection (a) may be construed to prohibit the Federal Motor Carrier Safety Administration from issuing or extending a covered emergency exemption beyond May 31, 2014, under other Federal law.

Approved March 21, 2014.

LEGISLATIVE HISTORY—H.R. 4076:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 4, considered and passed House.
Mar. 13, considered and passed Senate.

Public Law 113–91
113th Congress

Joint Resolution

Mar. 21, 2014
[S.J. Res. 32]

Providing for the reappointment of John W. McCarter as a citizen regent of the Board of Regents of the Smithsonian Institution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of John W. McCarter of Illinois on March 14, 2014, is filled by the reappointment of the incumbent. The reappointment is for a term of 6 years, beginning on March 15, 2014, or the date of enactment of this joint resolution, whichever occurs later.

Effective date.

Approved March 21, 2014.

LEGISLATIVE HISTORY—S.J. Res. 32:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 11, considered and passed Senate.
Mar. 13, considered and passed House.

Public Law 113–92
113th Congress

An Act

To accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Typhoon Haiyan in the Philippines.

Mar. 25, 2014
[H.R. 3771]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Philippines Charitable Giving Assistance Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Philippines Charitable Giving Assistance Act".

SEC. 2. ACCELERATION OF INCOME TAX BENEFITS FOR CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF VICTIMS OF TYPHOON HAIYAN IN THE PHILIPPINES.

Time period.

(a) IN GENERAL.—For purposes of section 170 of the Internal Revenue Code of 1986, a taxpayer may treat any contribution described in subsection (b) made after the date of the enactment of this Act, and before April 15, 2014, as if such contribution was made on December 31, 2013, and not in 2014.

(b) CONTRIBUTION DESCRIBED.—A contribution is described in this subsection if such contribution is a cash contribution made for the relief of victims in areas affected by Typhoon Haiyan, for which a charitable contribution deduction is allowable under section 170 of the Internal Revenue Code of 1986.

(c) RECORDKEEPING.—In the case of a contribution described in subsection (b), a telephone bill showing the name of the donee organization, the date of the contribution, and the amount of the contribution shall be treated as meeting the recordkeeping requirements of section 170(f)(17) of the Internal Revenue Code of 1986.

Approved March 25, 2014.

LEGISLATIVE HISTORY—H.R. 3771 (S. 1821):

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 24, considered and passed House.
Mar. 25, considered and passed Senate.

Public Law 113–93
113th Congress

An Act

Apr. 1, 2014
[H.R. 4302]

To amend the Social Security Act to extend Medicare payments to physicians and other provisions of the Medicare and Medicaid programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Protecting Access to Medicare Act of 2014.

42 USC 1305 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Protecting Access to Medicare Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

TITLE I—MEDICARE EXTENDERS

SEC. 101. PHYSICIAN PAYMENT UPDATE.

Section 1848(d) of the Social Security Act (42 U.S.C. 1395w–4(d)) is amended—

(1) in paragraph (15)—

(A) in the heading, by striking "JANUARY THROUGH MARCH OF";

(B) in subparagraph (A), by striking "for the period beginning on January 1, 2014, and ending on March 31, 2014"; and

(C) in subparagraph (B)—

(i) in the heading, by striking "REMAINING PORTION OF 2014 AND"; and

(ii) by striking "the period beginning on April 1, 2014, and ending on December 31, 2014, and for"; and

(2) by adding at the end the following new paragraph:

"(16) UPDATE FOR JANUARY THROUGH MARCH OF 2015.— Time periods.

"(A) IN GENERAL.—Subject to paragraphs (7)(B), (8)(B), (9)(B), (10)(B), (11)(B), (12)(B), (13)(B), (14)(B), and (15)(B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would otherwise apply for 2015 for the period beginning on January 1, 2015, and ending on March 31, 2015, the update to the single conversion factor shall be 0.0 percent.

"(B) NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR REMAINING PORTION OF 2015 AND SUBSEQUENT YEARS.—The conversion factor under this subsection shall be computed under paragraph (1)(A) for the period beginning on April 1, 2015, and ending on December 31, 2015, and for 2016 and subsequent years as if subparagraph (A) had never applied.".

SEC. 102. EXTENSION OF WORK GPCI FLOOR.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by striking "April 1, 2014" and inserting "April 1, 2015".

SEC. 103. EXTENSION OF THERAPY CAP EXCEPTIONS PROCESS.

Section 1833(g) of the Social Security Act (42 U.S.C. 1395l(g)) is amended—

(1) in paragraph (5)(A), in the first sentence, by striking "March 31, 2014" and inserting "March 31, 2015"; and

(2) in paragraph (6)(A)—

(A) by striking "March 31, 2014" and inserting "March 31, 2015"; and

(B) by striking "2012, 2013, or the first three months of 2014" and inserting "2012, 2013, 2014, or the first three months of 2015".

SEC. 104. EXTENSION OF AMBULANCE ADD-ONS.

(a) GROUND AMBULANCE.—Section 1834(l)(13)(A) of the Social Security Act (42 U.S.C. 1395m(l)(13)(A)) is amended by striking "April 1, 2014" and inserting "April 1, 2015" each place it appears.

(b) SUPER RURAL GROUND AMBULANCE.—Section 1834(l)(12)(A) of the Social Security Act (42 U.S.C. 1395m(l)(12)(A)) is amended, in the first sentence, by striking "April 1, 2014" and inserting "April 1, 2015".

SEC. 105. EXTENSION OF INCREASED INPATIENT HOSPITAL PAYMENT ADJUSTMENT FOR CERTAIN LOW-VOLUME HOSPITALS.

Section 1886(d)(12) of the Social Security Act (42 U.S.C. 1395ww(d)(12)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking "in the portion of fiscal year 2014 beginning on April 1, 2014, fiscal year 2015, and subsequent fiscal years" and inserting "in fiscal year 2015 (beginning on April 1, 2015), fiscal year 2016, and subsequent fiscal years";

(2) in subparagraph (C)(i), by striking "fiscal years 2011, 2012, and 2013, and the portion of fiscal year 2014 before" and inserting "fiscal years 2011 through 2014 and fiscal year 2015 (before April 1, 2015)," each place it appears; and

(3) in subparagraph (D), by striking "fiscal years 2011, 2012, and 2013, and the portion of fiscal year 2014 before April 1, 2014," and inserting "fiscal years 2011 through 2014 and fiscal year 2015 (before April 1, 2015),".

SEC. 106. EXTENSION OF THE MEDICARE-DEPENDENT HOSPITAL (MDH) PROGRAM.

(a) IN GENERAL.—Section 1886(d)(5)(G) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(G)) is amended—

(1) in clause (i), by striking "April 1, 2014" and inserting "April 1, 2015"; and

(2) in clause (ii)(II), by striking "April 1, 2014" and inserting "April 1, 2015".

(b) CONFORMING AMENDMENTS.—

(1) EXTENSION OF TARGET AMOUNT.—Section 1886(b)(3)(D) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(D)) is amended—

(A) in the matter preceding clause (i), by striking "April 1, 2014" and inserting "April 1, 2015"; and

(B) in clause (iv), by striking "through fiscal year 2013 and the portion of fiscal year 2014 before April 1, 2014" and inserting "through fiscal year 2014 and the portion of fiscal year 2015 before April 1, 2015".

(2) PERMITTING HOSPITALS TO DECLINE RECLASSIFICATION.—Section 13501(e)(2) of the Omnibus Budget Reconciliation Act of 1993 (42 U.S.C. 1395ww note) is amended by striking "through the first 2 quarters of fiscal year 2014" and inserting "through the first 2 quarters of fiscal year 2015".

SEC. 107. EXTENSION FOR SPECIALIZED MEDICARE ADVANTAGE PLANS FOR SPECIAL NEEDS INDIVIDUALS.

Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w–28(f)(1)) is amended by striking "2016" and inserting "2017".

SEC. 108. EXTENSION OF MEDICARE REASONABLE COST CONTRACTS.

Section 1876(h)(5)(C)(ii) of the Social Security Act (42 U.S.C. 1395mm(h)(5)(C)(ii)) is amended, in the matter preceding subclause (I), by striking "January 1, 2015" and inserting "January 1, 2016".

SEC. 109. EXTENSION OF FUNDING FOR QUALITY MEASURE ENDORSEMENT, INPUT, AND SELECTION.

Section 1890(d) of the Social Security Act (42 U.S.C. 1395aaa(d)) is amended—

(1) by inserting "(1)" before "For purposes"; and

(2) by adding at the end the following new paragraph:

"(2) For purposes of carrying out this section and section 1890A (other than subsections (e) and (f)), the Secretary shall provide for the transfer, from the Federal Hospital Insurance Trust Fund under section 1817 and the Federal Supplementary Medical Insurance Trust Fund under section 1841, in such proportion as the Secretary determines appropriate, to the Centers for Medicare & Medicaid Services Program Management Account of $5,000,000 for fiscal year 2014 and $15,000,000 for the first 6 months of fiscal year 2015. Amounts transferred under the preceding sentence shall remain available until expended.".

SEC. 110. EXTENSION OF FUNDING OUTREACH AND ASSISTANCE FOR LOW-INCOME PROGRAMS.

(a) ADDITIONAL FUNDING FOR STATE HEALTH INSURANCE PROGRAMS.—Subsection (a)(1)(B) of section 119 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395b–3 note), as amended by section 3306 of the Patient Protection and Affordable Care Act Public Law 111–148), section 610 of the American Taxpayer Relief Act of 2012 (Public Law 112–240), and section 1110 of the Pathway for SGR Reform Act of 2013 (Public Law 113–67), is amended—

(1) in clause (iii), by striking "and" at the end;

(2) by striking clause (iv); and

(3) by adding at the end the following new clauses:

"(iv) for fiscal year 2014, of $7,500,000; and

"(v) for the portion of fiscal year 2015 before April 1, 2015, of $3,750,000.".

(b) ADDITIONAL FUNDING FOR AREA AGENCIES ON AGING.—Subsection (b)(1)(B) of such section 119, as so amended, is amended—

(1) in clause (iii), by striking "and" at the end;

(2) by striking clause (iv); and

(3) by inserting after clause (iii) the following new clauses:

"(iv) for fiscal year 2014, of $7,500,000; and

"(v) for the portion of fiscal year 2015 before April 1, 2015, of $3,750,000.".

(c) ADDITIONAL FUNDING FOR AGING AND DISABILITY RESOURCE CENTERS.—Subsection (c)(1)(B) of such section 119, as so amended, is amended—

(1) in clause (iii), by striking "and" at the end;

(2) by striking clause (iv); and

(3) by inserting after clause (iii) the following new clauses:

"(iv) for fiscal year 2014, of $5,000,000; and

"(v) for the portion of fiscal year 2015 before April 1, 2015, of $2,500,000.".

(d) ADDITIONAL FUNDING FOR CONTRACT WITH THE NATIONAL CENTER FOR BENEFITS AND OUTREACH ENROLLMENT.—Subsection (d)(2) of such section 119, as so amended, is amended—

(1) in clause (iii), by striking "and" at the end;

(2) by striking clause (iv); and

(3) by inserting after clause (iii) the following new clauses:

"(iv) for fiscal year 2014, of $5,000,000; and

"(v) for the portion of fiscal year 2015 before April 1, 2015, of $2,500,000.".

42 USC 1395ddd note.

SEC. 111. EXTENSION OF TWO-MIDNIGHT RULE.

(a) CONTINUATION OF CERTAIN MEDICAL REVIEW ACTIVITIES.—The Secretary of Health and Human Services may continue medical review activities described in the notice entitled "Selecting Hospital Claims for Patient Status Reviews: Admissions On or After October 1, 2013", posted on the Internet website of the Centers for Medicare & Medicaid Services, through the first 6 months of fiscal year 2015 for such additional hospital claims as the Secretary determines appropriate.

Time period.

(b) LIMITATION.—The Secretary of Health and Human Services shall not conduct patient status reviews (as described in such notice) on a post-payment review basis through recovery audit contractors under section 1893(h) of the Social Security Act (42 U.S.C. 1395ddd(h)) for inpatient claims with dates of admission October 1, 2013, through March 31, 2015, unless there is evidence of systematic gaming, fraud, abuse, or delays in the provision of care by a provider of services (as defined in section 1861(u) of such Act (42 U.S.C. 1395x(u))).

SEC. 112. TECHNICAL CHANGES TO MEDICARE LTCH AMENDMENTS.

(a) IN GENERAL.—Subclauses (I) and (II) of section 1886(m)(6)(C)(iv) of the Social Security Act (42 U.S.C. 1395ww(m)(6)(C)(iv)) are each amended by striking "discharges" and inserting "Medicare fee-for-service discharges".

(b) MMSEA CORRECTION.—Section 114(d) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by sections 3106(b) and 10312(b) of Public Law 111–148 and by section 1206(b)(2) of the Pathway for SGR Reform Act of 2013 (division B of Public Law 113–67), is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking "January 1, 2015," and inserting "on the date of the enactment of paragraph (7) of this subsection";

(2) in paragraph (6), by striking "January 1, 2015," and inserting "on the date of the enactment of paragraph (7) of this subsection"; and

(3) by adding at the end the following new paragraph:

"(7) ADDITIONAL EXCEPTION FOR CERTAIN LONG-TERM CARE HOSPITALS.—The moratorium under paragraph (1)(A) shall not apply to a long-term care hospital that—

"(A) began its qualifying period for payment as a long-term care hospital under section 412.23(e) of title 42, Code of Federal Regulations, on or before the date of enactment of this paragraph;

"(B) has a binding written agreement as of the date of the enactment of this paragraph with an outside, unrelated party for the actual construction, renovation, lease, or demolition for a long-term care hospital, and has expended, before such date of enactment, at least 10 percent of the estimated cost of the project (or, if less, $2,500,000); or

"(C) has obtained an approved certificate of need in a State where one is required on or before such date of enactment.".

(c) ADDITIONAL AMENDMENTS.—Section 1206(a) of the Pathway for SGR Reform Act of 2013 (division B of Public Law 113–67) is amended—

(1) in paragraph (2)(A), by striking "Assessment" and inserting "Advisory"; and

(2) in paragraph (3)(B), by striking "shall not apply to a hospital that is classified as of December 10, 2013, as a subsection (d) hospital (as defined in section 1886(d)(1)(B) of the Social Security Act, 42 U.S.C. 1395ww(d)(1)(B))" and inserting "shall only apply to a hospital that is classified as of December 10, 2013, as a long-term care hospital (as defined in section 1861(ccc) of the Social Security Act, 42 U.S.C. 1395x(ccc))". 42 USC 1395ww note.

(d) EFFECTIVE DATE.—The amendments made by this section are effective as of the date of the enactment of this Act. 42 USC 1395ww note.

TITLE II—OTHER HEALTH PROVISIONS

SEC. 201. EXTENSION OF THE QUALIFYING INDIVIDUAL (QI) PROGRAM.

(a) EXTENSION.—Section 1902(a)(10)(E)(iv) of the Social Security Act (42 U.S.C. 1396a(a)(10)(E)(iv)) is amended by striking "March 2014" and inserting "March 2015".

(b) EXTENDING TOTAL AMOUNT AVAILABLE FOR ALLOCATION.—Section 1933(g) of the Social Security Act (42 U.S.C. 1396u–3(g)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (T), by striking "and" at the end;

(B) in subparagraph (U)—

(i) by striking "March 31, 2014" and inserting "September 30, 2014"; and

(ii) by striking "$200,000,000." and inserting "$485,000,000;"; and

(C) by adding at the end the following new subparagraphs: Time periods.

"(V) for the period that begins on October 1, 2014, and ends on December 31, 2014, the total allocation amount is $300,000,000; and

"(W) for the period that begins on January 1, 2015, and ends on March 31, 2015, the total allocation amount is $250,000,000."; and

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking "or (T)" and inserting "(T), or (V)".

SEC. 202. TEMPORARY EXTENSION OF TRANSITIONAL MEDICAL ASSISTANCE (TMA).

Sections 1902(e)(1)(B) and 1925(f) of the Social Security Act (42 U.S.C. 1396a(e)(1)(B), 1396r–6(f)) are each amended by striking "March 31, 2014" and inserting "March 31, 2015".

SEC. 203. EXTENSION OF MEDICAID AND CHIP EXPRESS LANE OPTION.

Section 1902(e)(13)(I) of the Social Security Act (42 U.S.C. 1396a(e)(13)(I)) is amended by striking "September 30, 2014" and inserting "September 30, 2015".

SEC. 204. EXTENSION OF SPECIAL DIABETES PROGRAM FOR TYPE I DIABETES AND FOR INDIANS.

(a) SPECIAL DIABETES PROGRAMS FOR TYPE I DIABETES.—Section 330B(b)(2)(C) of the Public Health Service Act (42 U.S.C. 254c–2(b)(2)(C)) is amended by striking "2014" and inserting "2015".

(b) SPECIAL DIABETES PROGRAMS FOR INDIANS.—Section 330C(c)(2)(C) of the Public Health Service Act (42 U.S.C. 254c–3(c)(2)(C)) is amended by striking "2014" and inserting "2015".

SEC. 205. EXTENSION OF ABSTINENCE EDUCATION.

Subsections (a) and (d) of section 510 of the Social Security Act (42 U.S.C. 710) are each amended by striking "2014" and inserting "2015".

SEC. 206. EXTENSION OF PERSONAL RESPONSIBILITY EDUCATION PROGRAM (PREP).

Section 513 of the Social Security Act (42 U.S.C. 713) is amended—

(1) in paragraphs (1)(A) and (4)(A) of subsection (a), by striking "2014" and inserting "2015" each place it appears;

(2) in subsection (a)(4)(B)(i), by striking "and 2014" and inserting "2014, and 2015"; and

(3) in subsection (f), by striking "2014" and inserting "2015".

SEC. 207. EXTENSION OF FUNDING FOR FAMILY-TO-FAMILY HEALTH INFORMATION CENTERS.

Section 501(c)(1)(A) of the Social Security Act (42 U.S.C. 701(c)(1)(A)) is amended—

(1) in clause (iii), by striking at the end "and";

(2) in clause (iv), by striking the period at the end and inserting a semicolon and by moving the margin to align with the margin for clause (iii); and

(3) by adding at the end the following new clauses:

"(v) $2,500,000 for the portion of fiscal year 2014 on or after April 1, 2014; and

"(vi) $2,500,000 for the portion of fiscal year 2015 before April 1, 2015.".

SEC. 208. EXTENSION OF HEALTH WORKFORCE DEMONSTRATION PROJECT FOR LOW-INCOME INDIVIDUALS.

Section 2008(c)(1) of the Social Security Act (42 U.S.C. 1397g(c)(1)) is amended by striking "2014" and inserting "2015".

SEC. 209. EXTENSION OF MATERNAL, INFANT, AND EARLY CHILDHOOD HOME VISITING PROGRAMS.

Section 511(j) of the Social Security Act (42 U.S.C. 711(j)) is amended—

(1) in paragraph (1)—

(A) by striking "and" at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting "; and"; and

(C) by adding at the end the following new subparagraph:

"(F) for the period beginning on October 1, 2014, and ending on March 31, 2015, an amount equal to the amount provided in subparagraph (E)."; and Time period.

(2) in paragraphs (2) and (3), by inserting "(or portion of a fiscal year)" after "for a fiscal year" each place it appears.

SEC. 210. PEDIATRIC QUALITY MEASURES.

(a) CONTINUATION OF FUNDING FOR PEDIATRIC QUALITY MEASURES FOR IMPROVING THE QUALITY OF CHILDREN'S HEALTH CARE.—Section 1139B(e) of the Social Security Act (42 U.S.C. 1320b–9b(e)) is amended by adding at the end the following: "Of the funds appropriated under this subsection, not less than $15,000,000 shall be used to carry out section 1139A(b).".

(b) ELIMINATION OF RESTRICTION ON MEDICAID QUALITY MEASUREMENT PROGRAM.—Section 1139B(b)(5)(A) of the Social Security Act (42 U.S.C. 1320b–9b(b)(5)(A)) is amended by striking "The aggregate amount awarded by the Secretary for grants and contracts for the development, testing, and validation of emerging and innovative evidence-based measures under such program shall equal the aggregate amount awarded by the Secretary for grants under section 1139A(b)(4)(A)".

SEC. 211. DELAY OF EFFECTIVE DATE FOR MEDICAID AMENDMENTS RELATING TO BENEFICIARY LIABILITY SETTLEMENTS.

Effective as if included in the enactment of the Bipartisan Budget Act of 2013 (Public Law 113–67), section 202(c) of such Act is amended by striking "October 1, 2014" and inserting "October 1, 2016". 42 USC 1396a note.

SEC. 212. DELAY IN TRANSITION FROM ICD–9 TO ICD–10 CODE SETS.

The Secretary of Health and Human Services may not, prior to October 1, 2015, adopt ICD–10 code sets as the standard for code sets under section 1173(c) of the Social Security Act (42 U.S.C. 1320d–2(c)) and section 162.1002 of title 45, Code of Federal Regulations.

SEC. 213. ELIMINATION OF LIMITATION ON DEDUCTIBLES FOR EMPLOYER-SPONSORED HEALTH PLANS.

(a) IN GENERAL.—Section 1302(c) of the Patient Protection and Affordable Care Act (Public Law 111–148; 42 U.S.C. 18022(c)) is amended—

(1) by striking paragraph (2); and

(2) in paragraph (4)(A), by striking "paragraphs (1)(B)(i) and (2)(B)(i)" and inserting "paragraph (1)(B)(i)".

(b) CONFORMING AMENDMENT.—Section 2707(b) of the Public Health Service Act (42 U.S.C. 300gg–6(b)) is amended by striking "paragraphs (1) and (2)" and inserting "paragraph (1)".

(c) EFFECTIVE DATE.—The amendments made by this Act shall be effective as if included in the enactment of the Patient Protection and Affordable Care Act (Public Law 111–148). 42 USC 300gg–6 note.

SEC. 214. GAO REPORT ON THE CHILDREN'S HOSPITAL GRADUATE MEDICAL EDUCATION PROGRAM.

Evaluation.

(a) IN GENERAL.—In the case that the Children's Hospital GME Support Reauthorization Act of 2013 is enacted into law, the Comptroller General of the United States shall, not later than November 30, 2017, conduct an independent evaluation, and submit to the appropriate committees of Congress a report, concerning the implementation of section 340E(h) of the Public Health Service Act, as added by section 3 of the Children's Hospital GME Support Reauthorization Act of 2013.

(b) CONTENT.—The report described in subsection (a) shall review and assess each of the following, with respect to hospitals receiving payments under such section 340E(h) during the period of fiscal years 2015 through 2017:

(1) The number and type of such hospitals that applied for such payments.

(2) The number and type of such hospitals receiving such payments.

(3) The amount of such payments awarded to such hospitals.

(4) How such hospitals used such payments.

(5) The impact of such payments on—

(A) the number of pediatric providers; and

(B) health care needs of children.

SEC. 215. SKILLED NURSING FACILITY VALUE-BASED PURCHASING.

(a) IN GENERAL.—Section 1888 of the Social Security Act (42 U.S.C. 1395yy) is amended by adding at the end the following new subsection:

"(g) SKILLED NURSING FACILITY READMISSION MEASURE.—

Deadline.

"(1) READMISSION MEASURE.—Not later than October 1, 2015, the Secretary shall specify a skilled nursing facility all-cause all-condition hospital readmission measure (or any successor to such a measure).

Deadline.

"(2) RESOURCE USE MEASURE.—Not later than October 1, 2016, the Secretary shall specify a measure to reflect an all-condition risk-adjusted potentially preventable hospital readmission rate for skilled nursing facilities.

"(3) MEASURE ADJUSTMENTS.—When specifying the measures under paragraphs (1) and (2), the Secretary shall devise a methodology to achieve a high level of reliability and validity, especially for skilled nursing facilities with a low volume of readmissions.

"(4) PRE-RULEMAKING PROCESS (MEASURE APPLICATION PARTNERSHIP PROCESS).—The application of the provisions of section 1890A shall be optional in the case of a measure specified under paragraph (1) and a measure specified under paragraph (2).

"(5) FEEDBACK REPORTS TO SKILLED NURSING FACILITIES.—

Effective date.

Beginning October 1, 2016, and every quarter thereafter, the Secretary shall provide confidential feedback reports to skilled nursing facilities on the performance of such facilities with respect to a measure specified under paragraph (1) or (2).

"(6) PUBLIC REPORTING OF SKILLED NURSING FACILITIES.—

Procedures.
Web posting.

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary shall establish procedures for making available to the public by posting on the Nursing Home

Compare Medicare website (or a successor website) described in section 1819(i) information on the performance of skilled nursing facilities with respect to a measure specified under paragraph (1) and a measure specified under paragraph (2).

"(B) OPPORTUNITY TO REVIEW.—The procedures under subparagraph (A) shall ensure that a skilled nursing facility has the opportunity to review and submit corrections to the information that is to be made public with respect to the facility prior to such information being made public.

"(C) TIMING.—Such procedures shall provide that the information described in subparagraph (A) is made publicly available beginning not later than October 1, 2017.

"(7) NON-APPLICATION OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly referred to as the 'Paperwork Reduction Act of 1995') shall not apply to this subsection.".

(b) VALUE-BASED PURCHASING PROGRAM FOR SKILLED NURSING FACILITIES.—Section 1888 of the Social Security Act (42 U.S.C. 1395yy), as amended by subsection (a), is further amended by adding at the end the following new subsection:

"(h) SKILLED NURSING FACILITY VALUE-BASED PURCHASING PROGRAM.—

"(1) ESTABLISHMENT.—

"(A) IN GENERAL.—Subject to the succeeding provisions of this subsection, the Secretary shall establish a skilled nursing facility value-based purchasing program (in this subsection referred to as the 'SNF VBP Program') under which value-based incentive payments are made in a fiscal year to skilled nursing facilities.

"(B) PROGRAM TO BEGIN IN FISCAL YEAR 2019.—The SNF VBP Program shall apply to payments for services furnished on or after October 1, 2018. Applicability.

"(2) APPLICATION OF MEASURES.—

"(A) IN GENERAL.—The Secretary shall apply the measure specified under subsection (g)(1) for purposes of the SNF VBP Program.

"(B) REPLACEMENT.—For purposes of the SNF VBP Program, the Secretary shall apply the measure specified under (g)(2) instead of the measure specified under (g)(1) as soon as practicable.

"(3) PERFORMANCE STANDARDS.—

"(A) ESTABLISHMENT.—The Secretary shall establish performance standards with respect to the measure applied under paragraph (2) for a performance period for a fiscal year.

"(B) HIGHER OF ACHIEVEMENT AND IMPROVEMENT.—The performance standards established under subparagraph (A) shall include levels of achievement and improvement. In calculating the SNF performance score under paragraph (4), the Secretary shall use the higher of either improvement or achievement.

"(C) TIMING.—The Secretary shall establish and announce the performance standards established under subparagraph (A) not later than 60 days prior to the beginning of the performance period for the fiscal year involved.

Assessment.

"(4) SNF PERFORMANCE SCORE.—

"(A) IN GENERAL.—The Secretary shall develop a methodology for assessing the total performance of each skilled nursing facility based on performance standards established under paragraph (3) with respect to the measure applied under paragraph (2). Using such methodology, the Secretary shall provide for an assessment (in this subsection referred to as the 'SNF performance score') for each skilled nursing facility for each such performance period.

"(B) RANKING OF SNF PERFORMANCE SCORES.—The Secretary shall, for the performance period for each fiscal year, rank the SNF performance scores determined under subparagraph (A) from low to high.

"(5) CALCULATION OF VALUE-BASED INCENTIVE PAYMENTS.—

"(A) IN GENERAL.—With respect to a skilled nursing facility, based on the ranking under paragraph (4)(B) for a performance period for a fiscal year, the Secretary shall increase the adjusted Federal per diem rate determined under subsection (e)(4)(G) otherwise applicable to such skilled nursing facility (and after application of paragraph (6)) for services furnished by such facility during such fiscal year by the value-based incentive payment amount under subparagraph (B).

"(B) VALUE-BASED INCENTIVE PAYMENT AMOUNT.—The value-based incentive payment amount for services furnished by a skilled nursing facility in a fiscal year shall be equal to the product of—

"(i) the adjusted Federal per diem rate determined under subsection (e)(4)(G) otherwise applicable to such skilled nursing facility for such services furnished by the skilled nursing facility during such fiscal year; and

"(ii) the value-based incentive payment percentage specified under subparagraph (C) for the skilled nursing facility for such fiscal year.

"(C) VALUE-BASED INCENTIVE PAYMENT PERCENTAGE.—

"(i) IN GENERAL.—The Secretary shall specify a value-based incentive payment percentage for a skilled nursing facility for a fiscal year which may include a zero percentage.

"(ii) REQUIREMENTS.—In specifying the value-based incentive payment percentage for each skilled nursing facility for a fiscal year under clause (i), the Secretary shall ensure that—

"(I) such percentage is based on the SNF performance score of the skilled nursing facility provided under paragraph (4) for the performance period for such fiscal year;

"(II) the application of all such percentages in such fiscal year results in an appropriate distribution of value-based incentive payments under subparagraph (B) such that—

"(aa) skilled nursing facilities with the highest rankings under paragraph (4)(B) receive the highest value-based incentive payment amounts under subparagraph (B);

"(bb) skilled nursing facilities with the lowest rankings under paragraph (4)(B) receive the lowest value-based incentive payment amounts under subparagraph (B); and

"(cc) in the case of skilled nursing facilities in the lowest 40 percent of the ranking under paragraph (4)(B), the payment rate under subparagraph (A) for services furnished by such facility during such fiscal year shall be less than the payment rate for such services for such fiscal year that would otherwise apply under subsection (e)(4)(G) without application of this subsection; and

"(III) the total amount of value-based incentive payments under this paragraph for all skilled nursing facilities in such fiscal year shall be greater than or equal to 50 percent, but not greater than 70 percent, of the total amount of the reductions to payments for such fiscal year under paragraph (6), as estimated by the Secretary.

"(6) FUNDING FOR VALUE-BASED INCENTIVE PAYMENTS.—

"(A) IN GENERAL.—The Secretary shall reduce the adjusted Federal per diem rate determined under subsection (e)(4)(G) otherwise applicable to a skilled nursing facility for services furnished by such facility during a fiscal year (beginning with fiscal year 2019) by the applicable percent (as defined in subparagraph (B)). The Secretary shall make such reductions for all skilled nursing facilities in the fiscal year involved, regardless of whether or not the skilled nursing facility has been determined by the Secretary to have earned a value-based incentive payment under paragraph (5) for such fiscal year.

"(B) APPLICABLE PERCENT.—For purposes of subparagraph (A), the term 'applicable percent' means, with respect to fiscal year 2019 and succeeding fiscal years, 2 percent.

"(7) ANNOUNCEMENT OF NET RESULT OF ADJUSTMENTS.—Under the SNF VBP Program, the Secretary shall, not later than 60 days prior to the fiscal year involved, inform each skilled nursing facility of the adjustments to payments to the skilled nursing facility for services furnished by such facility during the fiscal year under paragraphs (5) and (6). Deadline.

"(8) NO EFFECT IN SUBSEQUENT FISCAL YEARS.—The value-based incentive payment under paragraph (5) and the payment reduction under paragraph (6) shall each apply only with respect to the fiscal year involved, and the Secretary shall not take into account such value-based incentive payment or payment reduction in making payments to a skilled nursing facility under this section in a subsequent fiscal year. Applicability.

"(9) PUBLIC REPORTING.— Web posting.

"(A) SNF SPECIFIC INFORMATION.—The Secretary shall make available to the public, by posting on the Nursing Home Compare Medicare website (or a successor website) described in section 1819(i) in an easily understandable format, information regarding the performance of individual skilled nursing facilities under the SNF VBP Program, with respect to a fiscal year, including—

"(i) the SNF performance score of the skilled nursing facility for such fiscal year; and

"(ii) the ranking of the skilled nursing facility under paragraph (4)(B) for the performance period for such fiscal year.

"(B) AGGREGATE INFORMATION.—The Secretary shall periodically post on the Nursing Home Compare Medicare website (or a successor website) described in section 1819(i) aggregate information on the SNF VBP Program, including—

"(i) the range of SNF performance scores provided under paragraph (4)(A); and

"(ii) the number of skilled nursing facilities receiving value-based incentive payments under paragraph (5) and the range and total amount of such value-based incentive payments.

"(10) LIMITATION ON REVIEW.—There shall be no administrative or judicial review under section 1869, section 1878, or otherwise of the following:

"(A) The methodology used to determine the value-based incentive payment percentage and the amount of the value-based incentive payment under paragraph (5).

"(B) The determination of the amount of funding available for such value-based incentive payments under paragraph (5)(C)(ii)(III) and the payment reduction under paragraph (6).

"(C) The establishment of the performance standards under paragraph (3) and the performance period.

"(D) The methodology developed under paragraph (4) that is used to calculate SNF performance scores and the calculation of such scores.

"(E) The ranking determinations under paragraph (4)(B).

"(11) FUNDING FOR PROGRAM MANAGEMENT.—The Secretary shall provide for the one time transfer from the Federal Hospital Insurance Trust Fund established under section 1817 to the Centers for Medicare & Medicaid Services Program Management Account of—

"(A) for purposes of subsection (g)(2), $2,000,000; and

"(B) for purposes of implementing this subsection, $10,000,000.

Such funds shall remain available until expended.".

Deadline. Reports. Recommendations.

(c) MEDPAC STUDY.—Not later than June 30, 2021, the Medicare Payment Advisory Commission shall submit to Congress a report that reviews the progress of the skilled nursing facility value-based purchasing program established under section 1888(h) of the Social Security Act, as added by subsection (b), and makes recommendations, as appropriate, on any improvements that should be made to such program. For purposes of the previous sentence, the Medicare Payment Advisory Commission shall consider any unintended consequences with respect to such skilled nursing facility value-based purchasing program and any potential adjustments to the readmission measure specified under section 1888(g)(1) of such Act, as added by subsection (a), for purposes of determining the effect of the socio-economic status of a beneficiary under the Medicare program under title XVIII of the Social Security Act

for the SNF performance score of a skilled nursing facility provided under section 1888(h)(4) of such Act, as added by subsection (b).

SEC. 216. IMPROVING MEDICARE POLICIES FOR CLINICAL DIAGNOSTIC LABORATORY TESTS.

(a) IN GENERAL.—Title XVIII of the Social Security Act is amended by inserting after section 1834 (42 U.S.C. 1395m) the following new section:

"SEC. 1834A. IMPROVING POLICIES FOR CLINICAL DIAGNOSTIC LABORATORY TESTS.

42 USC 1395m–1.

"(a) REPORTING OF PRIVATE SECTOR PAYMENT RATES FOR ESTABLISHMENT OF MEDICARE PAYMENT RATES.—

"(1) IN GENERAL.—Beginning January 1, 2016, and every 3 years thereafter (or, annually, in the case of reporting with respect to an advanced diagnostic laboratory test, as defined in subsection (d)(5)), an applicable laboratory (as defined in paragraph (2)) shall report to the Secretary, at a time specified by the Secretary, applicable information (as defined in paragraph (3)) for a data collection period (as defined in paragraph (4)) for each clinical diagnostic laboratory test that the laboratory furnishes during such period for which payment is made under this part.

Effective date.

"(2) DEFINITION OF APPLICABLE LABORATORY.—In this section, the term 'applicable laboratory' means a laboratory that, with respect to its revenues under this title, a majority of such revenues are from this section, section 1833(h), or section 1848. The Secretary may establish a low volume or low expenditure threshold for excluding a laboratory from the definition of applicable laboratory under this paragraph, as the Secretary determines appropriate.

"(3) APPLICABLE INFORMATION DEFINED.—

"(A) IN GENERAL.—In this section, subject to subparagraph (B), the term 'applicable information' means, with respect to a laboratory test for a data collection period, the following:

"(i) The payment rate (as determined in accordance with paragraph (5)) that was paid by each private payor for the test during the period.

"(ii) The volume of such tests for each such payor for the period.

"(B) EXCEPTION FOR CERTAIN CONTRACTUAL ARRANGEMENTS.—Such term shall not include information with respect to a laboratory test for which payment is made on a capitated basis or other similar payment basis during the data collection period.

"(4) DATA COLLECTION PERIOD DEFINED.—In this section, the term 'data collection period' means a period of time, such as a previous 12 month period, specified by the Secretary.

"(5) TREATMENT OF DISCOUNTS.—The payment rate reported by a laboratory under this subsection shall reflect all discounts, rebates, coupons, and other price concessions, including those described in section 1847A(c)(3).

"(6) ENSURING COMPLETE REPORTING.—In the case where an applicable laboratory has more than one payment rate for the same payor for the same test or more than one payment rate for different payors for the same test, the applicable laboratory shall report each such payment rate and the volume for

Effective date.

the test at each such rate under this subsection. Beginning with January 1, 2019, the Secretary may establish rules to aggregate reporting with respect to the situations described in the preceding sentence.

"(7) CERTIFICATION.—An officer of the laboratory shall certify the accuracy and completeness of the information reported under this subsection.

"(8) PRIVATE PAYOR DEFINED.—In this section, the term 'private payor' means the following:

"(A) A health insurance issuer and a group health plan (as such terms are defined in section 2791 of the Public Health Service Act).

"(B) A Medicare Advantage plan under part C.

"(C) A medicaid managed care organization (as defined in section 1903(m)).

"(9) CIVIL MONEY PENALTY.—

Determination.

"(A) IN GENERAL.—If the Secretary determines that an applicable laboratory has failed to report or made a misrepresentation or omission in reporting information under this subsection with respect to a clinical diagnostic laboratory test, the Secretary may apply a civil money penalty in an amount of up to $10,000 per day for each failure to report or each such misrepresentation or omission.

"(B) APPLICATION.—The provisions of section 1128A (other than subsections (a) and (b)) shall apply to a civil money penalty under this paragraph in the same manner as they apply to a civil money penalty or proceeding under section 1128A(a).

"(10) CONFIDENTIALITY OF INFORMATION.—Notwithstanding any other provision of law, information disclosed by a laboratory under this subsection is confidential and shall not be disclosed by the Secretary or a Medicare contractor in a form that discloses the identity of a specific payor or laboratory, or prices charged or payments made to any such laboratory, except—

"(A) as the Secretary determines to be necessary to carry out this section;

"(B) to permit the Comptroller General to review the information provided;

"(C) to permit the Director of the Congressional Budget Office to review the information provided; and

"(D) to permit the Medicare Payment Advisory Commission to review the information provided.

"(11) PROTECTION FROM PUBLIC DISCLOSURE.—A payor shall not be identified on information reported under this subsection. The name of an applicable laboratory under this subsection shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code.

Deadline.
Notice.

"(12) REGULATIONS.—Not later than June 30, 2015, the Secretary shall establish through notice and comment rulemaking parameters for data collection under this subsection.

"(b) PAYMENT FOR CLINICAL DIAGNOSTIC LABORATORY TESTS.—

"(1) USE OF PRIVATE PAYOR RATE INFORMATION TO DETERMINE MEDICARE PAYMENT RATES.—

"(A) IN GENERAL.—Subject to paragraph (3) and subsections (c) and (d), in the case of a clinical diagnostic laboratory test furnished on or after January 1, 2017, the

payment amount under this section shall be equal to the weighted median determined for the test under paragraph (2) for the most recent data collection period.

"(B) APPLICATION OF PAYMENT AMOUNTS TO HOSPITAL LABORATORIES.—The payment amounts established under this section shall apply to a clinical diagnostic laboratory test furnished by a hospital laboratory if such test is paid for separately, and not as part of a bundled payment under section 1833(t).

"(2) CALCULATION OF WEIGHTED MEDIAN.—For each laboratory test with respect to which information is reported under subsection (a) for a data collection period, the Secretary shall calculate a weighted median for the test for the period, by arraying the distribution of all payment rates reported for the period for each test weighted by volume for each payor and each laboratory.

"(3) PHASE-IN OF REDUCTIONS FROM PRIVATE PAYOR RATE IMPLEMENTATION.—

"(A) IN GENERAL.—Payment amounts determined under this subsection for a clinical diagnostic laboratory test for each of 2017 through 2022 shall not result in a reduction in payments for a clinical diagnostic laboratory test for the year of greater than the applicable percent (as defined in subparagraph (B)) of the amount of payment for the test for the preceding year.

"(B) APPLICABLE PERCENT DEFINED.—In this paragraph, the term 'applicable percent' means—

"(i) for each of 2017 through 2019, 10 percent; and

"(ii) for each of 2020 through 2022, 15 percent.

"(C) NO APPLICATION TO NEW TESTS.—This paragraph shall not apply to payment amounts determined under this section for either of the following.

"(i) A new test under subsection (c).

"(ii) A new advanced diagnostic test (as defined in subsection (d)(5)) under subsection (d).

"(4) APPLICATION OF MARKET RATES.—

"(A) IN GENERAL.—Subject to paragraph (3), once established for a year following a data collection period, the payment amounts under this subsection shall continue to apply until the year following the next data collection period.

"(B) OTHER ADJUSTMENTS NOT APPLICABLE.—The payment amounts under this section shall not be subject to any adjustment (including any geographic adjustment, budget neutrality adjustment, annual update, or other adjustment).

"(5) SAMPLE COLLECTION FEE.—In the case of a sample collected from an individual in a skilled nursing facility or by a laboratory on behalf of a home health agency, the nominal fee that would otherwise apply under section 1833(h)(3)(A) shall be increased by $2.

"(c) PAYMENT FOR NEW TESTS THAT ARE NOT ADVANCED DIAGNOSTIC LABORATORY TESTS.—

"(1) PAYMENT DURING INITIAL PERIOD.—In the case of a clinical diagnostic laboratory test that is assigned a new or

substantially revised HCPCS code on or after the date of enactment of this section, and which is not an advanced diagnostic laboratory test (as defined in subsection (d)(5)), during an initial period until payment rates under subsection (b) are established for the test, payment for the test shall be determined—

"(A) using cross-walking (as described in section 414.508(a) of title 42, Code of Federal Regulations, or any successor regulation) to the most appropriate existing test under the fee schedule under this section during that period; or

"(B) if no existing test is comparable to the new test, according to the gapfilling process described in paragraph (2).

"(2) GAPFILLING PROCESS DESCRIBED.—The gapfilling process described in this paragraph shall take into account the following sources of information to determine gapfill amounts, if available:

"(A) Charges for the test and routine discounts to charges.

"(B) Resources required to perform the test.

"(C) Payment amounts determined by other payors.

"(D) Charges, payment amounts, and resources required for other tests that may be comparable or otherwise relevant.

"(E) Other criteria the Secretary determines appropriate.

"(3) ADDITIONAL CONSIDERATION.—In determining the payment amount under crosswalking or gapfilling processes under this subsection, the Secretary shall consider recommendations from the panel established under subsection (f)(1).

Public information.

"(4) EXPLANATION OF PAYMENT RATES.—In the case of a clinical diagnostic laboratory test for which payment is made under this subsection, the Secretary shall make available to the public an explanation of the payment rate for the test, including an explanation of how the criteria described in paragraph (2) and paragraph (3) are applied.

"(d) PAYMENT FOR NEW ADVANCED DIAGNOSTIC LABORATORY TESTS.—

"(1) PAYMENT DURING INITIAL PERIOD.—

"(A) IN GENERAL.—In the case of an advanced diagnostic laboratory test for which payment has not been made under the fee schedule under section 1833(h) prior to the date of enactment of this section, during an initial period of three quarters, the payment amount for the test for such period shall be based on the actual list charge for the laboratory test.

Definition.

"(B) ACTUAL LIST CHARGE.—For purposes of subparagraph (A), the term 'actual list charge', with respect to a laboratory test furnished during such period, means the publicly available rate on the first day at which the test is available for purchase by a private payor.

"(2) SPECIAL RULE FOR TIMING OF INITIAL REPORTING.—With respect to an advanced diagnostic laboratory test described in paragraph (1)(A), an applicable laboratory shall initially be required to report under subsection (a) not later than the last day of the second quarter of the initial period under such paragraph.

"(3) APPLICATION OF MARKET RATES AFTER INITIAL PERIOD.—Subject to paragraph (4), data reported under paragraph (2) shall be used to establish the payment amount for an advanced diagnostic laboratory test after the initial period under paragraph (1)(A) using the methodology described in subsection (b). Such payment amount shall continue to apply until the year following the next data collection period.

"(4) RECOUPMENT IF ACTUAL LIST CHARGE EXCEEDS MARKET RATE.—With respect to the initial period described in paragraph (1)(A), if, after such period, the Secretary determines that the payment amount for an advanced diagnostic laboratory test under paragraph (1)(A) that was applicable during the period was greater than 130 percent of the payment amount for the test established using the methodology described in subsection (b) that is applicable after such period, the Secretary shall recoup the difference between such payment amounts for tests furnished during such period. Determination.

"(5) ADVANCED DIAGNOSTIC LABORATORY TEST DEFINED.—In this subsection, the term 'advanced diagnostic laboratory test' means a clinical diagnostic laboratory test covered under this part that is offered and furnished only by a single laboratory and not sold for use by a laboratory other than the original developing laboratory (or a successor owner) and meets one of the following criteria:

"(A) The test is an analysis of multiple biomarkers of DNA, RNA, or proteins combined with a unique algorithm to yield a single patient-specific result.

"(B) The test is cleared or approved by the Food and Drug Administration.

"(C) The test meets other similar criteria established by the Secretary.

"(e) CODING.—

"(1) TEMPORARY CODES FOR CERTAIN NEW TESTS.—

"(A) IN GENERAL.—The Secretary shall adopt temporary HCPCS codes to identify new advanced diagnostic laboratory tests (as defined in subsection (d)(5)) and new laboratory tests that are cleared or approved by the Food and Drug Administration.

"(B) DURATION.—

"(i) IN GENERAL.—Subject to clause (ii), the temporary code shall be effective until a permanent HCPCS code is established (but not to exceed 2 years).

"(ii) EXCEPTION.—The Secretary may extend the temporary code or establish a permanent HCPCS code, as the Secretary determines appropriate.

"(2) EXISTING TESTS.—Not later than January 1, 2016, for each existing advanced diagnostic laboratory test (as so defined) and each existing clinical diagnostic laboratory test that is cleared or approved by the Food and Drug Administration for which payment is made under this part as of the date of enactment of this section, if such test has not already been assigned a unique HCPCS code, the Secretary shall— Deadline.

"(A) assign a unique HCPCS code for the test; and

"(B) publicly report the payment rate for the test. Public information.

"(3) ESTABLISHMENT OF UNIQUE IDENTIFIER FOR CERTAIN TESTS.—For purposes of tracking and monitoring, if a laboratory or a manufacturer requests a unique identifier for an advanced

diagnostic laboratory test (as so defined) or a laboratory test that is cleared or approved by the Food and Drug Administration, the Secretary shall utilize a means to uniquely track such test through a mechanism such as a HCPCS code or modifier.

"(f) INPUT FROM CLINICIANS AND TECHNICAL EXPERTS.—

Consultation. Establishment. Deadline.

"(1) IN GENERAL.—The Secretary shall consult with an expert outside advisory panel, established by the Secretary not later than July 1, 2015, composed of an appropriate selection of individuals with expertise, which may include molecular pathologists, researchers, and individuals with expertise in laboratory science or health economics, in issues related to clinical diagnostic laboratory tests, which may include the development, validation, performance, and application of such tests, to provide—

"(A) input on—

"(i) the establishment of payment rates under this section for new clinical diagnostic laboratory tests, including whether to use crosswalking or gapfilling processes to determine payment for a specific new test; and

"(ii) the factors used in determining coverage and payment processes for new clinical diagnostic laboratory tests; and

Recommendations.

"(B) recommendations to the Secretary under this section.

"(2) COMPLIANCE WITH FACA.—The panel shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

"(3) CONTINUATION OF ANNUAL MEETING.—The Secretary shall continue to convene the annual meeting described in section 1833(h)(8)(B)(iii) after the implementation of this section for purposes of receiving comments and recommendations (and data on which the recommendations are based) as described in such section on the establishment of payment amounts under this section.

"(g) COVERAGE.—

"(1) ISSUANCE OF COVERAGE POLICIES.—

"(A) IN GENERAL.—A medicare administrative contractor shall only issue a coverage policy with respect to a clinical diagnostic laboratory test in accordance with the process for making a local coverage determination (as defined in section 1869(f)(2)(B)), including the appeals and review process for local coverage determinations under part 426 of title 42, Code of Federal Regulations (or successor regulations).

"(B) NO EFFECT ON NATIONAL COVERAGE DETERMINATION PROCESS.—This paragraph shall not apply to the national coverage determination process (as defined in section 1869(f)(1)(B)).

"(C) EFFECTIVE DATE.—This paragraph shall apply to coverage policies issued on or after January 1, 2015.

"(2) DESIGNATION OF ONE OR MORE MEDICARE ADMINISTRATIVE CONTRACTORS FOR CLINICAL DIAGNOSTIC LABORATORY TESTS.—The Secretary may designate one or more (not to exceed 4) medicare administrative contractors to either establish coverage policies or establish coverage policies and process claims

for payment for clinical diagnostic laboratory tests, as determined appropriate by the Secretary.

"(h) IMPLEMENTATION.—

"(1) IMPLEMENTATION.—There shall be no administrative or judicial review under section 1869, section 1878, or otherwise, of the establishment of payment amounts under this section.

"(2) ADMINISTRATION.—Chapter 35 of title 44, United States Code, shall not apply to information collected under this section.

"(3) FUNDING.—For purposes of implementing this section, the Secretary shall provide for the transfer, from the Federal Supplementary Medical Insurance Trust Fund under section 1841, to the Centers for Medicare & Medicaid Services Program Management Account, for each of fiscal years 2014 through 2018, $4,000,000, and for each of fiscal years 2019 through 2023, $3,000,000. Amounts transferred under the preceding sentence shall remain available until expended.

"(i) TRANSITIONAL RULE.—During the period beginning on the date of enactment of this section and ending on December 31, 2016, with respect to advanced diagnostic laboratory tests under this part, the Secretary shall use the methodologies for pricing, coding, and coverage in effect on the day before such date of enactment, which may include cross-walking or gapfilling methods.". Time period.

(b) CONFORMING AMENDMENTS.—

(1) Section 1833(a) of the Social Security Act (42 U.S.C. 1395l(a)) is amended—

(A) in paragraph (1)(D)—

(i) by striking "(i) on the basis" and inserting "(i)(I) on the basis";

(ii) in subclause (I), as added by clause (i), by striking "subsection (h)(1)" and inserting "subsection (h)(1) (for tests furnished before January 1, 2017)";

(iii) by striking "or (ii)" and inserting "or (II) under section 1834A (for tests furnished on or after January 1, 2017), the amount paid shall be equal to 80 percent (or 100 percent, in the case of such tests for which payment is made on an assignment-related basis) of the lesser of the amount determined under such section or the amount of the charges billed for the tests, or (ii)"; and

(iv) in clause (ii), by striking "on the basis" and inserting "for tests furnished before January 1, 2017, on the basis";

(B) in paragraph (2)(D)—

(i) by striking "(i) on the basis" and inserting "(i)(I) on the basis";

(ii) in subclause (I), as added by clause (i), by striking "subsection (h)(1)" and inserting "subsection (h)(1) (for tests furnished before January 1, 2017)";

(iii) by striking "or (ii)" and inserting "or (II) under section 1834A (for tests furnished on or after January 1, 2017), the amount paid shall be equal to 80 percent (or 100 percent, in the case of such tests for which payment is made on an assignment-related basis or to a provider having an agreement under section 1866) of the lesser of the amount determined under such

section or the amount of the charges billed for the tests, or (ii)"; and

(iv) in clause (ii), by striking "on the basis" and inserting "for tests furnished before January 1, 2017, on the basis";

(C) in subsection (b)(3)(B), by striking "on the basis" and inserting "for tests furnished before January 1, 2017, on the basis";

(D) in subsection (h)(2)(A)(i), by striking "and subject to" and inserting "and, for tests furnished before the date of enactment of section 1834A, subject to";

(E) in subsection (h)(3), in the matter preceding subparagraph (A), by striking "fee schedules" and inserting "fee schedules (for tests furnished before January 1, 2017) or under section 1834A (for tests furnished on or after January 1, 2017), subject to subsection (b)(5) of such section";

(F) in subsection (h)(6), by striking "In the case" and inserting "For tests furnished before January 1, 2017, in the case"; and

(G) in subsection (h)(7), in the first sentence—

(i) by striking "and (4)" and inserting "and (4) and section 1834A"; and

(ii) by striking "under this subsection" and inserting "under this part".

(2) Section 1869(f)(2) of the Social Security Act (42 U.S.C. 1395ff(f)(2)) is amended by adding at the end the following new subparagraph:

"(C) LOCAL COVERAGE DETERMINATIONS FOR CLINICAL DIAGNOSTIC LABORATORY TESTS.—For provisions relating to local coverage determinations for clinical diagnostic laboratory tests, see section 1834A(g).".

(c) GAO STUDY AND REPORT; MONITORING OF MEDICARE EXPENDITURES AND IMPLEMENTATION OF NEW PAYMENT SYSTEM FOR LABORATORY TESTS.—

(1) GAO STUDY AND REPORT ON IMPLEMENTATION OF NEW PAYMENT RATES FOR CLINICAL DIAGNOSTIC LABORATORY TESTS.—

(A) STUDY.—The Comptroller General of the United States (in this subsection referred to as the "Comptroller General") shall conduct a study on the implementation of section 1834A of the Social Security Act, as added by subsection (a). The study shall include an analysis of—

(i) payment rates paid by private payors for laboratory tests furnished in various settings, including—

(I) how such payment rates compare across settings;

(II) the trend in payment rates over time; and

(III) trends by private payors to move to alternative payment methodologies for laboratory tests;

(ii) the conversion to the new payment rate for laboratory tests under such section;

(iii) the impact of such implementation on beneficiary access under title XVIII of the Social Security Act;

(iv) the impact of the new payment system on laboratories that furnish a low volume of services and laboratories that specialize in a small number of tests;

(v) the number of new Healthcare Common Procedure Coding System (HCPCS) codes issued for laboratory tests;

(vi) the spending trend for laboratory tests under such title;

(vii) whether the information reported by laboratories and the new payment rates for laboratory tests under such section accurately reflect market prices;

(viii) the initial list price for new laboratory tests and the subsequent reported rates for such tests under such section;

(ix) changes in the number of advanced diagnostic laboratory tests and laboratory tests cleared or approved by the Food and Drug Administration for which payment is made under such section; and

(x) healthcare economic information on downstream cost impacts for such tests and decision making based on accepted methodologies.

(B) REPORT.—Not later than October 1, 2018, the Comptroller General shall submit to the Committee on Ways and Means and the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report on the study under subparagraph (A), including recommendations for such legislation and administrative action as the Comptroller General determines appropriate. Recommendations.

(2) MONITORING OF MEDICARE EXPENDITURES AND IMPLEMENTATION OF NEW PAYMENT SYSTEM FOR LABORATORY TESTS.—The Inspector General of the Department of Health and Human Services shall— Analyses. 42 USC 1395m–1 note.

(A) publicly release an annual analysis of the top 25 laboratory tests by expenditures under title XVIII of the Social Security Act; and Public information. Deadline.

(B) conduct analyses the Inspector General determines appropriate with respect to the implementation and effect of the new payment system for laboratory tests under section 1834A of the Social Security Act, as added by subsection (a).

SEC. 217. REVISIONS UNDER THE MEDICARE ESRD PROSPECTIVE PAYMENT SYSTEM.

(a) DELAY OF IMPLEMENTATION OF ORAL-ONLY POLICY.—Section 632(b)(1) of the American Taxpayer Relief Act of 2012 (42 U.S.C. 1395rr note) is amended—

(1) by striking "2016" and inserting "2024"; and

(2) by adding at the end the following new sentence: "Notwithstanding section 1881(b)(14)(A)(ii) of the Social Security Act (42 U.S.C. 1395rr(b)(14)(A)(ii)), implementation of the policy described in the previous sentence shall be based on data from the most recent year available.".

(b) MITIGATION OF THE APPLICATION OF ADJUSTMENT TO ESRD BUNDLED PAYMENT RATE TO ACCOUNT FOR CHANGES IN THE UTILIZATION OF CERTAIN DRUGS AND BIOLOGICALS.—

(1) IN GENERAL.—Section 1881(b)(14)(I) of the Social Security Act (42 U.S.C. 1395rr(b)(14)(I)) is amended by inserting "and before January 1, 2015," after "January 1, 2014,".

(2) MARKET BASKET.—Section 1881(b)(14)(F)(i) of the Social Security Act (42 U.S.C. 1395rr(b)(14)(F)(i)) is amended—

(A) in subclause (I)—

(i) by striking "subclause (II)" and inserting "subclauses (II) and (III)"; and

(ii) by adding at the end the following new sentence: "In order to accomplish the purposes of subparagraph (I) with respect to 2016, 2017, and 2018, after determining the increase factor described in the preceding sentence for each of 2016, 2017, and 2018, the Secretary shall reduce such increase factor by 1.25 percentage points for each of 2016 and 2017 and by 1 percentage point for 2018.";

(B) in subclause (II), by striking "For 2012" and inserting "Subject to subclause (III), for 2012"; and

(C) by adding at the end the following new subclause:

"(III) Notwithstanding subclauses (I) and (II), in order to accomplish the purposes of subparagraph (I) with respect to 2015, the increase factor described in subclause (I) for 2015 shall be 0.0 percent pursuant to the regulation issued by the Secretary on December 2, 2013, entitled 'Medicare Program; End-Stage Renal Disease Prospective Payment System, Quality Incentive Program, and Durable Medical Equipment, Prosthetics, Orthotics, and Supplies; Final Rule' (78 Fed. Reg. 72156).".

Process.
42 USC 1395rr note.

(c) DRUG DESIGNATIONS.—As part of the promulgation of annual rule for the Medicare end stage renal disease prospective payment system under section 1881(b)(14) of the Social Security Act (42 U.S.C. 1395rr(b)(14)) for calendar year 2016, the Secretary of Health and Human Services (in this subsection referred to as the "Secretary") shall establish a process for—

(1) determining when a product is no longer an oral-only drug; and

(2) including new injectable and intravenous products into the bundled payment under such system.

(d) QUALITY MEASURES RELATED TO CONDITIONS TREATED BY ORAL-ONLY DRUGS UNDER THE ESRD QUALITY INCENTIVE PROGRAM.—Section 1881(h)(2) of the Social Security Act (42 U.S.C. 1395rr(h)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (ii), by striking "and" at the end;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause:

"(iii) for 2016 and subsequent years, measures described in subparagraph (E)(i); and";

(2) in subparagraph (B)(i), by striking "(A)(iii)" and inserting "(A)(iv)"; and

(3) by adding at the end the following new subparagraph:

"(E) MEASURES SPECIFIC TO THE CONDITIONS TREATED WITH ORAL-ONLY DRUGS.—

"(i) IN GENERAL.—The measures described in this subparagraph are measures specified by the Secretary that are specific to the conditions treated with oral-

only drugs. To the extent feasible, such measures shall be outcomes-based measures.

"(ii) CONSULTATION.—In specifying the measures under clause (i), the Secretary shall consult with interested stakeholders.

"(iii) USE OF ENDORSED MEASURES.—

"(I) IN GENERAL.—Subject to subclause (I), any measures specified under clause (i) must have been endorsed by the entity with a contract under section 1890(a).

"(II) EXCEPTION.—If the entity with a contract under section 1890(a) has not endorsed a measure for a specified area or topic related to measures described in clause (i) that the Secretary determines appropriate, the Secretary may specify a measure that is endorsed or adopted by a consensus organization recognized by the Secretary that has expertise in clinical guidelines for kidney disease.".

(e) AUDITS OF COST REPORTS OF ESRD PROVIDERS AS RECOMMENDED BY MEDPAC.— 42 USC 1395rr note.

(1) IN GENERAL.—The Secretary of Health and Human Services shall conduct audits of Medicare cost reports beginning during 2012 for a representative sample of providers of services and renal dialysis facilities furnishing renal dialysis services.

(2) FUNDING.—For purposes of carrying out paragraph (1), the Secretary of Health and Human Services shall provide for the transfer from the Federal Supplementary Medical Insurance Trust Fund established under section 1841 of the Social Security Act (42 U.S.C. 1395t) to the Centers for Medicare & Medicaid Services Program Management Account of $18,000,000 for fiscal year 2014. Amounts transferred under this paragraph for a fiscal year shall be available until expended.

SEC. 218. QUALITY INCENTIVES FOR COMPUTED TOMOGRAPHY DIAGNOSTIC IMAGING AND PROMOTING EVIDENCE-BASED CARE.

(a) QUALITY INCENTIVES TO PROMOTE PATIENT SAFETY AND PUBLIC HEALTH IN COMPUTED TOMOGRAPHY DIAGNOSTIC IMAGING.—

(1) IN GENERAL.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

"(p) QUALITY INCENTIVES TO PROMOTE PATIENT SAFETY AND PUBLIC HEALTH IN COMPUTED TOMOGRAPHY.—

"(1) QUALITY INCENTIVES.—In the case of an applicable computed tomography service (as defined in paragraph (2)) for which payment is made under an applicable payment system (as defined in paragraph (3)) and that is furnished on or after January 1, 2016, using equipment that is not consistent with the CT equipment standard (described in paragraph (4)), the payment amount for such service shall be reduced by the applicable percentage (as defined in paragraph (5)).

"(2) APPLICABLE COMPUTED TOMOGRAPHY SERVICES DEFINED.—In this subsection, the term 'applicable computed tomography service' means a service billed using diagnostic radiological imaging codes for computed tomography (identified

as of January 1, 2014, by HCPCS codes 70450–70498, 71250–71275, 72125–72133, 72191–72194, 73200–73206, 73700–73706, 74150–74178, 74261–74263, and 75571–75574 (and any succeeding codes).

"(3) APPLICABLE PAYMENT SYSTEM DEFINED.—In this subsection, the term 'applicable payment system' means the following:

"(A) The technical component and the technical component of the global fee under the fee schedule established under section 1848(b).

"(B) The prospective payment system for hospital outpatient department services under section 1833(t).

Definition.

"(4) CONSISTENCY WITH CT EQUIPMENT STANDARD.—In this subsection, the term 'not consistent with the CT equipment standard' means, with respect to an applicable computed tomography service, that the service was furnished using equipment that does not meet each of the attributes of the National Electrical Manufacturers Association (NEMA) Standard XR–29–2013, entitled 'Standard Attributes on CT Equipment Related to Dose Optimization and Management'. Through rulemaking, the Secretary may apply successor standards.

"(5) APPLICABLE PERCENTAGE DEFINED.—In this subsection, the term 'applicable percentage' means—

"(A) for 2016, 5 percent; and

"(B) for 2017 and subsequent years, 15 percent.

"(6) IMPLEMENTATION.—

"(A) INFORMATION.—The Secretary shall require that information be provided and attested to by a supplier and a hospital outpatient department that indicates whether an applicable computed tomography service was furnished that was not consistent with the CT equipment standard (described in paragraph (4)). Such information may be included on a claim and may be a modifier. Such information shall be verified, as appropriate, as part of the periodic accreditation of suppliers under section 1834(e) and hospitals under section 1865(a).

Verification.

"(B) ADMINISTRATION.—Chapter 35 of title 44, United States Code, shall not apply to information described in subparagraph (A).".

(2) CONFORMING AMENDMENTS.—

(A) PROSPECTIVE PAYMENT SYSTEM FOR HOSPITAL OUTPATIENT DEPARTMENT SERVICES.—Section 1833(t) of the Social Security Act (42 1395l(t)) is amended by adding at the end the following new paragraph:

"(20) NOT BUDGET NEUTRAL APPLICATION OF REDUCED EXPENDITURES RESULTING FROM QUALITY INCENTIVES FOR COMPUTED TOMOGRAPHY.—The Secretary shall not take into account the reduced expenditures that result from the application of section 1834(p) in making any budget neutrality adjustments this subsection.".

(B) PHYSICIAN FEE SCHEDULE.—Section 1848(c)(2)(B)(v) of the Social Security Act (42 U.S.C. 1395w–4(c)(2)(B)(v)) is amended by adding at the end the following new subclause:

"(VIII) REDUCED EXPENDITURES ATTRIBUTABLE TO APPLICATION OF QUALITY INCENTIVES FOR COMPUTED TOMOGRAPHY.—Effective for fee schedules

Effective date.

established beginning with 2016, reduced expenditures attributable to the application of the quality incentives for computed tomography under section 1834(p)".

(b) PROMOTING EVIDENCE-BASED CARE.—

(1) IN GENERAL.—Section 1834 of the Social Security Act (42 U.S.C. 1395m), as amended by subsection (a), is amended by adding at the end the following new subsection:

"(q) RECOGNIZING APPROPRIATE USE CRITERIA FOR CERTAIN IMAGING SERVICES.—

"(1) PROGRAM ESTABLISHED.—

"(A) IN GENERAL.—The Secretary shall establish a program to promote the use of appropriate use criteria (as defined in subparagraph (B)) for applicable imaging services (as defined in subparagraph (C)) furnished in an applicable setting (as defined in subparagraph (D)) by ordering professionals and furnishing professionals (as defined in subparagraphs (E) and (F), respectively).

"(B) APPROPRIATE USE CRITERIA DEFINED.—In this subsection, the term 'appropriate use criteria' means criteria, only developed or endorsed by national professional medical specialty societies or other provider-led entities, to assist ordering professionals and furnishing professionals in making the most appropriate treatment decision for a specific clinical condition for an individual. To the extent feasible, such criteria shall be evidence-based.

"(C) APPLICABLE IMAGING SERVICE DEFINED.—In this subsection, the term 'applicable imaging service' means an advanced diagnostic imaging service (as defined in subsection (e)(1)(B)) for which the Secretary determines—

"(i) one or more applicable appropriate use criteria specified under paragraph (2) apply;

"(ii) there are one or more qualified clinical decision support mechanisms listed under paragraph (3)(C); and

"(iii) one or more of such mechanisms is available free of charge.

"(D) APPLICABLE SETTING DEFINED.—In this subsection, the term 'applicable setting' means a physician's office, a hospital outpatient department (including an emergency department), an ambulatory surgical center, and any other provider-led outpatient setting determined appropriate by the Secretary.

"(E) ORDERING PROFESSIONAL DEFINED.—In this subsection, the term 'ordering professional' means a physician (as defined in section 1861(r)) or a practitioner described in section 1842(b)(18)(C) who orders an applicable imaging service.

"(F) FURNISHING PROFESSIONAL DEFINED.—In this subsection, the term 'furnishing professional' means a physician (as defined in section 1861(r)) or a practitioner described in section 1842(b)(18)(C) who furnishes an applicable imaging service.

"(2) ESTABLISHMENT OF APPLICABLE APPROPRIATE USE CRITERIA.—

Deadline.
Regulations.
Consultation.

"(A) IN GENERAL.—Not later than November 15, 2015, the Secretary shall through rulemaking, and in consultation with physicians, practitioners, and other stakeholders, specify applicable appropriate use criteria for applicable imaging services only from among appropriate use criteria developed or endorsed by national professional medical specialty societies or other provider-led entities.

"(B) CONSIDERATIONS.—In specifying applicable appropriate use criteria under subparagraph (A), the Secretary shall take into account whether the criteria—

"(i) have stakeholder consensus;

"(ii) are scientifically valid and evidence based; and

"(iii) are based on studies that are published and reviewable by stakeholders.

Review.
Deadline.

"(C) REVISIONS.—The Secretary shall review, on an annual basis, the specified applicable appropriate use criteria to determine if there is a need to update or revise (as appropriate) such specification of applicable appropriate use criteria and make such updates or revisions through rulemaking.

"(D) TREATMENT OF MULTIPLE APPLICABLE APPROPRIATE USE CRITERIA.—In the case where the Secretary determines that more than one appropriate use criterion applies with respect to an applicable imaging service, the Secretary shall apply one or more applicable appropriate use criteria under this paragraph for the service.

"(3) MECHANISMS FOR CONSULTATION WITH APPLICABLE APPROPRIATE USE CRITERIA.—

"(A) IDENTIFICATION OF MECHANISMS TO CONSULT WITH APPLICABLE APPROPRIATE USE CRITERIA.—

"(i) IN GENERAL.—The Secretary shall specify qualified clinical decision support mechanisms that could be used by ordering professionals to consult with applicable appropriate use criteria for applicable imaging services.

"(ii) CONSULTATION.—The Secretary shall consult with physicians, practitioners, health care technology experts, and other stakeholders in specifying mechanisms under this paragraph.

"(iii) INCLUSION OF CERTAIN MECHANISMS.—Mechanisms specified under this paragraph may include any or all of the following that meet the requirements described in subparagraph (B)(ii):

"(I) Use of clinical decision support modules in certified EHR technology (as defined in section 1848(o)(4)).

"(II) Use of private sector clinical decision support mechanisms that are independent from certified EHR technology, which may include use of clinical decision support mechanisms available from medical specialty organizations.

"(III) Use of a clinical decision support mechanism established by the Secretary.

"(B) QUALIFIED CLINICAL DECISION SUPPORT MECHANISMS.—

"(i) IN GENERAL.—For purposes of this subsection, a qualified clinical decision support mechanism is a mechanism that the Secretary determines meets the requirements described in clause (ii).

"(ii) REQUIREMENTS.—The requirements described in this clause are the following:

"(I) The mechanism makes available to the ordering professional applicable appropriate use criteria specified under paragraph (2) and the supporting documentation for the applicable imaging service ordered.

"(II) In the case where there is more than one applicable appropriate use criterion specified under such paragraph for an applicable imaging service, the mechanism indicates the criteria that it uses for the service.

"(III) The mechanism determines the extent to which an applicable imaging service ordered is consistent with the applicable appropriate use criteria so specified.

"(IV) The mechanism generates and provides to the ordering professional a certification or documentation that documents that the qualified clinical decision support mechanism was consulted by the ordering professional.

"(V) The mechanism is updated on a timely basis to reflect revisions to the specification of applicable appropriate use criteria under such paragraph.

"(VI) The mechanism meets privacy and security standards under applicable provisions of law.

"(VII) The mechanism performs such other functions as specified by the Secretary, which may include a requirement to provide aggregate feedback to the ordering professional.

"(C) LIST OF MECHANISMS FOR CONSULTATION WITH APPLICABLE APPROPRIATE USE CRITERIA.— Deadlines.

"(i) INITIAL LIST.—Not later than April 1, 2016, the Secretary shall publish a list of mechanisms specified under this paragraph. Publication.

"(ii) PERIODIC UPDATING OF LIST.—The Secretary shall identify on an annual basis the list of qualified clinical decision support mechanisms specified under this paragraph.

"(4) CONSULTATION WITH APPLICABLE APPROPRIATE USE CRITERIA.—

"(A) CONSULTATION BY ORDERING PROFESSIONAL.— Beginning with January 1, 2017, subject to subparagraph (C), with respect to an applicable imaging service ordered by an ordering professional that would be furnished in an applicable setting and paid for under an applicable payment system (as defined in subparagraph (D)), an ordering professional shall— Effective date.

"(i) consult with a qualified decision support mechanism listed under paragraph (3)(C); and

"(ii) provide to the furnishing professional the information described in clauses (i) through (iii) of subparagraph (B).

Effective date.

"(B) REPORTING BY FURNISHING PROFESSIONAL.—Beginning with January 1, 2017, subject to subparagraph (C), with respect to an applicable imaging service furnished in an applicable setting and paid for under an applicable payment system (as defined in subparagraph (D)), payment for such service may only be made if the claim for the service includes the following:

"(i) Information about which qualified clinical decision support mechanism was consulted by the ordering professional for the service.

"(ii) Information regarding—

"(I) whether the service ordered would adhere to the applicable appropriate use criteria specified under paragraph (2);

"(II) whether the service ordered would not adhere to such criteria; or

"(III) whether such criteria was not applicable to the service ordered.

"(iii) The national provider identifier of the ordering professional (if different from the furnishing professional).

"(C) EXCEPTIONS.—The provisions of subparagraphs (A) and (B) and paragraph (6)(A) shall not apply to the following:

"(i) EMERGENCY SERVICES.—An applicable imaging service ordered for an individual with an emergency medical condition (as defined in section 1867(e)(1)).

"(ii) INPATIENT SERVICES.—An applicable imaging service ordered for an inpatient and for which payment is made under part A.

"(iii) SIGNIFICANT HARDSHIP.—An applicable imaging service ordered by an ordering professional who the Secretary may, on a case-by-case basis, exempt from the application of such provisions if the Secretary determines, subject to annual renewal, that consultation with applicable appropriate use criteria would result in a significant hardship, such as in the case of a professional who practices in a rural area without sufficient Internet access.

"(D) APPLICABLE PAYMENT SYSTEM DEFINED.—In this subsection, the term 'applicable payment system' means the following:

"(i) The physician fee schedule established under section 1848(b).

"(ii) The prospective payment system for hospital outpatient department services under section 1833(t).

"(iii) The ambulatory surgical center payment systems under section 1833(i).

"(5) IDENTIFICATION OF OUTLIER ORDERING PROFESSIONALS.—

Effective date. Determination.

"(A) IN GENERAL.—With respect to applicable imaging services furnished beginning with 2017, the Secretary shall determine, on an annual basis, no more than five percent

of the total number of ordering professionals who are outlier ordering professionals.

"(B) OUTLIER ORDERING PROFESSIONALS.—The determination of an outlier ordering professional shall—

"(i) be based on low adherence to applicable appropriate use criteria specified under paragraph (2), which may be based on comparison to other ordering professionals; and

"(ii) include data for ordering professionals for whom prior authorization under paragraph (6)(A) applies.

"(C) USE OF TWO YEARS OF DATA.—The Secretary shall use two years of data to identify outlier ordering professionals under this paragraph.

"(D) PROCESS.—The Secretary shall establish a process for determining when an outlier ordering professional is no longer an outlier ordering professional.

"(E) CONSULTATION WITH STAKEHOLDERS.—The Secretary shall consult with physicians, practitioners and other stakeholders in developing methods to identify outlier ordering professionals under this paragraph.

"(6) PRIOR AUTHORIZATION FOR ORDERING PROFESSIONALS WHO ARE OUTLIERS.—

"(A) IN GENERAL.—Beginning January 1, 2020, subject to paragraph (4)(C), with respect to services furnished during a year, the Secretary shall, for a period determined appropriate by the Secretary, apply prior authorization for applicable imaging services that are ordered by an outlier ordering professional identified under paragraph (5). Effective date.

"(B) APPROPRIATE USE CRITERIA IN PRIOR AUTHORIZATION.—In applying prior authorization under subparagraph (A), the Secretary shall utilize only the applicable appropriate use criteria specified under this subsection.

"(C) FUNDING.—For purposes of carrying out this paragraph, the Secretary shall provide for the transfer, from the Federal Supplementary Medical Insurance Trust Fund under section 1841, of $5,000,000 to the Centers for Medicare & Medicaid Services Program Management Account for each of fiscal years 2019 through 2021. Amounts transferred under the preceding sentence shall remain available until expended.

"(7) CONSTRUCTION.—Nothing in this subsection shall be construed as granting the Secretary the authority to develop or initiate the development of clinical practice guidelines or appropriate use criteria.".

(2) CONFORMING AMENDMENT.—Section 1833(t)(16) of the Social Security Act (42 U.S.C. 1395l(t)(16)) is amended by adding at the end the following new subparagraph:

"(E) APPLICATION OF APPROPRIATE USE CRITERIA FOR CERTAIN IMAGING SERVICES.—For provisions relating to the application of appropriate use criteria for certain imaging services, see section 1834(q).".

(3) REPORT ON EXPERIENCE OF IMAGING APPROPRIATE USE CRITERIA PROGRAM.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes

a description of the extent to which appropriate use criteria could be used for other services under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.), such as radiation therapy and clinical diagnostic laboratory services.

SEC. 219. USING FUNDING FROM TRANSITIONAL FUND FOR SUSTAINABLE GROWTH RATE (SGR) REFORM.

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking "$2,300,000,000" and inserting "$0".

SEC. 220. ENSURING ACCURATE VALUATION OF SERVICES UNDER THE PHYSICIAN FEE SCHEDULE.

(a) AUTHORITY TO COLLECT AND USE INFORMATION ON PHYSICIANS' SERVICES IN THE DETERMINATION OF RELATIVE VALUES.—

(1) IN GENERAL.—Section 1848(c)(2) of the Social Security Act (42 U.S.C. 1395w–4(c)(2)) is amended by adding at the end the following new subparagraph:

"(M) AUTHORITY TO COLLECT AND USE INFORMATION ON PHYSICIANS' SERVICES IN THE DETERMINATION OF RELATIVE VALUES.—

"(i) COLLECTION OF INFORMATION.—Notwithstanding any other provision of law, the Secretary may collect or obtain information on the resources directly or indirectly related to furnishing services for which payment is made under the fee schedule established under subsection (b). Such information may be collected or obtained from any eligible professional or any other source.

"(ii) USE OF INFORMATION.—Notwithstanding any other provision of law, subject to clause (v), the Secretary may (as the Secretary determines appropriate) use information collected or obtained pursuant to clause (i) in the determination of relative values for services under this section.

"(iii) TYPES OF INFORMATION.—The types of information described in clauses (i) and (ii) may, at the Secretary's discretion, include any or all of the following:

"(I) Time involved in furnishing services.

"(II) Amounts and types of practice expense inputs involved with furnishing services.

"(III) Prices (net of any discounts) for practice expense inputs, which may include paid invoice prices or other documentation or records.

"(IV) Overhead and accounting information for practices of physicians and other suppliers.

"(V) Any other element that would improve the valuation of services under this section.

"(iv) INFORMATION COLLECTION MECHANISMS.—Information may be collected or obtained pursuant to this subparagraph from any or all of the following:

"(I) Surveys of physicians, other suppliers, providers of services, manufacturers, and vendors.

"(II) Surgical logs, billing systems, or other practice or facility records.

"(III) Electronic health records.

"(IV) Any other mechanism determined appropriate by the Secretary.

"(v) TRANSPARENCY OF USE OF INFORMATION.—

"(I) IN GENERAL.—Subject to subclauses (II) and (III), if the Secretary uses information collected or obtained under this subparagraph in the determination of relative values under this subsection, the Secretary shall disclose the information source and discuss the use of such information in such determination of relative values through notice and comment rulemaking. Notice. Comments.

"(II) THRESHOLDS FOR USE.—The Secretary may establish thresholds in order to use such information, including the exclusion of information collected or obtained from eligible professionals who use very high resources (as determined by the Secretary) in furnishing a service.

"(III) DISCLOSURE OF INFORMATION.—The Secretary shall make aggregate information available under this subparagraph but shall not disclose information in a form or manner that identifies an eligible professional or a group practice, or information collected or obtained pursuant to a nondisclosure agreement.

"(vi) INCENTIVE TO PARTICIPATE.—The Secretary may provide for such payments under this part to an eligible professional that submits such solicited information under this subparagraph as the Secretary determines appropriate in order to compensate such eligible professional for such submission. Such payments shall be provided in a form and manner specified by the Secretary.

"(vii) ADMINISTRATION.—Chapter 35 of title 44, United States Code, shall not apply to information collected or obtained under this subparagraph.

"(viii) DEFINITION OF ELIGIBLE PROFESSIONAL.—In this subparagraph, the term 'eligible professional' has the meaning given such term in subsection (k)(3)(B).

"(ix) FUNDING.—For purposes of carrying out this subparagraph, in addition to funds otherwise appropriated, the Secretary shall provide for the transfer, from the Federal Supplementary Medical Insurance Trust Fund under section 1841, of $2,000,000 to the Centers for Medicare & Medicaid Services Program Management Account for each fiscal year beginning with fiscal year 2014. Amounts transferred under the preceding sentence for a fiscal year shall be available until expended.".

(2) LIMITATION ON REVIEW.—Section 1848(i)(1) of the Social Security Act (42 U.S.C. 1395w–4(i)(1)) is amended—

(A) in subparagraph (D), by striking "and" at the end;

(B) in subparagraph (E), by striking the period at the end and inserting ", and"; and

(C) by adding at the end the following new subparagraph:

"(F) the collection and use of information in the determination of relative values under subsection (c)(2)(M).".

(b) AUTHORITY FOR ALTERNATIVE APPROACHES TO ESTABLISHING PRACTICE EXPENSE RELATIVE VALUES.—Section 1848(c)(2) of the Social Security Act (42 U.S.C. 1395w–4(c)(2)), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

"(N) AUTHORITY FOR ALTERNATIVE APPROACHES TO ESTABLISHING PRACTICE EXPENSE RELATIVE VALUES.—The Secretary may establish or adjust practice expense relative values under this subsection using cost, charge, or other data from suppliers or providers of services, including information collected or obtained under subparagraph (M).".

(c) REVISED AND EXPANDED IDENTIFICATION OF POTENTIALLY MISVALUED CODES.—Section 1848(c)(2)(K)(ii) of the Social Security Act (42 U.S.C. 1395w–4(c)(2)(K)(ii)) is amended to read as follows:

"(ii) IDENTIFICATION OF POTENTIALLY MISVALUED CODES.—For purposes of identifying potentially misvalued codes pursuant to clause (i)(I), the Secretary shall examine codes (and families of codes as appropriate) based on any or all of the following criteria:

"(I) Codes that have experienced the fastest growth.

"(II) Codes that have experienced substantial changes in practice expenses.

"(III) Codes that describe new technologies or services within an appropriate time period (such as 3 years) after the relative values are initially established for such codes.

"(IV) Codes which are multiple codes that are frequently billed in conjunction with furnishing a single service.

"(V) Codes with low relative values, particularly those that are often billed multiple times for a single treatment.

"(VI) Codes that have not been subject to review since implementation of the fee schedule.

"(VII) Codes that account for the majority of spending under the physician fee schedule.

"(VIII) Codes for services that have experienced a substantial change in the hospital length of stay or procedure time.

"(IX) Codes for which there may be a change in the typical site of service since the code was last valued.

"(X) Codes for which there is a significant difference in payment for the same service between different sites of service.

"(XI) Codes for which there may be anomalies in relative values within a family of codes.

"(XII) Codes for services where there may be efficiencies when a service is furnished at the same time as other services.

"(XIII) Codes with high intra-service work per unit of time.

"(XIV) Codes with high practice expense relative value units.

"(XV) Codes with high cost supplies.

"(XVI) Codes as determined appropriate by the Secretary.".

(d) TARGET FOR RELATIVE VALUE ADJUSTMENTS FOR MISVALUED SERVICES.—

(1) IN GENERAL.—Section 1848(c)(2) of the Social Security Act (42 U.S.C. 1395w–4(c)(2)), as amended by subsections (a) and (b), is amended by adding at the end the following new subparagraph:

"(O) TARGET FOR RELATIVE VALUE ADJUSTMENTS FOR MISVALUED SERVICES.—With respect to fee schedules established for each of 2017 through 2020, the following shall apply: Applicability.

"(i) DETERMINATION OF NET REDUCTION IN EXPENDITURES.—For each year, the Secretary shall determine the estimated net reduction in expenditures under the fee schedule under this section with respect to the year as a result of adjustments to the relative values established under this paragraph for misvalued codes.

"(ii) BUDGET NEUTRAL REDISTRIBUTION OF FUNDS IF TARGET MET AND COUNTING OVERAGES TOWARDS THE TARGET FOR THE SUCCEEDING YEAR.—If the estimated net reduction in expenditures determined under clause (i) for the year is equal to or greater than the target for the year—

"(I) reduced expenditures attributable to such adjustments shall be redistributed for the year in a budget neutral manner in accordance with subparagraph (B)(ii)(II); and

"(II) the amount by which such reduced expenditures exceeds the target for the year shall be treated as a reduction in expenditures described in clause (i) for the succeeding year, for purposes of determining whether the target has or has not been met under this subparagraph with respect to that year.

"(iii) EXEMPTION FROM BUDGET NEUTRALITY IF TARGET NOT MET.—If the estimated net reduction in expenditures determined under clause (i) for the year is less than the target for the year, reduced expenditures in an amount equal to the target recapture amount shall not be taken into account in applying subparagraph (B)(ii)(II) with respect to fee schedules beginning with 2017.

"(iv) TARGET RECAPTURE AMOUNT.—For purposes of clause (iii), the target recapture amount is, with respect to a year, an amount equal to the difference between—

"(I) the target for the year; and

"(II) the estimated net reduction in expenditures determined under clause (i) for the year.

"(v) TARGET.—For purposes of this subparagraph, with respect to a year, the target is calculated as 0.5 percent of the estimated amount of expenditures under the fee schedule under this section for the year.".

(2) CONFORMING AMENDMENT.—Section 1848(c)(2)(B)(v) of the Social Security Act (42 U.S.C. 1395w–4(c)(2)(B)(v)) is amended by adding at the end the following new subclause:

Effective date.
Time period.

"(VIII) REDUCTIONS FOR MISVALUED SERVICES IF TARGET NOT MET.—Effective for fee schedules beginning with 2017, reduced expenditures attributable to the application of the target recapture amount described in subparagraph (O)(iii).".

(e) PHASE-IN OF SIGNIFICANT RELATIVE VALUE UNIT (RVU) REDUCTIONS.—

(1) IN GENERAL.—Section 1848(c) of the Social Security Act (42 U.S.C. 1395w–4(c)) is amended by adding at the end the following new paragraph:

Effective date.

"(7) PHASE-IN OF SIGNIFICANT RELATIVE VALUE UNIT (RVU) REDUCTIONS.—Effective for fee schedules established beginning with 2017, for services that are not new or revised codes, if the total relative value units for a service for a year would otherwise be decreased by an estimated amount equal to or greater than 20 percent as compared to the total relative value units for the previous year, the applicable adjustments in work, practice expense, and malpractice relative value units shall be phased-in over a 2-year period.".

(2) CONFORMING AMENDMENTS.—Section 1848(c)(2) of the Social Security Act (42 U.S.C. 1395w–4(c)(2)) is amended—

(A) in subparagraph (B)(ii)(I), by striking "subclause (II)" and inserting "subclause (II) and paragraph (7)"; and

(B) in subparagraph (K)(iii)(VI)—

(i) by striking "provisions of subparagraph (B)(ii)(II)" and inserting "provisions of subparagraph (B)(ii)(II) and paragraph (7)"; and

(ii) by striking "under subparagraph (B)(ii)(II)" and inserting "under subparagraph (B)(ii)(I)".

(f) AUTHORITY TO SMOOTH RELATIVE VALUES WITHIN GROUPS OF SERVICES.—Section 1848(c)(2)(C) of the Social Security Act (42 U.S.C. 1395w–4(c)(2)(C)) is amended—

(1) in each of clauses (i) and (iii), by striking "the service" and inserting "the service or group of services" each place it appears; and

(2) in the first sentence of clause (ii), by inserting "or group of services" before the period.

(g) GAO STUDY AND REPORT ON RELATIVE VALUE SCALE UPDATE COMMITTEE.—

Recommendations.

(1) STUDY.—The Comptroller General of the United States (in this subsection referred to as the "Comptroller General") shall conduct a study of the processes used by the Relative Value Scale Update Committee (RUC) to provide recommendations to the Secretary of Health and Human Services regarding relative values for specific services under the Medicare physician fee schedule under section 1848 of the Social Security Act (42 U.S.C. 1395w–4).

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under paragraph (1).

(h) ADJUSTMENT TO MEDICARE PAYMENT LOCALITIES.—

(1) IN GENERAL.—Section 1848(e) of the Social Security Act (42 U.S.C. 1395w–4(e)) is amended by adding at the end the following new paragraph:

"(6) USE OF MSAS AS FEE SCHEDULE AREAS IN CALIFORNIA.—

"(A) IN GENERAL.—Subject to the succeeding provisions of this paragraph and notwithstanding the previous provisions of this subsection, for services furnished on or after January 1, 2017, the fee schedule areas used for payment under this section applicable to California shall be the following: Applicability.

"(i) Each Metropolitan Statistical Area (each in this paragraph referred to as an 'MSA'), as defined by the Director of the Office of Management and Budget as of December 31 of the previous year, shall be a fee schedule area.

"(ii) All areas not included in an MSA shall be treated as a single rest-of-State fee schedule area.

"(B) TRANSITION FOR MSAS PREVIOUSLY IN REST-OF-STATE PAYMENT LOCALITY OR IN LOCALITY 3.—

"(i) IN GENERAL.—For services furnished in California during a year beginning with 2017 and ending with 2021 in an MSA in a transition area (as defined in subparagraph (D)), subject to subparagraph (C), the geographic index values to be applied under this subsection for such year shall be equal to the sum of the following: Time period.

"(I) CURRENT LAW COMPONENT.—The old weighting factor (described in clause (ii)) for such year multiplied by the geographic index values under this subsection for the fee schedule area that included such MSA that would have applied in such area (as estimated by the Secretary) if this paragraph did not apply.

"(II) MSA-BASED COMPONENT.—The MSA-based weighting factor (described in clause (iii)) for such year multiplied by the geographic index values computed for the fee schedule area under subparagraph (A) for the year (determined without regard to this subparagraph).

"(ii) OLD WEIGHTING FACTOR.—The old weighting factor described in this clause—

"(I) for 2017, is 5/6; and

"(II) for each succeeding year, is the old weighting factor described in this clause for the previous year minus 1/6.

"(iii) MSA-BASED WEIGHTING FACTOR.—The MSA-based weighting factor described in this clause for a year is 1 minus the old weighting factor under clause (ii) for that year.

"(C) HOLD HARMLESS.—For services furnished in a transition area in California during a year beginning with 2017, the geographic index values to be applied under this subsection for such year shall not be less than the corresponding geographic index values that would have applied in such transition area (as estimated by the Secretary) if this paragraph did not apply. Applicability.

"(D) TRANSITION AREA DEFINED.—In this paragraph, the term 'transition area' means each of the following fee schedule areas for 2013:

"(i) The rest-of-State payment locality.

"(ii) Payment locality 3.

Effective date.

"(E) REFERENCES TO FEE SCHEDULE AREAS.—Effective for services furnished on or after January 1, 2017, for California, any reference in this section to a fee schedule area shall be deemed a reference to a fee schedule area established in accordance with this paragraph.".

(2) CONFORMING AMENDMENT TO DEFINITION OF FEE SCHEDULE AREA.—Section 1848(j)(2) of the Social Security Act (42 U.S.C. 1395w–4(j)(2)) is amended by striking "The term" and inserting "Except as provided in subsection (e)(6)(D), the term".

42 USC 1395w–4 note. Public information.

(i) DISCLOSURE OF DATA USED TO ESTABLISH MULTIPLE PROCEDURE PAYMENT REDUCTION POLICY.—The Secretary of Health and Human Services shall make publicly available the information used to establish the multiple procedure payment reduction policy to the professional component of imaging services in the final rule published in the Federal Register, v. 77, n. 222, November 16, 2012, pages 68891–69380 under the physician fee schedule under section 1848 of the Social Security Act (42 U.S.C. 1395w–4).

SEC. 221. MEDICAID DSH.

(a) MODIFICATIONS OF REDUCTIONS TO ALLOTMENTS.—Section 1923(f) of the Social Security Act (42 U.S.C. 1396r–4(f)) is amended—

(1) in paragraph (7)(A)—

(A) in clause (i), by striking "2016 through 2020" and inserting "2017 through 2024"; and

(B) in clause (ii), by striking subclauses (I) through (IV), and inserting the following:

"(I) $1,800,000,000 for fiscal year 2017;
"(II) $4,700,000,000 for fiscal year 2018;
"(III) $4,700,000,000 for fiscal year 2019;
"(IV) $4,700,000,000 for fiscal year 2020;
"(V) $4,800,000,000 for fiscal year 2021;
"(VI) $5,000,000,000 for fiscal year 2022;
"(VII) $5,000,000,000 for fiscal year 2023; and
"(VIII) $4,400,000,000 for fiscal year 2024."; and

(2) by striking paragraph (8) and inserting the following:

"(8) CALCULATION OF DSH ALLOTMENTS AFTER REDUCTIONS PERIOD.—The DSH allotment for a State for fiscal years after fiscal year 2024 shall be calculated under paragraph (3) without regard to paragraph (7).".

(b) MACPAC REVIEW AND REPORT.—Section 1900(b)(6) of the Social Security Act (42 U.S.C. 1396(b)(6)) is amended—

(1) by striking "MACPAC shall consult" and inserting the following:

"(A) IN GENERAL.—MACPAC shall consult"; and

(2) by adding at the end the following:

"(B) REVIEW AND REPORTS REGARDING MEDICAID DSH.—

"(i) IN GENERAL.—MACPAC shall review and submit an annual report to Congress on disproportionate share hospital payments under section 1923. Each report shall include the information specified in clause (ii).

"(ii) REQUIRED REPORT INFORMATION.—Each report required under this subparagraph shall include the following:

"(I) Data relating to changes in the number of uninsured individuals.

"(II) Data relating to the amount and sources of hospitals' uncompensated care costs, including the amount of such costs that are the result of providing unreimbursed or under-reimbursed services, charity care, or bad debt.

"(III) Data identifying hospitals with high levels of uncompensated care that also provide access to essential community services for low-income, uninsured, and vulnerable populations, such as graduate medical education, and the continuum of primary through quarternary care, including the provision of trauma care and public health services.

"(IV) State-specific analyses regarding the relationship between the most recent State DSH allotment and the projected State DSH allotment for the succeeding year and the data reported under subclauses (I), (II), and (III) for the State.

"(iii) DATA.—Notwithstanding any other provision of law, the Secretary regularly shall provide MACPAC with the most recent State reports and most recent independent certified audits submitted under section 1923(j), cost reports submitted under title XVIII, and such other data as MACPAC may request for purposes of conducting the reviews and preparing and submitting the annual reports required under this subparagraph.

"(iv) SUBMISSION DEADLINES.—The first report required under this subparagraph shall be submitted to Congress not later than February 1, 2016. Subsequent reports shall be submitted as part of, or with, each annual report required under paragraph (1)(C) during the period of fiscal years 2017 through 2024.".

SEC. 222. REALIGNMENT OF THE MEDICARE SEQUESTER FOR FISCAL YEAR 2024.

Paragraph (6) (relating to implementing direct spending reductions) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) is amended by adding at the end the following new subparagraph:

Applicability.

"(D) Notwithstanding the 2 percent limit specified in subparagraph (A) for payments for the Medicare programs specified in section 256(d), the sequestration order of the President under such subparagraph for fiscal year 2024 shall be applied to such payments so that—

"(i) with respect to the first 6 months in which such order is effective for such fiscal year, the payment reduction shall be 4.0 percent; and

"(ii) with respect to the second 6 months in which such order is so effective for such fiscal year, the payment reduction shall be 0.0 percent.".

SEC. 223. DEMONSTRATION PROGRAMS TO IMPROVE COMMUNITY MENTAL HEALTH SERVICES.

42 USC 1396a note.

(a) CRITERIA FOR CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS TO PARTICIPATE IN DEMONSTRATION PROGRAMS.—

Deadline.

(1) PUBLICATION.—Not later than September 1, 2015, the Secretary shall publish criteria for a clinic to be certified by a State as a certified community behavioral health clinic for purposes of participating in a demonstration program conducted under subsection (d).

(2) REQUIREMENTS.—The criteria published under this subsection shall include criteria with respect to the following:

(A) STAFFING.—Staffing requirements, including criteria that staff have diverse disciplinary backgrounds, have necessary State-required license and accreditation, and are culturally and linguistically trained to serve the needs of the clinic's patient population.

(B) AVAILABILITY AND ACCESSIBILITY OF SERVICES.—Availability and accessibility of services, including crisis management services that are available and accessible 24 hours a day, the use of a sliding scale for payment, and no rejection for services or limiting of services on the basis of a patient's ability to pay or a place of residence.

(C) CARE COORDINATION.—Care coordination, including requirements to coordinate care across settings and providers to ensure seamless transitions for patients across the full spectrum of health services including acute, chronic, and behavioral health needs. Care coordination requirements shall include partnerships or formal contracts with the following:

(i) Federally-qualified health centers (and as applicable, rural health clinics) to provide Federally-qualified health center services (and as applicable, rural health clinic services) to the extent such services are not provided directly through the certified community behavioral health clinic.

(ii) Inpatient psychiatric facilities and substance use detoxification, post-detoxification step-down services, and residential programs.

(iii) Other community or regional services, supports, and providers, including schools, child welfare agencies, juvenile and criminal justice agencies and facilities, Indian Health Service youth regional treatment centers, State licensed and nationally accredited child placing agencies for therapeutic foster care service, and other social and human services.

(iv) Department of Veterans Affairs medical centers, independent outpatient clinics, drop-in centers, and other facilities of the Department as defined in section 1801 of title 38, United States Code.

(v) Inpatient acute care hospitals and hospital outpatient clinics.

(D) SCOPE OF SERVICES.—Provision (in a manner reflecting person-centered care) of the following services which, if not available directly through the certified community behavioral health clinic, are provided or referred through formal relationships with other providers:

(i) Crisis mental health services, including 24-hour mobile crisis teams, emergency crisis intervention services, and crisis stabilization.

(ii) Screening, assessment, and diagnosis, including risk assessment.

(iii) Patient-centered treatment planning or similar processes, including risk assessment and crisis planning.

(iv) Outpatient mental health and substance use services.

(v) Outpatient clinic primary care screening and monitoring of key health indicators and health risk.

(vi) Targeted case management.

(vii) Psychiatric rehabilitation services.

(viii) Peer support and counselor services and family supports.

(ix) Intensive, community-based mental health care for members of the armed forces and veterans, particularly those members and veterans located in rural areas, provided the care is consistent with minimum clinical mental health guidelines promulgated by the Veterans Health Administration including clinical guidelines contained in the Uniform Mental Health Services Handbook of such Administration.

(E) QUALITY AND OTHER REPORTING.—Reporting of encounter data, clinical outcomes data, quality data, and such other data as the Secretary requires.

(F) ORGANIZATIONAL AUTHORITY.—Criteria that a clinic be a non-profit or part of a local government behavioral health authority or operated under the authority of the Indian Health Service, an Indian tribe or tribal organization pursuant to a contract, grant, cooperative agreement, or compact with the Indian Health Service pursuant to the Indian Self-Determination Act (25 U.S.C. 450 et seq.), or an urban Indian organization pursuant to a grant or contract with the Indian Health Service under title V of the Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.).

(b) GUIDANCE ON DEVELOPMENT OF PROSPECTIVE PAYMENT SYSTEM FOR TESTING UNDER DEMONSTRATION PROGRAMS.—

(1) IN GENERAL.—Not later than September 1, 2015, the Secretary, through the Administrator of the Centers for Medicare & Medicaid Services, shall issue guidance for the establishment of a prospective payment system that shall only apply to medical assistance for mental health services furnished by a certified community behavioral health clinic participating in a demonstration program under subsection (d). Deadline. Applicability.

(2) REQUIREMENTS.—The guidance issued by the Secretary under paragraph (1) shall provide that—

(A) no payment shall be made for inpatient care, residential treatment, room and board expenses, or any other non-ambulatory services, as determined by the Secretary; and

(B) no payment shall be made to satellite facilities of certified community behavioral health clinics if such facilities are established after the date of enactment of this Act.

(c) PLANNING GRANTS.—

(1) IN GENERAL.—Not later than January 1, 2016, the Secretary shall award planning grants to States for the purpose of developing proposals to participate in time-limited demonstration programs described in subsection (d). Deadline.

(2) USE OF FUNDS.—A State awarded a planning grant under this subsection shall—

(A) solicit input with respect to the development of such a demonstration program from patients, providers, and other stakeholders;

Certification.

(B) certify clinics as certified community behavioral health clinics for purposes of participating in a demonstration program conducted under subsection (d); and

(C) establish a prospective payment system for mental health services furnished by a certified community behavioral health clinic participating in a demonstration program under subsection (d) in accordance with the guidance issued under subsection (b).

(d) DEMONSTRATION PROGRAMS.—

Deadline.

(1) IN GENERAL.—Not later than September 1, 2017, the Secretary shall select States to participate in demonstration programs that are developed through planning grants awarded under subsection (c), meet the requirements of this subsection, and represent a diverse selection of geographic areas, including rural and underserved areas.

(2) APPLICATION REQUIREMENTS.—

(A) IN GENERAL.—The Secretary shall solicit applications to participate in demonstration programs under this subsection solely from States awarded planning grants under subsection (c).

(B) REQUIRED INFORMATION.—An application for a demonstration program under this subsection shall include the following:

(i) The target Medicaid population to be served under the demonstration program.

(ii) A list of participating certified community behavioral health clinics.

(iii) Verification that the State has certified a participating clinic as a certified community behavioral health clinic in accordance with the requirements of subsection (b).

(iv) A description of the scope of the mental health services available under the State Medicaid program that will be paid for under the prospective payment system tested in the demonstration program.

(v) Verification that the State has agreed to pay for such services at the rate established under the prospective payment system.

(vi) Such other information as the Secretary may require relating to the demonstration program including with respect to determining the soundness of the proposed prospective payment system.

(3) NUMBER AND LENGTH OF DEMONSTRATION PROGRAMS.—Not more than 8 States shall be selected for 2-year demonstration programs under this subsection.

(4) REQUIREMENTS FOR SELECTING DEMONSTRATION PROGRAMS.—

(A) IN GENERAL.—The Secretary shall give preference to selecting demonstration programs where participating certified community behavioral health clinics—

(i) provide the most complete scope of services described in subsection (a)(2)(D) to individuals eligible

for medical assistance under the State Medicaid program;

(ii) will improve availability of, access to, and participation in, services described in subsection (a)(2)(D) to individuals eligible for medical assistance under the State Medicaid program;

(iii) will improve availability of, access to, and participation in assisted outpatient mental health treatment in the State; or

(iv) demonstrate the potential to expand available mental health services in a demonstration area and increase the quality of such services without increasing net Federal spending.

(5) PAYMENT FOR MEDICAL ASSISTANCE FOR MENTAL HEALTH SERVICES PROVIDED BY CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS.—

(A) IN GENERAL.—The Secretary shall pay a State participating in a demonstration program under this subsection the Federal matching percentage specified in subparagraph (B) for amounts expended by the State to provide medical assistance for mental health services described in the demonstration program application in accordance with paragraph (2)(B)(iv) that are provided by certified community behavioral health clinics to individuals who are enrolled in the State Medicaid program. Payments to States made under this paragraph shall be considered to have been under, and are subject to the requirements of, section 1903 of the Social Security Act (42 U.S.C. 1396b).

(B) FEDERAL MATCHING PERCENTAGE.—The Federal matching percentage specified in this subparagraph is with respect to medical assistance described in subparagraph (A) that is furnished—

(i) to a newly eligible individual described in paragraph (2) of section 1905(y) of the Social Security Act (42 U.S.C. 1396d(y)), the matching rate applicable under paragraph (1) of that section; and

(ii) to an individual who is not a newly eligible individual (as so described) but who is eligible for medical assistance under the State Medicaid program, the enhanced FMAP applicable to the State.

(C) LIMITATIONS.—

(i) IN GENERAL.—Payments shall be made under this paragraph to a State only for mental health services—

(I) that are described in the demonstration program application in accordance with paragraph (2)(iv);

(II) for which payment is available under the State Medicaid program; and

(III) that are provided to an individual who is eligible for medical assistance under the State Medicaid program.

(ii) PROHIBITED PAYMENTS.—No payment shall be made under this paragraph—

(I) for inpatient care, residential treatment, room and board expenses, or any other non-

ambulatory services, as determined by the Secretary; or

(II) with respect to payments made to satellite facilities of certified community behavioral health clinics if such facilities are established after the date of enactment of this Act.

(6) WAIVER OF STATEWIDENESS REQUIREMENT.—The Secretary shall waive section 1902(a)(1) of the Social Security Act (42 U.S.C. 1396a(a)(1)) (relating to statewideness) as may be necessary to conduct demonstration programs in accordance with the requirements of this subsection.

(7) ANNUAL REPORTS.—

(A) IN GENERAL.—Not later than 1 year after the date on which the first State is selected for a demonstration program under this subsection, and annually thereafter, the Secretary shall submit to Congress an annual report on the use of funds provided under all demonstration programs conducted under this subsection. Each such report shall include—

(i) an assessment of access to community-based mental health services under the Medicaid program in the area or areas of a State targeted by a demonstration program compared to other areas of the State;

(ii) an assessment of the quality and scope of services provided by certified community behavioral health clinics compared to community-based mental health services provided in States not participating in a demonstration program under this subsection and in areas of a demonstration State that are not participating in the demonstration program; and

(iii) an assessment of the impact of the demonstration programs on the Federal and State costs of a full range of mental health services (including inpatient, emergency and ambulatory services).

(B) RECOMMENDATIONS.—Not later than December 31, 2021, the Secretary shall submit to Congress recommendations concerning whether the demonstration programs under this section should be continued, expanded, modified, or terminated.

(e) DEFINITIONS.—In this section:

(1) FEDERALLY-QUALIFIED HEALTH CENTER SERVICES; FEDERALLY-QUALIFIED HEALTH CENTER; RURAL HEALTH CLINIC SERVICES; RURAL HEALTH CLINIC.—The terms "Federally-qualified health center services", "Federally-qualified health center", "rural health clinic services", and "rural health clinic" have the meanings given those terms in section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)).

(2) ENHANCED FMAP.—The term "enhanced FMAP" has the meaning given that term in section 2105(b) of the Social Security Act (42 U.S.C. 1397dd(b)) but without regard to the second and third sentences of that section.

(3) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

(4) STATE.—The term "State" has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(f) FUNDING.—

(1) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, there is appropriated to the Secretary—

(A) for purposes of carrying out subsections (a), (b), and (d)(7), $2,000,000 for fiscal year 2014; and

(B) for purposes of awarding planning grants under subsection (c), $25,000,000 for fiscal year 2016.

(2) AVAILABILITY.—Funds appropriated under paragraph (1) shall remain available until expended.

SEC. 224. ASSISTED OUTPATIENT TREATMENT GRANT PROGRAM FOR INDIVIDUALS WITH SERIOUS MENTAL ILLNESS.

42 USC 290aa note.

(a) IN GENERAL.—The Secretary shall establish a 4-year pilot program to award not more than 50 grants each year to eligible entities for assisted outpatient treatment programs for individuals with serious mental illness.

(b) CONSULTATION.—The Secretary shall carry out this section in consultation with the Director of the National Institute of Mental Health, the Attorney General of the United States, the Administrator of the Administration for Community Living, and the Administrator of the Substance Abuse and Mental Health Services Administration.

(c) SELECTING AMONG APPLICANTS.—The Secretary—

(1) may only award grants under this section to applicants that have not previously implemented an assisted outpatient treatment program; and

(2) shall evaluate applicants based on their potential to reduce hospitalization, homelessness, incarceration, and interaction with the criminal justice system while improving the health and social outcomes of the patient.

(d) USE OF GRANT.—An assisted outpatient treatment program funded with a grant awarded under this section shall include—

(1) evaluating the medical and social needs of the patients who are participating in the program;

(2) preparing and executing treatment plans for such patients that—

(A) include criteria for completion of court-ordered treatment; and

(B) provide for monitoring of the patient's compliance with the treatment plan, including compliance with medication and other treatment regimens;

(3) providing for such patients case management services that support the treatment plan;

(4) ensuring appropriate referrals to medical and social service providers;

(5) evaluating the process for implementing the program to ensure consistency with the patient's needs and State law; and

(6) measuring treatment outcomes, including health and social outcomes such as rates of incarceration, health care utilization, and homelessness.

(e) REPORT.—Not later than the end of each of fiscal years 2016, 2017, and 2018, the Secretary shall submit a report to the appropriate congressional committees on the grant program under this section. Each such report shall include an evaluation of the following:

Evaluation.

(1) Cost savings and public health outcomes such as mortality, suicide, substance abuse, hospitalization, and use of services.

(2) Rates of incarceration by patients.

(3) Rates of homelessness among patients.

(4) Patient and family satisfaction with program participation.

(f) DEFINITIONS.—In this section:

(1) The term "assisted outpatient treatment" means medically prescribed mental health treatment that a patient receives while living in a community under the terms of a law authorizing a State or local court to order such treatment.

(2) The term "eligible entity" means a county, city, mental health system, mental health court, or any other entity with authority under the law of the State in which the grantee is located to implement, monitor, and oversee assisted outpatient treatment programs.

(3) The term "Secretary" means the Secretary of Health and Human Services.

(g) FUNDING.—

Determination.

(1) AMOUNT OF GRANTS.—A grant under this section shall be in an amount that is not more than $1,000,000 for each of fiscal years 2015 through 2018. Subject to the preceding sentence, the Secretary shall determine the amount of each grant based on the population of the area, including estimated patients, to be served under the grant.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2015 through 2018.

SEC. 225. EXCLUSION FROM PAYGO SCORECARDS.

(a) STATUTORY PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

Approved April 1, 2014.

LEGISLATIVE HISTORY—H.R. 4302:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 27, considered and passed House.
Mar. 31, considered and passed Senate.

Public Law 113–94
113th Congress

An Act

To eliminate taxpayer financing of political party conventions and reprogram savings to provide for a 10-year pediatric research initiative through the Common Fund administered by the National Institutes of Health, and for other purposes.

Apr. 3, 2014
[H.R. 2019]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Gabriella Miller Kids First Research Act.
26 USC 1 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Gabriella Miller Kids First Research Act".

SEC. 2. TERMINATION OF TAXPAYER FINANCING OF POLITICAL PARTY CONVENTIONS; USE OF FUNDS FOR PEDIATRIC RESEARCH INITIATIVE.

(a) TERMINATION OF PAYMENTS FOR CONVENTIONS; USE OF FUNDS FOR PEDIATRIC RESEARCH.—Section 9008 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection: 26 USC 9008.

"(i) TERMINATION OF PAYMENTS FOR CONVENTIONS; USE OF AMOUNTS FOR PEDIATRIC RESEARCH INITIATIVE.—Effective on the date of the enactment of the Gabriella Miller Kids First Research Act—

"(1) the entitlement of any major party or minor party to a payment under this section shall terminate; and

"(2) all amounts in each account maintained for the national committee of a major party or minor party under this section shall be transferred to a fund in the Treasury to be known as the '10-Year Pediatric Research Initiative Fund', which shall be available only for the purpose provided in section 402A(a)(2) of the Public Health Service Act, and only to the extent and in such amounts as are provided in advance in appropriation Acts.".

(b) CONTINUATION OF PRIORITY OF PAYMENTS FROM ACCOUNTS OVER PAYMENTS TO CANDIDATES.—

(1) AVAILABILITY OF PAYMENTS TO CANDIDATES.—The third sentence of section 9006(c) of such Code is amended by striking "section 9008(b)(3)," and inserting "section 9008(i)(2),".

(2) AVAILABILITY OF PAYMENTS FROM PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT.—The second sentence of section 9037(a) of such Code is amended by striking "section 9008(b)(3)" and inserting "section 9008(i)(2)".

(c) CONFORMING AMENDMENTS.—

(1) ELIMINATION OF REPORTS BY FEDERAL ELECTION COMMISSION.—Section 9009(a) of such Code is amended—

(A) by adding "and" at the end of paragraph (2);

(B) by striking the semicolon at the end of paragraph (3) and inserting a period; and

(C) by striking paragraphs (4), (5), and (6).

26 USC 9012.

(2) ELIMINATION OF PENALTIES.—Section 9012 of such Code is amended—

(A) in subsection (a)(1), by striking the second sentence;

(B) in subsection (c), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(C) in subsection (e)(1), by striking the second sentence; and

(D) in subsection (e)(3), by striking ", or in connection with any expense incurred by the national committee of a major party or minor party with respect to a presidential nominating convention".

SEC. 3. 10–YEAR PEDIATRIC RESEARCH INITIATIVE.

(a) ALLOCATION OF NIH FUNDS IN COMMON FUND FOR PEDIATRIC RESEARCH.—Paragraph (7) of section 402(b) of the Public Health Service Act (42 U.S.C. 282(b)) is amended to read as follows:

"(7)(A) shall, through the Division of Program Coordination, Planning, and Strategic Initiatives—

"(i) identify research that represents important areas of emerging scientific opportunities, rising public health challenges, or knowledge gaps that deserve special emphasis and would benefit from conducting or supporting additional research that involves collaboration between 2 or more national research institutes or national centers, or would otherwise benefit from strategic coordination and planning;

"(ii) include information on such research in reports under section 403; and

"(iii) in the case of such research supported with funds referred to in subparagraph (B)—

"(I) require as appropriate that proposals include milestones and goals for the research;

"(II) require that the proposals include timeframes for funding of the research; and

"(III) ensure appropriate consideration of proposals for which the principal investigator is an individual who has not previously served as the principal investigator of research conducted or supported by the National Institutes of Health;

"(B)(i) may, with respect to funds reserved under section 402A(c)(1) for the Common Fund, allocate such funds to the national research institutes and national centers for conducting and supporting research that is identified under subparagraph (A); and

"(ii) shall, with respect to funds appropriated to the Common Fund pursuant to section 402A(a)(2), allocate such funds to the national research institutes and national centers for making grants for pediatric research that is identified under subparagraph (A); and

"(C) may assign additional functions to the Division in support of responsibilities identified in subparagraph (A), as determined appropriate by the Director;".

(b) FUNDING FOR 10-YEAR PEDIATRIC RESEARCH INITIATIVE.—Section 402A of the Public Health Service Act (42 U.S.C. 282a) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and moving the indentation of each such subparagraph 2 ems to the right;

(B) by striking "For purposes of carrying out this title" and inserting the following:

"(1) THIS TITLE.—For purposes of carrying out this title"; and

(C) by adding at the end the following:

"(2) FUNDING FOR 10-YEAR PEDIATRIC RESEARCH INITIATIVE THROUGH COMMON FUND.—For the purpose of carrying out section 402(b)(7)(B)(ii), there is authorized to be appropriated to the Common Fund, out of the 10-Year Pediatric Research Initiative Fund described in section 9008 of the Internal Revenue Code of 1986, and in addition to amounts otherwise made available under paragraph (1) of this subsection and reserved under subsection (c)(1)(B)(i) of this section, $12,600,000 for each of fiscal years 2014 through 2023."; and

(2) in subsections (c)(1)(B), (c)(1)(D), and (d), by striking "subsection (a)" each place it appears and inserting "subsection (a)(1)".

(c) SUPPLEMENT, NOT SUPPLANT; PROHIBITION AGAINST TRANSFER.—Funds appropriated pursuant to section 402A(a)(2) of the Public Health Service Act, as added by subsection (b)— 42 USC 282a note.

(1) shall be used to supplement, not supplant, the funds otherwise allocated by the National Institutes of Health for pediatric research; and

(2) notwithstanding any transfer authority in any appropriation Act, shall not be used for any purpose other than allocating funds for making grants as described in section 402(b)(7)(B)(ii) of the Public Health Service Act, as added by subsection (a).

Approved April 3, 2014.

LEGISLATIVE HISTORY—H.R. 2019:

CONGRESSIONAL RECORD:
Vol. 159 (2013): Dec. 11, considered and passed House.
Vol. 160 (2014): Mar. 11, considered and passed Senate.
DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
Apr. 3, Presidential remarks.

Public Law 113–95
113th Congress

An Act

Apr. 3, 2014
[H.R. 4152]

To provide for the costs of loan guarantees for Ukraine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014.
President.
22 USC 8901 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014".

22 USC 8901.

SEC. 2. DEFINITIONS.

In this Act:

(1) ALIEN.—The term "alien" has the meaning given that term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations, the Select Committee on Intelligence, the Committee on Appropriations, and the majority leader and minority leader of the Senate; and

(B) the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Committee on Appropriations, and the Speaker and minority leader of the House of Representatives.

(3) MATERIALLY ASSISTED.—The term "materially assisted" means the provision of assistance that is significant and of a kind directly relevant to acts described in paragraph (1), (2), or (3) of section 8(a) or acts described in section 9(a)(1).

(4) UNITED STATES PERSON.—The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

22 USC 8902.

SEC. 3. UNITED STATES POLICY TOWARD UKRAINE.

It is the policy of the United States—

(1) to condemn the unjustified military intervention of the Russian Federation in the Crimea region of Ukraine and its concurrent occupation of that region, as well as any other form of political, economic, or military aggression against Ukraine;

(2) to reaffirm the commitment of the United States to, and to remind Russia of its ongoing commitment to, the 1994 Budapest Memorandum on Security Assurances, which was executed jointly with the Russian Federation and the United Kingdom and explicitly secures the independence, sovereignty, and territorial integrity and borders of Ukraine, and to demand the immediate cessation of improper activities, including the seizures of airfields and other locations, and the immediate return of Russian forces to their barracks;

(3) to work with United States partners in the European Union, the North Atlantic Treaty Organization, and at the United Nations to ensure that all nations recognize and not undermine, nor seek to undermine, the independence, sovereignty, or territorial or economic integrity of Ukraine;

(4) to use all appropriate economic elements of United States national power, in coordination with United States allies, to protect the independence, sovereignty, and territorial and economic integrity of Ukraine;

(5) to support the people of Ukraine in their desire to forge closer ties with Europe, including signing an Association Agreement with the European Union as a means to address endemic corruption, consolidate democracy, and achieve sustained prosperity;

(6) to use the voice and vote of the United States to secure sufficient resources through the International Monetary Fund to support needed economic structural reforms in Ukraine under conditions that will reinforce a sovereign decision by the Government of Ukraine to sign and implement an association agreement with the European Union;

(7) to help the Government of Ukraine prepare for the presidential election in May 2014;

(8) to reinforce the efforts of the Government of Ukraine to bring to justice those responsible for the acts of violence against peaceful protestors and other unprovoked acts of violence related to the antigovernment protests in that began on November 21, 2013;

(9) to support the efforts of the Government of Ukraine to recover and return to the Ukrainian state funds stolen by former President Yanukovych, his family, and other current and former members of the Ukrainian government and elites;

(10) to support the continued professionalization of the Ukrainian military;

(11) to condemn economic extortion by the Russian Federation against Ukraine, Moldova, Lithuania, and other countries in the region designed to obstruct closer ties between the European Union and the countries of the Eastern Partnership and to reduce the harmful consequences of such extortion;

(12) to condemn the continuing and long-standing pattern and practice by the Government of the Russian Federation of physical and economic aggression toward neighboring countries;

(13) to enhance and extend our security cooperation with, security assistance to, and military exercises conducted with, states in Central and Eastern Europe, including North Atlantic Treaty Organization (NATO) member countries, NATO aspirants, and appropriate Eastern Partnership countries;

(14) to reaffirm United States defense commitments to its treaty allies under Article V of the North Atlantic Treaty;

(15) that the continued participation of the Russian Federation in the Group of Eight (G–8) nations should be conditioned on the Government of the Russian Federation respecting the territorial integrity of its neighbors and accepting and adhering to the norms and standards of free, democratic societies as generally practiced by every other member nation of the G–8 nations;

(16) to explore ways for the United States Government to assist the countries of Central and Eastern Europe to diversify their energy sources and achieve energy security; and

(17) to ensure the United States maintains its predominant leadership position and influence within the International Monetary Fund, and to guarantee the International Monetary Fund has the resources and governance structure necessary to support structural reforms in Ukraine and respond to and prevent a potentially serious financial crisis in Ukraine or other foreign economic crises that threatens United States national security.

22 USC 8903.

SEC. 4. PROVISION OF COSTS OF LOAN GUARANTEES FOR UKRAINE.

(a) IN GENERAL.—From the unobligated balance of amounts appropriated or otherwise made available under the heading "ECONOMIC SUPPORT FUND" under the heading "FUNDS APPROPRIATED TO THE PRESIDENT" in title III of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76) and in Acts making appropriations for the Department of State, foreign operations, and related programs for preceding fiscal years (other than amounts designated pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A))), amounts shall be made available for the costs (as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a)) of loan guarantees for Ukraine that are hereby authorized to be provided under this Act.

(b) INAPPLICABILITY OF CERTAIN LIMITATIONS.—Amounts made available for the costs of loan guarantees for Ukraine pursuant to subsection (a) shall not be considered "assistance" for the purpose of provisions of law limiting assistance to Ukraine.

Coordination.
22 USC 8904.

SEC. 5. RECOVERY OF ASSETS LINKED TO GOVERNMENTAL CORRUPTION IN UKRAINE.

Viktor Yanukovych.

(a) ASSET RECOVERY.—The Secretary of State, in coordination with the Attorney General and the Secretary of the Treasury, shall assist, on an expedited basis as appropriate, the Government of Ukraine to identify, secure, and recover assets linked to acts of corruption by Viktor Yanukovych, members of his family, or other former or current officials of the Government of Ukraine or their accomplices in any jurisdiction through appropriate programs, including the Kleptocracy Asset Recovery Initiative of the Department of Justice.

(b) COORDINATION.—Any asset recovery efforts undertaken pursuant to subsection (a) shall be coordinated through the relevant bilateral or multilateral entities, including, as appropriate, the Egmont Group of Financial Intelligence Units, the Stolen Asset Recovery Initiative of the World Bank Group and the United Nations Office on Drugs and Crime, the Camden Asset Recovery

Inter-Agency Network, and the Global Focal Point Initiative of the International Criminal Police Organization (INTERPOL).

(c) INVESTIGATIVE ASSISTANCE.—The Secretary of State, in coordination with the Attorney General, shall assist the Government of Ukraine, the European Union, and other appropriate countries, on an expedited basis, with formal and informal investigative assistance and training, as appropriate, to support the identification, seizure, and return to the Government of Ukraine of assets linked to acts of corruption.

(d) PRIORITY ASSIGNED.—The Secretary of the Treasury shall ensure that the Financial Crimes Enforcement Network of the Department of the Treasury assists the Government of Ukraine, the European Union, and other appropriate countries under section 314(a) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (31 U.S.C. 5311 note).

SEC. 6. DEMOCRACY, CIVIL SOCIETY, GOVERNANCE, AND TECHNICAL ASSISTANCE FOR UKRAINE AND OTHER STATES IN CENTRAL AND EASTERN EUROPE.

22 USC 8905.

(a) IN GENERAL.—The Secretary of State shall, subject to the availability of appropriations, directly or through nongovernmental organizations—

(1) improve democratic governance, transparency, accountability, rule of law, and anti-corruption efforts in Ukraine;

(2) support efforts by the Government of Ukraine to foster greater unity among the people and regions of the country;

(3) support the people and Government of Ukraine in preparing to conduct and contest free and fair elections, including through domestic and international election monitoring;

(4) assist in diversifying Ukraine's economy, trade, and energy supplies, including at the national, regional, and local levels;

(5) strengthen democratic institutions and political and civil society organizations in Ukraine;

(6) expand free and unfettered access to independent media of all kinds in Ukraine and assist with the protection of journalists and civil society activists who have been targeted for free speech activities;

(7) support political and economic reform initiatives by Eastern Partnership countries; and

(8) support the efforts of the Government of Ukraine, civil society, and international organizations to enhance the economic and political empowerment of women in Ukraine and to prevent and address violence against women and girls in Ukraine, and support the inclusion of women in Ukraine in any negotiations to restore Ukraine's security, independence, sovereignty, or territorial or economic integrity.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State $50,000,000 for fiscal year 2015 to carry out the activities set forth in subsection (a). Amounts appropriated for the activities set forth in subsection (a) shall be used pursuant to the authorization and requirements contained in this section. Additional amounts may be authorized to be appropriated under other provisions of law.

(c) STRATEGY REQUIREMENT.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to

Deadline.
President.

the appropriate congressional committees a strategy to carry out the activities set forth in subsection (a).

(d) NOTIFICATION REQUIREMENT.—

Time period.

(1) IN GENERAL.—Funds appropriated or otherwise made available pursuant to subsection (b) may not be obligated until 15 days after the date on which the President has provided notice of intent to obligate such funds to the appropriate congressional committees.

Determination. Deadline.

(2) WAIVER.—The President may waive the notification requirement under paragraph (1) if the President determines that failure to do so would pose a substantial risk to human health or welfare, in which case notification shall be provided as early as practicable, but in no event later than three days after taking the action to which such notification requirement was applicable in the context of the circumstances necessitating such waiver.

President. 22 USC 8906.

SEC. 7. ENHANCED SECURITY COOPERATION WITH UKRAINE AND OTHER COUNTRIES IN CENTRAL AND EASTERN EUROPE.

(a) IN GENERAL.—The President shall, subject to the availability of appropriations—

(1) enhance security cooperation efforts and relationships amongst countries in Central and Eastern Europe and among the United States, the European Union, and countries in Central and Eastern Europe;

(2) provide additional security assistance, including defense articles and defense services (as those terms are defined in section 47 of the Arms Export Control Act (22 U.S.C. 2794)) and military training, to countries in Central and Eastern Europe, including Ukraine; and

(3) support greater reform, professionalism, and capacity-building efforts within the military, intelligence, and security services in Central and Eastern Europe, including Ukraine.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the President a total of $100,000,000 for fiscal years 2015 through 2017 to carry out this section. Amounts appropriated for the activities set forth in subsection (a) shall be used pursuant to the authorization and requirements contained in this section. Additional amounts may be authorized to be appropriated under other provisions of law.

Deadline.

(c) STRATEGY REQUIREMENT.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a strategy to carry out the activities set forth in subsection (a).

(d) NOTIFICATION REQUIREMENT.—

Time period.

(1) IN GENERAL.—Funds appropriated or otherwise made available pursuant to subsection (b) may not be obligated until 15 days after the date on which the President has provided notice of intent to obligate such funds to the appropriate congressional committees and the Committees on Armed Services of the Senate and the House of Representatives.

Determination. Deadline.

(2) WAIVER.—The President may waive the notification requirement under paragraph (1) if the President determines that failure to do so would pose a substantial risk to human health or welfare, in which case notification shall be provided as early as practicable, but in no event later than three days after taking the action to which such notification requirement

was applicable in the context of the circumstances necessitating such waiver.

SEC. 8. SANCTIONS ON PERSONS RESPONSIBLE FOR VIOLENCE OR UNDERMINING THE PEACE, SECURITY, STABILITY, SOVEREIGNTY, OR TERRITORIAL INTEGRITY OF UKRAINE.

President.
22 USC 8907.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to— Determinations.

(1) any person, including a current or former official of the Government of Ukraine or a person acting on behalf of that Government, that the President determines has perpetrated, or is responsible for ordering, controlling, or otherwise directing, significant acts of violence or gross human rights abuses in Ukraine against persons associated with the antigovernment protests in Ukraine that began on November 21, 2013;

(2) any person that the President determines has perpetrated, or is responsible for ordering, controlling, or otherwise directing, significant acts that are intended to undermine the peace, security, stability, sovereignty, or territorial integrity of Ukraine, including acts of economic extortion;

(3) any official of the Government of the Russian Federation, or a close associate or family member of such an official, that the President determines is responsible for, complicit in, or responsible for ordering, controlling, or otherwise directing, acts of significant corruption in Ukraine, including the expropriation of private or public assets for personal gain, corruption related to government contracts or the extraction of natural resources, bribery, or the facilitation or transfer of the proceeds of corruption to foreign jurisdictions; and

(4) any individual that the President determines materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the commission of acts described in paragraph (1), (2), or (3).

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions described in this subsection are the following:

(A) ASSET BLOCKING.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A)

or any regulation, license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) EXCEPTION RELATING TO THE IMPORTATION OF GOODS.—

(A) IN GENERAL.—The requirement to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term "good" has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(4) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

Determination.

(c) WAIVER.—The President may waive the application of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

Notification.

(2) on or before the date on which the waiver takes effect, submits to the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives a notice of and a justification for the waiver.

(d) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

President.
22 USC 8908.

SEC. 9. SANCTIONS ON PERSONS IN THE RUSSIAN FEDERATION COMPLICIT IN OR RESPONSIBLE FOR SIGNIFICANT CORRUPTION.

(a) IN GENERAL.—The President is authorized and encouraged to impose the sanctions described in subsection (b) with respect to—

(1) any official of the Government of the Russian Federation, or a close associate or family member of such an official, that the President determines is responsible for, or complicit in, or responsible for ordering, controlling, or otherwise directing, acts of significant corruption in the Russian Federation, including the expropriation of private or public assets for personal gain, corruption related to government contracts or the extraction of natural resources, bribery, or the facilitation or transfer of the proceeds of corruption to foreign jurisdictions; and

(2) any individual who has materially assisted, sponsored, or provided financial, material, or technological support for,

or goods or services in support of, an act described in paragraph (1).

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions described in this subsection are the following:

(A) ASSET BLOCKING.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or any regulation, license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) EXCEPTION RELATING TO THE IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authority to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term "good" has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(4) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(c) WAIVER.—The President may waive the application of sanctions under subsection (b) with respect to a person if the President— Determination.

(1) determines that such a waiver is in the national security interests of the United States; and

(2) on or before the date on which the waiver takes effect, submits to the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Notification.

Financial Services of the House of Representatives a notice of and a justification for the waiver.

(d) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

22 USC 8909.

SEC. 10. ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

Classified information. Time period.

(a) REPORT.—Not later than June 1, 2015, and June 1 of each year thereafter through 2020, the Secretary of Defense shall submit to the specified congressional committees a report, in both classified and unclassified form, on the current and future military power of the Russian Federation (in this section referred to as "Russia"). The report shall address the current and probable future course of military-technological development of the Russian military, the tenets and probable development of the security strategy and military strategy of the Government of Russia, and military organizations and operational concepts, for the 20-year period following submission of such report.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

Assessment.

(1) An assessment of the security situation in regions neighboring Russia.

(2) The goals and factors shaping the security strategy and military strategy of the Government of Russia.

(3) Trends in Russian security and military behavior that would be designed to achieve, or that are consistent with, the goals described in paragraph (2).

Assessment.

(4) An assessment of the global and regional security objectives of the Government of Russia, including objectives that would affect the North Atlantic Treaty Organization, the Middle East, or the People's Republic of China.

Assessment.

(5) A detailed assessment of the sizes, locations, and capabilities of the nuclear, special operations, land, sea, and air forces of the Government of Russia.

(6) Developments in Russian military doctrine and training.

Assessment.

(7) An assessment of the proliferation activities of the Government of Russia and Russian entities, as a supplier of materials, technologies, or expertise relating to nuclear weapons or other weapons of mass destruction or missile systems.

(8) Developments in the asymmetric capabilities of the Government of Russia, including its strategy and efforts to develop and deploy cyberwarfare and electronic warfare capabilities, details on the number of malicious cyber incidents originating from Russia against Department of Defense infrastructure, and associated activities originating or suspected of originating from Russia.

Strategy.

(9) The strategy and capabilities of space and counterspace programs in Russia, including trends, global and regional activities, the involvement of military and civilian organizations, including state-owned enterprises, academic institutions, and commercial entities, and efforts to develop, acquire, or gain access to advanced technologies that would enhance Russian military capabilities.

(10) Developments in Russia's nuclear program, including the size and state of Russia's stockpile, its nuclear strategy

and associated doctrines, its civil and military production capacities, and projections of its future arsenals.

(11) A description of the anti-access and area denial capabilities of the Government of Russia.

(12) A description of Russia's command, control, communications, computers, intelligence, surveillance, and reconnaissance modernization program and its applications for Russia's precision guided weapons.

(13) In consultation with the Secretary of Energy and the Secretary of State, developments regarding United States-Russian engagement and cooperation on security matters. Consultation.

(14) Other military and security developments involving Russia that the Secretary of Defense considers relevant to United States national security.

(c) SPECIFIED CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "specified congressional committees" means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Select Committee on Intelligence, and the majority leader and minority leader of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Speaker and minority leader of the House of Representatives.

Approved April 3, 2014.

LEGISLATIVE HISTORY—H.R. 4152:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 6, considered and passed House.
Mar. 25, 27, considered and passed Senate, amended.
Apr. 1, House concurred in Senate amendment.

Public Law 113–96
113th Congress

An Act

Apr. 3, 2014
[S. 2183]

United States international programming to Ukraine and neighboring regions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

22 USC 6211 note.

SECTION 1. FINDINGS AND DECLARATIONS.

(a) Congress finds and declares the following:

(1) The Russian Government has deliberately blocked the Ukrainian people's access to uncensored sources of information and has provided alternative news and information that is both inaccurate and inflammatory;

(2) United States international programming exists to advance the United States interests and values by presenting accurate and comprehensive news and information, which is the foundation for democratic governance;

(3) The opinions and views of the Ukrainian people, especially those people located in the eastern regions and Crimea, are not being accurately represented in Russian dominated mass media;

(4) Russian forces have seized more than five television stations in Crimea and taken over transmissions, switching to a 24/7 Russian propaganda format; this increase in programming augments the already robust pro-Russian programming to Ukraine;

(5) United States international programming has the potential to combat this anti-democratic propaganda.

(b) PROGRAMMING.—Radio Free Europe/Radio Liberty (RFE/RL), Incorporated, and the Voice of America service to Ukraine and neighboring regions shall—

(1) provide news and information that is accessible, credible, and accurate;

(2) emphasize investigative and analytical journalism to highlight inconsistencies and misinformation provided by Russian or pro-Russian media outlets;

(3) prioritize programming to areas where access to uncensored sources of information is limited or non-existent, especially populations serviced by Russian supported media outlets;

(4) increase the number of reporters and organizational presence in eastern Ukraine, especially in Crimea;

(5) promote democratic processes, respect for human rights, freedom of the press, and territorial sovereignty; and

(6) take necessary preparatory steps to continue and increase programming and content that promotes democracy and government transparency in Russia.

(c) PROGRAMMING SURGE.—RFE/RL, Incorporated, and Voice of America programming to Ukraine and neighboring regions shall—

(1) prioritize programming to eastern Ukraine, including Crimea, and Moldova, and to ethnic and linguistic Russian populations, as well as to Tatar minorities;

(2) prioritize news and information that directly contributes to the target audiences' understanding of political and economic developments in Ukraine and Moldova, including countering misinformation that may originate from other news outlets, especially Russian supported news outlets;

(3) provide programming content 24 hours a day, seven days a week to target populations, using all available and effective distribution outlets, including—

(A) at least 8 weekly hours of total original television and video content in Ukrainian, Russian, and Tatar languages, not inclusive of live video streaming coverage of breaking news, to be distributed on satellite, digital, and through regional television affiliates by the Voice of America; and

(B) at least 14 weekly hours the total audio content in Ukrainian, Russian, and Tatar languages to be distributed on satellite, digital, and through regional radio affiliates of RFE/RL, Incorporated;

(4) expand the use, audience, and audience engagement of mobile news and multimedia platforms by RFE/RL, Incorporated, and the Voice of America, including through Internet-based social networking platforms; and

(5) partner with private sector broadcasters and affiliates to seek and start co-production for new, original content, when possible, to increase distribution.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2014, in addition to funds otherwise made available for such purposes, up to $10,000,000 to carry out programming in the Ukrainian, Balkan, Russian, and Tatar language services of RFE/RL, Incorporated, and the Voice of America, for the purpose of bolstering existing United States programming to the people of Ukraine and neighboring regions, and increasing programming capacity and jamming circumvention technology to overcome any disruptions to service.

(e) REPORT.—Not later than 15 days after the date of the enactment of this Act, the Broadcasting Board of Governors shall submit to the Committees on Foreign Affairs and Appropriations of the House of Representatives and the Committees on Foreign

Relations and Appropriations of the Senate a detailed report on plans to increase broadcasts pursuant to subsections (a) and (b).

Approved April 3, 2014.

LEGISLATIVE HISTORY—S. 2183:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 27, considered and passed Senate.
Apr. 1, considered and passed House.

Public Law 113–97
113th Congress

An Act

To amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for cooperative and small employer charity pension plans.

Apr. 7, 2014
[H.R. 4275]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Cooperative and Small Employer Charity Pension Flexibility Act. 29 USC 1001 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Cooperative and Small Employer Charity Pension Flexibility Act".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. CONGRESSIONAL FINDINGS AND DECLARATIONS OF POLICY.

29 USC 1001 note.

Congress finds as follows:

(1) Defined benefit pension plans are a cost-effective way for cooperative associations and charities to provide their employees with economic security in retirement.

(2) Many cooperative associations and charitable organizations are only able to provide their employees with defined benefit pension plans because those organizations are able to pool their resources using the multiple employer plan structure.

(3) The pension funding rules should encourage cooperative associations and charities to continue to provide their employees with pension benefits.

SEC. 3. EFFECTIVE DATE.

29 USC 401 note.

Applicability.

Unless otherwise specified in this Act, the provisions of this Act shall apply to years beginning after December 31, 2013.

TITLE I—AMENDMENTS TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974 AND OTHER PROVISIONS

SEC. 101. DEFINITION OF COOPERATIVE AND SMALL EMPLOYER CHARITY PENSION PLANS.

Section 210 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1060) is amended by adding at the end the following new subsection:

"(f) COOPERATIVE AND SMALL EMPLOYER CHARITY PENSION PLANS.—

"(1) IN GENERAL.—For purposes of this title, except as provided in this subsection, a CSEC plan is an employee pension benefit plan (other than a multiemployer plan) that is a defined benefit plan—

Applicability.

"(A) to which section 104 of the Pension Protection Act of 2006 applies, without regard to—

"(i) section 104(a)(2) of such Act;

"(ii) the amendments to such section 104 by section 202(b) of the Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010; and

"(iii) paragraph (3)(B); or

"(B) that, as of June 25, 2010, was maintained by more than one employer and all of the employers were organizations described in section 501(c)(3) of the Internal Revenue Code of 1986.

"(2) AGGREGATION.—All employers that are treated as a single employer under subsection (b) or (c) of section 414 of the Internal Revenue Code of 1986 shall be treated as a single employer for purposes of determining if a plan was maintained by more than one employer under paragraph (1)(B).".

SEC. 102. FUNDING RULES APPLICABLE TO COOPERATIVE AND SMALL EMPLOYER CHARITY PENSION PLANS.

(a) IN GENERAL.—Part 3 of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1081 et seq.) is amended by adding at the end the following new section:

29 USC 1085a.

"SEC. 306. MINIMUM FUNDING STANDARDS.

Definition.

"(a) GENERAL RULE.—For purposes of section 302, the term 'accumulated funding deficiency' for a CSEC plan means the excess of the total charges to the funding standard account for all plan years (beginning with the first plan year to which section 302 applies) over the total credits to such account for such years or, if less, the excess of the total charges to the alternative minimum funding standard account for such plan years over the total credits to such account for such years.

"(b) FUNDING STANDARD ACCOUNT.—

"(1) ACCOUNT REQUIRED.—Each plan to which this section applies shall establish and maintain a funding standard account. Such account shall be credited and charged solely as provided in this section.

"(2) CHARGES TO ACCOUNT.—For a plan year, the funding standard account shall be charged with the sum of—

"(A) the normal cost of the plan for the plan year,

"(B) the amounts necessary to amortize in equal annual installments (until fully amortized)—

"(i) in the case of a plan in existence on January 1, 1974, the unfunded past service liability under the plan on the first day of the first plan year to which section 302 applies, over a period of 40 plan years,

"(ii) in the case of a plan which comes into existence after January 1, 1974, but before the first day of the first plan year beginning after December 31, 2013, the unfunded past service liability under the plan on the first day of the first plan year to which section 302 applies, over a period of 30 plan years,

"(iii) separately, with respect to each plan year, the net increase (if any) in unfunded past service liability under the plan arising from plan amendments adopted in such year, over a period of 15 plan years,

"(iv) separately, with respect to each plan year, the net experience loss (if any) under the plan, over a period of 5 plan years, and

"(v) separately, with respect to each plan year, the net loss (if any) resulting from changes in actuarial assumptions used under the plan, over a period of 10 plan years,

"(C) the amount necessary to amortize each waived funding deficiency (within the meaning of section 302(c)(3)) for each prior plan year in equal annual installments (until fully amortized) over a period of 5 plan years,

"(D) the amount necessary to amortize in equal annual installments (until fully amortized) over a period of 5 plan years any amount credited to the funding standard account under paragraph (3)(D), and

"(E) the amount necessary to amortize in equal annual installments (until fully amortized) over a period of 20 years the contributions which would be required to be made under the plan but for the provisions of section 302(c)(7)(A)(i)(I) (as in effect on the day before the enactment of the Pension Protection Act of 2006).

"(3) CREDITS TO ACCOUNT.—For a plan year, the funding standard account shall be credited with the sum of—

"(A) the amount considered contributed by the employer to or under the plan for the plan year,

"(B) the amount necessary to amortize in equal annual installments (until fully amortized)—

"(i) separately, with respect to each plan year, the net decrease (if any) in unfunded past service liability under the plan arising from plan amendments adopted in such year, over a period of 15 plan years,

"(ii) separately, with respect to each plan year, the net experience gain (if any) under the plan, over a period of 5 plan years, and

"(iii) separately, with respect to each plan year, the net gain (if any) resulting from changes in actuarial assumptions used under the plan, over a period of 10 plan years,

"(C) the amount of the waived funding deficiency (within the meaning of section 302(c)(3)) for the plan year, and

"(D) in the case of a plan year for which the accumulated funding deficiency is determined under the funding standard account if such plan year follows a plan year for which such deficiency was determined under the alternative minimum funding standard, the excess (if any) of any debit balance in the funding standard account (determined without regard to this subparagraph) over any debit balance in the alternative minimum funding standard account.

Regulations.

"(4) COMBINING AND OFFSETTING AMOUNTS TO BE AMORTIZED.—Under regulations prescribed by the Secretary of the Treasury, amounts required to be amortized under paragraph (2) or paragraph (3), as the case may be—

"(A) may be combined into one amount under such paragraph to be amortized over a period determined on the basis of the remaining amortization period for all items entering into such combined amount, and

"(B) may be offset against amounts required to be amortized under the other such paragraph, with the resulting amount to be amortized over a period determined on the basis of the remaining amortization periods for all items entering into whichever of the two amounts being offset is the greater.

"(5) INTEREST.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the funding standard account (and items therein) shall be charged or credited (as determined under regulations prescribed by the Secretary of the Treasury) with interest at the appropriate rate consistent with the rate or rates of interest used under the plan to determine costs.

"(B) EXCEPTION.—The interest rate used for purposes of computing the amortization charge described in subsection (b)(2)(C) or for purposes of any arrangement under subsection (d) for any plan year shall be the greater of—

"(i) 150 percent of the Federal mid-term rate (as in effect under section 1274 of the Internal Revenue Code of 1986 for the 1st month of such plan year), or

"(ii) the rate of interest determined under subparagraph (A).

"(6) AMORTIZATION SCHEDULES IN EFFECT.—Amortization schedules for amounts described in paragraphs (2) and (3) that are in effect as of the last day of the last plan year beginning before January 1, 2014, by reason of section 104 of the Pension Protection Act of 2006 shall remain in effect pursuant to their terms and this section, except that such amounts shall not be amortized again under this section.

"(c) SPECIAL RULES.—

"(1) DETERMINATIONS TO BE MADE UNDER FUNDING METHOD.—For purposes of this section, normal costs, accrued liability, past service liabilities, and experience gains and losses shall be determined under the funding method used to determine costs under the plan.

"(2) VALUATION OF ASSETS.—

Regulations.

"(A) IN GENERAL.—For purposes of this section, the value of the plan's assets shall be determined on the basis of any reasonable actuarial method of valuation which

takes into account fair market value and which is permitted under regulations prescribed by the Secretary of the Treasury.

"(B) DEDICATED BOND PORTFOLIO.—The Secretary of the Treasury may by regulations provide that the value of any dedicated bond portfolio of a plan shall be determined by using the interest rate under section 302(b)(5) (as in effect on the day before the enactment of the Pension Protection Act of 2006).

"(3) ACTUARIAL ASSUMPTIONS MUST BE REASONABLE.—For purposes of this section, all costs, liabilities, rates of interest, and other factors under the plan shall be determined on the basis of actuarial assumptions and methods— Determination.

"(A) each of which is reasonable (taking into account the experience of the plan and reasonable expectations), and

"(B) which, in combination, offer the actuary's best estimate of anticipated experience under the plan.

"(4) TREATMENT OF CERTAIN CHANGES AS EXPERIENCE GAIN OR LOSS.—For purposes of this section, if—

"(A) a change in benefits under the Social Security Act or in other retirement benefits created under Federal or State law, or

"(B) a change in the definition of the term 'wages' under section 3121 of the Internal Revenue Code of 1986 or a change in the amount of such wages taken into account under regulations prescribed for purposes of section 401(a)(5) of such Code,

results in an increase or decrease in accrued liability under a plan, such increase or decrease shall be treated as an experience loss or gain.

"(5) FUNDING METHOD AND PLAN YEAR.—

"(A) FUNDING METHODS AVAILABLE.—All funding methods available to CSEC plans under section 302 (as in effect on the day before the enactment of the Pension Protection Act of 2006) shall continue to be available under this section.

"(B) CHANGES.—If the funding method for a plan is changed, the new funding method shall become the funding method used to determine costs and liabilities under the plan only if the change is approved by the Secretary of the Treasury. If the plan year for a plan is changed, the new plan year shall become the plan year for the plan only if the change is approved by the Secretary of the Treasury.

"(C) APPROVAL REQUIRED FOR CERTAIN CHANGES IN ASSUMPTIONS BY CERTAIN SINGLE-EMPLOYER PLANS SUBJECT TO ADDITIONAL FUNDING REQUIREMENT.—

"(i) IN GENERAL.—No actuarial assumption (other than the assumptions described in subsection (h)(3)) used to determine the current liability for a plan to which this subparagraph applies may be changed without the approval of the Secretary of the Treasury.

"(ii) PLANS TO WHICH SUBPARAGRAPH APPLIES.—This subparagraph shall apply to a plan only if—

"(I) the plan is a CSEC plan,

"(II) the aggregate unfunded vested benefits as of the close of the preceding plan year (as determined under section 4006(a)(3)(E)(iii)) of such plan and all other plans maintained by the contributing sponsors (as defined in section 4001(a)(13)) and members of such sponsors' controlled groups (as defined in section 4001(a)(14)) which are covered by title IV (disregarding plans with no unfunded vested benefits) exceed $50,000,000, and

"(III) the change in assumptions (determined after taking into account any changes in interest rate and mortality table) results in a decrease in the funding shortfall of the plan for the current plan year that exceeds $50,000,000, or that exceeds $5,000,000 and that is 5 percent or more of the current liability of the plan before such change.

"(6) FULL FUNDING.—If, as of the close of a plan year, a plan would (without regard to this paragraph) have an accumulated funding deficiency (determined without regard to the alternative minimum funding standard account permitted under subsection (e)) in excess of the full funding limitation—

"(A) the funding standard account shall be credited with the amount of such excess, and

"(B) all amounts described in paragraphs (2)(B), (C), and (D) and (3)(B) of subsection (b) which are required to be amortized shall be considered fully amortized for purposes of such paragraphs.

"(7) FULL-FUNDING LIMITATION.—For purposes of paragraph (6), the term 'full-funding limitation' means the excess (if any) of—

"(A) the accrued liability (including normal cost) under the plan (determined under the entry age normal funding method if such accrued liability cannot be directly calculated under the funding method used for the plan), over

"(B) the lesser of—

"(i) the fair market value of the plan's assets, or

"(ii) the value of such assets determined under paragraph (2).

"(C) MINIMUM AMOUNT.—

"(i) IN GENERAL.—In no event shall the full-funding limitation determined under subparagraph (A) be less than the excess (if any) of—

"(I) 90 percent of the current liability (determined without regard to paragraph (4) of subsection (h)) of the plan (including the expected increase in such current liability due to benefits accruing during the plan year), over

"(II) the value of the plan's assets determined under paragraph (2).

"(ii) ASSETS.—For purposes of clause (i), assets shall not be reduced by any credit balance in the funding standard account.

"(8) ANNUAL VALUATION.—

Regulations.

"(A) IN GENERAL.—For purposes of this section, a determination of experience gains and losses and a valuation of the plan's liability shall be made not less frequently

than once every year, except that such determination shall be made more frequently to the extent required in particular cases under regulations prescribed by the Secretary of the Treasury.

"(B) VALUATION DATE.—

"(i) CURRENT YEAR.—Except as provided in clause (ii), the valuation referred to in subparagraph (A) shall be made as of a date within the plan year to which the valuation refers or within one month prior to the beginning of such year.

"(ii) USE OF PRIOR YEAR VALUATION.—The valuation referred to in subparagraph (A) may be made as of a date within the plan year prior to the year to which the valuation refers if, as of such date, the value of the assets of the plan are not less than 100 percent of the plan's current liability.

"(iii) ADJUSTMENTS.—Information under clause (ii) shall, in accordance with regulations, be actuarially adjusted to reflect significant differences in participants.

"(iv) LIMITATION.—A change in funding method to use a prior year valuation, as provided in clause (ii), may not be made unless as of the valuation date within the prior plan year, the value of the assets of the plan are not less than 125 percent of the plan's current liability.

"(9) TIME WHEN CERTAIN CONTRIBUTIONS DEEMED MADE.—For purposes of this section, any contributions for a plan year made by an employer during the period—

"(A) beginning on the day after the last day of such plan year, and

"(B) ending on the day which is 8½ months after the close of the plan year,

shall be deemed to have been made on such last day.

"(10) ANTICIPATION OF BENEFIT INCREASES EFFECTIVE IN THE FUTURE.—In determining projected benefits, the funding method of a collectively bargained CSEC plan described in section 413(a) of the Internal Revenue Code of 1986 shall anticipate benefit increases scheduled to take effect during the term of the collective bargaining agreement applicable to the plan.

"(d) EXTENSION OF AMORTIZATION PERIODS.—The period of years required to amortize any unfunded liability (described in any clause of subsection (b)(2)(B)) of any plan may be extended by the Secretary of the Treasury for a period of time (not in excess of 10 years) if such Secretary determines that such extension would carry out the purposes of this Act and provide adequate protection for participants under the plan and their beneficiaries, and if such Secretary determines that the failure to permit such extension would result in—

"(1) a substantial risk to the voluntary continuation of the plan, or

"(2) a substantial curtailment of pension benefit levels or employee compensation.

"(e) ALTERNATIVE MINIMUM FUNDING STANDARD.—

"(1) IN GENERAL.—A CSEC plan which uses a funding method that requires contributions in all years not less than

those required under the entry age normal funding method may maintain an alternative minimum funding standard account for any plan year. Such account shall be credited and charged solely as provided in this subsection.

"(2) CHARGES AND CREDITS TO ACCOUNT.—For a plan year the alternative minimum funding standard account shall be—

"(A) charged with the sum of—

"(i) the lesser of normal cost under the funding method used under the plan or normal cost determined under the unit credit method,

"(ii) the excess, if any, of the present value of accrued benefits under the plan over the fair market value of the assets, and

"(iii) an amount equal to the excess (if any) of credits to the alternative minimum standard account for all prior plan years over charges to such account for all such years, and

"(B) credited with the amount considered contributed by the employer to or under the plan for the plan year.

"(3) INTEREST.—The alternative minimum funding standard account (and items therein) shall be charged or credited with interest in the manner provided under subsection (b)(5) with respect to the funding standard account.

"(f) QUARTERLY CONTRIBUTIONS REQUIRED.—

"(1) IN GENERAL.—If a CSEC plan which has a funded current liability percentage for the preceding plan year of less than 100 percent fails to pay the full amount of a required installment for the plan year, then the rate of interest charged to the funding standard account under subsection (b)(5) with respect to the amount of the underpayment for the period of the underpayment shall be equal to the greater of—

"(A) 175 percent of the Federal mid-term rate (as in effect under section 1274 of the Internal Revenue Code of 1986 for the 1st month of such plan year), or

"(B) the rate of interest used under the plan in determining costs.

"(2) AMOUNT OF UNDERPAYMENT, PERIOD OF UNDERPAYMENT.—For purposes of paragraph (1)—

"(A) AMOUNT.—The amount of the underpayment shall be the excess of—

"(i) the required installment, over

"(ii) the amount (if any) of the installment contributed to or under the plan on or before the due date for the installment.

"(B) PERIOD OF UNDERPAYMENT.—The period for which interest is charged under this subsection with regard to any portion of the underpayment shall run from the due date for the installment to the date on which such portion is contributed to or under the plan (determined without regard to subsection (c)(9)).

"(C) ORDER OF CREDITING CONTRIBUTIONS.—For purposes of subparagraph (A)(ii), contributions shall be credited against unpaid required installments in the order in which such installments are required to be paid.

"(3) NUMBER OF REQUIRED INSTALLMENTS; DUE DATES.—For purposes of this subsection—

"(A) PAYABLE IN 4 INSTALLMENTS.—There shall be 4 required installments for each plan year.

"(B) TIME FOR PAYMENT OF INSTALLMENTS.—

"In the case of the following required installments:	**The due date is:**
1st	April 15
2nd	July 15
3rd	October 15
4th	January 15 of the following year.

"(4) AMOUNT OF REQUIRED INSTALLMENT.—For purposes of this subsection—

"(A) IN GENERAL.—The amount of any required installment shall be 25 percent of the required annual payment.

"(B) REQUIRED ANNUAL PAYMENT.—For purposes of subparagraph (A), the term 'required annual payment' means the lesser of—

"(i) 90 percent of the amount required to be contributed to or under the plan by the employer for the plan year under section 302 (without regard to any waiver under subsection (c) thereof), or

"(ii) 100 percent of the amount so required for the preceding plan year.

Clause (ii) shall not apply if the preceding plan year was not a year of 12 months.

"(5) LIQUIDITY REQUIREMENT.—

"(A) IN GENERAL.—A plan to which this paragraph applies shall be treated as failing to pay the full amount of any required installment to the extent that the value of the liquid assets paid in such installment is less than the liquidity shortfall (whether or not such liquidity shortfall exceeds the amount of such installment required to be paid but for this paragraph). Applicability.

"(B) PLANS TO WHICH PARAGRAPH APPLIES.—This paragraph shall apply to a CSEC plan other than a plan described in section 302(d)(6)(A) (as in effect on the day before the enactment of the Pension Protection Act of 2006) which—

"(i) is required to pay installments under this subsection for a plan year, and

"(ii) has a liquidity shortfall for any quarter during such plan year.

"(C) PERIOD OF UNDERPAYMENT.—For purposes of paragraph (1), any portion of an installment that is treated as not paid under subparagraph (A) shall continue to be treated as unpaid until the close of the quarter in which the due date for such installment occurs.

"(D) LIMITATION ON INCREASE.—If the amount of any required installment is increased by reason of subparagraph (A), in no event shall such increase exceed the amount which, when added to prior installments for the plan year, is necessary to increase the funded current liability percentage (taking into account the expected

increase in current liability due to benefits accruing during the plan year) to 100 percent.

"(E) DEFINITIONS.—For purposes of this paragraph—

"(i) LIQUIDITY SHORTFALL.—The term 'liquidity shortfall' means, with respect to any required installment, an amount equal to the excess (as of the last day of the quarter for which such installment is made) of the base amount with respect to such quarter over the value (as of such last day) of the plan's liquid assets.

"(ii) BASE AMOUNT.—

"(I) IN GENERAL.—The term 'base amount' means, with respect to any quarter, an amount equal to 3 times the sum of the adjusted disbursements from the plan for the 12 months ending on the last day of such quarter.

Certification. Determination.

"(II) SPECIAL RULE.—If the amount determined under subclause (I) exceeds an amount equal to 2 times the sum of the adjusted disbursements from the plan for the 36 months ending on the last day of the quarter and an enrolled actuary certifies to the satisfaction of the Secretary of the Treasury that such excess is the result of nonrecurring circumstances, the base amount with respect to such quarter shall be determined without regard to amounts related to those nonrecurring circumstances.

"(iii) DISBURSEMENTS FROM THE PLAN.—The term 'disbursements from the plan' means all disbursements from the trust, including purchases of annuities, payments of single sums and other benefits, and administrative expenses.

"(iv) ADJUSTED DISBURSEMENTS.—The term 'adjusted disbursements' means disbursements from the plan reduced by the product of—

"(I) the plan's funded current liability percentage for the plan year, and

"(II) the sum of the purchases of annuities, payments of single sums, and such other disbursements as the Secretary of the Treasury shall provide in regulations.

"(v) LIQUID ASSETS.—The term 'liquid assets' means cash, marketable securities and such other assets as specified by the Secretary of the Treasury in regulations.

"(vi) QUARTER.—The term 'quarter' means, with respect to any required installment, the 3-month period preceding the month in which the due date for such installment occurs.

"(F) REGULATIONS.—The Secretary of the Treasury may prescribe such regulations as are necessary to carry out this paragraph.

Applicability.

"(6) FISCAL YEARS AND SHORT YEARS.—

"(A) FISCAL YEARS.—In applying this subsection to a plan year beginning on any date other than January 1, there shall be substituted for the months specified in this subsection, the months which correspond thereto.

"(B) SHORT PLAN YEAR.—This subsection shall be applied to plan years of less than 12 months in accordance with regulations prescribed by the Secretary of the Treasury. Regulations.

"(g) IMPOSITION OF LIEN WHERE FAILURE TO MAKE REQUIRED CONTRIBUTIONS.—

"(1) IN GENERAL.—In the case of a plan to which this section applies, if— Applicability.

"(A) any person fails to make a required installment under subsection (f) or any other payment required under this section before the due date for such installment or other payment, and

"(B) the unpaid balance of such installment or other payment (including interest), when added to the aggregate unpaid balance of all preceding such installments or other payments for which payment was not made before the due date (including interest), exceeds $1,000,000,

then there shall be a lien in favor of the plan in the amount determined under paragraph (3) upon all property and rights to property, whether real or personal, belonging to such person and any other person who is a member of the same controlled group of which such person is a member.

"(2) PLANS TO WHICH SUBSECTION APPLIES.—This subsection shall apply to a CSEC plan for any plan year for which the funded current liability percentage of such plan is less than 100 percent. This subsection shall not apply to any plan to which section 4021 does not apply (as such section is in effect on the date of the enactment of the Retirement Protection Act of 1994).

"(3) AMOUNT OF LIEN.—For purposes of paragraph (1), the amount of the lien shall be equal to the aggregate unpaid balance of required installments and other payments required under this section (including interest)—

"(A) for plan years beginning after 1987, and

"(B) for which payment has not been made before the due date.

"(4) NOTICE OF FAILURE; LIEN.—

"(A) NOTICE OF FAILURE.—A person committing a failure described in paragraph (1) shall notify the Pension Benefit Guaranty Corporation of such failure within 10 days of the due date for the required installment or other payment.

"(B) PERIOD OF LIEN.—The lien imposed by paragraph (1) shall arise on the due date for the required installment or other payment and shall continue until the last day of the first plan year in which the plan ceases to be described in paragraph (1)(B). Such lien shall continue to run without regard to whether such plan continues to be described in paragraph (2) during the period referred to in the preceding sentence.

"(C) CERTAIN RULES TO APPLY.—Any amount with respect to which a lien is imposed under paragraph (1) shall be treated as taxes due and owing the United States and rules similar to the rules of subsections (c), (d), and (e) of section 4068 shall apply with respect to a lien imposed by subsection (a) and the amount with respect to such lien.

"(5) ENFORCEMENT.—Any lien created under paragraph (1) may be perfected and enforced only by the Pension Benefit Guaranty Corporation, or at the direction of the Pension Benefit Guaranty Corporation, by any contributing employer (or any member of the controlled group of the contributing employer).

"(6) DEFINITIONS.—For purposes of this subsection—

"(A) DUE DATE; REQUIRED INSTALLMENT.—The terms 'due date' and 'required installment' have the meanings given such terms by subsection (f), except that in the case of a payment other than a required installment, the due date shall be the date such payment is required to be made under this section.

"(B) CONTROLLED GROUP.—The term 'controlled group' means any group treated as a single employer under subsections (b), (c), (m), and (o) of section 414 of the Internal Revenue Code of 1986.

"(h) CURRENT LIABILITY.—For purposes of this section—

"(1) IN GENERAL.—The term 'current liability' means all liabilities to employees and their beneficiaries under the plan.

"(2) TREATMENT OF UNPREDICTABLE CONTINGENT EVENT BENEFITS.—

"(A) IN GENERAL.—For purposes of paragraph (1), any unpredictable contingent event benefit shall not be taken into account until the event on which the benefit is contingent occurs.

"(B) UNPREDICTABLE CONTINGENT EVENT BENEFIT.—The term 'unpredictable contingent event benefit' means any benefit contingent on an event other than—

"(i) age, service, compensation, death, or disability, or

"(ii) an event which is reasonably and reliably predictable (as determined by the Secretary of the Treasury).

"(3) INTEREST RATE AND MORTALITY ASSUMPTIONS USED.—

"(A) INTEREST RATE.—The rate of interest used to determine current liability under this section shall be the third segment rate determined under section 303(h)(2)(C).

"(B) MORTALITY TABLES.—

"(i) SECRETARIAL AUTHORITY.—The Secretary of the Treasury may by regulation prescribe mortality tables to be used in determining current liability under this subsection. Such tables shall be based upon the actual experience of pension plans and projected trends in such experience. In prescribing such tables, the Secretary of the Treasury shall take into account results of available independent studies of mortality of individuals covered by pension plans.

Regulations.

"(ii) PERIODIC REVIEW.—The Secretary of the Treasury shall periodically (at least every 5 years) review any tables in effect under this subsection and shall, to the extent the Secretary of the Treasury determines necessary, by regulation update the tables to reflect the actual experience of pension plans and projected trends in such experience.

"(C) SEPARATE MORTALITY TABLES FOR THE DISABLED.—Notwithstanding subparagraph (B)—

"(i) IN GENERAL.—In the case of plan years beginning after December 31, 1995, the Secretary of the Treasury shall establish mortality tables which may be used (in lieu of the tables under subparagraph (B)) to determine current liability under this subsection for individuals who are entitled to benefits under the plan on account of disability. The Secretary of the Treasury shall establish separate tables for individuals whose disabilities occur in plan years beginning before January 1, 1995, and for individuals whose disabilities occur in plan years beginning on or after such date.

"(ii) SPECIAL RULE FOR DISABILITIES OCCURRING AFTER 1994.—In the case of disabilities occurring in plan years beginning after December 31, 1994, the tables under clause (i) shall apply only with respect to individuals described in such subclause who are disabled within the meaning of title II of the Social Security Act and the regulations thereunder. Applicability.

"(4) CERTAIN SERVICE DISREGARDED.—

"(A) IN GENERAL.—In the case of a participant to whom this paragraph applies, only the applicable percentage of the years of service before such individual became a participant shall be taken into account in computing the current liability of the plan. Applicability.

"(B) APPLICABLE PERCENTAGE.—For purposes of this subparagraph, the applicable percentage shall be determined as follows:

"If the years of participation are:	**The applicable percentage is:**
1	20
2	40
3	60
4	80
5 or more	100.

"(C) PARTICIPANTS TO WHOM PARAGRAPH APPLIES.—This subparagraph shall apply to any participant who, at the time of becoming a participant—

"(i) has not accrued any other benefit under any defined benefit plan (whether or not terminated) maintained by the employer or a member of the same controlled group of which the employer is a member,

"(ii) who first becomes a participant under the plan in a plan year beginning after December 31, 1987, and

"(iii) has years of service greater than the minimum years of service necessary for eligibility to participate in the plan.

"(D) ELECTION.—An employer may elect not to have this subparagraph apply. Such an election, once made, may be revoked only with the consent of the Secretary of the Treasury.

Definition.

"(i) FUNDED CURRENT LIABILITY PERCENTAGE.—For purposes of this section, the term 'funded current liability percentage' means, with respect to any plan year, the percentage which—

"(1) the value of the plan's assets determined under subsection (c)(2), is of

"(2) the current liability under the plan.

"(j) FUNDING RESTORATION STATUS.—Notwithstanding any other provisions of this section—

"(1) NORMAL COST PAYMENT.—

Definitions.

"(A) IN GENERAL.—In the case of a CSEC plan that is in funding restoration status for a plan year, for purposes of section 302, the term 'accumulated funding deficiency' means, for such plan year, the greater of—

"(i) the amount described in subsection (a), or

"(ii) the excess of the normal cost of the plan for the plan year over the amount actually contributed to or under the plan for the plan year.

"(B) NORMAL COST.—In the case of a CSEC plan that uses a spread gain funding method, for purposes of this subsection, the term 'normal cost' means normal cost as determined under the entry age normal funding method.

"(2) PLAN AMENDMENTS.—In the case of a CSEC plan that is in funding restoration status for a plan year, no amendment to such plan may take effect during such plan year if such amendment has the effect of increasing liabilities of the plan by means of increases in benefits, establishment of new benefits, changing the rate of benefit accrual, or changing the rate at which benefits become nonforfeitable. This paragraph shall not apply to any plan amendment that is required to comply with any applicable law. This paragraph shall cease to apply with respect to any plan year, effective as of the first day of the plan year (or if later, the effective date of the amendment) upon payment by the plan sponsor of a contribution to the plan (in addition to any contribution required under this section without regard to this paragraph) in an amount equal to the increase in the funding liability of the plan attributable to the plan amendment.

Termination date.

Deadline. Certification.

"(3) FUNDING RESTORATION PLAN.—The sponsor of a CSEC plan shall establish a written funding restoration plan within 180 days of the receipt by the plan sponsor of a certification from the plan actuary that the plan is in funding restoration status for a plan year. Such funding restoration plan shall consist of actions that are calculated, based on reasonably anticipated experience and reasonable actuarial assumptions, to increase the plan's funded percentage to 100 percent over a period that is not longer than the greater of 7 years or the shortest amount of time practicable. Such funding restoration plan shall take into account contributions required under this section (without regard to this paragraph). If a plan remains in funding restoration status for 2 or more years, such funding restoration plan shall be updated each year after the 1st such year within 180 days of receipt by the plan sponsor of a certification from the plan actuary that the plan remains in funding restoration status for the plan year.

Deadline.

"(4) ANNUAL CERTIFICATION BY PLAN ACTUARY.—Not later than the 90th day of each plan year of a CSEC plan, the plan actuary shall certify to the plan sponsor whether or not

the plan is in funding restoration status for the plan year, based on the plan's funded percentage as of the beginning of the plan year. For this purpose, the actuary may conclusively rely on an estimate of—

"(A) the plan's funding liability, based on the funding liability of the plan for the preceding plan year and on reasonable actuarial estimates, assumptions, and methods, and

"(B) the amount of any contributions reasonably anticipated to be made for the preceding plan year.

Contributions described in subparagraph (B) shall be taken into account in determining the plan's funded percentage as of the beginning of the plan year.

"(5) DEFINITIONS.—For purposes of this subsection—

"(A) FUNDING RESTORATION STATUS.—A CSEC plan shall be treated as in funding restoration status for a plan year if the plan's funded percentage as of the beginning of such plan year is less than 80 percent.

"(B) FUNDED PERCENTAGE.—The term 'funded percentage' means the ratio (expressed as a percentage) which—

"(i) the value of plan assets (as determined under subsection (c)(2)), bears to

"(ii) the plan's funding liability.

"(C) FUNDING LIABILITY.—The term 'funding liability' for a plan year means the present value of all benefits accrued or earned under the plan as of the beginning of the plan year, based on the assumptions used by the plan pursuant to this section, including the interest rate described in subsection (b)(5)(A) (without regard to subsection (b)(5)(B)).

"(D) SPREAD GAIN FUNDING METHOD.—The term 'spread gain funding method' has the meaning given such term under rules and forms issued by the Secretary of the Treasury.".

(b) SEPARATE RULES FOR CSEC PLANS.—

(1) IN GENERAL.—Paragraph (2) of section 302(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1082(a)) is amended by striking "and" at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting ", and", and by inserting at the end thereof the following new subparagraph:

"(D) in the case of a CSEC plan, the employers make contributions to or under the plan for any plan year which, in the aggregate, are sufficient to ensure that the plan does not have an accumulated funding deficiency under section 306 as of the end of the plan year.".

(2) CONFORMING AMENDMENTS.—Section 302 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1082) is amended—

(A) by striking "multiemployer plan" the first place it appears in clause (i) of subsection (c)(1)(A) and the last place it appears in paragraph (2) of subsection (d), and inserting "multiemployer plan or a CSEC plan",

(B) by striking "303(j)" in paragraph (1) of subsection (b) and inserting "303(j) or under section 306(f)",

(C)(i) by striking "and" at the end of clause (i) of subsection (c)(1)(B),

(ii) by striking the period at the end of clause (ii) of subsection (c)(1)(B), and inserting ", and", and

(iii) by inserting the following new clause after clause (ii) of subsection (c)(1)(B):

"(iii) in the case of a CSEC plan, the funding standard account shall be credited under section 306(b)(3)(C) with the amount of the waived funding deficiency and such amount shall be amortized as required under section 306(b)(2)(C).",

(D) by striking "under paragraph (1)" in clause (i) of subsection (c)(4)(A) and inserting "under paragraph (1) or for granting an extension under section 306(d)",

(E) by striking "waiver under this subsection" in subparagraph (B) of subsection (c)(4) and inserting "waiver under this subsection or an extension under 306(d)",

(F) by striking "waiver or modification" in subclause (I) of subsection (c)(4)(B)(i) and inserting "waiver, modification, or extension",

(G) by striking "waivers" in the heading of subsection (c)(4)(C) and of clause (ii) of subsection (c)(4)(C) and inserting "waivers or extensions",

(H) by striking "section 304(d)" in subparagraph (A) of subsection (c)(7) and in paragraph (2) of subsection (d) and inserting "section 304(d) or section 306(d)",

(I) by striking "and" at the end of subclause (I) of subsection (c)(4)(C)(i) and adding "or the accumulated funding deficiency under section 306, whichever is applicable,",

(J) by striking "303(e)(2)," in subclause (II) of subsection (c)(4)(C)(i) and inserting "303(e)(2) or 306(b)(2)(C), whichever is applicable, and",

(K) by adding immediately after subclause (II) of subsection (c)(4)(C)(i) the following new subclause:

"(III) the total amounts not paid by reason of an extension in effect under section 306(d),",

(L) by striking "for waivers of" in clause (ii) of subsection (c)(4)(C) and inserting "for waivers or extensions with respect to", and

(M) by striking "single-employer plan" in subparagraph (A) of subsection (a)(2) and in clause (i) of subsection (c)(1)(B) and inserting "single-employer plan (other than a CSEC plan)".

(3) BENEFIT RESTRICTIONS.—Subsection (g) of section 206 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056) is amended by adding at the end thereof the following new paragraph:

"(12) CSEC PLANS.—This subsection shall not apply to a CSEC plan (as defined in section 210(f)).".

(4) BENEFIT INCREASES.—Paragraph (3) of section 204(i) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(i)) is amended by striking "multiemployer plans" and inserting "multiemployer plans or CSEC plans".

(5) SECTION 103.—Subparagraph (B) of section 103(d)(8) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1023(d)(8)) is amended by striking "303(h) and 304(c)(3)" and inserting "303(h), 304(c)(3), and 306(c)(3)".

(6) SECTION 502.—Subsection (c) of section 502 of the Employee Retirement Income Security Act of 1974 is amended— 29 USC 1132.

(A) by redesignating the last paragraph as paragraph (11), and

(B) by adding at the end the following new paragraph:

"(12) The Secretary may assess a civil penalty against any sponsor of a CSEC plan of up to $100 a day from the date of the plan sponsor's failure to comply with the requirements of section 306(j)(3) to establish or update a funding restoration plan.".

(7) SECTION 4003.—Subparagraph (B) of section 4003(e)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1303(e)(1)) is amended by striking "303(k)(1)(A) and (B) of this Act or section 430(k)(1)(A) and (B) of the Internal Revenue Code of 1986" and inserting "303(k)(1)(A) and (B) or 306(g)(1)(A) and (B) of this Act or section 430(k)(1)(A) and (B) or 433(g)(1)(A) and (B) of the Internal Revenue Code of 1986".

(8) SECTION 4010.—Paragraph (2) of section 4010(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1310(b)) is amended by striking "303(k)(1)(A) and (B) of this Act or section 430(k)(1)(A) and (B) of the Internal Revenue Code of 1986" and inserting "303(k)(1)(A) and (B) or 306(g)(1)(A) and (B) of this Act or section 430(k)(1)(A) and (B) or 433(g)(1)(A) and (B) of the Internal Revenue Code of 1986".

(9) SECTION 4071.—Section 4071 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1371) is amended by striking "section 303(k)(4)" and inserting "section 303(k)(4) or 306(g)(4)".

SEC. 103. ELECTIONS.

(a) ELECTION NOT TO BE TREATED AS A CSEC PLAN.—Subsection (f) of section 210 of the Employee Retirement Income Security Act of 1974, as added by section 101, is amended by adding at the end the following new paragraph:

"(3) ELECTION.—

"(A) IN GENERAL.—If a plan falls within the definition of a CSEC plan under this subsection (without regard to this paragraph), such plan shall be a CSEC plan unless the plan sponsor elects not later than the close of the first plan year of the plan beginning after December 31, 2013, not to be treated as a CSEC plan. An election under the preceding sentence shall take effect for such plan year and, once made, may be revoked only with the consent of the Secretary of the Treasury. Deadline.

"(B) SPECIAL RULE.—If a plan described in subparagraph (A) is treated as a CSEC plan, section 104 of the Pension Protection Act of 2006, as amended by the Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010, shall cease to apply to such plan as of the first date as of which such plan is treated as a CSEC plan.".

(b) ELECTION TO CEASE TO BE TREATED AS AN ELIGIBLE CHARITY PLAN.—Subsection (d) of section 104 of the Pension Protection Act of 2006, as added by section 202 of the Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010, is amended— 26 USC 401 note.

(1) by striking "For purposes of" and inserting "(1) IN GENERAL.—For purposes of", and

(2) by adding at the end the following:

"(2) ELECTION NOT TO BE AN ELIGIBLE CHARITY PLAN.—A plan sponsor may elect for a plan to cease to be treated as an eligible charity plan for plan years beginning after December 31, 2013. Such election shall be made at such time and in such form and manner as shall be prescribed by the Secretary of the Treasury. Any such election may be revoked only with the consent of the Secretary of the Treasury.

"(3) ELECTION TO USE FUNDING OPTIONS AVAILABLE TO OTHER PLAN SPONSORS.—

"(A) A plan sponsor that makes the election described in paragraph (2) may elect for a plan to apply the rules described in subparagraphs (B), (C), and (D) for plan years beginning after December 31, 2013. Such election shall be made at such time and in such form and manner as shall be prescribed by the Secretary of the Treasury. Any such election may be revoked only with the consent of the Secretary of the Treasury.

"(B) Under the rules described in this subparagraph, for the first plan year beginning after December 31, 2013, a plan has—

"(i) an 11-year shortfall amortization base,

"(ii) a 12-year shortfall amortization base, and

"(iii) a 7-year shortfall amortization base.

Applicability.

"(C) Under the rules described in this subparagraph, section 303(c)(2)(A) and (B) of the Employee Retirement Income Security Act of 1974, and section 430(c)(2)(A) and (B) of the Internal Revenue Code of 1986 shall be applied by—

"(i) in the case of an 11-year shortfall amortization base, substituting '11-plan-year period' for '7-plan-year period' wherever such phrase appears, and

"(ii) in the case of a 12-year shortfall amortization base, substituting '12-plan-year period' for '7-plan-year period' wherever such phrase appears.

Applicability.

"(D) Under the rules described in this subparagraph, section 303(c)(7) of the Employee Retirement Income Security Act of 1974 and section 430(c)(7) of the Internal Revenue Code of 1986 shall apply to a plan for which an election has been made under subparagraph (A). Such provisions shall apply in the following manner:

"(i) The first plan year beginning after December 31, 2013, shall be treated as an election year, and no other plan years shall be so treated.

"(ii) All references in section 303(c)(7) of such Act and section 430(c)(7) of such Code to 'February 28, 2010' or 'March 1, 2010' shall be treated as references to 'February 28, 2013' or 'March 1, 2013', respectively.

"(E) For purposes of this paragraph, the 11-year amortization base is an amount, determined for the first plan year beginning after December 31, 2013, equal to the unamortized principal amount of the shortfall amortization base (as defined in section 303(c)(3) of the Employee Retirement Income Security Act of 1974 and section 430(c)(3) of the Internal Revenue Code of 1986) that would

have applied to the plan for the first plan beginning after December 31, 2009, if—

"(i) the plan had never been an eligible charity plan,

"(ii) the plan sponsor had made the election described in section 303(c)(2)(D)(i) of the Employee Retirement Income Security Act of 1974 and in section 430(c)(2)(D)(i) of the Internal Revenue Code of 1986 to have section 303(c)(2)(D)(i) of such Act and section 430(c)(2)(D)(iii) of such Code apply with respect to the shortfall amortization base for the first plan year beginning after December 31, 2009, and Applicability.

"(iii) no event had occurred under paragraph (6) or (7) of section 303(c) of such Act or paragraph (6) or (7) of section 430(c) of such Code that, as of the first day of the first plan year beginning after December 31, 2013, would have modified the shortfall amortization base or the shortfall amortization installments with respect to the first plan year beginning after December 31, 2009.

"(F) For purposes of this paragraph, the 12-year amortization base is an amount, determined for the first plan year beginning after December 31, 2013, equal to the unamortized principal amount of the shortfall amortization base (as defined in section 303(c)(3) of the Employee Retirement Income Security Act of 1974 and section 430(c)(3) of the Internal Revenue Code of 1986) that would have applied to the plan for the first plan beginning after December 31, 2010, if— Applicability.

"(i) the plan had never been an eligible charity plan,

"(ii) the plan sponsor had made the election described in section 303(c)(2)(D)(i) of the Employee Retirement Income Security Act of 1974 and in section 430(c)(2)(D)(i) of the Internal Revenue Code of 1986 to have section 303(c)(2)(D)(i) of such Act and section 430(c)(2)(D)(iii) of such Code apply with respect to the shortfall amortization base for the first plan year beginning after December 31, 2010, and

"(iii) no event had occurred under paragraph (6) or (7) of section 303(c) of such Act or paragraph (6) or (7) of section 430(c) of such Code that, as of the first day of the first plan year beginning after December 31, 2013, would have modified the shortfall amortization base or the shortfall amortization installments with respect to the first plan year beginning after December 31, 2010.

"(G) For purposes of this paragraph, the 7-year shortfall amortization base is an amount, determined for the first plan year beginning after December 31, 2013, equal to—

"(i) the shortfall amortization base for the first plan year beginning after December 31, 2013, without regard to this paragraph, minus

"(ii) the sum of the 11-year shortfall amortization base and the 12-year shortfall amortization base.

Deadline.

"(4) RETROACTIVE ELECTION.—Not later than December 31, 2014, a plan sponsor may make a one-time, irrevocable, retroactive election to not be treated as an eligible charity plan. Such election shall be effective for plan years beginning after December 31, 2007, and shall be made by providing reasonable notice to the Secretary of the Treasury.".

Effective date.

26 USC 410 note.

(c) DEEMED ELECTION.—For purposes of the Internal Revenue Code of 1986, sections 4(b)(2) and 4021(b)(3) of the Employee Retirement Income Security Act of 1974, and all other purposes, a plan shall be deemed to have made an irrevocable election under section 410(d) of the Internal Revenue Code of 1986 if—

(1) the plan was established before January 1, 2014;

(2) the plan falls within the definition of a CSEC plan;

(3) the plan sponsor does not make an election under section 210(f)(3)(A) of the Employee Retirement Income Security Act of 1974 and section 414(y)(3)(A) of the Internal Revenue Code of 1986, as added by this Act; and

(4) the plan, plan sponsor, administrator, or fiduciary remits one or more premium payments for the plan to the Pension Benefit Guaranty Corporation for a plan year beginning after December 31, 2013.

26 USC 1060 note.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply as of the date of enactment of this Act.

SEC. 104. TRANSPARENCY.

(a) NOTICE TO PARTICIPANTS.—

(1) IN GENERAL.—Paragraph (2) of section 101(f) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021(f)) is amended by adding at the end the following new subparagraph:

"(E) EFFECT OF CSEC PLAN RULES ON PLAN FUNDING.—In the case of a CSEC plan, each notice under paragraph (1) shall include—

"(i) a statement that different rules apply to CSEC plans than apply to single-employer plans,

"(ii) for the first 2 plan years beginning after December 31, 2013, a statement that, as a result of changes in the law made by the Cooperative and Small Employer Charity Pension Flexibility Act, the contributions to the plan may have changed, and

"(iii) in the case of a CSEC plan that is in funding restoration status for the plan year, a statement that the plan is in funding restoration status for such plan year.

A copy of the statement required under clause (iii) shall be provided to the Secretary, the Secretary of the Treasury, and the Director of the Pension Benefit Guaranty Corporation.".

29 USC 1021 note.

(2) MODEL NOTICE.—The Secretary of Labor may modify the model notice required to be published under section 501(c) of the Pension Protection Act of 2006 to include the information described in section 101(f)(2)(E) of the Employee Retirement Income Security Act of 1974, as added by this subsection.

(b) NOTICE OF FAILURE TO MEET MINIMUM FUNDING STANDARDS.—

(1) PENDING WAIVERS.—Paragraph (2) of section 101(d) of the Employee Retirement Income Security Act of 1974 (29

U.S.C. 1021(d)) is amended by striking "303" and inserting "303 or 306".

(2) DEFINITIONS.—Paragraph (3) of section 101(d) of the Employee Retirement Income Security Act of 1974 (21 U.S.C. 1021(d)) is amended by striking "303(j)" and inserting "303(j) or 306(f), whichever is applicable".

(c) ADDITIONAL REPORTING REQUIREMENTS.—Section 103 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1023) is amended by adding at the end the following new subsection:

"(g) ADDITIONAL INFORMATION WITH RESPECT TO MULTIPLE EMPLOYER PLANS.—With respect to any multiple employer plan, an annual report under this section for a plan year shall include a list of participating employers and a good faith estimate of the percentage of total contributions made by such participating employers during the plan year.".

SEC. 105. SPONSOR EDUCATION AND ASSISTANCE. 29 USC 1304a.

(a) DEFINITION.—In this section, the term "CSEC plan" has the meaning given that term in subsection (f)(1) of section 210 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1060(f)(1)) (as added by this Act).

(b) EDUCATION.—The Participant and Plan Sponsor Advocate established under section 4004 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1304) shall make itself available to assist CSEC plan sponsors and participants as part of the duties it performs under the general supervision of the Board of Directors under section 4004(b) of such Act (29 U.S.C. 1304(b)).

TITLE II—AMENDMENTS TO INTERNAL REVENUE CODE OF 1986

SEC. 201. DEFINITION OF COOPERATIVE AND SMALL EMPLOYER CHARITY PENSION PLANS.

Section 414 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection: 26 USC 414.

"(y) COOPERATIVE AND SMALL EMPLOYER CHARITY PENSION PLANS.—

"(1) IN GENERAL.—For purposes of this title, except as provided in this subsection, a CSEC plan is a defined benefit plan (other than a multiemployer plan)—

"(A) to which section 104 of the Pension Protection Act of 2006 applies, without regard to— Applicability.

"(i) section 104(a)(2) of such Act;

"(ii) the amendments to such section 104 by section 202(b) of the Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010; and

"(iii) paragraph (3)(B); or

"(B) that, as of June 25, 2010, was maintained by more than one employer and all of the employers were organizations described in section 501(c)(3).

"(2) AGGREGATION.—All employers that are treated as a single employer under subsection (b) or (c) shall be treated as a single employer for purposes of determining if a plan was maintained by more than one employer under paragraph (1)(B).".

SEC. 202. FUNDING RULES APPLICABLE TO COOPERATIVE AND SMALL EMPLOYER CHARITY PENSION PLANS.

(a) IN GENERAL.—Subpart A of part III of subchapter D of chapter 1 of subtitle A of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

26 USC 433.

"SEC. 433. MINIMUM FUNDING STANDARDS.

"(a) GENERAL RULE.—For purposes of section 412, the term 'accumulated funding deficiency' for a CSEC plan means the excess of the total charges to the funding standard account for all plan years (beginning with the first plan year to which section 412 applies) over the total credits to such account for such years or, if less, the excess of the total charges to the alternative minimum funding standard account for such plan years over the total credits to such account for such years.

"(b) FUNDING STANDARD ACCOUNT.—

Applicability.

"(1) ACCOUNT REQUIRED.—Each plan to which this section applies shall establish and maintain a funding standard account. Such account shall be credited and charged solely as provided in this section.

Time period.

"(2) CHARGES TO ACCOUNT.—For a plan year, the funding standard account shall be charged with the sum of—

"(A) the normal cost of the plan for the plan year,

"(B) the amounts necessary to amortize in equal annual installments (until fully amortized)—

"(i) in the case of a plan in existence on January 1, 1974, the unfunded past service liability under the plan on the first day of the first plan year to which section 412 applies, over a period of 40 plan years,

"(ii) in the case of a plan which comes into existence after January 1, 1974, but before the first day of the first plan year beginning after December 31, 2013, the unfunded past service liability under the plan on the first day of the first plan year to which section 412 applies, over a period of 30 plan years,

"(iii) separately, with respect to each plan year, the net increase (if any) in unfunded past service liability under the plan arising from plan amendments adopted in such year, over a period of 15 plan years,

"(iv) separately, with respect to each plan year, the net experience loss (if any) under the plan, over a period of 5 plan years, and

"(v) separately, with respect to each plan year, the net loss (if any) resulting from changes in actuarial assumptions used under the plan, over a period of 10 plan years,

"(C) the amount necessary to amortize each waived funding deficiency (within the meaning of section 412(c)(3)) for each prior plan year in equal annual installments (until fully amortized) over a period of 5 plan years,

"(D) the amount necessary to amortize in equal annual installments (until fully amortized) over a period of 5 plan years any amount credited to the funding standard account under paragraph (3)(D), and

"(E) the amount necessary to amortize in equal annual installments (until fully amortized) over a period of 20 years the contributions which would be required to be

made under the plan but for the provisions of section 412(c)(7)(A)(i)(I) (as in effect on the day before the enactment of the Pension Protection Act of 2006).

"(3) CREDITS TO ACCOUNT.—For a plan year, the funding standard account shall be credited with the sum of—

"(A) the amount considered contributed by the employer to or under the plan for the plan year,

"(B) the amount necessary to amortize in equal annual installments (until fully amortized)— Time periods.

"(i) separately, with respect to each plan year, the net decrease (if any) in unfunded past service liability under the plan arising from plan amendments adopted in such year, over a period of 15 plan years,

"(ii) separately, with respect to each plan year, the net experience gain (if any) under the plan, over a period of 5 plan years, and

"(iii) separately, with respect to each plan year, the net gain (if any) resulting from changes in actuarial assumptions used under the plan, over a period of 10 plan years,

"(C) the amount of the waived funding deficiency (within the meaning of section 412(c)(3)) for the plan year, and

"(D) in the case of a plan year for which the accumulated funding deficiency is determined under the funding standard account if such plan year follows a plan year for which such deficiency was determined under the alternative minimum funding standard, the excess (if any) of any debit balance in the funding standard account (determined without regard to this subparagraph) over any debit balance in the alternative minimum funding standard account.

"(4) COMBINING AND OFFSETTING AMOUNTS TO BE AMORTIZED.—Under regulations prescribed by the Secretary, amounts required to be amortized under paragraph (2) or paragraph (3), as the case may be— Regulations.

"(A) may be combined into one amount under such paragraph to be amortized over a period determined on the basis of the remaining amortization period for all items entering into such combined amount, and

"(B) may be offset against amounts required to be amortized under the other such paragraph, with the resulting amount to be amortized over a period determined on the basis of the remaining amortization periods for all items entering into whichever of the two amounts being offset is the greater.

"(5) INTEREST.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the funding standard account (and items therein) shall be charged or credited (as determined under regulations prescribed by the Secretary) with interest at the appropriate rate consistent with the rate or rates of interest used under the plan to determine costs. Regulations.

"(B) EXCEPTION.—The interest rate used for purposes of computing the amortization charge described in subsection (b)(2)(C) or for purposes of any arrangement under subsection (d) for any plan year shall be the greater of—

"(i) 150 percent of the Federal mid-term rate (as in effect under section 1274 for the 1st month of such plan year), or

"(ii) the rate of interest determined under subparagraph (A).

"(6) AMORTIZATION SCHEDULES IN EFFECT.—Amortization schedules for amounts described in paragraphs (2) and (3) that are in effect as of the last day of the last plan year beginning before January 1, 2014, by reason of section 104 of the Pension Protection Act of 2006 shall remain in effect pursuant to their terms and this section, except that such amounts shall not be amortized again under this section.

"(c) SPECIAL RULES.—

"(1) DETERMINATIONS TO BE MADE UNDER FUNDING METHOD.—For purposes of this section, normal costs, accrued liability, past service liabilities, and experience gains and losses shall be determined under the funding method used to determine costs under the plan.

"(2) VALUATION OF ASSETS.—

"(A) IN GENERAL.—For purposes of this section, the value of the plan's assets shall be determined on the basis of any reasonable actuarial method of valuation which takes into account fair market value and which is permitted under regulations prescribed by the Secretary.

"(B) DEDICATED BOND PORTFOLIO.—The Secretary may by regulations provide that the value of any dedicated bond portfolio of a plan shall be determined by using the interest rate under section 412(b)(5) (as in effect on the day before the enactment of the Pension Protection Act of 2006).

"(3) ACTUARIAL ASSUMPTIONS MUST BE REASONABLE.—For purposes of this section, all costs, liabilities, rates of interest, and other factors under the plan shall be determined on the basis of actuarial assumptions and methods—

"(A) each of which is reasonable (taking into account the experience of the plan and reasonable expectations), and

"(B) which, in combination, offer the actuary's best estimate of anticipated experience under the plan.

"(4) TREATMENT OF CERTAIN CHANGES AS EXPERIENCE GAIN OR LOSS.—For purposes of this section, if—

"(A) a change in benefits under the Social Security Act or in other retirement benefits created under Federal or State law, or

"(B) a change in the definition of the term 'wages' under section 3121 or a change in the amount of such wages taken into account under regulations prescribed for purposes of section 401(a)(5),

results in an increase or decrease in accrued liability under a plan, such increase or decrease shall be treated as an experience loss or gain.

"(5) FUNDING METHOD AND PLAN YEAR.—

"(A) FUNDING METHODS AVAILABLE.—All funding methods available to CSEC plans under section 412 (as in effect on the day before the enactment of the Pension Protection Act of 2006) shall continue to be available under this section.

"(B) CHANGES.—If the funding method for a plan is changed, the new funding method shall become the funding method used to determine costs and liabilities under the plan only if the change is approved by the Secretary. If the plan year for a plan is changed, the new plan year shall become the plan year for the plan only if the change is approved by the Secretary.

"(C) APPROVAL REQUIRED FOR CERTAIN CHANGES IN ASSUMPTIONS BY CERTAIN SINGLE-EMPLOYER PLANS SUBJECT TO ADDITIONAL FUNDING REQUIREMENT.—

"(i) IN GENERAL.—No actuarial assumption (other than the assumptions described in subsection (h)(3)) used to determine the current liability for a plan to which this subparagraph applies may be changed without the approval of the Secretary.

"(ii) PLANS TO WHICH SUBPARAGRAPH APPLIES.—This subparagraph shall apply to a plan only if—

"(I) the plan is a CSEC plan,

"(II) the aggregate unfunded vested benefits as of the close of the preceding plan year (as determined under section 4006(a)(3)(E)(iii) of the Employee Retirement Income Security Act of 1974) of such plan and all other plans maintained by the contributing sponsors (as defined in section 4001(a)(13) of such Act) and members of such sponsors' controlled groups (as defined in section 4001(a)(14) of such Act) which are covered by title IV (disregarding plans with no unfunded vested benefits) exceed $50,000,000, and

"(III) the change in assumptions (determined after taking into account any changes in interest rate and mortality table) results in a decrease in the funding shortfall of the plan for the current plan year that exceeds $50,000,000, or that exceeds $5,000,000 and that is 5 percent or more of the current liability of the plan before such change.

"(6) FULL FUNDING.—If, as of the close of a plan year, a plan would (without regard to this paragraph) have an accumulated funding deficiency (determined without regard to the alternative minimum funding standard account permitted under subsection (e)) in excess of the full funding limitation—

"(A) the funding standard account shall be credited with the amount of such excess, and

"(B) all amounts described in paragraphs (2)(B), (C), and (D) and (3)(B) of subsection (b) which are required to be amortized shall be considered fully amortized for purposes of such paragraphs.

"(7) FULL-FUNDING LIMITATION.—For purposes of paragraph (6), the term 'full-funding limitation' means the excess (if any) of—

"(A) the accrued liability (including normal cost) under the plan (determined under the entry age normal funding method if such accrued liability cannot be directly calculated under the funding method used for the plan), over

"(B) the lesser of—

"(i) the fair market value of the plan's assets, or

"(ii) the value of such assets determined under paragraph (2).

"(C) MINIMUM AMOUNT.—

"(i) IN GENERAL.—In no event shall the full-funding limitation determined under subparagraph (A) be less than the excess (if any) of—

"(I) 90 percent of the current liability (determined without regard to paragraph (4) of subsection (h)) of the plan (including the expected increase in such current liability due to benefits accruing during the plan year), over

"(II) the value of the plan's assets determined under paragraph (2).

"(ii) ASSETS.—For purposes of clause (i), assets shall not be reduced by any credit balance in the funding standard account.

"(8) ANNUAL VALUATION.—

Determination. Deadline.

"(A) IN GENERAL.—For purposes of this section, a determination of experience gains and losses and a valuation of the plan's liability shall be made not less frequently than once every year, except that such determination shall be made more frequently to the extent required in particular cases under regulations prescribed by the Secretary.

"(B) VALUATION DATE.—

"(i) CURRENT YEAR.—Except as provided in clause (ii), the valuation referred to in subparagraph (A) shall be made as of a date within the plan year to which the valuation refers or within one month prior to the beginning of such year.

"(ii) USE OF PRIOR YEAR VALUATION.—The valuation referred to in subparagraph (A) may be made as of a date within the plan year prior to the year to which the valuation refers if, as of such date, the value of the assets of the plan are not less than 100 percent of the plan's current liability.

"(iii) ADJUSTMENTS.—Information under clause (ii) shall, in accordance with regulations, be actuarially adjusted to reflect significant differences in participants.

"(iv) LIMITATION.—A change in funding method to use a prior year valuation, as provided in clause (ii), may not be made unless as of the valuation date within the prior plan year, the value of the assets of the plan are not less than 125 percent of the plan's current liability.

"(9) TIME WHEN CERTAIN CONTRIBUTIONS DEEMED MADE.—For purposes of this section, any contributions for a plan year made by an employer during the period—

"(A) beginning on the day after the last day of such plan year, and

"(B) ending on the day which is 8½ months after the close of the plan year,

shall be deemed to have been made on such last day.

"(10) ANTICIPATION OF BENEFIT INCREASES EFFECTIVE IN THE FUTURE.—In determining projected benefits, the funding method of a collectively bargained CSEC plan described in section 413(a) shall anticipate benefit increases scheduled to

take effect during the term of the collective bargaining agreement applicable to the plan.

"(d) EXTENSION OF AMORTIZATION PERIODS.—The period of years required to amortize any unfunded liability (described in any clause of subsection (b)(2)(B)) of any plan may be extended by the Secretary for a period of time (not in excess of 10 years) if the Secretary determines that such extension would carry out the purposes of the Employee Retirement Income Security Act of 1974 and provide adequate protection for participants under the plan and their beneficiaries, and if the Secretary determines that the failure to permit such extension would result in— Determinations.

"(1) a substantial risk to the voluntary continuation of the plan, or

"(2) a substantial curtailment of pension benefit levels or employee compensation.

"(e) ALTERNATIVE MINIMUM FUNDING STANDARD.—

"(1) IN GENERAL.—A CSEC plan which uses a funding method that requires contributions in all years not less than those required under the entry age normal funding method may maintain an alternative minimum funding standard account for any plan year. Such account shall be credited and charged solely as provided in this subsection.

"(2) CHARGES AND CREDITS TO ACCOUNT.—For a plan year the alternative minimum funding standard account shall be—

"(A) charged with the sum of—

"(i) the lesser of normal cost under the funding method used under the plan or normal cost determined under the unit credit method,

"(ii) the excess, if any, of the present value of accrued benefits under the plan over the fair market value of the assets, and

"(iii) an amount equal to the excess (if any) of credits to the alternative minimum standard account for all prior plan years over charges to such account for all such years, and

"(B) credited with the amount considered contributed by the employer to or under the plan for the plan year.

"(3) INTEREST.—The alternative minimum funding standard account (and items therein) shall be charged or credited with interest in the manner provided under subsection (b)(5) with respect to the funding standard account.

"(f) QUARTERLY CONTRIBUTIONS REQUIRED.—

"(1) IN GENERAL.—If a CSEC plan which has a funded current liability percentage for the preceding plan year of less than 100 percent fails to pay the full amount of a required installment for the plan year, then the rate of interest charged to the funding standard account under subsection (b)(5) with respect to the amount of the underpayment for the period of the underpayment shall be equal to the greater of—

"(A) 175 percent of the Federal mid-term rate (as in effect under section 1274 for the 1st month of such plan year), or

"(B) the rate of interest used under the plan in determining costs.

"(2) AMOUNT OF UNDERPAYMENT, PERIOD OF UNDERPAYMENT.—For purposes of paragraph (1)—

"(A) AMOUNT.—The amount of the underpayment shall be the excess of—

"(i) the required installment, over

"(ii) the amount (if any) of the installment contributed to or under the plan on or before the due date for the installment.

"(B) PERIOD OF UNDERPAYMENT.—The period for which interest is charged under this subsection with regard to any portion of the underpayment shall run from the due date for the installment to the date on which such portion is contributed to or under the plan (determined without regard to subsection (c)(9)).

"(C) ORDER OF CREDITING CONTRIBUTIONS.—For purposes of subparagraph (A)(ii), contributions shall be credited against unpaid required installments in the order in which such installments are required to be paid.

"(3) NUMBER OF REQUIRED INSTALLMENTS; DUE DATES.—For purposes of this subsection—

"(A) PAYABLE IN 4 INSTALLMENTS.—There shall be 4 required installments for each plan year.

"(B) TIME FOR PAYMENT OF INSTALLMENTS.—

"In the case of the following required installments:	**The due date is:**
1st	April 15
2nd	July 15
3rd	October 15
4th	January 15 of the following year.

"(4) AMOUNT OF REQUIRED INSTALLMENT.—For purposes of this subsection—

"(A) IN GENERAL.—The amount of any required installment shall be 25 percent of the required annual payment.

"(B) REQUIRED ANNUAL PAYMENT.—For purposes of subparagraph (A), the term 'required annual payment' means the lesser of—

"(i) 90 percent of the amount required to be contributed to or under the plan by the employer for the plan year under section 412 (without regard to any waiver under subsection (c) thereof), or

"(ii) 100 percent of the amount so required for the preceding plan year.

Clause (ii) shall not apply if the preceding plan year was not a year of 12 months.

"(5) LIQUIDITY REQUIREMENT.—

"(A) IN GENERAL.—A plan to which this paragraph applies shall be treated as failing to pay the full amount of any required installment to the extent that the value of the liquid assets paid in such installment is less than the liquidity shortfall (whether or not such liquidity shortfall exceeds the amount of such installment required to be paid but for this paragraph).

"(B) PLANS TO WHICH PARAGRAPH APPLIES.—This paragraph shall apply to a CSEC plan other than a plan

described in section 412(l)(6)(A) (as in effect on the day before the enactment of the Pension Protection Act of 2006) which—

"(i) is required to pay installments under this subsection for a plan year, and

"(ii) has a liquidity shortfall for any quarter during such plan year.

"(C) PERIOD OF UNDERPAYMENT.—For purposes of paragraph (1), any portion of an installment that is treated as not paid under subparagraph (A) shall continue to be treated as unpaid until the close of the quarter in which the due date for such installment occurs.

"(D) LIMITATION ON INCREASE.—If the amount of any required installment is increased by reason of subparagraph (A), in no event shall such increase exceed the amount which, when added to prior installments for the plan year, is necessary to increase the funded current liability percentage (taking into account the expected increase in current liability due to benefits accruing during the plan year) to 100 percent.

"(E) DEFINITIONS.—For purposes of this paragraph—

"(i) LIQUIDITY SHORTFALL.—The term 'liquidity shortfall' means, with respect to any required installment, an amount equal to the excess (as of the last day of the quarter for which such installment is made) of the base amount with respect to such quarter over the value (as of such last day) of the plan's liquid assets.

"(ii) BASE AMOUNT.—

"(I) IN GENERAL.—The term 'base amount' means, with respect to any quarter, an amount equal to 3 times the sum of the adjusted disbursements from the plan for the 12 months ending on the last day of such quarter.

Certification.

"(II) SPECIAL RULE.—If the amount determined under subclause (I) exceeds an amount equal to 2 times the sum of the adjusted disbursements from the plan for the 36 months ending on the last day of the quarter and an enrolled actuary certifies to the satisfaction of the Secretary that such excess is the result of nonrecurring circumstances, the base amount with respect to such quarter shall be determined without regard to amounts related to those nonrecurring circumstances.

"(iii) DISBURSEMENTS FROM THE PLAN.—The term 'disbursements from the plan' means all disbursements from the trust, including purchases of annuities, payments of single sums and other benefits, and administrative expenses.

"(iv) ADJUSTED DISBURSEMENTS.—The term 'adjusted disbursements' means disbursements from the plan reduced by the product of—

"(I) the plan's funded current liability percentage for the plan year, and

"(II) the sum of the purchases of annuities, payments of single sums, and such other disbursements as the Secretary shall provide in regulations.

"(v) LIQUID ASSETS.—The term 'liquid assets' means cash, marketable securities and such other assets as specified by the Secretary in regulations.

"(vi) QUARTER.—The term 'quarter' means, with respect to any required installment, the 3-month period preceding the month in which the due date for such installment occurs.

"(F) REGULATIONS.—The Secretary may prescribe such regulations as are necessary to carry out this paragraph.

"(6) FISCAL YEARS AND SHORT YEARS.—

Applicability.

"(A) FISCAL YEARS.—In applying this subsection to a plan year beginning on any date other than January 1, there shall be substituted for the months specified in this subsection, the months which correspond thereto.

Regulations.

"(B) SHORT PLAN YEAR.—This subsection shall be applied to plan years of less than 12 months in accordance with regulations prescribed by the Secretary.

"(g) IMPOSITION OF LIEN WHERE FAILURE TO MAKE REQUIRED CONTRIBUTIONS.—

Applicability.

"(1) IN GENERAL.—In the case of a plan to which this section applies, if—

"(A) any person fails to make a required installment under subsection (f) or any other payment required under this section before the due date for such installment or other payment, and

"(B) the unpaid balance of such installment or other payment (including interest), when added to the aggregate unpaid balance of all preceding such installments or other payments for which payment was not made before the due date (including interest), exceeds $1,000,000,

then there shall be a lien in favor of the plan in the amount determined under paragraph (3) upon all property and rights to property, whether real or personal, belonging to such person and any other person who is a member of the same controlled group of which such person is a member.

"(2) PLANS TO WHICH SUBSECTION APPLIES.—This subsection shall apply to a CSEC plan for any plan year for which the funded current liability percentage of such plan is less than 100 percent. This subsection shall not apply to any plan to which section 4021 of the Employee Retirement Income Security Act of 1974 does not apply (as such section is in effect on the date of the enactment of the Retirement Protection Act of 1994).

"(3) AMOUNT OF LIEN.—For purposes of paragraph (1), the amount of the lien shall be equal to the aggregate unpaid balance of required installments and other payments required under this section (including interest)—

"(A) for plan years beginning after 1987, and

"(B) for which payment has not been made before the due date.

"(4) NOTICE OF FAILURE; LIEN.—

Deadline.

"(A) NOTICE OF FAILURE.—A person committing a failure described in paragraph (1) shall notify the Pension

Benefit Guaranty Corporation of such failure within 10 days of the due date for the required installment or other payment.

"(B) PERIOD OF LIEN.—The lien imposed by paragraph (1) shall arise on the due date for the required installment or other payment and shall continue until the last day of the first plan year in which the plan ceases to be described in paragraph (1)(B). Such lien shall continue to run without regard to whether such plan continues to be described in paragraph (2) during the period referred to in the preceding sentence.

"(C) CERTAIN RULES TO APPLY.—Any amount with respect to which a lien is imposed under paragraph (1) shall be treated as taxes due and owing the United States and rules similar to the rules of subsections (c), (d), and (e) of section 4068 of the Employee Retirement Income Security Act of 1974 shall apply with respect to a lien imposed by subsection (a) and the amount with respect to such lien.

"(5) ENFORCEMENT.—Any lien created under paragraph (1) may be perfected and enforced only by the Pension Benefit Guaranty Corporation, or at the direction of the Pension Benefit Guaranty Corporation, by any contributing employer (or any member of the controlled group of the contributing employer).

"(6) DEFINITIONS.—For purposes of this subsection—

"(A) DUE DATE; REQUIRED INSTALLMENT.—The terms 'due date' and 'required installment' have the meanings given such terms by subsection (f), except that in the case of a payment other than a required installment, the due date shall be the date such payment is required to be made under this section.

"(B) CONTROLLED GROUP.—The term 'controlled group' means any group treated as a single employer under subsections (b), (c), (m), and (o) of section 414.

"(h) CURRENT LIABILITY.—For purposes of this section— Applicability.

"(1) IN GENERAL.—The term 'current liability' means all liabilities to employees and their beneficiaries under the plan.

"(2) TREATMENT OF UNPREDICTABLE CONTINGENT EVENT BENEFITS.—

"(A) IN GENERAL.—For purposes of paragraph (1), any unpredictable contingent event benefit shall not be taken into account until the event on which the benefit is contingent occurs.

"(B) UNPREDICTABLE CONTINGENT EVENT BENEFIT.—The term 'unpredictable contingent event benefit' means any benefit contingent on an event other than—

"(i) age, service, compensation, death, or disability, or

"(ii) an event which is reasonably and reliably predictable (as determined by the Secretary).

"(3) INTEREST RATE AND MORTALITY ASSUMPTIONS USED.—

"(A) INTEREST RATE.—The rate of interest used to determine current liability under this section shall be the third segment rate determined under section 430(h)(2)(C).

"(B) MORTALITY TABLES.—

"(i) SECRETARIAL AUTHORITY.—The Secretary may by regulation prescribe mortality tables to be used

in determining current liability under this subsection. Such tables shall be based upon the actual experience of pension plans and projected trends in such experience. In prescribing such tables, the Secretary shall take into account results of available independent studies of mortality of individuals covered by pension plans.

Regulations.

"(ii) PERIODIC REVIEW.—The Secretary shall periodically (at least every 5 years) review any tables in effect under this subsection and shall, to the extent the Secretary determines necessary, by regulation update the tables to reflect the actual experience of pension plans and projected trends in such experience.

"(C) SEPARATE MORTALITY TABLES FOR THE DISABLED.—Notwithstanding subparagraph (B)—

"(i) IN GENERAL.—In the case of plan years beginning after December 31, 1995, the Secretary shall establish mortality tables which may be used (in lieu of the tables under subparagraph (B)) to determine current liability under this subsection for individuals who are entitled to benefits under the plan on account of disability. The Secretary shall establish separate tables for individuals whose disabilities occur in plan years beginning before January 1, 1995, and for individuals whose disabilities occur in plan years beginning on or after such date.

Applicability.

"(ii) SPECIAL RULE FOR DISABILITIES OCCURRING AFTER 1994.—In the case of disabilities occurring in plan years beginning after December 31, 1994, the tables under clause (i) shall apply only with respect to individuals described in such subclause who are disabled within the meaning of title II of the Social Security Act and the regulations thereunder.

"(4) CERTAIN SERVICE DISREGARDED.—

"(A) IN GENERAL.—In the case of a participant to whom this paragraph applies, only the applicable percentage of the years of service before such individual became a participant shall be taken into account in computing the current liability of the plan.

"(B) APPLICABLE PERCENTAGE.—For purposes of this subparagraph, the applicable percentage shall be determined as follows:

"If the years of participation are:	**The applicable percentage is:**
1	20
2	40
3	60
4	80
5 or more	100.

"(C) PARTICIPANTS TO WHOM PARAGRAPH APPLIES.—This subparagraph shall apply to any participant who, at the time of becoming a participant—

"(i) has not accrued any other benefit under any defined benefit plan (whether or not terminated) maintained by the employer or a member of the same controlled group of which the employer is a member,

"(ii) who first becomes a participant under the plan in a plan year beginning after December 31, 1987, and

"(iii) has years of service greater than the minimum years of service necessary for eligibility to participate in the plan.

"(D) ELECTION.—An employer may elect not to have this subparagraph apply. Such an election, once made, may be revoked only with the consent of the Secretary.

"(i) FUNDED CURRENT LIABILITY PERCENTAGE.—For purposes of this section, the term 'funded current liability percentage' means, with respect to any plan year, the percentage which— Definition.

"(1) the value of the plan's assets determined under subsection (c)(2), is of

"(2) the current liability under the plan.

"(j) FUNDING RESTORATION STATUS.—Notwithstanding any other provisions of this section—

"(1) NORMAL COST PAYMENT.— Definitions.

"(A) IN GENERAL.—In the case of a CSEC plan that is in funding restoration status for a plan year, for purposes of section 412, the term 'accumulated funding deficiency' means, for such plan year, the greater of—

"(i) the amount described in subsection (a), or

"(ii) the excess of the normal cost of the plan for the plan year over the amount actually contributed to or under the plan for the plan year.

"(B) NORMAL COST.—In the case of a CSEC plan that uses a spread gain funding method, for purposes of this subsection, the term 'normal cost' means normal cost as determined under the entry age normal funding method.

"(2) PLAN AMENDMENTS.—In the case of a CSEC plan that is in funding restoration status for a plan year, no amendment to such plan may take effect during such plan year if such amendment has the effect of increasing liabilities of the plan by means of increases in benefits, establishment of new benefits, changing the rate of benefit accrual, or changing the rate at which benefits become nonforfeitable. This paragraph shall not apply to any plan amendment that is required to comply with any applicable law. This paragraph shall cease to apply with respect to any plan year, effective as of the first day of the plan year (or if later, the effective date of the amendment) upon payment by the plan sponsor of a contribution to the plan (in addition to any contribution required under this section without regard to this paragraph) in an amount equal to the increase in the funding liability of the plan attributable to the plan amendment. Effective date.

"(3) FUNDING RESTORATION PLAN.—The sponsor of a CSEC plan shall establish a written funding restoration plan within 180 days of the receipt by the plan sponsor of a certification from the plan actuary that the plan is in funding restoration status for a plan year. Such funding restoration plan shall consist of actions that are calculated, based on reasonably anticipated experience and reasonable actuarial assumptions, Deadline.

to increase the plan's funded percentage to 100 percent over a period that is not longer than the greater of 7 years or the shortest amount of time practicable. Such funding restoration plan shall take into account contributions required under this section (without regard to this paragraph). If a plan remains in funding restoration status for 2 or more years, such funding restoration plan shall be updated each year after the 1st such year within 180 days of receipt by the plan sponsor of a certification from the plan actuary that the plan remains in funding restoration status for the plan year.

Deadline. Certification.

"(4) ANNUAL CERTIFICATION BY PLAN ACTUARY.—Not later than the 90th day of each plan year of a CSEC plan, the plan actuary shall certify to the plan sponsor whether or not the plan is in funding restoration status for the plan year, based on the plan's funded percentage as of the beginning of the plan year. For this purpose, the actuary may conclusively rely on an estimate of—

Deadline.

"(A) the plan's funding liability, based on the funding liability of the plan for the preceding plan year and on reasonable actuarial estimates, assumptions, and methods, and

"(B) the amount of any contributions reasonably anticipated to be made for the preceding plan year.

Contributions described in subparagraph (B) shall be taken into account in determining the plan's funded percentage as of the beginning of the plan year.

"(5) DEFINITIONS.—For purposes of this subsection—

"(A) FUNDING RESTORATION STATUS.—A CSEC plan shall be treated as in funding restoration status for a plan year if the plan's funded percentage as of the beginning of such plan year is less than 80 percent.

"(B) FUNDED PERCENTAGE.—The term 'funded percentage' means the ratio (expressed as a percentage) which—

"(i) the value of plan assets (as determined under subsection (c)(2)), bears to

"(ii) the plan's funding liability.

"(C) FUNDING LIABILITY.—The term 'funding liability' for a plan year means the present value of all benefits accrued or earned under the plan as of the beginning of the plan year, based on the assumptions used by the plan pursuant to this section, including the interest rate described in subsection (b)(5)(A) (without regard to subsection (b)(5)(B)).

"(D) SPREAD GAIN FUNDING METHOD.—The term 'spread gain funding method' has the meaning given such term under rules and forms issued by the Secretary.

"(E) PLAN SPONSOR.—The term 'plan sponsor' means, with respect to a CSEC plan, the association, committee, joint board of trustees, or other similar group of representatives of the parties who establish or maintain the plan.".

(b) CSEC PLANS.—Section 413 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

26 USC 413.

"(d) CSEC PLANS.—Notwithstanding any other provision of this section, in the case of a CSEC plan—

"(1) FUNDING.—The requirements of section 412 shall be determined as if all participants in the plan were employed by a single employer.

"(2) APPLICATION OF PROVISIONS.—Paragraphs (1), (2), (3), and (5) of subsection (c) shall apply.

"(3) DEDUCTION LIMITATIONS.—Each applicable limitation provided by section 404(a) shall be determined as if all participants in the plan were employed by a single employer. The amounts contributed to or under the plan by each employer who maintains the plan (for the portion of the taxable year included within a plan year) shall be considered not to exceed such applicable limitation if the anticipated employer contributions for such plan year of all employers (determined in a reasonable manner not inconsistent with regulations prescribed by the Secretary) do not exceed such limitation. If such anticipated contributions exceed such limitation, the portion of each such employer's contributions which is not deductible under section 404 shall be determined in accordance with regulations prescribed by the Secretary.

Determination. Regulations.

"(4) ALLOCATIONS.—Allocations of amounts under paragraph (3) and subsection (c)(5) among the employers maintaining the plan shall not be inconsistent with the regulations prescribed for this purpose by the Secretary.".

(c) SEPARATE RULES FOR CSEC PLANS.—

(1) IN GENERAL.—Paragraph (2) of section 412(a) of the Internal Revenue Code of 1986 is amended by striking "and" at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting ", and", and by inserting at the end thereof the following new subparagraph:

26 USC 412.

"(D) in the case of a CSEC plan, the employers make contributions to or under the plan for any plan year which, in the aggregate, are sufficient to ensure that the plan does not have an accumulated funding deficiency under section 433 as of the end of the plan year.".

(2) CONFORMING AMENDMENTS.—Section 412 of such Code is amended—

(A) by striking "multiemployer plan" in paragraph (A) of subsection (a)(2), in clause (i) of subsection (c)(1)(B), the first place it appears in clause (i) of subsection (c)(1)(A), and the last place it appears in paragraph (2) of subsection (d), and inserting "multiemployer plan or a CSEC plan",

(B) by striking "430(j)" in paragraph (1) of subsection (b) and inserting "430(j) or under section 433(f)",

(C)(i) by striking "and" at the end of clause (i) of subsection (c)(1)(B),

(ii) by striking the period at the end of clause (ii) of subsection (c)(1)(B) and inserting ", and", and

(iii) by inserting the following new clause after clause (ii) of subsection (c)(1)(B):

"(iii) in the case of a CSEC plan, the funding standard account shall be credited under section 433(b)(3)(C) with the amount of the waived funding deficiency and such amount shall be amortized as required under section 433(b)(2)(C).",

(D) by striking "under paragraph (1)" in clause (i) of subsection (c)(4)(A) and inserting "under paragraph (1) or for granting an extension under section 433(d)",

(E) by striking "waiver under this subsection" in subparagraph (B) of subsection (c)(4) and inserting "waiver under this subsection or an extension under 433(d)",

(F) by striking "waiver or modification" in subclause (I) of subsection (c)(4)(B)(i) and inserting "waiver, modification, or extension",

(G) by striking "waivers" in the heading of subsection (c)(4)(C) and of clause (ii) of subsection (c)(4)(C) and inserting "waivers or extensions",

(H) by striking "section 431(d)" in subparagraph (A) of subsection (c)(7) and in paragraph (2) of subsection (d) and inserting "section 431(d) or section 433(d)",

(I) by striking "and" at the end of subclause (I) of subsection (c)(4)(C)(i) and inserting "or the accumulated funding deficiency under section 433, whichever is applicable,",

(J) by striking "430(e)(2)," in subclause (II) of subsection (c)(4)(C)(i) and inserting "430(e)(2) or 433(b)(2)(C), whichever is applicable, and",

(K) by adding immediately after subclause (II) of subsection (c)(4)(C)(i) the following new subclause:

"(III) the total amounts not paid by reason of an extension in effect under section 433(d),", and

(L) by striking "for waivers of" in clause (ii) of subsection (c)(4)(C) and inserting "for waivers or extensions with respect to".

(3) BENEFIT RESTRICTIONS.—

(A) IN GENERAL.—Paragraph (29) of section 401(a) of such Code is amended by striking "multiemployer plan" and inserting "multiemployer plan or a CSEC plan". 26 USC 401.

(B) CONFORMING CHANGE.—Subsection (a) of section 436 of such Code is amended by striking "single-employer plan" and inserting "single-employer plan (other than a CSEC plan)". 26 USC 436.

(4) BENEFIT INCREASES.—Subparagraph (C) of section 401(a)(33) of such Code is amended by striking "multiemployer plans" and inserting "multiemployer plans or CSEC plans".

(5) LIQUIDITY SHORTFALLS.—

(A) IN GENERAL.—Subparagraph (A) of section 401(a)(32) of such Code is amended by striking "430(j)(4)" each place it appears and inserting "430(j)(4) or 433(f)(5)".

(B) PERIOD OF SHORTFALL.—Subparagraph (C) of section 401(a)(32) of such Code is amended by striking "430(j)(3) by reason of section 430(j)(4)(A) thereof" and inserting "430(j)(3) or 433(f) by reason of section 430(j)(4)(A) or 433(f)(5), respectively".

(6) DEDUCTION LIMITS.—Subsection (o) of section 404 of such Code is amended by adding at the end the following new paragraph: 26 USC 404.

"(8) CSEC PLANS.—Solely for purposes of this subsection, a CSEC plan shall be treated as though section 430 applied to such plan and the minimum required contribution for any plan year shall be the amount described in section 412(a)(2)(D).". Applicability.

(7) SECTION 420.—Paragraph (5) of section 420(e) of such Code is amended by striking "section 430" each place it appears and inserting "sections 430 and 433". 26 USC 420.

(8) COORDINATION WITH SECTION 4971.— 26 USC 4971.

(A) Subsection (a) of section 4971 of such Code is amended by striking "and" at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting ", and", and by adding at the end thereof the following new paragraph:

"(3) in the case of a CSEC plan, 10 percent of the CSEC accumulated funding deficiency as of the end of the plan year ending with or within the taxable year.".

(B) Subsection (b) of section 4971 of such Code is amended—

(i) by striking "or" at the end of paragraph (1), by adding "or" at the end of paragraph (2), and by inserting immediately after paragraph (2) the following new paragraph:

"(3) a tax is imposed under subsection (a)(3) on any CSEC accumulated funding deficiency and the CSEC accumulated funding deficiency is not corrected within the taxable period,", and

(ii) by striking "minimum required contributions or accumulated funding deficiency" and inserting "minimum required contribution, accumulated funding deficiency, or CSEC accumulated funding deficiency".

(C) Subsection (c) of section 4971 of such Code is amended—

(i) by striking "accumulated funding deficiency" each place it appears in paragraph (2) and inserting "accumulated funding deficiency or CSEC accumulated funding deficiency",

(ii) by striking "accumulated funding deficiency or unpaid minimum required contribution" each place it appears in paragraph (3) and inserting "accumulated funding deficiency, CSEC accumulated funding deficiency, or unpaid minimum required contribution", and

(iii) by adding at the end the following new paragraph:

"(5) CSEC ACCUMULATED FUNDING DEFICIENCY.—The term 'CSEC accumulated funding deficiency' means the accumulated funding deficiency determined under section 433.". Definition.

(D) Paragraph (1) of section 4971(d) of such Code is amended by striking "accumulated funding deficiency or unpaid minimum required contribution" and inserting "accumulated funding deficiency, CSEC accumulated funding deficiency, or unpaid minimum required contribution".

(E) Subsection (f) of section 4971 of such Code is amended—

(i) by striking "430(j)(4)" in paragraph (1) and inserting "430(j)(4) or 433(f)",

(ii) by striking "430(j)" in paragraph (1)(B) and inserting "430(j) or 433(f), whichever is applicable", and

(iii) by striking "412(m)(5)" in paragraph (3)(A) and inserting "430(j) or 433(f), whichever is applicable".

26 USC 4971.

(9) EXCISE TAX ON FAILURE TO ADOPT FUNDING RESTORATION PLAN.—Section 4971 of such Code is amended by redesignating subsection (h) as subsection (i), and by inserting after subsection (g) the following new subsection:

"(h) FAILURE OF A CSEC PLAN SPONSOR TO ADOPT FUNDING RESTORATION PLAN.—

Taxes.

"(1) IN GENERAL.—In the case of a CSEC plan that is in funding restoration status (within the meaning of section 433(j)(5)(A)), there is hereby imposed a tax on the failure of such plan to adopt a funding restoration plan within the time prescribed under section 433(j)(3).

Time periods.

"(2) AMOUNT OF TAX.—The amount of the tax imposed under paragraph (1) with respect to any plan sponsor for any taxable year shall be the amount equal to $100 multiplied by the number of days during the taxable year which are included in the period beginning on the day following the close of the 180-day period described in section 433(j)(3) and ending on the day on which the funding restoration plan is adopted.

"(3) WAIVER BY SECRETARY.—In the case of a failure described in paragraph (1) which the Secretary determines is due to reasonable cause and not to willful neglect, the Secretary may waive a portion or all of the tax imposed by such paragraph.

"(4) LIABILITY FOR TAX.—The tax imposed by paragraph (1) shall be paid by the plan sponsor (within the meaning of section 433(j)(5)(E)).".

(10) REPORTING.—

26 USC 6059.

(A) IN GENERAL.—Paragraph (2) of section 6059(b) of such Code is amended by striking "430," and inserting "430, the accumulated funding deficiency under section 433,".

(B) ASSUMPTIONS.—Subparagraph (B) of section 6059(b)(3) of such Code is amended by striking "430(h)(1) or 431(c)(3)" and inserting "430(h)(1), 431(c)(3), or 433(c)(3)".

SEC. 203. ELECTION NOT TO BE TREATED AS A CSEC PLAN.

26 USC 414.

(a) IN GENERAL.—Section 414(y) of the Internal Revenue Code of 1986, as added by section 201, is amended by adding at the end the following new paragraph:

"(3) ELECTION.—

Deadline.

"(A) IN GENERAL.—If a plan falls within the definition of a CSEC plan under this subsection (without regard to this paragraph), such plan shall be a CSEC plan unless the plan sponsor elects not later than the close of the first plan year of the plan beginning after December 31, 2013, not to be treated as a CSEC plan. An election under the preceding sentence shall take effect for such plan year and, once made, may be revoked only with the consent of the Secretary.

"(B) SPECIAL RULE.—If a plan described in subparagraph (A) is treated as a CSEC plan, section 104 of the Pension Protection Act of 2006, as amended by the Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010, shall cease to apply to such plan as of the first date as of which such plan is treated as a CSEC plan.".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply as of the date of enactment of this Act. 26 USC 414 note.

Approved April 7, 2014.

LEGISLATIVE HISTORY—H.R. 4275 (S. 1302):

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 24, considered and passed House.
Mar. 25, considered and passed Senate.

Public Law 113–98
113th Congress

An Act

Apr. 7, 2014
[S. 1557]

To amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Children's Hospital GME Support Reauthorization Act of 2013.
42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Children's Hospital GME Support Reauthorization Act of 2013".

SEC. 2. PROGRAM OF PAYMENTS TO CHILDREN'S HOSPITALS THAT OPERATE GRADUATE MEDICAL EDUCATION PROGRAMS.

(a) IN GENERAL.—Section 340E of the Public Health Service Act (42 U.S.C. 256e) is amended—

(1) in subsection (a), by striking "through 2005 and each of fiscal years 2007 through 2011" and inserting "through 2005, each of fiscal years 2007 through 2011, and each of fiscal years 2014 through 2018"; and

(2) in subsection (f)—

(A) in paragraph (1)(A)—

(i) in clause (iii), by striking "and";

(ii) in clause (iv), by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(v) for each of fiscal years 2014 through 2018, $100,000,000."; and

(B) in paragraph (2)—

(i) in subparagraph (C), by striking "and";

(ii) in subparagraph (D), by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(E) for each of fiscal years 2014 through 2018, $200,000,000.".

(b) REPORT TO CONGRESS.—Section 340E(b)(3)(D) of the Public Health Service Act (42 U.S.C. 256e(b)(3)(D)) is amended by striking "Not later than the end of fiscal year 2011" and inserting "Not later than the end of fiscal year 2018".

SEC. 3. SUPPORT OF GRADUATE MEDICAL EDUCATION PROGRAMS IN CERTAIN HOSPITALS.

Section 340E of the Public Health Service Act (42 U.S.C. 256e) is amended by adding at the end the following:

"(h) ADDITIONAL PROVISIONS.—

"(1) IN GENERAL.—The Secretary is authorized to make available up to 25 percent of the total amounts in excess of

$245,000,000 appropriated under paragraphs (1) and (2) of subsection (f), but not to exceed $7,000,000, for payments to hospitals qualified as described in paragraph (2), for the direct and indirect expenses associated with operating approved graduate medical residency training programs, as described in subsection (a).

"(2) QUALIFIED HOSPITALS.—

"(A) IN GENERAL.—To qualify to receive payments under paragraph (1), a hospital shall be a free-standing hospital—

"(i) with a Medicare payment agreement and that is excluded from the Medicare inpatient hospital prospective payment system pursuant to section 1886(d)(1)(B) of the Social Security Act and its accompanying regulations;

"(ii) whose inpatients are predominantly individuals under 18 years of age;

"(iii) that has an approved medical residency training program as defined in section 1886(h)(5)(A) of the Social Security Act; and

"(iv) that is not otherwise qualified to receive payments under this section or section 1886(h) of the Social Security Act.

"(B) ESTABLISHMENT OF RESIDENCY CAP.—In the case of a freestanding children's hospital that, on the date of enactment of this subsection, meets the requirements of subparagraph (A) but for which the Secretary has not determined an average number of full-time equivalent residents under section 1886(h)(4) of the Social Security Act, the Secretary may establish such number of full-time equivalent residents for the purposes of calculating payments under this subsection.

"(3) PAYMENTS.—Payments to hospitals made under this subsection shall be made in the same manner as payments are made to children's hospitals, as described in subsections (b) through (e).

"(4) PAYMENT AMOUNTS.—The direct and indirect payment amounts under this subsection shall be determined using per resident amounts that are no greater than the per resident amounts used for determining direct and indirect payment amounts under subsection (a).

"(5) REPORTING.—A hospital receiving payments under this subsection shall be subject to the reporting requirements under subsection (b)(3).

"(6) REMAINING FUNDS.—

"(A) IN GENERAL.—If the payments to qualified hospitals under paragraph (1) for a fiscal year are less than the total amount made available under such paragraph for that fiscal year, any remaining amounts for such fiscal year may be made available to all hospitals participating in the program under this subsection or subsection (a).

"(B) QUALITY BONUS SYSTEM.—For purposes of distributing the remaining amounts described in subparagraph (A), the Secretary may establish a quality bonus system, whereby the Secretary distributes bonus payments to hospitals participating in the program under this subsection

or subsection (a) that meet standards specified by the Secretary, which may include a focus on quality measurement and improvement, interpersonal and communications skills, delivering patient-centered care, and practicing in integrated health systems, including training in community-based settings. In developing such standards, the Secretary shall collaborate with relevant stakeholders, including program accrediting bodies, certifying boards, training programs, health care organizations, health care purchasers, and patient and consumer groups.".

Approved April 7, 2014.

LEGISLATIVE HISTORY—S. 1557:

CONGRESSIONAL RECORD:
Vol. 159 (2013): Nov. 12, considered and passed Senate.
Vol. 160 (2014): Apr. 1, considered and passed House.

Public Law 113–99
113th Congress

An Act

To preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest.

Apr. 15, 2014
[S. 404]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Green Mountain Lookout Heritage Protection Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Green Mountain Lookout Heritage Protection Act".

SEC. 2. CLARIFICATION OF LEGAL AUTHORITY OF GREEN MOUNTAIN LOOKOUT.

(a) LEGAL AUTHORITY OF LOOKOUT.—Section 4(b) of the Washington State Wilderness Act of 1984 (Public Law 98–339; 98 Stat. 300; 16 U.S.C. 1131 note) is amended by striking the period at the end and inserting the following: ", and except that with respect to the lands described in section 3(5), the designation of such lands as a wilderness area shall not preclude the operation and maintenance of Green Mountain Lookout."

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Washington State Wilderness Act of 1984.

SEC. 3. PRESERVATION OF GREEN MOUNTAIN LOOKOUT LOCATION.

Determination.

The Secretary of Agriculture, acting through the Chief of the Forest Service, may not move Green Mountain Lookout from its current location on Green Mountain in the Mount Baker-Snoqualmie National Forest unless the Secretary determines that moving Green Mountain Lookout is necessary to preserve the Lookout or to ensure the safety of individuals on or around Green Mountain. If the Secretary makes such a determination, the Secretary shall move the Green Mountain Lookout to a location outside of the lands described in section 3(5) of the Washington State Wilderness Act of 1984 and designated as a wilderness area in section 4(b) of such Act.

SEC. 4. ALASKA NATIVE VETERAN ALLOTMENT.

(a) DEFINITIONS.—In this section:

(1) APPLICATION.—The term "application" means the Alaska Native Veteran Allotment application numbered AA–084021–B.

(2) FEDERAL LAND.—The term "Federal land" means the 80 acres of Federal land that is—

(A) described in the application; and

(B) depicted as Lot 2 in U.S. Survey No. 13957, Alaska, that was officially filed on October 9, 2009.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) ISSUANCE OF PATENT.—Notwithstanding section 41 of the Alaska Native Claims Settlement Act (43 U.S.C. 1629g) and subject to subsection (c), the Secretary shall—

(1) approve the application; and

(2) issue a patent for the Federal land to the person that submitted the application.

(c) TERMS AND CONDITIONS.—

(1) IN GENERAL.—The patent issued under subsection (b) shall—

(A) only be for the surface rights to the Federal land; and

(B) be subject to the terms and conditions of any certificate issued under section 41 of the Alaska Native Claims Settlement Act (43 U.S.C. 1629g), including terms and conditions providing that—

(i) the patent is subject to valid existing rights, including any right of the United States to income derived, directly or indirectly, from a lease, license, permit, right-of-way, or easement on the Federal land; and

(ii) the United States shall reserve an interest in deposits of oil, gas, and coal on the Federal land, including the right to explore, mine, and remove the minerals on portions of the Federal land that the Secretary determines to be prospectively valuable for development.

(2) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require any additional terms and conditions for the issuance of the patent under subsection (a) that the Secretary determines to be appropriate to protect the interests of the United States.

Approved April 15, 2014.

LEGISLATIVE HISTORY—S. 404 (H.R. 908):

HOUSE REPORTS: No. 113–328 (Comm. on Natural Resources) accompanying H.R. 908.

SENATE REPORTS: No. 113–140 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 160 (2014):

Apr. 3, considered and passed Senate.

Apr. 7, considered and passed House.

Public Law 113–100
113th Congress

An Act

To deny admission to the United States to any representative to the United Nations who has been found to have been engaged in espionage activities or a terrorist activity against the United States and poses a threat to United States national security interests.

Apr. 18, 2014
[S. 2195]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VISA LIMITATION FOR CERTAIN REPRESENTATIVES TO THE UNITED NATIONS.

Section 407(a) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (8 U.S.C. 1102 note) is amended—

(1) by striking "such individual has been found to have been engaged in espionage activities" and inserting the following: "such individual—

"(1) has been found to have been engaged in espionage activities or a terrorist activity (as defined in section 212(a)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iii)))"; and

(2) by striking "allies and may pose" and inserting the following: "allies; and

"(2) may pose".

Approved April 18, 2014.

LEGISLATIVE HISTORY—S. 2195:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Apr. 7, considered and passed Senate.
Apr. 10, considered and passed House.
DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
Apr. 18, Presidential statement.

Public Law 113–101
113th Congress

An Act

May 9, 2014
[S. 994]

To expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Digital Accountability and Transparency Act of 2014.
31 USC 6101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Digital Accountability and Transparency Act of 2014" or the "DATA Act".

31 USC 6101 note.

SEC. 2. PURPOSES.

The purposes of this Act are to—

(1) expand the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) by disclosing direct Federal agency expenditures and linking Federal contract, loan, and grant spending information to programs of Federal agencies to enable taxpayers and policy makers to track Federal spending more effectively;

(2) establish Government-wide data standards for financial data and provide consistent, reliable, and searchable Government-wide spending data that is displayed accurately for taxpayers and policy makers on USASpending.gov (or a successor system that displays the data);

(3) simplify reporting for entities receiving Federal funds by streamlining reporting requirements and reducing compliance costs while improving transparency;

(4) improve the quality of data submitted to USASpending.gov by holding Federal agencies accountable for the completeness and accuracy of the data submitted; and

(5) apply approaches developed by the Recovery Accountability and Transparency Board to spending across the Federal Government.

SEC. 3. AMENDMENTS TO THE FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006.

The Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) is amended—

Definitions.

(1) in section 2—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking "this section" and inserting "this Act";

(ii) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (4), and (7), respectively;

(iii) by inserting before paragraph (2), as so redesignated, the following:

"(1) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.";

(iv) by inserting after paragraph (2), as so redesignated, the following:

"(3) FEDERAL AGENCY.—The term 'Federal agency' has the meaning given the term 'Executive agency' under section 105 of title 5, United States Code.";

(v) by inserting after paragraph (4), as so redesignated, the following:

"(5) OBJECT CLASS.—The term 'object class' means the category assigned for purposes of the annual budget of the President submitted under section 1105(a) of title 31, United States Code, to the type of property or services purchased by the Federal Government.

"(6) PROGRAM ACTIVITY.—The term 'program activity' has the meaning given that term under section 1115(h) of title 31, United States Code."; and

(vi) by adding at the end the following:

"(8) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.";

(B) in subsection (b)—

(i) in paragraph (3), by striking "of the Office of Management and Budget"; and

(ii) in paragraph (4), by striking "of the Office of Management and Budget";

(C) in subsection (c)—

(i) in paragraph (4), by striking "and" at the end;

(ii) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

"(6) shall have the ability to aggregate data for the categories described in paragraphs (1) through (5) without double-counting data; and

"(7) shall ensure that all information published under this section is available—

"(A) in machine-readable and open formats;

"(B) to be downloaded in bulk; and

"(C) to the extent practicable, for automated processing.";

(D) in subsection (d)—

(i) in paragraph (1)(A), by striking "of the Office of Management and Budget";

(ii) in paragraph (2)—

(I) in subparagraph (A), by striking "of the Office of Management and Budget"; and

(II) in subparagraph (B), by striking "of the Office of Management and Budget";

(E) in subsection (e), by striking "of the Office of Management and Budget"; and

(F) in subsection (g)—

(i) in paragraph (1), by striking "of the Office of Management and Budget"; and

(ii) in paragraph (3), by striking "of the Office of Management and Budget"; and

(2) by striking sections 3 and 4 and inserting the following:

"SEC. 3. FULL DISCLOSURE OF FEDERAL FUNDS.

Deadlines. Consultation. Web posting.

"(a) IN GENERAL.—Not later than 3 years after the date of enactment of the Digital Accountability and Transparency Act of 2014, and monthly when practicable but not less than quarterly thereafter, the Secretary, in consultation with the Director, shall ensure that the information in subsection (b) is posted on the website established under section 2.

"(b) INFORMATION TO BE POSTED.—For any funds made available to or expended by a Federal agency or component of a Federal agency, the information to be posted shall include—

"(1) for each appropriations account, including an expired or unexpired appropriations account, the amount—

"(A) of budget authority appropriated;

"(B) that is obligated;

"(C) of unobligated balances; and

"(D) of any other budgetary resources;

"(2) from which accounts and in what amount—

"(A) appropriations are obligated for each program activity; and

"(B) outlays are made for each program activity;

"(3) from which accounts and in what amount—

"(A) appropriations are obligated for each object class; and

"(B) outlays are made for each object class; and

"(4) for each program activity, the amount—

"(A) obligated for each object class; and

"(B) of outlays made for each object class.

"SEC. 4. DATA STANDARDS.

"(a) IN GENERAL.—

Consultation.

"(1) ESTABLISHMENT OF STANDARDS.—The Secretary and the Director, in consultation with the heads of Federal agencies, shall establish Government-wide financial data standards for any Federal funds made available to or expended by Federal agencies and entities receiving Federal funds.

"(2) DATA ELEMENTS.—The financial data standards established under paragraph (1) shall include common data elements for financial and payment information required to be reported by Federal agencies and entities receiving Federal funds.

"(b) REQUIREMENTS.—The data standards established under subsection (a) shall, to the extent reasonable and practicable—

"(1) incorporate widely accepted common data elements, such as those developed and maintained by—

"(A) an international voluntary consensus standards body;

"(B) Federal agencies with authority over contracting and financial assistance; and

"(C) accounting standards organizations;

"(2) incorporate a widely accepted, nonproprietary, searchable, platform-independent computer-readable format;

"(3) include unique identifiers for Federal awards and entities receiving Federal awards that can be consistently applied Government-wide;

"(4) be consistent with and implement applicable accounting principles;

"(5) be capable of being continually upgraded as necessary;

"(6) produce consistent and comparable data, including across program activities; and

"(7) establish a standard method of conveying the reporting period, reporting entity, unit of measure, and other associated attributes.

"(c) DEADLINES.—

"(1) GUIDANCE.—Not later than 1 year after the date of enactment of the Digital Accountability and Transparency Act of 2014, the Director and the Secretary shall issue guidance to Federal agencies on the data standards established under subsection (a).

"(2) AGENCIES.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), not later than 2 years after the date on which the guidance under paragraph (1) is issued, each Federal agency shall report financial and payment information data in accordance with the data standards established under subsection (a).

"(B) NONINTERFERENCE WITH AUDITABILITY OF DEPARTMENT OF DEFENSE FINANCIAL STATEMENTS.—

"(i) IN GENERAL.—Upon request by the Secretary of Defense, the Director may grant an extension of the deadline under subparagraph (A) to the Department of Defense for a period of not more than 6 months to report financial and payment information data in accordance with the data standards established under subsection (a). Time period.

"(ii) LIMITATION.—The Director may not grant more than 3 extensions to the Secretary of Defense under clause (i).

"(iii) NOTIFICATION.—The Director of the Office of Management and Budget shall notify the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate and the Committee on Oversight and Government Reform and the Committee on Armed Services of the House of Representatives of—

"(I) each grant of an extension under clause (i); and

"(II) the reasons for granting such an extension.

"(3) WEBSITE.—Not later than 3 years after the date on which the guidance under paragraph (1) is issued, the Director and the Secretary shall ensure that the data standards established under subsection (a) are applied to the data made available on the website established under section 2. Applicability.

"(d) CONSULTATION.—The Director and the Secretary shall consult with public and private stakeholders in establishing data standards under this section.

"SEC. 5. SIMPLIFYING FEDERAL AWARD REPORTING.

"(a) IN GENERAL.—The Director, in consultation with relevant Federal agencies, recipients of Federal awards, including State and local governments, and institutions of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), shall review the information required to be reported by recipients of Federal awards to identify— Consultation. Review.

"(1) common reporting elements across the Federal Government;

"(2) unnecessary duplication in financial reporting; and

"(3) unnecessarily burdensome reporting requirements for recipients of Federal awards.

"(b) PILOT PROGRAM.—

Deadline.

"(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of the Digital Accountability and Transparency Act of 2014, the Director, or a Federal agency designated by the Director, shall establish a pilot program (in this section referred to as the 'pilot program') with the participation of appropriate Federal agencies to facilitate the development of recommendations for—

"(A) standardized reporting elements across the Federal Government;

"(B) the elimination of unnecessary duplication in financial reporting; and

"(C) the reduction of compliance costs for recipients of Federal awards.

"(2) REQUIREMENTS.—The pilot program shall—

"(A) include a combination of Federal contracts, grants, and subawards, the aggregate value of which is not less than $1,000,000,000 and not more than $2,000,000,000;

"(B) include a diverse group of recipients of Federal awards; and

"(C) to the extent practicable, include recipients who receive Federal awards from multiple programs across multiple agencies.

"(3) DATA COLLECTION.—The pilot program shall include data collected during a 12-month reporting cycle.

"(4) REPORTING AND EVALUATION REQUIREMENTS.—Each recipient of a Federal award participating in the pilot program shall submit to the Office of Management and Budget or the Federal agency designated under paragraph (1), as appropriate, any requested reports of the selected Federal awards.

"(5) TERMINATION.—The pilot program shall terminate on the date that is 2 years after the date on which the pilot program is established.

"(6) REPORT TO CONGRESS.—Not later than 90 days after the date on which the pilot program terminates under paragraph (5), the Director shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Budget of the Senate and the Committee on Oversight and Government Reform and the Committee on the Budget of the House of Representatives a report on the pilot program, which shall include—

"(A) a description of the data collected under the pilot program, the usefulness of the data provided, and the cost to collect the data from recipients; and

"(B) a discussion of any legislative action required and recommendations for—

"(i) consolidating aspects of Federal financial reporting to reduce the costs to recipients of Federal awards;

"(ii) automating aspects of Federal financial reporting to increase efficiency and reduce the costs to recipients of Federal awards;

"(iii) simplifying the reporting requirements for recipients of Federal awards; and

"(iv) improving financial transparency.

"(7) GOVERNMENT-WIDE IMPLEMENTATION.—Not later than 1 year after the date on which the Director submits the report under paragraph (6), the Director shall issue guidance to the heads of Federal agencies as to how the Government-wide financial data standards established under section 4(a) shall be applied to the information required to be reported by entities receiving Federal awards to— Deadline. Guidance. Applicability.

"(A) reduce the burden of complying with reporting requirements; and

"(B) simplify the reporting process, including by reducing duplicative reports.

"SEC. 6. ACCOUNTABILITY FOR FEDERAL FUNDING.

"(a) INSPECTOR GENERAL REPORTS.— Public information.

"(1) IN GENERAL.—In accordance with paragraph (2), the Inspector General of each Federal agency, in consultation with the Comptroller General of the United States, shall— Consultation.

"(A) review a statistically valid sampling of the spending data submitted under this Act by the Federal agency; and Review.

"(B) submit to Congress and make publically available a report assessing the completeness, timeliness, quality, and accuracy of the data sampled and the implementation and use of data standards by the Federal agency.

"(2) DEADLINES.—

"(A) FIRST REPORT.—Not later than 18 months after the date on which the Director and the Secretary issue guidance to Federal agencies under section 4(c)(1), the Inspector General of each Federal agency shall submit and make publically available a report as described in paragraph (1).

"(B) SUBSEQUENT REPORTS.—On the same date as the Inspector General of each Federal agency submits the second and fourth reports under sections 3521(f) and 9105(a)(3) of title 31, United States Code, that are submitted after the report under subparagraph (A), the Inspector General shall submit and make publically available a report as described in paragraph (1). The report submitted under this subparagraph may be submitted as a part of the report submitted under section 3521(f) or 9105(a)(3) of title 31, United States Code.

"(b) COMPTROLLER GENERAL REPORTS.—

"(1) IN GENERAL.—In accordance with paragraph (2) and after a review of the reports submitted under subsection (a), the Comptroller General of the United States shall submit to Congress and make publically available a report assessing and comparing the data completeness, timeliness, quality, and accuracy of the data submitted under this Act by Federal agencies and the implementation and use of data standards by Federal agencies.

"(2) DEADLINES.—Not later than 30 months after the date on which the Director and the Secretary issue guidance to Federal agencies under section 4(c)(1), and every 2 years thereafter until the date that is 4 years after the date on which

the first report is submitted under this subsection, the Comptroller General of the United States shall submit and make publically available a report as described in paragraph (1).

"(c) RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD DATA ANALYSIS CENTER.—

"(1) IN GENERAL.—The Secretary may establish a data analysis center or expand an existing service to provide data, analytic tools, and data management techniques to support—

"(A) the prevention and reduction of improper payments by Federal agencies; and

"(B) improving efficiency and transparency in Federal spending.

Memorandum.

"(2) DATA AVAILABILITY.—The Secretary shall enter into memoranda of understanding with Federal agencies, including Inspectors General and Federal law enforcement agencies—

"(A) under which the Secretary may provide data from the data analysis center for—

"(i) the purposes set forth under paragraph (1);

"(ii) the identification, prevention, and reduction of waste, fraud, and abuse relating to Federal spending; and

"(iii) use in the conduct of criminal and other investigations; and

"(B) which may require the Federal agency, Inspector General, or Federal law enforcement agency to provide reimbursement to the Secretary for the reasonable cost of carrying out the agreement.

"(3) TRANSFER.—Upon the establishment of a data analysis center or the expansion of a service under paragraph (1), and on or before the date on which the Recovery Accountability and Transparency Board terminates, and in addition to any other transfer that the Director determines is necessary under section 1531 of title 31, United States Code, there are transferred to the Department of the Treasury all assets identified by the Secretary that support the operations and activities of the Recovery Operations Center of the Recovery Accountability and Transparency Board relating to the detection of waste, fraud, and abuse in the use of Federal funds that are in existence on the day before the transfer.

"SEC. 7. CLASSIFIED AND PROTECTED INFORMATION.

"Nothing in this Act shall require the disclosure to the public of—

"(1) information that would be exempt from disclosure under section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act'); or

"(2) information protected under section 552a of title 5, United States Code (commonly known as the 'Privacy Act of 1974'), or section 6103 of the Internal Revenue Code of 1986.

"SEC. 8. NO PRIVATE RIGHT OF ACTION.

"Nothing in this Act shall be construed to create a private right of action for enforcement of any provision of this Act.".

SEC. 4. EXECUTIVE AGENCY ACCOUNTING AND OTHER FINANCIAL MANAGEMENT REPORTS AND PLANS.

Section 3512(a)(1) of title 31, United States Code, is amended by inserting "and make available on the website described under section 1122" after "appropriate committees of Congress".

SEC. 5. DEBT COLLECTION IMPROVEMENT.

Section 3716(c)(6) of title 31, United States Code, is amended—

(1) by inserting "(A)" before "Any Federal agency";

(2) in subparagraph (A), as so designated, by striking "180 days" and inserting "120 days"; and

(3) by adding at the end the following:

"(B) The Secretary of the Treasury shall notify Congress of any instance in which an agency fails to notify the Secretary as required under subparagraph (A).". Notification.

Approved May 9, 2014.

LEGISLATIVE HISTORY—S. 994 (H.R. 2061):

HOUSE REPORTS: No. 113–270 (Comm. on Oversight and Government Reform) accompanying H.R. 2061.

SENATE REPORTS: No. 113–139 (Comm. on Homeland Security and Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 160 (2014):

Apr. 10, considered and passed Senate.

Apr. 28, considered and passed House.

Public Law 113–102
113th Congress

An Act

May 16, 2014
[H.R. 4120]

To amend the National Law Enforcement Museum Act to extend the termination date.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NATIONAL LAW ENFORCEMENT MUSEUM ACT TERMINATION DATE EXTENDED.

114 Stat. 2212.

Section 4(f) of the National Law Enforcement Museum Act (Public Law 106–492) is amended by striking "13 years" and inserting "16 years".

SEC. 2. EFFECTIVE DATE.

The provisions of this Act shall take effect as if this Act were enacted on November 8, 2013.

Approved May 16, 2014.

LEGISLATIVE HISTORY—H.R. 4120:

HOUSE REPORTS: No. 113–421 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Apr. 28, considered and passed House.
May 5, considered and passed Senate.

Public Law 113–103
113th Congress

An Act

To amend the Act entitled "An Act to regulate the height of buildings in the District of Columbia" to clarify the rules of the District of Columbia regarding human occupancy of penthouses above the top story of the building upon which the penthouse is placed.

May 16, 2014
[H.R. 4192]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CLARIFICATION OF RULES APPLYING TO HUMAN OCCUPANCY OF PENTHOUSES IN DISTRICT OF COLUMBIA BUILDINGS.

(a) PERMITTING HUMAN OCCUPANCY OF PENTHOUSES WITHIN CERTAIN HEIGHT LIMIT.—The eighth paragraph of section 5 of the Act entitled "An Act to regulate the height of buildings in the District of Columbia", approved June 1, 1910 (sec. 6–601.05(h), D.C. Official Code) is amended—

(1) by striking "penthouses over elevator shafts," and inserting "penthouses,"; and

(2) by striking "and no floor or compartment thereof shall be constructed or used for human occupancy above the top story of the building upon which such structures are placed" and inserting "and, except in the case of a penthouse which is erected to a height of one story of 20 feet or less above the level of the roof, no floor or compartment thereof shall be constructed or used for human occupancy above the top story of the building upon which such structures are placed".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

Approved May 16, 2014.

LEGISLATIVE HISTORY—H.R. 4192:

HOUSE REPORTS: No. 113–418 (Comm. on Oversight and Government Reform).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Apr. 28, considered and passed House.
May 6, considered and passed Senate.

Public Law 113–104
113th Congress

An Act

May 20, 2014
[H.R. 3627]

To require the Attorney General to report on State law penalties for certain child abusers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Kilah Davenport Child Protection Act of 2013.
18 USC 1 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Kilah Davenport Child Protection Act of 2013".

SEC. 2. ATTORNEY GENERAL REPORT.

Not later than 180 days after the date of enactment of this Act, and again 3 years thereafter, the Attorney General shall publish and submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the United States Senate a report on the penalties for violations of laws prohibiting child abuse in each of the 50 States, the District of Columbia, and each territory of the United States, including whether the laws of that State, District, or territory provides for enhanced penalties when the victim has suffered serious bodily injury, or permanent or protracted loss or impairment of any mental or emotional function.

SEC. 3. EXPANSION OF PREDICATE FOR INCREASED PENALTIES FOR CERTAIN DOMESTIC ASSAULTS.

Section 117(a)(1) of title 18, United States Code, is amended by inserting ", or against a child of or in the care of the person committing the domestic assault" after "intimate partner".

Approved May 20, 2014.

LEGISLATIVE HISTORY—H.R. 3627:

HOUSE REPORTS: No. 113–286 (Comm. on the Judiciary).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Dec. 9, considered and passed House.
Vol. 160 (2014): May 7, considered and passed Senate.

Public Law 113–105
113th Congress

An Act

To award a Congressional Gold Medal to the American Fighter Aces, collectively, in recognition of their heroic military service and defense of our country's freedom throughout the history of aviation warfare.

May 23, 2014
[H.R. 685]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

American Fighter Aces Congressional Gold Medal Act. 31 USC 5111 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Fighter Aces Congressional Gold Medal Act".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) An American Fighter Ace is a fighter pilot who has served honorably in a United States military service and who has destroyed 5 or more confirmed enemy aircraft in aerial combat during a war or conflict in which American armed forces have participated.

(2) Beginning with World War I, and the first use of airplanes in warfare, military services have maintained official records of individual aerial victory credits during every major conflict. Of more than 60,000 United States military fighter pilots that have taken to the air, less than 1,500 have become Fighter Aces.

(3) Americans became Fighter Aces in the Spanish Civil War, Sino-Japanese War, Russian Civil War, Arab-Israeli War, and others. Additionally, American military groups' recruited United States military pilots to form the American Volunteer Group, Eagle Squadron, and others that produced American-born Fighter Aces fighting against axis powers prior to Pearl Harbor.

(4) The concept of a Fighter Ace is that they fought for freedom and democracy across the globe, flying in the face of the enemy to defend freedom throughout the history of aerial combat. American-born citizens became Fighter Aces flying under the flag of United States allied countries and became some of the highest scoring Fighter Aces of their respective wars.

(5) American Fighter Aces hail from every State in the Union, representing numerous ethnic, religious, and cultural backgrounds.

(6) Fighter Aces possess unique skills that have made them successful in aerial combat. These include courage, judgment, keen marksmanship, concentration, drive, persistence,

and split-second thinking that makes an Ace a war fighter with unique and valuable flight driven skills.

(7) The Aces' training, bravery, skills, sacrifice, attention to duty, and innovative spirit illustrate the most celebrated traits of the United States military, including service to country and the protection of freedom and democracy.

(8) American Fighter Aces have led distinguished careers in the military, education, private enterprise, and politics. Many have held the rank of General or Admiral and played leadership roles in multiple war efforts from WWI to Vietnam through many decades. In some cases they became the highest ranking officers for following wars.

(9) The extraordinary heroism of the American Fighter Ace boosted American morale at home and encouraged many men and women to enlist to fight for America and democracy across the globe.

(10) Fighter Aces were among America's most-prized military fighters during wars. When they rotated back to the United States after combat tours, they trained cadets in fighter pilot tactics that they had learned over enemy skies. The teaching of combat dogfighting to young aviators strengthened our fighter pilots to become more successful in the skies. The net effect of this was to shorten wars and save the lives of young Americans.

(11) Following military service, many Fighter Aces became test pilots due to their superior flying skills and quick thinking abilities.

(12) Richard Bong was America's top Ace of all wars scoring a confirmed 40 enemy victories in WWII. He was from Poplar, Wisconsin, and flew the P–38 Lightning in all his combat sorties flying for the 49th Fighter Group. He was killed in 1945 during a P–80 test flight in which the engine flamed out on takeoff.

(13) The American Fighter Aces are one of the most decorated military groups in American history. Twenty-two Fighter Aces have achieved the rank of Admiral in the Navy. Seventy-nine Fighter Aces have achieved the rank of General in the Army, Marines, and Air Force. Nineteen Medals of Honor have been awarded to individual Fighter Aces.

(14) The American Fighter Aces Association has existed for over 50 years as the primary organization with which the Aces have preserved their history and told their stories to the American public. The Association established and maintains the Outstanding Cadet in Airmanship Award presented annually at the United States Air Force Academy; established and maintains an awards program for outstanding fighter pilot "lead-in" trainee graduates from the Air Force, Navy, and Marine Corps; and sponsors a scholarship program for descendants of American Fighter Aces.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a single gold medal of appropriate design in honor of the American Fighter Aces, collectively, in recognition

of their heroic military service and defense of our country's freedom, which has spanned the history of aviation warfare.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) SMITHSONIAN INSTITUTION.—

(1) IN GENERAL.—Following the award of the gold medal in honor of the American Fighter Aces, the gold medal shall be given to the Smithsonian Institution, where it will be available for display as appropriate and available for research.

(2) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Smithsonian Institution should make the gold medal awarded pursuant to this Act available for display elsewhere, particularly at appropriate locations associated with the American Fighter Aces, and that preference should be given to locations affiliated with the Smithsonian Institution.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 5. NATIONAL MEDALS.

The medal struck pursuant to this Act is a national medal for purposes of chapter 51 of title 31, United States Code.

Approved May 23, 2014.

LEGISLATIVE HISTORY—H.R. 685:

CONGRESSIONAL RECORD, Vol. 160 (2014):
May 19, considered and passed House.
May 20, considered and passed Senate.

Public Law 113–106
113th Congress

An Act

May 23, 2014
[H.R. 1209]

To award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

31 USC 5111 note.

SECTION 1. FINDINGS.

Congress finds that—

(1) on April 18, 1942, the brave men of the 17th Bombardment Group (Medium) became known as the "Doolittle Tokyo Raiders" for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo;

(2) 80 brave American aircraft crewmen, led by Lieutenant Colonel James Doolittle, volunteered for an "extremely hazardous mission", without knowing the target, location, or assignment, and willingly put their lives in harm's way, risking death, capture, and torture;

(3) the conduct of medium bomber operations from a Navy aircraft carrier under combat conditions had never before been attempted;

(4) after the discovery of the USS Hornet by Japanese picket ships 170 miles further away from the prearranged launch point, the Doolittle Tokyo Raiders proceeded to take off 670 miles from the coast of Japan;

(5) by launching more than 100 miles beyond the distance considered to be minimally safe for the mission, the Doolittle Tokyo Raiders deliberately accepted the risk that the B–25s might not have enough fuel to reach the designated air-fields in China on return;

(6) the additional launch distance greatly increased the risk of crash landing in Japanese occupied China, exposing the crews to higher probability of death, injury, or capture;

(7) because of that deliberate choice, after bombing their targets in Japan, low on fuel and in setting night and deteriorating weather, none of the 16 airplanes reached the prearranged Chinese airfields;

(8) of the 80 Doolittle Tokyo Raiders who launched on the raid, 8 were captured, 2 died in the crash, and 70 returned to the United States;

(9) of the 8 captured Doolittle Tokyo Raiders, 3 were executed and 1 died of disease; and

(10) there were only 5 surviving members of the Doolittle Tokyo Raiders as of February 2013.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD.—

(1) AUTHORIZED.—The President pro tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design in honor of the World War II members of the 17th Bombardment Group (Medium) who became known as the "Doolittle Tokyo Raiders", in recognition of their military service during World War II.

(2) DESIGN AND STRIKING.—For the purposes of the award referred to in paragraph (1), the Secretary of the Treasury shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(3) NATIONAL MUSEUM OF THE UNITED STATES AIR FORCE.—

(A) IN GENERAL.—Following the award of the gold medal referred to in paragraph (1) in honor of the World War II members of the 17th Bombardment Group (Medium), who became known as the "Doolittle Tokyo Raiders", the gold medal shall be given to the National Museum of the United States Air Force, where it shall be available for display with the Doolittle Tokyo Raiders Goblets, as appropriate, and made available for research.

(B) SENSE OF CONGRESS.—It is the sense of Congress that the National Museum of the United States Air Force should make the gold medal received under this Act available for display elsewhere, particularly at other locations and events associated with the Doolittle Tokyo Raiders.

(b) DUPLICATE MEDALS.—Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under this Act, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

(c) NATIONAL MEDALS.—Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

Approved May 23, 2014.

LEGISLATIVE HISTORY—H.R. 1209 (S. 381):

CONGRESSIONAL RECORD, Vol. 160 (2014):
May 19, considered and passed House.
May 20, considered and passed Senate.

Public Law 113–107
113th Congress

An Act

May 24, 2014
[H.R. 862]

To authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF LAND TO CORRECT ERRONEOUS SURVEY, COCONINO NATIONAL FOREST, ARIZONA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of Agriculture may convey by quitclaim deed all right, title, and interest of the United States in and to the two parcels of land described in subsection (b) to a person or legal entity that represents (by power of attorney) the majority of landowners with private property adjacent to the two parcels. These parcels are within the boundaries of the Coconino National Forest and contain private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

(b) DESCRIPTION OF LAND.—The two parcels of land authorized for conveyance under subsection (a) consist of approximately 2.67 acres described in the Bureau of Land Management's Survey Plat titled Subdivision and Metes and Bounds Surveys in secs. 28 and 29, T. 20 N., R. 7 E., Gila and Salt River Meridian, approved February 2, 2010, as follows:

(1) Lot 2, sec. 28, T. 20 N., R. 7 E., Gila and Salt River Meridian, Coconino County, Arizona.

(2) Lot 1, sec. 29, T. 20 N., R. 7 E., Gila and Salt River Meridian, Coconino County, Arizona.

(c) CONSIDERATION.—

(1) AMOUNT OF CONSIDERATION.—As consideration for the conveyance of the two parcels under subsection (a), the person or legal entity that represents (by power of attorney) the majority of landowners with private property adjacent to the parcels shall pay to the Secretary consideration in the amount of $20,000.

(2) DEPOSIT.—The Secretary shall deposit the consideration received under this subsection in a special account in the fund established under Public Law 90–171 (commonly known as the Sisk Act; 16 U.S.C. 484a).

(3) USE.—The deposited funds shall be available to the Secretary, without further appropriation and until expended, for acquisition of land in the National Forest System.

(d) REVOCATION OF ORDERS.—Any public orders withdrawing any of the Federal land from appropriation or disposal under the

public land laws are revoked to the extent necessary to permit conveyance of the Federal land under subsection (a).

(e) WITHDRAWAL OF FEDERAL LAND.—Subject to valid existing rights, the Federal land authorized for conveyance under subsection (a) is withdrawn from all forms of entry and appropriation under the public land laws, location, entry, and patent under the mining laws, and operation of the mineral leasing and geothermal leasing laws until the date which the conveyance is completed.

(f) OTHER TERMS AND CONDITIONS.—The conveyance authorized by subsection (a) shall be subject only to those surveys and clearances as needed to protect the interests of the United States.

(g) DURATION OF AUTHORITY.—The authority provided under this section shall terminate three years after the date of the enactment of this Act.

Approved May 24, 2014.

LEGISLATIVE HISTORY—H.R. 862:

HOUSE REPORTS: No. 113–75 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–149 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): June 17, considered and passed House.
Vol. 160 (2014): May 22, considered and passed Senate.

Public Law 113–108
113th Congress

An Act

May 30, 2014
[S. 309]

To award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

31 USC 5111 note.

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) The unpaid volunteer members of the Civil Air Patrol (hereafter in this Act referred to as the "CAP") during World War II provided extraordinary humanitarian, combat, and national services during a critical time of need for the Nation.

(2) During the war, CAP members used their own aircraft to perform a myriad of essential tasks for the military and the Nation within the United States, including attacks on enemy submarines off the Atlantic and Gulf of Mexico coasts of the United States.

(3) This extraordinary national service set the stage for the post-war CAP to become a valuable nonprofit, public service organization chartered by Congress and designated the Auxiliary of the United States Air Force that provides essential emergency, operational, and public services to communities, States, the Federal Government, and the military.

(4) The CAP was established on December 1, 1941, initially as a part of the Office of Civil Defense, by air-minded citizens one week before the surprise attack on Pearl Harbor, Hawaii, out of the desire of civil airmen of the country to be mobilized with their equipment in the common defense of the Nation.

(5) Within days of the start of the war, the German Navy started a massive submarine offensive, known as Operation Drumbeat, off the east coast of the United States against oil tankers and other critical shipping that threatened the overall war effort.

(6) Neither the Navy nor the Army had enough aircraft, ships, or other resources to adequately patrol and protect the shipping along the Atlantic and Gulf of Mexico coasts of the United States, and many ships were torpedoed and sunk, often within sight of civilians on shore, including 52 tankers sunk between January and March 1942.

(7) At that time General George Marshall remarked that "[t]he losses by submarines off our Atlantic seaboard and in the Caribbean now threaten our entire war effort".

(8) From the beginning CAP leaders urged the military to use its services to patrol coastal waters but met with great

resistance because of the nonmilitary status of CAP civilian pilots.

(9) Finally, in response to the ever-increasing submarine attacks, the Tanker Committee of the Petroleum Industry War Council urged the Navy Department and the War Department to consider the use of the CAP to help patrol the sea lanes off the coasts of the United States.

(10) While the Navy initially rejected this suggestion, the Army decided it had merit, and the Civil Air Patrol Coastal Patrol began in March 1942.

(11) Oil companies and other organizations provided funds to help pay for some CAP operations, including vitally needed shore radios that were used to monitor patrol missions.

(12) By late March 1942, the Navy also began to use the services of the CAP.

(13) Starting with 3 bases located in Delaware, Florida, and New Jersey, CAP aircrews (ranging in age from 18 to over 80) immediately started to spot enemy submarines as well as lifeboats, bodies, and wreckage.

(14) Within 15 minutes of starting his patrol on the first Coastal Patrol flight, a pilot had sighted a torpedoed tanker and was coordinating rescue operations.

(15) Eventually 21 bases, ranging from Bar Harbor, Maine, to Brownsville, Texas, were set up for the CAP to patrol the Atlantic and Gulf of Mexico coasts of the United States, with 40,000 volunteers eventually participating.

(16) The CAP used a wide range of civilian-owned aircraft, mainly light-weight, single-engine aircraft manufactured by Cessna, Beech, Waco, Fairchild, Stinson, Piper, Taylorcraft, and Sikorsky, among others, as well as some twin engine aircraft, such as the Grumman Widgeon.

(17) Most of these aircraft were painted in their civilian prewar colors (red, yellow, or blue, for example) and carried special markings (a blue circle with a white triangle) to identify them as CAP aircraft.

(18) Patrols were conducted up to 100 miles off shore, generally with 2 aircraft flying together, in aircraft often equipped with only a compass for navigation and a single radio for communication.

(19) Due to the critical nature of the situation, CAP operations were conducted in bad weather as well as good, often when the military was unable to fly, and in all seasons, including the winter, when ditching an aircraft in cold water would likely mean certain death to the aircrew.

(20) Personal emergency equipment was often lacking, particularly during early patrols where inner tubes and kapok duck hunter vests were carried as flotation devices, since ocean worthy wet suits, life vests, and life rafts were unavailable.

(21) The initial purpose of the Coastal Patrol was to spot submarines, report their position to the military, and force them to dive below the surface, which limited their operating speed and maneuverability and reduced their ability to detect and attack shipping, because attacks against shipping were conducted while the submarines were surfaced.

(22) It immediately became apparent that there were opportunities for CAP pilots to attack submarines, such as when a Florida CAP aircrew came across a surfaced submarine

that quickly stranded itself on a sand bar. However, the aircrew could not get any assistance from armed military aircraft before the submarine freed itself.

(23) Finally, after several instances when the military could not respond in a timely manner, a decision was made by the military to arm CAP aircraft with 50- and 100-pound bombs, and to arm some larger twin-engine aircraft with 325-pound depth charges.

(24) The arming of CAP aircraft dramatically changed the mission for these civilian aircrews and resulted in more than 57 attacks on enemy submarines.

(25) While CAP volunteers received $8 a day flight reimbursement for costs incurred, their patrols were accomplished at a great economic cost to many CAP members who—

(A) used their own aircraft and other equipment in defense of the Nation;

(B) paid for much of their own aircraft maintenance and hangar use; and

(C) often lived in the beginning in primitive conditions along the coast, including old barns and chicken coops converted for sleeping.

(26) More importantly, the CAP Coastal Patrol service came at the high cost of 26 fatalities, 7 serious injuries, and 90 aircraft lost.

(27) At the conclusion of the 18-month Coastal Patrol, the heroic CAP aircrews would be credited with—

(A) 2 submarines possibly damaged or destroyed;

(B) 57 submarines attacked;

(C) 82 bombs dropped against submarines;

(D) 173 radio reports of submarine positions (with a number of credited assists for kills made by military units);

(E) 17 floating mines reported;

(F) 36 dead bodies reported;

(G) 91 vessels in distress reported;

(H) 363 survivors in distress reported;

(I) 836 irregularities noted;

(J) 1,036 special investigations at sea or along the coast;

(K) 5,684 convoy missions as aerial escorts for Navy ships;

(L) 86,685 total missions flown;

(M) 244,600 total flight hours logged; and

(N) more than 24,000,000 total miles flown.

(28) It is believed that at least one high-level German Navy Officer credited CAP as one reason that submarine attacks moved away from the United States when he concluded that "[i]t was because of those damned little red and yellow planes!".

(29) The CAP was dismissed from coastal missions with little thanks in August 1943 when the Navy took over the mission completely and ordered CAP to stand down.

(30) While the Coastal Patrol was ongoing, CAP was also establishing itself as a vital wartime service to the military, States, and communities nationwide by performing a wide range of missions including, among others—

(A) border patrol;

(B) forest and fire patrols;

(C) military courier flights for mail, repair and replacement parts, and urgent military deliveries;

(D) emergency transportation of military personnel;

(E) target towing (with live ammunition being fired at the targets and seven lives being lost) and searchlight tracking training missions;

(F) missing aircraft and personnel searches;

(G) air and ground search and rescue for missing aircraft and personnel;

(H) radar and aircraft warning system training flights;

(I) aerial inspections of camouflaged military and civilian facilities;

(J) aerial inspections of city and town blackout conditions;

(K) simulated bombing attacks on cities and facilities to test air defenses and early warning;

(L) aerial searches for scrap metal materials;

(M) river and lake patrols, including aerial surveys for ice in the Great Lakes;

(N) support of war bond drives;

(O) management and guard duties at hundreds of airports;

(P) support for State and local emergencies such as natural and manmade disasters;

(Q) predator control;

(R) rescue of livestock during floods and blizzards;

(S) recruiting for the Army Air Force;

(T) initial flight screening and orientation flights for potential military recruits;

(U) mercy missions, including the airlift of plasma to central blood banks;

(V) nationwide emergency communications services; and

(W) a cadet youth program which provided aviation and military training for tens of thousands.

(31) The CAP flew more than 500,000 hours on these additional missions, including—

(A) 20,500 missions involving target towing (with live ammunition) and gun/searchlight tracking which resulted in 7 deaths, 5 serious injuries, and the loss of 25 aircraft;

(B) a courier service involving 3 major Air Force Commands over a 2-year period carrying more than 3,500,000 pounds of vital cargo and 543 passengers;

(C) southern border patrol flying more than 30,000 hours and reporting 7,000 unusual sightings including a vehicle (that was apprehended) with 2 enemy agents attempting to enter the country;

(D) a week in February 1945 during which CAP units rescued seven missing Army and Navy pilots; and

(E) a State in which the CAP flew 790 hours on forest fire patrol missions and reported 576 fires to authorities during a single year.

(32) On April 29, 1943, the CAP was transferred to the Army Air Forces, thus beginning its long association with the United States Air Force.

(33) Hundreds of CAP-trained women pilots joined military women's units including the Women's Air Force Service Pilots (WASP) program.

(34) Many members of the WASP program joined or rejoined the CAP during the post-war period because it provided women opportunities to fly and continue to serve the Nation that were severely lacking elsewhere.

(35) Due to the exceptional emphasis on safety, unit and pilot training and discipline, and the organization of the CAP, by the end of the war a total of only 64 CAP members had died in service and only 150 aircraft had been lost (including its Coastal Patrol losses from early in the war).

(36) It is estimated that up to 100,000 civilians (including youth in its cadet program) participated in the CAP in a wide range of staff and operational positions, and that CAP aircrews flew a total of approximately 750,000 hours during the war, most of which were in their personal aircraft and often at risk to their lives.

(37) After the war, at a CAP dinner for Congress, a quorum of both Houses attended with the Speaker of the House of Representatives and the President thanking CAP for its service.

(38) While air medals were issued for some of those participating in the Coastal Patrol, little other recognition was forthcoming for the myriad of services CAP volunteers provided during the war.

(39) Despite some misguided efforts to end the CAP at the end of the war, the organization had proved its capabilities to the Nation and strengthened its ties with the Air Force and Congress.

(40) In 1946, Congress chartered the CAP as a nonprofit, public service organization and in 1948 made the CAP an Auxiliary of the United States Air Force.

(41) Today, the CAP conducts many of the same missions it performed during World War II, including a vital role in homeland security.

(42) The CAP's wartime service was highly unusual and extraordinary, due to the unpaid civilian status of its members, the use of privately owned aircraft and personal funds by many of its members, the myriad of humanitarian and national missions flown for the Nation, and the fact that for 18 months, during a time of great need for the United States, the CAP flew combat-related missions in support of military operations off the Atlantic and Gulf of Mexico coasts.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD.—

(1) AUTHORIZED.—The President pro tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design in honor of the World War II members of the Civil Air Patrol collectively, in recognition of the military service and exemplary record of the Civil Air Patrol during World War II.

(2) DESIGN AND STRIKING.—For the purposes of the award referred to in paragraph (1), the Secretary of the Treasury shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(3) SMITHSONIAN INSTITUTION.—

(A) IN GENERAL.—Following the award of the gold medal referred to in paragraph (1) in honor of all of its World War II members of the Civil Air Patrol, the gold medal shall be given to the Smithsonian Institution, where it shall be displayed as appropriate and made available for research.

(B) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution should make the gold medal received under this paragraph available for display elsewhere, particularly at other locations associated with the Civil Air Patrol.

(b) DUPLICATE MEDALS.—Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under this Act, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses, and amounts received from the sale of such duplicates shall be deposited in the United States Mint Public Enterprise Fund.

(c) NATIONAL MEDALS.—Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

Approved May 30, 2014.

LEGISLATIVE HISTORY—S. 309:

CONGRESSIONAL RECORD:
Vol. 159 (2013): May 20, considered and passed Senate.
Vol. 160 (2014): May 19, considered and passed House.

Public Law 113–109
113th Congress

An Act

June 9, 2014
[H.R. 724]

To amend the Clean Air Act to remove the requirement for dealer certification of new light-duty motor vehicles.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REMOVAL OF REQUIREMENT FOR DEALER CERTIFICATION OF NEW LIGHT-DUTY MOTOR VEHICLES.

Section 207(h) of the Clean Air Act (42 U.S.C. 7541(h)) is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

Approved June 9, 2014.

LEGISLATIVE HISTORY—H.R. 724:

HOUSE REPORTS: No. 113–320 (Comm. on Energy and Commerce).
SENATE REPORTS: No. 113–144 (Comm. on Environment and Public Works).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Jan. 8, considered and passed House.
May 22, considered and passed Senate.

Public Law 113–110
113th Congress

An Act

To designate the facility of the United States Postal Service located at 103 Center Street West in Eatonville, Washington, as the "National Park Ranger Margaret Anderson Post Office".

June 9, 2014
[H.R. 1036]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NATIONAL PARK RANGER MARGARET ANDERSON POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 103 Center Street West in Eatonville, Washington, shall be known and designated as the "National Park Ranger Margaret Anderson Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "National Park Ranger Margaret Anderson Post Office".

Approved June 9, 2014.

LEGISLATIVE HISTORY—H.R. 1036:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 24, considered and passed House.
May 21, considered and passed Senate.

Public Law 113–111
113th Congress

An Act

June 9, 2014
[H.R. 1228]

To designate the facility of the United States Postal Service located at 123 South 9th Street in De Pere, Wisconsin, as the "Corporal Justin D. Ross Post Office Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CORPORAL JUSTIN D. ROSS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 123 South 9th Street in De Pere, Wisconsin, shall be known and designated as the "Corporal Justin D. Ross Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Corporal Justin D. Ross Post Office Building".

Approved June 9, 2014.

LEGISLATIVE HISTORY—H.R. 1228 (S. 2185):

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 24, 26, considered and passed House.
May 21, considered and passed Senate.

Public Law 113–112
113th Congress

An Act

To designate the facility of the United States Postal Service located at 14 Main Street in Brockport, New York, as the "Staff Sergeant Nicholas J. Reid Post Office Building".

June 9, 2014
[H.R. 1451]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STAFF SERGEANT NICHOLAS J. REID POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 14 Main Street in Brockport, New York, shall be known and designated as the "Staff Sergeant Nicholas J. Reid Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Staff Sergeant Nicholas J. Reid Post Office Building".

Approved June 9, 2014.

LEGISLATIVE HISTORY—H.R. 1451 (S. 668):

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 24, considered and passed House.
May 21, considered and passed Senate.

Public Law 113–113
113th Congress

An Act

June 9, 2014
[H.R. 2391]

To designate the facility of the United States Postal Service located at 5323 Highway N in Cottleville, Missouri as the "Lance Corporal Phillip Vinnedge Post Office".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LANCE CORPORAL PHILLIP D. VINNEDGE POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 5323 Highway N in Cottleville, Missouri, shall be known and designated as the "Lance Corporal Phillip Vinnedge Post Office".

(b) REFERENCES.—Any references in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Lance Corporal Phillip Vinnedge Post Office".

Approved June 9, 2014.

LEGISLATIVE HISTORY—H.R. 2391:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 24, considered and passed House.
May 21, considered and passed Senate.

Public Law 113–114
113th Congress

An Act

To award the Congressional Gold Medal to Shimon Peres.

June 9, 2014
[H.R. 2939]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

31 USC 5111 note.

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) Shimon Peres was born in Poland in 1923.

(2) The Peres family emigrated to Tel Aviv in 1934, and all of the family members of Shimon Peres who remained in Poland were murdered during the Holocaust.

(3) Before Israel gained independence, Shimon Peres earned the respect of senior leaders in the independence movement in Israel, most notably David Ben-Gurion.

(4) The founding generation of Israel was central to the development of Israel, and Shimon Peres is the only surviving member of that founding generation.

(5) Shimon Peres has served in numerous high-level cabinet positions and ministerial posts in Israel, including head of the Israeli Navy, Minister of Defense, Foreign Minister, Prime Minister, and President, among many others.

(6) Shimon Peres has honorably served Israel for over 70 years, during which he has significantly contributed to United States interests and has played a pivotal role in forging the strong and unbreakable bond between the United States and Israel.

(7) By presenting the Congressional Gold Medal to Shimon Peres, the first to be awarded to a sitting President of Israel, Congress proclaims its unbreakable bond with Israel and reaffirms its continual support for Israel as we commemorate the 65th anniversary of the independence of Israel and the 90th birthday of Shimon Peres, which are both significant milestones in Israeli history.

(8) Maintaining strong bilateral relations between the United States and Israel has been a priority of Shimon Peres since he began working with the United States in the days of John F. Kennedy. The strong bond is exemplified by the following:

(A) President Reagan said to Shimon Peres upon his visit to the United States, "Mr. Prime Minister, I thank you very much for your visit. It's been an occasion to renew a friendship and to review and enhance the strength of our unique bilateral relationship.".

(B) At another point President Reagan said of Shimon Peres, "His vision, his statesmanship and his tenacity are greatly appreciated here.".

(C) While visiting with Shimon Peres at the Residence of the President in Jerusalem, President Obama described Shimon Peres as "* * * a son of Israel who's devoted his life to keeping Israel strong and sustaining the bonds between our two nations".

(D) On March 20, 2013, Shimon Peres reaffirmed his belief in the relationship between the United States and Israel, stating, "America stood by our side from the very beginning. You support us as we rebuild our ancient homeland and as we defend our land. From Holocaust to redemption.".

(E) On March 21, 2013, Shimon Peres stated, "* * * America is so great and we are so small. But I learned that you don't measure us by size, but by values. When it comes to values, we are you and you are us * * * As I look back, I feel that the Israel of today has exceeded the vision we had 65 years ago. Reality has surpassed our dreams. The United States of America helped us to make this possible.".

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The President pro tempore of the Senate and the Speaker of the House of Representatives shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design in honor of President Shimon Peres.

(b) DESIGN AND STRIKING.—For the purpose of the award referred to in subsection (a), the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary of the Treasury may prescribe, the Secretary may strike duplicate medals in bronze of the gold medal struck pursuant to section 2 and sell such duplicate medals at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

SEC. 4. NATIONAL MEDALS.

Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

Approved June 9, 2014.

LEGISLATIVE HISTORY—H.R. 2939:

CONGRESSIONAL RECORD, Vol. 160 (2014):
May 19, considered and passed House.
May 20, considered and passed Senate.

Public Law 113–115
113th Congress

An Act

June 9, 2014
[H.R. 3060]

To designate the facility of the United States Postal Service located at 232 Southwest Johnson Avenue in Burleson, Texas, as the "Sergeant William Moody Post Office Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SERGEANT WILLIAM MOODY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 232 Southwest Johnson Avenue in Burleson, Texas, shall be known and designated as the "Sergeant William Moody Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Sergeant William Moody Post Office Building".

Approved June 9, 2014.

LEGISLATIVE HISTORY—H.R. 3060:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 24, considered and passed House.
May 21, considered and passed Senate.

Public Law 113–116
113th Congress

An Act

To grant the Congressional Gold Medal, collectively, to the Monuments Men, in recognition of their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II.

June 9, 2014
[H.R. 3658]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Monuments Men Recognition Act of 2014.
31 USC 5111 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Monuments Men Recognition Act of 2014".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) On June 23, 1943, President Franklin D. Roosevelt formed the "American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas".

(2) The Commission established the Monuments, Fine Arts, and Archives ("MFAA") Section under the Allied Armies.

(3) The men and women serving in the MFAA Section were referred to as the "Monuments Men".

(4) These individuals had expertise as museum directors, curators, art historians, artists, architects, and educators.

(5) In December 1943, General Dwight D. Eisenhower empowered the Monuments Men by issuing orders to all commanders that stated they must respect monuments "so far as war allows".

(6) Initially the Monuments Men were intended to protect and temporarily repair the monuments, churches, and cathedrals of Europe suffering damage due to combat.

(7) Hitler and the Nazis engaged in a pre-meditated, mass theft of art and stored priceless works in thousands of art repositories throughout Europe.

(8) The Monuments Men adapted their mission to identify, preserve, catalogue, and repatriate almost 5,000,000 artistic and cultural items which they discovered.

(9) This magnitude of cultural preservation was unprecedented during a time of conflict.

(10) The Monuments Men grew to no more than 350 individuals and joined front line military forces; two Monuments Men lost their lives in action.

(11) Following the Allied victory, the Monuments Men remained abroad to rebuild cultural life in Europe through organizing art exhibitions and concerts.

(12) Many of the Monuments Men became renowned directors and curators of preeminent international cultural institutions, professors at institutions of higher education, and founders of artistic associations both before and after the war.

(13) The Monuments Men Foundation for the Preservation of Art was founded in 2007 to honor the legacy of the men and women who served as Monuments Men.

(14) There are only five surviving members of the Monuments Men as of December 2013.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design in commemoration to Monuments Men, in recognition of their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the "Secretary") shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) SMITHSONIAN INSTITUTION.—

(1) IN GENERAL.—Following the award of the gold medal in honor of the Monuments Men, the gold medal shall be given to the Smithsonian Institution, where it will be available for display as appropriate and available for research.

(2) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Smithsonian Institution should make the gold medal awarded pursuant to this Act available for display elsewhere, particularly at appropriate locations associated with the Monuments Men, and that preference should be given to locations affiliated with the Smithsonian Institution.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

Approved June 9, 2014.

LEGISLATIVE HISTORY—H.R. 3658:

CONGRESSIONAL RECORD, Vol. 160 (2014):
May 19, considered and passed House.
May 20, considered and passed Senate.

Public Law 113–117
113th Congress

An Act

June 9, 2014
[H.R. 4032]

To exempt from Lacey Act Amendments of 1981 certain water transfers by the North Texas Municipal Water District and the Greater Texoma Utility Authority, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

North Texas Invasive Species Barrier Act of 2014.

SECTION 1. SHORT TITLE.

This Act may be cited as the "North Texas Invasive Species Barrier Act of 2014".

SEC. 2. COMPLIANCE WITH LACEY ACT AMENDMENTS OF 1981.

Section 5 of Public Law 112–237 (126 Stat. 1629) is amended by inserting after "zebra mussels" the following: "and other fish, wildlife, and plants present in Lake Texoma that are prohibited under section 3 of such Act (16 U.S.C. 3372) or under section 42 of title 18, United States Code".

Approved June 9, 2014.

LEGISLATIVE HISTORY—H.R. 4032:

HOUSE REPORTS: No. 113–413, Pt. 1 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Apr. 28, considered and passed House.
May 22, considered and passed Senate.

Public Law 113–118
113th Congress

An Act

To make technical corrections to two bills enabling the presentation of congressional gold medals, and for other purposes.

June 9, 2014
[H.R. 4488]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

Gold Medal Technical Corrections Act of 2014.
31 USC 5101 note.

This Act may be cited as the "Gold Medal Technical Corrections Act of 2014".

SEC. 2. TECHNICAL CORRECTIONS TO AN ACT THAT AUTHORIZES PRESENTATION OF A CONGRESSIONAL GOLD MEDAL TO DR. MARTIN LUTHER KING, JR., AND CORETTA SCOTT KING.

31 USC 5111 note.

Section 2 of Public Law 108–368 is amended—

(1) in subsection (a)—

(A) by striking all before "to present" and inserting the following: "(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate are authorized"; and

(B) by striking "(posthumously)"; and

(2) by adding at the end the following:

"(c) SMITHSONIAN INSTITUTION.—

"(1) IN GENERAL.—Following the award of the gold medal in honor of Dr. Martin Luther King, Jr., and Coretta Scott King under subsection (a), the gold medal shall be given to the Smithsonian Institution, where it shall be available for display as appropriate and made available for research.

"(2) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution shall make the gold medal received under paragraph (1) available for display, particularly at the National Museum of African American History and Culture, or for loan as appropriate so that it may be displayed elsewhere, particularly at other appropriate locations associated with the lives of Dr. Martin Luther King, Jr., and Coretta Scott King.".

SEC. 3. TECHNICAL CORRECTIONS TO AN ACT THAT AUTHORIZES PRESENTATION OF A CONGRESSIONAL GOLD MEDAL COLLECTIVELY TO THE MONTFORD POINT MARINES, UNITED STATES MARINE CORPS.

31 USC 5111 note.

Section 2 of Public Law 112–59 is amended by adding at the end the following:

"(c) SMITHSONIAN INSTITUTION.—

"(1) IN GENERAL.—Following the award of the gold medal in honor of the Montford Point Marines, United States Marine Corps under subsection (a), the gold medal shall be given

to the Smithsonian Institution, where it shall be available for display as appropriate and made available for research.

"(2) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution shall make the gold medal received under paragraph (1) available for display, particularly at the National Museum of African American History and Culture, or for loan as appropriate so that it may be displayed elsewhere, particularly at other appropriate locations associated with the Montford Point Marines.".

Approved June 9, 2014.

LEGISLATIVE HISTORY—H.R. 4488:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Apr. 29, considered and passed House.
May 22, considered and passed Senate.

Public Law 113–119
113th Congress

An Act

To make a technical amendment to the T'uf Shur Bien Preservation Trust Area Act, and for other purposes.

June 9, 2014
[S. 611]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Sandia Pueblo Settlement Technical Amendment Act. 16 USC 539m note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sandia Pueblo Settlement Technical Amendment Act".

SEC. 2. SANDIA PUEBLO SETTLEMENT TECHNICAL AMENDMENT.

Section 413(b) of the T'uf Shur Bien Preservation Trust Area Act (16 U.S.C. 539m–11(b)) is amended—

(1) in the first sentence of paragraph (4), by striking "conveyance" and inserting "title to be conveyed"; and

(2) by adding at the end the following:

"(6) FAILURE TO EXCHANGE.—

Deadline. Public lands.

"(A) IN GENERAL.—If the land exchange authorized under paragraph (1) is not completed by the date that is 30 days after the date of enactment of this paragraph, the Secretary, on request of the Pueblo and the Secretary of the Interior, shall transfer the National Forest land generally depicted as 'Land to be Held in Trust' on the map entitled 'Sandia Pueblo Settlement Technical Amendment Act' and dated October 18, 2013, to the Secretary of the Interior to be held in trust by the United States for the Pueblo—

"(i) subject to the restriction enforced by the Secretary of the Interior that the land remain undeveloped, with the natural characteristics of the land to be preserved in perpetuity; and

"(ii) consistent with subsection (c).

"(B) OTHER TRANSFERS.—After the transfer under subparagraph (A) is complete, the Secretary of the Interior, with the consent of the Pueblo, shall—

"(i) transfer to the Secretary, consistent with section 411(c)—

"(I) the La Luz tract generally depicted on the map entitled 'Sandia Pueblo Settlement Technical Amendment Act' and dated October 18, 2013; and

"(II) the conservation easement for the Piedra Lisa tract generally depicted on the map entitled 'Sandia Pueblo Settlement Technical Amendment Act' and dated October 18, 2013; and

"(ii) grant to the Secretary a right-of-way for the Piedra Lisa Trail within the Piedra Lisa tract generally depicted on the map entitled 'Sandia Pueblo Settlement Technical Amendment Act' and dated October 18, 2013.".

Approved June 9, 2014.

LEGISLATIVE HISTORY—S. 611 (H.R. 3605):

HOUSE REPORTS: No. 113–396 (Comm. on Natural Resources) accompanying H.R. 3605.
SENATE REPORTS: No. 113–136 (Comm. on Indian Affairs).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 12, considered and passed Senate.
May 28, considered and passed House.

Public Law 113–120
113th Congress

An Act

To award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers.

June 10, 2014
[H.R. 1726]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

31 USC 5111 note.

SECTION 1. FINDINGS.

The Congress finds the following:

(1) In 1898, the United States acquired Puerto Rico in the Treaty of Paris that ended the Spanish-American War and, by the following year, Congress had authorized raising a unit of volunteer soldiers in the newly acquired territory.

(2) In May 1917, two months after legislation granting United States citizenship to individuals born in Puerto Rico was signed into law, and one month after the United States entered World War I, the unit was transferred to the Panama Canal Zone in part because United States Army policy at the time restricted most segregated units to noncombat roles, even though the regiment could have contributed to the fighting effort.

(3) In June 1920, the unit was re-designated as the "65th Infantry Regiment, United States Army", and served as the United States military's last segregated unit composed primarily of Hispanic soldiers.

(4) In January 1943, 13 months after the attack on Pearl Harbor that marked the entry of the United States into World War II, the Regiment again deployed to the Panama Canal Zone before deploying overseas in the spring of 1944.

(5) Despite relatively limited combat service in World War II, the Regiment suffered casualties in the course of defending against enemy attacks, with individual soldiers earning one Distinguished Service Cross, two Silver Stars, two Bronze Stars and 90 Purple Hearts. The Regiment received campaign participation credit for Rome-Arno, Rhineland, Ardennes-Alsace, and Central Europe.

(6) Although an executive order issued by President Harry S. Truman in July 1948 declared it to be United States policy to ensure equality of treatment and opportunity for all persons in the armed services without respect to race or color, implementation of this policy had yet to be fully realized when armed conflict broke out on the Korean Peninsula in June 1950, and both African-American soldiers and Puerto Rican soldiers served in segregated units.

(7) Brigadier General William W. Harris, who served as the Regiment's commander during the early stages of the

Korean War, later recalled that he had initially been reluctant to take the position because of "prejudice" within the military and "the feeling of the officers and even the brass of the Pentagon * * * that the Puerto Rican wouldn't make a good combat soldier * * * I know my contemporaries felt that way and, in all honesty, I must admit that at the time I had the same feeling * * * that the Puerto Rican was a rum and Coca-Cola soldier.".

(8) One of the first opportunities the Regiment had to prove its combat worthiness arose on the eve of the Korean War during Operation PORTREX, one of the largest military exercises that had been conducted up until that point, where the Regiment distinguished itself by repelling an offensive consisting of over 32,000 troops from the 82nd Airborne Division and the United States Marine Corps, supported by the Navy and Air Force, thereby demonstrating that the Regiment could hold its own against some of the best-trained forces in the United States military.

(9) In August 1950, with the United States Army's situation in Korea deteriorating, the Department of the Army's headquarters decided to bolster the 3rd Infantry Division and, owing in part to the 65th Infantry Regiment's outstanding performance during Operation PORTREX, it was among the units selected for the combat assignment. The decision to send the Regiment to Korea and attach it to the 3rd Infantry Division was a landmark change in the United States military's racial and ethnic policy.

(10) As the Regiment sailed to Asia in September 1950, members of the unit informally decided to call themselves the "Borinqueneers", a term derived from the Taíno word for Puerto Rico meaning "land of the brave lord".

(11) The story of the 65th Infantry Regiment during the Korean War has been aptly described as "one of pride, courage, heartbreak, and redemption".

(12) Fighting as a segregated unit from 1950 to 1952, the Regiment participated in some of the fiercest battles of the war, and its toughness, courage and loyalty earned the admiration of many who had previously harbored reservations about Puerto Rican soldiers based on lack of previous fighting experience and negative stereotypes, including Brigadier General Harris, whose experience eventually led him to regard the Regiment as "the best damn soldiers that I had ever seen".

(13) After disembarking at Pusan, South Korea in September 1950, the Regiment blocked the escape routes of retreating North Korean units and overcame pockets of resistance. The most significant battle took place near Yongamni in October when the Regiment routed a force of 400 enemy troops. By the end of the month, the Regiment had taken 921 prisoners while killing or wounding more than 600 enemy soldiers. Its success led General Douglas MacArthur, Commander-in-Chief of the United Nations Command in Korea, to observe that the Regiment was "showing magnificent ability and courage in field operations".

(14) The Regiment landed on the eastern coast of North Korea in early November 1950. In December 1950, following China's intervention in the war, the Regiment engaged in a series of fierce battles to cover the rear guard of the 1st Marine

Division during the fighting retreat from the Chosin Reservoir to the enclave at Hungnam, North Korea, one of the greatest withdrawals in modern military history.

(15) When General MacArthur ordered the evacuation of Hungnam in mid-December, the Regiment was instrumental in securing the port, and was among the last units—if not the last unit—to depart the beachhead on Christmas Eve, suffering significant casualties in the process. Under the Regiment's protection, 105,000 troops and 100,000 refugees were evacuated, along with 350,000 tons of supplies and 17,500 military vehicles.

(16) The brutal winter conditions during the campaign presented significant hardships for soldiers in the Regiment, who lacked appropriate gear to fight in sub-zero temperatures.

(17) Between January and March 1951, the Regiment participated in numerous operations to recover and retain South Korean territory lost to the enemy, assaulting heavily fortified enemy positions and conducting the last recorded battalion-sized bayonet assault in United States Army history.

(18) On January 31, 1951, the commander of Eighth Army, Lieutenant General Matthew B. Ridgway, wrote to the Regiment's commander: "What I saw and heard of your regiment reflects great credit on you, your regiment, and the people of Puerto Rico, who can be proud of their valiant sons. I am confident that their battle records and training levels will win them high honors * * *. Their conduct in battle has served only to increase the high regard in which I hold these fine troops.".

(19) On February 3, 1951, General MacArthur wrote: "The Puerto Ricans forming the ranks of the gallant 65th Infantry on the battlefields of Korea by valor, determination, and a resolute will to victory give daily testament to their invincible loyalty to the United States and the fervor of their devotion to those immutable standards of human relations to which the Americans and Puerto Ricans are in common dedicated. They are writing a brilliant record of achievement in battle and I am proud indeed to have them in this command. I wish that we might have many more like them.".

(20) The Regiment played a central role in the United States military's counteroffensive responding to a major push by the Chinese Communist Forces (CFF) in 1951, winning praise for its superb performance in multiple battles, including Operations KILLER and RIPPER, as well as for its actions on February 14th, when the Regiment inflicted nearly 1,000 enemy casualties at a cost of only one killed and six wounded, almost singlehandedly annihilating a North Korean infantry regiment that had infiltrated the defenses of the 3rd Infantry Division's headquarters.

(21) By 1952, senior United States commanders ordered that replacement soldiers from Puerto Rico would no longer be limited to service in the Regiment, but could be made available to fill personnel shortages in non-segregated units both inside and outside the 3rd Infantry Division. This was a major milestone in United States Army policy that, paradoxically, harmed the Regiment by depriving it of some of Puerto Rico's most able soldiers.

(22) Beyond the many hardships endured by most American soldiers in Korea, the Regiment faced unique challenges arising from discrimination and prejudice.

(23) In 1953, the now fully integrated Regiment earned admiration for its relentless defense of Outpost Harry, during which it confronted multiple company-size probes, full-scale regimental attacks, and heavy artillery and mortar fire from Chinese forces, earning one Distinguished Service Cross, 14 Silver Stars, 23 Bronze Stars, and 67 Purple Hearts, in operations that Major General Eugene W. Ridings described as "highly successful in that the enemy was denied the use of one of his best routes of approach into the friendly position". The recipient of the Distinguished Service Cross was then-First Lieutenant Richard E. Cavazos, a Mexican-American, who went on to become the first Latino to rise to the rank of four-star general in the United States Army.

(24) For its extraordinary service during the Korean War, the Regiment received two Presidential Unit Citations (Army and Navy), two Republic of Korea Presidential Unit Citations, a Meritorious Unit Commendation (Army), a Navy Unit Commendation, the Bravery Gold Medal of Greece, and campaign participation credits for United Nations Offensive, CCF Intervention, First United Nations Counteroffensive, CCF Spring Offensive, United Nations Summer-Fall Offensive, Second Korean Winter, Korea Summer-Fall 1952, Third Korean Winter, and Korea Summer 1953.

(25) In Korea, soldiers in the Regiment earned a total of nine Distinguished Service Crosses, approximately 250 Silver Stars, over 600 Bronze Stars, more than 2,700 Purple Hearts. On March 18, 2014, Master Sergeant Juan E. Negrón Martínez received the Medal of Honor, the Nation's highest award for military valor, for actions taken on April 28, 1951 near Kalma-Eri, Korea.

(26) In all, some 61,000 Puerto Ricans served in the United States Army during the Korean War, the bulk of them with the 65th Infantry Regiment—and over the course of the war, Puerto Rican soldiers suffered a disproportionately high casualty rate, with over 740 killed and over 2,300 wounded.

(27) In April 1956, as part of the reduction in forces following the Korean War, the 65th Infantry Regiment was deactivated from the regular Army and, in February 1959, became the only regular Army unit to have ever been transferred to the National Guard, when its 1st battalion and its regimental number were assigned to the Puerto Rico National Guard, where it has remained ever since.

(28) In 1982, the United States Army Center of Military History officially authorized granting the 65th Infantry Regiment the special designation of "Borinqueneers".

(29) In the years since the Korean War, the achievements of the Regiment have been recognized in various ways, including—

(A) the naming of streets in honor of the Regiment in San Juan, Puerto Rico and The Bronx, New York;

(B) the erecting of monuments and plaques to honor the Regiment at Arlington National Cemetery in Arlington, Virginia; the San Juan National Historic Site in San Juan, Puerto Rico; Fort Logan National Cemetery in Denver,

Colorado; and at sites in Boston, Massachusetts; Worcester, Massachusetts; Buffalo, New York; and Ocala, Florida;

(C) the renaming of a park in Buenaventura Lake, Florida as the "65th Infantry Veterans Park";

(D) the dedication of land for a park and monument to honor the Regiment in New Britain, Connecticut;

(E) the adoption or introduction of resolutions or proclamations honoring the Regiment by many state and municipal governments, including in the states and territories of California, Connecticut, Florida, Georgia, Illinois, Massachusetts, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Puerto Rico, and Texas; and

(F) the issuance by the United States Postal Service of a Korean War commemorative stamp depicting soldiers from the Regiment.

(30) In a speech delivered on September 20, 2000, at a ceremony in Arlington National Cemetery in honor of the Regiment, Secretary of the Army Louis Caldera said: "Even as the 65th struggled against all deadly enemies in the field, they were fighting a rearguard action against a more insidious adversary—the cumulative effects of ill-conceived military policies, leadership shortcomings, and especially racial and organizational prejudices, all exacerbated by America's unpreparedness for war and the growing pains of an Army forced by law and circumstance to carry out racial integration. Together these factors would take their inevitable toll on the 65th, leaving scars that have yet to heal for so many of the Regiment's proud and courageous soldiers.".

(31) Secretary Caldera further stated: "To the veterans of the 65th Infantry Regiment who, in that far off land fifty years ago, fought with rare courage even as you endured misfortune and injustice, thank you for doing your duty. There can be no greater praise than that for any soldier of the United States Army.".

(32) Secretary Caldera also noted that "[t]he men of the 65th who served in Korea are a significant part of a proud tradition of service" that includes the Japanese American 442nd Regimental Combat Team, the African American Tuskegee Airmen, and "many other unsung minority units throughout the history of our armed forces whose stories have never been fully told".

(33) The service of the men of the 65th Infantry Regiment is emblematic of the contributions to the armed forces that have been made by hundreds of thousands of brave and patriotic United States citizens from Puerto Rico over generations, from World War I to the most recent conflicts in Afghanistan and Iraq, and in other overseas contingency operations.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of the Congress, of a single gold medal of appropriate design in honor of the 65th Infantry Regiment, known as the Borinqueneers, in recognition of its pioneering military service, devotion to duty, and many acts of valor in the face of adversity.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (hereinafter in this Act referred to as the "Secretary") shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) SMITHSONIAN INSTITUTION.—

(1) IN GENERAL.—Following the award of the gold medal in honor of the 65th Infantry Regiment, known as the Borinqueneers, the gold medal shall be given to the Smithsonian Institution, where it shall be available for display as appropriate and made available for research.

(2) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Smithsonian Institution shall make the gold medal received under this Act available for display elsewhere, particularly at other appropriate locations associated with the 65th Infantry Regiment, including locations in Puerto Rico.

SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

SEC. 4. NATIONAL MEDALS.

Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

Approved June 10, 2014.

LEGISLATIVE HISTORY—H.R. 1726:

CONGRESSIONAL RECORD, Vol. 160 (2014):
May 19, considered and passed House.
May 22, considered and passed Senate.

DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
June 10, Presidential remarks.

Public Law 113–121
113th Congress

An Act

To provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.

June 10, 2014
[H.R. 3080]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Water Resources Reform and Development Act of 2014.
33 USC 2201 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Water Resources Reform and Development Act of 2014".

(b) TABLE OF CONTENTS.—

SEC. 2. DEFINITION OF SECRETARY.

33 USC 2201 note.

In this Act, the term "Secretary" means the Secretary of the Army.

TITLE I—PROGRAM REFORMS AND STREAMLINING

33 USC 2282c.

SEC. 1001. VERTICAL INTEGRATION AND ACCELERATION OF STUDIES.

(a) IN GENERAL.—To the extent practicable, a feasibility study initiated by the Secretary, after the date of enactment of this Act, under section 905(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(a)) shall—

Reports. Deadline.

(1) result in the completion of a final feasibility report not later than 3 years after the date of initiation;

(2) have a maximum Federal cost of $3,000,000; and

(3) ensure that personnel from the district, division, and headquarters levels of the Corps of Engineers concurrently conduct the review required under that section.

Determination. Deadline.

(b) EXTENSION.—If the Secretary determines that a feasibility study described in subsection (a) will not be conducted in accordance with subsection (a), the Secretary, not later than 30 days after the date of making the determination, shall—

Cost estimate.

(1) prepare an updated feasibility study schedule and cost estimate;

Notification.

(2) notify the non-Federal feasibility cost-sharing partner that the feasibility study has been delayed; and

(3) provide written notice to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives as to the reasons the requirements of subsection (a) are not attainable.

Time period.

(c) TERMINATION OF AUTHORIZATION.—A feasibility study for which the Secretary has issued a determination under subsection (b) is not authorized after the last day of the 1-year period beginning on the date of the determination if the Secretary has not completed the study on or before such last day.

(d) EXCEPTION.—

Time period. Determination.

(1) IN GENERAL.—Notwithstanding the requirements of subsection (c), the Secretary may extend the timeline of a study by a period not to exceed 3 years, if the Secretary determines that the feasibility study is too complex to comply with the requirements of subsections (a) and (c).

(2) FACTORS.—In making a determination that a study is too complex to comply with the requirements of subsections (a) and (c), the Secretary shall consider—

(A) the type, size, location, scope, and overall cost of the project;

(B) whether the project will use any innovative design or construction techniques;

(C) whether the project will require significant action by other Federal, State, or local agencies;

(D) whether there is significant public dispute as to the nature or effects of the project; and

(E) whether there is significant public dispute as to the economic or environmental costs or benefits of the project.

(3) NOTIFICATION.—Each time the Secretary makes a determination under this subsection, the Secretary shall provide written notice to the Committee on Environment and Public Works of the Senate and the Committee on Transportation

and Infrastructure of the House of Representatives as to the results of that determination, including an identification of the specific 1 or more factors used in making the determination that the project is complex.

(4) LIMITATION.—The Secretary shall not extend the timeline for a feasibility study for a period of more than 7 years, and any feasibility study that is not completed before that date shall no longer be authorized.

(e) REVIEWS.—Not later than 90 days after the date of the initiation of a study described in subsection (a) for a project, the Secretary shall— Deadline.

(1) take all steps necessary to initiate the process for completing federally mandated reviews that the Secretary is required to complete as part of the study, including the environmental review process under section 1005;

(2) convene a meeting of all Federal, tribal, and State agencies identified under section 2045(e) of the Water Resources Development Act of 2007 (33 U.S.C. 2348(e)) that may be required by law to conduct or issue a review, analysis, or opinion on or to make a determination concerning a permit or license for the study; and Meeting.

(3) take all steps necessary to provide information that will enable required reviews and analyses related to the project to be conducted by other agencies in a thorough and timely manner.

(f) INTERIM REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report that describes— Public information.

(1) the status of the implementation of the planning process under this section, including the number of participating projects;

(2) a review of project delivery schedules, including a description of any delays on those studies participating in the planning process under this section; and

(3) any recommendations for additional authority necessary to support efforts to expedite the feasibility study process for water resource projects.

(g) FINAL REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report that describes— Public information.

(1) the status of the implementation of this section, including a description of each feasibility study subject to the requirements of this section;

(2) the amount of time taken to complete each feasibility study; and

(3) any recommendations for additional authority necessary to support efforts to expedite the feasibility study process, including an analysis of whether the limitation established by subsection (a)(2) needs to be adjusted to address the impacts of inflation.

SEC. 1002. CONSOLIDATION OF STUDIES.

(a) IN GENERAL.—

(1) REPEAL.—Section 905(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(b)) is repealed.

(2) CONFORMING AMENDMENT.—Section 905(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(a)(1)) is amended by striking "perform a reconnaissance study and".

(b) CONTENTS OF FEASIBILITY REPORTS.—Section 905(a)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(a)(2)) is amended by adding at the end the following: "A feasibility report shall include a preliminary analysis of the Federal interest and the costs, benefits, and environmental impacts of the project.".

(c) FEASIBILITY STUDIES.—Section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) is amended by adding at the end the following:

"(g) DETAILED PROJECT SCHEDULE.—

Deadline. Determination.

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall determine a set of milestones needed for the completion of a feasibility study under this subsection, including all major actions, report submissions and responses, reviews, and comment periods.

"(2) DETAILED PROJECT SCHEDULE MILESTONES.—Each District Engineer shall, to the maximum extent practicable, establish a detailed project schedule, based on full funding capability, that lists all deadlines for milestones relating to feasibility studies in the District developed by the Secretary under paragraph (1).

Certified mail.

"(3) NON-FEDERAL INTEREST NOTIFICATION.—Each District Engineer shall submit by certified mail the detailed project schedule under paragraph (2) to each relevant non-Federal interest—

Time period. Deadlines.

"(A) for projects that have received funding from the General Investigations Account of the Corps of Engineers in the period beginning on October 1, 2009, and ending on the date of enactment of this subsection, not later than 180 days after the establishment of milestones under paragraph (1); and

"(B) for projects for which a feasibility cost-sharing agreement is executed after the establishment of milestones under paragraph (1), not later than 90 days after the date on which the agreement is executed.

Effective date.

"(4) CONGRESSIONAL AND PUBLIC NOTIFICATION.—Beginning in the first full fiscal year after the date of enactment of this subsection, the Secretary shall—

Reports.

"(A) submit an annual report that lists all detailed project schedules under paragraph (2) and an explanation of any missed deadlines to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

Public information. Web posting. Records. Deadline.

"(B) make publicly available, including on the Internet, a copy of the annual report described in subparagraph (A) not later than 14 days after date on which a report is submitted to Congress.

"(5) FAILURE TO ACT.—If a District Engineer fails to meet any of the deadlines in the project schedule under paragraph (2), the District Engineer shall—

Deadlines. Reports.

"(A) not later than 30 days after each missed deadline, submit to the non-Federal interest a report detailing—

"(i) why the District Engineer failed to meet the deadline; and

"(ii) a revised project schedule reflecting amended deadlines for the feasibility study; and

Public information. Web posting. Records.

"(B) not later than 30 days after each missed deadline, make publicly available, including on the Internet, a copy of the amended project schedule described in subparagraph (A)(ii).".

(d) APPLICABILITY.—The Secretary shall continue to carry out a study for which a reconnaissance level investigation has been initiated before the date of enactment of this Act as if this section, including the amendments made by this section, had not been enacted.

33 USC 2282 note.

SEC. 1003. EXPEDITED COMPLETION OF REPORTS.

33 USC 2282 note.

The Secretary shall—

(1) expedite the completion of any on-going feasibility study for a project initiated before the date of enactment of this Act; and

(2) if the Secretary determines that the project is justified in a completed report, proceed directly to preconstruction planning, engineering, and design of the project in accordance with section 910 of the Water Resources Development Act of 1986 (33 U.S.C. 2287).

Determination.

SEC. 1004. REMOVAL OF DUPLICATIVE ANALYSES.

Section 911 of the Water Resources Development Act of 1986 (33 U.S.C. 2288) is repealed.

SEC. 1005. PROJECT ACCELERATION.

(a) PROJECT ACCELERATION.—

(1) AMENDMENT.—Section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) is amended to read as follows:

"SEC. 2045. PROJECT ACCELERATION.

"(a) DEFINITIONS.—In this section:

"(1) ENVIRONMENTAL IMPACT STATEMENT.—The term 'environmental impact statement' means the detailed statement of environmental impacts of a project required to be prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

"(2) ENVIRONMENTAL REVIEW PROCESS.—

"(A) IN GENERAL.—The term 'environmental review process' means the process of preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a project study.

"(B) INCLUSIONS.—The term 'environmental review process' includes the process for and completion of any environmental permit, approval, review, or study required for a project study under any Federal law other than the

National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

"(3) FEDERAL JURISDICTIONAL AGENCY.—The term 'Federal jurisdictional agency' means a Federal agency with jurisdiction delegated by law, regulation, order, or otherwise over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a project study under applicable Federal laws (including regulations).

"(4) FEDERAL LEAD AGENCY.—The term 'Federal lead agency' means the Corps of Engineers.

"(5) PROJECT.—The term 'project' means a water resources development project to be carried out by the Secretary.

"(6) PROJECT SPONSOR.—The term 'project sponsor' has the meaning given the term 'non-Federal interest' in section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)).

"(7) PROJECT STUDY.—The term 'project study' means a feasibility study for a project carried out pursuant to section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282).

"(b) APPLICABILITY.—

"(1) IN GENERAL.—This section—

"(A) shall apply to each project study that is initiated after the date of enactment of the Water Resources Reform and Development Act of 2014 and for which an environmental impact statement is prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

"(B) may be applied, to the extent determined appropriate by the Secretary, to other project studies initiated after such date of enactment and for which an environmental review process document is prepared under that Act.

"(2) FLEXIBILITY.—Any authority granted under this section may be exercised, and any requirement established under this section may be satisfied, for the conduct of an environmental review process for a project study, a class of project studies, or a program of project studies.

"(3) LIST OF PROJECT STUDIES.—

Deadline. Public information.

"(A) IN GENERAL.—The Secretary shall annually prepare, and make publicly available, a separate list of each study that the Secretary has determined—

"(i) meets the standards described in paragraph (1); and

"(ii) does not have adequate funding to make substantial progress toward the completion of the project study.

"(B) INCLUSIONS.—The Secretary shall include for each project study on the list under subparagraph (A) a description of the estimated amounts necessary to make substantial progress on the project study.

"(c) PROJECT REVIEW PROCESS.—

"(1) IN GENERAL.—The Secretary shall develop and implement a coordinated environmental review process for the development of project studies.

"(2) COORDINATED REVIEW.—The coordinated environmental review process described in paragraph (1) shall require that any review, analysis, opinion, statement, permit, license,

or other approval or decision issued or made by a Federal, State, or local governmental agency or an Indian tribe for a project study described in subsection (b) be conducted, to the maximum extent practicable, concurrently with any other applicable governmental agency or Indian tribe.

"(3) TIMING.—The coordinated environmental review process under this subsection shall be completed not later than the date on which the Secretary, in consultation and concurrence with the agencies identified under subsection (e), establishes with respect to the project study. Deadline. Consultation.

"(d) LEAD AGENCIES.—

"(1) JOINT LEAD AGENCIES.—

"(A) IN GENERAL.—At the discretion of the Secretary and subject to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the requirements of section 1506.8 of title 40, Code of Federal Regulations (or successor regulations), including the concurrence of the proposed joint lead agency, a project sponsor may serve as the joint lead agency.

"(B) PROJECT SPONSOR AS JOINT LEAD AGENCY.—A project sponsor that is a State or local governmental entity may—

"(i) with the concurrence of the Secretary, serve as a joint lead agency with the Federal lead agency for purposes of preparing any environmental document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

"(ii) prepare any environmental review process document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) required in support of any action or approval by the Secretary if—

"(I) the Secretary provides guidance in the preparation process and independently evaluates that document;

"(II) the project sponsor complies with all requirements applicable to the Secretary under—

"(aa) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

"(bb) any regulation implementing that Act; and

"(cc) any other applicable Federal law; and

"(III) the Secretary approves and adopts the document before the Secretary takes any subsequent action or makes any approval based on that document, regardless of whether the action or approval of the Secretary results in Federal funding.

"(2) DUTIES.—The Secretary shall ensure that—

"(A) the project sponsor complies with all design and mitigation commitments made jointly by the Secretary and the project sponsor in any environmental document prepared by the project sponsor in accordance with this subsection; and

"(B) any environmental document prepared by the project sponsor is appropriately supplemented to address any changes to the project the Secretary determines are necessary.

"(3) ADOPTION AND USE OF DOCUMENTS.—Any environmental document prepared in accordance with this subsection shall be adopted and used by any Federal agency making any determination related to the project study to the same extent that the Federal agency could adopt or use a document prepared by another Federal agency under—

"(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

"(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

"(4) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—With respect to the environmental review process for any project study, the Federal lead agency shall have authority and responsibility—

"(A) to take such actions as are necessary and proper and within the authority of the Federal lead agency to facilitate the expeditious resolution of the environmental review process for the project study; and

"(B) to prepare or ensure that any required environmental impact statement or other environmental review document for a project study required to be completed under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is completed in accordance with this section and applicable Federal law.

"(e) PARTICIPATING AND COOPERATING AGENCIES.—

"(1) IDENTIFICATION OF JURISDICTIONAL AGENCIES.—With respect to carrying out the environmental review process for a project study, the Secretary shall identify, as early as practicable in the environmental review process, all Federal, State, and local government agencies and Indian tribes that may—

"(A) have jurisdiction over the project;

"(B) be required by law to conduct or issue a review, analysis, opinion, or statement for the project study; or

"(C) be required to make a determination on issuing a permit, license, or other approval or decision for the project study.

"(2) STATE AUTHORITY.—If the environmental review process is being implemented by the Secretary for a project study within the boundaries of a State, the State, consistent with State law, may choose to participate in the process and to make subject to the process all State agencies that—

"(A) have jurisdiction over the project;

"(B) are required to conduct or issue a review, analysis, opinion, or statement for the project study; or

"(C) are required to make a determination on issuing a permit, license, or other approval or decision for the project study.

"(3) INVITATION.—

"(A) IN GENERAL.—The Federal lead agency shall invite, as early as practicable in the environmental review process, any agency identified under paragraph (1) to become a participating or cooperating agency, as applicable, in the environmental review process for the project study.

"(B) DEADLINE.—An invitation to participate issued under subparagraph (A) shall set a deadline by which a response to the invitation shall be submitted, which

may be extended by the Federal lead agency for good cause.

"(4) PROCEDURES.—Section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Water Resources Reform and Development Act of 2014) shall govern the identification and the participation of a cooperating agency.

"(5) FEDERAL COOPERATING AGENCIES.—Any Federal agency that is invited by the Federal lead agency to participate in the environmental review process for a project study shall be designated as a cooperating agency by the Federal lead agency unless the invited agency informs the Federal lead agency, in writing, by the deadline specified in the invitation that the invited agency—

"(A)(i)(I) has no jurisdiction or authority with respect to the project;

"(II) has no expertise or information relevant to the project; or

"(III) does not have adequate funds to participate in the project; and

"(ii) does not intend to submit comments on the project; or

"(B) does not intend to submit comments on the project.

"(6) ADMINISTRATION.—A participating or cooperating agency shall comply with this section and any schedule established under this section.

"(7) EFFECT OF DESIGNATION.—Designation as a participating or cooperating agency under this subsection shall not imply that the participating or cooperating agency—

"(A) supports a proposed project; or

"(B) has any jurisdiction over, or special expertise with respect to evaluation of, the project.

"(8) CONCURRENT REVIEWS.—Each participating or cooperating agency shall—

"(A) carry out the obligations of that agency under other applicable law concurrently and in conjunction with the required environmental review process, unless doing so would prevent the participating or cooperating agency from conducting needed analysis or otherwise carrying out those obligations; and

"(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

"(f) PROGRAMMATIC COMPLIANCE.—

"(1) IN GENERAL.—The Secretary shall issue guidance regarding the use of programmatic approaches to carry out the environmental review process that— Guidance.

"(A) eliminates repetitive discussions of the same issues;

"(B) focuses on the actual issues ripe for analyses at each level of review;

"(C) establishes a formal process for coordinating with participating and cooperating agencies, including the creation of a list of all data that is needed to carry out an environmental review process; and

"(D) complies with—

"(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

"(ii) all other applicable laws.

"(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall—

Consultation.

"(A) as the first step in drafting guidance under that paragraph, consult with relevant Federal, State, and local governmental agencies, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches;

"(B) emphasize the importance of collaboration among relevant Federal, State, and local governmental agencies, and Indian tribes in undertaking programmatic reviews, especially with respect to including reviews with a broad geographical scope;

"(C) ensure that the programmatic reviews—

"(i) promote transparency, including of the analyses and data used in the environmental review process, the treatment of any deferred issues raised by Federal, State, and local governmental agencies, Indian tribes, or the public, and the temporal and special scales to be used to analyze those issues;

"(ii) use accurate and timely information in the environmental review process, including—

"(I) criteria for determining the general duration of the usefulness of the review; and

"(II) the timeline for updating any out-of-date review;

"(iii) describe—

"(I) the relationship between programmatic analysis and future tiered analysis; and

"(II) the role of the public in the creation of future tiered analysis; and

"(iv) are available to other relevant Federal, State, and local governmental agencies, Indian tribes, and the public;

Deadline. Public information.

"(D) allow not fewer than 60 days of public notice and comment on any proposed guidance; and

"(E) address any comments received under subparagraph (D).

"(g) COORDINATED REVIEWS.—

"(1) COORDINATION PLAN.—

"(A) ESTABLISHMENT.—

Consultation.

"(i) IN GENERAL.—The Federal lead agency shall, after consultation with and with the concurrence of each participating and cooperating agency and the project sponsor or joint lead agency, as applicable, establish a plan for coordinating public and agency participation in, and comment on, the environmental review process for a project study or a category of project studies.

"(ii) INCORPORATION.—The plan established under clause (i) shall be incorporated into the project schedule milestones set under section 905(g)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(g)(2)).

"(B) SCHEDULE.—

"(i) IN GENERAL.—As soon as practicable but not later than 45 days after the close of the public comment period on a draft environmental impact statement, the Federal lead agency, after consultation with and the concurrence of each participating and cooperating agency and the project sponsor or joint lead agency, as applicable, shall establish, as part of the coordination plan established in subparagraph (A), a schedule for completion of the environmental review process for the project study. Deadline. Consultation.

"(ii) FACTORS FOR CONSIDERATION.—In establishing a schedule, the Secretary shall consider factors such as—

"(I) the responsibilities of participating and cooperating agencies under applicable laws;

"(II) the resources available to the project sponsor, joint lead agency, and other relevant Federal and State agencies, as applicable;

"(III) the overall size and complexity of the project;

"(IV) the overall schedule for and cost of the project; and

"(V) the sensitivity of the natural and historical resources that could be affected by the project.

"(iii) MODIFICATIONS.—The Secretary may—

"(I) lengthen a schedule established under clause (i) for good cause; and

"(II) shorten a schedule only with concurrence of the affected participating and cooperating agencies and the project sponsor or joint lead agency, as applicable.

"(iv) DISSEMINATION.—A copy of a schedule established under clause (i) shall be— Records.

"(I) provided to each participating and cooperating agency and the project sponsor or joint lead agency, as applicable; and

"(II) made available to the public. Public information.

"(2) COMMENT DEADLINES.—The Federal lead agency shall establish the following deadlines for comment during the environmental review process for a project study: Time periods.

"(A) DRAFT ENVIRONMENTAL IMPACT STATEMENTS.—For comments by Federal and States agencies and the public on a draft environmental impact statement, a period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of the draft environmental impact statement, unless— Federal Register, publication. Notice.

"(i) a different deadline is established by agreement of the Federal lead agency, the project sponsor or joint lead agency, as applicable, and all participating and cooperating agencies; or

"(ii) the deadline is extended by the Federal lead agency for good cause.

"(B) OTHER ENVIRONMENTAL REVIEW PROCESSES.—For all other comment periods established by the Federal lead agency for agency or public comments in the environmental review process, a period of not more than 30 days after

the date on which the materials on which comment is requested are made available, unless—

"(i) a different deadline is established by agreement of the Federal lead agency, the project sponsor, or joint lead agency, as applicable, and all participating and cooperating agencies; or

"(ii) the deadline is extended by the Federal lead agency for good cause.

Notifications.

"(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—In any case in which a decision under any Federal law relating to a project study, including the issuance or denial of a permit or license, is required to be made by the date described in subsection (h)(5)(B)(ii), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

"(A) as soon as practicable after the 180-day period described in subsection (h)(5)(B)(ii), an initial notice of the failure of the Federal agency to make the decision; and

"(B) every 60 days thereafter until such date as all decisions of the Federal agency relating to the project study have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.

"(4) INVOLVEMENT OF THE PUBLIC.—Nothing in this subsection reduces any time period provided for public comment in the environmental review process under applicable Federal law (including regulations).

"(5) TRANSPARENCY REPORTING.—

Database.
Public information.

"(A) REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of the Water Resources Reform and Development Act of 2014, the Secretary shall establish and maintain an electronic database and, in coordination with other Federal and State agencies, issue reporting requirements to make publicly available the status and progress with respect to compliance with applicable requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq.) and any other Federal, State, or local approval or action required for a project study for which this section is applicable.

Publication.

"(B) PROJECT STUDY TRANSPARENCY.—Consistent with the requirements established under subparagraph (A), the Secretary shall publish the status and progress of any Federal, State, or local decision, action, or approval required under applicable laws for each project study for which this section is applicable.

"(h) ISSUE IDENTIFICATION AND RESOLUTION.—

"(1) COOPERATION.—The Federal lead agency, the cooperating agencies, and any participating agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review process or result in the denial of any approval required for the project study under applicable laws.

"(2) FEDERAL LEAD AGENCY RESPONSIBILITIES.—

"(A) IN GENERAL.—The Federal lead agency shall make information available to the cooperating agencies and participating agencies as early as practicable in the environmental review process regarding the environmental and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

"(B) DATA SOURCES.—The information under subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

"(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the Federal lead agency, cooperating and participating agencies shall identify, as early as practicable, any issues of concern regarding the potential environmental or socioeconomic impacts of the project, including any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project study.

"(4) ACCELERATED ISSUE RESOLUTION AND ELEVATION.—

"(A) IN GENERAL.—On the request of a participating or cooperating agency or project sponsor, the Secretary shall convene an issue resolution meeting with the relevant participating and cooperating agencies and the project sponsor or joint lead agency, as applicable, to resolve issues that may— Meeting.

"(i) delay completion of the environmental review process; or

"(ii) result in denial of any approval required for the project study under applicable laws.

"(B) MEETING DATE.—A meeting requested under this paragraph shall be held not later than 21 days after the date on which the Secretary receives the request for the meeting, unless the Secretary determines that there is good cause to extend that deadline. Deadline. Determination.

"(C) NOTIFICATION.—On receipt of a request for a meeting under this paragraph, the Secretary shall notify all relevant participating and cooperating agencies of the request, including the issue to be resolved and the date for the meeting.

"(D) ELEVATION OF ISSUE RESOLUTION.—If a resolution cannot be achieved within the 30 day-period beginning on the date of a meeting under this paragraph and a determination is made by the Secretary that all information necessary to resolve the issue has been obtained, the Secretary shall forward the dispute to the heads of the relevant agencies for resolution. Time period.

"(E) CONVENTION BY SECRETARY.—The Secretary may convene an issue resolution meeting under this paragraph at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under subparagraph (A).

"(5) FINANCIAL PENALTY PROVISIONS.—

"(A) IN GENERAL.—A Federal jurisdictional agency shall complete any required approval or decision for the environmental review process on an expeditious basis using the shortest existing applicable process.

"(B) FAILURE TO DECIDE.—

Deadline.

"(i) IN GENERAL.—If a Federal jurisdictional agency fails to render a decision required under any Federal law relating to a project study that requires the preparation of an environmental impact statement or environmental assessment, including the issuance or denial of a permit, license, statement, opinion, or other approval by the date described in clause (ii), the amount of funds made available to support the office of the head of the Federal jurisdictional agency shall be reduced by an amount of funding equal to the amounts specified in subclause (I) or (II) and those funds shall be made available to the division of the Federal jurisdictional agency charged with rendering the decision by not later than 1 day after the applicable date under clause (ii), and once each week thereafter until a final decision is rendered, subject to subparagraph (C)—

"(I) $20,000 for any project study requiring the preparation of an environmental assessment or environmental impact statement; or

"(II) $10,000 for any project study requiring any type of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) other than an environmental assessment or environmental impact statement.

Time period.

"(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is the later of—

"(I) the date that is 180 days after the date on which an application for the permit, license, or approval is complete; and

"(II) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

"(C) LIMITATIONS.—

"(i) IN GENERAL.—No transfer of funds under subparagraph (B) relating to an individual project study shall exceed, in any fiscal year, an amount equal to 1 percent of the funds made available for the applicable agency office.

"(ii) FAILURE TO DECIDE.—The total amount transferred in a fiscal year as a result of a failure by an agency to make a decision by an applicable deadline shall not exceed an amount equal to 5 percent of the funds made available for the applicable agency office for that fiscal year.

"(iii) AGGREGATE.—Notwithstanding any other provision of law, for each fiscal year, the aggregate amount of financial penalties assessed against each applicable agency office under the Water Resources Reform and Development Act of 2014 and any other Federal law as a result of a failure of the agency to make a decision by an applicable deadline for environmental review, including the total amount transferred under this paragraph, shall not exceed an amount equal to 9.5 percent of the funds made available for the agency office for that fiscal year.

"(D) NO FAULT OF AGENCY.—

"(i) IN GENERAL.—A transfer of funds under this paragraph shall not be made if the applicable agency described in subparagraph (A) notifies, with a supporting explanation, the Federal lead agency, cooperating agencies, and project sponsor, as applicable, that—

"(I) the agency has not received necessary information or approvals from another entity in a manner that affects the ability of the agency to meet any requirements under Federal, State, or local law;

"(II) significant new information, including from public comments, or circumstances, including a major modification to an aspect of the project, requires additional analysis for the agency to make a decision on the project application; or

"(III) the agency lacks the financial resources to complete the review under the scheduled time frame, including a description of the number of full-time employees required to complete the review, the amount of funding required to complete the review, and a justification as to why not enough funding is available to complete the review by the deadline.

"(ii) LACK OF FINANCIAL RESOURCES.—If the agency provides notice under clause (i)(III), the Inspector General of the agency shall—

"(I) conduct a financial audit to review the notice; and

Audit.

"(II) not later than 90 days after the date on which the review described in subclause (I) is completed, submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the notice.

Deadline. Reports.

"(E) LIMITATION.—The Federal agency from which funds are transferred pursuant to this paragraph shall not reprogram funds to the office of the head of the agency, or equivalent office, to reimburse that office for the loss of the funds.

"(F) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects or limits the application of, or obligation to comply with, any Federal, State, local, or tribal law.

"(i) MEMORANDUM OF AGREEMENTS FOR EARLY COORDINATION.—

"(1) SENSE OF CONGRESS.—It is the sense of Congress that—

"(A) the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process should cooperate with each other, State agencies, and Indian tribes on environmental review and project delivery activities at the earliest practicable time to avoid delays and duplication of effort later in the process, prevent potential conflicts, and ensure that planning and project development decisions reflect environmental values; and

"(B) the cooperation referred to in subparagraph (A) should include the development of policies and the designation of staff that advise planning agencies and project sponsors of studies or other information foreseeably required for later Federal action and early consultation with appropriate State and local agencies and Indian tribes.

Determination.

"(2) TECHNICAL ASSISTANCE.—If requested at any time by a State or project sponsor, the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process, shall, to the maximum extent practicable and appropriate, as determined by the agencies, provide technical assistance to the State or project sponsor in carrying out early coordination activities.

Consultation.

"(3) MEMORANDUM OF AGENCY AGREEMENT.—If requested at any time by a State or project sponsor, the Federal lead agency, in consultation with other Federal agencies with relevant jurisdiction in the environmental review process, may establish memoranda of agreement with the project sponsor, Indian tribe, State and local governments, and other appropriate entities to carry out the early coordination activities, including providing technical assistance in identifying potential impacts and mitigation issues in an integrated fashion.

"(j) LIMITATIONS.—Nothing in this section preempts or interferes with—

"(1) any obligation to comply with the provisions of any Federal law, including—

"(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

"(B) any other Federal environmental law;

"(2) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

"(3) any requirement for seeking, considering, or responding to public comment; or

"(4) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or project sponsor has with respect to carrying out a project or any other provision of law applicable to projects.

"(k) TIMING OF CLAIMS.—

"(1) TIMING.—

Deadline.

"(A) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of a permit, license, or other approval issued by a Federal agency for a project study shall be barred unless the claim is filed not later than 3 years after publication of a notice in the Federal Register announcing that the permit, license, or other approval is final pursuant to the law under which the agency action is taken, unless a shorter time is specified in the Federal law that allows judicial review.

"(B) APPLICABILITY.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of a permit, license, or other approval.

"(2) NEW INFORMATION.—

"(A) IN GENERAL.—The Secretary shall consider new information received after the close of a comment period

if the information satisfies the requirements for a supplemental environmental impact statement under title 40, Code of Federal Regulations (including successor regulations).

"(B) SEPARATE ACTION.—The preparation of a supplemental environmental impact statement or other environmental document, if required under this section, shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the action shall be 3 years after the date of publication of a notice in the Federal Register announcing the action relating to such supplemental environmental impact statement or other environmental document. Deadline.

"(l) CATEGORICAL EXCLUSIONS.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Reform and Development Act of 2014, the Secretary shall— Deadline.

"(A) survey the use by the Corps of Engineers of categorical exclusions in projects since 2005; Survey.

"(B) publish a review of the survey that includes a description of— Publication.

"(i) the types of actions that were categorically excluded or could be the basis for developing a new categorical exclusion; and

"(ii) any requests previously received by the Secretary for new categorical exclusions; and

"(C) solicit requests from other Federal agencies and project sponsors for new categorical exclusions.

"(2) NEW CATEGORICAL EXCLUSIONS.—Not later than 1 year after the date of enactment of the Water Resources Reform and Development Act of 2014, if the Secretary has identified a category of activities that merit establishing a categorical exclusion that did not exist on the day before the date of enactment of the Water Resources Reform and Development Act of 2014 based on the review under paragraph (1), the Secretary shall publish a notice of proposed rulemaking to propose that new categorical exclusion, to the extent that the categorical exclusion meets the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (or successor regulation). Deadline. Publication. Notice.

"(m) REVIEW OF PROJECT ACCELERATION REFORMS.—

"(1) IN GENERAL.—The Comptroller General of the United States shall—

"(A) assess the reforms carried out under this section; and

"(B) not later than 5 years and not later than 10 years after the date of enactment of the Water Resources Reform and Development Act of 2014, submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the results of the assessment. Deadlines. Reports.

"(2) CONTENTS.—The reports under paragraph (1) shall include an evaluation of impacts of the reforms carried out under this section on— Evaluation.

"(A) project delivery;

"(B) compliance with environmental laws; and

"(C) the environmental impact of projects.

Reports. "(n) PERFORMANCE MEASUREMENT.—The Secretary shall establish a program to measure and report on progress made toward improving and expediting the planning and environmental review process.

Consultation. "(o) IMPLEMENTATION GUIDANCE.—The Secretary shall prepare, in consultation with the Council on Environmental Quality and other Federal agencies with jurisdiction over actions or resources that may be impacted by a project, guidance documents that describe the coordinated environmental review processes that the Secretary intends to use to implement this section for the planning of projects, in accordance with the civil works program of the Corps of Engineers and all applicable law.".

(2) CLERICAL AMENDMENT.—The table of contents contained in section 1(b) of the Water Resources Development Act of 2007 (121 Stat. 1042) is amended by striking the item relating to section 2045 and inserting the following:

"Sec. 2045. Project acceleration.".

33 USC 2349. (b) CATEGORICAL EXCLUSIONS IN EMERGENCIES.—For the repair, reconstruction, or rehabilitation of a water resources project that is in operation or under construction when damaged by an event or incident that results in a declaration by the President of a major disaster or emergency pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Secretary shall treat such repair, reconstruction, or rehabilitation activity as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations (or successor regulations), if the repair or reconstruction activity is—

(1) in the same location with the same capacity, dimensions, and design as the original water resources project as before the declaration described in this section; and

Time period. (2) commenced within a 2-year period beginning on the date of a declaration described in this subsection.

SEC. 1006. EXPEDITING THE EVALUATION AND PROCESSING OF PERMITS.

Section 214 of the Water Resources Development Act of 2000 (Public Law 106–541; 33 U.S.C. 2201 note) is amended—

(1) in subsection (a)—

(A) by striking "(a) IN GENERAL.—The Secretary" and inserting the following:

"(a) FUNDING TO PROCESS PERMITS.—

"(1) DEFINITIONS.—In this subsection:

"(A) NATURAL GAS COMPANY.—The term 'natural gas company' has the meaning given the term in section 1262 of the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451), except that the term also includes a person engaged in the transportation of natural gas in intrastate commerce.

"(B) PUBLIC-UTILITY COMPANY.—The term 'public-utility company' has the meaning given the term in section 1262 of the Public Utility Holding Company Act of 2005 (42 U.S.C. 16451).

"(2) PERMIT PROCESSING.—The Secretary";

(B) in paragraph (2) (as so designated)—

(i) by inserting "or a public-utility company or natural gas company" after "non-Federal public entity"; and

(ii) by inserting "or company" after "that entity"; and

(C) by adding at the end the following:

"(3) LIMITATION FOR PUBLIC-UTILITY AND NATURAL GAS COMPANIES.—The authority provided under paragraph (2) to a public-utility company or natural gas company shall expire on the date that is 7 years after the date of enactment of this paragraph. Expiration date.

"(4) EFFECT ON OTHER ENTITIES.—To the maximum extent practicable, the Secretary shall ensure that expediting the evaluation of a permit through the use of funds accepted and expended under this section does not adversely affect the timeline for evaluation (in the Corps district in which the project or activity is located) of permits under the jurisdiction of the Department of the Army of other entities that have not contributed funds under this section.

"(5) GAO STUDY.—Not later than 4 years after the date of enactment of this paragraph, the Comptroller General of the United States shall carry out a study of the implementation by the Secretary of the authority provided under paragraph (2) to public-utility companies and natural gas companies."; and Deadline.

(2) by striking subsections (d) and (e) and inserting the following:

"(d) PUBLIC AVAILABILITY.— Web posting.

"(1) IN GENERAL.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public in a common format, including on the Internet, and in a manner that distinguishes final permit decisions under this section from other final actions of the Secretary.

"(2) DECISION DOCUMENT.—The Secretary shall—

"(A) use a standard decision document for evaluating all permits using funds accepted under this section; and

"(B) make the standard decision document, along with all final permit decisions, available to the public, including on the Internet.

"(3) AGREEMENTS.—The Secretary shall make all active agreements to accept funds under this section available on a single public Internet site.

"(e) REPORTING.—

"(1) IN GENERAL.—The Secretary shall prepare an annual report on the implementation of this section, which, at a minimum, shall include for each district of the Corps of Engineers that accepts funds under this section—

"(A) a comprehensive list of any funds accepted under this section during the previous fiscal year;

"(B) a comprehensive list of the permits reviewed and approved using funds accepted under this section during the previous fiscal year, including a description of the size and type of resources impacted and the mitigation required for each permit; and

"(C) a description of the training offered in the previous fiscal year for employees that is funded in whole or in part with funds accepted under this section.

"(2) SUBMISSION.—Not later than 90 days after the end of each fiscal year, the Secretary shall—

"(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the annual report described in paragraph (1); and

Public information. Web posting.

"(B) make each report received under subparagraph (A) available on a single publicly accessible Internet site.".

33 USC 408a.

SEC. 1007. EXPEDITING APPROVAL OF MODIFICATIONS AND ALTERATIONS OF PROJECTS BY NON-FEDERAL INTERESTS.

(a) SECTION 14 APPLICATION DEFINED.—In this section, the term "section 14 application" means an application submitted by an applicant to the Secretary requesting permission for the temporary occupation or use of a public work, or the alteration or permanent occupation or use of a public work, under section 14 of the Act of March 3, 1899 (commonly known as the "Rivers and Harbors Appropriation Act of 1899") (33 U.S.C. 408).

Deadline.

(b) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Secretary, after providing notice and an opportunity for comment, shall establish a process for the review of section 14 applications in a timely and consistent manner.

Determinations.

(c) BENCHMARK GOALS.—

(1) ESTABLISHMENT OF BENCHMARK GOALS.—In carrying out subsection (b), the Secretary shall—

(A) establish benchmark goals for determining the amount of time it should take the Secretary to determine whether a section 14 application is complete;

(B) establish benchmark goals for determining the amount of time it should take the Secretary to approve or disapprove a section 14 application; and

(C) to the extent practicable, use such benchmark goals to make a decision on section 14 applications in a timely and consistent manner.

Deadlines.

(2) BENCHMARK GOALS.—

(A) BENCHMARK GOALS FOR DETERMINING WHETHER SECTION 14 APPLICATIONS ARE COMPLETE.—To the extent practicable, the benchmark goals established under paragraph (1) shall provide that—

(i) the Secretary reach a decision on whether a section 14 application is complete not later than 15 days after the date of receipt of the application; and

Notification.

(ii) if the Secretary determines that a section 14 application is not complete, the Secretary promptly notify the applicant of the specific information that is missing or the analysis that is needed to complete the application.

(B) BENCHMARK GOALS FOR REVIEWING COMPLETED APPLICATIONS.—To the extent practicable, the benchmark goals established under paragraph (1) shall provide that—

(i) the Secretary generally approve or disapprove a completed section 14 application not later than 45

days after the date of receipt of the completed application; and

(ii) in a case in which the Secretary determines that additional time is needed to review a completed section 14 application due to the type, size, cost, complexity, or impacts of the actions proposed in the application, the Secretary generally approve or disapprove the application not later than 180 days after the date of receipt of the completed application.

(3) NOTICE.—In any case in which the Secretary determines that it will take the Secretary more than 45 days to review a completed section 14 application, the Secretary shall—

(A) provide written notification to the applicant; and

(B) include in the written notice a best estimate of the Secretary as to the amount of time required for completion of the review.

(d) FAILURE TO ACHIEVE BENCHMARK GOALS.—In any case in which the Secretary fails make a decision on a section 14 application in accordance with the process established under this section, the Secretary shall provide written notice to the applicant, including a detailed description of— Notification.

(1) why the Secretary failed to make a decision in accordance with such process;

(2) the additional actions required before the Secretary will issue a decision; and

(3) the amount of time the Secretary will require to issue a decision.

(e) NOTIFICATION.—

(1) SUBMISSION TO CONGRESS.—The Secretary shall provide a copy of any written notice provided under subsection (d) to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives. Records.

(2) PUBLIC AVAILABILITY.—The Secretary shall maintain a publicly available database, including on the Internet, on— Database.

(A) all section 14 applications received by the Secretary; and

(B) the current status of such applications.

SEC. 1008. EXPEDITING HYDROPOWER AT CORPS OF ENGINEERS FACILITIES. 33 USC 2321b.

(a) POLICY.—Congress declares that it is the policy of the United States that—

(1) the development of non-Federal hydroelectric power at Corps of Engineers civil works projects, including locks and dams, shall be given priority;

(2) Corps of Engineers approval of non-Federal hydroelectric power at Corps of Engineers civil works projects, including permitting required under section 14 of the Act of March 3, 1899 (33 U.S.C. 408), shall be completed by the Corps of Engineers in a timely and consistent manner; and

(3) approval of hydropower at Corps of Engineers civil works projects shall in no way diminish the other priorities and missions of the Corps of Engineers, including authorized project purposes and habitat and environmental protection.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary shall submit Public information.

to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report that, at a minimum, shall include—

(1) a description of initiatives carried out by the Secretary to encourage the development of hydroelectric power by non-Federal entities at Corps of Engineers civil works projects;

(2) a list of all new hydroelectric power activities by non-Federal entities approved at Corps of Engineers civil works projects in that fiscal year, including the length of time the Secretary needed to approve those activities;

(3) a description of the status of each pending application from non-Federal entities for approval to develop hydroelectric power at Corps of Engineers civil works projects;

(4) a description of any benefits or impacts to the environment, recreation, or other uses associated with Corps of Engineers civil works projects at which non-Federal entities have developed hydroelectric power in the previous fiscal year; and

(5) the total annual amount of payments or other services provided to the Corps of Engineers, the Treasury, and any other Federal agency as a result of approved non-Federal hydropower projects at Corps of Engineers civil works projects.

SEC. 1009. ENHANCED USE OF ELECTRONIC COMMERCE IN FEDERAL PROCUREMENT.

Public information.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report describing the actions of the Secretary in carrying out section 2301 of title 41, United States Code, regarding the use of electronic commerce in Federal procurement.

(b) CONTENTS.—The report submitted under subsection (a) shall include, with respect to the 2 fiscal years most recently ended before the fiscal year in which the report is submitted—

(1) an identification of the number, type, and dollar value of procurement solicitations with respect to which the public was permitted to respond to the solicitation electronically, which shall differentiate between solicitations that allowed full or partial electronic submission;

(2) an analysis of the information provided under paragraph (1) and actions that could be taken by the Secretary to refine and improve the use of electronic submission for procurement solicitation responses;

(3) an analysis of the potential benefits of and obstacles to full implementation of electronic submission for procurement solicitation responses, including with respect to cost savings, error reduction, paperwork reduction, increased bidder participation, and competition, and expanded use of electronic bid data collection for cost-effective contract management and timely reporting; and

(4) an analysis of the options and technologies available to facilitate expanded implementation of electronic submission for procurement solicitation responses and the suitability of each option and technology for contracts of various types and sizes.

SEC. 1010. DETERMINATION OF PROJECT COMPLETION. 33 USC 2347a.

(a) IN GENERAL.—The Secretary shall notify the applicable non-Federal interest when construction of a water resources project or a functional portion of the project is completed so the non-Federal interest may commence responsibilities, as applicable, for operating and maintaining the project. Notification.

(b) NON-FEDERAL INTEREST APPEAL OF DETERMINATION.—

(1) IN GENERAL.—Not later than 7 days after receiving a notification under subsection (a), the non-Federal interest may appeal the completion determination of the Secretary in writing with a detailed explanation of the basis for questioning the completeness of the project or functional portion of the project. Deadline.

(2) INDEPENDENT REVIEW.—

(A) IN GENERAL.—On notification that a non-Federal interest has submitted an appeal under paragraph (1), the Secretary shall contract with 1 or more independent, non-Federal experts to evaluate whether the applicable water resources project or functional portion of the project is complete. Contracts.

(B) TIMELINE.—An independent review carried out under subparagraph (A) shall be completed not later than 180 days after the date on which the Secretary receives an appeal from a non-Federal interest under paragraph (1). Deadline.

SEC. 1011. PRIORITIZATION. 33 USC 2341a.

(a) PRIORITIZATION OF HURRICANE AND STORM DAMAGE RISK REDUCTION EFFORTS.—

(1) PRIORITY.—For authorized projects and ongoing feasibility studies with a primary purpose of hurricane and storm damage risk reduction, the Secretary shall give funding priority to projects and ongoing studies that—

(A) address an imminent threat to life and property;

(B) prevent storm surge from inundating populated areas;

(C) prevent the loss of coastal wetlands that help reduce the impact of storm surge;

(D) protect emergency hurricane evacuation routes or shelters;

(E) prevent adverse impacts to publicly owned or funded infrastructure and assets;

(F) minimize disaster relief costs to the Federal Government; and

(G) address hurricane and storm damage risk reduction in an area for which the President declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(2) EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROJECTS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall— Deadline.

(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a list of all— Lists.

(i) ongoing hurricane and storm damage reduction feasibility studies that have signed feasibility cost-share agreements and have received Federal funds since 2009; and

(ii) authorized hurricane and storm damage reduction projects that—

(I) have been authorized for more than 20 years but are less than 75 percent complete; or

(II) are undergoing a post-authorization change report, general reevaluation report, or limited reevaluation report;

(B) identify those projects on the list required under subparagraph (A) that meet the criteria described in paragraph (1); and

Plan.

(C) provide a plan for expeditiously completing the projects identified under subparagraph (B), subject to available funding.

(b) PRIORITIZATION OF ECOSYSTEM RESTORATION EFFORTS.—For authorized projects with a primary purpose of ecosystem restoration, the Secretary shall give funding priority to projects—

(1) that—

(A) address an identified threat to public health, safety, or welfare;

(B) preserve or restore ecosystems of national significance; or

(C) preserve or restore habitats of importance for federally protected species, including migratory birds; and

(2) for which the restoration activities will contribute to other ongoing or planned Federal, State, or local restoration initiatives.

33 USC 2315a.

SEC. 1012. TRANSPARENCY IN ACCOUNTING AND ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—On the request of a non-Federal interest, the Secretary shall provide to the non-Federal interest a detailed accounting of the Federal expenses associated with a water resources project.

(b) STUDY.—

Contracts.

(1) IN GENERAL.—The Secretary shall contract with the National Academy of Public Administration to carry out a study on the efficiency of the Corps Engineers current staff salaries and administrative expense procedures as compared to using a separate administrative expense account.

Recommendations.

(2) CONTENTS.—The study under paragraph (1) shall include any recommendations of the National Academy of Public Administration for improvements to the budgeting and administrative processes that will increase the efficiency of the Corps of Engineers project delivery.

Recommendations.

SEC. 1013. EVALUATION OF PROJECT PARTNERSHIP AGREEMENTS.

Contracts.
Review.

(a) IN GENERAL.—The Secretary shall contract with the National Academy of Public Administration to carry out a comprehensive review of the process for preparing, negotiating, and approving Project Partnership Agreements and the Project Partnership Agreement template, which shall include—

(1) an evaluation of the process for preparing, negotiating, and approving Project Partnership Agreements, as in effect on the day before the date of enactment of this Act, including

suggested modifications to the process provided by non-Federal interests; and

(2) recommendations based on the evaluation under paragraph (1) to improve the Project Partnership Agreement template and the process for preparing, negotiating, and approving Project Partnership Agreements.

(b) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—The Secretary shall submit the findings of the National Academy of Public Administration to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) REPORT.—Not later than 180 days after the date on which the findings are received under paragraph (1), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a detailed response, including any recommendations the Secretary plans to implement, on the process for preparing, negotiating, and approving Project Partnership Agreements and the Project Partnership Agreement template.

SEC. 1014. STUDY AND CONSTRUCTION OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

(a) STUDIES.—Section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) is amended to read as follows:

"SEC. 203. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

"(a) SUBMISSION TO SECRETARY.—

"(1) IN GENERAL.—A non-Federal interest may undertake a feasibility study of a proposed water resources development project and submit the study to the Secretary.

"(2) GUIDELINES.—To assist non-Federal interests, the Secretary, as soon as practicable, shall issue guidelines for feasibility studies of water resources development projects to provide sufficient information for the formulation of the studies.

"(b) REVIEW BY SECRETARY.—The Secretary shall review each feasibility study received under subsection (a)(1) for the purpose of determining whether or not the study, and the process under which the study was developed, each comply with Federal laws and regulations applicable to feasibility studies of water resources development projects.

"(c) SUBMISSION TO CONGRESS.—Not later than 180 days after the date of receipt of a feasibility study of a project under subsection (a)(1), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes— Deadline. Reports.

"(1) the results of the Secretary's review of the study under subsection (b), including a determination of whether the project is feasible;

"(2) any recommendations the Secretary may have concerning the plan or design of the project; and

"(3) any conditions the Secretary may require for construction of the project.

"(d) CREDIT.—If a project for which a feasibility study has been submitted under subsection (a)(1) is authorized by a Federal

law enacted after the date of the submission to Congress under subsection (c), the Secretary shall credit toward the non-Federal share of the cost of construction of the project an amount equal to the portion of the cost of developing the study that would have been the responsibility of the United States if the study had been developed by the Secretary.".

(b) CONSTRUCTION.—

(1) IN GENERAL.—Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) is amended to read as follows:

"SEC. 204. CONSTRUCTION OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

"(a) WATER RESOURCES DEVELOPMENT PROJECT DEFINED.—In this section, the term 'water resources development project' means a project recommendation that results from—

"(1) a feasibility report, as such term is defined in section 7001(f) of the Water Resources Reform and Development Act of 2014;

"(2) a completed feasibility study developed under section 203; or

"(3) a final feasibility study for water resources development and conservation and other purposes that is specifically authorized by Congress to be carried out by the Secretary.

"(b) AUTHORITY.—

"(1) IN GENERAL.—A non-Federal interest may carry out a water resources development project, or separable element thereof—

"(A) in accordance with a plan approved by the Secretary for the project or separable element; and

"(B) subject to any conditions that the Secretary may require, including any conditions specified under section 203(c)(3).

"(2) CONDITIONS.—Before carrying out a water resources development project, or separable element thereof, under this section, a non-Federal interest shall—

"(A) obtain any permit or approval required in connection with the project or separable element under Federal or State law; and

"(B) ensure that a final environmental impact statement or environmental assessment, as appropriate, for the project or separable element has been filed.

"(c) STUDIES AND ENGINEERING.—When requested by an appropriate non-Federal interest, the Secretary may undertake all necessary studies and engineering for any construction to be undertaken under subsection (b), and provide technical assistance in obtaining all necessary permits for the construction, if the non-Federal interest contracts with the Secretary to furnish the United States funds for the studies, engineering, or technical assistance in the period during which the studies and engineering are being conducted.

"(d) CREDIT OR REIMBURSEMENT.—

"(1) GENERAL RULE.—Subject to paragraph (3), a project or separable element of a project carried out by a non-Federal interest under this section shall be eligible for credit or reimbursement for the Federal share of work carried out on a project or separable element of a project if—

"(A) before initiation of construction of the project or separable element—

"(i) the Secretary approves the plans for construction of the project or separable element of the project by the non-Federal interest;

"(ii) the Secretary determines, before approval of the plans, that the project or separable element of the project is feasible; and Determination.

"(iii) the non-Federal interest enters into a written agreement with the Secretary under section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b), including an agreement to pay the non-Federal share, if any, of the cost of operation and maintenance of the project; and Contracts.

"(B) the Secretary determines that all Federal laws and regulations applicable to the construction of a water resources development project, and any conditions identified under subsection (b)(1)(B), were complied with by the non-Federal interest during construction of the project or separable element of the project. Determination.

"(2) APPLICATION OF CREDIT.—The Secretary may apply credit toward—

"(A) the non-Federal share of authorized separable elements of the same project; or

"(B) subject to the requirements of this section and section 1020 of the Water Resources Reform and Development Act of 2014, at the request of the non-Federal interest, the non-Federal share of a different water resources development project.

"(3) REQUIREMENTS.—The Secretary may only apply credit or provide reimbursement under paragraph (1) if—

"(A) Congress has authorized construction of the project or separable element of the project; and

"(B) the Secretary certifies that the project has been constructed in accordance with— Certification.

"(i) all applicable permits or approvals; and

"(ii) this section.

"(4) MONITORING.—The Secretary shall regularly monitor and audit any water resources development project, or separable element of a water resources development project, constructed by a non-Federal interest under this section to ensure that— Audit.

"(A) the construction is carried out in compliance with the requirements of this section; and

"(B) the costs of the construction are reasonable.

"(e) NOTIFICATION OF COMMITTEES.—If a non-Federal interest notifies the Secretary that the non-Federal interest intends to carry out a project, or separable element thereof, under this section, the Secretary shall provide written notice to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives concerning the intent of the non-Federal interest.

"(f) OPERATION AND MAINTENANCE.—Whenever a non-Federal interest carries out improvements to a federally authorized harbor or inland harbor, the Secretary shall be responsible for operation and maintenance in accordance with section 101(b) if—

"(1) before construction of the improvements—

Determination.

"(A) the Secretary determines that the improvements are feasible and consistent with the purposes of this title; and

Contracts.

"(B) the Secretary and the non-Federal interest execute a written agreement relating to operation and maintenance of the improvements;

Certification.

"(2) the Secretary certifies that the project or separable element of the project is constructed in accordance with applicable permits and appropriate engineering and design standards; and

"(3) the Secretary does not find that the project or separable element is no longer feasible.".

(c) REPEALS.—The following provisions are repealed:

(1) Section 404 of the Water Resources Development Act of 1990 (33 U.S.C. 2232 note; 104 Stat. 4646) and the item relating to that section in the table of contents contained in section 1(b) of that Act.

(2) Section 206 of the Water Resources Development Act of 1992 (33 U.S.C. 426i–1) and the item relating to that section in the table of contents contained in section 1(b) of that Act.

(3) Section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) and the item relating to that section in the table of contents contained in section 1(b) of that Act.

22 USC 2232 note.

(d) SAVINGS PROVISION.—Nothing in this section may be construed to affect an agreement in effect on the date of enactment of this Act, or an agreement that is finalized between the Corps of Engineers and a non-Federal interest on or before December 31, 2014, under any of the following sections (as such sections were in effect on the day before such date of enactment):

(1) Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232).

(2) Section 206 of the Water Resources Development Act of 1992 (33 U.S.C. 426i–1).

(3) Section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13).

SEC. 1015. CONTRIBUTIONS BY NON-FEDERAL INTERESTS.

(a) IN GENERAL.—Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h), is amended—

(1) by inserting "and other non-Federal interests" after "States and political subdivisions thereof" each place it appears;

(2) by inserting ", including a project for navigation on the inland waterways," after "study or project";

Determination.

(3) by striking "*Provided*, That when" and inserting "*Provided*, That the Secretary is authorized to receive and expend funds from a State or a political subdivision thereof, and other non-Federal interests or private entities, to operate a hurricane barrier project to support recreational activities at or in the vicinity of the project, at no cost to the Federal Government, if the Secretary determines that operation for such purpose is not inconsistent with the operation and maintenance of the project for the authorized purposes of the project: *Provided further*, That when"; and

(4) by striking the period at the end and inserting the following: ": *Provided further*, That the term 'non-Federal

interest' has the meaning given that term in section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b).".

(b) NOTIFICATION FOR CONTRIBUTED FUNDS.—Prior to accepting funds contributed under section 5 of the Act of June 22, 1936 (33 U.S.C. 701h), the Secretary shall provide written notice of the funds to the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives. 33 USC 701h note.

(c) TECHNICAL AMENDMENT.—Section 111(b) of the Energy and Water Development and Related Agencies Appropriations Act, 2012 (125 Stat. 858) is repealed.

SEC. 1016. OPERATION AND MAINTENANCE OF CERTAIN PROJECTS. Determination. 33 USC 2232 note.

The Secretary may assume responsibility for operation and maintenance in accordance with section 101(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)) (as amended by section 2102(b)) for improvements to a federally authorized harbor or inland harbor that are carried out by a non-Federal interest prior to December 31, 2014, if the Secretary determines that the requirements under paragraphs (2) and (3) of section 204(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2232(f)) are met.

SEC. 1017. ACCEPTANCE OF CONTRIBUTED FUNDS TO INCREASE LOCK OPERATIONS. 33 USC 2212 note.

(a) IN GENERAL.—The Secretary, after providing public notice, shall establish a pilot program for the acceptance and expenditure of funds contributed by non-Federal interests to increase the hours of operation of locks at water resources development projects.

(b) APPLICABILITY.—The establishment of the pilot program under this section shall not affect the periodic review and adjustment of hours of operation of locks based on increases in commercial traffic carried out by the Secretary.

(c) PUBLIC COMMENT.—Not later than 180 days before a proposed modification to the operation of a lock at a water resources development project will be carried out, the Secretary shall—

(1) publish the proposed modification in the Federal Register; and

(2) accept public comment on the proposed modification.

(d) REPORTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report that evaluates the cost-savings resulting from reduced lock hours and any economic impacts of modifying lock operations.

(2) REVIEW OF PILOT PROGRAM.—Not later than September 30, 2017, and each year thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the effectiveness of the pilot program under this section.

(e) ANNUAL REVIEW.—The Secretary shall carry out an annual review of the commercial use of locks and make any necessary adjustments to lock operations based on that review.

(f) TERMINATION.—The authority to accept funds under this section shall terminate 5 years after the date of enactment of this Act.

SEC. 1018. CREDIT FOR IN-KIND CONTRIBUTIONS.

(a) IN GENERAL.—Section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by inserting "or a project under an environmental infrastructure assistance program" after "law";

(2) in subparagraph (C) by striking "In any case" and all that follows through the period at the end and inserting the following:

"(i) CONSTRUCTION.—

Contracts.

"(I) IN GENERAL.—In any case in which the non-Federal interest is to receive credit under subparagraph (A) for the cost of construction carried out by the non-Federal interest before execution of a partnership agreement and that construction has not been carried out as of November 8, 2007, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such work and shall do so prior to the non-Federal interest initiating construction or issuing a written notice to proceed for the construction.

"(II) ELIGIBILITY.—Construction that is carried out after the execution of an agreement to carry out work described in subclause (I) and any design activities that are required for that construction, even if the design activity is carried out prior to the execution of the agreement to carry out work, shall be eligible for credit.

"(ii) PLANNING.—

Contracts.

"(I) IN GENERAL.—In any case in which the non-Federal interest is to receive credit under subparagraph (A) for the cost of planning carried out by the non-Federal interest before execution of a feasibility cost-sharing agreement, the Secretary and the non-Federal interest shall enter into an agreement under which the non-Federal interest shall carry out such work and shall do so prior to the non-Federal interest initiating that planning.

"(II) ELIGIBILITY.—Planning that is carried out by the non-Federal interest after the execution of an agreement to carry out work described in subclause (I) shall be eligible for credit.";

(3) in subparagraph (D)(iii) by striking "sections 101 and 103" and inserting "sections 101(a)(2) and 103(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(2); 33 U.S.C. 2213(a)(1)(A))";

(4) by redesignating subparagraph (E) as subparagraph (H);

(5) by inserting after subparagraph (D) the following:

"(E) ANALYSIS OF COSTS AND BENEFITS.—In the evaluation of the costs and benefits of a project, the Secretary

shall not consider construction carried out by a non-Federal interest under this subsection as part of the future without project condition.

"(F) TRANSFER OF CREDIT BETWEEN SEPARABLE ELEMENTS OF A PROJECT.—Credit for in-kind contributions provided by a non-Federal interest that are in excess of the non-Federal cost share for an authorized separable element of a project may be applied toward the non-Federal cost share for a different authorized separable element of the same project.

"(G) APPLICATION OF CREDIT.— Contracts.

"(i) IN GENERAL.—To the extent that credit for in-kind contributions, as limited by subparagraph (D), and credit for required land, easements, rights-of-way, dredged material disposal areas, and relocations provided by the non-Federal interest exceed the non-Federal share of the cost of construction of a project other than a navigation project, the Secretary, subject to the availability of funds, shall enter into a reimbursement agreement with the non-Federal interest, which shall be in addition to a partnership agreement under subparagraph (A), to reimburse the difference to the non-Federal interest.

"(ii) PRIORITY.—If appropriated funds are insufficient to cover the full cost of all requested reimbursement agreements under clause (i), the Secretary shall enter into reimbursement agreements in the order in which requests for such agreements are received."; and

(6) in subparagraph (H) (as redesignated by paragraph (4))—

(A) in clause (i) by inserting ", and to water resources projects authorized prior to the date of enactment of the Water Resources Development Act of 1986 (Public Law 99–662), if correction of design deficiencies is necessary" before the period at the end; and

(B) by striking clause (ii) and inserting the following:

"(ii) AUTHORIZATION AS ADDITION TO OTHER AUTHORIZATIONS.—The authority of the Secretary to provide credit for in-kind contributions pursuant to this paragraph shall be in addition to any other authorization to provide credit for in-kind contributions and shall not be construed as a limitation on such other authorization. The Secretary shall apply the provisions of this paragraph, in lieu of provisions under other crediting authority, only if so requested by the non-Federal interest.". Applicability.

(b) APPLICABILITY.—Section 2003(e) of the Water Resources Development Act of 2007 (42 U.S.C. 1962d–5b note) is amended—

(1) by inserting ", or construction of design deficiency corrections on the project," after "construction on the project"; and

(2) by inserting ", or under which construction of the project has not been completed and the work to be performed by

the non-Federal interests has not been carried out and is creditable only toward any remaining non-Federal cost share," after "has not been initiated".

42 USC 1962d–5b note.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) take effect on November 8, 2007.

42 USC 1962d–5 note. Deadline.

(d) GUIDELINES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall update any guidance or regulations for carrying out section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)) (as amended by subsection (a)) that are in existence on the date of enactment of this Act or issue new guidelines, as determined to be appropriate by the Secretary.

(2) INCLUSIONS.—Any guidance, regulations, or guidelines updated or issued under paragraph (1) shall include, at a minimum—

(A) the milestone for executing an in-kind memorandum of understanding for construction by a non-Federal interest;

(B) criteria and procedures for evaluating a request to execute an in-kind memorandum of understanding for construction by a non-Federal interest that is earlier than the milestone under subparagraph (A) for that execution; and

(C) criteria and procedures for determining whether work carried out by a non-Federal interest is integral to a project.

(3) PUBLIC AND STAKEHOLDER PARTICIPATION.—Before issuing any new or revised guidance, regulations, or guidelines or any subsequent updates to those documents, the Secretary shall—

Consultation.

(A) consult with affected non-Federal interests;

Federal Register, publication.

(B) publish the proposed guidelines developed under this subsection in the Federal Register; and

Public information.

(C) provide the public with an opportunity to comment on the proposed guidelines.

42 USC 1962d–5b note.

(e) OTHER CREDIT.—Nothing in section 221(a)(4) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(4)) (as amended by subsection (a)) affects any eligibility for credit under section 104 of the Water Resources Development of 1986 (33 U.S.C. 2214) that was approved by the Secretary prior to the date of enactment of this Act.

SEC. 1019. CLARIFICATION OF IN-KIND CREDIT AUTHORITY.

(a) NON-FEDERAL COST SHARE.—Section 7007 of the Water Resources Development Act of 2007 (121 Stat. 1277) is amended—

(1) in subsection (a), by inserting ", on, or after" after "before";

(2) by striking subsection (d) and inserting the following:

"(d) TREATMENT OF CREDIT BETWEEN PROJECTS.—The value of any land, easements, rights-of-way, relocations, and dredged material disposal areas and the costs of planning, design, and construction work provided by the non-Federal interest that exceed the non-Federal cost share for a study or project under this title may be applied toward the non-Federal cost share for any other study or project carried out under this title."; and

(3) by adding at the end the following:

"(g) DEFINITION OF STUDY OR PROJECT.—In this section, the term 'study or project' includes any eligible activity that is—

"(1) carried out pursuant to the coastal Louisiana ecosystem science and technology program authorized under section 7006(a); and

"(2) in accordance with the restoration plan.".

(b) IMPLEMENTATION.—Not later than 90 days after the date of enactment of this Act, the Secretary, in coordination with any relevant agencies of the State of Louisiana, shall establish a process by which to carry out the amendment made by subsection (a)(2). Deadline. Louisiana.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on November 8, 2007.

SEC. 1020. TRANSFER OF EXCESS CREDIT. 33 USC 2223.

(a) IN GENERAL.—Subject to subsection (b), the Secretary may apply credit for in-kind contributions provided by a non-Federal interest that are in excess of the required non-Federal cost share for a water resources development study or project toward the required non-Federal cost share for a different water resources development study or project.

(b) RESTRICTIONS.—

(1) IN GENERAL.—Except for subsection (a)(4)(D)(i) of that section, the requirements of section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) (as amended by section 1018(a)) shall apply to any credit under this section.

(2) CONDITIONS.—Credit in excess of the non-Federal share for a study or project may be approved under this section only if—

(A) the non-Federal interest submits a comprehensive plan to the Secretary that identifies—

(i) the studies and projects for which the non-Federal interest intends to provide in-kind contributions for credit that are in excess of the non-Federal cost share for the study or project; and

(ii) the authorized studies and projects to which that excess credit would be applied;

(B) the Secretary approves the comprehensive plan; and

(C) the total amount of credit does not exceed the total non-Federal share for the studies and projects in the approved comprehensive plan.

(c) ADDITIONAL CRITERIA.—In evaluating a request to apply credit in excess of the non-Federal share for a study or project toward a different study or project, the Secretary shall consider whether applying that credit will—

(1) help to expedite the completion of a project or group of projects;

(2) reduce costs to the Federal Government; and

(3) aid the completion of a project that provides significant flood risk reduction or environmental benefits.

(d) TERMINATION OF AUTHORITY.—The authority provided in this section shall terminate 10 years after the date of enactment of this Act.

(e) REPORT.—

(1) DEADLINES.— Public information.

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and once every 2 years

thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available an interim report on the use of the authority under this section.

(B) FINAL REPORT.—Not later than 10 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a final report on the use of the authority under this section.

Assessments.

(2) INCLUSIONS.—The reports described in paragraph (1) shall include—

(A) a description of the use of the authority under this section during the reporting period;

(B) an assessment of the impact of the authority under this section on the time required to complete projects; and

(C) an assessment of the impact of the authority under this section on other water resources projects.

33 USC 2224.

SEC. 1021. CREDITING AUTHORITY FOR FEDERALLY AUTHORIZED NAVIGATION PROJECTS.

A non-Federal interest may carry out operation and maintenance activities for an authorized navigation project, subject to the condition that the non-Federal interest complies with all Federal laws and regulations applicable to such operation and maintenance activities, and may receive credit for the costs incurred by the non-Federal interest in carrying out such activities towards the share of construction costs of that non-Federal interest for another element of the same project or another authorized navigation project, except that in no instance may such credit exceed 20 percent of the total costs associated with construction of the general navigation features of the project for which such credit may be applied pursuant to this section.

33 USC 2225.

SEC. 1022. CREDIT IN LIEU OF REIMBURSEMENT.

(a) REQUESTS FOR CREDITS.—With respect to an authorized flood damage reduction project, or separable element thereof, that has been constructed by a non-Federal interest under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) before the date of enactment of this Act, the Secretary may provide to the non-Federal interest, at the request of the non-Federal interest, a credit in an amount equal to the estimated Federal share of the cost of the project or separable element, in lieu of providing to the non-Federal interest a reimbursement in that amount.

(b) APPLICATION OF CREDITS.—At the request of the non-Federal interest, the Secretary may apply such credit to the share of the cost of the non-Federal interest of carrying out other flood damage reduction projects or studies.

SEC. 1023. ADDITIONAL CONTRIBUTIONS BY NON-FEDERAL INTERESTS.

Section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) is amended—

(1) by striking "In order to insure" and inserting "(a) IN GENERAL.—In order to insure"; and

(2) by adding at the end the following:

"(b) CONTRIBUTIONS BY NON-FEDERAL INTERESTS.—Notwithstanding subsection (a), in accordance with section 5 of the Act of June 22, 1936 (33 U.S.C. 701h), the Secretary may accept funds from a non-Federal interest for any authorized water resources development project that has exceeded its maximum cost under subsection (a), and use such funds to carry out such project, if the use of such funds does not increase the Federal share of the cost of such project.".

SEC. 1024. AUTHORITY TO ACCEPT AND USE MATERIALS AND SERVICES. 33 USC 2325a.

(a) IN GENERAL.—Subject to subsection (b), the Secretary is authorized to accept and use materials and services contributed by a non-Federal public entity, a nonprofit entity, or a private entity for the purpose of repairing, restoring, or replacing a water resources development project that has been damaged or destroyed as a result of an emergency if the Secretary determines that the acceptance and use of such materials and services is in the public interest. Determination.

(b) LIMITATION.—Any entity that contributes materials or services under subsection (a) shall not be eligible for credit or reimbursement for the value of such materials or services.

(c) REPORT.—Not later than 60 days after initiating an activity under this section, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) a description of the activities undertaken, including the costs associated with the activities; and

(2) a comprehensive description of how the activities are necessary for maintaining a safe and reliable water resources project.

SEC. 1025. WATER RESOURCES PROJECTS ON FEDERAL LAND. 33 USC 2226.

(a) IN GENERAL.—Subject to subsection (b), the Secretary may carry out an authorized water resources development project on Federal land that is under the administrative jurisdiction of another Federal agency where the cost of the acquisition of such Federal land has been paid for by the non-Federal interest for the project.

(b) MOU REQUIRED.—The Secretary may carry out a project pursuant to subsection (a) only after the non-Federal interest has entered into a memorandum of understanding with the Federal agency that includes such terms and conditions as the Secretary determines to be necessary. Determination.

(c) APPLICABILITY.—Nothing in this section alters any non-Federal cost-sharing requirements for the project.

SEC. 1026. CLARIFICATION OF IMPACTS TO OTHER FEDERAL FACILITIES. 33 USC 2227.

In any case where the modification or construction of a water resources development project carried out by the Secretary adversely impacts other Federal facilities, the Secretary may accept from other Federal agencies such funds as may be necessary to address the adverse impact, including by removing, relocating, or reconstructing those facilities.

33 USC 426e–2.

SEC. 1027. CLARIFICATION OF MUNITION DISPOSAL AUTHORITIES.

(a) IN GENERAL.—The Secretary may implement any response action the Secretary determines to be necessary at a site where—

(1) the Secretary has carried out a project under civil works authority of the Secretary that includes placing sand on a beach; and

(2) as a result of the project described in paragraph (1), military munitions that were originally released as a result of Department of Defense activities are deposited on the beach, posing a threat to human health or the environment.

(b) RESPONSE ACTION FUNDING.—A response action described in subsection (a) shall be funded from amounts made available to the agency within the Department of Defense responsible for the original release of the munitions.

33 USC 2283b.

SEC. 1028. CLARIFICATION OF MITIGATION AUTHORITY.

(a) IN GENERAL.—The Secretary may carry out measures to improve fish species habitat within the boundaries and downstream of a water resources project constructed by the Secretary that includes a fish hatchery if the Secretary—

(1) has been explicitly authorized to compensate for fish losses associated with the project; and

Determination.

(2) determines that the measures are—

(A) feasible;

(B) consistent with authorized project purposes and the fish hatchery; and

(C) in the public interest.

(b) COST SHARING.—

(1) IN GENERAL.—Subject to paragraph (2), the non-Federal interest shall contribute 35 percent of the total cost of carrying out activities under this section, including the costs relating to the provision or acquisition of required land, easements, rights-of-way, dredged material disposal areas, and relocations.

(2) OPERATION AND MAINTENANCE.—The non-Federal interest shall contribute 100 percent of the costs of operation, maintenance, replacement, repair, and rehabilitation of the measures carried out under this section.

SEC. 1029. CLARIFICATION OF INTERAGENCY SUPPORT AUTHORITIES.

Section 234 of the Water Resources Development Act of 1996 (33 U.S.C. 2323a) is amended—

(1) in subsection (a), by striking "other Federal agencies," and inserting "Federal departments or agencies, nongovernmental organizations,";

(2) in subsection (b), by inserting "or foreign governments" after "organizations";

(3) in subsection (c), by inserting "and restoration" after "protection"; and

(4) in subsection (d)—

(A) in the first sentence, by striking "There is" and inserting "(1) IN GENERAL.—There is"; and

(B) in the second sentence—

(i) by striking "The Secretary" and inserting "(2) ACCEPTANCE OF FUNDS.—The Secretary"; and

(ii) by striking "other Federal agencies," and inserting "Federal departments or agencies, nongovernmental organizations,".

SEC. 1030. CONTINUING AUTHORITY. 33 USC 400.

(a) CONTINUING AUTHORITY PROGRAMS.—

(1) DEFINITION OF CONTINUING AUTHORITY PROGRAM PROJECT.—In this subsection, the term "continuing authority program" means 1 of the following authorities:

(A) Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(B) Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

(C) Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(D) Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(E) Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(F) Section 3 of the Act of August 13, 1946 (33 U.S.C. 426g).

(G) Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r).

(H) Section 103 of the River and Harbor Act of 1962 (Public Law 87–874; 76 Stat. 1178).

(I) Section 204(e) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(e)).

(J) Section 208 of the Flood Control Act of 1958 (33 U.S.C. 701b–8a).

(K) Section 104(a) of the River and Harbor Act of 1958 (33 U.S.C. 610(a)).

(2) PRIORITIZATION.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish in the Federal Register and on a publicly available website, the criteria the Secretary uses for prioritizing annual funding for continuing authority program projects. Deadline. Federal Register, publication. Web posting. Criteria.

(3) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act and each year thereafter, the Secretary shall publish in the Federal Register and on a publicly available website, a report on the status of each continuing authority program, which, at a minimum, shall include— Federal Register, publication. Web posting.

(A) the name and a short description of each active continuing authority program project;

(B) the cost estimate to complete each active project; and

(C) the funding available in that fiscal year for each continuing authority program.

(4) CONGRESSIONAL NOTIFICATION.—On publication in the Federal Register under paragraphs (2) and (3), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a copy of all information published under those paragraphs. Records.

(b) SMALL RIVER AND HARBOR IMPROVEMENT PROJECTS.—Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577) is amended—

(1) in subsection (a), by striking "$35,000,000" and inserting "$50,000,000"; and

(2) in subsection (b), by striking "$7,000,000" and inserting "$10,000,000".

(c) SHORE DAMAGE PREVENTION OR MITIGATION.—Section 111(c) of the River and Harbor Act of 1968 (33 U.S.C. 426i(c)) is amended by striking "$5,000,000" and inserting "$10,000,000".

(d) REGIONAL SEDIMENT MANAGEMENT.—

(1) IN GENERAL.—Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended—

(A) in subsection (c)(1)(C), by striking "$5,000,000" and inserting "$10,000,000"; and

(B) in subsection (g), by striking "$30,000,000" and inserting "$50,000,000".

(2) APPLICABILITY.—Section 2037 of the Water Resources Development Act of 2007 (121 Stat. 1094) is amended by adding at the end the following:

33 USC 2326 note.

"(c) APPLICABILITY.—The amendment made by subsection (a) shall not apply to any project authorized under this Act if a report of the Chief of Engineers for the project was completed prior to the date of enactment of this Act.".

(e) SMALL FLOOD CONTROL PROJECTS.—Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended in the third sentence by striking "$7,000,000" and inserting "$10,000,000".

(f) PROJECT MODIFICATIONS FOR IMPROVEMENT OF ENVIRONMENT.—Section 1135(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(d)) is amended—

(1) in the second sentence, by striking "Not more than 80 percent of the non-Federal share may be" and inserting "The non-Federal share may be provided"; and

(2) in the third sentence, by striking "$5,000,000" and inserting "$10,000,000".

(g) AQUATIC ECOSYSTEM RESTORATION.—Section 206(d) of the Water Resources Development Act of 1996 (33 U.S.C. 2330(d)) is amended by striking "$5,000,000" and inserting "$10,000,000".

(h) FLOODPLAIN MANAGEMENT SERVICES.—Section 206(d) of the Flood Control Act of 1960 (33 U.S.C. 709a(d)) is amended by striking "$15,000,000" and inserting "$50,000,000".

(i) EMERGENCY STREAMBANK AND SHORELINE PROTECTION.—Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended—

(1) by striking "$15,000,000" and inserting "$20,000,000"; and

(2) by striking "$1,500,000" and inserting "$5,000,000".

SEC. 1031. TRIBAL PARTNERSHIP PROGRAM.

(a) IN GENERAL.—Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (d)(1)(B)—

(A) by striking "The ability" and inserting the following:

"(i) IN GENERAL.—The ability"; and

(B) by adding at the end the following:

Deadline. Guidance.

"(ii) DETERMINATION.—Not later than 180 days after the date of enactment of this clause, the Secretary shall issue guidance on the procedures described in clause (i).."; and

(2) by striking subsection (e) and inserting the following:

"(e) RESTRICTIONS.—The Secretary is authorized to carry out activities under this section for fiscal years 2015 through 2024.".

(b) COOPERATIVE AGREEMENTS WITH INDIAN TRIBES.—The Secretary may enter into a cooperative agreement with an Indian tribe (or a designated representative of an Indian tribe) to carry out authorized activities of the Corps of Engineers to protect fish, wildlife, water quality, and cultural resources. 33 USC 2339a.

SEC. 1032. TERRITORIES OF THE UNITED STATES.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended—

(1) by striking "The Secretary shall waive" and inserting "(a) IN GENERAL.—The Secretary shall waive";

(2) in subsection (a) (as so designated), by inserting "Puerto Rico," before "and the Trust Territory of the Pacific Islands"; and

(3) by adding at the end the following:

"(b) INFLATION ADJUSTMENT.—The Secretary shall adjust the dollar amount specified in subsection (a) for inflation for the period beginning on November 17, 1986, and ending on the date of enactment of this subsection.". Time period.

SEC. 1033. CORROSION PREVENTION. 33 USC 2350.

(a) IN GENERAL.—To the greatest extent practicable, the Secretary shall encourage and incorporate corrosion prevention activities at water resources development projects.

(b) ACTIVITIES.—In carrying out subsection (a), the Secretary, to the greatest extent practicable, shall ensure that contractors performing work for water resources development projects—

(1) use best practices to carry out corrosion prevention activities in the field;

(2) use industry-recognized standards and corrosion mitigation and prevention methods when—

(A) determining protective coatings;

(B) selecting materials; and

(C) determining methods of cathodic protection, design, and engineering for corrosion prevention;

(3) use certified coating application specialists and cathodic protection technicians and engineers;

(4) use best practices in environmental protection to prevent environmental degradation and to ensure careful handling of all hazardous materials;

(5) demonstrate a history of employing industry-certified inspectors to ensure adherence to best practices and standards; and

(6) demonstrate a history of compliance with applicable requirements of the Occupational Safety and Health Administration.

(c) CORROSION PREVENTION ACTIVITIES DEFINED.—In this section, the term "corrosion prevention activities" means—

(1) the application and inspection of protective coatings for complex work involving steel and cementitious structures, including structures that will be exposed in immersion;

(2) the installation, testing, and inspection of cathodic protection systems; and

(3) any other activities related to corrosion prevention the Secretary determines appropriate.

33 USC 2314b.

SEC. 1034. ADVANCED MODELING TECHNOLOGIES.

(a) IN GENERAL.—To the greatest extent practicable, the Secretary shall encourage and incorporate advanced modeling technologies, including 3-dimensional digital modeling, that can expedite project delivery or improve the evaluation of water resources development projects that receive Federal funding by—

(1) accelerating and improving the environmental review process;

(2) increasing effective public participation;

(3) enhancing the detail and accuracy of project designs;

(4) increasing safety;

(5) accelerating construction and reducing construction costs; or

(6) otherwise achieving the purposes described in paragraphs (1) through (5).

(b) ACTIVITIES.—In carrying out subsection (a), the Secretary, to the greatest extent practicable, shall—

(1) compile information related to advanced modeling technologies, including industry best practices with respect to the use of the technologies;

(2) disseminate to non-Federal interests the information described in paragraph (1); and

(3) promote the use of advanced modeling technologies.

SEC. 1035. RECREATIONAL ACCESS.

(a) DEFINITION OF FLOATING CABIN.—In this section, the term "floating cabin" means a vessel (as defined in section 3 of title 1, United States Code) that has overnight accommodations.

(b) RECREATIONAL ACCESS.—The Secretary shall allow the use of a floating cabin on waters under the jurisdiction of the Secretary in the Cumberland River basin if—

(1) the floating cabin—

(A) is in compliance with regulations for recreational vessels issued under chapter 43 of title 46, United States Code, and section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322);

(B) is located at a marina leased by the Corps of Engineers; and

(C) is maintained by the owner to required health and safety standards; and

(2) the Secretary has authorized the use of recreational vessels on such waters.

33 USC 701b–15.

SEC. 1036. NON-FEDERAL PLANS TO PROVIDE ADDITIONAL FLOOD RISK REDUCTION.

Determination.

(a) IN GENERAL.—If requested by a non-Federal interest, the Secretary shall carry out a locally preferred plan that provides a higher level of protection than a flood risk management project authorized under this Act if the Secretary determines that—

(1) the plan is technically feasible and environmentally acceptable; and

(2) the benefits of the plan exceed the costs of the plan.

(b) NON-FEDERAL COST SHARE.—If the Secretary carries out a locally preferred plan under subsection (a), the Federal share of the cost of the project shall be not greater than the share as provided by law for elements of the national economic development plan.

SEC. 1037. HURRICANE AND STORM DAMAGE REDUCTION.

(a) IN GENERAL.—Section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f) is amended—

(1) by striking "The Secretary" and inserting the following:

"(a) IN GENERAL.—The Secretary"; and

(2) by adding at the end the following:

"(b) REVIEW.—Notwithstanding subsection (a), the Secretary shall, at the request of the non-Federal interest, carry out a study to determine the feasibility of extending the period of nourishment described in subsection (a) for a period not to exceed 15 additional years beyond the maximum period described in subsection (a). Study. Time period. Determination.

"(c) PLAN FOR REDUCING RISK TO PEOPLE AND PROPERTY.—

"(1) IN GENERAL.—As part of the review described in subsection (b), the non-Federal interest shall submit to the Secretary a plan for reducing risk to people and property during the life of the project.

"(2) INCLUSION OF PLAN IN RECOMMENDATION TO CONGRESS.—The Secretary shall include the plan described in subsection (a) in the recommendations to Congress described in subsection (d).

"(d) REPORT TO CONGRESS.—Upon completion of the review described in subsection (b), the Secretary shall— Recommendations.

"(1) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives any recommendations of the Secretary related to the review; and

"(2) include in the subsequent annual report to Congress required under section 7001 of the Water Resources Reform and Development Act of 2014, any recommendations that require specific congressional authorization.

"(e) SPECIAL RULE.—Notwithstanding any other provision of this section, for any existing authorized water resources development project for which the maximum period for nourishment described in subsection (a) will expire within the 5 year-period beginning on the date of enactment of the Water Resources Reform and Development Act of 2014, that project shall remain eligible for nourishment for an additional 3 years after the expiration of such period.". Time periods.

(b) REVIEW OF AUTHORIZED PERIODIC NOURISHMENT AUTHORITY.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall initiate a review of all authorized water resources development projects for which the Secretary is authorized to provide periodic nourishment under section 156 of the Water Resources Development Act of 1976 (42 U.S.C. 1962d–5f). Deadline.

(2) SCOPE OF REVIEW.—In carrying out the review under paragraph (1), the Secretary shall assess the Federal costs associated with that nourishment authority and the projected benefits of each project.

(3) REPORT TO CONGRESS.—Upon completion of the review under paragraph (1), the Secretary shall issue to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on the results of that review, including any proposed changes the Secretary may recommend to the nourishment authority. Public information.

SEC. 1038. REDUCTION OF FEDERAL COSTS FOR HURRICANE AND STORM DAMAGE REDUCTION PROJECTS.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) (as amended by section 1030(d)(1)) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting "or used in" after "obtained through";

(B) in paragraph (3)(C), by inserting "for the purposes of improving environmental conditions in marsh and littoral systems, stabilizing stream channels, enhancing shorelines, and supporting State and local risk management adaptation strategies" before the period at the end; and

(C) by adding at the end the following:

"(4) REDUCING COSTS.—To reduce or avoid Federal costs, the Secretary shall consider the beneficial use of dredged material in a manner that contributes to the maintenance of sediment resources in the nearby coastal system.";

(2) in subsection (d)—

(A) by striking the subsection designation and heading and inserting the following:

"(d) SELECTION OF DREDGED MATERIAL DISPOSAL METHOD FOR PURPOSES RELATED TO ENVIRONMENTAL RESTORATION OR STORM DAMAGE AND FLOOD REDUCTION.—"; and

(B) in paragraph (1), by striking "in relation to" and all that follows through the period at the end and inserting "in relation to—

"(A) the environmental benefits, including the benefits to the aquatic environment to be derived from the creation of wetlands and control of shoreline erosion; or

"(B) the flood and storm damage and flood reduction benefits, including shoreline protection, protection against loss of life, and damage to improved property."; and

(3) in subsection (e), by striking paragraph (1) and inserting the following:

"(1) cooperate with any State or group of States in the preparation of a comprehensive State or regional sediment management plan within the boundaries of the State or among States;".

SEC. 1039. INVASIVE SPECIES.

(a) AQUATIC SPECIES REVIEW.—

Consultation.

(1) REVIEW OF AUTHORITIES.—The Secretary, in consultation with the Director of the United States Fish and Wildlife Service, the Chairman of the Tennessee Valley Authority, and other applicable heads of Federal agencies, shall—

(A) carry out a review of existing Federal authorities relating to responding to invasive species, including aquatic weeds, aquatic snails, and other aquatic invasive species, that have an impact on water resources; and

Recommendations.

(B) based on the review under subparagraph (A), make any recommendations to Congress and applicable State agencies for improving Federal and State laws to more effectively respond to the threats posed by those invasive species.

(2) FEDERAL INVESTMENT.—

(A) ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment of the Federal costs of, and spending on, aquatic invasive species.

(B) CONTENTS.—The assessment conducted under subparagraph (A) shall include—

(i) identification of current Federal spending on, and projected future Federal costs of, operation and maintenance related to mitigating the impacts of aquatic invasive species on federally owned or operated facilities;

(ii) identification of current Federal spending on aquatic invasive species prevention;

(iii) analysis of whether spending identified in clause (ii) is adequate for the maintenance and protection of services provided by federally owned or operated facilities, based on the current spending and projected future costs identified in clause (i); and

(iv) review of any other aspect of aquatic invasive species prevention or mitigation determined appropriate by the Comptroller General.

(C) FINDINGS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works and the Committee on Energy and Natural Resources of the Senate and the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subparagraph (A). Deadline. Reports.

(b) AQUATIC INVASIVE SPECIES PREVENTION.— 16 USC 4701 note.

(1) MULTIAGENCY EFFORT TO SLOW THE SPREAD OF ASIAN CARP IN THE UPPER MISSISSIPPI AND OHIO RIVER BASINS AND TRIBUTARIES.—

(A) IN GENERAL.—The Director of the United States Fish and Wildlife Service, in coordination with the Secretary, the Director of the National Park Service, and the Director of the United States Geological Survey, shall lead a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries by providing technical assistance, coordination, best practices, and support to State and local governments in carrying out activities designed to slow, and eventually eliminate, the threat posed by Asian carp.

(B) BEST PRACTICES.—To the maximum extent practicable, the multiagency effort shall apply lessons learned and best practices such as those described in the document prepared by the Asian Carp Working Group entitled "Management and Control Plan for Bighead, Black, Grass, and Silver Carps in the United States" and dated November 2007, and the document prepared by the Asian Carp Regional Coordinating Committee entitled "FY 2012 Asian Carp Control Strategy Framework" and dated February 2012.

(2) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than December 31 of each year, the Director of the United States Fish and Wildlife Service, in coordination with the Secretary, shall submit to the Committee on Appropriations and the Committee Public information.

on Environment and Public Works of the Senate and the Committee on Appropriations, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report describing the coordinated strategies established and progress made toward the goals of controlling and eliminating Asian carp in the Upper Mississippi and Ohio River basins and tributaries.

(B) CONTENTS.—Each report submitted under subparagraph (A) shall include—

Time period.

(i) any observed changes in the range of Asian carp in the Upper Mississippi and Ohio River basins and tributaries during the 2-year period preceding submission of the report;

Summary.

(ii) a summary of Federal agency efforts, including cooperative efforts with non-Federal partners, to control the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries;

(iii) any research that the Director determines could improve the ability to control the spread of Asian carp;

(iv) any quantitative measures that the Director intends to use to document progress in controlling the spread of Asian carp; and

(v) a cross-cut accounting of Federal and non-Federal expenditures to control the spread of Asian carp.

(c) PREVENTION, GREAT LAKES AND MISSISSIPPI RIVER BASIN.—

(1) IN GENERAL.—The Secretary is authorized to implement measures recommended in the efficacy study authorized under section 3061 of the Water Resources Development Act of 2007 (121 Stat. 1121) or in interim reports, with any modifications or any emergency measures that the Secretary determines to be appropriate to prevent aquatic nuisance species from dispersing into the Great Lakes by way of any hydrologic connection between the Great Lakes and the Mississippi River Basin.

(2) NOTIFICATIONS.—The Secretary shall notify the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives any emergency actions taken pursuant to this subsection.

(d) PREVENTION AND MANAGEMENT.—Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking "There is" and inserting the following:

"(1) IN GENERAL.—There is";

(B) in the second sentence, by striking "Local" and inserting the following:

"(2) LOCAL INTERESTS.—Local";

(C) in the third sentence, by striking "Costs" and inserting the following:

"(3) FEDERAL COSTS.—Costs"; and

(D) in paragraph (1) (as designated by subparagraph (A))—

(i) by striking "control and progressive," and inserting "prevention, control, and progressive"; and

(ii) by inserting "and aquatic invasive species" after "noxious aquatic plant growths";

(2) in subsection (b), in the first sentence, by striking "$15,000,000 annually" and inserting "$40,000,000, of which $20,000,000 shall be made available to implement subsection (d), annually"; and

(3) by inserting after subsection (c) the following:

"(d) WATERCRAFT INSPECTION STATIONS.—

State listing. Determination.

"(1) IN GENERAL.—In carrying out this section, the Secretary may establish watercraft inspection stations in the Columbia River Basin to be located in the States of Idaho, Montana, Oregon, and Washington at locations, as determined by the Secretary, with the highest likelihood of preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary.

"(2) COST SHARE.—The non-Federal share of the cost of constructing, operating, and maintaining watercraft inspection stations described in paragraph (1) (including personnel costs) shall be—

"(A) 50 percent; and

"(B) provided by the State or local governmental entity in which such inspection station is located.

Consultation.

"(3) COORDINATION.—In carrying out this subsection, the Secretary shall consult and coordinate with—

"(A) the States described in paragraph (1);

"(B) Indian tribes; and

"(C) other Federal agencies, including—

"(i) the Department of Agriculture;

"(ii) the Department of Energy;

"(iii) the Department of Homeland Security;

"(iv) the Department of Commerce; and

"(v) the Department of the Interior.

"(e) MONITORING AND CONTINGENCY PLANNING.—In carrying out this section, the Secretary may—

"(1) carry out risk assessments of water resources facilities;

"(2) monitor for aquatic invasive species;

"(3) establish watershed-wide plans for expedited response to an infestation of aquatic invasive species; and

"(4) monitor water quality, including sediment cores and fish tissue samples.".

SEC. 1040. FISH AND WILDLIFE MITIGATION.

(a) IN GENERAL.—Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) in the first sentence—

(I) by inserting "for damages to ecological resources, including terrestrial and aquatic resources, and" after "mitigate";

(II) by inserting "ecological resources and" after "impact on"; and

(III) by inserting "without the implementation of mitigation measures" before the period; and

(ii) by inserting before the last sentence the following: "If the Secretary determines that mitigation to in-kind conditions is not possible, the Secretary shall

Determination. Reports.

identify in the report the basis for that determination and the mitigation measures that will be implemented to meet the requirements of this section and the goals of section 307(a)(1) of the Water Resources Development Act of 1990 (33 U.S.C. 2317(a)(1)).";

(B) in paragraph (2)—

(i) in the heading, by striking "DESIGN" and inserting "SELECTION AND DESIGN";

(ii) by inserting "select and" after "shall"; and

(iii) by inserting "using a watershed approach" after "projects"; and

(C) in paragraph (3)—

(i) in subparagraph (A), by inserting ", at a minimum," after "complies with"; and

(ii) in subparagraph (B)—

(I) by striking clause (iii);

(II) by redesignating clauses (iv) and (v) as clauses (v) and (vi), respectively; and

(III) by inserting after clause (ii) the following:

Determination.

"(iii) for projects where mitigation will be carried out by the Secretary—

"(I) a description of the land and interest in land to be acquired for the mitigation plan;

"(II) the basis for a determination that the land and interests are available for acquisition; and

"(III) a determination that the proposed interest sought does not exceed the minimum interest in land necessary to meet the mitigation requirements for the project;

"(iv) for projects where mitigation will be carried out through a third party mitigation arrangement in accordance with subsection (i)—

"(I) a description of the third party mitigation instrument to be used; and

"(II) the basis for a determination that the mitigation instrument can meet the mitigation requirements for the project;"; and

(2) by adding at the end the following:

"(h) PROGRAMMATIC MITIGATION PLANS.—

"(1) IN GENERAL.—The Secretary may develop programmatic mitigation plans to address the potential impacts to ecological resources, fish, and wildlife associated with existing or future Federal water resources development projects.

"(2) USE OF MITIGATION PLANS.—The Secretary shall, to the maximum extent practicable, use programmatic mitigation plans developed in accordance with this subsection to guide the development of a mitigation plan under subsection (d).

"(3) NON-FEDERAL PLANS.—The Secretary shall, to the maximum extent practicable and subject to all conditions of this subsection, use programmatic environmental plans developed by a State, a body politic of the State, which derives its powers from a State constitution, a government entity created by State legislation, or a local government, that meet the requirements of this subsection to address the potential environmental impacts of existing or future water resources development projects.

"(4) SCOPE.—A programmatic mitigation plan developed by the Secretary or an entity described in paragraph (3) to address potential impacts of existing or future water resources development projects shall, to the maximum extent practicable—

"(A) be developed on a regional, ecosystem, watershed, or statewide scale;

"(B) include specific goals for aquatic resource and fish and wildlife habitat restoration, establishment, enhancement, or preservation;

"(C) identify priority areas for aquatic resource and fish and wildlife habitat protection or restoration;

"(D) encompass multiple environmental resources within a defined geographical area or focus on a specific resource, such as aquatic resources or wildlife habitat; and

"(E) address impacts from all projects in a defined geographical area or focus on a specific type of project.

"(5) CONSULTATION.—The scope of the plan shall be determined by the Secretary or an entity described in paragraph (3), as appropriate, in consultation with the agency with jurisdiction over the resources being addressed in the environmental mitigation plan.

"(6) CONTENTS.—A programmatic environmental mitigation plan may include—

"(A) an assessment of the condition of environmental resources in the geographical area covered by the plan, including an assessment of recent trends and any potential threats to those resources;

"(B) an assessment of potential opportunities to improve the overall quality of environmental resources in the geographical area covered by the plan through strategic mitigation for impacts of water resources development projects;

"(C) standard measures for mitigating certain types of impacts;

"(D) parameters for determining appropriate mitigation for certain types of impacts, such as mitigation ratios or criteria for determining appropriate mitigation sites;

"(E) adaptive management procedures, such as protocols that involve monitoring predicted impacts over time and adjusting mitigation measures in response to information gathered through the monitoring;

"(F) acknowledgment of specific statutory or regulatory requirements that must be satisfied when determining appropriate mitigation for certain types of resources; and

"(G) any offsetting benefits of self-mitigating projects, such as ecosystem or resource restoration and protection.

"(7) PROCESS.—Before adopting a programmatic environmental mitigation plan for use under this subsection, the Secretary shall—

"(A) for a plan developed by the Secretary—

Public information.

"(i) make a draft of the plan available for review and comment by applicable environmental resource agencies and the public; and

"(ii) consider any comments received from those agencies and the public on the draft plan; and

Determination.
Deadline.

"(B) for a plan developed under paragraph (3), determine, not later than 180 days after receiving the plan, whether the plan meets the requirements of paragraphs (4) through (6) and was made available for public comment.

"(8) INTEGRATION WITH OTHER PLANS.—A programmatic environmental mitigation plan may be integrated with other plans, including watershed plans, ecosystem plans, species recovery plans, growth management plans, and land use plans.

"(9) CONSIDERATION IN PROJECT DEVELOPMENT AND PERMITTING.—If a programmatic environmental mitigation plan has been developed under this subsection, any Federal agency responsible for environmental reviews, permits, or approvals for a water resources development project may use the recommendations in that programmatic environmental mitigation plan when carrying out the responsibilities of the agency under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

"(10) PRESERVATION OF EXISTING AUTHORITIES.—Nothing in this subsection limits the use of programmatic approaches to reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

"(11) MITIGATION FOR EXISTING PROJECTS.—Nothing in this subsection requires the Secretary to undertake additional mitigation for existing projects for which mitigation has already been initiated.

"(i) THIRD-PARTY MITIGATION ARRANGEMENTS.—

"(1) ELIGIBLE ACTIVITIES.—In accordance with all applicable Federal laws (including regulations), mitigation efforts carried out under this section may include—

"(A) participation in mitigation banking or other third-party mitigation arrangements, such as—

"(i) the purchase of credits from commercial or State, regional, or local agency-sponsored mitigation banks; and

"(ii) the purchase of credits from in-lieu fee mitigation programs; and

"(B) contributions to statewide and regional efforts to conserve, restore, enhance, and create natural habitats and wetlands if the Secretary determines that the contributions will ensure that the mitigation requirements of this section and the goals of section 307(a)(1) of the Water Resources Development Act of 1990 (33 U.S.C. 2317(a)(1)) will be met.

"(2) INCLUSION OF OTHER ACTIVITIES.—The banks, programs, and efforts described in paragraph (1) include any banks, programs, and efforts developed in accordance with applicable law (including regulations).

"(3) TERMS AND CONDITIONS.—In carrying out natural habitat and wetlands mitigation efforts under this section, contributions to the mitigation effort may—

"(A) take place concurrent with, or in advance of, the commitment of funding to a project; and

"(B) occur in advance of project construction only if the efforts are consistent with all applicable requirements of Federal law (including regulations) and water resources development planning processes.

"(4) PREFERENCE.—At the request of the non-Federal project sponsor, preference may be given, to the maximum extent practicable, to mitigating an environmental impact through the use of a mitigation bank, in-lieu fee, or other third-party mitigation arrangement, if the use of credits from the mitigation bank or in-lieu fee, or the other third-party mitigation arrangement for the project has been approved by the applicable Federal agency.".

(b) APPLICATION.—The amendments made by subsection (a) shall not apply to a project for which a mitigation plan has been completed as of the date of enactment of this Act. 33 USC 2283 note.

(c) TECHNICAL ASSISTANCE.— 33 USC 2283c.

(1) IN GENERAL.—The Secretary may provide technical assistance to States and local governments to establish third-party mitigation instruments, including mitigation banks and in-lieu fee programs, that will help to target mitigation payments to high-priority ecosystem restoration actions.

(2) REQUIREMENTS.—In providing technical assistance under this subsection, the Secretary shall give priority to States and local governments that have developed State, regional, or watershed-based plans identifying priority restoration actions.

(3) MITIGATION INSTRUMENTS.—The Secretary shall seek to ensure any technical assistance provided under this subsection will support the establishment of mitigation instruments that will result in restoration of high-priority areas identified in the plans under paragraph (2).

SEC. 1041. MITIGATION STATUS REPORT.

Section 2036(b) of the Water Resources Development Act of 2007 (33 U.S.C. 2283a) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

"(3) INFORMATION INCLUDED.—In reporting the status of all projects included in the report, the Secretary shall—

"(A) use a uniform methodology for determining the status of all projects included in the report;

"(B) use a methodology that describes both a qualitative and quantitative status for all projects in the report; and

"(C) provide specific dates for participation in the consultations required under section 906(d)(4)(B) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(d)(4)(B)).".

SEC. 1042. REPORTS TO CONGRESS. 33 USC 2201 note.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall complete and submit to Congress by the applicable date required the reports that address public safety and enhanced local participation in project delivery described in subsection (b).

(b) REPORTS.—The reports referred to in subsection (a) are the reports required under—

(1) subparagraphs (A) and (B) of section 1043(a)(5);

(2) section 1046(a)(2)(B);

(3) section 210(e)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(e)(3)) (as amended by section 2102(a)); and

(4) section 7001.

(c) FAILURE TO PROVIDE A COMPLETED REPORT.—

Deadline.

(1) IN GENERAL.—Subject to subsection (d), if the Secretary fails to provide a report listed under subsection (b) by the date that is 180 days after the applicable date required for that report, $5,000 shall be reprogrammed from the General Expenses account of the civil works program of the Army Corps of Engineers into the account of the division of the Army Corps of Engineers with responsibility for completing that report.

(2) SUBSEQUENT REPROGRAMMING.—Subject to subsection (d), for each additional week after the date described in paragraph (1) in which a report described in that paragraph remains uncompleted and unsubmitted to Congress, $5,000 shall be reprogrammed from the General Expenses account of the civil works program of the Army Corps of Engineers into the account of the division of the Secretary of the Army with responsibility for completing that report.

(d) LIMITATIONS.—

(1) IN GENERAL.—For each report, the total amounts reprogrammed under subsection (c) shall not exceed, in any fiscal year, $50,000.

(2) AGGREGATE LIMITATION.—The total amount reprogrammed under subsection (c) in a fiscal year shall not exceed $200,000.

Certification.

(e) NO FAULT OF THE SECRETARY.—Amounts shall not be reprogrammed under subsection (c) if the Secretary certifies in a letter to the applicable committees of Congress that—

(1) a major modification has been made to the content of the report that requires additional analysis for the Secretary to make a final decision on the report;

(2) amounts have not been appropriated to the agency under this Act or any other Act to carry out the report; or

(3) additional information is required from an entity other than the Corps of Engineers and is not available in a timely manner to complete the report by the deadline.

(f) LIMITATION.—The Secretary shall not reprogram funds to the General Expenses account of the civil works program of the Corps of Engineers for the loss of the funds.

33 USC 2201 note.

SEC. 1043. NON-FEDERAL IMPLEMENTATION PILOT PROGRAM.

(a) NON-FEDERAL IMPLEMENTATION OF FEASIBILITY STUDIES.—

Deadline. Evaluation.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish and implement a pilot program to evaluate the cost-effectiveness and project delivery efficiency of allowing non-Federal interests to carry out feasibility studies for flood risk management, hurricane and storm damage reduction, aquatic ecosystem restoration, and coastal harbor and channel and inland navigation.

(2) PURPOSES.—The purposes of the pilot program are—

(A) to identify project delivery and cost-saving alternatives to the existing feasibility study process;

(B) to evaluate the technical, financial, and organizational efficiencies of a non-Federal interest carrying out a feasibility study of 1 or more projects; and

(C) to evaluate alternatives for the decentralization of the project planning, management, and operational decisionmaking process of the Corps of Engineers.

(3) ADMINISTRATION.—

(A) IN GENERAL.—On the request of a non-Federal interest, the Secretary may enter into an agreement with the non-Federal interest for the non-Federal interest to provide full project management control of a feasibility study for a project for— Contracts.

(i) flood risk management;

(ii) hurricane and storm damage reduction, including levees, floodwalls, flood control channels, and water control structures;

(iii) coastal harbor and channel and inland navigation; and

(iv) aquatic ecosystem restoration.

(B) USE OF NON-FEDERAL FUNDS.—

(i) IN GENERAL.—A non-Federal interest that has entered into an agreement with the Secretary pursuant to subparagraph (A) may use non-Federal funds to carry out the feasibility study.

(ii) CREDIT.—The Secretary shall credit towards the non-Federal share of the cost of construction of a project for which a feasibility study is carried out under this subsection an amount equal to the portion of the cost of developing the study that would have been the responsibility of the Secretary, if the study were carried out by the Secretary, subject to the conditions that—

(I) non-Federal funds were used to carry out the activities that would have been the responsibility of the Secretary;

(II) the Secretary determines that the feasibility study complies with all applicable Federal laws and regulations; and

(III) the project is authorized by any provision of Federal law enacted after the date on which an agreement is entered into under subparagraph (A).

(C) TRANSFER OF FUNDS.—

(i) IN GENERAL.—After the date on which an agreement is executed pursuant to subparagraph (A), the Secretary may transfer to the non-Federal interest to carry out the feasibility study—

(I) if applicable, the balance of any unobligated amounts appropriated for the study, except that the Secretary shall retain sufficient amounts for the Corps of Engineers to carry out any responsibilities of the Corps of Engineers relating to the project and pilot program; and

(II) additional amounts, as determined by the Secretary, from amounts made available under paragraph (8), except that the total amount transferred to the non-Federal interest shall not exceed the updated estimate of the Federal share of the cost of the feasibility study.

(ii) ADMINISTRATION.—The Secretary shall include such provisions as the Secretary determines to be necessary in an agreement under subparagraph (A) to ensure that a non-Federal interest receiving Federal funds under this paragraph—

(I) has the necessary qualifications to administer those funds; and

(II) will comply with all applicable Federal laws (including regulations) relating to the use of those funds.

(D) NOTIFICATION.—The Secretary shall notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the initiation of each feasibility study under the pilot program.

(E) AUDITING.—The Secretary shall regularly monitor and audit each feasibility study carried out by a non-Federal interest under this section to ensure that the use of any funds transferred under subparagraph (C) are used in compliance with the agreement signed under subparagraph (A).

(F) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance to the non-Federal interest relating to any aspect of the feasibility study, if the non-Federal interest contracts with the Secretary for the technical assistance and compensates the Secretary for the technical assistance.

Deadline.

(G) DETAILED PROJECT SCHEDULE.—Not later than 180 days after entering into an agreement under subparagraph (A), each non-Federal interest, to the maximum extent practicable, shall submit to the Secretary a detailed project schedule, based on full funding capability, that lists all deadlines for milestones relating to the feasibility study.

(4) COST SHARE.—Nothing in this subsection affects the cost-sharing requirement applicable on the day before the date of enactment of this Act to a feasibility study carried out under this subsection.

(5) REPORT.—

Public information.

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report detailing the results of the pilot program carried out under this section, including—

(i) a description of the progress of the non-Federal interests in meeting milestones in detailed project schedules developed pursuant to paragraph (3)(G); and

Recommendations.

(ii) any recommendations of the Secretary concerning whether the program or any component of the program should be implemented on a national basis.

(B) UPDATE.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the

Senate and the Committee on Transportation and Infrastructure of the House of Representatives an update of the report described in subparagraph (A).

(C) FAILURE TO MEET DEADLINE.—If the Secretary fails to submit a report by the required deadline under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a detailed explanation of why the deadline was missed and a projected date for submission of the report.

(6) ADMINISTRATION.—All laws and regulations that would apply to the Secretary if the Secretary were carrying out the feasibility study shall apply to a non-Federal interest carrying out a feasibility study under this subsection. Applicability.

(7) TERMINATION OF AUTHORITY.—The authority to commence a feasibility study under this subsection terminates on the date that is 5 years after the date of enactment of this Act.

(8) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts appropriated for a specific project, there is authorized to be appropriated to the Secretary to carry out the pilot program under this subsection, including the costs of administration of the Secretary, $25,000,000 for each of fiscal years 2015 through 2019.

(b) NON-FEDERAL PROJECT IMPLEMENTATION PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish and implement a pilot program to evaluate the cost-effectiveness and project delivery efficiency of allowing non-Federal interests to carry out flood risk management, hurricane and storm damage reduction, coastal harbor and channel inland navigation, and aquatic ecosystem restoration projects. Deadline.

(2) PURPOSES.—The purposes of the pilot program are—

(A) to identify project delivery and cost-saving alternatives that reduce the backlog of authorized Corps of Engineers projects;

(B) to evaluate the technical, financial, and organizational efficiencies of a non-Federal interest carrying out the design, execution, management, and construction of 1 or more projects; and

(C) to evaluate alternatives for the decentralization of the project management, design, and construction for authorized Corps of Engineers water resources projects.

(3) ADMINISTRATION.—

(A) IN GENERAL.—In carrying out the pilot program, the Secretary shall—

(i) identify a total of not more than 15 projects for flood risk management, hurricane and storm damage reduction (including levees, floodwalls, flood control channels, and water control structures), coastal harbor and channels, inland navigation, and aquatic ecosystem restoration that have been authorized for construction prior to the date of enactment of this Act, including—

(I) not more than 12 projects that—

(aa)(AA) have received Federal funds prior to the date of enactment of this Act; or

(BB) for more than 2 consecutive fiscal years, have an unobligated funding balance for that project in the Corps of Engineers construction account; and

(bb) to the maximum extent practicable, are located in each of the divisions of the Corps of Engineers; and

Time period.

(II) not more than 3 projects that have not received Federal funds in the period beginning on the date on which the project was authorized and ending on the date of enactment of this Act;

Notification.

(ii) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the identification of each project under the pilot program;

Plan.

(iii) in collaboration with the non-Federal interest, develop a detailed project management plan for each identified project that outlines the scope, budget, design, and construction resource requirements necessary for the non-Federal interest to execute the project, or a separable element of the project;

Contracts.

(iv) on the request of the non-Federal interest, enter into a project partnership agreement with the non-Federal interest for the non-Federal interest to provide full project management control for construction of the project, or a separable element of the project, in accordance with plans approved by the Secretary;

(v) following execution of the project partnership agreement, transfer to the non-Federal interest to carry out construction of the project, or a separable element of the project—

(I) if applicable, the balance of the unobligated amounts appropriated for the project, except that the Secretary shall retain sufficient amounts for the Corps of Engineers to carry out any responsibilities of the Corps of Engineers relating to the project and pilot program; and

(II) additional amounts, as determined by the Secretary, from amounts made available under paragraph (8), except that the total amount transferred to the non-Federal interest shall not exceed the updated estimate of the Federal share of the cost of construction, including any required design; and

Audit.

(vi) regularly monitor and audit each project being constructed by a non-Federal interest under this section to ensure that the construction activities are carried out in compliance with the plans approved by the Secretary and that the construction costs are reasonable.

Deadline.

(B) DETAILED PROJECT SCHEDULE.—Not later than 180 days after entering into an agreement under subparagraph (A)(iv), each non-Federal interest, to the maximum extent practicable, shall submit to the Secretary a detailed project

schedule, based on estimated funding levels, that lists all deadlines for each milestone in the construction of the project.

(C) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance to the non-Federal interest, if the non-Federal interest contracts with and compensates the Secretary for the technical assistance relating to—

(i) any study, engineering activity, and design activity for construction carried out by the non-Federal interest under this subsection; and

(ii) expeditiously obtaining any permits necessary for the project.

(4) COST SHARE.—Nothing in this subsection affects the cost-sharing requirement applicable on the day before the date of enactment of this Act to a project carried out under this subsection.

(5) REPORT.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report detailing the results of the pilot program carried out under this subsection, including— Public information.

(i) a description of the progress of non-Federal interests in meeting milestones in detailed project schedules developed pursuant to paragraph (2)(B); and

(ii) any recommendations of the Secretary concerning whether the program or any component of the program should be implemented on a national basis. Recommendations.

(B) UPDATE.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an update of the report described in subparagraph (A).

(C) FAILURE TO MEET DEADLINE.—If the Secretary fails to submit a report by the required deadline under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a detailed explanation of why the deadline was missed and a projected date for submission of the report.

(6) ADMINISTRATION.—All laws and regulations that would apply to the Secretary if the Secretary were carrying out the project shall apply to a non-Federal interest carrying out a project under this subsection. Applicability.

(7) TERMINATION OF AUTHORITY.—The authority to commence a project under this subsection terminates on the date that is 5 years after the date of enactment of this Act.

(8) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts appropriated for a specific project, there is authorized

to be appropriated to the Secretary to carry out the pilot program under this subsection, including the costs of administration of the Secretary, $25,000,000 for each of fiscal years 2015 through 2019.

SEC. 1044. INDEPENDENT PEER REVIEW.

(a) MANDATORY PROJECT STUDIES SUBJECT TO PEER REVIEW.—Section 2034(a)(3)(A)(i) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(a)(3)(A)(i)) is amended by striking "$45,000,000" and inserting "$200,000,000".

(b) TIMING OF PEER REVIEW.—Section 2034(b) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(b)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

"(3) REASONS FOR TIMING.—If the Chief of Engineers does not initiate a peer review for a project study at a time described in paragraph (2), the Chief shall—

Deadline. Determination.

"(A) not later than 7 days after the date on which the Chief of Engineers determines not to initiate a peer review—

Notification.

"(i) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of that decision; and

Public information. Web posting.

"(ii) make publicly available, including on the Internet, the reasons for not conducting the review; and

"(B) include the reasons for not conducting the review in the decision document for the project study.".

(c) ESTABLISHMENT OF PANELS.—Section 2034(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(c)) is amended by striking paragraph (4) and inserting the following:

Deadline.

"(4) CONGRESSIONAL AND PUBLIC NOTIFICATION.—Following the identification of a project study for peer review under this section, but prior to initiation of the review by the panel of experts, the Chief of Engineers shall, not later than 7 days after the date on which the Chief of Engineers determines to conduct a review—

Notification.

"(A) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the review conducted under this section; and

Public information. Web posting.

"(B) make publicly available, including on the Internet, information on—

"(i) the dates scheduled for beginning and ending the review;

"(ii) the entity that has the contract for the review; and

"(iii) the names and qualifications of the panel of experts.".

(d) RECOMMENDATIONS OF PANEL.—Section 2034(f) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(f)) is amended by striking paragraph (2) and inserting the following:

Web posting. Records. Deadlines.

"(2) PUBLIC AVAILABILITY AND SUBMISSION TO CONGRESS.—After receiving a report on a project study from a panel of experts under this section, the Chief of Engineers shall make

available to the public, including on the Internet, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

"(A) a copy of the report not later than 7 days after the date on which the report is delivered to the Chief of Engineers; and

"(B) a copy of any written response of the Chief of Engineers on recommendations contained in the report not later than 3 days after the date on which the response is delivered to the Chief of Engineers.

"(3) INCLUSION IN PROJECT STUDY.—A report on a project study from a panel of experts under this section and the written response of the Chief of Engineers shall be included in the final decision document for the project study.".

(e) APPLICABILITY.—Section 2034(h)(2) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(h)(2)) is amended by striking "7 years" and inserting "12 years".

SEC. 1045. REPORT ON SURFACE ELEVATIONS AT DROUGHT AFFECTED LAKES.

Assessment.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Federal Energy Regulatory Commission (referred to in this section as "FERC"), shall initiate an assessment of the effects of drought conditions on lakes managed by the Secretary that are affected by FERC-licensed reservoirs, which shall include an assessment of—

(1) lake levels and rule curves in areas of previous, current, and prolonged drought; and

(2) the effect the long-term FERC licenses have on the ability of the Secretary to manage lakes for hydropower generation, navigation, flood protection, water supply, fish and wildlife, and recreation.

Public information.

(b) REPORT.—The Secretary, in coordination with the FERC, shall submit to Congress and make publicly available a report on the assessment carried out under subsection (a).

SEC. 1046. RESERVOIR OPERATIONS AND WATER SUPPLY.

33 USC 2319 note.

(a) DAM OPTIMIZATION.—

(1) DEFINITION OF PROJECT.—In this subsection, the term "project" means a water resources development project that is operated and maintained by the Secretary.

(2) REPORTS.—

(A) ASSESSMENT OF WATER SUPPLY IN ARID REGIONS.—

Determination.

(i) IN GENERAL.—The Secretary shall conduct an assessment of the management practices, priorities, and authorized purposes at Corps of Engineers reservoirs in arid regions to determine the effects of such practices, priorities, and purposes on water supply during periods of drought.

(ii) INCLUSIONS.—The assessment under clause (i) shall identify actions that can be carried out within the scope of existing authorities of the Secretary to increase project flexibility for the purpose of mitigating drought impacts.

Public information.

(iii) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit

to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on the results of the assessment.

(B) UPDATED REPORT.—

(i) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall update and make publicly available the report entitled "Authorized and Operating Purposes of Corps of Engineers Reservoirs" and dated July 1992, which was produced pursuant to section 311 of the Water Resources Development Act of 1990 (104 Stat. 4639).

(ii) INCLUSIONS.—The updated report described in clause (i) shall—

(I) include—

Recommendations.

(aa) the date on which the most recent review of project operations was conducted and any recommendations of the Secretary relating to that review the Secretary determines to be significant;

(bb) the activities carried out pursuant to each such review to improve the efficiency of operations and maintenance and to improve project benefits consistent with authorized purposes;

(cc) the degree to which reviews of project operations and subsequent activities pursuant to completed reviews complied with the policies and requirements of applicable law and regulations; and

Plan.
Review.

(dd) a plan for reviewing the operations of individual projects, including a detailed schedule for future reviews of project operations, that—

Compliance.

(AA) complies with the polices and requirements of applicable law and regulations;

(BB) gives priority to reviews and activities carried out pursuant to such plan where the Secretary determines that there is support for carrying out those reviews and activities; and

(CC) ensures that reviews and activities are carried out pursuant to such plan;

Coordination.

(II) be coordinated with appropriate Federal, State, and local agencies and those public and private entities that the Secretary determines may be affected by those reviews or activities;

(III) not supersede or modify any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act;

(IV) not supersede or authorize any amendment to a multistate water control plan, including the Missouri River Master Water Control Manual (as in effect on the date of enactment of this Act);

(V) not affect any water right in existence on the date of enactment of this Act;

(VI) not preempt or affect any State water law or interstate compact governing water;

(VII) not affect any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within that State; and

(VIII) comply with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(3) GENERAL ACCOUNTABILITY OFFICE REPORT TO CONGRESS.—The Comptroller General shall—

(A) conduct an audit to determine— Audit.

(i) whether reviews of project operations carried out by the Secretary prior to the date of enactment of this Act complied with the policies and requirements of applicable law and regulations; and

(ii) whether the plan developed by the Secretary pursuant to paragraph (2)(B)(ii)(I)(dd) complies with this subsection and with the policies and requirements of applicable law and regulation; and

(B) not later than 2 years after the date of enactment of this Act, submit to Congress a report that—

(i) summarizes the results of the audit required by subparagraph (A);

(ii) includes an assessment of whether existing practices for managing and reviewing project operations could result in greater efficiencies that would enable the Corps of Engineers to better prepare for, contain, and respond to flood, storm, and drought conditions; and Assessment.

(iii) includes recommendations for improving the review of project operations to improve the efficiency and effectiveness of such operations and to better achieve authorized purposes while enhancing overall project benefits. Recommendations.

(4) INTERAGENCY AND COOPERATIVE AGREEMENTS.—The Secretary may enter into interagency agreements with other Federal agencies and cooperative agreements with non-Federal entities to carry out this subsection and reviews of project operations or activities resulting from those reviews.

(5) FUNDING.—

(A) IN GENERAL.—The Secretary may use to carry out this subsection, including any reviews of project operations identified in the plan developed under paragraph (2)(B)(ii)(I)(dd), amounts made available to the Secretary.

(B) FUNDING FROM OTHER SOURCES.—The Secretary may accept and expend amounts from non-Federal entities and other Federal agencies to carry out this subsection and reviews of project operations or activities resulting from those reviews.

(6) EFFECT OF SUBSECTION.—

(A) IN GENERAL.—Nothing in this subsection changes the authorized purpose of any Corps of Engineers dam or reservoir.

(B) ADMINISTRATION.—The Secretary may carry out any recommendations and activities under this subsection pursuant to existing law.

43 USC 390b–1.

(b) IMPROVING PLANNING AND ADMINISTRATION OF WATER SUPPLY STORAGE.—

Notification.

(1) IN GENERAL.—For each water supply feature of a reservoir managed by the Secretary, the Secretary shall notify the applicable non-Federal interests before each fiscal year of the anticipated operation and maintenance activities for that fiscal year and each of the subsequent 4 fiscal years (including the cost of those activities) for which the non-Federal interests are required to contribute amounts.

(2) CLARIFICATION.—The information provided to a non-Federal interest under paragraph (1) shall—

(A) be an estimate which the non-Federal interest may use for planning purposes; and

(B) not be construed as or relied upon by the non-Federal interest as the actual amounts that the non-Federal interest will be required to contribute.

(c) SURPLUS WATER STORAGE.—

(1) IN GENERAL.—The Secretary shall not charge a fee for surplus water under a contract entered into pursuant to section 6 of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (33 U.S.C. 708) if the contract is for surplus water stored in the Upper Missouri Mainstem Reservoirs.

(2) OFFSET.—

Rescission.

(A) IN GENERAL.—Subject to subparagraph (B), of any amounts made available to the Secretary to carry out activities under the heading "OPERATION AND MAINTENANCE" under the heading "CORPS OF ENGINEERS–CIVIL" that remain unobligated as of the date of enactment of this Act, $5,000,000 is rescinded.

(B) RESTRICTION.—No amounts that have been designated by Congress as being for emergency requirements pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)) shall be rescinded under subparagraph (A).

Expiration date.

(3) LIMITATION.—The limitation provided under paragraph (1) shall expire on the date that is 10 years after the date of enactment of this Act.

(4) APPLICABILITY.—Nothing in this subsection—

(A) affects the authority of the Secretary under section 2695 of title 10, United States Code, to accept funds or to cover the administrative expenses relating to certain real property transactions; or

(B) affects the application of section 6 of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (33 U.S.C. 708) to surplus water stored outside of the Upper Missouri Mainstem Reservoirs.

(d) FUTURE WATER SUPPLY.—Section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

"(c) RELEASE OF FUTURE WATER STORAGE.—

"(1) ESTABLISHMENT OF 10-YEAR PLANS FOR THE UTILIZATION OF FUTURE STORAGE.—

Time period.

"(A) IN GENERAL.—For the period beginning 180 days after the date of enactment of this paragraph and ending

on January 1, 2016, the Secretary may accept from a State or local interest a plan for the utilization of allocated water storage for future use under this Act.

"(B) CONTENTS.—A plan submitted under subparagraph (A) shall include—

"(i) a 10-year timetable for the conversion of future use storage to present use; and

"(ii) a schedule of actions that the State or local interest agrees to carry out over a 10-year period, in cooperation with the Secretary, to seek new and alternative users of future water storage that is contracted to the State or local interest on the date of enactment of this paragraph.

"(2) FUTURE WATER STORAGE.—For water resource development projects managed by the Secretary, a State or local interest that the Secretary determines has complied with paragraph (1) may request from the Secretary a release to the United States of any right of the State or local interest to future water storage under this Act that was allocated for future use water supply prior to November 17, 1986.

"(3) ADMINISTRATION.—

"(A) IN GENERAL.—Not later than 180 days after receiving a request under paragraph (2), the Secretary shall provide to the applicable State or local interest a written decision on whether the Secretary recommends releasing future water storage rights. Deadline.

"(B) RECOMMENDATION.—If the Secretary recommends releasing future water storage rights, the Secretary shall include that recommendation in the annual plan submitted under section 7001 of the Water Resources Reform and Development Act of 2014.

"(4) SAVINGS CLAUSE.—Nothing in this subsection authorizes the Secretary to release a State or local interest from a contractual obligation unless specifically authorized by Congress.".

SEC. 1047. SPECIAL USE PERMITS. 33 USC 2328a.

(a) SPECIAL USE PERMITS.—

(1) IN GENERAL.—The Secretary may issue special permits for uses such as group activities, recreation events, motorized recreation vehicles, and such other specialized recreation uses as the Secretary determines to be appropriate, subject to such terms and conditions as the Secretary determines to be in the best interest of the Federal Government.

(2) FEES.—

(A) IN GENERAL.—In carrying out this subsection, the Secretary may—

(i) establish and collect fees associated with the issuance of the permits described in paragraph (1); or

(ii) accept in-kind services in lieu of those fees.

(B) OUTDOOR RECREATION EQUIPMENT.—The Secretary may establish and collect fees for the provision of outdoor recreation equipment and services for activities described in paragraph (1) at public recreation areas located at lakes and reservoirs operated by the Corps of Engineers.

(C) USE OF FEES.—Any fees generated pursuant to this subsection shall be—

(i) retained at the site collected; and

(ii) available for use, without further appropriation, solely for administering the special permits under this subsection and carrying out related operation and maintenance activities at the site at which the fees are collected.

(b) COOPERATIVE MANAGEMENT.—

(1) PROGRAM.—

Contracts.

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may enter into an agreement with a State or local government to provide for the cooperative management of a public recreation area if—

(i) the public recreation area is located—

(I) at a lake or reservoir operated by the Corps of Engineers; and

(II) adjacent to or near a State or local park or recreation area; and

Determination.

(ii) the Secretary determines that cooperative management between the Corps of Engineers and a State or local government agency of a portion of the Corps of Engineers recreation area or State or local park or recreation area will allow for more effective and efficient management of those areas.

(B) RESTRICTION.—The Secretary may not transfer administration responsibilities for any public recreation area operated by the Corps of Engineers.

(2) ACQUISITION OF GOODS AND SERVICES.—The Secretary may acquire from or provide to a State or local government with which the Secretary has entered into a cooperative agreement under paragraph (1) goods and services to be used by the Secretary and the State or local government in the cooperative management of the areas covered by the agreement.

(3) ADMINISTRATION.—The Secretary may enter into 1 or more cooperative management agreements or such other arrangements as the Secretary determines to be appropriate, including leases or licenses, with non-Federal interests to share the costs of operation, maintenance, and management of recreation facilities and natural resources at recreation areas that are jointly managed and funded under this subsection.

(c) USE OF FUNDS.—

Determination.

(1) IN GENERAL.—If the Secretary determines that it is in the public interest for purposes of enhancing recreation opportunities at Corps of Engineers water resources development projects, the Secretary may use funds made available to the Secretary to support activities carried out by State, local, and tribal governments and such other public or private nonprofit entities as the Secretary determines to be appropriate.

(2) COOPERATIVE AGREEMENTS.—Any use of funds pursuant to this subsection shall be carried out through the execution of a cooperative agreement, which shall contain such terms and conditions as the Secretary determines to be necessary in the public interest.

(d) SERVICES OF VOLUNTEERS.—Chapter IV of title I of Public Law 98–63 (33 U.S.C. 569c) is amended in the first sentence by inserting ", including expenses relating to uniforms, transportation,

lodging, and the subsistence of those volunteers," after "incidental expenses".

(e) TRAINING AND EDUCATIONAL ACTIVITIES.—Section 213(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by striking "at" and inserting "about".

SEC. 1048. AMERICA THE BEAUTIFUL NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS PROGRAM.

16 USC 6804 note.

The Secretary may participate in the America the Beautiful National Parks and Federal Recreational Lands Pass program in the same manner as the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, the Forest Service, and the Bureau of Reclamation, including the provision of free annual passes to active duty military personnel and dependents.

SEC. 1049. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

33 USC 1361 note.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) FARM.—The term "farm" has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(3) GALLON.—The term "gallon" means a United States gallon.

(4) OIL.—The term "oil" has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(5) OIL DISCHARGE.—The term "oil discharge" has the meaning given the term "discharge" in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(6) REPORTABLE OIL DISCHARGE HISTORY.—

(A) IN GENERAL.—Subject to subparagraph (B), the term "reportable oil discharge history" means a single oil discharge, as described in section 112.1(b) of title 40, Code of Federal Regulations (including successor regulations), that exceeds 1,000 gallons or 2 oil discharges, as described in section 112.1(b) of title 40, Code of Federal Regulations (including successor regulations), that each exceed 42 gallons within any 12-month period—

Time period.

(i) in the 3 years prior to the certification date of the Spill Prevention, Control, and Countermeasure plan (as described in section 112.3 of title 40, Code of Federal Regulations (including successor regulations); or

(ii) since becoming subject to part 112 of title 40, Code of Federal Regulations, if the facility has been in operation for less than 3 years.

(B) EXCLUSIONS.—The term "reportable oil discharge history" does not include an oil discharge, as described in section 112.1(b) of title 40, Code of Federal Regulations (including successor regulations), that is the result of a natural disaster, an act of war, or terrorism.

(7) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term "Spill Prevention, Control, and Countermeasure rule" means the regulation, including amendments,

promulgated by the Administrator under part 112 of title 40, Code of Federal Regulations (or successor regulations).

(b) CERTIFICATION.—In implementing the Spill Prevention, Control, and Countermeasure rule with respect to any farm, the Administrator shall—

(1) require certification by a professional engineer for a farm with—

(A) an individual tank with an aboveground storage capacity greater than 10,000 gallons;

(B) an aggregate aboveground storage capacity greater than or equal to 20,000 gallons; or

(C) a reportable oil discharge history; or

(2) allow certification by the owner or operator of the farm (via self-certification) for a farm with—

(A) an aggregate aboveground storage capacity less than 20,000 gallons and greater than the lesser of—

(i) 6,000 gallons; and

(ii) the adjustment quantity established under subsection (d)(2); and

(B) no reportable oil discharge history; and

(3) not require compliance with the rule by any farm—

(A) with an aggregate aboveground storage capacity greater than 2,500 gallons and less than the lesser of—

(i) 6,000 gallons; and

(ii) the adjustment quantity established under subsection (d)(2); and

(B) no reportable oil discharge history; and

(4) not require compliance with the rule by any farm with an aggregate aboveground storage capacity of less than 2,500 gallons.

(c) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of subsection (b), the aggregate aboveground storage capacity of a farm excludes—

(1) all containers on separate parcels that have a capacity that is 1,000 gallons or less; and

(2) all containers holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.

Deadlines.
Consultation.

(d) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the Secretary of Agriculture, shall conduct a study to determine the appropriate exemption under paragraphs (2) and (3) of subsection (b), which shall be not more than 6,000 gallons and not less than 2,500 gallons, based on a significant risk of discharge to water.

Regulations.

(2) ADJUSTMENT.—Not later than 18 months after the date on which the study described in paragraph (1) is complete, the Administrator, in consultation with the Secretary of Agriculture, shall promulgate a rule to adjust the exemption levels described in paragraphs (2) and (3) of subsection (b) in accordance with the study.

SEC. 1050. NAMINGS.

Tennessee.

(a) DONALD G. WALDON LOCK AND DAM.—It is the sense of Congress that, at an appropriate time and in accordance with

the rules of the Senate and the House of Representatives, to recognize the contributions of Donald G. Waldon, whose selfless determination and tireless work, while serving as administrator of the Tennessee-Tombigbee Waterway for 21 years, contributed greatly to the realization and success of the Tennessee-Tombigbee Waterway Development Compact, that the lock and dam located at mile 357.5 on the Tennessee-Tombigbee Waterway should be known and designated as the "Donald G. Waldon Lock and Dam".

(b) REDESIGNATION OF LOWER MISSISSIPPI RIVER MUSEUM AND RIVERFRONT INTERPRETIVE SITE.—

(1) IN GENERAL.—Section 103(c)(1) of the Water Resources Development Act of 1992 (106 Stat. 4811) is amended by striking "Lower Mississippi River Museum and Riverfront Interpretive Site" and inserting "Jesse Brent Lower Mississippi River Museum and Riverfront Interpretive Site".

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the museum and interpretive site referred to in paragraph (1) shall be deemed to be a reference to the "Jesse Brent Lower Mississippi River Museum and Riverfront Interpretive Site".

(c) JERRY F. COSTELLO LOCK AND DAM.— Illinois.

(1) REDESIGNATION.—The lock and dam located in Modoc, Illinois, authorized by the Act of July 3, 1930 (46 Stat. 927), and commonly known as the Kaskaskia Lock and Dam, is redesignated as the "Jerry F. Costello Lock and Dam".

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the lock and dam referred to in section 1 shall be deemed to be a reference to the "Jerry F. Costello Lock and Dam".

SEC. 1051. INTERSTATE WATER AGREEMENTS AND COMPACTS.

(a) WATER SUPPLY.—Section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) (as amended by section 1046(d)) is amended by adding at the end the following:

"(f) The Committees of jurisdiction are very concerned about the operation of projects in the Apalachicola-Chattahoochee-Flint River System and the Alabama-Coosa-Tallapoosa River System, and further, the Committees of jurisdiction recognize that this ongoing water resources dispute raises serious concerns related to the authority of the Secretary of the Army to allocate substantial storage at projects to provide local water supply pursuant to the Water Supply Act of 1958 absent congressional approval. Interstate water disputes of this nature are more properly addressed through interstate water agreements that take into consideration the concerns of all affected States including impacts to other authorized uses of the projects, water supply for communities and major cities in the region, water quality, freshwater flows to communities, rivers, lakes, estuaries, and bays located downstream of projects, agricultural uses, economic development, and other appropriate concerns. To that end, the Committees of jurisdiction strongly urge the Governors of the affected States to reach agreement on an interstate water compact as soon as possible, and we pledge our commitment to work with the affected States to ensure prompt consideration and approval of any such agreement. Absent such action, the Committees of jurisdiction should consider appropriate legislation to address these matters including any necessary clarifications to

the Water Supply Act of 1958 or other law. This subsection does not alter existing rights or obligations under law.".

(b) SENSE OF CONGRESS REGARDING INTERSTATE WATER AGREEMENTS AND COMPACTS.—

(1) FINDINGS.—Congress finds the following:

(A) States and local interests have primary responsibility for developing water supplies for domestic, municipal, industrial, and other purposes.

(B) The Federal Government cooperates with States and local interests in developing water supplies through the construction, maintenance, and operation of Federal water resources development projects.

(C) Interstate water disputes are most properly addressed through interstate water agreements or compacts that take into consideration the concerns of all affected States.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) Congress and the Secretary should urge States to reach agreement on interstate water agreements and compacts;

(B) at the request of the Governor of a State, the Secretary should facilitate and assist in the development of an interstate water agreement or compact;

(C) Congress should provide prompt consideration of interstate water agreements and compacts; and

(D) the Secretary should adopt policies and implement procedures for the operation of reservoirs of the Corps of Engineers that are consistent with interstate water agreements and compacts.

SEC. 1052. SENSE OF CONGRESS REGARDING WATER RESOURCES DEVELOPMENT BILLS.

It is the sense of Congress that, because the missions of the Corps of Engineers are unique and benefit all individuals in the United States and because water resources development projects are critical to maintaining economic prosperity, national security, and environmental protection, Congress should consider a water resources development bill not less than once every Congress.

TITLE II—NAVIGATION

Subtitle A—Inland Waterways

33 USC 2252 note.

SEC. 2001. DEFINITIONS.

In this title:

(1) INLAND WATERWAYS TRUST FUND.—The term "Inland Waterways Trust Fund" means the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

(2) QUALIFYING PROJECT.—The term "qualifying project" means any construction or major rehabilitation project for navigation infrastructure of the inland and intracoastal waterways that is—

(A) authorized before, on, or after the date of enactment of this Act;

(B) not completed on the date of enactment of this Act; and

(C) funded at least in part from the Inland Waterways Trust Fund.

SEC. 2002. PROJECT DELIVERY PROCESS REFORMS. 33 USC 2252.

(a) REQUIREMENTS FOR QUALIFYING PROJECTS.—With respect to each qualifying project, the Secretary shall require—

(1) for each project manager, that—

(A) the project manager have formal project management training and certification; and

(B) the project manager be assigned from among personnel certified by the Chief of Engineers; and

(2) for an applicable cost estimation, that—

(A) the Secretary utilize a risk-based cost estimate with a confidence level of at least 80 percent; and

(B) the cost estimate be developed—

(i) for a qualifying project that requires an increase in the authorized amount in accordance with section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280), during the preparation of a post-authorization change report or other similar decision document;

(ii) for a qualifying project for which the first construction contract has not been awarded, prior to the award of the first construction contract;

(iii) for a qualifying project without a completed feasibility report in accordance with section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282), prior to the completion of such a report; and

(iv) for a qualifying project with a completed feasibility report in accordance with section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282) that has not yet been authorized, during design for the qualifying project.

(b) ADDITIONAL PROJECT DELIVERY PROCESS REFORMS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall— Deadline.

(1) establish a system to identify and apply on a continuing basis best management practices from prior or ongoing qualifying projects to improve the likelihood of on-time and on-budget completion of qualifying projects;

(2) evaluate early contractor involvement acquisition procedures to improve on-time and on-budget project delivery performance; and Evaluation.

(3) implement any additional measures that the Secretary determines will achieve the purposes of this subtitle, including—

(A) the implementation of applicable practices and procedures developed pursuant to management by the Secretary of an applicable military construction program;

(B) the development and use of a portfolio of standard designs for inland navigation locks, incorporating the use of a center of expertise for the design and review of qualifying projects;

(C) the use of full-funding contracts or formulation of a revised continuing contracts clause; and

Procedures.

(D) the establishment of procedures for recommending new project construction starts using a capital projects business model.

(c) PILOT PROJECTS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may carry out pilot projects to evaluate processes and procedures for the study, design, and construction of qualifying projects.

(2) INCLUSIONS.—At a minimum, the Secretary shall carry out pilot projects under this subsection to evaluate—

(A) early contractor involvement in the development of features and components;

(B) an appropriate use of continuing contracts for the construction of features and components; and

(C) applicable principles, procedures, and processes used for military construction projects.

(d) INLAND WATERWAYS USERS BOARD.—Section 302 of the Water Resources Development Act of 1986 (33 U.S.C. 2251) is amended—

(1) by striking subsection (b) and inserting the following:

"(b) DUTIES OF USERS BOARD.—

Recommendations.

"(1) IN GENERAL.—The Users Board shall meet not less frequently than semiannually to develop and make recommendations to the Secretary and Congress regarding the inland waterways and inland harbors of the United States.

"(2) ADVICE AND RECOMMENDATIONS.—For commercial navigation features and components of the inland waterways and inland harbors of the United States, the Users Board shall provide—

"(A) prior to the development of the budget proposal of the President for a given fiscal year, advice and recommendations to the Secretary regarding construction and rehabilitation priorities and spending levels;

"(B) advice and recommendations to Congress regarding any feasibility report for a project on the inland waterway system that has been submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014;

"(C) advice and recommendations to Congress regarding an increase in the authorized cost of those features and components;

Deadline.

"(D) not later than 60 days after the date of the submission of the budget proposal of the President to Congress, advice and recommendations to Congress regarding construction and rehabilitation priorities and spending levels; and

"(E) advice and recommendations on the development of a long-term capital investment program in accordance with subsection (d).

Appointment.

"(3) PROJECT DEVELOPMENT TEAMS.—The chairperson of the Users Board shall appoint a representative of the Users Board to serve as an advisor to the project development team for a qualifying project or the study or design of a commercial navigation feature or component of the inland waterways and inland harbors of the United States.

"(4) INDEPENDENT JUDGMENT.—Any advice or recommendation made by the Users Board to the Secretary shall reflect the independent judgment of the Users Board.";

(2) by striking subsection (c) and inserting the following:

"(c) DUTIES OF SECRETARY.—The Secretary shall—

"(1) communicate not less frequently than once each quarter to the Users Board the status of the study, design, or construction of all commercial navigation features or components of the inland waterways or inland harbors of the United States; and

"(2) submit to the Users Board a courtesy copy of all completed feasibility reports relating to a commercial navigation feature or component of the inland waterways or inland harbors of the United States. Records.

"(d) CAPITAL INVESTMENT PROGRAM.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary, in coordination with the Users Board, shall develop and submit to Congress a report describing a 20-year program for making capital investments on the inland and intracoastal waterways based on the application of objective, national project selection prioritization criteria. Deadline. Reports.

"(2) CONSIDERATION.—In developing the program under paragraph (1), the Secretary shall take into consideration the 20-year capital investment strategy contained in the Inland Marine Transportation System (IMTS) Capital Projects Business Model, Final Report published on April 13, 2010, as approved by the Users Board.

"(3) CRITERIA.—In developing the plan and prioritization criteria under paragraph (1), the Secretary shall ensure, to the maximum extent practicable, that investments made under the 20-year program described in paragraph (1)—

"(A) are made in all geographical areas of the inland waterways system; and

"(B) ensure efficient funding of inland waterways projects.

"(4) STRATEGIC REVIEW AND UPDATE.—Not later than 5 years after the date of enactment of this subsection, and not less frequently than once every 5 years thereafter, the Secretary, in coordination with the Users Board, shall— Deadlines.

"(A) submit to Congress and make publicly available a strategic review of the 20-year program in effect under this subsection, which shall identify and explain any changes to the project-specific recommendations contained in the previous 20-year program (including any changes to the prioritization criteria used to develop the updated recommendations); and Public information.

"(B) make revisions to the program, as appropriate.

"(e) PROJECT MANAGEMENT PLANS.—The chairperson of the Users Board and the project development team member appointed by the chairperson under subsection (b)(3) may sign the project management plan for the qualifying project or the study or design of a commercial navigation feature or component of the inland waterways and inland harbors of the United States.

"(f) ADMINISTRATION.—

"(1) IN GENERAL.—The Users Board shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.), other

than section 14, and, with the consent of the appropriate agency head, the Users Board may use the facilities and services of any Federal agency.

"(2) MEMBERS NOT CONSIDERED SPECIAL GOVERNMENT EMPLOYEES.—For the purposes of complying with the Federal Advisory Committee Act (5 U.S.C. App.), the members of the Users Board shall not be considered special Government employees (as defined in section 202 of title 18, United States Code).

"(3) TRAVEL EXPENSES.—Non-Federal members of the Users Board while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code.".

Taxes.

SEC. 2003. EFFICIENCY OF REVENUE COLLECTION.

Deadline. Reports.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare a report on the efficiency of collecting the fuel tax for the Inland Waterways Trust Fund, which shall include—

Evaluation.

(1) an evaluation of whether current methods of collection of the fuel tax result in full compliance with requirements of the law;

(2) whether alternative methods of collection would result in increased revenues into the Inland Waterways Trust Fund; and

(3) an evaluation of alternative collection options.

Taxes.

SEC. 2004. INLAND WATERWAYS REVENUE STUDIES.

(a) INLAND WATERWAYS CONSTRUCTION BONDS STUDY.—

(1) STUDY.—The Secretary, in coordination with the heads of appropriate Federal agencies, shall conduct a study on the potential benefits and implications of authorizing the issuance of federally tax-exempt bonds secured against the available proceeds, including projected annual receipts, in the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

(2) CONTENTS.—In carrying out the study, the Secretary shall examine the implications of issuing such bonds, including the potential revenues that could be generated and the projected net cost to the Treasury, including loss of potential revenue.

(3) CONSULTATION.—In carrying out the study, the Secretary, at a minimum, shall consult with—

(A) representatives of the Inland Waterway Users Board established by section 302 of the Water Resources Development Act of 1986 (33 U.S.C. 2251);

(B) representatives of the commodities and bulk cargos that are currently shipped for commercial purposes on the segments of the inland and intracoastal waterways listed in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804);

(C) representatives of other users of locks and dams on the inland and intracoastal waterways, including persons owning, operating, using, or otherwise benefitting from—

(i) hydropower generation facilities;

(ii) electric utilities that rely on the waterways for cooling of existing electricity generation facilities;

(iii) municipal and industrial water supply;
(iv) recreation;
(v) irrigation water supply; or
(vi) flood damage reduction; and

(D) other stakeholders associated with the inland and intracoastal waterways, as identified by the Secretary.

(4) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works, the Committee on Finance, and the Committee on the Budget of the Senate and the Committee on Transportation and Infrastructure, the Committee on Ways and Means, and the Committee on the Budget of the House of Representatives, and make publicly available, a report on the results of the study. Public information.

(B) IDENTIFICATION OF ISSUES.—As part of the report, the Secretary shall identify any potential benefits or other implications of the issuance of bonds described in subsection (a)(1), including any potential changes in Federal or State law that may be necessary to provide such benefits or to address such implications.

(b) POTENTIAL REVENUE SOURCES FOR INLAND AND INTRACOASTAL WATERWAYS INFRASTRUCTURE.—

(1) IN GENERAL.—The Secretary shall conduct a study and submit to Congress a report on potential revenue sources from which funds could be collected to generate additional revenues for the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986. Study. Reports.

(2) SCOPE OF STUDY.—

(A) IN GENERAL.—In carrying out the study, the Secretary shall evaluate an array of potential revenue sources from which funds could be collected in amounts that, when combined with funds generated by section 4042 of the Internal Revenue Code of 1986, are sufficient to support one-half of annual construction expenditure levels of $380,000,000 for the authorized purposes of the Inland Waterways Trust Fund.

(B) POTENTIAL REVENUE SOURCES FOR STUDY.—In carrying out the study, the Secretary, at a minimum, shall—

(i) evaluate potential revenue sources identified in and documented by known authorities of the Inland Waterways System; and Evaluation.

(ii) review appropriate reports and associated literature related to revenue sources. Review.

(3) CONDUCT OF STUDY.—In carrying out the study, the Secretary shall—

(A) take into consideration whether the potential revenues from other sources—

(i) are equitably associated with the construction, operation, and maintenance of inland and intracoastal waterway infrastructure, including locks, dams, and navigation channels; and

(ii) can be efficiently collected;

(B) consult with, at a minimum—

(i) representatives of the Inland Waterways Users Board; and

(ii) representatives of other nonnavigation beneficiaries of inland and intracoastal waterway infrastructure, including persons benefitting from—

(I) municipal water supply;
(II) hydropower;
(III) recreation;
(IV) industrial water supply;
(V) flood damage reduction;
(VI) agricultural water supply;
(VII) environmental restoration;
(VIII) local and regional economic development; or
(IX) local real estate interests; and

(iii) representatives of other interests, as identified by the Secretary; and

Public information.

(C) provide the opportunity for public hearings in each of the geographic regions that contain segments of the inland and intracoastal waterways listed in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804).

Public information.

(4) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works, the Committee on Finance, and the Committee on the Budget of the Senate and the Committee on Transportation and Infrastructure, the Committee on Ways and Means, and the Committee on the Budget of the House of Representatives, and make publicly available, a report on the results of the study.

Review. Evaluations.

SEC. 2005. INLAND WATERWAYS STAKEHOLDER ROUNDTABLE.

(a) IN GENERAL.—The Secretary shall conduct an inland waterways stakeholder roundtable to provide for a review and evaluation of issues related to financial management of the inland and intracoastal waterways.

(b) SELECTION OF PARTICIPANTS.—

Deadline. Consultation. Selection.

(1) IN GENERAL.—Not later than 45 days after the date on which the Secretary submits to Congress the report required by section 2004(b), the Secretary, in consultation with the Inland Waterways Users Board, shall select individuals to be invited to participate in the stakeholder roundtable.

(2) COMPOSITION.—The individuals selected under paragraph (1) shall include—

(A) representatives of the primary users, shippers, and suppliers utilizing the inland and intracoastal waterways for commercial purposes;

(B) representatives of State and Federal agencies having a direct and substantial interest in the commercial use of the inland and intracoastal waterways;

(C) representatives of other nonnavigation beneficiaries of the inland and intracoastal waterways infrastructure, including individuals benefitting from—

(i) municipal water supply;
(ii) hydropower;
(iii) recreation;
(iv) industrial water supply;
(v) flood damage reduction;
(vi) agricultural water supply;

(vii) environmental restoration;
(viii) local and regional economic development; or
(ix) local real estate interests; and

(D) other interested individuals with significant financial and engineering expertise and direct knowledge of the inland and coastal waterways.

(c) FRAMEWORK AND AGENDA.—The Secretary shall work with a group of the individuals selected under subsection (b) to develop the framework and agenda for the stakeholder roundtable.

(d) CONDUCT OF STAKEHOLDER ROUNDTABLE.—

(1) IN GENERAL.—Not later than 120 days after the date on which the Secretary submits to Congress the report required by section 2004(b), the Secretary shall conduct the stakeholder roundtable. Deadline.

(2) ISSUES TO BE DISCUSSED.—The stakeholder roundtable shall provide for the review and evaluation described in subsection (a) and shall include the following:

(A) An evaluation of any recommendations that have been developed to address funding options for the inland and coastal waterways, including any recommendations in the report required under section 2004(b).

(B) An evaluation of the funding status of the inland and coastal waterways.

(C) Identification and evaluation of the ongoing and projected water infrastructure needs of the inland and coastal waterways.

(D) Identification of a process for meeting such needs, with timeline for addressing the funding challenges for the Inland Waterways Trust Fund.

(e) REPORT TO CONGRESS.—Not later than 180 days after the date on which the Secretary submits to Congress the report required by section 2004(b), the Secretary shall submit to Congress and make publicly available a report that contains— Public information.

(1) a summary of the stakeholder roundtable, including areas of concurrence on funding approaches and areas of disagreement in meeting funding needs; and

(2) recommendations developed by the Secretary for next steps to address the issues discussed at the stakeholder roundtable. Recommendations.

SEC. 2006. PRESERVING THE INLAND WATERWAY TRUST FUND.

(a) OLMSTED PROJECT REFORM.—

(1) DEFINITION OF OLMSTED PROJECT.—In this subsection, the term "Olmsted Project" means the project for navigation, Lower Ohio River, Locks and Dams 52 and 53, Illinois and Kentucky, authorized by section 3(a)(6) of the Water Resources Development Act of 1988 (102 Stat. 4013).

(2) OLMSTED PROJECT REFORM.—Notwithstanding section 3(a)(6) of the Water Resources Development Act of 1988 (102 Stat. 4013), for each fiscal year beginning after September 30, 2014, 15 percent of the cost of construction for the Olmsted Project shall be paid from amounts appropriated from the Inland Waterways Trust Fund. Effective date.

(3) SENSE OF CONGRESS.—It is the sense of Congress that the appropriation for the Olmsted Project should be not less than $150,000,000 for each fiscal year until construction of the project is completed.

(4) REHABILITATION OF PROJECTS.—Section 205(1)(E)(ii) of the Water Resources Development Act of 1992 (33 U.S.C. 2327(1)(E)(ii)) is amended by striking "$8,000,000" and inserting "$20,000,000".

SEC. 2007. INLAND WATERWAYS OVERSIGHT.

Public information.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report regarding the lessons learned from the experience of planning and constructing the Olmsted Project and how such lessons might apply to future inland waterway studies and projects.

Plan.
33 USC 2253.

(b) ANNUAL FINANCIAL REVIEW.—For any inland waterways project that the Secretary carries out that has an estimated total cost of $500,000,000 or more, the Secretary shall submit to the congressional committees referred to in subsection (a) an annual financial plan for the project. The plan shall be based on detailed annual estimates of the cost to complete the remaining elements of the project and on reasonable assumptions, as determined by the Secretary, of any future increases of the cost to complete the project.

(c) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—As soon as practicable after the date of enactment of this Act, the Comptroller General of the United States shall conduct, and submit to Congress a report describing the results of, a study to determine why, and to what extent, the project for navigation, Lower Ohio River, Locks and Dams 52 and 53, Illinois and Kentucky (commonly known as the "Olmsted Locks and Dam project"), authorized by section 3(a)(6) of the Water Resources Development Act of 1988 (102 Stat. 4013), has exceeded the budget for the project and the reasons why the project failed to be completed as scheduled, including an assessment of—

(1) engineering methods used for the project;

(2) the management of the project;

(3) contracting for the project;

(4) the cost to the United States of benefits foregone due to project delays; and

(5) such other contributory factors as the Comptroller General determines to be appropriate.

33 USC 2254.

SEC. 2008. ASSESSMENT OF OPERATION AND MAINTENANCE NEEDS OF THE ATLANTIC INTRACOASTAL WATERWAY AND THE GULF INTRACOASTAL WATERWAY.

Deadline.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall assess the operation and maintenance needs of the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway.

(b) TYPES OF ACTIVITIES.—In carrying out subsection (a), the Secretary shall assess the operation and maintenance needs of the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway as used for the following purposes:

(1) Commercial navigation.

(2) Commercial fishing.

(3) Subsistence, including utilization by Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) for subsistence and ceremonial purposes.

(4) Use as ingress and egress to harbors of refuge.

(5) Transportation of persons.

(6) Purposes relating to domestic energy production, including fabrication, servicing, and supply of domestic offshore energy production facilities.

(7) Activities of the Secretary of the department in which the Coast Guard is operating.

(8) Public health and safety related equipment for responding to coastal and inland emergencies.

(9) Recreation purposes.

(10) Any other authorized purpose.

(c) REPORT TO CONGRESS.—For fiscal year 2015, and biennially thereafter, in conjunction with the annual budget submission by the President to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report that, with respect to the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway— Public information.

(1) identifies the operation and maintenance costs required to achieve the authorized length, width, and depth;

(2) identifies the amount of funding requested in the President's budget for operation and maintenance costs; and

(3) identifies the unmet operation and maintenance needs of the Atlantic Intracoastal Waterway and the Gulf Intracoastal Waterway.

SEC. 2009. INLAND WATERWAYS RIVERBANK STABILIZATION. 33 USC 2255.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the Secretary shall conduct a study to determine the feasibility of— Deadlines. Study.

(1) carrying out projects for the inland and intracoastal waterways for purposes of—

(A) flood damage reduction;

(B) emergency streambank and shoreline protection; and

(C) prevention and mitigation of shore damages attributable to navigation improvements; and

(2) modifying projects for the inland and intracoastal waterways for the purpose of improving the quality of the environment.

(b) RECOMMENDATIONS.—In conducting the study, the Secretary shall develop specific project recommendations and prioritize those recommendations based on—

(1) the extent of damage and land loss resulting from riverbank erosion;

(2) the rate of erosion;

(3) the significant threat of future flood risk to public property, public infrastructure, or public safety;

(4) the destruction of natural resources or habitats; and

(5) the potential cost savings for maintenance of the channel.

(c) DISPOSITION.—The Secretary may carry out any project identified in the study conducted pursuant to subsection (a) in accordance with the criteria for projects carried out under one of the following authorities:

(1) Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r).

(2) Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(3) Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

(4) Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(d) ANNUAL REPORT.—For a project recommended pursuant to the study that cannot be carried out under any of the authorities specified in subsection (c), upon a determination by the Secretary of the feasibility of the project, the Secretary may include a recommendation concerning the project in the annual report submitted to Congress under section 7001.

Minnesota.

SEC. 2010. UPPER MISSISSIPPI RIVER PROTECTION.

(a) DEFINITION OF UPPER ST. ANTHONY FALLS LOCK AND DAM.—In this section, the term "Upper St. Anthony Falls Lock and Dam" means the lock and dam located on Mississippi River Mile 853.9 in Minneapolis, Minnesota.

Deadline.

(b) MANDATORY CLOSURE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall close the Upper St. Anthony Falls Lock and Dam.

(c) EMERGENCY OPERATIONS.—Nothing in this section prevents the Secretary from carrying out emergency lock operations necessary to mitigate flood damage.

SEC. 2011. CORPS OF ENGINEERS LOCK AND DAM ENERGY DEVELOPMENT.

Section 1117 of the Water Resources Development Act of 1986 (100 Stat. 4236) is amended to read as follows:

Oklahoma.

"SEC. 1117. W.D. MAYO LOCK AND DAM.

"(a) IN GENERAL.—The Cherokee Nation of Oklahoma may—

"(1) design and construct one or more hydroelectric generating facilities at the W.D. Mayo Lock and Dam on the Arkansas River, Oklahoma; and

"(2) market the electricity generated from any such facility.

"(b) PRECONSTRUCTION REQUIREMENTS.—

"(1) PERMITS.—Before the date on which construction of a hydroelectric generating facility begins under subsection (a), the Cherokee Nation shall obtain any permit required under Federal or State law, except that the Cherokee Nation shall be exempt from licensing requirements that may otherwise apply to construction, operation, or maintenance of the facility under the Federal Power Act (16 U.S.C. 791a et seq.).

"(2) REVIEW OF PLANS AND SPECIFICATIONS.—The Cherokee Nation may initiate the design or construction of a hydroelectric generating facility under subsection (a) only after the Secretary reviews and approves the plans and specifications for the design and construction.

"(c) PAYMENT OF DESIGN AND CONSTRUCTION COSTS.—

"(1) IN GENERAL.—The Secretary may accept funds offered by the Cherokee Nation and use such funds to carry out the

design and construction of a hydroelectric generating facility under subsection (a).

"(2) ALLOCATION OF COSTS.—The Cherokee Nation shall—

"(A) bear all costs associated with the design and construction of a hydroelectric generating facility under subsection (a); and

"(B) provide any funds necessary for the design and construction to the Secretary prior to the Secretary initiating any activities related to the design and construction.

"(d) ASSUMPTION OF LIABILITY.—The Cherokee Nation shall—

"(1) hold all title to a hydroelectric generating facility constructed under subsection (a) and may, subject to the approval of the Secretary, assign such title to a third party;

"(2) be solely responsible for—

"(A) the operation, maintenance, repair, replacement, and rehabilitation of the facility; and

"(B) the marketing of the electricity generated by the facility; and

"(3) release and indemnify the United States from any claims, causes of action, or liabilities that may arise out of any activity undertaken to carry out this section.

"(e) ASSISTANCE AVAILABLE.—The Secretary may provide technical and construction management assistance requested by the Cherokee Nation relating to the design and construction of a hydroelectric generating facility under subsection (a).

"(f) THIRD PARTY AGREEMENTS.—The Cherokee Nation may enter into agreements with the Secretary or a third party that the Cherokee Nation or the Secretary determines are necessary to carry out this section.".

SEC. 2012. RESTRICTED AREAS AT CORPS OF ENGINEERS DAMS.

Section 2 of the Freedom to Fish Act (127 Stat. 449) is amended—

(1) in subsection (b)(1) by striking "2 years after the date of enactment of this Act" and inserting "4 years after the date of enactment of the Water Resources Reform and Development Act of 2014";

(2) in the heading of subsection (c) by inserting "OR MODIFIED" after "NEW"; and

(3) in subsection (c)—

(A) in matter preceding paragraph (1) by inserting "new or modified" after "establishes any"; and

(B) in paragraph (3) by striking "2 years after the date of enactment of this Act" and inserting "4 years after the date of enactment of the Water Resources Reform and Development Act of 2014".

SEC. 2013. OPERATION AND MAINTENANCE OF FUEL TAXED INLAND WATERWAYS.

Section 102 of the Water Resources Development Act of 1986 (33 U.S.C. 2212) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

"(c) FLOODGATES ON THE INLAND WATERWAYS.—

"(1) OPERATION AND MAINTENANCE CARRIED OUT BY THE SECRETARY.—Notwithstanding any other provision of law, the Secretary shall be responsible for the operation and maintenance, including repair, of any flood gate, as well as any

pumping station constructed within the channel as a single unit with that flood gate, that—

"(A) was constructed as of the date of enactment of the Water Resources Reform and Development Act of 2014 as a feature of an authorized hurricane and storm damage reduction project; and

"(B) crosses an inland or intracoastal waterway described in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804).

"(2) NON-FEDERAL COST SHARE.—The non-Federal share of the cost of operation, maintenance, repair, rehabilitation, and replacement of any structure under this subsection shall be 35 percent.".

Subtitle B—Port and Harbor Maintenance

33 USC 2238b.

SEC. 2101. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) TOTAL AMOUNT OF HARBOR MAINTENANCE TAXES RECEIVED.—The term "total amount of harbor maintenance taxes received" means, with respect to a fiscal year, the aggregate of amounts appropriated, transferred, or credited to the Harbor Maintenance Trust Fund under section 9505(a) of the Internal Revenue Code of 1986 for that fiscal year as set forth in the current year estimate provided in the President's budget request for the subsequent fiscal year, submitted pursuant to section 1105 of title 31, United States Code.

(2) TOTAL BUDGET RESOURCES.—The term "total budget resources" means the total amount made available by appropriations Acts from the Harbor Maintenance Trust Fund for a fiscal year for making expenditures under section 9505(c) of the Internal Revenue Code of 1986.

(b) TARGET APPROPRIATIONS.—

(1) IN GENERAL.—The target total budget resources made available to the Secretary from the Harbor Maintenance Trust Fund for a fiscal year shall be not less than the following:

(A) For fiscal year 2015, 67 percent of the total amount of harbor maintenance taxes received in fiscal year 2014.

(B) For fiscal year 2016, 69 percent of the total amount of harbor maintenance taxes received in fiscal year 2015.

(C) For fiscal year 2017, 71 percent of the total amount of harbor maintenance taxes received in fiscal year 2016.

(D) For fiscal year 2018, 74 percent of the total amount of harbor maintenance taxes received in fiscal year 2017.

(E) For fiscal year 2019, 77 percent of the total amount of harbor maintenance taxes received in fiscal year 2018.

(F) For fiscal year 2020, 80 percent of the total amount of harbor maintenance taxes received in fiscal year 2019.

(G) For fiscal year 2021, 83 percent of the total amount of harbor maintenance taxes received in fiscal year 2020.

(H) For fiscal year 2022, 87 percent of the total amount of harbor maintenance taxes received in fiscal year 2021.

(I) For fiscal year 2023, 91 percent of the total amount of harbor maintenance taxes received in fiscal year 2022.

(J) For fiscal year 2024, 95 percent of the total amount of harbor maintenance taxes received in fiscal year 2023.

(K) For fiscal year 2025, and each fiscal year thereafter, 100 percent of the total amount of harbor maintenance taxes received in the previous fiscal year.

(2) USE OF AMOUNTS.—The total budget resources described in paragraph (1) may be used only for making expenditures under section 9505(c) of the Internal Revenue Code of 1986.

(c) IMPACT ON OTHER FUNDS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that any increase in funding for harbor maintenance programs under this section shall result from an overall increase in appropriations for the civil works program of the Corps of Engineers and not from reductions in the appropriations for other programs, projects, and activities carried out by the Corps of Engineers for other authorized purposes.

(2) APPLICATION.—The target total budget resources for a fiscal year specified in subsection (b)(1) shall only apply in a fiscal year for which the level of appropriations provided for the civil works program of the Corps of Engineers in that fiscal year is increased, as compared to the previous fiscal year, by a dollar amount that is at least equivalent to the dollar amount necessary to address such target total budget resources in that fiscal year.

SEC. 2102. OPERATION AND MAINTENANCE OF HARBOR PROJECTS.

(a) IN GENERAL.—Section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238) is amended by adding at the end the following:

"(c) OPERATION AND MAINTENANCE OF HARBOR PROJECTS.—

"(1) IN GENERAL.—To the maximum extent practicable, the Secretary shall make expenditures to pay for operation and maintenance costs of the harbors and inland harbors referred to in subsection (a)(2), including expenditures of funds appropriated from the Harbor Maintenance Trust Fund, based on an equitable allocation of funds among all such harbors and inland harbors. Expenditures.

"(2) CRITERIA.—

"(A) IN GENERAL.—In determining an equitable allocation of funds under paragraph (1), the Secretary shall—

"(i) consider the information obtained in the assessment conducted under subsection (e);

"(ii) consider the national and regional significance of harbor operations and maintenance; and

"(iii) as appropriate, consider national security and military readiness needs.

"(B) LIMITATION.—The Secretary shall not allocate funds under paragraph (1) based solely on the tonnage transiting through a harbor.

"(3) EMERGING HARBOR PROJECTS.—Notwithstanding any other provision of this subsection, in making expenditures under paragraph (1) for each of fiscal years 2015 through 2022, the Secretary shall allocate for operation and maintenance costs of emerging harbor projects an amount that is not less than 10 percent of the funds made available under this section for fiscal year 2012 to pay the costs described in subsection (a)(2).

"(4) MANAGEMENT OF GREAT LAKES NAVIGATION SYSTEM.—To sustain effective and efficient operation and maintenance

of the Great Lakes Navigation System, including any navigation feature in the Great Lakes that is a Federal responsibility with respect to operation and maintenance, the Secretary shall manage all of the individually authorized projects in the Great Lakes Navigation System as components of a single, comprehensive system, recognizing the interdependence of the projects.

"(d) PRIORITIZATION.—

"(1) PRIORITY.—

"(A) IN GENERAL.—For each of fiscal years 2015 through 2024, if priority funds are available, the Secretary shall use the priority funds as follows:

"(i) 90 percent of the priority funds shall be used for high- and moderate-use harbor projects.

"(ii) 10 percent of the priority funds shall be used for emerging harbor projects.

"(B) ADDITIONAL CONSIDERATIONS.—For each of fiscal years 2015 through 2024, of the priority funds available, the Secretary shall use—

"(i) not less than 5 percent of such funds for underserved harbor projects; and

"(ii) not less than 10 percent of such funds for projects that are located within the Great Lakes Navigation System.

"(C) UNDERSERVED HARBORS.—In determining which underserved harbor projects shall receive funds under this paragraph, the Secretary shall consider—

"(i) the total quantity of commerce supported by the water body on which the project is located; and

"(ii) the minimum width and depth that—

"(I) would be necessary at the underserved harbor project to provide sufficient clearance for fully loaded commercial vessels using the underserved harbor project to maneuver safely; and

"(II) does not exceed the constructed width and depth of the authorized navigation project.

"(2) EXPANDED USES.—

"(A) DEFINITION OF ELIGIBLE HARBOR OR INLAND HARBOR DEFINED.—In this paragraph, the term 'eligible harbor or inland harbor' means a harbor or inland harbor at which the total amount of harbor maintenance taxes collected in the immediately preceding 3 fiscal years exceeds the value of the work carried out for the harbor or inland harbor using amounts from the Harbor Maintenance Trust Fund during those 3 fiscal years.

"(B) USE OF EXPANDED USES FUNDS.—

"(i) FISCAL YEARS 2015 THROUGH 2024.—For each of fiscal years 2015 through 2024, of the priority funds available, the Secretary shall use not less than 10 percent of such funds for expanded uses carried out at an eligible harbor or inland harbor.

"(ii) SUBSEQUENT FISCAL YEARS.—For fiscal year 2025 and each fiscal year thereafter, the Secretary shall use not less than 10 percent of the priority funds available for expanded uses carried out at an eligible harbor or inland harbor.

"(C) PRIORITIZATION.—In allocating funds under this paragraph, the Secretary shall give priority to projects at eligible harbors or inland harbors for which the difference, calculated in dollars, is greatest between—

"(i) the total amount of funding made available for projects at that eligible harbor or inland harbor from the Harbor Maintenance Trust Fund in the immediately preceding 3 fiscal years; and

"(ii) the total amount of harbor maintenance taxes collected at that harbor or inland harbor in the immediately preceding 3 fiscal years.

"(3) REMAINING FUNDS.—

"(A) IN GENERAL.—For each of fiscal years 2015 through 2024, if after fully funding all projects eligible for funding under paragraphs (1)(B) and (2)(B)(i), priority funds made available under those paragraphs remain unobligated, the Secretary shall use those remaining funds to pay for operation and maintenance costs of any harbor or inland harbor referred to in subsection (a)(2) based on an equitable allocation of those funds among the harbors and inland harbors.

"(B) CRITERIA.—In determining an equitable allocation of funds under subparagraph (A), the Secretary shall—

"(i) use the criteria specified in subsection (c)(2)(A); and

"(ii) make amounts available in accordance with the requirements of paragraph (1)(A).

"(4) EMERGENCY EXPENDITURES.—Nothing in this subsection prohibits the Secretary from making an expenditure to pay for the operation and maintenance costs of a specific harbor or inland harbor, including the transfer of funding from the operation and maintenance of a separate project, if—

"(A) the Secretary determines that the action is necessary to address the navigation needs of a harbor or inland harbor where safe navigation has been severely restricted due to an unforeseen event; and Determination.

"(B) the Secretary provides within 90 days of the action notice and information on the need for the action to the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives. Deadline. Notification.

"(e) ASSESSMENT OF HARBORS AND INLAND HARBORS.—

"(1) IN GENERAL.—Not later than 270 days after the date of enactment of this subsection, and biennially thereafter, the Secretary shall assess the operation and maintenance needs and uses of the harbors and inland harbors referred to in subsection (a)(2). Deadlines.

"(2) ASSESSMENT OF HARBOR NEEDS AND ACTIVITIES.—

"(A) TOTAL OPERATION AND MAINTENANCE NEEDS OF HARBORS.—In carrying out paragraph (1), the Secretary shall identify—

"(i) the total future costs required to achieve and maintain the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2); and

"(ii) the total expected costs for expanded uses at eligible harbors or inland harbors referred to in subsection (d)(2).

"(B) USES OF HARBORS AND INLAND HARBORS.—In carrying out paragraph (1), the Secretary shall identify current uses (and, to the extent practicable, assess the national, regional, and local benefits of such uses) of harbors and inland harbors referred to in subsection (a)(2), including the use of those harbors for—

"(i) commercial navigation, including the movement of goods;

"(ii) domestic trade;

"(iii) international trade;

"(iv) commercial fishing;

"(v) subsistence, including use by Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) for subsistence and ceremonial purposes;

"(vi) use as a harbor of refuge;

"(vii) transportation of persons;

"(viii) purposes relating to domestic energy production, including the fabrication, servicing, or supply of domestic offshore energy production facilities;

"(ix) activities of the Secretary of the department in which the Coast Guard is operating;

"(x) activities of the Secretary of the Navy;

"(xi) public health and safety related equipment for responding to coastal and inland emergencies;

"(xii) recreation purposes; and

"(xiii) other authorized purposes.

"(3) REPORT TO CONGRESS.—

"(A) IN GENERAL.—For fiscal year 2016, and biennially thereafter, in conjunction with the President's annual budget submission to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that, with respect to harbors and inland harbors referred to in subsection (a)(2)—

"(i) identifies the operation and maintenance costs associated with the harbors and inland harbors, including those costs required to achieve and maintain the constructed width and depth for the harbors and inland harbors and the costs for expanded uses at eligible harbors and inland harbors, on a project-by-project basis;

"(ii) identifies the amount of funding requested in the President's budget for the operation and maintenance costs associated with the harbors and inland harbors, on a project-by-project basis;

"(iii) identifies the unmet operation and maintenance needs associated with the harbors and inland harbors, on a project-by-project basis; and

"(iv) identifies the harbors and inland harbors for which the President will allocate funding over the subsequent 5 fiscal years for operation and maintenance activities, on a project-by-project basis, including the amounts to be allocated for such purposes.

"(B) PUBLIC AVAILABILITY.—The Secretary shall make the report submitted under subparagraph (A) available to the public, including on the Internet.

"(f) DEFINITIONS.—In this section:

"(1) CONSTRUCTED WIDTH AND DEPTH.—The term 'constructed width and depth' means the width and depth to which a project has been constructed, which may not exceed the authorized width and depth of the project.

"(2) EMERGING HARBOR PROJECT.—The term 'emerging harbor project' means a project that is assigned to a harbor or inland harbor referred to in subsection (a)(2) that transits less than 1,000,000 tons of cargo annually.

"(3) EXPANDED USES.—The term 'expanded uses' means the following activities:

"(A) The maintenance dredging of a berth in a harbor that is accessible to a Federal navigation project and that benefits commercial navigation at the harbor.

"(B) The maintenance dredging and disposal of legacy-contaminated sediment, and sediment unsuitable for open water disposal, if—

"(i) such dredging and disposal benefits commercial navigation at the harbor; and

"(ii) such sediment is located in and affects the maintenance of a Federal navigation project or is located in a berth that is accessible to a Federal navigation project.

"(4) GREAT LAKES NAVIGATION SYSTEM.—The term 'Great Lakes Navigation System' includes—

"(A)(i) Lake Superior;

"(ii) Lake Huron;

"(iii) Lake Michigan;

"(iv) Lake Erie; and

"(v) Lake Ontario;

"(B) all connecting waters between the lakes referred to in subparagraph (A) used for commercial navigation;

"(C) any navigation features in the lakes referred to in subparagraph (A) or waters described in subparagraph (B) that are a Federal operation or maintenance responsibility; and

"(D) areas of the Saint Lawrence River that are operated or maintained by the Federal Government for commercial navigation.

"(5) HARBOR MAINTENANCE TAX.—The term 'harbor maintenance tax' means the amounts collected under section 4461 of the Internal Revenue Code of 1986.

"(6) HIGH-USE HARBOR PROJECT.—The term 'high-use harbor project' means a project that is assigned to a harbor or inland harbor referred to in subsection (a)(2) that transits not less than 10,000,000 tons of cargo annually.

"(7) MODERATE-USE HARBOR PROJECT.—The term 'moderate-use harbor project' means a project that is assigned to a harbor

or inland harbor referred to in subsection (a)(2) that transits annually—

"(A) more than 1,000,000 tons of cargo; but

"(B) less than 10,000,000 tons of cargo.

"(8) PRIORITY FUNDS.—The term 'priority funds' means the difference between—

"(A) the total funds that are made available under this section to pay the costs described in subsection (a)(2) for a fiscal year; and

"(B) the total funds made available under this section to pay the costs described in subsection (a)(2) in fiscal year 2012.

"(9) UNDERSERVED HARBOR PROJECT.—

"(A) IN GENERAL.—The term 'underserved harbor project' means a project that is assigned to a harbor or inland harbor referred to in subsection (a)(2)—

"(i) that is a moderate-use harbor project or an emerging harbor project;

"(ii) that has been maintained at less than the constructed width and depth of the project during each of the preceding 6 fiscal years; and

"(iii) for which State and local investments in infrastructure have been made at those projects during the preceding 6 fiscal years.

"(B) ADMINISTRATION.—For purposes of this paragraph, State and local investments in infrastructure shall include infrastructure investments made using amounts made available for activities under section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)).".

(b) OPERATION AND MAINTENANCE.—Section 101(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)(1)) is amended by striking "45 feet" and inserting "50 feet".

(c) CONFORMING AMENDMENT.—Section 9505(c)(1) of the Internal Revenue Code of 1986 is amended by striking "(as in effect on the date of the enactment of the Water Resources Development Act of 1996)". 26 USC 9505.

SEC. 2103. CONSOLIDATION OF DEEP DRAFT NAVIGATION EXPERTISE.

Section 2033(e) of the Water Resources Development Act of 2007 (33 U.S.C. 2282a(e)) is amended by adding at the end the following:

"(3) DEEP DRAFT NAVIGATION PLANNING CENTER OF EXPERTISE.—

"(A) IN GENERAL.—The Secretary shall consolidate deep draft navigation expertise within the Corps of Engineers into a deep draft navigation planning center of expertise.

"(B) LIST.—Not later than 60 days after the date of the consolidation required under subparagraph (A), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a list of the grade levels and expertise of each of the personnel assigned to the center described in subparagraph (A).". Deadline.

SEC. 2104. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B) by inserting "or Alaska" after "Hawaii"; and

(B) in paragraph (2)—

(i) by striking "community" and inserting "region"; and

(ii) by inserting ", as determined by the Secretary, including consideration of information provided by the non-Federal interest" after "improvement"; and

(2) by adding at the end the following:

"(c) PRIORITIZATION.—Projects recommended by the Secretary under subsection (a) shall be given equivalent budget consideration and priority as projects recommended solely by national economic development benefits.

"(d) DISPOSITION.—

"(1) IN GENERAL.—The Secretary may carry out any project identified in the study carried out pursuant to subsection (a) in accordance with the criteria for projects carried out under the authority of the Secretary under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

"(2) NON-FEDERAL INTERESTS.—In evaluating and implementing a project under this section, the Secretary shall allow a non-Federal interest to participate in the financing of a project in accordance with the criteria established for flood control projects under section 903(c) of the Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4184).

"(e) ANNUAL REPORT.—For a project that cannot be carried out under the authority specified in subsection (d), on a determination by the Secretary of the feasibility of the project under subsection (a), the Secretary may include a recommendation concerning the project in the annual report submitted to Congress under section 7001.".

SEC. 2105. ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS. 33 USC 2243.

(a) IN GENERAL.—The Secretary may provide technical assistance to non-Federal public entities, including Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), for the development, construction, operation, and maintenance of channels, harbors, and related infrastructure associated with deep draft ports for purposes of dealing with Arctic development and security needs.

(b) ACCEPTANCE OF FUNDS.—The Secretary is authorized to accept and expend funds provided by non-Federal public entities, including Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), to carry out the technical assistance activities described in subsection (a).

(c) LIMITATION.—No assistance may be provided under this section until after the date on which the entity to which that assistance is to be provided enters into a written agreement with the Secretary that includes such terms and conditions as the Secretary determines to be appropriate and in the public interest. Contracts.

(d) PRIORITIZATION.—The Secretary shall prioritize technical assistance provided under this section for Arctic deep draft ports

identified by the Secretary, the Secretary of Homeland Security, and the Secretary of Defense as important for Arctic development and security.

33 USC 2238c.

SEC. 2106. ADDITIONAL MEASURES AT DONOR PORTS AND ENERGY TRANSFER PORTS.

(a) DEFINITIONS.—In this section:

(1) CARGO CONTAINER.—The term "cargo container" means a cargo container that is 1 Twenty-foot Equivalent Unit.

(2) DONOR PORT.—The term "donor port" means a port—

(A) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

(B) at which the total amount of harbor maintenance taxes collected comprise not less than $15,000,000 annually of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986;

(C) that received less than 25 percent of the total amount of harbor maintenance taxes collected at that port in the previous 5 fiscal years; and

(D) that is located in a State in which more than 2,000,000 cargo containers were unloaded from or loaded on to vessels in fiscal year 2012.

(3) ENERGY COMMODITY.—The term "energy commodity" includes—

(A) petroleum products;

(B) natural gas;

(C) coal;

(D) wind and solar energy components; and

(E) biofuels.

(4) ENERGY TRANSFER PORT.—The term "energy transfer port" means a port—

(A) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulation (or any successor regulation); and

(B)(i) at which energy commodities comprised greater than 25 percent of all commercial activity by tonnage in fiscal year 2012; and

(ii) through which more than 40,000,000 tons of cargo were transported in fiscal year 2012.

(5) EXPANDED USES.—The term "expanded uses" has the meaning given the term in section 210(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(f)).

(6) HARBOR MAINTENANCE TAX.—The term "harbor maintenance tax" has the meaning given the term in section 210(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(f)).

(b) AUTHORITY.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary may provide to donor ports and energy transfer ports amounts in accordance with this section.

(2) LIMITATIONS.—Amounts provided under this section—

(A) for energy transfer ports shall be divided equally among all States with an energy transfer port; and

(B) shall be made available to a port as either a donor port or an energy transfer port and no port may receive

amounts as both a donor port and an energy transfer port.

(c) USE OF FUNDS.—Amounts provided under this section may be used by a donor port or an energy transfer port—

(1) to provide payments to importers entering cargo or shippers transporting cargo through that port, as calculated by U.S. Customs and Border Protection according to the amount of harbor maintenance taxes collected;

(2) for expanded uses; or

(3) for environmental remediation related to dredging berths and Federal navigation channels.

(d) ADMINISTRATION OF PAYMENTS.—If a donor port or an energy transfer port elects to provide payments to importers or shippers under subsection (c), the Secretary shall transfer the amount that would otherwise be provided to the port under this section that is equal to those payments to the Commissioner of U.S. Customs and Border Protection to provide the payments to the importers or shippers.

(e) REPORT TO CONGRESS.—

Assessment. Public information. Recommendations.

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Secretary shall assess the impact of the authority provided by this section and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on the results of that assessment, including any recommendations for amending or reauthorizing the authority.

(2) FACTORS.—In carrying out the assessment under paragraph (1), the Secretary shall assess—

(A) the impact of the amounts provided and used under this section on those ports that received funds under this section; and

(B) any impact on domestic harbors and ports that did not receive funds under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2015 through 2018.

(2) DIVISION BETWEEN DONOR PORTS AND ENERGY TRANSFER PORTS.—For each fiscal year, amounts made available to carry out this section shall be provided in equal amounts to donor ports and energy transfer ports.

(3) ADDITIONAL APPROPRIATIONS.—If the target total budget resources under subparagraphs (A) through (D) of section 2101(b)(1) are met for each of fiscal years 2015 through 2018, there is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2019 through 2022.

SEC. 2107. PRESERVING UNITED STATES HARBORS.

33 USC 2211a.

Review. Reports.

(a) IN GENERAL.—Upon a request from a non-Federal interest, the Secretary shall review a report developed by the non-Federal interest that provides an economic justification for Federal investment in the operation and maintenance of a federally authorized harbor or inland harbor (referred to in this section as a "federally authorized harbor").

(b) JUSTIFICATION OF INVESTMENT.—A report submitted under subsection (a) may provide for an economic justification of Federal

investment in the operation and maintenance of a federally authorized harbor based on—

(1) the projected economic benefits, including transportation savings and job creation; and

(2) other factors, including navigation safety, national security, and sustainability of subsistence harbors.

Deadline. Assessment.

(c) WRITTEN RESPONSE.—Not later than 180 days after the date on which the Secretary receives a report under subsection (a), the Secretary shall provide to the non-Federal interest a written response to the report, including an assessment of the information provided by the non-Federal interest.

(d) PRIORITIZATION.—As the Secretary determines to be appropriate, the Secretary may use the information provided in the report under subsection (a) to justify additional operation and maintenance funding for a federally authorized harbor in accordance with section 101(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)).

(e) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed to preclude the operation and maintenance of a federally authorized harbor under section 101(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)).

TITLE III—SAFETY IMPROVEMENTS AND ADDRESSING EXTREME WEATHER EVENTS

Subtitle A—Dam Safety

SEC. 3001. DAM SAFETY.

(a) ADMINISTRATOR.—

(1) IN GENERAL.—The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended by striking "Director" each place it appears and inserting "Administrator".

(2) CONFORMING AMENDMENT.—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(A) by striking paragraph (3);

(B) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(C) by inserting before paragraph (2) (as redesignated by subparagraph (B)) the following:

Definition.

"(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Emergency Management Agency.".

(b) INSPECTION OF DAMS.—Section 3(b)(1) of the National Dam Safety Program Act (33 U.S.C. 467a(b)(1)) is amended by striking "or maintenance" and inserting "maintenance, condition, or provisions for emergency operations".

(c) NATIONAL DAM SAFETY PROGRAM.—

(1) OBJECTIVES.—Section 8(c) of the National Dam Safety Program Act (33 U.S.C. 467f(c)) is amended by striking paragraph (4) and inserting the following:

"(4) develop and implement a comprehensive dam safety hazard education and public awareness initiative to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents;".

(2) BOARD.—Section 8(f)(4) of the National Dam Safety Program Act (33 U.S.C. 467f(f)(4)) is amended by inserting ", representatives from nongovernmental organizations," after "State agencies".

(d) PUBLIC AWARENESS AND OUTREACH FOR DAM SAFETY.—The National Dam Safety Program Act (33 U.S.C. 467 et seq.) is amended—

(1) by redesignating sections 11, 12, and 13 as sections 12, 13, and 14, respectively; and 33 USC 467h–467j.

(2) by inserting after section 10 (33 U.S.C. 467g–1) the following:

"SEC. 11. PUBLIC AWARENESS AND OUTREACH FOR DAM SAFETY. 33 USC 467g–2.

"The Administrator, in consultation with other Federal agencies, State and local governments, dam owners, the emergency management community, the private sector, nongovernmental organizations and associations, institutions of higher education, and any other appropriate entities shall, subject to the availability of appropriations, carry out a nationwide public awareness and outreach initiative to assist the public in preparing for, mitigating, responding to, and recovering from dam incidents.". Consultation.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) NATIONAL DAM SAFETY PROGRAM.—

(A) ANNUAL AMOUNTS.—Section 14(a)(1) of the National Dam Safety Program Act (33 U.S.C. 467j(a)(1)) (as so redesignated) is amended by striking "$6,500,000" and all that follows through "2011" and inserting "$9,200,000 for each of fiscal years 2015 through 2019".

(B) MAXIMUM AMOUNT OF ALLOCATION.—Section 14(a)(2)(B) of the National Dam Safety Program Act (33 U.S.C. 467j(a)(2)(B)) (as so redesignated) is amended—

(i) by striking "The amount" and inserting the following:

"(i) IN GENERAL.—The amount"; and

(ii) by adding at the end the following:

"(ii) FISCAL YEAR 2015 AND SUBSEQUENT FISCAL YEARS.—For fiscal year 2015 and each subsequent fiscal year, the amount of funds allocated to a State under this paragraph may not exceed the amount of funds committed by the State to implement dam safety activities.".

(2) NATIONAL DAM INVENTORY.—Section 14(b) of the National Dam Safety Program Act (33 U.S.C. 467j(b)) (as so redesignated) is amended by striking "$650,000" and all that follows through "2011" and inserting "$500,000 for each of fiscal years 2015 through 2019".

(3) PUBLIC AWARENESS.—Section 14 of the National Dam Safety Program Act (33 U.S.C. 467j) (as so redesignated) is amended—

(A) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(B) by inserting after subsection (b) the following:

"(c) PUBLIC AWARENESS.—There is authorized to be appropriated to carry out section 11 $1,000,000 for each of fiscal years 2015 through 2019.".

(4) RESEARCH.—Section 14(d) of the National Dam Safety Program Act (as so redesignated) is amended by striking

"$1,600,000" and all that follows through "2011" and inserting "$1,450,000 for each of fiscal years 2015 through 2019".

(5) DAM SAFETY TRAINING.—Section 14(e) of the National Dam Safety Program Act (as so redesignated) is amended by striking "$550,000" and all that follows through "2011" and inserting "$750,000 for each of fiscal years 2015 through 2019".

(6) STAFF.—Section 14(f) of the National Dam Safety Program Act (as so redesignated) is amended by striking "$700,000" and all that follows through "2011" and inserting "$1,000,000 for each of fiscal years 2015 through 2019".

(f) TECHNICAL AMENDMENT.—Section 14(a)(1) of the National Dam Safety Program Act (33 U.S.C. 467j(a)(1)) (as so redesignated) is amended by striking "sections 7, 8, and 11" and inserting "sections 7, 8, and 12".

Subtitle B—Levee Safety

33 USC 701n note.

SEC. 3011. SYSTEMWIDE IMPROVEMENT FRAMEWORK.

A levee system shall remain eligible for rehabilitation assistance under the authority provided by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n) as long as the levee system sponsor continues to make satisfactory progress, as determined by the Secretary, on an approved systemwide improvement framework or letter of intent.

33 USC 701b–16.

SEC. 3012. MANAGEMENT OF FLOOD RISK REDUCTION PROJECTS.

Determination.

(a) IN GENERAL.—If 2 or more flood control projects are located within the same geographic area, the Secretary shall, at the request of the non-Federal interests for the affected projects, consider those projects as a single program for budgetary or project management purposes, if the Secretary determines that doing so would not be incompatible with the authorized project purposes.

(b) COST SHARE.—

(1) IN GENERAL.—If any work on a project to which subsection (a) applies is required solely because of impacts to that project from a navigation project, the cost of carrying out that work shall be shared in accordance with the cost-sharing requirements for the navigation project.

(2) USE OF AMOUNTS.—Work described in paragraph (1) may be carried out using amounts made available under subsection (a).

33 USC 701n note.

SEC. 3013. VEGETATION MANAGEMENT POLICY.

(a) DEFINITION OF GUIDELINES.—In this section, the term "guidelines" means the Corps of Engineers policy guidelines for management of vegetation on levees, including—

(1) Engineering Technical Letter 1110–2–571 entitled "Guidelines for Landscape Planting and Vegetation Management at Levees, Floodwalls, Embankment Dams, and Appurtenant Structures" and adopted April 10, 2009; and

(2) the draft policy guidance letter entitled "Process for Requesting a Variance from Vegetation Standards for Levees and Floodwalls" (77 Fed. Reg. 9637 (Feb. 17, 2012)).

(b) REVIEW.—The Secretary shall carry out a comprehensive review of the guidelines in order to determine whether current Federal policy relating to levee vegetation is appropriate for all regions of the United States.

(c) FACTORS.—

(1) IN GENERAL.—In carrying out the review, the Secretary shall consider—

(A) the varied interests and responsibilities in managing flood risks, including the need—

(i) to provide the greatest benefits for public safety with limited resources; and

(ii) to ensure that levee safety investments minimize environmental impacts and provide corresponding public safety benefits;

(B) the levee safety benefits that can be provided by woody vegetation;

(C) the preservation, protection, and enhancement of natural resources, including—

(i) the benefit of vegetation on levees in providing habitat for species of concern, including endangered, threatened, and candidate species; and

(ii) the impact of removing levee vegetation on compliance with other regulatory requirements;

(D) protecting the rights of Indian tribes pursuant to treaties and statutes;

(E) determining how vegetation impacts the performance of a levee or levee system during a storm or flood event;

(F) the available science and the historical record regarding the link between vegetation on levees and flood risk;

(G) the avoidance of actions requiring significant economic costs and environmental impacts; and

(H) other factors relating to the factors described in subparagraphs (A) through (F) identified in public comments that the Secretary determines to be appropriate.

(2) VARIANCE CONSIDERATIONS.—

(A) IN GENERAL.—In carrying out the review, the Secretary shall specifically consider factors that promote and allow for consideration of variances from guidelines on a Statewide, tribal, regional, or watershed basis, including variances based on—

(i) regional or watershed soil conditions;

(ii) hydrologic factors;

(iii) vegetation patterns and characteristics;

(iv) environmental resources, including endangered, threatened, or candidate species and related regulatory requirements;

(v) levee performance history, including historical information on original construction and subsequent operation and maintenance activities;

(vi) any effects on water supply;

(vii) any scientific evidence on the link between levee vegetation and levee safety;

(viii) institutional considerations, including implementation challenges and conflicts with or violations of Federal or State environmental laws;

(ix) the availability of limited funds for levee construction and rehabilitation;

(x) the economic and environmental costs of removing woody vegetation on levees; and

(xi) other relevant factors identified in public comments that the Secretary determines to be appropriate.

(B) SCOPE.—The scope of a variance approved by the Secretary may include a complete exemption to guidelines, if appropriate.

(d) COOPERATION AND CONSULTATION; RECOMMENDATIONS.—

(1) IN GENERAL.—The Secretary shall carry out the review under this section in consultation with other applicable Federal agencies, representatives of State, regional, local, and tribal governments, appropriate nongovernmental organizations, and the public.

(2) RECOMMENDATIONS.—

(A) REGIONAL INTEGRATION TEAMS.—Corps of Engineers Regional Integration Teams, representing districts, divisions, and headquarters, in consultation with State and Federal resource agencies, and with participation by local agencies, shall submit to the Secretary any recommendations for vegetation management policies for levees that conform with Federal and State laws and other applicable requirements, including recommendations relating to the review of guidelines under subsection (b) and the consideration of variances under subsection (c)(2).

(B) STATE, TRIBAL, REGIONAL, AND LOCAL ENTITIES.—The Secretary shall consider and accept recommendations from any State, tribal, regional, or local entity for vegetation management policies for levees that conform with Federal and State laws and other applicable requirements, including recommendations relating to the review of guidelines under subsection (b) and the consideration of variances under subsection (c)(2).

(e) INDEPENDENT CONSULTATION.—

(1) IN GENERAL.—As part of the review, the Secretary shall solicit and consider the views of independent experts on the engineering, environmental, and institutional considerations underlying the guidelines, including the factors described in subsection (c) and any information obtained by the Secretary under subsection (d).

Public information.

(2) AVAILABILITY OF VIEWS.—The views of the independent experts obtained under paragraph (1) shall be—

(A) made available to the public; and

(B) included in supporting materials issued in connection with the revised guidelines required under subsection (f).

(f) REVISION OF GUIDELINES.—

Deadline. Public information.

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(A) revise the guidelines based on the results of the review, including—

(i) recommendations received as part of the consultation described in subsection (d)(1); and

(ii) the views received under subsection (e);

(B) provide the public not less than 30 days to review and comment on draft guidelines before issuing final guidelines; and

Reports.

(C) submit to Congress and make publicly available a report that contains a summary of the activities of the

Secretary and a description of the findings of the Secretary under this section.

(2) CONTENT; INCORPORATION INTO MANUAL.—The revised guidelines shall—

(A) provide a practical, flexible process for approving Statewide, tribal, regional, or watershed variances from the guidelines that—

(i) reflect due consideration of the factors described in subsection (c); and

(ii) incorporate State, tribal, and regional vegetation management guidelines for specific areas that—

(I) are consistent with the guidelines; and

(II) have been adopted through a formal public process; and

(B) be incorporated into the manual proposed under section 5(c) of the Act of August 18, 1941 (33 U.S.C. 701n(c)).

(3) FAILURE TO MEET DEADLINES.—If the Secretary fails to submit a report by the required deadline under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a detailed explanation of—

(A) why the deadline was missed;

(B) solutions needed to meet the deadline; and

(C) a projected date for submission of the report.

(g) INTERIM ACTIONS.—

(1) IN GENERAL.—Until the date on which revisions to the guidelines are adopted in accordance with subsection (f), the Secretary shall not require the removal of existing vegetation as a condition or requirement for any approval or funding of a project, or any other action, unless the specific vegetation has been demonstrated to present an unacceptable safety risk.

(2) REVISIONS.—Beginning on the date on which the revisions to the guidelines are adopted in accordance with subsection (f), the Secretary shall reconsider, on request of an affected entity, any previous action of the Corps of Engineers in which the outcome was affected by the former guidelines. Effective date.

SEC. 3014. LEVEE CERTIFICATIONS. 42 USC 4131.

(a) IMPLEMENTATION OF FLOOD PROTECTION STRUCTURE ACCREDITATION TASK FORCE.—In carrying out section 100226 of Public Law 112–141 (42 U.S.C. 4101 note; 126 Stat. 942), the Secretary shall—

(1) ensure that at least 1 program activity carried out under the inspection of completed works program of the Corps of Engineers provides adequate information to the Secretary to reach a levee accreditation decision under section 65.10 of title 44, Code of Federal Regulations (or successor regulation); and

(2) to the maximum extent practicable, carry out activities under the inspection of completed works program of the Corps of Engineers in alignment with the schedule established for the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(b) ACCELERATED LEVEE SYSTEM EVALUATIONS.—

(1) IN GENERAL.—On receipt of a request from a non-Federal interest, the Secretary may carry out a levee system evaluation of a federally authorized levee for purposes of the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) if the evaluation will be carried out earlier than such an evaluation would be carried out under subsection (a).

(2) REQUIREMENTS.—A levee system evaluation under paragraph (1) shall—

(A) at a minimum, comply with section 65.10 of title 44, Code of Federal Regulations (as in effect on the date of enactment of this Act); and

Consultation.

(B) be carried out in accordance with such procedures as the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, may establish.

(3) FUNDING.—

(A) IN GENERAL.—The Secretary may use amounts made available under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16) to carry out this subsection.

Applicability.

(B) COST SHARE.—The Secretary shall apply the cost share under section 22(b) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16(b)) to any activities carried out under this subsection.

SEC. 3015. PLANNING ASSISTANCE TO STATES.

Section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting "or other non-Federal interest working with a State" after "cooperate with any State"; and

(ii) by inserting ", including plans to comprehensively address water resources challenges," after "of such State"; and

(B) in paragraph (2)(A), by striking ", at Federal expense,";

(2) in subsection (b)—

(A) in paragraph (1), by striking "subsection (a)(1)" each place it appears and inserting "subsection (a)";

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following:

"(2) CONTRIBUTED FUNDS.—The Secretary may accept and expend funds in excess of the fees established under paragraph (1) that are provided by a State or other non-Federal interest for assistance under this section."; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking "$10,000,000" and inserting "$30,000,000"; and

(ii) by striking "$2,000,000" and inserting "$5,000,000 in Federal funds"; and

(B) in paragraph (2), by striking "$5,000,000" and inserting "$15,000,000".

SEC. 3016. LEVEE SAFETY.

(a) PURPOSES.—Section 9001 of the Water Resources Development Act of 2007 (33 U.S.C. 3301 note) is amended—

(1) in the section heading, by inserting "**; PURPOSES**" after "**TITLE**";

(2) by striking "This title" and inserting the following: "(a) SHORT TITLE.—This title"; and

(3) by adding at the end the following:

"(b) PURPOSES.—The purposes of this title are—

"(1) to ensure that human lives and property that are protected by new and existing levees are safe;

"(2) to encourage the use of appropriate engineering policies, procedures, and technical practices for levee site investigation, design, construction, operation and maintenance, inspection, assessment, and emergency preparedness;

"(3) to develop and support public education and awareness projects to increase public acceptance and support of levee safety programs and provide information;

"(4) to build public awareness of the residual risks associated with living in levee protected areas;

"(5) to develop technical assistance materials, seminars, and guidelines to improve the security of levees of the United States; and

"(6) to encourage the establishment of effective State and tribal levee safety programs.".

(b) DEFINITIONS.—Section 9002 of the Water Resources Development Act of 2007 (33 U.S.C. 3301) is amended—

(1) by redesignating paragraphs (1), (2), (3), (4), (5), and (6), as paragraphs (3), (6), (7), (14), (15), and (16), respectively;

(2) by inserting before paragraph (3) (as redesignated by paragraph (1)) the following:

"(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Emergency Management Agency.

"(2) CANAL STRUCTURE.—

"(A) IN GENERAL.—The term 'canal structure' means an embankment, wall, or structure along a canal or man-made watercourse that—

"(i) constrains water flows;

"(ii) is subject to frequent water loading; and

"(iii) is an integral part of a flood risk reduction system that protects the leveed area from flood waters associated with hurricanes, precipitation events, seasonal high water, and other weather-related events.

"(B) EXCLUSION.—The term 'canal structure' does not include a barrier across a watercourse.";

(3) by inserting after paragraph (3) (as redesignated by paragraph (1)) the following:

"(4) FLOODPLAIN MANAGEMENT.—The term 'floodplain management' means the operation of a community program of corrective and preventative measures for reducing flood damage.

"(5) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).''; and

(4) by striking paragraph (7) (as redesignated by paragraph (1)) and inserting the following:

"(7) LEVEE.—

"(A) IN GENERAL.—The term 'levee' means a manmade barrier (such as an embankment, floodwall, or other structure)—

"(i) the primary purpose of which is to provide hurricane, storm, or flood protection relating to seasonal high water, storm surges, precipitation, or other weather events; and

"(ii) that is normally subject to water loading for only a few days or weeks during a calendar year.

"(B) INCLUSIONS.—The term 'levee' includes a levee system, including—

"(i) levees and canal structures that—

"(I) constrain water flows;

"(II) are subject to more frequent water loading; and

"(III) do not constitute a barrier across a watercourse; and

"(ii) roadway and railroad embankments, but only to the extent that the embankments are integral to the performance of a flood damage reduction system.

"(C) EXCLUSIONS.—The term 'levee' does not include—

"(i) a roadway or railroad embankment that is not integral to the performance of a flood damage reduction system;

"(ii) a canal constructed completely within natural ground without any manmade structure (such as an embankment or retaining wall to retain water or a case in which water is retained only by natural ground);

"(iii) a canal regulated by a Federal or State agency in a manner that ensures that applicable Federal safety criteria are met;

"(iv) a levee or canal structure—

"(I) that is not a part of a Federal flood damage reduction system;

"(II) that is not recognized under the National Flood Insurance Program as providing protection from the 1-percent-annual-chance or greater flood;

"(III) that is not greater than 3 feet high;

"(IV) the population in the leveed area of which is less than 50 individuals; and

"(V) the leveed area of which is less than 1,000 acres; or

"(v) any shoreline protection or river bank protection system (such as revetments or barrier islands).

"(8) LEVEE FEATURE.—The term 'levee feature' means a structure that is critical to the functioning of a levee, including—

"(A) an embankment section;

"(B) a floodwall section;

"(C) a closure structure;

"(D) a pumping station;

"(E) an interior drainage work; and

"(F) a flood damage reduction channel.

"(9) LEVEE SYSTEM.—The term 'levee system' means 1 or more levee segments, including all levee features that are interconnected and necessary to ensure protection of the associated leveed areas—

"(A) that collectively provide flood damage reduction to a defined area; and

"(B) the failure of 1 of which may result in the failure of the entire system.

"(10) NATIONAL LEVEE DATABASE.—The term 'national levee database' means the levee database established under section 9004.

"(11) PARTICIPATING PROGRAM.—The term 'participating program' means a levee safety program developed by a State or Indian tribe that includes the minimum components necessary for recognition by the Secretary.

"(12) REHABILITATION.—The term 'rehabilitation' means the repair, replacement, reconstruction, removal of a levee, or reconfiguration of a levee system, including a setback levee, that is carried out to reduce flood risk or meet national levee safety guidelines.

"(13) RISK.—The term 'risk' means a measure of the probability and severity of undesirable consequences.".

(c) COMMITTEE ON LEVEE SAFETY.—Section 9003 of the Water Resources Development Act of 2007 (33 U.S.C. 3302) is amended—

(1) in subsection (b)—

(A) by striking paragraphs (1) and (2) and inserting the following:

"(1) NONVOTING MEMBERS.—The following 2 nonvoting members:

"(A) The Secretary (or a designee of the Secretary).

"(B) The Administrator (or a designee of the Administrator).";

(B) by redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (2) (as redesignated by subparagraph (B)) by inserting "voting" after "14";

(2) by redesignating subsection (g) as subsection (h); and

(3) by striking subsections (c) through (f) and inserting the following:

"(c) ADMINISTRATION.—

"(1) TERMS OF VOTING MEMBERS.—

"(A) IN GENERAL.—A voting member of the committee shall be appointed for a term of 3 years, except that, of the members first appointed—

"(i) 5 shall be appointed for a term of 1 year;

"(ii) 5 shall be appointed for a term of 2 years; and

"(iii) 4 shall be appointed for a term of 3 years.

"(B) REAPPOINTMENT.—A voting member of the committee may be reappointed to the committee, as the Secretary determines to be appropriate.

"(C) VACANCIES.—A vacancy on the committee shall be filled in the same manner as the original appointment was made.

"(2) CHAIRPERSON.—

Appointment.

"(A) IN GENERAL.—The voting members of the committee shall appoint a chairperson from among the voting members of the committee.

"(B) TERM.—The chairperson shall serve a term of not more than 2 years.

"(d) STANDING COMMITTEES.—

"(1) IN GENERAL.—The committee may establish standing committees comprised of volunteers from all levels of government and the private sector, to advise the committee regarding specific levee safety issues, including participating programs, technical issues, public education and awareness, and safety and the environment.

"(2) MEMBERSHIP.—The committee shall recommend to the Secretary for approval individuals for membership on the standing committees.

"(e) DUTIES AND POWERS.—The committee—

Reports.

"(1) shall submit to the Secretary and Congress an annual report regarding the effectiveness of the levee safety initiative in accordance with section 9006; and

"(2) may secure from other Federal agencies such services, and enter into such contracts, as the committee determines to be necessary to carry out this subsection.

"(f) TASK FORCE COORDINATION.—The committee shall, to the maximum extent practicable, coordinate the activities of the committee with the Federal Interagency Floodplain Management Task Force.

"(g) COMPENSATION.—

"(1) FEDERAL EMPLOYEES.—Each member of the committee who is an officer or employee of the United States—

"(A) shall serve without compensation in addition to compensation received for the services of the member as an officer or employee of the United States; but

"(B) shall be allowed a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the committee.

"(2) NON-FEDERAL EMPLOYEES.—To the extent amounts are made available to carry out this section in appropriations Acts, the Secretary shall provide to each member of the committee who is not an officer or employee of the United States a stipend and a per diem allowance for travel expenses, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in performance of services for the committee.

"(3) STANDING COMMITTEE MEMBERS.—Each member of a standing committee shall serve in a voluntary capacity.".

(d) INVENTORY OF LEVEES.—Section 9004 of the Water Resources Development Act of 2007 (33 U.S.C. 3303) is amended—

(1) in subsection (a)(2)(A) by striking "and, for non-Federal levees, such information on levee location as is provided to the Secretary by State and local governmental agencies" and inserting "and updated levee information provided by States, Indian tribes, Federal agencies, and other entities"; and

(2) by adding at the end the following:

"(c) LEVEE REVIEW.—

"(1) IN GENERAL.—The Secretary shall carry out a one-time inventory and review of all levees identified in the national levee database.

"(2) NO FEDERAL INTEREST.—The inventory and inspection under paragraph (1) does not create a Federal interest in the construction, operation, or maintenance of any levee that is included in the inventory or inspected under this subsection.

"(3) REVIEW CRITERIA.—In carrying out the inventory and review, the Secretary shall use the levee safety action classification criteria to determine whether a levee should be classified in the inventory as requiring a more comprehensive inspection.

"(4) STATE AND TRIBAL PARTICIPATION.—At the request of a State or Indian tribe with respect to any levee subject to review under this subsection, the Secretary shall—

"(A) allow an official of the State or Indian tribe to participate in the review of the levee; and

"(B) provide information to the State or Indian tribe relating to the location, construction, operation, or maintenance of the levee.

"(5) EXCEPTIONS.—In carrying out the inventory and review under this subsection, the Secretary shall not be required to review any levee that has been inspected by a State or Indian tribe using the same methodology described in paragraph (3) during the 1-year period immediately preceding the date of enactment of this subsection if the Governor of the State or chief executive of the tribal government, as applicable, requests an exemption from the review.". Time period.

(e) LEVEE SAFETY INITIATIVE.—

(1) IN GENERAL.—Sections 9005 and 9006 of the Water Resources Development Act of 2007 (33 U.S.C. 3304, 3305) are redesignated as sections 9007 and 9008, respectively.

(2) LEVEE SAFETY INITIATIVE.—Title IX of the Water Resources Development Act of 2007 (33 U.S.C. 3301 et seq.) is amended by inserting after section 9004 the following:

"SEC. 9005. LEVEE SAFETY INITIATIVE. Consultation. 33 USC 3303a.

"(a) ESTABLISHMENT.—The Secretary, in consultation with the Administrator, shall carry out a levee safety initiative.

"(b) MANAGEMENT.—The Secretary shall appoint— Appointment.

"(1) an administrator of the levee safety initiative; and

"(2) such staff as are necessary to implement the initiative.

"(c) LEVEE SAFETY GUIDELINES.—

"(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this subsection, the Secretary, in consultation with the Administrator and in coordination with State, local, and tribal governments and organizations with expertise in levee safety, shall establish a set of voluntary, comprehensive, national levee safety guidelines that— Deadline.

"(A) are available for common, uniform use by all Federal, State, tribal, and local agencies;

"(B) incorporate policies, procedures, standards, and criteria for a range of levee types, canal structures, and related facilities and features; and

"(C) provide for adaptation to local, regional, or watershed conditions.

"(2) REQUIREMENT.—The policies, procedures, standards, and criteria under paragraph (1)(B) shall be developed taking into consideration the levee hazard potential classification system established under subsection (d).

"(3) INCORPORATION.—The guidelines shall address, to the maximum extent practicable—

"(A) the activities and practices carried out by State, local, and tribal governments, and the private sector to safely build, regulate, operate, and maintain levees; and

"(B) Federal activities that facilitate State efforts to develop and implement effective State programs for the safety of levees, including levee inspection, levee rehabilitation, locally developed floodplain management, and public education and training programs.

"(4) CONSIDERATION BY FEDERAL AGENCIES.—To the maximum extent practicable, all Federal agencies shall consider the levee safety guidelines in carrying out activities relating to the management of levees.

"(5) PUBLIC COMMENT.—Prior to finalizing the guidelines under this subsection, the Secretary shall—

"(A) issue draft guidelines for public comment, including comment by States, non-Federal interests, and other appropriate stakeholders; and

"(B) consider any comments received in the development of final guidelines.

"(d) HAZARD POTENTIAL CLASSIFICATION SYSTEM.—

"(1) ESTABLISHMENT.—The Secretary shall establish a hazard potential classification system for use under the levee safety initiative and participating programs.

Review. Deadline.

"(2) REVISION.—The Secretary shall review and, as necessary, revise the hazard potential classification system not less frequently than once every 5 years.

"(3) CONSISTENCY.—The hazard potential classification system established pursuant to this subsection shall be consistent with and incorporated into the levee safety action classification tool developed by the Corps of Engineers.

"(e) TECHNICAL ASSISTANCE AND MATERIALS.—

"(1) ESTABLISHMENT.—The Secretary, in consultation with the Administrator, shall provide technical assistance and training to promote levee safety and assist States, communities, and levee owners in—

"(A) developing levee safety programs;

"(B) identifying and reducing flood risks associated with levees;

"(C) identifying local actions that may be carried out to reduce flood risks in leveed areas; and

"(D) rehabilitating, improving, replacing, reconfiguring, modifying, and removing levees and levee systems.

"(2) ELIGIBILITY.—To be eligible to receive technical assistance under this subsection, a State shall—

"(A) be in the process of establishing or have in effect a State levee safety program under which a State levee safety agency, in accordance with State law, carries out the guidelines established under subsection (c)(1); and

"(B) allocate sufficient funds in the budget of that State to carry out that State levee safety program.

"(3) WORK PLANS.—The Secretary shall enter into an agreement with each State receiving technical assistance under this subsection to develop a work plan necessary for the State levee safety program of that State to reach a level of program performance that meets the guidelines established under subsection (c)(1). Contracts.

"(f) PUBLIC EDUCATION AND AWARENESS.—

"(1) IN GENERAL.—The Secretary, in coordination with the Administrator, shall carry out public education and awareness efforts relating to the levee safety initiative.

"(2) CONTENTS.—In carrying out the efforts under paragraph (1), the Secretary and the Administrator shall—

"(A) educate individuals living in leveed areas regarding the risks of living in those areas; and

"(B) promote consistency in the transmission of information regarding levees among Federal agencies and regarding risk communication at the State and local levels.

"(g) STATE AND TRIBAL LEVEE SAFETY PROGRAM.—

"(1) GUIDELINES.—

"(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, in consultation with the Administrator, the Secretary shall issue guidelines that establish the minimum components necessary for recognition of a State or tribal levee safety program as a participating program. Deadline.

"(B) GUIDELINE CONTENTS.—The guidelines under subparagraph (A) shall include provisions and procedures requiring each participating State and Indian tribe to certify to the Secretary that the State or Indian tribe, as applicable— Procedures.

"(i) has the authority to participate in the levee safety initiative;

"(ii) can receive funds under this title;

"(iii) has adopted any levee safety guidelines developed under this title;

"(iv) will carry out levee inspections;

"(v) will carry out, consistent with applicable requirements, flood risk management and any emergency action planning procedures the Secretary determines to be necessary relating to levees;

"(vi) will carry out public education and awareness activities consistent with the efforts carried out under subsection (f); and

"(vii) will collect and share information regarding the location and condition of levees, including for inclusion in the national levee database.

"(C) PUBLIC COMMENT.—Prior to finalizing the guidelines under this paragraph, the Secretary shall—

"(i) issue draft guidelines for public comment; and

"(ii) consider any comments received in the development of final guidelines.

"(2) ASSISTANCE TO STATES.—

"(A) ESTABLISHMENT.—The Administrator may provide assistance, subject to the availability of funding specified in appropriations Acts for Federal Emergency Management Agency activities pursuant to this title and subject to amounts available under subparagraph (E), to States and

Indian tribes in establishing participating programs, conducting levee inventories, and improving levee safety programs in accordance with subparagraph (B).

"(B) REQUIREMENTS.—To be eligible to receive assistance under this section, a State or Indian tribe shall—

"(i) meet the requirements of a participating program established by the guidelines issued under paragraph (1);

"(ii) use not less than 25 percent of any amounts received to identify and assess non-Federal levees within the State or on land of the Indian tribe;

"(iii) submit to the Secretary and Administrator any information collected by the State or Indian tribe in carrying out this subsection for inclusion in the national levee safety database; and

"(iv) identify actions to address hazard mitigation activities associated with levees and leveed areas identified in the hazard mitigation plan of the State approved by the Administrator of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

"(C) MEASURES TO ASSESS EFFECTIVENESS.—

Deadline.

"(i) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Administrator shall implement quantifiable performance measures and metrics to assess the effectiveness of the assistance provided in accordance with subparagraph (A).

"(ii) CONSIDERATIONS.—In assessing the effectiveness of assistance under clause (i), the Administrator shall consider the degree to which the State or tribal program—

"(I) ensures that human lives and property that are protected by new and existing levees are safe;

"(II) encourages the use of appropriate engineering policies, procedures, and technical practices for levee site investigation, design, construction, operation and maintenance, inspection, assessment, and emergency preparedness;

"(III) develops and supports public education and awareness projects to increase public acceptance and support of levee safety programs and provide information;

"(IV) builds public awareness of the residual risks associated with living in levee protected areas; and

"(V) develops technical assistance materials, seminars, and guidelines to improve the security of levees of the United States.

Contracts.

"(D) MAINTENANCE OF EFFORT.—Technical assistance or grants may not be provided to a State under this subsection during a fiscal year unless the State enters into an agreement with the Administrator to ensure that the State will maintain during that fiscal year aggregate expenditures for programs to ensure levee safety that equal or exceed the average annual level of such expenditures

for the State for the 2 fiscal years preceding that fiscal year.

"(E) AUTHORIZATION OF APPROPRIATIONS.—

"(i) IN GENERAL.—There is authorized to be appropriated to the Administrator to carry out this subsection $25,000,000 for each of fiscal years 2015 through 2019.

"(ii) ALLOCATION.—For each fiscal year, amounts made available under this subparagraph shall be allocated among the States and Indian tribes as follows:

"(I) ⅓ among States and Indian tribes that qualify for assistance under this subsection.

"(II) ⅔ among States and Indian tribes that qualify for assistance under this subsection, to each such State or Indian tribe in the proportion that—

"(aa) the miles of levees in the State or on the land of the Indian tribe that are listed on the inventory of levees; bears to

"(bb) the miles of levees in all States and on the land of all Indian tribes that are in the national levee database.

"(iii) MAXIMUM AMOUNT OF ALLOCATION.—The amounts allocated to a State or Indian tribe under this subparagraph shall not exceed 50 percent of the reasonable cost of implementing the State or tribal levee safety program.

"(F) PROHIBITION.—No amounts made available to the Administrator under this title shall be used for levee construction, rehabilitation, repair, operations, or maintenance.

"(h) LEVEE REHABILITATION ASSISTANCE PROGRAM.—

"(1) ESTABLISHMENT.—The Secretary shall provide assistance to States, Indian tribes, and local governments relating to addressing flood mitigation activities that result in an overall reduction in flood risk.

"(2) REQUIREMENTS.—To be eligible to receive assistance under this subsection, a State, Indian tribe, or local government shall—

"(A) participate in, and comply with, all applicable Federal floodplain management and flood insurance programs;

"(B) have in place a hazard mitigation plan that—

"(i) includes all levee risks; and

"(ii) complies with the Disaster Mitigation Act of 2000 (Public Law 106–390; 114 Stat. 1552);

"(C) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require;

"(D) commit to provide normal operation and maintenance of the project for the 50 year-period following completion of rehabilitation; and

"(E) comply with such minimum eligibility requirements as the Secretary, in consultation with the committee, may establish to ensure that each owner and operator of a levee under a participating State or tribal levee safety program—

"(i) acts in accordance with the guidelines developed under subsection (c); and

"(ii) carries out activities relating to the public in the leveed area in accordance with the hazard mitigation plan described in subparagraph (B).

Deadlines.

"(3) FLOODPLAIN MANAGEMENT PLANS.—

"(A) IN GENERAL.—Not later than 1 year after the date of execution of a project agreement for assistance under this subsection, a State, Indian tribe, or local government shall prepare a floodplain management plan in accordance with the guidelines under subparagraph (D) to reduce the impacts of future flood events in each applicable leveed area.

"(B) INCLUSIONS.—A plan under subparagraph (A) shall address—

"(i) potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in each applicable leveed area;

"(ii) plans for flood fighting and evacuation; and

"(iii) public education and awareness of flood risks.

"(C) IMPLEMENTATION.—Not later than 1 year after the date of completion of construction of the applicable project, a floodplain management plan prepared under subparagraph (A) shall be implemented.

"(D) GUIDELINES.—Not later than 180 days after the date of enactment of this subsection, the Secretary, in consultation with the Administrator, shall develop such guidelines for the preparation of floodplain management plans prepared under this paragraph as the Secretary determines to be appropriate.

"(E) TECHNICAL SUPPORT.—The Secretary may provide technical support for the development and implementation of floodplain management plans prepared under this paragraph.

"(4) USE OF FUNDS.—

"(A) IN GENERAL.—Assistance provided under this subsection may be used—

"(i) for any rehabilitation activity to maximize overall risk reduction associated with a levee under a participating State or tribal levee safety program; and

"(ii) only for a levee that is not federally operated and maintained.

"(B) PROHIBITION.—Assistance provided under this subsection shall not be used—

"(i) to perform routine operation or maintenance for a levee; or

"(ii) to make any modification to a levee that does not result in an improvement to public safety.

"(5) NO PROPRIETARY INTEREST.—A contract for assistance provided under this subsection shall not be considered to confer any proprietary interest on the United States.

"(6) COST SHARE.—The maximum Federal share of the cost of any assistance provided under this subsection shall be 65 percent.

"(7) PROJECT LIMIT.—The maximum amount of Federal assistance for a project under this subsection shall be $10,000,000.

"(8) LIMITATION.—A project shall not receive Federal assistance under this subsection more than 1 time.

"(9) FEDERAL INTEREST.—For a project that is not a project eligible for rehabilitation assistance under section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), the Secretary shall determine that the proposed rehabilitation is in the Federal interest prior to providing assistance for such rehabilitation.

"(10) OTHER LAWS.—Assistance provided under this subsection shall be subject to all applicable laws (including regulations) that apply to the construction of a civil works project of the Corps of Engineers.

"(i) EFFECT OF SECTION.—Nothing in this section—

"(1) affects the requirement under section 100226(b)(2) of Public Law 112–141 (42 U.S.C. 4101 note; 126 Stat. 942); or

"(2) confers any regulatory authority on—

"(A) the Secretary; or

"(B) the Administrator, including for the purpose of setting premium rates under the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

"SEC. 9006. REPORTS.

Public information. Recommendations. 33 USC 3303b.

"(a) STATE OF LEVEES.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, and biennially thereafter, the Secretary in coordination with the committee, shall submit to Congress and make publicly available a report describing the state of levees in the United States and the effectiveness of the levee safety initiative, including—

"(A) progress achieved in implementing the levee safety initiative;

"(B) State and tribal participation in the levee safety initiative;

"(C) recommendations to improve coordination of levee safety, floodplain management, and environmental protection concerns, including—

"(i) identifying and evaluating opportunities to coordinate public safety, floodplain management, and environmental protection activities relating to levees; and

"(ii) evaluating opportunities to coordinate environmental permitting processes for operation and maintenance activities at existing levee projects in compliance with all applicable laws; and

"(D) any recommendations for legislation and other congressional actions necessary to ensure national levee safety.

Recommendations.

"(2) INCLUSION.—Each report under paragraph (1) shall include a report of the committee that describes the independent recommendations of the committee for the implementation of the levee safety initiative.

Coordination.

"(b) NATIONAL DAM AND LEVEE SAFETY PROGRAM.—Not later than 3 years after the date of enactment of this subsection, to

the maximum extent practicable, the Secretary and the Administrator, in coordination with the committee, shall submit to Congress and make publicly available a report that includes recommendations regarding the advisability and feasibility of, and potential approaches for, establishing a joint national dam and levee safety program.

"(c) ALIGNMENT OF FEDERAL PROGRAMS RELATING TO LEVEES.—Not later than 2 years after the date of enactment of this subsection, the Comptroller General of the United States shall submit to Congress a report on opportunities for alignment of Federal programs to provide incentives to State, tribal, and local governments and individuals and entities—

"(1) to promote shared responsibility for levee safety;

"(2) to encourage the development of strong State and tribal levee safety programs;

"(3) to better align the levee safety initiative with other Federal flood risk management programs; and

"(4) to promote increased levee safety through other Federal programs providing assistance to State and local governments.

"(d) LIABILITY FOR CERTAIN LEVEE ENGINEERING PROJECTS.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall submit to Congress and make publicly available a report that includes recommendations that identify and address any legal liability associated with levee engineering projects that prevent—

"(1) levee owners from obtaining needed levee engineering services; or

"(2) development and implementation of a State or tribal levee safety program.".

33 USC 3305.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 9008 of the Water Resources Development Act of 2007 (as redesignated by subsection (e)(1)) is amended—

(1) by striking "are" and inserting "is"; and

(2) by striking "Secretary" and all that follows through the period at the end and inserting the following:

"Secretary—

"(1) to carry out sections 9003, 9005(c), 9005(d), 9005(e), and 9005(f), $4,000,000 for each of fiscal years 2015 through 2019;

"(2) to carry out section 9004, $20,000,000 for each of fiscal years 2015 through 2019; and

"(3) to carry out section 9005(h), $30,000,000 for each of fiscal years 2015 through 2019.".

33 USC 3303a note.

SEC. 3017. REHABILITATION OF EXISTING LEVEES.

Determination.

(a) IN GENERAL.—The Secretary shall carry out measures that address consolidation, settlement, subsidence, sea level rise, and new datum to restore federally authorized hurricane and storm damage reduction projects that were constructed as of the date of enactment of this Act to the authorized levels of protection of the projects if the Secretary determines the necessary work is technically feasible, environmentally acceptable, and economically justified.

Applicability.

(b) LIMITATION.—This section shall only apply to those projects for which the executed project partnership agreement provides that the non-Federal interest is not required to perform future measures to restore the project to the authorized level of protection of the

project to account for subsidence and sea-level rise as part of the operation, maintenance, repair, replacement, and rehabilitation responsibilities.

(c) COST SHARE.—

(1) IN GENERAL.—The non-Federal share of the cost of construction of a project carried out under this section shall be determined as provided in subsections (a) through (d) of section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

(2) CERTAIN ACTIVITIES.—The non-Federal share of the cost of operations, maintenance, repair, replacement, and rehabilitation for a project carried out under this section shall be 100 percent.

(d) REPORT TO CONGRESS.—Not later than 5 years after the date of enactment of this Act, the Secretary shall include in the annual report developed under section 7001—

Recommendations.

(1) any recommendations relating to the continued need for the authority provided under this section;

(2) a description of the measures carried out under this section;

(3) any lessons learned relating to the measures implemented under this section; and

(4) best practices for carrying out measures to restore hurricane and storm damage reduction projects.

(e) TERMINATION OF AUTHORITY.—The authority of the Secretary under this subsection terminates on the date that is 10 years after the date of enactment of this Act.

Subtitle C—Additional Safety Improvements and Risk Reduction Measures

SEC. 3021. USE OF INNOVATIVE MATERIALS.

Section 8(d) of the Water Resources Development Act of 1988 (33 U.S.C. 2314) is amended by striking "materials" and all that follows through the period at the end and inserting "methods, or materials, including roller compacted concrete, geosynthetic materials, and advanced composites, that the Secretary determines are appropriate to carry out this section.".

SEC. 3022. DURABILITY, SUSTAINABILITY, AND RESILIENCE.

33 USC 2351.

In carrying out the activities of the Corps of Engineers, the Secretary, to the maximum extent practicable, shall encourage the use of durable and sustainable materials and resilient construction techniques that—

(1) allow a water resources infrastructure project—

(A) to resist hazards due to a major disaster; and

(B) to continue to serve the primary function of the water resources infrastructure project following a major disaster;

(2) reduce the magnitude or duration of a disruptive event to a water resources infrastructure project; and

(3) have the absorptive capacity, adaptive capacity, and recoverability to withstand a potentially disruptive event.

SEC. 3023. STUDY ON RISK REDUCTION.

Deadline. Contracts. Recommendations.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary, in coordination with the Secretary of the Interior and the Secretary of Commerce, shall enter into an arrangement with the National Academy of Sciences to carry out a study and make recommendations relating to infrastructure and coastal restoration options for reducing risk to human life and property from extreme weather events, such as hurricanes, coastal storms, and inland flooding.

(b) CONSIDERATIONS.—The study under subsection (a) shall include—

(1) an analysis of strategies and water resources projects, including authorized water resources projects that have not yet been constructed, and other projects implemented in the United States and worldwide to respond to risk associated with extreme weather events;

(2) an analysis of—

(A) historical extreme weather events;

(B) the ability of existing infrastructure to mitigate risks associated with extreme weather events; and

(C) the reduction in long-term costs and vulnerability to infrastructure through the use of resilient construction techniques;

(3) identification of proven, science-based approaches and mechanisms for ecosystem protection and identification of natural resources likely to have the greatest need for protection, restoration, and conservation so that the infrastructure and restoration projects can continue safeguarding the communities in, and sustaining the economy of, the United States;

(4) an estimation of the funding necessary to improve infrastructure in the United States to reduce risk associated with extreme weather events;

(5) an analysis of the adequacy of current funding sources and the identification of potential new funding sources to finance the necessary infrastructure improvements referred to in paragraph (3); and

(6) an analysis of the Federal, State, and local costs of natural disasters and the potential cost-savings associated with implementing mitigation measures.

(c) COORDINATION.—The National Academy of Sciences may cooperate with the National Academy of Public Administration to carry out 1 or more aspects of the study under subsection (a).

Deadline. Records.

(d) PUBLICATION.—Not later than 30 days after completion of the study under subsection (a), the National Academy of Sciences shall—

(1) submit a copy of the study to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

Public information.

(2) make a copy of the study available on a publicly accessible Internet site.

SEC. 3024. MANAGEMENT OF FLOOD, DROUGHT, AND STORM DAMAGE.

Deadline. Study.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House

of Representatives a study of the strategies used by the Corps of Engineers for the comprehensive management of water resources in response to floods, storms, and droughts, including an historical review of the ability of the Corps of Engineers to manage and respond to historical drought, storm, and flood events.

(b) CONSIDERATIONS.—The study under subsection (a) shall address—

(1) the extent to which existing water management activities of the Corps of Engineers can better meet the goal of addressing future flooding, drought, and storm damage risks, which shall include analysis of all historical extreme weather events that have been recorded during the previous 5 centuries as well as in the geological record;

(2) whether existing water resources projects built or maintained by the Corps of Engineers, including dams, levees, floodwalls, flood gates, and other appurtenant infrastructure were designed to adequately address flood, storm, and drought impacts and the extent to which the water resources projects have been successful at addressing those impacts;

(3) any recommendations for approaches for repairing, rebuilding, or restoring infrastructure, land, and natural resources that consider the risks and vulnerabilities associated with past and future extreme weather events;

(4) whether a reevaluation of existing management approaches of the Corps of Engineers could result in greater efficiencies in water management and project delivery that would enable the Corps of Engineers to better prepare for, contain, and respond to flood, storm, and drought conditions;

(5) any recommendations for improving the planning processes of the Corps of Engineers to provide opportunities for comprehensive management of water resources that increases efficiency and improves response to flood, storm, and drought conditions;

(6) any recommendations on the use of resilient construction techniques to reduce future vulnerability from flood, storm, and drought conditions; and

(7) any recommendations for improving approaches to rebuilding or restoring infrastructure and natural resources that contribute to risk reduction, such as coastal wetlands, to prepare for flood and drought.

SEC. 3025. POST-DISASTER WATERSHED ASSESSMENTS. 33 USC 2267b.

(a) WATERSHED ASSESSMENTS.—

(1) IN GENERAL.—In an area that the President has declared a major disaster in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary may carry out a watershed assessment to identify, to the maximum extent practicable, specific flood risk reduction, hurricane and storm damage reduction, ecosystem restoration, or navigation project recommendations that will help to rehabilitate and improve the resiliency of damaged infrastructure and natural resources to reduce risks to human life and property from future natural disasters.

(2) EXISTING PROJECTS.—A watershed assessment carried out paragraph (1) may identify existing projects being carried

out under 1 or more of the authorities referred to in subsection (b)(1).

(3) DUPLICATE WATERSHED ASSESSMENTS.—In carrying out a watershed assessment under paragraph (1), the Secretary shall use all existing watershed assessments and related information developed by the Secretary or other Federal, State, or local entities.

(b) PROJECTS.—

(1) IN GENERAL.—The Secretary may carry out projects identified under a watershed assessment under subsection (a) in accordance with the criteria for projects carried out under one of the following authorities:

(A) Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(B) Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

(C) Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(D) Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(E) Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(F) Section 3 of the Act of August 13, 1946 (33 U.S.C. 426g).

Recommendations. Reports.

(2) ANNUAL PLAN.—For each project that does not meet the criteria under paragraph (1), the Secretary shall include a recommendation relating to the project in the annual report submitted to Congress by the Secretary in accordance with section 7001.

(3) EXISTING PROJECTS.—In carrying out a project under paragraph (1), the Secretary shall—

(A) to the maximum extent practicable, use all existing information and studies available for the project; and

(B) not require any element of a study completed for the project prior to the disaster to be repeated.

(c) REQUIREMENTS.—All requirements applicable to a project under the Acts described in subsection (b) shall apply to the project.

Deadline.

(d) LIMITATIONS ON ASSESSMENTS.—A watershed assessment under subsection (a) shall be initiated not later than 2 years after the date on which the major disaster declaration is issued.

SEC. 3026. HURRICANE AND STORM DAMAGE REDUCTION STUDY.

Recommendations.

(a) IN GENERAL.—As part of the study for flood and storm damage reduction related to natural disasters to be carried out by the Secretary under title II of division A of the Disaster Relief Appropriations Act, 2013, under the heading "Department of the Army—Corps of Engineers—Civil—Investigations" (127 Stat. 5), the Secretary shall make specific project recommendations.

(b) CONSULTATION.—In making recommendations pursuant to this section, the Secretary may consult with key stakeholders, including State, county, and city governments, and, as applicable, State and local water districts, and in the case of recommendations concerning projects that substantially affect communities served by historically Black colleges and universities, Tribal Colleges and Universities, and other minority-serving institutions, the Secretary shall consult with those colleges, universities, and institutions.

(c) REPORT.—The Secretary shall include any recommendations of the Secretary under this section in the annual report submitted to Congress by the Secretary in accordance with section 7001.

SEC. 3027. EMERGENCY COMMUNICATION OF RISK. 33 USC 709c.

(a) DEFINITIONS.—In this section:

(1) AFFECTED GOVERNMENT.—The term "affected government" means a State, local, or tribal government with jurisdiction over an area that will be affected by a flood.

(2) ANNUAL OPERATING PLAN.—The term "annual operating plan" means a plan prepared by the Secretary that describes potential water condition scenarios for a river basin for a year.

(b) COMMUNICATION.—In any river basin where the Secretary carries out flood risk management activities subject to an annual operating plan, the Secretary shall establish procedures for providing the public and affected governments, including Indian tribes, in the river basin with— Procedures.

(1) timely information regarding expected water levels;

(2) advice regarding appropriate preparedness actions;

(3) technical assistance; and

(4) any other information or assistance determined appropriate by the Secretary.

(c) PUBLIC AVAILABILITY OF INFORMATION.—To the maximum extent practicable, the Secretary, in coordination with the Administrator of the Federal Emergency Management Agency, shall make the information required under subsection (b) available to the public through widely used and readily available means, including on the Internet. Web posting.

(d) PROCEDURES.—The Secretary shall use the procedures established under subsection (b) only when precipitation or runoff exceeds those calculations considered as the lowest risk to life and property contemplated by the annual operating plan.

SEC. 3028. SAFETY ASSURANCE REVIEW.

Section 2035 of the Water Resources Development Act of 2007 (33 U.S.C. 2344) is amended by adding at the end the following:

"(g) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to a safety assurance review conducted under this section.".

SEC. 3029. EMERGENCY RESPONSE TO NATURAL DISASTERS.

(a) EMERGENCY RESPONSE TO NATURAL DISASTERS.—Section 5(a)(1) of the Act of August 18, 1941 (33 U.S.C. 701n(a)(1)), is amended in the first sentence—

(1) by inserting "and subject to the condition that the Chief of Engineers may include modifications to the structure or project" after "work for flood control"; and

(2) by striking "structure damaged or destroyed by wind, wave, or water action of other than an ordinary nature when in the discretion of the Chief of Engineers such repair and restoration is warranted for the adequate functioning of the structure for hurricane or shore protection" and inserting "structure or project damaged or destroyed by wind, wave, or water action of other than an ordinary nature to the design level of protection when, in the discretion of the Chief of Engineers, such repair and restoration is warranted for the adequate functioning of the structure or project for hurricane or shore protection, subject to the condition that the Chief of Engineers

may include modifications to the structure or project to address major deficiencies or implement nonstructural alternatives to the repair or restoration of the structure if requested by the non-Federal sponsor".

(b) REVIEW OF EMERGENCY RESPONSE AUTHORITIES.—

Evaluation.

(1) IN GENERAL.—The Secretary shall undertake a review of implementation of section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), to evaluate the alternatives available to the Secretary to ensure—

(A) the safety of affected communities to future flooding and storm events;

(B) the resiliency of water resources development projects to future flooding and storm events;

(C) the long-term cost-effectiveness of water resources development projects that provide flood control and hurricane and storm damage reduction benefits; and

(D) the policy goals and objectives that have been outlined by the President as a response to recent extreme weather events, including Hurricane Sandy, that relate to preparing for future floods are met.

(2) SCOPE OF REVIEW.—In carrying out the review, the Secretary shall—

(A) review the historical precedents and implementation of section 5 of that Act, including those actions undertaken by the Secretary, over time, under that section—

(i) to repair or restore a project; and

(ii) to increase the level of protection for a damaged project to address future conditions;

Evaluation.

(B) evaluate the difference between adopting, as an appropriate standard under section 5 of that Act, the repair or restoration of a project to pre-flood or pre-storm levels and the repair or restoration of a project to a design level of protection, including an assessment for each standard of—

(i) the implications on populations at risk of flooding or damage;

(ii) the implications on probability of loss of life;

(iii) the implications on property values at risk of flooding or damage;

(iv) the implications on probability of increased property damage and associated costs;

(v) the implications on local and regional economies; and

(vi) the estimated total cost and estimated cost savings;

(C) review and evaluate the historic and potential uses, and economic feasibility for the life of the project, of nonstructural alternatives, including natural features such as dunes, coastal wetlands, floodplains, marshes, and mangroves, to reduce the damage caused by floods, storm surges, winds, and other aspects of extreme weather events, and to increase the resiliency and long-term cost-effectiveness of water resources development projects;

(D) incorporate the science on expected rates of sea-level rise and extreme weather events;

(E) incorporate the work completed by the Hurricane Sandy Rebuilding Task Force, established by Executive Order No. 13632 (77 Fed. Reg. 74341); and

(F) review the information obtained from the report developed under subsection (c)(1).

(c) REPORTS.— 33 USC 701n–1.

(1) BIENNIAL REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act and every 2 years thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing the amounts expended in the previous 5 fiscal years to carry out Corps of Engineers projects under section 5 of the Act of August 18, 1941 (33 U.S.C. 701n).

(B) INCLUSIONS.—A report under subparagraph (A) shall, at a minimum, include a description of—

(i) each structure, feature, or project for which amounts are expended, including the type of structure, feature, or project and cost of the work; and

(ii) how the Secretary has repaired, restored, replaced, or modified each structure, feature, or project or intends to restore the structure, feature, or project to the design level of protection for the structure, feature, or project.

(2) REPORT ON REVIEW OF EMERGENCY RESPONSE AUTHORITIES.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on the results of the review under subsection (b). Public information.

TITLE IV—RIVER BASINS AND COASTAL AREAS

SEC. 4001. RIVER BASIN COMMISSIONS.

Section 5019 of the Water Resources Development Act of 2007 (121 Stat. 1201) is amended by striking subsection (b) and inserting the following:

"(b) AUTHORIZATION TO ALLOCATE.—

"(1) IN GENERAL.—The Secretary shall allocate funds to the Susquehanna River Basin Commission, the Delaware River Basin Commission, and the Interstate Commission on the Potomac River Basin to fulfill the equitable funding requirements of the respective interstate compacts.

"(2) AMOUNTS.—For each fiscal year, the Secretary shall allocate to each Commission described in paragraph (1) an amount equal to the amount determined by the Commission in accordance with the respective interstate compact approved by Congress.

"(3) NOTIFICATION.—If the Secretary does not allocate funds for a given fiscal year in accordance with paragraph (2), the Secretary, in conjunction with the subsequent submission by the President of the budget to Congress under section 1105(a)

of title 31, United States Code, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a notice that describes—

"(A) the reasons why the Secretary did not allocate funds in accordance with paragraph (2) for that fiscal year; and

"(B) the impact of that decision not to allocate funds on each area of jurisdiction of each Commission described in paragraph (1), including with respect to—

"(i) water supply allocation;
"(ii) water quality protection;
"(iii) regulatory review and permitting;
"(iv) water conservation;
"(v) watershed planning;
"(vi) drought management;
"(vii) flood loss reduction;
"(viii) recreation; and
"(ix) energy development.".

33 USC 605a.

SEC. 4002. MISSISSIPPI RIVER.

(a) MISSISSIPPI RIVER FORECASTING IMPROVEMENTS.—

Consultation.

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating, the Director of the United States Geological Survey, the Administrator of the National Oceanic and Atmospheric Administration, and the Director of the National Weather Service, as applicable, shall improve forecasting on the Mississippi River by—

(A) updating forecasting technology deployed on the Mississippi River and its tributaries through—

(i) the construction of additional automated river gages;

(ii) the rehabilitation of existing automated and manual river gages; and

(iii) the replacement of manual river gages with automated gages, as the Secretary determines to be necessary;

(B) constructing additional sedimentation ranges on the Mississippi River and its tributaries; and

(C) deploying additional automatic identification system base stations at river gage sites.

(2) PRIORITIZATION.—In carrying out this subsection, the Secretary shall prioritize the sections of the Mississippi River on which additional and more reliable information would have the greatest impact on maintaining navigation on the Mississippi River.

Public information.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress and make publicly available a report on the activities carried out by the Secretary under this subsection.

(b) MIDDLE MISSISSIPPI RIVER PILOT PROGRAM.—

(1) IN GENERAL.—In accordance with the project for navigation, Mississippi River between the Ohio and Missouri Rivers (Regulating Works), Missouri and Illinois, authorized by the Act of June 25, 1910 (36 Stat. 631, chapter 382) (commonly known as the "River and Harbor Act of 1910"), the Act of

January 1, 1927 (44 Stat. 1010, chapter 47) (commonly known as the "River and Harbor Act of 1927"), and the Act of July 3, 1930 (46 Stat. 918, chapter 847), the Secretary may study improvements to navigation and aquatic ecosystem restoration in the middle Mississippi River.

(2) DISPOSITION.—

(A) IN GENERAL.—The Secretary may carry out any project identified pursuant to paragraph (1) in accordance with the criteria for projects carried out under one of the following authorities:

(i) Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(ii) Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(iii) Section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577).

(iv) Section 104(a) of the River and Harbor Act of 1958 (33 U.S.C. 610(a)).

(B) REPORT.—For each project that does not meet the criteria under subparagraph (A), the Secretary shall include a recommendation relating to the project in the annual report submitted to Congress by the Secretary in accordance with section 7001. Recommendations.

(c) GREATER MISSISSIPPI RIVER BASIN SEVERE FLOODING AND DROUGHT MANAGEMENT STUDY.—

(1) DEFINITION OF GREATER MISSISSIPPI RIVER BASIN.—In this subsection, the term "greater Mississippi River Basin" means the area covered by hydrologic units 5, 6, 7, 8, 10, and 11, as identified by the United States Geological Survey as of the date of enactment of this Act.

(2) IN GENERAL.—The Secretary shall carry out a study of the greater Mississippi River Basin—

(A) to improve the coordinated and comprehensive management of water resource projects in the greater Mississippi River Basin relating to severe flooding and drought conditions; and

(B) to identify and evaluate—

(i) modifications to those water resource projects, consistent with the authorized purposes of those projects; and

(ii) the development of new water resource projects to improve the reliability of navigation and more effectively reduce flood risk.

(3) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress and make publicly available a report on the study carried out under this subsection. Public information.

(4) SAVINGS CLAUSE.—Nothing in this subsection impacts the operations and maintenance of the Missouri River Mainstem System, as authorized by the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944")(58 Stat. 897, chapter 665).

(d) FLEXIBILITY IN MAINTAINING NAVIGATION.—

(1) EXTREME LOW WATER EVENT DEFINED.—In this subsection, the term "extreme low water event" means an extended period of time during which low water threatens the safe

commercial use of the Mississippi River for navigation, including the use and availability of fleeting areas.

(2) REPORT ON AREAS FOR ACTION.—

Consultation. Public information.

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating, shall complete and make publicly available a report identifying areas that are unsafe and unreliable for commercial navigation during extreme low water events along the authorized Federal navigation channel on the Mississippi River and measures to address those restrictions.

(B) INCLUSIONS.—The report under subparagraph (A) shall—

(i) consider data from the most recent extreme low water events that impacted navigation along the authorized Federal navigation channel on the Mississippi River;

(ii) identify locations for potential modifications, including improvements outside the authorized navigation channel, that will alleviate hazards at areas that constrain navigation during extreme low water events along the authorized Federal navigation channel on the Mississippi River; and

Recommendations.

(iii) include recommendations for possible actions to address constrained navigation during extreme low water events.

Consultation. Determination.

(3) AUTHORIZED ACTIVITIES.—If the Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating, determines it to be critical to maintaining safe and reliable navigation within the authorized Federal navigation channel on the Mississippi River, the Secretary may carry out activities outside the authorized Federal navigation channel along the Mississippi River, including the construction and operation of maintenance of fleeting areas, that—

(A) are necessary for safe and reliable navigation in the Federal channel; and

(B) have been identified in the report under paragraph (2).

(4) RESTRICTION.—The Secretary shall only carry out activities authorized under paragraph (3) for such period of time as is necessary to maintain reliable navigation during the extreme low water event.

Deadline.

(5) NOTIFICATION.—Not later than 60 days after initiating an activity under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a notice that includes—

(A) a description of the activities undertaken, including the costs associated with the activities; and

(B) a comprehensive description of how the activities are necessary for maintaining safe and reliable navigation of the Federal channel.

SEC. 4003. MISSOURI RIVER.

(a) UPPER MISSOURI BASIN FLOOD AND DROUGHT MONITORING.—

(1) IN GENERAL.—The Secretary, in coordination with the Administrator of the National Oceanic and Atmospheric Administration, the Chief of the Natural Resources Conservation Service, the Director of the United States Geological Survey, and the Commissioner of the Bureau of Reclamation, shall carry out activities to improve and support management of Corps of Engineers water resources development projects, including—

(A) soil moisture and snowpack monitoring in the Upper Missouri River Basin to reduce flood risk and improve river and water resource management in the Upper Missouri River Basin, as outlined in the February 2013 report entitled "Upper Missouri Basin Monitoring Committee—Snow Sampling and Instrumentation Recommendations";

(B) restoring and maintaining existing mid- and high-elevation snowpack monitoring sites operated under the SNOTEL program of the Natural Resources Conservation Service; and

(C) operating streamflow gages and related interpretive studies in the Upper Missouri River Basin under the cooperative water program and the national streamflow information program of the United States Geological Service.

(2) USE OF FUNDS.—Amounts made available to the Secretary to carry out activities under this subsection shall be used to supplement but not supplant other related activities of Federal agencies that are carried out within the Missouri River Basin.

(3) COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into cooperative agreements with other Federal agencies to carry out this subsection.

(B) MAINTENANCE OF EFFORT.—The Secretary may only enter into a cooperative agreement with another Federal agency under this paragraph if such agreement specifies that the agency will maintain aggregate expenditures in the Missouri River Basin for existing programs that implement activities described in paragraph (1) at a level that is equal to or exceeds the aggregate expenditures for the fiscal year immediately preceding the fiscal year in which such agreement is signed.

(4) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Secretary, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that— Deadline.

(A) identifies progress made by the Secretary and other Federal agencies in implementing the recommendations contained in the report described in paragraph (1)(A) with respect to enhancing soil moisture and snowpack monitoring in the Upper Missouri Basin;

(B) includes recommendations— Recommendations.

(i) to enhance soil moisture and snowpack monitoring in the Upper Missouri Basin that would enhance

water resources management, including managing flood risk, in that basin; and

(ii) on the most efficient manner of collecting and sharing data to assist Federal agencies with water resources management responsibilities;

(C) identifies the expected costs and timeline for implementing the recommendations described in subparagraph (B)(i); and

(D) identifies the role of States and other Federal agencies in gathering necessary soil moisture and snowpack monitoring data.

(b) MISSOURI RIVER BETWEEN FORT PECK DAM, MONTANA AND GAVINS POINT DAM, SOUTH DAKOTA AND NEBRASKA.—Section 9(f) of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 891, chapter 665; 102 Stat. 4031) is amended in the second sentence by striking "$3,000,000" and inserting "$5,000,000".

(c) MISSOURI RIVER RECOVERY IMPLEMENTATION COMMITTEE EXPENSES REIMBURSEMENT.—Section 5018(b)(5) of the Water Resources Development Act of 2007 (121 Stat. 1200) is amended by striking subparagraph (B) and inserting the following:

"(B) TRAVEL EXPENSES.—Subject to the availability of funds, the Secretary may reimburse a member of the Committee for travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of a Federal agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in performance of services for the Committee.".

(d) UPPER MISSOURI SHORELINE STABILIZATION.—

Study.

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects to address shoreline erosion in the Upper Missouri River Basin (including the States of South Dakota, North Dakota, and Montana) resulting from the operation of a reservoir constructed under the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 891, chapter 665)).

(2) CONTENTS.—The study carried out under paragraph (1) shall, to the maximum extent practicable—

(A) use previous assessments completed by the Corps of Engineers or other Federal agencies; and

(B) assess the infrastructure needed to—

(i) reduce shoreline erosion;

(ii) mitigate additional loss of land;

(iii) contribute to environmental and ecosystem improvement; and

(iv) protect existing community infrastructure, including roads and water and waste-water related infrastructure.

(3) DISPOSITION.—The Secretary may carry out projects identified in the study under paragraph (1) in accordance with the criteria for projects carried out under section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r).

Determination.

(4) ANNUAL REPORT.—For each project identified in the study under paragraph (1) that cannot be carried out under

any of the authorities specified in paragraph (3), upon determination by the Secretary of the feasibility of the project, the Secretary may include a recommendation relating to the project in the annual report submitted to Congress under section 7001.

(5) COORDINATION.—In carrying out this subsection, the Secretary shall consult and coordinate with the appropriate State or tribal agency for the area in which the project is located. Consultation.

(6) PAYMENT OPTIONS.—The Secretary shall allow the full non-Federal contribution for a project under this subsection to be paid in accordance with section 103(k) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)).

(e) MISSOURI RIVER FISH AND WILDLIFE MITIGATION.—The Secretary shall include in the first budget of the United States Government submitted by the President under section 1105 of title 31, United States Code, after the date of enactment of this Act, and biennially thereafter, a report that describes activities carried out by the Secretary relating to the project for mitigation of fish and wildlife losses, Missouri River Bank Stabilization and Navigation Project, Missouri, Kansas, Iowa, and Nebraska, authorized by section 601(a) of the Water Resources Development Act of 1986 (100 Stat. 4143), including— Reports. Deadline.

(1) an inventory of all actions taken by the Secretary in furtherance of the project, including an inventory of land owned or acquired by the Secretary;

(2) a description, including a prioritization, of the specific actions proposed to be undertaken by the Secretary for the subsequent fiscal year in furtherance of the project;

(3) an assessment of the progress made in furtherance of the project, including—

(A) a description of how each of the actions identified under paragraph (1) have impacted the progress; and

(B) the status of implementation of any applicable requirements of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), including any applicable biological opinions; and

(4) an assessment of additional actions or authority necessary to achieve the results of the project.

(f) LOWER YELLOWSTONE.—Section 3109 of the Water Resources Development Act of 2007 (121 Stat. 1135) is amended—

(1) by striking "The Secretary may" and inserting the following:

"(a) IN GENERAL.—The Secretary may"; and

(2) by adding at the end the following:

"(b) LOCAL PARTICIPATION.—In carrying out subsection (a), the Secretary shall consult with, and consider the activities being carried out by— Consultation.

"(1) other Federal agencies;

"(2) conservation districts;

"(3) the Yellowstone River Conservation District Council; and

"(4) the State of Montana.".

SEC. 4004. ARKANSAS RIVER.

(a) PROJECT GOAL.—The goal for operation of the McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma,

shall be to maximize the use of the system in a balanced approach that incorporates advice from representatives from all project purposes to ensure that the full value of the system is realized by the United States.

(b) MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM ADVISORY COMMITTEE.—

Establishment. Oklahoma.

(1) IN GENERAL.—In accordance with the Federal Advisory Committee Act (5 U.S.C. App.), the Secretary shall establish an advisory committee for the McClellan-Kerr Arkansas River navigation system, Arkansas and Oklahoma project authorized by the first section of the Act of July 24, 1946 (60 Stat. 635, chapter 595).

(2) DUTIES.—The advisory committee shall—

(A) serve in an advisory capacity only; and

(B) provide information and recommendations to the Corps of Engineers relating to the efficiency, reliability, and availability of the operations of the McClellan-Kerr Arkansas River navigation system.

(3) SELECTION AND COMPOSITION.—The advisory committee shall be—

(A) selected jointly by the Little Rock district engineer and the Tulsa district engineer; and

(B) composed of members that equally represent the McClellan-Kerr Arkansas River navigation system project purposes.

(4) AGENCY RESOURCES.—The Little Rock district and the Tulsa district of the Corps of Engineers, under the supervision of the southwestern division, shall jointly provide the advisory committee with adequate staff assistance, facilities, and resources.

(5) TERMINATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the advisory committee shall terminate on the date on which the Secretary submits a report to Congress demonstrating increases in the efficiency, reliability, and availability of the McClellan-Kerr Arkansas River navigation system.

(B) RESTRICTION.—The advisory committee shall terminate not less than 2 calendar years after the date on which the advisory committee is established.

SEC. 4005. COLUMBIA BASIN.

Section 536(g) of the Water Resources Development Act of 2000 (114 Stat. 2661) is amended by striking "$30,000,000" and inserting "$50,000,000".

SEC. 4006. RIO GRANDE.

Section 5056 of the Water Resources Development Act of 2007 (121 Stat. 1213) is amended—

(1) in subsection (b)(2)—

(A) in the matter preceding subparagraph (A), by striking "2008" and inserting "2014"; and

(B) in subparagraph (C), by inserting "and an assessment of needs for other related purposes in the Rio Grande Basin, including flood damage reduction" after "assessment";

(2) in subsection (c)(2)—

(A) by striking "an interagency agreement with" and inserting "1 or more interagency agreements with the Secretary of State and"; and

(B) by inserting "or the U.S. Section of the International Boundary and Water Commission" after "the Department of the Interior"; and

(3) in subsection (f), by striking "2011" and inserting "2019".

SEC. 4007. NORTHERN ROCKIES HEADWATERS.

Idaho. Montana. Study.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for aquatic ecosystem restoration and flood risk reduction that will mitigate the impacts of extreme weather events, including floods and droughts, on communities, water users, and fish and wildlife located in and along the headwaters of the Columbia, Missouri, and Yellowstone Rivers (including the tributaries of those rivers) in the States of Idaho and Montana.

(b) INCLUSIONS.—The study under subsection (a) shall, to the maximum extent practicable—

(1) emphasize the protection and enhancement of natural riverine processes; and

(2) assess the individual and cumulative needs associated with—

(A) floodplain restoration and reconnection;

(B) floodplain and riparian area protection through the use of conservation easements;

(C) instream flow restoration projects;

(D) fish passage improvements;

(E) channel migration zone mapping; and

(F) invasive weed management.

(c) DISPOSITION.—

(1) IN GENERAL.—The Secretary may carry out any project identified in the study pursuant to subsection (a) in accordance with the criteria for projects carried out under one of the following authorities:

(A) Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(B) Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(C) Section 104(a) of the River and Harbor Act of 1958 (33 U.S.C. 610(a)).

(D) Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

Recommendations.

(2) REPORT.—For each project that does not meet the criteria under paragraph (1), the Secretary shall include a recommendation relating to the project in the annual report submitted to Congress by the Secretary in accordance with section 7001.

(d) COORDINATION.—In carrying out this section, the Secretary—

Consultation.

(1) shall consult and coordinate with the appropriate agency for each State and Indian tribe; and

Contracts.

(2) may enter into cooperative agreements with those State or tribal agencies described in paragraph (1).

(e) LIMITATIONS.—Nothing in this section invalidates, preempts, or creates any exception to State water law, State water rights, or Federal or State permitted activities or agreements in the States

of Idaho and Montana or any State containing tributaries to rivers in those States.

SEC. 4008. RURAL WESTERN WATER.

Section 595 of the Water Resources Development Act of 1999 (113 Stat. 383) is amended—

(1) by striking subsection (c) and inserting the following:

"(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of—

State listing.

"(1) design and construction assistance for water-related environmental infrastructure and resource protection and development in Idaho, Montana, rural Nevada, New Mexico, rural Utah, and Wyoming, including projects for—

"(A) wastewater treatment and related facilities;

"(B) water supply and related facilities;

"(C) environmental restoration; and

"(D) surface water resource protection and development; and

"(2) technical assistance to small and rural communities for water planning and issues relating to access to water resources."; and

(2) by striking subsection (h) and inserting the following:

"(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section for the period beginning with fiscal year 2001, $435,000,000, which shall—

"(1) be made available to the States and locales described in subsection (b) consistent with program priorities determined by the Secretary in accordance with criteria developed by the Secretary to establish the program priorities; and

"(2) remain available until expended.".

SEC. 4009. NORTH ATLANTIC COASTAL REGION.

Study.

(a) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects to restore aquatic ecosystems within the coastal waters of the Northeastern United States from the State of Virginia to the State of Maine, including associated bays, estuaries, and critical riverine areas.

(b) STUDY.—In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors of the coastal States from Virginia to Maine, nonprofit organizations, and other interested parties;

(2) identify projects for aquatic ecosystem restoration based on an assessment of the need and opportunities for aquatic ecosystem restoration within the coastal waters of the Northeastern States described in subsection (a); and

(3) use, to the maximum extent practicable, any existing plans and data.

(c) DISPOSITION.—

(1) IN GENERAL.—The Secretary may carry out any project identified in the study pursuant to subsection (a) in accordance with the criteria for projects carried out under one of the following authorities:

(A) Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330).

(B) Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(C) Section 3 of the Act of August 13, 1946 (33 U.S.C. 426g).

(D) Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326).

(2) REPORT.—For each project that does not meet the criteria under paragraph (1), the Secretary shall include a recommendation relating to the project in the annual report submitted to Congress by the Secretary in accordance with section 7001. Recommendations.

SEC. 4010. CHESAPEAKE BAY.

(a) IN GENERAL.—Section 510 of the Water Resources Development Act of 1996 (Public Law 104–303; 110 Stat. 3759; 121 Stat. 1202) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "pilot program" and inserting "program"; and

(ii) by inserting "in the basin States described in subsection (f) and the District of Columbia" after "interests"; and

(B) by striking paragraph (2) and inserting the following:

"(2) FORM.—The assistance under paragraph (1) shall be in the form of design and construction assistance for water-related resource protection and restoration projects affecting the Chesapeake Bay estuary, based on the comprehensive plan under subsection (b), including projects for—

"(A) sediment and erosion control;

"(B) protection of eroding shorelines;

"(C) ecosystem restoration, including restoration of submerged aquatic vegetation;

"(D) protection of essential public works;

"(E) beneficial uses of dredged material; and

"(F) other related projects that may enhance the living resources of the estuary.";

(2) by striking subsection (b) and inserting the following:

"(b) COMPREHENSIVE PLAN.—

"(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Reform and Development Act of 2014, the Secretary, in cooperation with State and local governmental officials and affected stakeholders, shall develop a comprehensive Chesapeake Bay restoration plan to guide the implementation of projects under subsection (a)(2). Deadline.

"(2) COORDINATION.—The restoration plan described in paragraph (1) shall, to the maximum extent practicable, consider and avoid duplication of any ongoing or planned actions of other Federal, State, and local agencies and nongovernmental organizations.

"(3) PRIORITIZATION.—The restoration plan described in paragraph (1) shall give priority to projects eligible under subsection (a)(2) that will also improve water quality or quantity or use natural hydrological features and systems.";

(3) in subsection (c)—

(A) in paragraph (1), by striking "to provide" and all that follows through the period at the end and inserting "for the design and construction of a project carried out

pursuant to the comprehensive Chesapeake Bay restoration plan described in subsection (b).";

(B) in paragraph (2)(A), by striking "facilities or resource protection and development plan" and inserting "resource protection and restoration plan"; and

(C) by adding at the end the following:

"(3) PROJECTS ON FEDERAL LAND.—A project carried out pursuant to the comprehensive Chesapeake Bay restoration plan described in subsection (b) that is located on Federal land shall be carried out at the expense of the Federal agency that owns the land on which the project will be a carried out.

"(4) NON-FEDERAL CONTRIBUTIONS.—A Federal agency carrying out a project described in paragraph (3) may accept contributions of funds from non-Federal entities to carry out that project.";

(4) by striking subsection (e) and inserting the following:

"(e) COOPERATION.—In carrying out this section, the Secretary shall cooperate with—

"(1) the heads of appropriate Federal agencies, including—

"(A) the Administrator of the Environmental Protection Agency;

"(B) the Secretary of Commerce, acting through the Administrator of the National Oceanographic and Atmospheric Administration;

"(C) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

"(D) the heads of such other Federal agencies as the Secretary determines to be appropriate; and

"(2) agencies of a State or political subdivision of a State, including the Chesapeake Bay Commission.";

(5) by striking subsection (f) and inserting the following:

"(f) PROJECTS.—The Secretary shall establish, to the maximum extent practicable, at least 1 project under this section in—

State listing.

"(1) regions within the Chesapeake Bay watershed of each of the basin States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia; and

"(2) the District of Columbia.";

(6) by striking subsection (h); and

(7) by redesignating subsection (i) as subsection (h).

(b) CHESAPEAKE BAY OYSTER RESTORATION.—Section 704(b) of Water Resources Development Act of 1986 (33 U.S.C. 2263(b)) is amended—

(1) in paragraph (1), by striking "$50,000,000" and inserting "$60,000,000"; and

(2) in paragraph (4), by striking subparagraph (B) and inserting the following:

"(B) FORM.—The non-Federal share may be provided through in-kind services, including—

"(i) the provision by the non-Federal interest of shell stock material that is determined by the Secretary to be suitable for use in carrying out the project; and

"(ii) in the case of a project carried out under paragraph (2)(D) after the date of enactment of this

clause, land conservation or restoration efforts undertaken by the non-Federal interest that the Secretary determines provide water quality benefits that—

"(I) enhance the viability of oyster restoration efforts;

"(II) are integral to the project; and

"(III) are cost effective.".

SEC. 4011. LOUISIANA COASTAL AREA.

(a) REVIEW OF COASTAL MASTER PLAN.—Section 7002(c) of the Water Resources Development Act of 2007 (121 Stat. 1271) is amended by inserting ", or the plan entitled 'Louisiana Comprehensive Master Plan for a Sustainable Coast' prepared by the State of Louisiana and accepted by the Louisiana Coastal Protection and Restoration Authority (including any subsequent amendments or revisions)" before the period at the end.

(b) INTERIM USE OF PLAN.—

(1) DEFINITIONS.—In this subsection:

(A) ANNUAL REPORT.—The term "annual report" has the meaning given the term in section 7001(f).

(B) FEASIBILITY REPORT; FEASIBILITY STUDY.—The terms "feasibility report" and "feasibility study" have the meanings given those terms in section 7001(f).

(2) REVIEW.—The Secretary shall—

(A) review the plan entitled 'Louisiana's Comprehensive Master Plan for a Sustainable Coast' prepared by the State of Louisiana and accepted by the Louisiana Coastal Protection and Restoration Authority Board (including any subsequent amendments or revisions); and

(B) in consultation with the State of Louisiana, identify and conduct feasibility studies for up to 10 projects included in the plan described in subparagraph (A). Consultation. Studies.

(3) RECOMMENDATIONS.—The Secretary shall include in the subsequent annual report, in accordance with section 7001—

(A) any proposed feasibility study initiated under paragraph (2)(B); and

(B) any feasibility report for a project identified under paragraph (2)(B).

(4) ADMINISTRATION.—Section 7008 of the Water Resources Development Act of 2007 (121 Stat. 1278) shall not apply to any feasibility study carried out under this subsection.

(c) SCIENCE AND TECHNOLOGY.—Section 7006(a)(2) of the Water Resources Development Act of 2007 (121 Stat. 1274) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(2) by inserting after subparagraph (B) the following:

"(C) to examine a systemwide approach to coastal sustainability;".

SEC. 4012. RED RIVER BASIN.

(a) IN GENERAL.—In the case of a reservoir located within the Red River Basin for which the Department of the Army is authorized to provide for municipal and industrial water supply storage and irrigation storage, the Secretary may reassign unused irrigation storage to storage for municipal and industrial water supply for use by a State or local interest that has entered into an agreement with the Secretary for water supply storage at that reservoir prior to the date of enactment of this Act. Contracts.

(b) ADMINISTRATION.—Any assignment under subsection (a) shall be subject to such terms and conditions as the Secretary determines to be appropriate and necessary in the public interest.

SEC. 4013. TECHNICAL CORRECTIONS.

(a) RARITAN RIVER.—Section 102 of the Energy and Water Development Appropriations Act, 1998 (Public Law 105–62; 111 Stat. 1327), is repealed.

(b) DES MOINES, BOONE, AND RACCOON RIVERS.—The boundaries for the project referred to as the Des Moines Recreational River and Greenbelt, Iowa, under the heading "CORPS OF ENGINEERS—CIVIL" under the heading "DEPARTMENT OF THE ARMY" under the heading "DEPARTMENT OF DEFENSE—CIVIL" in chapter IV of title I of the Supplemental Appropriations Act, 1985 (99 Stat. 313), are revised to include the entirety of sections 19 and 29, situated in T. 89 N., R. 28 W.

(c) SOUTH FLORIDA COASTAL AREA.—Section 109 of title I of division B of the Miscellaneous Appropriations Act, 2001 (114 Stat. 2763A–221; 121 Stat. 1217) is amended—

(1) in subsection (a), by inserting "and unincorporated communities" after "municipalities";

(2) by redesignating subsection (f) as subsection (g); and

(3) by inserting after subsection (e) the following:

"(f) PRIORITY.—In providing assistance under this section, the Secretary shall give priority to projects sponsored by current non-Federal interests, incorporated communities in Monroe County, Monroe County, and the State of Florida.".

(d) TRINITY RIVER AND TRIBUTARIES.—Section 5141(a)(2) of the Water Resources Development Act of 2007 (121 Stat. 1253) is amended by inserting "and the Interior Levee Drainage Study Phase–II report, Dallas, Texas, dated January 2009," after "September 2006,".

(e) CENTRAL AND SOUTHERN FLORIDA CANAL.—

(1) IN GENERAL.—The Secretary shall consider any amounts and associated program income provided prior to the date of enactment of this Act by the Secretary of the Interior to the non-Federal interest for the acquisition of areas identified in section 316(b)(2) of the Water Resources Development Act of 1996 (110 Stat. 3715)—

(A) as satisfying the requirements of that paragraph; and

(B) as part of the Federal share of the cost of implementing the plan under that subsection.

(2) NON-FEDERAL COST SHARE.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided for the project as part of the non-Federal share of the cost of implementing the plan under section 316(b)(2) of the Water Resources Development Act of 1996 (110 Stat. 3715).

(3) CONFORMING AMENDMENT.—Section 316(b)(2) of the Water Resources Development Act of 1996 (110 Stat. 3715) is amended in the first sentence by striking "shall pay" and inserting "may pay up to".

(f) SOUTH PLATTE RIVER WATERSHED.—Section 116 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (123 Stat. 608) is amended in the matter preceding

the proviso by inserting "(or a designee of the Department)" after "Colorado Department of Natural Resources".

(g) POTOMAC RIVER.—Section 84(a) of the Water Resources Development Act of 1974 (88 Stat. 35) is amended by striking paragraph (1) and inserting the following:

"(1) A channel capacity sufficient to pass the 100-year flood event, as identified in the document entitled 'Four Mile Run Watershed Feasibility Report' and dated January 2014.".

SEC. 4014. OCEAN AND COASTAL RESILIENCY. 33 USC 2803a.

(a) IN GENERAL.—The Secretary shall conduct studies to determine the feasibility of carrying out Corps of Engineers projects in coastal zones to enhance ocean and coastal ecosystem resiliency. Studies.

(b) STUDY.—In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors and other chief executive officers of the coastal states, nonprofit organizations, and other interested parties;

(2) identify Corps of Engineers projects in coastal zones for enhancing ocean and coastal ecosystem resiliency based on an assessment of the need and opportunities for, and feasibility of, the projects;

(3) to the maximum extent practicable, use any existing Corps of Engineers plans and data; and

(4) not later than 365 days after initial appropriations for this section, and every five years thereafter subject to the availability of appropriations, complete a study authorized under subsection (a). Deadlines.

(c) DISPOSITION.—

(1) IN GENERAL.—The Secretary may carry out a project identified in the study pursuant to subsection (a) in accordance with the criteria for projects carried out under one of the following authorities:

(A) Section 206(a)–(d) of the Water Resources Development Act of 1996 (33 U.S.C. 2330(a)–(d)).

(B) Section 1135(a)–(g) and (i) of the Water Resources Development Act of 1986 (33 U.S.C. 2309a(a)–(g) and (i)).

(C) Section 3(a)–(b), and (c)(1) of the Act of August, 13 1946 (33 U.S.C. 426g(a)–(b), and (c)(1)).

(D) Section 204(a)–(f) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(a)–(f)).

(2) REPORT.—For each project that does not meet the criteria under paragraph (1), the Secretary shall include a recommendation relating to the project in the annual report submitted to Congress by the Secretary in accordance with section 7001. Recommendations.

(d) REQUESTS FOR PROJECTS.—The Secretary may carry out a project for a coastal state under this section only at the request of the Governor or chief executive officer of the coastal state, as appropriate.

(e) DEFINITION.—In this section, the terms "coastal zone" and "coastal state" have the meanings given such terms in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453), as in effect on the date of enactment of this Act.

TITLE V—WATER INFRASTRUCTURE FINANCING

Subtitle A—State Water Pollution Control Revolving Funds

SEC. 5001. GENERAL AUTHORITY FOR CAPITALIZATION GRANTS.

Section 601(a) of the Federal Water Pollution Control Act (33 U.S.C. 1381(a)) is amended by striking "for providing assistance" and all that follows through the period at the end and inserting the following: "to accomplish the objectives, goals, and policies of this Act by providing assistance for projects and activities identified in section 603(c).".

SEC. 5002. CAPITALIZATION GRANT AGREEMENTS.

Section 602(b) of the Federal Water Pollution Control Act (33 U.S.C. 1382(b)) is amended—

(1) in paragraph (6)—

(A) by striking "section 603(c)(1) of";

(B) by striking "before fiscal" and all that follows through "grants under this title and" and inserting "with assistance made available by a State water pollution control revolving fund authorized under this title, or";

(C) by inserting ", or both," after "205(m) of this Act"; and

(D) by striking "201(b)" and all that follows through "511(c)(1)," and inserting "511(c)(1)";

(2) in paragraph (9), by striking "standards; and" and inserting "standards, including standards relating to the reporting of infrastructure assets;";

(3) in paragraph (10), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

"(11) the State will establish, maintain, invest, and credit the fund with repayments, such that the fund balance will be available in perpetuity for activities under this Act;

"(12) any fees charged by the State to recipients of assistance that are considered program income will be used for the purpose of financing the cost of administering the fund or financing projects or activities eligible for assistance from the fund;

Effective date. Certification.

"(13) beginning in fiscal year 2016, the State will require as a condition of providing assistance to a municipality or intermunicipal, interstate, or State agency that the recipient of such assistance certify, in a manner determined by the Governor of the State, that the recipient—

"(A) has studied and evaluated the cost and effectiveness of the processes, materials, techniques, and technologies for carrying out the proposed project or activity for which assistance is sought under this title; and

"(B) has selected, to the maximum extent practicable, a project or activity that maximizes the potential for efficient water use, reuse, recapture, and conservation, and energy conservation, taking into account—

"(i) the cost of constructing the project or activity;

"(ii) the cost of operating and maintaining the project or activity over the life of the project or activity; and

"(iii) the cost of replacing the project or activity; and

"(14) a contract to be carried out using funds directly made available by a capitalization grant under this title for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural related services shall be negotiated in the same manner as a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code, or an equivalent State qualifications-based requirement (as determined by the Governor of the State).". Contracts.

SEC. 5003. WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.

Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(1) by striking subsection (c) and inserting the following:

"(c) PROJECTS AND ACTIVITIES ELIGIBLE FOR ASSISTANCE.—The amounts of funds available to each State water pollution control revolving fund shall be used only for providing financial assistance—

"(1) to any municipality or intermunicipal, interstate, or State agency for construction of publicly owned treatment works (as defined in section 212);

"(2) for the implementation of a management program established under section 319;

"(3) for development and implementation of a conservation and management plan under section 320;

"(4) for the construction, repair, or replacement of decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage;

"(5) for measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water;

"(6) to any municipality or intermunicipal, interstate, or State agency for measures to reduce the demand for publicly owned treatment works capacity through water conservation, efficiency, or reuse;

"(7) for the development and implementation of watershed projects meeting the criteria set forth in section 122;

"(8) to any municipality or intermunicipal, interstate, or State agency for measures to reduce the energy consumption needs for publicly owned treatment works;

"(9) for reusing or recycling wastewater, stormwater, or subsurface drainage water;

"(10) for measures to increase the security of publicly owned treatment works; and

"(11) to any qualified nonprofit entity, as determined by the Administrator, to provide assistance to owners and operators of small and medium publicly owned treatment works—

"(A) to plan, develop, and obtain financing for eligible projects under this subsection, including planning, design, and associated preconstruction activities; and

"(B) to assist such treatment works in achieving compliance with this Act.";

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking "20 years" and inserting "the lesser of 30 years and the projected useful life (as determined by the State) of the project to be financed with the proceeds of the loan";

(ii) in subparagraph (B), by striking "not later than 20 years after project completion" and inserting "upon the expiration of the term of the loan";

(iii) in subparagraph (C), by striking "and" at the end;

(iv) in subparagraph (D), by inserting "and" after the semicolon at the end; and

(v) by adding at the end the following:

"(E) for a treatment works proposed for repair, replacement, or expansion, and eligible for assistance under subsection (c)(1), the recipient of a loan shall—

"(i) develop and implement a fiscal sustainability plan that includes—

"(I) an inventory of critical assets that are a part of the treatment works;

"(II) an evaluation of the condition and performance of inventoried assets or asset groupings;

"(III) a certification that the recipient has evaluated and will be implementing water and energy conservation efforts as part of the plan; and

"(IV) a plan for maintaining, repairing, and, as necessary, replacing the treatment works and a plan for funding such activities; or

"(ii) certify that the recipient has developed and implemented a plan that meets the requirements under clause (i);"; and

(B) in paragraph (7), by inserting ", $400,000 per year, or ⅕ percent per year of the current valuation of the fund, whichever amount is greatest, plus the amount of any fees collected by the State for such purpose regardless of the source" before the period at the end; and

(3) by adding at the end the following:

"(i) ADDITIONAL SUBSIDIZATION.—

"(1) IN GENERAL.—In any case in which a State provides assistance to a municipality or intermunicipal, interstate, or State agency under subsection (d), the State may provide additional subsidization, including forgiveness of principal and negative interest loans—

"(A) to benefit a municipality that—

"(i) meets the affordability criteria of the State established under paragraph (2); or

"(ii) does not meet the affordability criteria of the State if the recipient—

"(I) seeks additional subsidization to benefit individual ratepayers in the residential user rate class;

"(II) demonstrates to the State that such ratepayers will experience a significant hardship from the increase in rates necessary to finance the

project or activity for which assistance is sought; and

"(III) ensures, as part of an assistance agreement between the State and the recipient, that the additional subsidization provided under this paragraph is directed through a user charge rate system (or other appropriate method) to such ratepayers; or

"(B) to implement a process, material, technique, or technology—

"(i) to address water-efficiency goals;

"(ii) to address energy-efficiency goals;

"(iii) to mitigate stormwater runoff; or

"(iv) to encourage sustainable project planning, design, and construction.

"(2) AFFORDABILITY CRITERIA.—

"(A) ESTABLISHMENT.—

"(i) IN GENERAL.—Not later than September 30, 2015, and after providing notice and an opportunity for public comment, a State shall establish affordability criteria to assist in identifying municipalities that would experience a significant hardship raising the revenue necessary to finance a project or activity eligible for assistance under subsection (c)(1) if additional subsidization is not provided. Deadline. Notification. Public information.

"(ii) CONTENTS.—The criteria under clause (i) shall be based on income and unemployment data, population trends, and other data determined relevant by the State, including whether the project or activity is to be carried out in an economically distressed area, as described in section 301 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161).

"(B) EXISTING CRITERIA.—If a State has previously established, after providing notice and an opportunity for public comment, affordability criteria that meet the requirements of subparagraph (A)—

"(i) the State may use the criteria for the purposes of this subsection; and

"(ii) those criteria shall be treated as affordability criteria established under this paragraph.

"(C) INFORMATION TO ASSIST STATES.—The Administrator may publish information to assist States in establishing affordability criteria under subparagraph (A).

"(3) LIMITATIONS.—

"(A) IN GENERAL.—A State may provide additional subsidization in a fiscal year under this subsection only if the total amount appropriated for making capitalization grants to all States under this title for the fiscal year exceeds $1,000,000,000.

"(B) ADDITIONAL LIMITATION.—

"(i) GENERAL RULE.—Subject to clause (ii), a State may use not more than 30 percent of the total amount received by the State in capitalization grants under this title for a fiscal year for providing additional subsidization under this subsection.

"(ii) EXCEPTION.—If, in a fiscal year, the amount appropriated for making capitalization grants to all Applicability.

States under this title exceeds $1,000,000,000 by a percentage that is less than 30 percent, clause (i) shall be applied by substituting that percentage for 30 percent.

"(C) APPLICABILITY.—The authority of a State to provide additional subsidization under this subsection shall apply to amounts received by the State in capitalization grants under this title for fiscal years beginning after September 30, 2014.

"(D) CONSIDERATION.—If the State provides additional subsidization to a municipality or intermunicipal, interstate, or State agency under this subsection that meets the criteria under paragraph (1)(A), the State shall take the criteria set forth in section 602(b)(5) into consideration.".

SEC. 5004. REQUIREMENTS.

Title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) is amended by adding at the end the following:

33 USC 1388.

"SEC. 608. REQUIREMENTS.

"(a) IN GENERAL.—Funds made available from a State water pollution control revolving fund established under this title may not be used for a project for the construction, alteration, maintenance, or repair of treatment works unless all of the iron and steel products used in the project are produced in the United States.

"(b) DEFINITION OF IRON AND STEEL PRODUCTS.—In this section, the term 'iron and steel products' means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, construction materials.

"(c) APPLICATION.—Subsection (a) shall not apply in any case or category of cases in which the Administrator finds that—

"(1) applying subsection (a) would be inconsistent with the public interest;

"(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

"(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

Public information. Records. Time period.

"(d) WAIVER.—If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public, on an informal basis, a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request.

Web posting.

The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet site of the Environmental Protection Agency.

Applicability.

"(e) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with United States obligations under international agreements.

"(f) MANAGEMENT AND OVERSIGHT.—The Administrator may retain up to 0.25 percent of the funds appropriated for this title for management and oversight of the requirements of this section.

"(g) EFFECTIVE DATE.—This section does not apply with respect to a project if a State agency approves the engineering plans and specifications for the project, in that agency's capacity to approve such plans and specifications prior to a project requesting bids, prior to the date of enactment of the Water Resources Reform and Development Act of 2014.".

SEC. 5005. REPORT ON THE ALLOTMENT OF FUNDS.

(a) REVIEW.—The Administrator of the Environmental Protection Agency shall conduct a review of the allotment formula in effect on the date of enactment of this Act for allocation of funds authorized under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) to determine whether that formula adequately addresses the water quality needs of eligible States, territories, and Indian tribes, based on—

(1) the most recent survey of needs developed by the Administrator under section 516(b) of that Act (33 U.S.C. 1375(b)); and

(2) any other information the Administrator considers appropriate.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on the results of the review under subsection (a), including any recommendations for changing the allotment formula.

Public information.

SEC. 5006. EFFECTIVE DATE.

33 USC 1381 note.

This subtitle, including any amendments made by the subtitle, shall take effect on October 1, 2014.

Subtitle B—General Provisions

SEC. 5011. WATERSHED PILOT PROJECTS.

Section 122 of the Federal Water Pollution Control Act (33 U.S.C. 1274) is amended—

(1) in the section heading, by striking "**WET WEATHER**";

(2) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking "for treatment works" and inserting "to a municipality or municipal entity"; and

(ii) by striking "of wet weather discharge control";

(B) in paragraph (2), by striking "in reducing such pollutants" and all that follows before the period at the end and inserting "to manage, reduce, treat, recapture, or reuse municipal stormwater, including techniques that utilize infiltration, evapotranspiration, and reuse of stormwater onsite"; and

(C) by adding at the end the following:

"(3) WATERSHED PARTNERSHIPS.—Efforts of municipalities and property owners to demonstrate cooperative ways to address nonpoint sources of pollution to reduce adverse impacts on water quality.

"(4) INTEGRATED WATER RESOURCE PLAN.—The development of an integrated water resource plan for the coordinated management and protection of surface water, ground water,

and stormwater resources on a watershed or subwatershed basis to meet the objectives, goals, and policies of this Act.

"(5) MUNICIPALITY-WIDE STORMWATER MANAGEMENT PLANNING.—The development of a municipality-wide plan that identifies the most effective placement of stormwater technologies and management approaches, to reduce water quality impairments from stormwater on a municipality-wide basis.

"(6) INCREASED RESILIENCE OF TREATMENT WORKS.—Efforts to assess future risks and vulnerabilities of publicly owned treatment works to manmade or natural disasters, including extreme weather events and sea-level rise, and to carry out measures, on a systemwide or area-wide basis, to increase the resiliency of publicly owned treatment works.";

(3) by striking subsection (c);

(4) by redesignating subsection (d) as subsection (c); and

(5) in subsection (c) (as so redesignated) by striking "5 years after the date of enactment of this section," and inserting "October 1, 2015,".

SEC. 5012. DEFINITION OF TREATMENT WORKS.

(a) GRANTS FOR CONSTRUCTION OF TREATMENT WORKS.—Section 212(2)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1292(2)(A)) is amended—

(1) by striking "any works, including site";

(2) by striking "is used for ultimate" and inserting "will be used for ultimate"; and

(3) by inserting before the period at the end the following: "and acquisition of other land, and interests in land, that are necessary for construction".

(b) DEFINITIONS.—Section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362) is amended by adding at the end the following:

"(26) TREATMENT WORKS.—The term 'treatment works' has the meaning given the term in section 212.".

33 USC 1292 note.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

SEC. 5013. FUNDING FOR INDIAN PROGRAMS.

Section 518(c) of the Federal Water Pollution Control Act (33 U.S.C. 1377(c)) is amended—

(1) by striking "The Administrator" and inserting the following:

"(1) FISCAL YEARS 1987–2014.—The Administrator";

(2) in paragraph (1) (as so designated)—

(A) by striking "each fiscal year beginning after September 30, 1986," and inserting "each of fiscal years 1987 through 2014,"; and

(B) by striking the second sentence; and

(3) by adding at the end the following:

"(2) FISCAL YEAR 2015 AND THEREAFTER.—For fiscal year 2015 and each fiscal year thereafter, the Administrator shall reserve, before allotments to the States under section 604(a), not less than 0.5 percent and not more than 2.0 percent of the funds made available to carry out title VI.

"(3) USE OF FUNDS.—Funds reserved under this subsection shall be available only for grants for projects and activities eligible for assistance under section 603(c) to serve—

"(A) Indian tribes (as defined in subsection (h));

"(B) former Indian reservations in Oklahoma (as determined by the Secretary of the Interior); and

"(C) Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).".

SEC. 5014. WATER INFRASTRUCTURE PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.

33 USC 2201 note.

(a) IN GENERAL.—The Secretary shall establish a pilot program to evaluate the cost effectiveness and project delivery efficiency of allowing non-Federal pilot applicants to carry out authorized water resources development projects for coastal harbor improvement, channel improvement, inland navigation, flood damage reduction, aquatic ecosystem restoration, and hurricane and storm damage reduction.

(b) PURPOSES.—The purposes of the pilot program established under subsection (a) are—

(1) to identify cost-saving project delivery alternatives that reduce the backlog of authorized Corps of Engineers projects; and

(2) to evaluate the technical, financial, and organizational benefits of allowing a non-Federal pilot applicant to carry out and manage the design or construction (or both) of 1 or more of such projects.

(c) SUBSEQUENT APPROPRIATIONS.—Any activity undertaken under this section is authorized only to the extent specifically provided for in subsequent appropriations Acts.

(d) ADMINISTRATION.—In carrying out the pilot program established under subsection (a), the Secretary shall—

(1) identify for inclusion in the program at least 15 projects that are authorized for construction for coastal harbor improvement, channel improvement, inland navigation, flood damage reduction, or hurricane and storm damage reduction;

(2) notify in writing the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of each project identified under paragraph (1); Notification.

(3) in consultation with the non-Federal pilot applicant associated with each project identified under paragraph (1), develop a detailed project management plan for the project that outlines the scope, financing, budget, design, and construction resource requirements necessary for the non-Federal pilot applicant to execute the project, or a separable element of the project; Consultation. Plan.

(4) at the request of the non-Federal pilot applicant associated with each project identified under paragraph (1), enter into a project partnership agreement with the non-Federal pilot applicant under which the non-Federal pilot applicant is provided full project management control for the financing, design, or construction (or any combination thereof) of the project, or a separable element of the project, in accordance with plans approved by the Secretary; Contracts.

(5) following execution of a project partnership agreement under paragraph (4) and completion of all work under the agreement, issue payment, in accordance with subsection (g), to the relevant non-Federal pilot applicant for that work; and

(6) regularly monitor and audit each project carried out under the program to ensure that all activities related to the Audit.

project are carried out in compliance with plans approved by the Secretary and that construction costs are reasonable.

(e) SELECTION CRITERIA.—In identifying projects under subsection (d)(1), the Secretary shall consider the extent to which the project—

(1) is significant to the economy of the United States;

(2) leverages Federal investment by encouraging non-Federal contributions to the project;

(3) employs innovative project delivery and cost-saving methods;

(4) received Federal funds in the past and experienced delays or missed scheduled deadlines;

(5) has unobligated Corps of Engineers funding balances; and

(6) has not received Federal funding for recapitalization and modernization since the project was authorized.

Deadline.

(f) DETAILED PROJECT SCHEDULE.—Not later than 180 days after entering into a project partnership agreement under subsection (d)(4), a non-Federal pilot applicant, to the maximum extent practicable, shall submit to the Secretary a detailed project schedule for the relevant project, based on estimated funding levels, that specifies deadlines for each milestone with respect to the project.

(g) PAYMENT.—Payment to the non-Federal pilot applicant for work completed pursuant to a project partnership agreement under subsection (d)(4) may be made from—

(1) if applicable, the balance of the unobligated amounts appropriated for the project; and

(2) other amounts appropriated to the Corps of Engineers, subject to the condition that the total amount transferred to the non-Federal pilot applicant may not exceed the estimate of the Federal share of the cost of construction, including any required design.

Contracts.

(h) TECHNICAL ASSISTANCE.—At the request of a non-Federal pilot applicant participating in the pilot program established under subsection (a), the Secretary may provide to the non-Federal pilot applicant, if the non-Federal pilot applicant contracts with and compensates the Secretary, technical assistance with respect to—

(1) a study, engineering activity, or design activity related to a project carried out by the non-Federal pilot applicant under the program; and

(2) obtaining permits necessary for such a project.

(i) IDENTIFICATION OF IMPEDIMENTS.—

(1) IN GENERAL.—The Secretary shall—

(A) except as provided in paragraph (2), identify any procedural requirements under the authority of the Secretary that impede greater use of public-private partnerships and private investment in water resources development projects;

Procedures.

(B) develop and implement, on a project-by-project basis, procedures and approaches that—

(i) address such impediments; and

(ii) protect the public interest and any public investment in water resources development projects that involve public-private partnerships or private investment in water resources development projects; and

(C) not later than 1 year after the date of enactment of this section, issue rules to carry out the procedures and approaches developed under subparagraph (B). Deadline. Regulations.

(2) RULE OF CONSTRUCTION.—Nothing in this section allows the Secretary to waive any requirement under—

(A) sections 3141 through 3148 and sections 3701 through 3708 of title 40, United States Code;

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(C) any other provision of Federal law.

(j) PUBLIC BENEFIT STUDIES.—

(1) IN GENERAL.—Before entering into a project partnership agreement under subsection (d)(4), the Secretary shall conduct an assessment of whether, and provide justification in writing to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that, the proposed agreement provides better public and financial benefits than a similar transaction using public funding or financing. Assessment.

(2) REQUIREMENTS.—An assessment under paragraph (1) shall—

(A) be completed in a period of not more than 90 days; Time period.

(B) take into consideration any supporting materials and data submitted by the relevant non-Federal pilot applicant and other stakeholders; and

(C) determine whether the proposed project partnership agreement is in the public interest by determining whether the agreement will provide public and financial benefits, including expedited project delivery and savings for taxpayers. Determination.

(k) NON-FEDERAL FUNDING.—The non-Federal pilot applicant may finance the non-Federal share of a project carried out under the pilot program established under subsection (a).

(l) APPLICABILITY OF FEDERAL LAW.—Any provision of Federal law that would apply to the Secretary if the Secretary were carrying out a project shall apply to a non-Federal pilot applicant carrying out a project under this section.

(m) COST SHARE.—Nothing in this section affects a cost-sharing requirement under Federal law that is applicable to a project carried out under the pilot program established under subsection (a).

(n) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report describing the results of the pilot program established under subsection (a), including any recommendations of the Secretary concerning whether the program or any component of the program should be implemented on a national basis.

(o) NON-FEDERAL PILOT APPLICANT DEFINED.—In this section, the term "non-Federal pilot applicant" means—

(1) the non-Federal sponsor of the water resources development project;

(2) a non-Federal interest, as defined in section 221 of the Flood Control Act of 1970 (42 U.S.C. 1982d–5b); or

(3) a private entity with the consent of the local government in which the project is located or that is otherwise affected by the project.

Subtitle C—Innovative Financing Pilot Projects

Water Infrastructure Finance and Innovation Act of 2014.
33 USC 3901 note.

SEC. 5021. SHORT TITLE.

This subtitle may be cited as the "Water Infrastructure Finance and Innovation Act of 2014".

33 USC 3901.

SEC. 5022. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) COMMUNITY WATER SYSTEM.—The term "community water system" has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(3) FEDERAL CREDIT INSTRUMENT.—The term "Federal credit instrument" means a secured loan or loan guarantee authorized to be made available under this subtitle with respect to a project.

(4) INVESTMENT-GRADE RATING.—The term "investment-grade rating" means a rating of BBB minus, Baa3, bbb minus, BBB (low), or higher assigned by a rating agency to project obligations.

(5) LENDER.—

(A) IN GENERAL.—The term "lender" means any non-Federal qualified institutional buyer (as defined in section 230.144A(a) of title 17, Code of Federal Regulations (or a successor regulation), known as Rule 144A(a) of the Securities and Exchange Commission and issued under the Securities Act of 1933 (15 U.S.C. 77a et seq.)).

(B) INCLUSIONS.—The term "lender" includes—

(i) a qualified retirement plan (as defined in section 4974(c) of the Internal Revenue Code of 1986) that is a qualified institutional buyer; and

(ii) a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986) that is a qualified institutional buyer.

(6) LOAN GUARANTEE.—The term "loan guarantee" means any guarantee or other pledge by the Secretary or the Administrator to pay all or part of the principal of, and interest on, a loan or other debt obligation issued by an obligor and funded by a lender.

(7) OBLIGOR.—The term "obligor" means an eligible entity that is primarily liable for payment of the principal of, or interest on, a Federal credit instrument.

(8) PROJECT OBLIGATION.—

(A) IN GENERAL.—The term "project obligation" means any note, bond, debenture, or other debt obligation issued by an obligor in connection with the financing of a project.

(B) EXCLUSION.—The term "project obligation" does not include a Federal credit instrument.

(9) RATING AGENCY.—The term "rating agency" means a credit rating agency registered with the Securities and

Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

(10) SECURED LOAN.—The term "secured loan" means a direct loan or other debt obligation issued by an obligor and funded by the Secretary or Administrator, as applicable, in connection with the financing of a project under section 5029.

(11) STATE.—The term "State" means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(12) STATE INFRASTRUCTURE FINANCING AUTHORITY.—The term "State infrastructure financing authority" means the State entity established or designated by the Governor of a State to receive a capitalization grant provided by, or otherwise carry out the requirements of, title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et. seq.) or section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(13) SUBSIDY AMOUNT.—The term "subsidy amount" means the amount of budget authority sufficient to cover the estimated long-term cost to the Federal Government of a Federal credit instrument, as calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays in accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(14) SUBSTANTIAL COMPLETION.—The term "substantial completion", with respect to a project, means the earliest date on which a project is considered to perform the functions for which the project is designed.

(15) TREATMENT WORKS.—The term "treatment works" has the meaning given the term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

SEC. 5023. AUTHORITY TO PROVIDE ASSISTANCE. 33 USC 3902.

(a) IN GENERAL.—The Secretary and the Administrator may provide financial assistance under this subtitle to carry out pilot projects, which shall be selected to ensure a diversity of project types and geographical locations.

(b) RESPONSIBILITY.—

(1) SECRETARY.—The Secretary shall carry out all pilot projects under this subtitle that are eligible projects under section 5026(1).

(2) ADMINISTRATOR.—The Administrator shall carry out all pilot projects under this subtitle that are eligible projects under paragraphs (2), (3), (4), (5), (6), and (8) of section 5026.

(3) OTHER PROJECTS.—The Secretary or the Administrator, as applicable, may carry out eligible projects under paragraph (7) or (9) of section 5026.

SEC. 5024. APPLICATIONS. 33 USC 3903.

(a) IN GENERAL.—To receive assistance under this subtitle, an eligible entity shall submit to the Secretary or the Administrator, as applicable, an application at such time, in such manner, and containing such information as the Secretary or the Administrator may require.

(b) COMBINED PROJECTS.—In the case of an eligible project described in paragraph (8) or (9) of section 5026, the Secretary or the Administrator, as applicable, shall require the eligible entity to submit a single application for the combined group of projects.

33 USC 3904.

SEC. 5025. ELIGIBLE ENTITIES.

The following entities are eligible to receive assistance under this subtitle:

(1) A corporation.

(2) A partnership.

(3) A joint venture.

(4) A trust.

(5) A Federal, State, or local governmental entity, agency, or instrumentality.

(6) A tribal government or consortium of tribal governments.

(7) A State infrastructure financing authority.

33 USC 3905.

SEC. 5026. PROJECTS ELIGIBLE FOR ASSISTANCE.

The following projects may be carried out with amounts made available under this subtitle:

Determination.

(1) Any project for flood damage reduction, hurricane and storm damage reduction, environmental restoration, coastal or inland harbor navigation improvement, or inland and intracoastal waterways navigation improvement that the Secretary determines is technically sound, economically justified, and environmentally acceptable, including—

(A) a project to reduce flood damage;

(B) a project to restore aquatic ecosystems;

(C) a project to improve the inland and intracoastal waterways navigation system of the United States; and

(D) a project to improve navigation of a coastal or inland harbor of the United States, including channel deepening and construction of associated general navigation features.

(2) 1 or more activities that are eligible for assistance under section 603(c) of the Federal Water Pollution Control Act (33 U.S.C. 1383(c)), notwithstanding the public ownership requirement under paragraph (1) of that subsection.

(3) 1 or more activities described in section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(2)).

(4) A project for enhanced energy efficiency in the operation of a public water system or a publicly owned treatment works.

(5) A project for repair, rehabilitation, or replacement of a treatment works, community water system, or aging water distribution or waste collection facility (including a facility that serves a population or community of an Indian reservation).

(6) A brackish or sea water desalination project, a managed aquifer recharge project, or a water recycling project.

(7) Acquisition of real property or an interest in real property—

(A) if the acquisition is integral to a project described in paragraphs (1) through (6); or

(B) pursuant to an existing plan that, in the judgment of the Administrator or the Secretary, as applicable, would mitigate the environmental impacts of water resources infrastructure projects otherwise eligible for assistance under this section.

(8) A combination of projects, each of which is eligible under paragraph (2) or (3), for which a State infrastructure financing authority submits to the Administrator a single application.

(9) A combination of projects secured by a common security pledge, each of which is eligible under paragraph (1), (2), (3), (4), (5), (6), or (7), for which an eligible entity, or a combination of eligible entities, submits a single application.

SEC. 5027. ACTIVITIES ELIGIBLE FOR ASSISTANCE. 33 USC 3906.

For purposes of this subtitle, an eligible activity with respect to an eligible project includes the cost of—

(1) development-phase activities, including planning, feasibility analysis (including any related analysis necessary to carry out an eligible project), revenue forecasting, environmental review, permitting, preliminary engineering and design work, and other preconstruction activities;

(2) construction, reconstruction, rehabilitation, and replacement activities;

(3) the acquisition of real property or an interest in real property (including water rights, land relating to the project, and improvements to land), environmental mitigation (including acquisitions pursuant to section 5026(7)), construction contingencies, and acquisition of equipment; and

(4) capitalized interest necessary to meet market requirements, reasonably required reserve funds, capital issuance expenses, and other carrying costs during construction.

SEC. 5028. DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION. 33 USC 3907.

(a) ELIGIBILITY REQUIREMENTS.—To be eligible to receive financial assistance under this subtitle, a project shall meet the following criteria, as determined by the Secretary or Administrator, as applicable: Criteria.

(1) CREDITWORTHINESS.—

(A) IN GENERAL.—The project and obligor shall be creditworthy, which shall be determined by the Secretary or the Administrator, as applicable.

(B) CONSIDERATIONS.—In determining the creditworthiness of a project and obligor, the Secretary or the Administrator, as applicable, shall take into consideration relevant factors, including—

(i) the terms, conditions, financial structure, and security features of the proposed financing;

(ii) the dedicated revenue sources that will secure or fund the project obligations;

(iii) the financial assumptions upon which the project is based; and

(iv) the financial soundness and credit history of the obligor.

(C) SECURITY FEATURES.—The Secretary or the Administrator, as applicable, shall ensure that any financing for the project has appropriate security features, such as a rate covenant, supporting the project obligations to ensure repayment.

(D) RATING OPINION LETTERS.—

(i) PRELIMINARY RATING OPINION LETTER.—The Secretary or the Administrator, as applicable, shall

require each project applicant to provide, at the time of application, a preliminary rating opinion letter from at least 1 rating agency indicating that the senior obligations of the project (which may be the Federal credit instrument) have the potential to achieve an investment-grade rating.

(ii) FINAL RATING OPINION LETTERS.—The Secretary or the Administrator, as applicable, shall require each project applicant to provide, prior to final acceptance and financing of the project, final rating opinion letters from at least 2 rating agencies indicating that the senior obligations of the project have an investment-grade rating.

(E) SPECIAL RULE FOR CERTAIN COMBINED PROJECTS.—The Administrator shall develop a credit evaluation process for a Federal credit instrument provided to a State infrastructure financing authority for a project under section 5026(8) or an entity for a project under section 5026(9), which may include requiring the provision of a final rating opinion letter from at least 2 rating agencies.

Evaluation.

(2) ELIGIBLE PROJECT COSTS.—

(A) IN GENERAL.—Subject to subparagraph (B), the eligible project costs of a project shall be reasonably anticipated to be not less than $20,000,000.

(B) SMALL COMMUNITY WATER INFRASTRUCTURE PROJECTS.—For a project described in paragraph (2) or (3) of section 5026 that serves a community of not more than 25,000 individuals, the eligible project costs of a project shall be reasonably anticipated to be not less than $5,000,000.

(3) DEDICATED REVENUE SOURCES.—The Federal credit instrument for the project shall be repayable, in whole or in part, from dedicated revenue sources that also secure the project obligations.

(4) PUBLIC SPONSORSHIP OF PRIVATE ENTITIES.—

(A) IN GENERAL.—If an eligible project is carried out by an entity that is not a State or local government or an agency or instrumentality of a State or local government or a tribal government or consortium of tribal governments, the project shall be publicly sponsored.

Consultation.

(B) PUBLIC SPONSORSHIP.—For purposes of this subtitle, a project shall be considered to be publicly sponsored if the obligor can demonstrate, to the satisfaction of the Secretary or the Administrator, as appropriate, that the project applicant has consulted with the affected State, local, or tribal government in which the project is located, or is otherwise affected by the project, and that such government supports the proposed project.

(5) LIMITATION.—No project receiving Federal credit assistance under this subtitle may be financed (directly or indirectly), in whole or in part, with proceeds of any obligation—

(A) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(B) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(6) USE OF EXISTING FINANCING MECHANISMS.— Deadlines.

(A) NOTIFICATION.—For each eligible project for which the Administrator has authority under paragraph (2) or (3) of section 5023(b) and for which the Administrator has received an application for financial assistance under this subtitle, the Administrator shall notify, not later than 30 days after the date on which the Administrator receives a complete application, the applicable State infrastructure financing authority of the State in which the project is located that such application has been submitted.

(B) DETERMINATION.—If, not later than 60 days after the date of receipt of a notification under subparagraph (A), a State infrastructure financing authority notifies the Administrator that the State infrastructure financing authority intends to commit funds to the project in an amount that is equal to or greater than the amount requested under the application, the Administrator may not provide any financial assistance for that project under this subtitle unless—

(i) by the date that is 180 days after the date of receipt of a notification under subparagraph (A), the State infrastructure financing authority fails to enter into an assistance agreement to provide funds for the project; or

(ii) the financial assistance to be provided by the State infrastructure financing authority will be at rates and terms that are less favorable than the rates and terms for financial assistance provided under this subtitle.

(7) OPERATION AND MAINTENANCE PLAN.—

(A) IN GENERAL.—The Secretary or the Administrator, as applicable, shall determine whether an applicant for assistance under this subtitle has developed, and identified adequate revenues to implement, a plan for operating, maintaining, and repairing the project over the useful life of the project.

(B) SPECIAL RULE.—An eligible project described in section 5026(1) that has not been specifically authorized by Congress shall not be eligible for Federal assistance for operations and maintenance.

(b) SELECTION CRITERIA.—

(1) ESTABLISHMENT.—The Secretary or the Administrator, as applicable, shall establish criteria for the selection of projects that meet the eligibility requirements of subsection (a), in accordance with paragraph (2).

(2) CRITERIA.—The selection criteria shall include the following:

(A) The extent to which the project is nationally or regionally significant, with respect to the generation of economic and public benefits, such as—

(i) the reduction of flood risk;

(ii) the improvement of water quality and quantity, including aquifer recharge;

(iii) the protection of drinking water, including source water protection; and

(iv) the support of international commerce.

(B) The extent to which the project financing plan includes public or private financing in addition to assistance under this subtitle.

(C) The likelihood that assistance under this subtitle would enable the project to proceed at an earlier date than the project would otherwise be able to proceed.

(D) The extent to which the project uses new or innovative approaches.

(E) The amount of budget authority required to fund the Federal credit instrument made available under this subtitle.

(F) The extent to which the project—

(i) protects against extreme weather events, such as floods or hurricanes; or

(ii) helps maintain or protect the environment.

(G) The extent to which a project serves regions with significant energy exploration, development, or production areas.

(H) The extent to which a project serves regions with significant water resource challenges, including the need to address—

(i) water quality concerns in areas of regional, national, or international significance;

(ii) water quantity concerns related to groundwater, surface water, or other water sources;

(iii) significant flood risk;

(iv) water resource challenges identified in existing regional, State, or multistate agreements; or

(v) water resources with exceptional recreational value or ecological importance.

(I) The extent to which the project addresses identified municipal, State, or regional priorities.

Deadline.

(J) The readiness of the project to proceed toward development, including a demonstration by the obligor that there is a reasonable expectation that the contracting process for construction of the project can commence by not later than 90 days after the date on which a Federal credit instrument is obligated for the project under this subtitle.

(K) The extent to which assistance under this subtitle reduces the contribution of Federal assistance to the project.

(3) SPECIAL RULE FOR CERTAIN COMBINED PROJECTS.—For a project described in section 5026(8), the Administrator shall only consider the criteria described in subparagraphs (B) through (K) of paragraph (2).

(c) FEDERAL REQUIREMENTS.—Nothing in this section supersedes the applicability of other requirements of Federal law (including regulations).

33 USC 3908.

SEC. 5029. SECURED LOANS.

(a) AGREEMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Secretary or the Administrator, as applicable, may enter into agreements with 1 or more obligors to make secured loans, the proceeds of which shall be used to finance eligible project costs of any project selected under section 5028.

(2) FINANCIAL RISK ASSESSMENT.—Before entering into an agreement under this subsection for a secured loan, the Secretary or the Administrator, as applicable, in consultation with the Director of the Office of Management and Budget and each rating agency providing a rating opinion letter under section 5028(a)(1)(D), shall determine an appropriate capital reserve subsidy amount for the secured loan, taking into account each such rating opinion letter. Consultation.

(3) INVESTMENT-GRADE RATING REQUIREMENT.—The execution of a secured loan under this section shall be contingent on receipt by the senior obligations of the project of an investment-grade rating.

(b) TERMS AND LIMITATIONS.—

(1) IN GENERAL.—A secured loan provided for a project under this section shall be subject to such terms and conditions, and contain such covenants, representations, warranties, and requirements (including requirements for audits), as the Secretary or the Administrator, as applicable, determines to be appropriate. Determination.

(2) MAXIMUM AMOUNT.—The amount of a secured loan under this section shall not exceed the lesser of—

(A) an amount equal to 49 percent of the reasonably anticipated eligible project costs; and

(B) if the secured loan does not receive an investment-grade rating, the amount of the senior project obligations of the project.

(3) PAYMENT.—A secured loan under this section—

(A) shall be payable, in whole or in part, from State or local taxes, user fees, or other dedicated revenue sources that also secure the senior project obligations of the relevant project;

(B) shall include a rate covenant, coverage requirement, or similar security feature supporting the project obligations; and

(C) may have a lien on revenues described in subparagraph (A), subject to any lien securing project obligations.

(4) INTEREST RATE.—The interest rate on a secured loan under this section shall be not less than the yield on United States Treasury securities of a similar maturity to the maturity of the secured loan on the date of execution of the loan agreement.

(5) MATURITY DATE.—

(A) IN GENERAL.—The final maturity date of a secured loan under this section shall be the earlier of—

(i) the date that is 35 years after the date of substantial completion of the relevant project (as determined by the Secretary or the Administrator, as applicable); and

(ii) if the useful life of the project (as determined by the Secretary or Administrator, as applicable) is less than 35 years, the useful life the project.

(B) SPECIAL RULE FOR STATE INFRASTRUCTURE FINANCING AUTHORITIES.—The final maturity date of a secured loan to a State infrastructure financing authority under this section shall be not later than 35 years after the date on which amounts are first disbursed. Deadline.

(6) NONSUBORDINATION.—A secured loan under this section shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor of the project.

(7) FEES.—The Secretary or the Administrator, as applicable, may establish fees at a level sufficient to cover all or a portion of the costs to the Federal Government of making a secured loan under this section.

(8) NON-FEDERAL SHARE.—The proceeds of a secured loan under this section may be used to pay any non-Federal share of project costs required if the loan is repayable from non-Federal funds.

(9) MAXIMUM FEDERAL INVOLVEMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for each project for which assistance is provided under this subtitle, the total amount of Federal assistance shall not exceed 80 percent of the total project cost.

(B) EXCEPTIONS.—Subparagraph (A) shall not apply to any rural water project—

(i) that is authorized to be carried out by the Secretary of the Interior;

(ii) that includes among its beneficiaries a federally recognized Indian tribe; and

(iii) for which the authorized Federal share of the total project costs is greater than the amount described in subparagraph (A).

(c) REPAYMENT.—

(1) SCHEDULE.—The Secretary or the Administrator, as applicable, shall establish a repayment schedule for each secured loan provided under this section, based on the projected cash flow from project revenues and other repayment sources.

(2) COMMENCEMENT.—

(A) IN GENERAL.—Scheduled loan repayments of principal or interest on a secured loan under this section shall commence not later than 5 years after the date of substantial completion of the project (as determined by the Secretary or Administrator, as applicable).

(B) SPECIAL RULE FOR STATE INFRASTRUCTURE FINANCING AUTHORITIES.—Scheduled loan repayments of principal or interest on a secured loan to a State infrastructure financing authority under this subtitle shall commence not later than 5 years after the date on which amounts are first disbursed.

(3) DEFERRED PAYMENTS.—

(A) AUTHORIZATION.—If, at any time after the date of substantial completion of a project for which a secured loan is provided under this section, the project is unable to generate sufficient revenues to pay the scheduled loan repayments of principal and interest on the secured loan, the Secretary or the Administrator, as applicable, subject to subparagraph (C), may allow the obligor to add unpaid principal and interest to the outstanding balance of the secured loan.

(B) INTEREST.—Any payment deferred under subparagraph (A) shall—

(i) continue to accrue interest in accordance with subsection (b)(4) until fully repaid; and

(ii) be scheduled to be amortized over the remaining term of the secured loan.

(C) CRITERIA.—

(i) IN GENERAL.—Any payment deferral under subparagraph (A) shall be contingent on the project meeting such criteria as the Secretary or the Administrator, as applicable, may establish.

(ii) REPAYMENT STANDARDS.—The criteria established under clause (i) shall include standards for reasonable assurance of repayment.

(4) PREPAYMENT.—

(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and secured loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay a secured loan under this section without penalty.

(B) USE OF PROCEEDS OF REFINANCING.—A secured loan under this section may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.

(d) SALE OF SECURED LOANS.—

(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after the date of substantial completion of a project and after providing a notice to the obligor, the Secretary or the Administrator, as applicable, may sell to another entity or reoffer into the capital markets a secured loan for a project under this section, if the Secretary or the Administrator, as applicable, determines that the sale or reoffering can be made on favorable terms. Notification. Determination.

(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary or the Administrator, as applicable, may not change the original terms and conditions of the secured loan without the written consent of the obligor.

(e) LOAN GUARANTEES.—

(1) IN GENERAL.—The Secretary or the Administrator, as applicable, may provide a loan guarantee to a lender in lieu of making a secured loan under this section, if the Secretary or the Administrator, as applicable, determines that the budgetary cost of the loan guarantee is substantially the same as that of a secured loan. Determination.

(2) TERMS.—The terms of a loan guarantee provided under this subsection shall be consistent with the terms established in this section for a secured loan, except that the rate on the guaranteed loan and any prepayment features shall be negotiated between the obligor and the lender, with the consent of the Secretary or the Administrator, as applicable.

SEC. 5030. PROGRAM ADMINISTRATION. 33 USC 3909.

(a) REQUIREMENT.—The Secretary or the Administrator, as applicable, shall establish a uniform system to service the Federal credit instruments made available under this subtitle.

(b) FEES.—

(1) IN GENERAL.—The Secretary or the Administrator, as applicable, may collect and spend fees, contingent on authority

being provided in appropriations Acts, at a level that is sufficient to cover—

(A) the costs of services of expert firms retained pursuant to subsection (d); and

(B) all or a portion of the costs to the Federal Government of servicing the Federal credit instruments provided under this subtitle.

(c) SERVICER.—

(1) IN GENERAL.—The Secretary or the Administrator, as applicable, may appoint a financial entity to assist the Secretary or the Administrator in servicing the Federal credit instruments provided under this subtitle.

(2) DUTIES.—A servicer appointed under paragraph (1) shall act as the agent for the Secretary or the Administrator, as applicable.

(3) FEE.—A servicer appointed under paragraph (1) shall receive a servicing fee, subject to approval by the Secretary or the Administrator, as applicable.

(d) ASSISTANCE FROM EXPERTS.—The Secretary or the Administrator, as applicable, may retain the services, including counsel, of organizations and entities with expertise in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments provided under this subtitle.

(e) APPLICABILITY OF OTHER LAWS.—Section 513 of the Federal Water Pollution Control Act (33 U.S.C. 1372) applies to the construction of a project carried out, in whole or in part, with assistance made available through a Federal credit instrument under this subtitle in the same manner that section applies to a treatment works for which a grant is made available under that Act.

33 USC 3910.

SEC. 5031. STATE, TRIBAL, AND LOCAL PERMITS.

The provision of financial assistance for a project under this subtitle shall not—

(1) relieve any recipient of the assistance of any obligation to obtain any required State, local, or tribal permit or approval with respect to the project;

(2) limit the right of any unit of State, local, or tribal government to approve or regulate any rate of return on private equity invested in the project; or

(3) otherwise supersede any State, local, or tribal law (including any regulation) applicable to the construction or operation of the project.

33 USC 3911.

SEC. 5032. REGULATIONS.

The Secretary or the Administrator, as applicable, may promulgate such regulations as the Secretary or Administrator determines to be appropriate to carry out this subtitle.

33 USC 3912.

SEC. 5033. FUNDING.

Appropriation authorization.

(a) IN GENERAL.—There is authorized to be appropriated to each of the Secretary and the Administrator to carry out this subtitle, to remain available until expended—

(1) $20,000,000 for fiscal year 2015;

(2) $25,000,000 for fiscal year 2016;

(3) $35,000,000 for fiscal year 2017;

(4) $45,000,000 for fiscal year 2018; and

(5) $50,000,000 for fiscal year 2019.

(b) ADMINISTRATIVE COSTS.—Of the funds made available to carry out this subtitle, the Secretary or the Administrator, as applicable, may use for the administration of this subtitle, including for the provision of technical assistance to aid project sponsors in obtaining the necessary approvals for the project, not more than $2,200,000 for each of fiscal years 2015 through 2019.

(c) SMALL COMMUNITY WATER INFRASTRUCTURE PROJECTS.—

(1) IN GENERAL.—For each fiscal year, the Secretary or the Administrator, as applicable, shall set aside not less than 15 percent of the amounts made available for that fiscal year under this section for small community water infrastructure projects described in section 5028(a)(2)(B).

(2) ADMINISTRATION.—Any amounts set aside under paragraph (1) that remain unobligated on June 1 of the fiscal year for which the amounts are set aside shall be available for obligation by the Secretary or the Administrator, as applicable, for projects other than small community water infrastructure projects.

(d) ADDITIONAL FUNDING.—Notwithstanding section 5029(b)(2), the Secretary or the Administrator, as applicable, may make available up to 25 percent of the amounts made available for each fiscal year under this section for loans in excess of 49 percent of the total project costs.

SEC. 5034. REPORTS ON PILOT PROGRAM IMPLEMENTATION.

33 USC 3913.

(a) AGENCY REPORTING.—As soon as practicable after each fiscal year for which amounts are made available to carry out this subtitle, the Secretary and the Administrator shall publish on a dedicated, publicly accessible Internet site—

Web posting.

(1) each application received for assistance under this subtitle; and

(2) a list of the projects selected for assistance under this subtitle, including—

Lists.

(A) a description of each project;

(B) the amount of financial assistance provided for each project; and

(C) the basis for the selection of each project with respect to the requirements of this subtitle.

(b) REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report summarizing for the projects that are receiving, or have received, assistance under this subtitle—

(A) the applications received for assistance under this subtitle;

(B) the projects selected for assistance under this subtitle, including a description of the projects and the basis for the selection of those projects with respect to the requirements of this subtitle;

(C) the type and amount of financial assistance provided for each project selected for assistance under this subtitle;

Evaluation.

(D) the financial performance of each project selected for assistance under this subtitle, including an evaluation of whether the objectives of this subtitle are being met;

(E) the benefits and impacts of implementation of this subtitle, including the public benefit provided by the projects selected for assistance under this subtitle, including, as applicable, water quality and water quantity improvement, the protection of drinking water, and the reduction of flood risk; and

Evaluation.

(F) an evaluation of the feasibility of attracting non-Federal public or private financing for water infrastructure projects as a result of the implementation of this subtitle.

(2) RECOMMENDATIONS.—The report under paragraph (1) shall include—

Evaluation.

(A) an evaluation of the impacts (if any) of the limitation under section 5028(a)(5) on the ability of eligible entities to finance water infrastructure projects under this subtitle;

(B) a recommendation as to whether the objectives of this subtitle would be best served—

(i) by continuing the authority of the Secretary or the Administrator, as applicable, to provide assistance under this subtitle;

(ii) by establishing a Government corporation or Government-sponsored enterprise to provide assistance in accordance with this subtitle; or

(iii) by terminating the authority of the Secretary and the Administrator under this subtitle and relying on the capital markets to fund the types of infrastructure investments assisted by this subtitle without Federal participation; and

(C) any proposed changes to improve the efficiency and effectiveness of this subtitle in providing financing for water infrastructure projects, taking into consideration the recommendations made under subparagraphs (A) and (B).

33 USC 3914.

SEC. 5035. REQUIREMENTS.

(a) IN GENERAL.—Except as provided in subsection (c), none of the amounts made available under this subtitle may be used for the construction, alteration, maintenance, or repair of a project eligible for assistance under this subtitle unless all of the iron and steel products used in the project are produced in the United States.

(b) DEFINITION OF IRON AND STEEL PRODUCTS.—In this section, the term "iron and steel products" means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(c) APPLICATION.—Subsection (a) shall not apply in any case or category of cases in which the Administrator finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(d) WAIVER.—If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public, on an informal basis, a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

Public information. Records. Time period.

Web posting.

(e) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with United States obligations under international agreements.

Applicability.

TITLE VI—DEAUTHORIZATION AND BACKLOG PREVENTION

SEC. 6001. DEAUTHORIZATION OF INACTIVE PROJECTS.

33 USC 579b.

(a) PURPOSES.—The purposes of this section are—

(1) to identify $18,000,000,000 in water resources development projects authorized by Congress that are no longer viable for construction due to—

(A) a lack of local support;

(B) a lack of available Federal or non-Federal resources; or

(C) an authorizing purpose that is no longer relevant or feasible;

(2) to create an expedited and definitive process to deauthorize water resources development projects that are no longer viable for construction; and

(3) to allow the continued authorization of water resources development projects that are viable for construction.

(b) COMPREHENSIVE STATUS REPORTS.—Section 1001(b) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)) is amended by adding at the end the following:

"(3) MINIMUM FUNDING LIST.—At the end of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, and make available on a publicly accessible Internet site in a manner that is downloadable, searchable, and sortable, a list of—

Public information. Web posting.

"(A) projects or separable elements of projects authorized for construction for which funding has been obligated during the current fiscal year or any of the 6 preceding fiscal years;

"(B) the amount of funding obligated for each such project or separable element per fiscal year;

"(C) the current phase of each such project or separable element of a project; and

"(D) the amount required to complete the current phase of each such project or separable element.

"(4) COMPREHENSIVE BACKLOG REPORT.—

Publication.
Lists.

"(A) IN GENERAL.—The Secretary shall compile and publish a complete list of all projects and separable elements of projects of the Corps of Engineers that are authorized for construction but have not been completed.

"(B) REQUIRED INFORMATION.—The Secretary shall include on the list developed under subparagraph (A) for each project and separable element on that list—

"(i) the date of authorization of the project or separable element, including any subsequent modifications to the original authorization;

"(ii) the original budget authority for the project or separable element;

"(iii) a brief description of the project or separable element;

"(iv) the estimated date of completion of the project or separable element;

"(v) the estimated cost of completion of the project or separable element; and

"(vi) any amounts appropriated for the project or separable element that remain unobligated.

"(C) PUBLICATION.—

Records.

"(i) IN GENERAL.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall submit a copy of the list developed under subparagraph (A) to—

"(I) the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

"(II) the Director of the Office of Management and Budget.

Effective date.
Records.

"(ii) PUBLIC AVAILABILITY.—Beginning on the date the Secretary submits the report to Congress under clause (i), the Secretary shall make a copy of the list available on a publicly accessible Internet site in a manner that is downloadable, searchable, and sortable.".

(c) INTERIM DEAUTHORIZATION LIST.—

(1) IN GENERAL.—The Secretary shall develop an interim deauthorization list that identifies each water resources development project, or separable element of a project, authorized for construction before November 8, 2007, for which—

(A) construction was not initiated before the date of enactment of this Act; or

(B) construction was initiated before the date of enactment of this Act, but for which no funds, Federal or non-Federal, were obligated for construction of the project or separable element of the project during the current fiscal year or any of the 6 preceding fiscal years.

(2) SPECIAL RULE FOR PROJECTS RECEIVING FUNDS FOR POST-AUTHORIZATION STUDY.—A project or separable element of a project may not be identified on the interim deauthorization list, or the final deauthorization list developed under subsection (d), if the project or separable element received funding for a post-authorization study during the current fiscal year or any of the 6 preceding fiscal years.

(3) PUBLIC COMMENT AND CONSULTATION.—

(A) IN GENERAL.—The Secretary shall solicit comments from the public and the Governors of each applicable State on the interim deauthorization list developed under paragraph (1).

(B) COMMENT PERIOD.—The public comment period shall be 90 days.

(4) SUBMISSION TO CONGRESS; PUBLICATION.—Not later than 90 days after the date of submission of the list required by section 1001(b)(4)(A) of the Water Resources Development Act of 1986 (as added by subsection (b)), the Secretary shall— Deadline.

(A) submit the interim deauthorization list to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) publish the interim deauthorization list in the Federal Register. Federal Register, publication.

(d) FINAL DEAUTHORIZATION LIST.—

(1) IN GENERAL.—The Secretary shall develop a final deauthorization list of each water resources development project, or separable element of a project, described in subsection (c)(1) that is identified pursuant to this subsection.

(2) DEAUTHORIZATION AMOUNT.—

(A) IN GENERAL.—The Secretary shall include on the final deauthorization list projects and separable elements of projects that have, in the aggregate, an estimated Federal cost to complete that is at least $18,000,000,000.

(B) DETERMINATION OF FEDERAL COST TO COMPLETE.—For purposes of subparagraph (A), the Federal cost to complete shall take into account any allowances authorized by section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280), as applied to the most recent project schedule and cost estimate.

(3) IDENTIFICATION OF PROJECTS.—

(A) SEQUENCING OF PROJECTS.—

(i) IN GENERAL.—The Secretary shall identify projects and separable elements of projects for inclusion on the final deauthorization list according to the order in which the projects and separable elements of the projects were authorized, beginning with the earliest authorized projects and separable elements of projects and ending once the last project or separable element of a project necessary to meet the aggregate amount under paragraph (2) is identified.

(ii) FACTORS TO CONSIDER.—The Secretary may identify projects and separable elements of projects in an order other than that established by clause (i) if the Secretary determines, on a case-by-case basis, that a project or separable element of a project is critical for interests of the United States, based on the possible impact of the project or separable element of the project on public health and safety, the national economy, or the environment. Determination.

(iii) CONSIDERATION OF PUBLIC COMMENTS.—In making determinations under clause (ii), the Secretary shall consider any comments received under subsection (c)(3).

(B) APPENDIX.—The Secretary shall include as part of the final deauthorization list an appendix that—

(i) identifies each project or separable element of a project on the interim deauthorization list developed under subsection (c) that is not included on the final deauthorization list; and

(ii) describes the reasons why the project or separable element is not included.

Deadline.

(4) SUBMISSION TO CONGRESS; PUBLICATION.—Not later than 120 days after the date on which the public comment period under subsection (c)(3) expires, the Secretary shall—

(A) submit the final deauthorization list and the appendix to the final deauthorization list to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

Federal Register, publication.

(B) publish the final deauthorization list and the appendix to the final deauthorization list in the Federal Register.

(e) DEAUTHORIZATION; CONGRESSIONAL REVIEW.—

Time period.

(1) IN GENERAL.—After the expiration of the 180-day period beginning on the date of submission of the final deauthorization report under subsection (d), a project or separable element of a project identified in the report is hereby deauthorized, unless Congress passes a joint resolution disapproving the final deauthorization report prior to the end of such period.

(2) NON-FEDERAL CONTRIBUTIONS.—

(A) IN GENERAL.—A project or separable element of a project identified in the final deauthorization report under subsection (d) shall not be deauthorized under this subsection if, before the expiration of the 180-day period referred to in paragraph (1), the non-Federal interest for the project or separable element of the project provides sufficient funds to complete the project or separable element of the project.

(B) TREATMENT OF PROJECTS.—Notwithstanding subparagraph (A), each project and separable element of a project identified in the final deauthorization report shall be treated as deauthorized for purposes of the aggregate deauthorization amount specified in subsection (d)(2).

(f) GENERAL PROVISIONS.—

(1) DEFINITIONS.—In this section:

(A) POST-AUTHORIZATION STUDY.—The term "post-authorization study" means—

(i) a feasibility report developed under section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282);

(ii) a feasibility study, as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d)); or

(iii) a review conducted under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a), including an initial appraisal that—

(I) demonstrates a Federal interest; and

(II) requires additional analysis for the project or separable element.

(B) WATER RESOURCES DEVELOPMENT PROJECT.—The term "water resources development project" includes an environmental infrastructure assistance project or program of the Corps of Engineers.

(2) TREATMENT OF PROJECT MODIFICATIONS.—For purposes of this section, if an authorized water resources development project or separable element of the project has been modified by an Act of Congress, the date of the authorization of the project or separable element shall be deemed to be the date of the most recent such modification.

SEC. 6002. REVIEW OF CORPS OF ENGINEERS ASSETS.

(a) ASSESSMENT AND INVENTORY.—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct an assessment of all properties under the control of the Corps of Engineers and develop an inventory of the properties that are not needed for the missions of the Corps of Engineers. Deadline.

(b) CRITERIA.—In conducting the assessment and developing the inventory under subsection (a), the Secretary shall use the following criteria:

(1) The extent to which the property aligns with the current missions of the Corps of Engineers.

(2) The economic impact of the property on existing communities in the vicinity of the property.

(3) The extent to which the utilization rate for the property is being maximized and is consistent with nongovernmental industry standards for the given function or operation.

(4) The extent to which the reduction or elimination of the property could reduce operation and maintenance costs of the Corps of Engineers.

(5) The extent to which the reduction or elimination of the property could reduce energy consumption by the Corps of Engineers.

(c) NOTIFICATION.—As soon as practicable following completion of the inventory of properties under subsection (a), the Secretary shall provide the inventory to the Administrator of General Services.

(d) REPORT TO CONGRESS.—Not later than 30 days after the date of the notification under subsection (c), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report containing the findings of the Secretary with respect to the assessment and inventory required under subsection (a). Public information.

SEC. 6003. BACKLOG PREVENTION. 33 USC 579c.

(a) PROJECT DEAUTHORIZATION.—

(1) IN GENERAL.—A water resources development project, or separable element of such a project, authorized for construction by this Act shall not be authorized after the last day of the 7-year period beginning on the date of enactment of this Act unless funds have been obligated for construction of such project during that period. Time period.

(2) IDENTIFICATION OF PROJECTS.—Not later than 60 days after the expiration of the 7-year period referred to in paragraph (1), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee Deadline. Reports.

on Transportation and Infrastructure of the House of Representatives a report that identifies the projects deauthorized under paragraph (1).

Time period.

(b) REPORT TO CONGRESS.—Not later than 60 days after the expiration of the 12-year period beginning on the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, and make available to the public, a report that contains—

(1) a list of any water resources development projects authorized by this Act for which construction has not been completed during that period;

(2) a description of the reasons the projects were not completed;

(3) a schedule for the completion of the projects based on expected levels of appropriations; and

(4) a 5-year and 10-year projection of construction backlog and any recommendations to Congress regarding how to mitigate current problems and the backlog.

Effective date.

SEC. 6004. DEAUTHORIZATIONS.

(a) IN GENERAL.—

(1) WALNUT CREEK (PACHECO CREEK), CALIFORNIA.—The portions of the project for flood protection on Walnut Creek, California, constructed under section 203 of the Flood Control Act of 1960 (Public Law 86–645; 74 Stat. 488), consisting of the Walnut Creek project from Sta 0+00 to Sta 142+00 and the upstream extent of the Walnut Creek project along Pacheco Creek from Sta 0+00 to Sta 73+50 are no longer authorized beginning on the date of enactment of this Act.

(2) WALNUT CREEK (SAN RAMON CREEK), CALIFORNIA.—The portion of the project for flood protection on Walnut Creek, California, constructed under section 203 of the Flood Control Act of 1960 (Public Law 86–645; 74 Stat. 488), consisting of the culvert constructed by the Department of the Army on San Ramon Creek from Sta 4+27 to Sta 14+27 is no longer authorized beginning on the date of enactment of this Act.

(3) EIGHTMILE RIVER, CONNECTICUT.—

(A) The portion of the project for navigation, Eightmile River, Connecticut, authorized by the first section of the Act of June 25, 1910 (36 Stat. 633, chapter 382) (commonly known as the "River and Harbor Act of 1910"), that begins at a point of the existing 8-foot channel limit with coordinates N701002.39, E1109247.73, thence running north 2 degrees 19 minutes 57.1 seconds east 265.09 feet to a point N701267.26, E1109258.52, thence running north 7 degrees 47 minutes 19.3 seconds east 322.32 feet to a point N701586.60, E1109302.20, thence running north 90 degrees 0 minutes 0 seconds east 65.61 to a point N701586.60, E1109367.80, thence running south 7 degrees 47 minutes 19.3 seconds west 328.11 feet to a point N701261.52, E1109323.34, thence running south 2 degrees 19 minutes 57.1 seconds west 305.49 feet to an end at a point N700956.28, E1109310.91 on the existing 8-foot channel limit, shall be reduced to a width of 65 feet and the channel realigned to follow the deepest available water.

(B) The project referred to in subparagraph (A) beginning at a point N701296.72, E1109262.55 and running north 45 degrees 4 minutes 2.8 seconds west 78.09 feet to a point N701341.18, E1109217.98, thence running north 5 degrees 8 minutes 34.6 seconds east 180.14 feet to a point N701520.59, E1109234.13, thence running north 54 degrees 5 minutes 50.1 seconds east 112.57 feet to a point N701568.04, E1109299.66, thence running south 7 degrees 47 minutes 18.4 seconds west 292.58 feet to the point of origin; and the remaining area north of the channel realignment beginning at a point N700956.28, E1109310.91 thence running north 2 degrees 19 minutes 57.1 seconds east 305.49 feet west to a point N701261.52, E1109323.34 north 7 degrees 47 minutes 18.4 seconds east 328.11 feet to a point N701586.60, E1109367.81 thence running north 90 degrees 0 minutes 0 seconds east 7.81 feet to a point N701586.60, E1109375.62 thence running south 5 degrees 8 minutes 34.6 seconds west 626.29 feet to a point N700962.83, E1109319.47 thence south 52 degrees 35 minutes 36.5 seconds 10.79 feet to the point of origin is no longer authorized beginning on the date of enactment of this Act.

(4) HILLSBOROUGH (HILLSBORO) BAY AND RIVER, FLORIDA.—The portions of the project for navigation, Hillsborough (Hillsboro) Bay and River, Florida, authorized by the Act of March 3, 1899 (30 Stat. 1126; chapter 425), that extend on either side of the Hillsborough River from the Kennedy Boulevard bridge to the mouth of the river that cause the existing channel to exceed 100 feet in width are no longer authorized beginning on the date of enactment of this Act.

(5) KAHULUI WASTEWATER RECLAMATION FACILITY, MAUI, HAWAII.—The project authorized pursuant to section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) to provide shoreline protection for the Kahului Wastewater Reclamation Facility, located on the Island of Maui in the State of Hawaii is no longer authorized beginning on the date of enactment of this Act.

(6) LUCAS-BERG PIT, ILLINOIS WATERWAY AND GRANT CALUMET RIVER, ILLINOIS.—The portion of the project for navigation, Illinois Waterway and Grand Calumet River, Illinois, authorized by the first section of the Act of July 24, 1946 (60 Stat. 636; chapter 595), that consists of the Lucas-Berg Pit confined disposal facility, Illinois is no longer authorized beginning on the date of enactment of this Act.

(7) PORT OF IBERIA, LOUISIANA.—Section 1001(25) of the Water Resources Development Act of 2007 (121 Stat. 1053) is amended by striking "; except that" and all that follows before the period at the end.

(8) ROCKLAND HARBOR, MAINE.—The project for navigation, Rockland Harbor, Maine, authorized by the Act of June 3, 1896 (29 Stat. 202; chapter 314), and described as follows is no longer authorized beginning on the date of enactment of this Act:

(A) Beginning at the point in the 14-foot turning basin limit with coordinates N162,927.61, E826,210.16.

(B) Thence running north 45 degrees 45 minutes 15.6 seconds east 287.45 feet to a point N163,128.18, E826,416.08.

(C) Thence running south 13 degrees 17 minutes 53.3 seconds east 129.11 feet to a point N163,002.53, E826,445.77.

(D) Thence running south 45 degrees 45 minutes 18.4 seconds west 221.05 feet to a point N162,848.30, E826,287.42.

(E) Thence running north 44 degrees 14 minutes 59.5 seconds west 110.73 feet to the point of origin.

(9) THOMASTON HARBOR, GEORGES RIVER, MAINE.—The portion of the project for navigation, Georges River, Maine (Thomaston Harbor), authorized by the first section of the Act of June 3, 1896 (29 Stat. 215, chapter 314), and modified by section 317 of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2604), that lies northwesterly of a line commencing at point N87,220.51, E321,065.80 thence running northeasterly about 125 feet to a point N87,338.71, E321,106.46 is no longer authorized beginning on the date of enactment of this Act.

(10) CORSICA RIVER, QUEEN ANNE'S COUNTY, MARYLAND.—The portion of the project for improving the Corsica River, Maryland, authorized by the first section of the Act of July 25, 1912 (37 Stat. 205; chapter 253), and described as follows is no longer authorized beginning on the date of enactment of this Act: Approximately 2,000 feet of the eastern section of the project channel extending from—

(A) centerline station 0+000 (coordinates N506350.60, E1575013.60); to

(B) station 2+000 (coordinates N508012.39, E1574720.18).

(11) GOOSE CREEK, SOMERSET COUNTY, MARYLAND.—The project for navigation, Goose Creek, Somerset County, Maryland, carried out pursuant to section 107 of the Rivers and Harbor Act of 1960 (33 U.S.C. 577), is realigned as follows: Beginning at Goose Creek Channel Geometry Centerline of the 60-foot-wide main navigational ship channel, Centerline Station No. 0+00, coordinates North 157851.80, East 1636954.70, as stated and depicted on the Condition Survey Goose Creek, Sheet 1 of 1, prepared by the United States Army Corps of Engineers, Baltimore District, July 2003; thence departing the aforementioned centerline traveling the following courses and distances: S. 64 degrees 49 minutes 06 seconds E., 1583.82 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following four courses and distances: S. 63 degrees 26 minutes 06 seconds E., 1460.05 feet to a point, thence; N. 50 degrees 38 minutes 26 seconds E., 973.28 feet to a point, thence; N. 26 degrees 13 minutes 09 seconds W., 240.39 feet to a point on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 42+57.54, coordinates North 157357.84, East 1640340.23. Geometry Left Toe of the 60-foot-wide main navigational ship channel, Left Toe Station No. 0+00, coordinates North 157879.00, East 1636967.40, as stated and depicted on the Condition Survey Goose Creek, Sheet 1 of 1, prepared

by the United States Army Corps of Engineers, Baltimore District, August 2010; thence departing the aforementioned centerline traveling the following courses and distances: S. 64 degrees 49 minutes 12 seconds E., 1583.91 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following eight courses and distances: S. 63 degrees 25 minutes 38 seconds E., 1366.25 feet to a point, thence; N. 83 degrees 36 minutes 24 seconds E., 125.85 feet to a point, thence; N. 50 degrees 38 minutes 26 seconds E., 805.19 feet to a point, thence; N. 12 degrees 12 minutes 29 seconds E., 78.33 feet to a point thence; N. 26 degrees 13 minutes 28 seconds W., 46.66 feet to a point thence; S. 63 degrees 45 minutes 41 seconds W., 54.96 feet to a point thence; N. 26 degrees 13 minutes 24 seconds W., 119.94 feet to a point on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 41+81.10, coordinates North 157320.30, East 1640264.00. Geometry Right Toe of the 60-foot-wide main navigational ship channel, Right Toe Station No. 0+00, coordinates North 157824.70, East 1636941.90, as stated and depicted on the Condition Survey Goose Creek, Sheet 1 of 1, prepared by the United States Army Corps of Engineers, Baltimore District, August 2010; thence departing the aforementioned centerline traveling the following courses and distances: S. 64 degrees 49 minutes 06 seconds E., 1583.82 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following six courses and distances: S. 63 degrees 25 minutes 47 seconds E., 1478.79 feet to a point, thence; N. 50 degrees 38 minutes 26 seconds E., 1016.69 feet to a point, thence; N. 26 degrees 14 minutes 49 seconds W., 144.26 feet to a point, thence; N. 63 degrees 54 minutes 03 seconds E., 55.01 feet to a point thence; N. 26 degrees 12 minutes 08 seconds W., 120.03 feet to a point a point on the Right Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 43+98.61, coordinates North 157395.40, East 1640416.50.

(12) LOWER THOROUGHFARE, DEAL ISLAND, MARYLAND.—The portion of the project for navigation, Lower Thoroughfare, Maryland, authorized by the Act of June 25, 1910 (36 Stat. 639, chapter 382) (commonly known as the "River and Harbor Act of 1910"), that begins at Lower Thoroughfare Channel Geometry Centerline of the 60-foot-wide main navigational ship channel, Centerline Station No. 44+88, coordinates North 170435.62, East 1614588.93, as stated and depicted on the Condition Survey Lower Thoroughfare, Deal Island, Sheet 1 of 3, prepared by the United States Army Corps of Engineers, Baltimore District, August 2010; thence departing the aforementioned centerline traveling the following courses and distances: S. 42 degrees 20 minutes 44 seconds W., 30.00 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following four courses and distances: N. 64 degrees 08 minutes 55 seconds W., 53.85 feet to a point, thence; N. 42 degrees 20 minutes 43 seconds W., 250.08 feet to a point, thence; N. 47 degrees 39 minutes 03 seconds E., 20.00 feet to a point, thence; S. 42 degrees 20 minutes 44 seconds E., 300.07 feet to a point binding on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 43+92.67, coordinates North 170415.41, 1614566.76;

thence; continuing with the aforementioned centerline the following courses and distances: S. 42 degrees 20 minutes 42 seconds W., 30.00 feet to a point, on the outline of said 60-foot-wide channel thence binding on said out-line the following four courses and distances: N. 20 degrees 32 minutes 06 seconds W., 53.85 feet to a point, thence; N. 42 degrees 20 minutes 49 seconds W., 250.08 feet to a point, thence; S. 47 degrees 39 minutes 03 seconds W., 20.00 feet to a point, thence; S. 42 degrees 20 minutes 46 seconds E., 300.08 feet to a point binding on the Left Toe of the 60-foot-wide main navigational channel at computed Centerline Station No. 43+92.67, coordinates North 170415.41, 1614566.76 is no longer authorized beginning on the date of enactment of this Act.

(13) GLOUCESTER HARBOR AND ANNISQUAM RIVER, MASSACHUSETTS.—The portions of the project for navigation, Gloucester Harbor and Annisquam River, Massachusetts, authorized by section 2 of the Act of March 2, 1945 (59 Stat. 12; chapter 19), consisting of an 8-foot anchorage area in Lobster Cove, and described as follows are no longer authorized beginning on the date of enactment of this Act:

(A) Beginning at a bend along the easterly limit of the existing project, N3063230.31, E878283.77, thence running northwesterly about 339 feet to a point, N3063478.86, E878053.83, thence running northwesterly about 281 feet to a bend on the easterly limit of the existing project, N3063731.88, E877932.54, thence running southeasterly about 612 feet along the easterly limit of the existing project to the point of origin.

(B) Beginning at a bend along the easterly limit of the existing project, N3064065.80, E878031.45, thence running northwesterly about 621 feet to a point, N3064687.05, E878031.13, thence running southwesterly about 122 feet to a point, N3064686.98, E877908.85, thence running southeasterly about 624 feet to a point, N3064063.31, E877909.17, thence running southwesterly about 512 feet to a point, N3063684.73, E877564.56, thence running about 741 feet to a point along the westerly limit of the existing project, N3063273.98, E876947.77, thence running northeasterly about 533 feet to a bend along the westerly limit of the existing project, N3063585.62, E877380.63, thence running about 147 feet northeasterly to a bend along the westerly limit of the project, N3063671.29, E877499.63, thence running northeasterly about 233 feet to a bend along the westerly limit of the existing project, N3063840.60, E877660.29, thence running about 339 feet northeasterly to a bend along the westerly limit of the existing project, N3064120.34, E877852.55, thence running about 573 feet to a bend along the westerly limit of the existing project, N3064692.98, E877865.04, thence running about 113 feet to a bend along the northerly limit of the existing project, N3064739.51, E877968.31, thence running 145 feet southeasterly to a bend along the northerly limit of the existing project, N3064711.19, E878110.69, thence running about 650 feet along the easterly limit of the existing project to the point of origin.

(14) CLATSOP COUNTY DIKING DISTRICT NO. 10, KARLSON ISLAND, OREGON.—The Diking District No. 10, Karlson Island

portion of the project for raising and improving existing levees in Clatsop County, Oregon, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1590) is no longer authorized beginning on the date of enactment of this Act.

(15) NUMBERG DIKE NO. 34 LEVEED AREA, CLATSOP COUNTY DIKING DISTRICT NO. 13, CLATSOP COUNTY, OREGON (WALLUSKI-YOUNGS).—The Numberg Dike No. 34 leveed area, Clatsop County Diking District, No. 13, Walluski River and Youngs River dikes, portion of the project for raising and improving existing levees in Clatsop County, Oregon, authorized by section 5 of the Act of June 22, 1936 (49 Stat. 1590) is no longer authorized beginning on the date of enactment of this Act.

(16) EAST FORK OF TRINITY RIVER, TEXAS.—The portion of the project for flood protection on the East Fork of the Trinity River, Texas, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1185), that consists of the 2 levees identified as Kaufman County Levees K5E and K5W is no longer authorized beginning on the date of enactment of this Act.

(17) BURNHAM CANAL, WISCONSIN.—The portion of the project for navigation, Milwaukee Harbor Project, Milwaukee, Wisconsin, known as the Burnham Canal, authorized by the first section of the Act of March 3, 1843 (5 Stat. 619; chapter 85), and described as follows is no longer authorized beginning on the date of enactment of this Act:

(A) Beginning at channel point #415a N381768.648, E2524554.836, a distance of about 170.58 feet.

(B) Thence running south 53 degrees 43 minutes 41 seconds west to channel point #417 N381667.728, E2524417.311, a distance of about 35.01 feet.

(C) Thence running south 34 degrees 10 minutes 40 seconds west to channel point #501 N381638.761, E2524397.639, a distance of about 139.25 feet.

(D) Thence running south 34 degrees 10 minutes 48 seconds west to channel point #503 N381523.557, E2524319.406, a distance of about 235.98 feet.

(E) Thence running south 32 degrees 59 minutes 13 seconds west to channel point #505 N381325.615, E2524190.925, a distance of about 431.29 feet.

(F) Thence running south 32 degrees 36 minutes 05 seconds west to channel point #509 N380962.276, E2523958.547, a distance of about 614.52 feet.

(G) Thence running south 89 degrees 05 minutes 00 seconds west to channel point #511 N380952.445, E2523344.107, a distance of about 74.68 feet.

(H) Thence running north 89 degrees 04 minutes 59 seconds west to channel point #512 N381027.13, E2523342.91, a distance of about 533.84 feet.

(I) Thence running north 89 degrees 05 minutes 00 seconds east to channel point #510 N381035.67, E2523876.69, a distance of about 47.86 feet.

(J) Thence running north 61 degrees 02 minutes 07 seconds east to channel point #508 N381058.84, E2523918.56, a distance of about 308.55 feet.

(K) Thence running north 36 degrees 15 minutes 29 seconds east to channel point #506 N381307.65, E2524101.05, a distance of about 199.98 feet.

(L) Thence running north 32 degrees 59 minutes 12 seconds east to channel point #504 N381475.40, E2524209.93, a distance of about 195.14 feet.

(M) Thence running north 26 degrees 17 minutes 22 seconds east to channel point #502 N381650.36, E2524296.36, a distance of about 81.82 feet.

(N) Thence running north 88 degrees 51 minutes 05 seconds west to channel point #419 N381732.17, E2524294.72, a distance of about 262.65 feet.

(O) Thence running north 82 degrees 01 minutes 02 seconds east to channel point #415a, the point of origin.

(18) MANITOWOC HARBOR, WISCONSIN.—The portion of the project for navigation, Manitowoc River, Manitowoc, Wisconsin, authorized by the Act of August 30, 1852 (10 Stat. 58; chapter 104), and described as follows is no longer authorized beginning on the date of enactment of this Act: The triangular area bound by—

(A) 44.09893383N and 087.66854912W;

(B) 44.09900535N and 087.66864372W; and

(C) 44.09857884N and 087.66913123W.

(b) SEWARD WATERFRONT, SEWARD, ALASKA.—

(1) IN GENERAL.—Subject to paragraph (2), the portion of the project for navigation, Seward Harbor, Alaska, identified as Tract H, Seward Original Townsite, Waterfront Park Replat, Plat No 2012–4, Seward Recording District, shall not be subject to navigation servitude beginning on the date of enactment of this Act.

(2) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter upon the property referred to in paragraph (1) to carry out any required operation and maintenance of the general navigation features of the project referred to in paragraph (1).

(c) PORT OF HOOD RIVER, OREGON.—

(1) EXTINGUISHMENT OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easement identified as Tract 1200E–6 on the Easement Deed recorded as Instrument No. 740320 is extinguished above elevation 79.39 feet (NGVD 29) the Ordinary High Water Line.

(2) AFFECTED PROPERTIES.—The properties referred to in paragraph (1), as recorded in Hood River County, Oregon, are as follows:

(A) Instrument Number 2010–1235.

(B) Instrument Number 2010–02366.

(C) Instrument Number 2010–02367.

(D) Parcel 2 of Partition Plat #2011–12P.

(E) Parcel 1 of Partition Plat 2005–26P.

(3) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, AND OTHER REGULATORY REVIEWS.—

(A) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the extinguishment of the easement under this subsection.

(B) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this subsection establishes any cultural or environmental regulation relating to the properties described in paragraph (2).

(4) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

SEC. 6005. LAND CONVEYANCES.

(a) OAKLAND INNER HARBOR TIDAL CANAL, CALIFORNIA.—Section 3182(b)(1) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1165) is amended—

(1) in subparagraph (A) by inserting ", or to a multicounty public entity that is eligible to hold title to real property" after "To the city of Oakland"; and

(2) in subparagraphs (B) and (C) by inserting "multicounty public entity or other" before "public entity".

(b) ST. CHARLES COUNTY, MISSOURI, LAND EXCHANGE.—

(1) DEFINITIONS.—In this subsection:

(A) FEDERAL LAND.—The term "Federal land" means approximately 84 acres of land, as identified by the Secretary, that is a portion of the approximately 227 acres of land leased from the Corps of Engineers by Ameren Corporation for the Portage Des Sioux Power Plant in St. Charles County, Missouri (Lease No. DA-23-065–CIVENG–64–651, Pool 26).

(B) NON-FEDERAL LAND.—The term "non-Federal land" means the approximately 68 acres of land owned by Ameren Corporation in Jersey County, Illinois, contained within the north half of section 23, township 6 north, range 11 west of the third principal meridian.

(2) LAND EXCHANGE.—On conveyance by Ameren Corporation to the United States of all right, title, and interest in and to the non-Federal land, the Secretary shall convey to Ameren Corporation all right, title, and interest of the United States in and to the Federal land.

(3) SPECIFIC CONDITIONS.—

(A) DEEDS.—

(i) DEED TO NON-FEDERAL LAND.—The Secretary may only accept conveyance of the non-Federal land by warranty deed, as determined acceptable by the Secretary.

(ii) DEED TO FEDERAL LAND.—The Secretary shall convey the Federal land to Ameren Corporation by quitclaim deed.

(B) CASH PAYMENT.—If the appraised fair market value of the Federal land, as determined by the Secretary, exceeds the appraised fair market value of the non-Federal land, as determined by the Secretary, Ameren Corporation shall make a cash payment to the United States reflecting the difference in the appraised fair market values.

(c) TULSA PORT OF CATOOSA, ROGERS COUNTY, OKLAHOMA, LAND EXCHANGE.—

(1) DEFINITIONS.—In this subsection:

(A) FEDERAL LAND.—The term "Federal land" means the approximately 87 acres of land situated in Rogers County, Oklahoma, contained within United States Tracts 413 and 427 and acquired for the McClellan-Kerr Arkansas Navigation System.

(B) NON-FEDERAL LAND.—The term "non-Federal land" means the approximately 34 acres of land situated in

Rogers County, Oklahoma, and owned by the Tulsa Port of Catoosa that lie immediately south and east of the Federal land.

(2) LAND EXCHANGE.—On conveyance by the Tulsa Port of Catoosa to the United States of all right, title, and interest in and to the non-Federal land, the Secretary shall convey to the Tulsa Port of Catoosa all right, title, and interest of the United States in and to the Federal land.

(3) SPECIFIC CONDITIONS.—

(A) DEEDS.—

(i) DEED TO NON-FEDERAL LAND.—The Secretary may only accept conveyance of the non-Federal land by warranty deed, as determined acceptable by the Secretary.

(ii) DEED TO FEDERAL LAND.—The Secretary shall convey the Federal land to the Tulsa Port of Catoosa by quitclaim deed and subject to any reservations, terms, and conditions the Secretary determines necessary to allow the United States to operate and maintain the McClellan-Kerr Arkansas River Navigation System.

(iii) CASH PAYMENT.—If the appraised fair market value of the Federal land, as determined by the Secretary, exceeds the appraised fair market value of the non-Federal land, as determined by the Secretary, the Tulsa Port of Catoosa shall make a cash payment to the United States reflecting the difference in the appraised fair market values.

(d) HAMMOND BOAT BASIN, WARRENTON, OREGON.—

(1) DEFINITIONS.—In this subsection:

(A) CITY.—The term "City" means the city of Warrenton, located in Clatsop County, Oregon.

(B) MAP.—The term "map" means the map contained in Exhibit A of Department of the Army Lease No. DACW57–1–88–0033 (or a successor instrument).

(2) CONVEYANCE AUTHORITY.—Subject to the provisions of this subsection, the Secretary shall convey to the City by quitclaim deed, and without consideration, all right, title, and interest of the United States in and to the parcel of land described in paragraph (3).

(3) DESCRIPTION OF LAND.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the land referred to in paragraph (2) is the parcel totaling approximately 59 acres located in the City, together with any improvements thereon, including the Hammond Marina (as described in the map).

(B) EXCLUSION.—The land referred to in paragraph (2) shall not include the site provided for the fisheries research support facility of the National Marine Fisheries Service.

(C) AVAILABILITY OF MAP.—The map shall be on file in the Portland District Office of the Corps of Engineers.

(4) TERMS AND CONDITIONS.—As a condition of the conveyance under this subsection, the Secretary may impose a requirement that the City assume full responsibility for operating and maintaining the channel and the breakwater.

(5) REVERSION.—If the Secretary determines that the land conveyed under this subsection ceases to be owned by the public, all right, title, and interest in and to the land shall revert, at the discretion of the Secretary, to the United States. Determination.

(6) DEAUTHORIZATION.—After the land is conveyed under this subsection, the land shall no longer be a portion of the project for navigation, Hammond Small Boat Basin, Oregon, authorized by section 107 of the Rivers and Harbor Act of 1960 (33 U.S.C. 577).

(e) CRANEY ISLAND DREDGED MATERIAL MANAGEMENT AREA, PORTSMOUTH, VIRGINIA.—

(1) IN GENERAL.—Subject to the conditions described in this subsection, the Secretary may convey to the Commonwealth of Virginia, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to 2 parcels of land situated within the project for navigation, Craney Island Eastward Expansion, Norfolk Harbor and Channels, Hampton Roads, Virginia, authorized by section 1001(45) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1057), together with any improvements thereon.

(2) LANDS TO BE CONVEYED.—

(A) IN GENERAL.—The 2 parcels of land to be conveyed under this subsection include a parcel consisting of approximately 307.82 acres of land and a parcel consisting of approximately 13.33 acres of land, both located along the eastern side of the Craney Island Dredged Material Management Area in Portsmouth, Virginia.

(B) USE.—The 2 parcels of land described in subparagraph (A) may be used by the Commonwealth of Virginia exclusively for the purpose of port expansion, including the provision of road and rail access and the construction of a shipping container terminal.

(3) REVERSION.—If the Secretary determines that the land conveyed under this subsection ceases to be owned by the public or is used for any purpose that is inconsistent with paragraph (2), all right, title, and interest in and to the land shall revert, at the discretion of the Secretary, to the United States. Determination.

(f) CITY OF ASOTIN, WASHINGTON.—

(1) IN GENERAL.—The Secretary shall convey to the city of Asotin, Asotin County, Washington, without monetary consideration, all right, title, and interest of the United States in and to the land described in paragraph (3).

(2) REVERSION.—If the land transferred under this subsection ceases at any time to be used for a public purpose, the land shall revert to the United States.

(3) DESCRIPTION.—The land to be conveyed to the city of Asotin, Washington, under this subsection are—

(A) the public ball fields designated as Tracts 1503, 1605, 1607, 1609, 1611, 1613, 1615, 1620, 1623, 1624, 1625, 1626, and 1631; and

(B) other leased areas designated as Tracts 1506, 1522, 1523, 1524, 1525, 1526, 1527, 1529, 1530, 1531, and 1563.

(g) GENERALLY APPLICABLE PROVISIONS.—

(1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of any real property to be conveyed

under this section shall be determined by a survey that is satisfactory to the Secretary.

(2) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(3) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers necessary and appropriate to protect the interests of the United States.

(4) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(5) LIABILITY.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out, before such date, on the real property conveyed.

16 USC 831c note.

(h) RELEASE OF USE RESTRICTIONS.—Notwithstanding any other provision of law, the Tennessee Valley Authority shall, without monetary consideration, grant releases from real estate restrictions established pursuant to section 4(k)(b) of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831c(k)(b)) with respect to tracts of land identified in section 4(k)(b) of that Act, subject to the condition that such releases shall be granted in a manner consistent with applicable Tennessee Valley Authority policies.

TITLE VII—WATER RESOURCES INFRASTRUCTURE

33 USC 2282d.

SEC. 7001. ANNUAL REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than February 1 of each year, the Secretary shall develop and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an annual report, to be entitled "Report to Congress on Future Water Resources Development", that identifies the following:

(1) FEASIBILITY REPORTS.—Each feasibility report that meets the criteria established in subsection (c)(1)(A).

(2) PROPOSED FEASIBILITY STUDIES.—Any proposed feasibility study submitted to the Secretary by a non-Federal interest pursuant to subsection (b) that meets the criteria established in subsection (c)(1)(A).

(3) PROPOSED MODIFICATIONS.—Any proposed modification to an authorized water resources development project or feasibility study that meets the criteria established in subsection (c)(1)(A) that—

(A) is submitted to the Secretary by a non-Federal interest pursuant to subsection (b); or

(B) is identified by the Secretary for authorization.

(b) REQUESTS FOR PROPOSALS.—

(1) PUBLICATION.—Not later than May 1 of each year, the Secretary shall publish in the Federal Register a notice requesting proposals from non-Federal interests for proposed feasibility studies and proposed modifications to authorized water resources development projects and feasibility studies to be included in the annual report.

Federal Register, publication. Notice.

(2) DEADLINE FOR REQUESTS.—The Secretary shall include in each notice required by this subsection a requirement that non-Federal interests submit to the Secretary any proposals described in paragraph (1) by not later than 120 days after the date of publication of the notice in the Federal Register in order for the proposals to be considered for inclusion in the annual report.

(3) NOTIFICATION.—On the date of publication of each notice required by this subsection, the Secretary shall—

(A) make the notice publicly available, including on the Internet; and

Public information. Web posting.

(B) provide written notification of the publication to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(c) CONTENTS.—

(1) FEASIBILITY REPORTS, PROPOSED FEASIBILITY STUDIES, AND PROPOSED MODIFICATIONS.—

(A) CRITERIA FOR INCLUSION IN REPORT.—The Secretary shall include in the annual report only those feasibility reports, proposed feasibility studies, and proposed modifications to authorized water resources development projects and feasibility studies that—

(i) are related to the missions and authorities of the Corps of Engineers;

(ii) require specific congressional authorization, including by an Act of Congress;

(iii) have not been congressionally authorized;

(iv) have not been included in any previous annual report; and

(v) if authorized, could be carried out by the Corps of Engineers.

(B) DESCRIPTION OF BENEFITS.—

(i) DESCRIPTION.—The Secretary shall describe in the annual report, to the extent applicable and practicable, for each proposed feasibility study and proposed modification to an authorized water resources development project or feasibility study included in the annual report, the benefits, as described in clause (ii), of each such study or proposed modification (including the water resources development project that is the subject of the proposed feasibility study or the proposed modification to an authorized feasibility study).

(ii) BENEFITS.—The benefits (or expected benefits, in the case of a proposed feasibility study) described in this clause are benefits to—

(I) the protection of human life and property;

(II) improvement to transportation;

(III) the national economy;

(IV) the environment; or

(V) the national security interests of the United States.

(C) IDENTIFICATION OF OTHER FACTORS.—The Secretary shall identify in the annual report, to the extent practicable—

(i) for each proposed feasibility study included in the annual report, the non-Federal interest that submitted the proposed feasibility study pursuant to subsection (b); and

(ii) for each proposed feasibility study and proposed modification to an authorized water resources development project or feasibility study included in the annual report, whether the non-Federal interest has demonstrated—

(I) that local support exists for the proposed feasibility study or proposed modification to an authorized water resources development project or feasibility study (including the water resources development project that is the subject of the proposed feasibility study or the proposed modification to an authorized feasibility study); and

(II) the financial ability to provide the required non-Federal cost share.

(2) TRANSPARENCY.—The Secretary shall include in the annual report, for each feasibility report, proposed feasibility study, and proposed modification to an authorized water resources development project or feasibility study included under paragraph (1)(A)—

(A) the name of the associated non-Federal interest, including the name of any non-Federal interest that has contributed, or is expected to contribute, a non-Federal share of the cost of—

(i) the feasibility report;

(ii) the proposed feasibility study;

(iii) the authorized feasibility study for which the modification is proposed; or

(iv) construction of—

(I) the water resources development project that is the subject of—

(aa) the feasibility report;

(bb) the proposed feasibility study; or

(cc) the authorized feasibility study for which a modification is proposed; or

(II) the proposed modification to an authorized water resources development project;

(B) a letter or statement of support for the feasibility report, proposed feasibility study, or proposed modification to an authorized water resources development project or feasibility study from each associated non-Federal interest;

(C) the purpose of the feasibility report, proposed feasibility study, or proposed modification to an authorized water resources development project or feasibility study;

(D) an estimate, to the extent practicable, of the Federal, non-Federal, and total costs of—

(i) the proposed modification to an authorized feasibility study; and

(ii) construction of—

(I) the water resources development project that is the subject of—

(aa) the feasibility report; or

(bb) the authorized feasibility study for which a modification is proposed, with respect to the change in costs resulting from such modification; or

(II) the proposed modification to an authorized water resources development project; and

(E) an estimate, to the extent practicable, of the monetary and nonmonetary benefits of—

(i) the water resources development project that is the subject of—

(I) the feasibility report; or

(II) the authorized feasibility study for which a modification is proposed, with respect to the benefits of such modification; or

(ii) the proposed modification to an authorized water resources development project.

(3) CERTIFICATION.—The Secretary shall include in the annual report a certification stating that each feasibility report, proposed feasibility study, and proposed modification to an authorized water resources development project or feasibility study included in the annual report meets the criteria established in paragraph (1)(A).

(4) APPENDIX.—The Secretary shall include in the annual report an appendix listing the proposals submitted under subsection (b) that were not included in the annual report under paragraph (1)(A) and a description of why the Secretary determined that those proposals did not meet the criteria for inclusion under such paragraph.

(d) SPECIAL RULE FOR INITIAL ANNUAL REPORT.—Notwithstanding any other deadlines required by this section, the Secretary shall—

(1) not later than 60 days after the date of enactment of this Act, publish in the Federal Register a notice required by subsection (b)(1); and

Federal Register, publication. Notice.

(2) include in such notice a requirement that non-Federal interests submit to the Secretary any proposals described in subsection (b)(1) by not later than 120 days after the date of publication of such notice in the Federal Register in order for such proposals to be considered for inclusion in the first annual report developed by the Secretary under this section.

(e) PUBLICATION.—Upon submission of an annual report to Congress, the Secretary shall make the annual report publicly available, including through publication on the Internet.

(f) DEFINITIONS.—In this section:

(1) ANNUAL REPORT.—The term "annual report" means a report required by subsection (a).

(2) FEASIBILITY REPORT.—

(A) IN GENERAL.—The term "feasibility report" means a final feasibility report developed under section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282).

(B) INCLUSIONS.—The term "feasibility report" includes—

(i) a report described in section 105(d)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d)(2)); and

(ii) where applicable, any associated report of the Chief of Engineers.

(3) FEASIBILITY STUDY.—The term "feasibility study" has the meaning given that term in section 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2215).

(4) NON-FEDERAL INTEREST.—The term "non-Federal interest" has the meaning given that term in section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b).

SEC. 7002. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.

The following final feasibility studies for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX, LA	Sabine Neches Waterway, Southeast Texas and Southwest Louisiana	July 22, 2011	Federal: $748,070,000 Non-Federal: $365,970,000 Total: $1,114,040,000
2. FL	Jacksonville Harbor-Milepoint	Apr. 30, 2012	Federal: $27,870,000 Non-Federal: $9,290,000 Total: $37,160,000
3. GA	Savannah Harbor Expansion Project	Aug. 17, 2012	Federal: $492,000,000 Non-Federal: $214,000,000 Total: $706,000,000
4. TX	Freeport Harbor	Jan. 7, 2013	Federal: $121,000,000 Non-Federal: $118,300,000 Total: $239,300,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
5. FL	Canaveral Harbor (Sect 203 Sponsor Report)	Feb. 25, 2013	Federal: $29,240,000 Non-Federal: $11,830,000 Total: $41,070,000
6. MA	Boston Harbor	Sept. 30, 2013	Federal: $216,470,000 Non-Federal: $94,510,000 Total: $310,980,000
7. FL	Lake Worth Inlet	Apr. 16, 2014	Federal: $57,556,000 Non-Federal: $30,975,000 Total: $88,531,000
8. FL	Jacksonville Harbor	Apr. 16, 2014	Federal: $362,000,000 Non-Federal: $238,900,000 Total: $600,900,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. KS	Topeka	Aug. 24, 2009	Federal: $17,360,000 Non-Federal: $9,350,000 Total: $26,710,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
2. CA	American River Watershed, Common Features Project, Natomas Basin	Dec. 30, 2010	Federal: $760,630,000 Non-Federal: $386,650,000 Total: $1,147,280,000
3. IA	Cedar River, Cedar Rapids	Jan. 27, 2011	Federal: $73,130,000 Non-Federal: $39,380,000 Total: $112,510,000
4. MN, ND	Fargo-Moorhead Metro	Dec. 19, 2011	Federal: $846,700,000 Non-Federal: $1,077,600,000 Total: $1,924,300,000
5. KY	Ohio River Shoreline, Paducah	May 16, 2012	Federal: $13,170,000 Non-Federal: $7,090,000 Total: $20,260,000
6. MO	Jordan Creek, Springfield	Aug. 26, 2013	Federal: $13,560,000 Non-Federal: $7,300,000 Total: $20,860,000
7. CA	Orestimba Creek, San Joaquin River Basin	Sept. 25, 2013	Federal: $23,680,000 Non-Federal: $21,650,000 Total: $45,330,000
8. CA	Sutter Basin	Mar. 12, 2014	Federal: $255,270,000 Non-Federal: $433,660,000 Total: $688,930,000
9. NV	Truckee Meadows	Apr. 11, 2014	Federal: $181,652,000 Non-Federal: $99,168,000 Total: $280,820,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. NC	West Onslow Beach and New River Inlet (Topsail Beach)	Sept. 28, 2009	Initial Federal: $29,900,000 Initial Non-Federal: $16,450,000 Initial Total: $46,350,000 Renourishment Federal: $69,410,000 Renourishment Non-Federal: $69,410,000 Renourishment Total: $138,820,000
2. NC	Surf City and North Topsail Beach	Dec. 30, 2010	Initial Federal: $84,770,000 Initial Non-Federal: $45,650,000 Initial Total: $130,420,000 Renourishment Federal: $122,220,000 Renourishment Non-Federal: $122,220,000 Renourishment Total: $244,440,000
3. CA	San Clemente Shoreline	Apr. 15, 2012	Initial Federal: $7,420,000 Initial Non-Federal: $3,990,000 Initial Total: $11,410,000 Renourishment Federal: $43,835,000 Renourishment Non-Federal: $43,835,000 Renourishment Total: $87,670,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
4. FL	Walton County	July 16, 2013	Initial Federal: $17,945,000 Initial Non-Federal: $46,145,000 Initial Total: $64,090,000 Renourishment Federal: $24,740,000 Renourishment Non-Federal: $82,820,000 Renourishment Total: $107,560,000
5. LA	Morganza to the Gulf	July 8, 2013	Federal: $6,695,400,000 Non-Federal: $3,604,600,000 Total: $10,300,000,000

(4) HURRICANE AND STORM DAMAGE RISK REDUCTION AND ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. MS	Mississippi Coastal Improvement Program (MSCIP) Hancock, Harrison, and Jackson Counties	Sept. 15, 2009	Federal: $693,300,000 Non-Federal: $373,320,000 Total: $1,066,620,000

(5) ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. MD	Mid-Chesapeake Bay Island	Aug. 24, 2009	Federal: $1,240,750,000 Non-Federal: $668,100,000 Total: $1,908,850,000
2. FL	Central and Southern Florida Project, Comprehensive Everglades Restoration Plan, Caloosahatchee River (C–43) West Basin Storage Project, Hendry County	Mar. 11, 2010 and Jan. 6, 2011	Federal: $313,300,000 Non-Federal: $313,300,000 Total: $626,600,000
3. LA	Louisiana Coastal Area	Dec. 30, 2010	Federal: $1,026,000,000 Non-Federal: $601,000,000 Total: $1,627,000,000
4. MN	Marsh Lake	Dec. 30, 2011	Federal: $6,760,000 Non-Federal: $3,640,000 Total: $10,400,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
5. FL	Central and Southern Florida Project, Comprehensive Everglades Restoration Plan, C–111 Spreader Canal Western Project	Jan. 30, 2012	Federal: $87,280,000 Non-Federal: $87,280,000 Total: $174,560,000
6. FL	CERP Biscayne Bay Coastal Wetland, Florida	May 2, 2012	Federal: $98,510,000 Non-Federal: $98,510,000 Total: $197,020,000
7. FL	Central and Southern Florida Project, Broward County Water Preserve Area	May 21, 2012	Federal: $448,070,000 Non-Federal: $448,070,000 Total: $896,140,000
8. LA	Louisiana Coastal Area-Barataria Basin Barrier	June 22, 2012	Federal: $321,750,000 Non-Federal: $173,250,000 Total: $495,000,000
9. NC	Neuse River Basin	Apr. 23, 2013	Federal: $23,830,000 Non-Federal: $12,830,000 Total: $36,660,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
10. VA	Lynnhaven River	Mar. 27, 2014	Federal: $22,821,500 Non-Federal: $12,288,500 Total: $35,110,000
11. OR	Willamette River Floodplain Restoration	Jan. 6, 2014	Federal: $27,401,000 Non-Federal: $14,754,000 Total: $42,155,000

SEC. 7003. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the recommendations of the Secretary, as specified in the letters referred to in this section:

A. State	B. Name	C. Date of Secretary's Recommendation Letter	D. Updated Authorization Project Costs
1. MN	Roseau River	Jan. 24, 2013	Estimated Federal: $25,455,000 Estimated non-Federal: $18,362,000 Total: $43,817,000
2. IL	Wood River Levee System Reconstruction	May 7, 2013	Estimated Federal: $16,678,000 Estimated non-Federal: $8,980,000 Total: $25,658,000

A. State	B. Name	C. Date of Secretary's Recommendation Letter	D. Updated Authorization Project Costs
3. TX	Corpus Christi Ship Channel	Aug. 8, 2013	Estimated Federal: $182,582,000 Estimated non-Federal: $170,649,000 Total: $353,231,000
4. IA	Des Moines River and Raccoon River Project	Feb. 12, 2014	Estimated Federal: $14,990,300 Estimated non-Federal: $8,254,700 Total: $23,245,000
5. MD	Poplar Island	Feb. 26, 2014	Estimated Federal: $868,272,000 Estimated non-Federal: $365,639,000 Total: $1,233,911,000
6. IL	Lake Michigan (Chicago Shoreline)	Mar. 18, 2014	Estimated Federal: $185,441,000 Estimated non-Federal: $355,105,000 Total: $540,546,000
7. NE	Western Sarpy and Clear Creek	Mar. 20, 2014	Estimated Federal: $28,128,800 Estimated non-Federal: $15,146,300 Total: $43,275,100
8. MO	Cape Girardeau	Apr. 14, 2014	Estimated Federal: $17,687,000 Estimated non-Federal: $746,000 Total: $18,433,000

SEC. 7004. EXPEDITED CONSIDERATION IN THE HOUSE AND SENATE.

(a) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(1) DEFINITION OF INTERIM AUTHORIZATION BILL.—In this subsection, the term "interim authorization bill" means a bill

of the 113th Congress introduced after the date of enactment of this Act in the House of Representatives by the chair of the Committee on Transportation and Infrastructure which—

(A) has the following title: "A bill to provide for the authorization of certain water resources development or conservation projects outside the regular authorization cycle."; and

(B) only contains—

(i) authorization for 1 or more water resources development or conservation projects for which a final report of the Chief of Engineers has been completed; or

(ii) deauthorization for 1 or more water resources development or conservation projects.

(2) EXPEDITED CONSIDERATION.—If an interim authorization bill is not reported by a committee to which it is referred within 30 calendar days, the committee shall be discharged from its further consideration and the bill shall be referred to the appropriate calendar. Deadline.

(b) CONSIDERATION IN THE SENATE.—

(1) POLICY.—The benefits of water resource projects designed and carried out in an economically justifiable, environmentally acceptable, and technically sound manner are important to the economy and environment of the United States and recommendations to Congress regarding those projects should be expedited for approval in a timely manner.

(2) APPLICABILITY.—The procedures under this subsection apply to projects for water resources development, conservation, and other purposes, subject to the conditions that—

(A) each project is carried out—

(i) substantially in accordance with the plan identified in the report of the Chief of Engineers for the project; and

(ii) subject to any conditions described in the report for the project; and

(B)(i) a report of the Chief of Engineers has been completed; and

(ii) after the date of enactment of this Act, the Assistant Secretary of the Army for Civil Works has submitted to Congress a recommendation to authorize construction of the project. Recommendation.

(3) EXPEDITED CONSIDERATION.—

(A) IN GENERAL.—A bill shall be eligible for expedited consideration in accordance with this subsection if the bill—

(i) authorizes a project that meets the requirements described in paragraph (2); and

(ii) is referred to the Committee on Environment and Public Works of the Senate.

(B) COMMITTEE CONSIDERATION.—

(i) IN GENERAL.—Not later than January 31st of the second session of each Congress, the Committee on Environment and Public Works of the Senate shall— Deadline.

(I) report all bills that meet the requirements of subparagraph (A); or

(II) introduce and report a measure to authorize any project that meets the requirements described in paragraph (2).

(ii) FAILURE TO ACT.—Subject to clause (iii), if the committee fails to act on a bill that meets the requirements of subparagraph (A) by the date specified in clause (i), the bill shall be discharged from the committee and placed on the calendar of the Senate.

(iii) EXCEPTIONS.—Clause (ii) shall not apply if—

Time period.

(I) in the 180-day period immediately preceding the date specified in clause (i), the full committee holds a legislative hearing on a bill to authorize all projects that meet the requirements described in paragraph (2);

(II)(aa) the committee favorably reports a bill to authorize all projects that meet the requirements described in paragraph (2); and

(bb) the bill described in item (aa) is placed on the calendar of the Senate; or

Deadline.

(III) a bill that meets the requirements of subparagraph (A) is referred to the committee not earlier than 30 days before the date specified in clause (i).

(4) TERMINATION.—The procedures for expedited consideration under this subsection terminate on December 31, 2018.

(c) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a bill addressed by this section, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

Approved June 10, 2014.

LEGISLATIVE HISTORY—H.R. 3080:

HOUSE REPORTS: Nos. 113–246, Pt. 1 (Comm. on Transportation and Infrastructure) and 113–449 (Comm. of Conference).

CONGRESSIONAL RECORD:

Vol. 159 (2013): Oct. 23, considered and passed House.
Oct. 31, considered and passed Senate, amended.

Vol. 160 (2014): May 20, House agreed to conference report.
May 22, Senate agreed to conference report.

DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
June 10, Presidential remarks.

Public Law 113–122
113th Congress

An Act

To reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

June 30, 2014
[H.R. 316]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Collinsville Renewable Energy Production Act. Connecticut.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Collinsville Renewable Energy Production Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term "Commission" means the Federal Energy Regulatory Commission.

(2) LICENSE.—The term "license" means—

(A) the license for Commission project number 10822;

(B) the license for Commission project number 10823; or

(C) both.

(3) TOWN.—The term "Town" means the town of Canton, Connecticut.

SEC. 3. REINSTATEMENT, EXTENSION, AND TRANSFER OF EXPIRED LICENSES.

Notwithstanding the termination of the license, the Commission may, at the request of the Town, in accordance with section 4(a), and after reasonable notice—

(1) reinstate the licence;

(2) extend for 2 years after the date on which the license is reinstated the time period during which the licensee is required to commence the construction of the project subject to the license; and

(3) subject to section 4, transfer the license to the Town.

SEC. 4. CONDITIONS OF TRANSFER.

(a) APPLICATION FOR TRANSFER.—The Town may request the reinstatement, extension, and transfer of the license by filing an application for approval of the transfer.

(b) CONTENTS OF APPLICATION.—The application for approval of the transfer shall set forth in appropriate detail the qualifications of the Town to hold the license and to operate the property under license, which qualifications shall be the same as those required of applicants for the license.

(c) COMMISSION APPROVAL.—The Commission may approve the transfer on a showing that the transfer is in the public interest.

(d) TERMS AND CONDITIONS OF LICENSES.—The Town shall be subject to—

(1) all the conditions of the license and all the provisions and conditions of the Federal Power Act (16 U.S.C. 791a et seq.), as though the Town were the original licensee; and

(2) any additional terms and conditions the Commission determines to be necessary, including conditions for the protection, mitigation, and enhancement of fish and wildlife and related habitat under sections 10(j) and 18 of the Federal Power Act (16 U.S.C. 803(j), 811).

SEC. 5. ADMINISTRATION.

The Commission shall supplement the environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) prepared in connection with the issuance of the original license to examine all new circumstances and information relevant to environmental concerns and bearing on the reinstatement of the license or the impact of the license.

Approved June 30, 2014.

LEGISLATIVE HISTORY—H.R. 316:

HOUSE REPORTS: No. 113–7 (Comm. on Energy and Commerce).
SENATE REPORTS: No. 113–69 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Feb. 12, considered and passed House.
Vol. 160 (2014): May 22, considered and passed Senate, amended.
June 23, House concurred in Senate amendment.

Public Law 113–123
113th Congress

An Act

To direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the United States on D-Day, June 6, 1944.

June 30, 2014
[S. 1044]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

World War II Memorial Prayer Act of 2013. 40 USC 8903 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "World War II Memorial Prayer Act of 2013".

SEC. 2. PLACEMENT OF PLAQUE OR INSCRIPTION AT WORLD WAR II MEMORIAL.

The Secretary of the Interior—

(1) shall install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the United States on June 6, 1944, the morning of D-Day;

(2) shall design, procure, prepare, and install the plaque or inscription referred to in paragraph (1); and

(3) may not use Federal funds to prepare or install the plaque or inscription referred to in paragraph (1), but may accept and expend private contributions for this purpose.

SEC. 3. COMMEMORATIVE WORKS ACT.

Applicability.

Chapter 89 of title 40, United States Code (commonly known as the "Commemorative Works Act"), shall apply to the design

and placement of the plaque within the area of the World War II Memorial.

Approved June 30, 2014.

LEGISLATIVE HISTORY—S. 1044 (H.R. 2175):

HOUSE REPORTS: No. 113–500 (Comm. on Natural Resources) accompanying H.R. 2175.

SENATE REPORTS: No. 113–141 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 160 (2014):

June 5, considered and passed Senate.

June 23, considered and passed House.

Public Law 113–124
113th Congress

An Act

To amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes.

June 30, 2014
[S. 1254]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2014.
33 USC 4001 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2014".

SEC. 2. REFERENCES TO THE HARMFUL ALGAL BLOOM AND HYPOXIA RESEARCH AND CONTROL ACT OF 1998.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (16 U.S.C. 1451 note).

SEC. 3. INTER-AGENCY TASK FORCE ON HARMFUL ALGAL BLOOMS AND HYPOXIA.

16 USC 1451 note.

Section 603(a) is amended—

(1) by striking "the following representatives from" and inserting "a representative from";

(2) in paragraph (11), by striking "and";

(3) by redesignating paragraph (12) as paragraph (13);

(4) by inserting after paragraph (11) the following:

"(12) the Centers for Disease Control and Prevention; and"; and

(5) in paragraph (13), as redesignated, by striking "such".

SEC. 4. NATIONAL HARMFUL ALGAL BLOOM AND HYPOXIA PROGRAM.

The Act is amended by inserting after section 603 the following:

"SEC. 603A. NATIONAL HARMFUL ALGAL BLOOM AND HYPOXIA PROGRAM.

16 USC 1451 note.

Deadline.

"(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2014, the Under Secretary, acting through the Task Force, shall maintain and enhance a national harmful algal bloom and hypoxia program, including—

"(1) a statement of objectives, including understanding, detecting, predicting, controlling, mitigating, and responding to marine and freshwater harmful algal bloom and hypoxia events; and

"(2) the comprehensive research plan and action strategy under section 603B.

"(b) PERIODIC REVISION.—The Task Force shall periodically review and revise the Program, as necessary.

"(c) TASK FORCE FUNCTIONS.—The Task Force shall—

"(1) coordinate interagency review of the objectives and activities of the Program;

"(2) expedite the interagency review process by ensuring timely review and dispersal of required reports and assessments under this title;

"(3) support the implementation of the Action Strategy, including the coordination and integration of the research of all Federal programs, including ocean and Great Lakes science and management programs and centers, that address the chemical, biological, and physical components of marine and freshwater harmful algal blooms and hypoxia;

"(4) support the development of institutional mechanisms and financial instruments to further the objectives and activities of the Program;

"(5) review the Program's distribution of Federal funding to address the objectives and activities of the Program;

"(6) promote the development of new technologies for predicting, monitoring, and mitigating harmful algal bloom and hypoxia conditions; and

"(7) establish such interagency working groups as it considers necessary.

"(d) LEAD FEDERAL AGENCY.—Except as provided in subsection (h), the National Oceanic and Atmospheric Administration shall have primary responsibility for administering the Program.

"(e) PROGRAM DUTIES.—In administering the Program, the Under Secretary shall—

"(1) promote the Program;

"(2) prepare work and spending plans for implementing the research and activities identified under the Action Strategy;

"(3) administer peer-reviewed, merit-based, competitive grant funding—

"(A) to maintain and enhance baseline monitoring programs established by the Program;

"(B) to support the projects maintained and established by the Program; and

"(C) to address the research and management needs and priorities identified in the Action Strategy;

"(4) coordinate with and work cooperatively with regional, State, tribal, and local government agencies and programs that address marine and freshwater harmful algal blooms and hypoxia;

"(5) coordinate with the Secretary of State to support international efforts on marine and freshwater harmful algal bloom and hypoxia information sharing, research, prediction, mitigation, control, and response activities;

"(6) identify additional research, development, and demonstration needs and priorities relating to monitoring, prevention, control, mitigation, and response to marine and freshwater harmful algal blooms and hypoxia, including methods and technologies to protect the ecosystems affected by marine and freshwater harmful algal blooms and hypoxia;

"(7) integrate, coordinate, and augment existing education programs to improve public understanding and awareness of the causes, impacts, and mitigation efforts for marine and freshwater harmful algal blooms and hypoxia;

"(8) facilitate and provide resources to train State and local coastal and water resource managers in the methods and technologies for monitoring, preventing, controlling, and mitigating marine and freshwater harmful algal blooms and hypoxia;

"(9) support regional efforts to control and mitigate outbreaks through—

"(A) communication of the contents of the Action Strategy and maintenance of online data portals for other information about harmful algal blooms and hypoxia to State, tribal, and local stakeholders; and

"(B) overseeing the development, review, and periodic updating of the Action Strategy;

"(10) convene at least 1 meeting of the Task Force each year; and

"(11) perform such other tasks as may be delegated by the Task Force.

"(f) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ACTIVITIES.—The Under Secretary shall—

"(1) maintain and enhance the existing competitive programs at the National Oceanic and Atmospheric Administration relating to harmful algal blooms and hypoxia;

"(2) carry out marine and Great Lakes harmful algal bloom and hypoxia events response activities;

"(3) develop and enhance, including with respect to infrastructure as necessary, critical observations, monitoring, modeling, data management, information dissemination, and operational forecasts relevant to harmful algal blooms and hypoxia events;

"(4) enhance communication and coordination among Federal agencies carrying out marine and freshwater harmful algal bloom and hypoxia activities and research;

"(5) to the greatest extent practicable, leverage existing resources and expertise available from local research universities and institutions; and

"(6) increase the availability to appropriate public and private entities of—

"(A) analytical facilities and technologies;

"(B) operational forecasts; and

"(C) reference and research materials.

"(g) COOPERATIVE EFFORTS.—The Under Secretary shall work cooperatively and avoid duplication of effort with other offices, centers, and programs within the National Oceanic and Atmospheric Administration, other agencies on the Task Force, and States, tribes, and nongovernmental organizations concerned with marine and freshwater issues to coordinate harmful algal bloom and hypoxia (and related) activities and research.

"(h) FRESHWATER.—With respect to the freshwater aspects of the Program, the Administrator, through the Task Force, shall carry out the duties otherwise assigned to the Under Secretary under this section, except the activities described in subsection (f).

"(1) PARTICIPATION.—The Administrator's participation under this section shall include—

"(A) research on the ecology and impacts of freshwater harmful algal blooms; and

"(B) forecasting and monitoring of and event response to freshwater harmful algal blooms in lakes, rivers, estuaries (including their tributaries), and reservoirs.

"(2) NONDUPLICATION.—The Administrator shall ensure that activities carried out under this title focus on new approaches to addressing freshwater harmful algal blooms and are not duplicative of existing research and development programs authorized by this title or any other law.

Compliance.

"(i) INTEGRATED COASTAL AND OCEAN OBSERVATION SYSTEM.—The collection of monitoring and observation data under this title shall comply with all data standards and protocols developed pursuant to the Integrated Coastal and Ocean Observation System Act of 2009 (33 U.S.C. 3601 et seq.). Such data shall be made available through the system established under that Act.".

SEC. 5. COMPREHENSIVE RESEARCH PLAN AND ACTION STRATEGY.

The Act, as amended by section 4 of this Act, is further amended by inserting after section 603A the following:

16 USC 1451 note.

"SEC. 603B. COMPREHENSIVE RESEARCH PLAN AND ACTION STRATEGY.

Deadline. Plan.

"(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2014, the Under Secretary, through the Task Force, shall develop and submit to Congress a comprehensive research plan and action strategy to address marine and freshwater harmful algal blooms and hypoxia. The Action Strategy shall identify—

"(1) the specific activities to be carried out by the Program and the timeline for carrying out those activities;

"(2) the roles and responsibilities of each Federal agency in the Task Force in carrying out the activities under paragraph (1); and

"(3) the appropriate regions and subregions requiring specific research and activities to address harmful algal blooms and hypoxia.

"(b) REGIONAL FOCUS.—The regional and subregional parts of the Action Strategy shall identify—

"(1) regional priorities for ecological, economic, and social research on issues related to the impacts of harmful algal blooms and hypoxia;

"(2) research, development, and demonstration activities needed to develop and advance technologies and techniques for minimizing the occurrence of harmful algal blooms and hypoxia and improving capabilities to detect, predict, monitor, control, mitigate, respond to, and remediate harmful algal blooms and hypoxia;

"(3) ways to reduce the duration and intensity of harmful algal blooms and hypoxia, including deployment of response technologies in a timely manner;

"(4) research and methods to address human health dimensions of harmful algal blooms and hypoxia;

"(5) mechanisms, including the potential costs and benefits of those mechanisms, to protect ecosystems that may be or have been affected by harmful algal bloom and hypoxia events;

"(6) mechanisms by which data, information, and products may be transferred between the Program and the State, tribal, and local governments and research entities;

"(7) communication and information dissemination methods that State, tribal, and local governments may undertake to educate and inform the public concerning harmful algal blooms and hypoxia; and

"(8) roles that Federal agencies may have to assist in the implementation of the Action Strategy, including efforts to support local and regional scientific assessments under section 603(e).

"(c) UTILIZING AVAILABLE STUDIES AND INFORMATION.—In developing the Action Strategy, the Under Secretary shall utilize existing research, assessments, reports, and program activities, including—

"(1) those carried out under existing law; and

"(2) other relevant peer-reviewed and published sources.

"(d) DEVELOPMENT OF THE ACTION STRATEGY.—In developing the Action Strategy, the Under Secretary shall, as appropriate—

"(1) coordinate with—

"(A) State coastal management and planning officials;

"(B) tribal resource management officials; and

"(C) water management and watershed officials from both coastal States and noncoastal States with water sources that drain into water bodies affected by harmful algal blooms and hypoxia; and

"(2) consult with— Consultation.

"(A) public health officials;

"(B) emergency management officials;

"(C) science and technology development institutions;

"(D) economists;

"(E) industries and businesses affected by marine and freshwater harmful algal blooms and hypoxia;

"(F) scientists with expertise concerning harmful algal blooms or hypoxia from academic or research institutions; and

"(G) other stakeholders.

"(e) FEDERAL REGISTER.—The Under Secretary shall publish the Action Strategy in the Federal Register.

"(f) PERIODIC REVISION.—The Under Secretary, in coordination and consultation with the individuals and entities under subsection (d), shall periodically review and revise the Action Strategy prepared under this section, as necessary.". Coordination. Consultation. Review.

SEC. 6. REPORTING.

Section 603 is amended by adding at the end the following: 16 USC 1451 note.

"(j) REPORT.—Not later than 2 years after the date the Action Strategy is submitted under section 603B, the Under Secretary shall submit a report to Congress that describes—

"(1) the proceedings of the annual Task Force meetings;

"(2) the activities carried out under the Program, including the regional and subregional parts of the Action Strategy;

"(3) the budget related to the activities under paragraph (2);

"(4) the progress made on implementing the Action Strategy; and

"(5) any need to revise or terminate research and activities under the Program.".

SEC. 7. NORTHERN GULF OF MEXICO HYPOXIA.

16 USC 1451 note.

Section 604 is amended to read as follows:

"SEC. 604. NORTHERN GULF OF MEXICO HYPOXIA.

"(a) INITIAL PROGRESS REPORTS.—Beginning not later than 12 months after the date of enactment of the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2014, and biennially thereafter, the Administrator, through the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force, shall submit a progress report to the appropriate congressional committees and the President that describes the progress made by activities directed by the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force and carried out or funded by the Environmental Protection Agency and other State and Federal partners toward attainment of the goals of the Gulf Hypoxia Action Plan 2008.

"(b) CONTENTS.—Each report required under this section shall—

"(1) assess the progress made toward nutrient load reductions, the response of the hypoxic zone and water quality throughout the Mississippi/Atchafalaya River Basin, and the economic and social effects;

"(2) evaluate lessons learned; and

"(3) recommend appropriate actions to continue to implement or, if necessary, revise the strategy set forth in the Gulf Hypoxia Action Plan 2008.".

SEC. 8. GREAT LAKES HYPOXIA AND HARMFUL ALGAL BLOOMS.

16 USC 1451 note.

Section 605 is amended to read as follows:

"SEC. 605. GREAT LAKES HYPOXIA AND HARMFUL ALGAL BLOOMS.

Deadline.

"(a) INTEGRATED ASSESSMENT.—Not later than 18 months after the date of enactment of the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2014, the Task Force, in accordance with the authority under section 603, shall complete and submit to the Congress and the President an integrated assessment that examines the causes, consequences, and approaches to reduce hypoxia and harmful algal blooms in the Great Lakes, including the status of and gaps within current research, monitoring, management, prevention, response, and control activities by—

"(1) Federal agencies;

"(2) State agencies;

"(3) regional research consortia;

"(4) academia;

"(5) private industry; and

"(6) nongovernmental organizations.

"(b) PLAN.—

Deadline.

"(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2014, the Task Force shall develop and submit to the Congress a plan, based on the integrated assessment under subsection (a), for reducing, mitigating, and controlling hypoxia and harmful algal blooms in the Great Lakes.

"(2) CONTENTS.—The plan shall—

"(A) address the monitoring needs identified in the integrated assessment under subsection (a);

"(B) develop a timeline and budgetary requirements for deployment of future assets;

"(C) identify requirements for the development and verification of Great Lakes hypoxia and harmful algal bloom models, including—

"(i) all assumptions built into the models; and

"(ii) data quality methods used to ensure the best available data are utilized; and

"(D) describe efforts to improve the assessment of the impacts of hypoxia and harmful algal blooms by—

"(i) characterizing current and past biological conditions in ecosystems affected by hypoxia and harmful algal blooms; and

"(ii) quantifying effects, including economic effects, at the population and community levels.

"(3) REQUIREMENTS.—In developing the plan, the Task Force shall—

"(A) coordinate with State and local governments; Coordination.

"(B) consult with representatives from academic, agricultural, industry, and other stakeholder groups, including relevant Canadian agencies; Consultation.

"(C) ensure that the plan complements and does not duplicate activities conducted by other Federal or State agencies;

"(D) identify critical research for reducing, mitigating, and controlling hypoxia events and their effects;

"(E) evaluate cost-effective, incentive-based partnership approaches;

"(F) ensure that the plan is technically sound and cost effective;

"(G) utilize existing research, assessments, reports, and program activities;

"(H) publish a summary of the proposed plan in the Federal Register at least 180 days prior to submitting the completed plan to Congress; and Federal Register, publication.

"(I) after submitting the completed plan to Congress, provide biennial progress reports on the activities toward achieving the objectives of the plan.". Reports.

SEC. 9. APPLICATION WITH OTHER LAWS.

The Act is amended by adding after section 606 the following:

"SEC. 607. EFFECT ON OTHER FEDERAL AUTHORITY. 16 USC 1451 note.

"(a) AUTHORITY PRESERVED.—Nothing in this title supersedes or limits the authority of any agency to carry out its responsibilities and missions under other laws.

"(b) REGULATORY AUTHORITY.—Nothing in this title may be construed as establishing new regulatory authority for any agency.".

SEC. 10. DEFINITIONS; CONFORMING AMENDMENT.

(a) IN GENERAL.—The Act, as amended by section 9 of this Act, is further amended by adding after section 607 the following:

"SEC. 608. DEFINITIONS. 16 USC 1451 note.

"In this title:

"(1) ACTION STRATEGY.—The term 'Action Strategy' means the comprehensive research plan and action strategy established under section 603B.

"(2) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

"(3) HARMFUL ALGAL BLOOM.—The term 'harmful algal bloom' means marine and freshwater phytoplankton that proliferate to high concentrations, resulting in nuisance conditions or harmful impacts on marine and aquatic ecosystems, coastal communities, and human health through the production of toxic compounds or other biological, chemical, and physical impacts of the algae outbreak.

"(4) HYPOXIA.—The term 'hypoxia' means a condition where low dissolved oxygen in aquatic systems causes stress or death to resident organisms.

"(5) PROGRAM.—The term 'Program' means the national harmful algal bloom and hypoxia program established under section 603A.

"(6) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, any other territory or possession of the United States, and any Indian tribe.

"(7) TASK FORCE.—The term 'Task Force' means the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia under section 603(a).

"(8) UNDER SECRETARY.—The term 'Under Secretary' means the Under Secretary of Commerce for Oceans and Atmosphere.

"(9) UNITED STATES COASTAL WATERS.—The term 'United States coastal waters' includes the Great Lakes.".

16 USC 1451 note.

(b) CONFORMING AMENDMENT.—Section 603(a) is amended by striking "(hereinafter referred to as the 'Task Force')".

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

The Act is further amended by adding after section 608 the following:

16 USC 1451 note.

"SEC. 609. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.—There is authorized to be appropriated to the Under Secretary to carry out sections 603A and 603B $20,500,000 for each of fiscal years 2014 through 2018.

"(b) EXTRAMURAL RESEARCH ACTIVITIES.—The Under Secretary shall ensure that a substantial portion of funds appropriated pursuant to subsection (a) that are used for research purposes are allocated to extramural research activities. For each fiscal year, the Under Secretary shall publish a list of all grant recipients and

Publication. Lists.

the amounts for all of the funds allocated for research purposes, specifying those allocated for extramural research activities.".

Approved June 30, 2014.

LEGISLATIVE HISTORY—S. 1254:

HOUSE REPORTS: No. 113–471, Pt. 1 (Comm. on Science, Space, and Technology).
SENATE REPORTS: No. 113–121 (Comm. on Commerce, Science, and Transportation).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Feb. 12, considered and passed Senate.
June 9, considered and passed House, amended.
June 17, Senate concurred in House amendment.

Public Law 113–125
113th Congress

An Act

June 30, 2014
[S. 2086]

To address current emergency shortages of propane and other home heating fuels and to provide greater flexibility and information for Governors to address such emergencies in the future.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Reliable Home Heating Act.
49 USC 31136 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reliable Home Heating Act".

SEC. 2. AUTHORITY TO EXTEND EMERGENCY DECLARATIONS FOR PURPOSES OF TEMPORARILY EXEMPTING MOTOR CARRIERS PROVIDING EMERGENCY RELIEF FROM CERTAIN SAFETY REGULATIONS.

(a) DEFINED TERM.—In this Act, the term "residential heating fuel" includes—

(1) heating oil;
(2) natural gas; and
(3) propane.

Time periods.
Determination.

(b) AUTHORIZATION.—If the Governor of a State declares a state of emergency caused by a shortage of residential heating fuel and, at the conclusion of the initial 30-day emergency period (or a second 30-day emergency period authorized under this subsection), the Governor determines that the emergency shortage has not ended, any extension of such state of emergency by the Governor, up to 2 additional 30-day periods, shall be recognized by the Federal Motor Carrier Safety Administration as a period during which parts 390 through 399 of chapter III of title 49, Code of Federal Regulations, shall not apply to any motor carrier or driver operating a commercial motor vehicle to provide residential heating fuel in the geographic area so designated as under a state of emergency.

(c) RULEMAKING.—The Secretary of Transportation shall amend section 390.23(a)(1)(ii) of title 49, Code of Federal Regulations, to conform to the provision set forth in subsection (b).

(d) SAVINGS PROVISION.—Nothing in this section may be construed to modify the authority granted to the Federal Motor Carrier Safety Administration's Field Administrator under section 390.23(a) of title 49, Code of Federal Regulations, to offer temporary exemptions from parts 390 through 399 of such title.

SEC. 3. ENERGY INFORMATION ADMINISTRATION NOTIFICATION REQUIREMENT.

The Administrator of the Energy Information Administration, using data compiled from the Administration's Weekly Petroleum

Status Reports, shall notify the Governor of each State in a Petroleum Administration for Defense District if the inventory of residential heating fuel within such district has been below the most recent 5-year average for more than 3 consecutive weeks.

SEC. 4. REVIEW.

Deadline. Study. Reports.

Not later than 12 months after the date of enactment of this Act, the Secretary of Transportation shall conduct a study of, and transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, a report on the impacts of safety from the extensions issued by Governors according to this Act. In conducting the study, the Secretary shall review, at a minimum—

(1) the safety implications of extending exemptions; and

(2) a review of the exemption process to ensure clarity and efficiency during emergencies.

Approved June 30, 2014.

LEGISLATIVE HISTORY—S. 2086:

SENATE REPORTS: No. 113–162 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 160 (2014):

May 21, considered and passed Senate.

June 23, considered and passed House.

Public Law 113–126
113th Congress

An Act

July 7, 2014
[S. 1681]

To authorize appropriations for fiscal year 2014 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Intelligence Authorization Act for Fiscal Year 2014.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 2014".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

50 USC 3003 note.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term "congressional intelligence committees" means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term "intelligence community" has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.
(2) The Central Intelligence Agency.
(3) The Department of Defense.
(4) The Defense Intelligence Agency.
(5) The National Security Agency.
(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(7) The Coast Guard.
(8) The Department of State.
(9) The Department of the Treasury.
(10) The Department of Energy.
(11) The Department of Justice.
(12) The Federal Bureau of Investigation.
(13) The Drug Enforcement Administration.
(14) The National Reconnaissance Office.
(15) The National Geospatial-Intelligence Agency.
(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2014, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany the bill S. 1681 of the One Hundred Thirteenth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

President.

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations, or of appropriate portions of the Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2014 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such Schedule for such element. Determination.

(b) TREATMENT OF CERTAIN PERSONNEL.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in— Guidelines.

(1) a student program, trainee program, or similar program;

(2) a reserve corps or as a reemployed annuitant; or

(3) details, joint duty, or long term, full-time training.

(c) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a). Deadline.

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2014 the sum of $528,229,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2015.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 855 positions as of September 30, 2014. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2014 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2015.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2014, there are authorized such additional personnel for the

Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2014 the sum of $514,000,000.

SEC. 202. CIARDS AND FERS SPECIAL RETIREMENT CREDIT FOR SERVICE ON DETAIL TO ANOTHER AGENCY.

(a) IN GENERAL.—Section 203(b) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2013(b)) is amended—

(1) in the matter preceding paragraph (1), by striking "service in the Agency performed" and inserting "service performed by an Agency employee"; and

(2) in paragraph (1), by striking "Agency activities" and inserting "intelligence activities".

50 USC 2013 note.

(b) APPLICATION.—The amendment made by subsection (a) shall be applied to retired or deceased officers of the Central Intelligence Agency who were designated at any time under section 203 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2013) prior to the date of the enactment of this Act.

TITLE III—GENERAL PROVISIONS

Subtitle A—General Matters

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. SPECIFIC AUTHORIZATION OF FUNDING FOR HIGH PERFORMANCE COMPUTING CENTER 2.

Funds appropriated for the construction of the High Performance Computing Center 2 (HPCC 2), as described in the table entitled Consolidated Cryptologic Program (CCP) in the classified annex to accompany the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6; 127 Stat. 198), in excess of the amount specified for such activity in the tables in the classified annex prepared to accompany the Intelligence

Authorization Act for Fiscal Year 2013 (Public Law 112–277; 126 Stat. 2468) shall be specifically authorized by Congress for the purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094).

SEC. 304. CLARIFICATION OF EXEMPTION FROM FREEDOM OF INFORMATION ACT OF IDENTITIES OF EMPLOYEES SUBMITTING COMPLAINTS TO THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

Section 103H(g)(3)(A) of the National Security Act of 1947 (50 U.S.C. 3033(g)(3)(A)) is amended by striking "undertaken;" and inserting "undertaken, and this provision shall qualify as a withholding statute pursuant to subsection (b)(3) of section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act');".

SEC. 305. FUNCTIONAL MANAGERS FOR THE INTELLIGENCE COMMUNITY.

(a) FUNCTIONAL MANAGERS AUTHORIZED.—Title I of the National Security Act of 1947 (50 U.S.C. 3021 et seq.) is amended by inserting after section 103I the following new section:

"SEC. 103J. FUNCTIONAL MANAGERS FOR THE INTELLIGENCE COMMUNITY. 50 USC 3034a.

"(a) FUNCTIONAL MANAGERS AUTHORIZED.—The Director of National Intelligence may establish within the intelligence community one or more positions of manager of an intelligence function. Any position so established may be known as the 'Functional Manager' of the intelligence function concerned.

"(b) PERSONNEL.—The Director shall designate individuals to serve as manager of intelligence functions established under subsection (a) from among officers and employees of elements of the intelligence community.

"(c) DUTIES.—Each manager of an intelligence function established under subsection (a) shall have the duties as follows:

"(1) To act as principal advisor to the Director on the intelligence function.

"(2) To carry out such other responsibilities with respect to the intelligence function as the Director may specify for purposes of this section.".

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 103I the following new item:

"Sec. 103J. Functional managers for the intelligence community.".

SEC. 306. ANNUAL ASSESSMENT OF INTELLIGENCE COMMUNITY PERFORMANCE BY FUNCTION.

(a) ANNUAL ASSESSMENTS REQUIRED.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by inserting after section 506I the following new section:

"SEC. 506J. ANNUAL ASSESSMENT OF INTELLIGENCE COMMUNITY PERFORMANCE BY FUNCTION. 50 USC 3105a.

"(a) IN GENERAL.—Not later than April 1, 2016, and each year thereafter, the Director of National Intelligence shall, in consultation with the Functional Managers, submit to the congressional Deadlines. Consultation. Reports.

intelligence committees a report on covered intelligence functions during the preceding year.

"(b) ELEMENTS.—Each report under subsection (a) shall include for each covered intelligence function for the year covered by such report the following:

"(1) An identification of the capabilities, programs, and activities of such intelligence function, regardless of the element of the intelligence community that carried out such capabilities, programs, and activities.

"(2) A description of the investment and allocation of resources for such intelligence function, including an analysis of the allocation of resources within the context of the National Intelligence Strategy, priorities for recipients of resources, and areas of risk.

"(3) A description and assessment of the performance of such intelligence function.

"(4) An identification of any issues related to the application of technical interoperability standards in the capabilities, programs, and activities of such intelligence function.

"(5) An identification of the operational overlap or need for de-confliction, if any, within such intelligence function.

"(6) A description of any efforts to integrate such intelligence function with other intelligence disciplines as part of an integrated intelligence enterprise.

"(7) A description of any efforts to establish consistency in tradecraft and training within such intelligence function.

"(8) A description and assessment of developments in technology that bear on the future of such intelligence function.

"(9) Such other matters relating to such intelligence function as the Director may specify for purposes of this section.

"(c) DEFINITIONS.—In this section:

"(1) The term 'covered intelligence functions' means each intelligence function for which a Functional Manager has been established under section 103J during the year covered by a report under this section.

"(2) The term 'Functional Manager' means the manager of an intelligence function established under section 103J.".

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 506I the following new item:

"Sec. 506J. Annual assessment of intelligence community performance by function.".

SEC. 307. SOFTWARE LICENSING.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 3021 et seq.) is amended by inserting after section 108 the following new section:

50 USC 3044.

"SEC. 109. SOFTWARE LICENSING.

Consultation.
Deadline.

"(a) REQUIREMENT FOR INVENTORIES OF SOFTWARE LICENSES.—The chief information officer of each element of the intelligence community, in consultation with the Chief Information Officer of the Intelligence Community, shall biennially—

"(1) conduct an inventory of all existing software licenses of such element, including utilized and unutilized licenses;

"(2) assess the actions that could be carried out by such element to achieve the greatest possible economies of scale and associated cost savings in software procurement and usage; and

Assessment.

"(3) submit to the Chief Information Officer of the Intelligence Community each inventory required by paragraph (1) and each assessment required by paragraph (2).

"(b) INVENTORIES BY THE CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.—The Chief Information Officer of the Intelligence Community, based on the inventories and assessments required by subsection (a), shall biennially—

Deadline.

"(1) compile an inventory of all existing software licenses of the intelligence community, including utilized and unutilized licenses; and

"(2) assess the actions that could be carried out by the intelligence community to achieve the greatest possible economies of scale and associated cost savings in software procurement and usage.

Assessment.

"(c) REPORTS TO CONGRESS.—The Chief Information Officer of the Intelligence Community shall submit to the congressional intelligence committees a copy of each inventory compiled under subsection (b)(1).".

Records.

(b) INITIAL INVENTORY.—

Deadlines.
50 USC 3044 note.

(1) INTELLIGENCE COMMUNITY ELEMENTS.—

(A) DATE.—Not later than 120 days after the date of the enactment of this Act, the chief information officer of each element of the intelligence community shall complete the initial inventory, assessment, and submission required under section 109(a) of the National Security Act of 1947, as added by subsection (a) of this section.

(B) BASIS.—The initial inventory conducted for each element of the intelligence community under section 109(a)(1) of the National Security Act of 1947, as added by subsection (a) of this section, shall be based on the inventory of software licenses conducted pursuant to section 305 of the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112–277; 126 Stat. 2472) for such element.

(2) CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.—Not later than 180 days after the date of the enactment of this Act, the Chief Information Officer of the Intelligence Community shall complete the initial compilation and assessment required under section 109(b) of the National Security Act of 1947, as added by subsection (a).

(c) TABLE OF CONTENTS AMENDMENTS.—The table of contents in the first section of the National Security Act of 1947 is amended—

(1) by striking the second item relating to section 104 (relating to Annual national security strategy report); and

(2) inserting after the item relating to section 108 the following new item:

"Sec. 109. Software licensing.".

SEC. 308. PLANS TO RESPOND TO UNAUTHORIZED PUBLIC DISCLOSURES OF COVERT ACTIONS.

Section 503 of the National Security Act of 1947 (50 U.S.C. 3093) is amended by adding at the end the following new subsection:

President. Plan.

"(h) For each type of activity undertaken as part of a covert action, the President shall establish in writing a plan to respond to the unauthorized public disclosure of that type of activity.".

SEC. 309. AUDITABILITY.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following new section:

50 USC 3108.

"SEC. 509. AUDITABILITY OF CERTAIN ELEMENTS OF THE INTELLIGENCE COMMUNITY.

"(a) REQUIREMENT FOR ANNUAL AUDITS.—The head of each covered entity shall ensure that there is a full financial audit of such covered entity each year beginning with fiscal year 2014. Such audits may be conducted by an internal or external independent accounting or auditing organization.

"(b) REQUIREMENT FOR UNQUALIFIED OPINION.—Beginning as early as practicable, but in no event later than the audit required under subsection (a) for fiscal year 2016, the head of each covered entity shall take all reasonable steps necessary to ensure that each audit required under subsection (a) contains an unqualified opinion on the financial statements of such covered entity for the fiscal year covered by such audit.

"(c) REPORTS TO CONGRESS.—The chief financial officer of each covered entity shall provide to the congressional intelligence committees an annual audit report from an accounting or auditing organization on each audit of the covered entity conducted pursuant to subsection (a).

"(d) COVERED ENTITY DEFINED.—In this section, the term 'covered entity' means the Office of the Director of National Intelligence, the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, the National Reconnaissance Office, and the National Geospatial-Intelligence Agency.".

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 508 the following new item:

"Sec. 509. Auditability of certain elements of the intelligence community.".

SEC. 310. REPORTS OF FRAUD, WASTE, AND ABUSE.

Section 8H(a) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended in paragraph (1)—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(2) by inserting after subparagraph (A) the following:

"(B) An employee of an element of the intelligence community, an employee assigned or detailed to an element of the intelligence community, or an employee of a contractor to the intelligence community, who intends to report to Congress a complaint or information with respect to an urgent concern may report such complaint or information to the Inspector General of the Intelligence Community."; and

(3) in subparagraph (D), as redesignated by paragraph (1)—

(A) by striking "Act or section 17" and inserting "Act, section 17"; and

(B) by striking the period at the end and inserting ", or section 103H(k) of the National Security Act of 1947 (50 U.S.C. 3033(k)).".

SEC. 311. PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 710(b) of the Public Interest Declassification Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note) is amended by striking "2014." and inserting "2018.".

SEC. 312. OFFICIAL REPRESENTATION ITEMS IN SUPPORT OF THE COAST GUARD ATTACHÉ PROGRAM.

14 USC 150 note.

Notwithstanding any other limitation on the amount of funds that may be used for official representation items, the Secretary of Homeland Security may use funds made available to the Secretary through the National Intelligence Program for necessary expenses for intelligence analysis and operations coordination activities for official representation items in support of the Coast Guard Attaché Program.

SEC. 313. DECLASSIFICATION REVIEW OF CERTAIN ITEMS COLLECTED DURING THE MISSION THAT KILLED OSAMA BIN LADEN ON MAY 1, 2011.

Deadline.

Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) in the manner described in the classified annex to this Act—

(A) complete a declassification review of documents collected in Abbottabad, Pakistan, during the mission that killed Osama bin Laden on May 1, 2011; and

(B) make publicly available any information declassified as a result of the declassification review required under paragraph (1); and

Public information.

(2) report to the congressional intelligence committees—

Reports.

(A) the results of the declassification review required under paragraph (1); and

(B) a justification for not declassifying any information required to be included in such declassification review that remains classified.

SEC. 314. MERGER OF THE FOREIGN COUNTERINTELLIGENCE PROGRAM AND THE GENERAL DEFENSE INTELLIGENCE PROGRAM.

50 USC 3023 note.

Notwithstanding any other provision of law, the Director of National Intelligence shall carry out the merger of the Foreign Counterintelligence Program into the General Defense Intelligence Program as directed in the classified annex to this Act. The merger shall go into effect no earlier than 30 days after written notification of the merger is provided to the congressional intelligence committees.

Effective date. Notification.

Subtitle B—Reporting

SEC. 321. SIGNIFICANT INTERPRETATIONS OF LAW CONCERNING INTELLIGENCE ACTIVITIES.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3021 et seq.), as added by section 309 of this Act, is further amended by adding at the end the following new section:

50 USC 3109.

"SEC. 510. SIGNIFICANT INTERPRETATIONS OF LAW CONCERNING INTELLIGENCE ACTIVITIES.

Deadline.

"(a) NOTIFICATION.—Except as provided in subsection (c) and to the extent consistent with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters, the General Counsel of each element of the intelligence community shall notify the congressional intelligence committees, in writing, of any significant legal interpretation of the United States Constitution or Federal law affecting intelligence activities conducted by such element by not later than 30 days after the date of the commencement of any intelligence activity pursuant to such interpretation.

"(b) CONTENT.—Each notification under subsection (a) shall provide a summary of the significant legal interpretation and the intelligence activity or activities conducted pursuant to such interpretation.

"(c) EXCEPTIONS.—A notification under subsection (a) shall not be required for a significant legal interpretation if—

"(1) notice of the significant legal interpretation was previously provided to the congressional intelligence committees under subsection (a); or

"(2) the significant legal interpretation was made before the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2014.

President. Determination.

"(d) LIMITED ACCESS FOR COVERT ACTION.—If the President determines that it is essential to limit access to a covert action finding under section 503(c)(2), the President may limit access to information concerning such finding that is subject to notification under this section to those members of Congress who have been granted access to the relevant finding under section 503(c)(2).".

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 509, as so added, the following new item:

"Sec. 510. Significant interpretations of law concerning intelligence activities.".

28 USC 521 note.

SEC. 322. REVIEW FOR OFFICIAL PUBLICATION OF OPINIONS OF THE OFFICE OF LEGAL COUNSEL OF THE DEPARTMENT OF JUSTICE CONCERNING INTELLIGENCE ACTIVITIES.

Deadline.

(a) PROCESS FOR REVIEW FOR OFFICIAL PUBLICATION.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall, in coordination with the Director of National Intelligence, establish a process for the regular review for official publication of significant opinions of the Office of Legal Counsel of the Department of Justice that have been provided to an element of the intelligence community.

(b) FACTORS.—The process of review of opinions established under subsection (a) shall include consideration of the following:

(1) The potential importance of an opinion to other agencies or officials in the Executive branch.

(2) The likelihood that similar questions addressed in an opinion may arise in the future.

(3) The historical importance of an opinion or the context in which it arose.

(4) The potential significance of an opinion to the overall jurisprudence of the Office of Legal Counsel.

(5) Such other factors as the Attorney General and the Director of National Intelligence consider appropriate.

(c) PRESUMPTION.—The process of review established under subsection (a) shall apply a presumption that significant opinions of the Office of Legal Counsel should be published when practicable, consistent with national security and other confidentiality considerations. Applicability.

(d) CONSTRUCTION.—Nothing in this section shall require the official publication of any opinion of the Office of Legal Counsel, including publication under any circumstance as follows:

(1) When publication would reveal classified or other sensitive information relating to national security.

(2) When publication could reasonably be anticipated to interfere with Federal law enforcement efforts or is prohibited by law.

(3) When publication would conflict with preserving internal Executive branch deliberative processes or protecting other information properly subject to privilege.

(e) REQUIREMENT TO PROVIDE CLASSIFIED OPINIONS TO CONGRESS.—

(1) IN GENERAL.—Any opinion of the Office of Legal Counsel that would have been selected for publication under the process of review established under subsection (a) but for the fact that publication would reveal classified or other sensitive information relating to national security shall be provided or made available to the appropriate committees of Congress.

(2) EXCEPTION FOR COVERT ACTION.—If the President determines that it is essential to limit access to a covert action finding under section 503(c)(2) of the National Security Act of 1947 (50 U.S.C. 3093(c)(2)), the President may limit access to information concerning such finding that would otherwise be provided or made available under this subsection to those members of Congress who have been granted access to such finding under such section 503(c)(2). President. Determination.

(f) JUDICIAL REVIEW.—The determination whether an opinion of the Office of Legal Counsel is appropriate for official publication under the process of review established under subsection (a) is discretionary and is not subject to judicial review.

SEC. 323. SUBMITTAL TO CONGRESS BY HEADS OF ELEMENTS OF INTELLIGENCE COMMUNITY OF PLANS FOR ORDERLY SHUTDOWN IN EVENT OF ABSENCE OF APPROPRIATIONS. 50 USC 3311.

(a) IN GENERAL.—Whenever the head of an applicable agency submits a plan to the Director of the Office of Management and Budget in accordance with section 124 of Office of Management and Budget Circular A–11, pertaining to agency operations in the absence of appropriations, or any successor circular of the Office that requires the head of an applicable agency to submit to the Director a plan for an orderly shutdown in the event of the absence of appropriations, such head shall submit a copy of such plan to the following: Records.

(1) The congressional intelligence committees.

(2) The Subcommittee on Defense of the Committee on Appropriations of the Senate.

(3) The Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(4) In the case of a plan for an element of the intelligence community that is within the Department of Defense, to—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(b) HEAD OF AN APPLICABLE AGENCY DEFINED.—In this section, the term "head of an applicable agency" includes the following:

(1) The Director of National Intelligence.

(2) The Director of the Central Intelligence Agency.

(3) Each head of each element of the intelligence community that is within the Department of Defense.

SEC. 324. REPORTS ON CHEMICAL WEAPONS IN SYRIA.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report on the Syrian chemical weapons program.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A comprehensive assessment of chemical weapon stockpiles in Syria, including names, types, and quantities of chemical weapons agents, types of munitions, and location and form of storage, production, and research and development facilities.

(2) A listing of key personnel associated with the Syrian chemical weapons program.

(3) An assessment of undeclared chemical weapons stockpiles, munitions, and facilities.

(4) An assessment of how these stockpiles, precursors, and delivery systems were obtained.

(5) A description of key intelligence gaps related to the Syrian chemical weapons program.

(6) An assessment of any denial and deception efforts on the part of the Syrian regime related to its chemical weapons program.

(c) PROGRESS REPORTS.—Every 90 days until the date that is 18 months after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a progress report providing any material updates to the report required under subsection (a).

50 USC 3330.

SEC. 325. REPORTS TO THE INTELLIGENCE COMMUNITY ON PENETRATIONS OF NETWORKS AND INFORMATION SYSTEMS OF CERTAIN CONTRACTORS.

(a) PROCEDURES FOR REPORTING PENETRATIONS.—The Director of National Intelligence shall establish procedures that require each cleared intelligence contractor to report to an element of the intelligence community designated by the Director for purposes of such procedures when a network or information system of such contractor that meets the criteria established pursuant to subsection (b) is successfully penetrated.

Consultation.
Criteria.

(b) NETWORKS AND INFORMATION SYSTEMS SUBJECT TO REPORTING.—The Director of National Intelligence shall, in consultation with appropriate officials, establish criteria for covered networks to be subject to the procedures for reporting system penetrations under subsection (a).

(c) PROCEDURE REQUIREMENTS.—

(1) RAPID REPORTING.—The procedures established pursuant to subsection (a) shall require each cleared intelligence contractor to rapidly report to an element of the intelligence community designated pursuant to subsection (a) of each successful penetration of the network or information systems of such contractor that meet the criteria established pursuant to subsection (b). Each such report shall include the following:

(A) A description of the technique or method used in such penetration.

(B) A sample of the malicious software, if discovered and isolated by the contractor, involved in such penetration.

(C) A summary of information created by or for such element in connection with any program of such element that has been potentially compromised due to such penetration.

(2) ACCESS TO EQUIPMENT AND INFORMATION BY INTELLIGENCE COMMUNITY PERSONNEL.—The procedures established pursuant to subsection (a) shall—

(A) include mechanisms for intelligence community personnel to, upon request, obtain access to equipment or information of a cleared intelligence contractor necessary to conduct forensic analysis in addition to any analysis conducted by such contractor;

(B) provide that a cleared intelligence contractor is only required to provide access to equipment or information as described in subparagraph (A) to determine whether information created by or for an element of the intelligence community in connection with any intelligence community program was successfully exfiltrated from a network or information system of such contractor and, if so, what information was exfiltrated; and

(C) provide for the reasonable protection of trade secrets, commercial or financial information, and information that can be used to identify a specific person (other than the name of the suspected perpetrator of the penetration).

(3) LIMITATION ON DISSEMINATION OF CERTAIN INFORMATION.—The procedures established pursuant to subsection (a) shall prohibit the dissemination outside the intelligence community of information obtained or derived through such procedures that is not created by or for the intelligence community except—

(A) with the approval of the contractor providing such information;

(B) to the congressional intelligence committees or the Subcommittees on Defense of the Committees on Appropriations of the House of Representatives and the Senate for such committees and such Subcommittees to perform oversight; or

(C) to law enforcement agencies to investigate a penetration reported under this section.

(d) ISSUANCE OF PROCEDURES AND ESTABLISHMENT OF CRITERIA.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall establish the procedures required under subsection (a) and the criteria required under subsection (b).

(2) APPLICABILITY DATE.—The requirements of this section shall apply on the date on which the Director of National Intelligence establishes the procedures required under this section.

Procedures.

(e) COORDINATION WITH THE SECRETARY OF DEFENSE TO PREVENT DUPLICATE REPORTING.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of Defense shall establish procedures to permit a contractor that is a cleared intelligence contractor and a cleared defense contractor under section 941 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2224 note) to submit a single report that satisfies the requirements of this section and such section 941 for an incident of penetration of network or information system.

(f) DEFINITIONS.—In this section:

(1) CLEARED INTELLIGENCE CONTRACTOR.—The term "cleared intelligence contractor" means a private entity granted clearance by the Director of National Intelligence or the head of an element of the intelligence community to access, receive, or store classified information for the purpose of bidding for a contract or conducting activities in support of any program of an element of the intelligence community.

(2) COVERED NETWORK.—The term "covered network" means a network or information system of a cleared intelligence contractor that contains or processes information created by or for an element of the intelligence community with respect to which such contractor is required to apply enhanced protection.

(g) SAVINGS CLAUSES.—Nothing in this section shall be construed to alter or limit any otherwise authorized access by government personnel to networks or information systems owned or operated by a contractor that processes or stores government data.

SEC. 326. REPORT ON ELECTRONIC WASTE.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the extent to which the intelligence community has implemented the recommendations of the Inspector General of the Intelligence Community contained in the report entitled "Study of Intelligence Community Electronic Waste Disposal Practices" issued in May 2013. Such report shall include an assessment of the extent to which the policies, standards, and guidelines of the intelligence community governing the proper disposal of electronic waste are applicable to covered commercial electronic waste that may contain classified information.

Assessment.

(b) DEFINITIONS.—In this section:

(1) COVERED COMMERCIAL ELECTRONIC WASTE.—The term "covered commercial electronic waste" means electronic waste of a commercial entity that contracts with an element of the intelligence community.

(2) ELECTRONIC WASTE.—The term "electronic waste" includes any obsolete, broken, or irreparable electronic device, including a television, copier, facsimile machine, tablet, telephone, computer, computer monitor, laptop, printer, scanner, and associated electrical wiring.

SEC. 327. PROMOTING STEM EDUCATION TO MEET THE FUTURE WORKFORCE NEEDS OF THE INTELLIGENCE COMMUNITY.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the Secretary of Education and the congressional intelligence committees a report describing the anticipated hiring needs of the intelligence community in the fields of science, technology, engineering, and mathematics, including cybersecurity and computer literacy. The report shall—

(1) describe the extent to which competitions, challenges, or internships at elements of the intelligence community that do not involve access to classified information may be utilized to promote education in the fields of science, technology, engineering, and mathematics, including cybersecurity and computer literacy, within high schools or institutions of higher education in the United States;

(2) include cost estimates for carrying out such competitions, challenges, or internships; and

(3) include strategies for conducting expedited security clearance investigations and adjudications for students at institutions of higher education for purposes of offering internships at elements of the intelligence community.

(b) CONSIDERATION OF EXISTING PROGRAMS.—In developing the report under subsection (a), the Director shall take into consideration existing programs of the intelligence community, including the education programs of the National Security Agency and the Information Assurance Scholarship Program of the Department of Defense, as appropriate.

(c) DEFINITIONS.—In this section:

(1) HIGH SCHOOL.—The term "high school" mean a school that awards a secondary school diploma.

(2) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(3) SECONDARY SCHOOL.—The term "secondary school" has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SEC. 328. REPEAL OF THE TERMINATION OF NOTIFICATION REQUIREMENTS REGARDING THE AUTHORIZED DISCLOSURE OF NATIONAL INTELLIGENCE.

50 USC 3349.

Section 504 of the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112–277; 126 Stat. 2477) is amended by striking subsection (e).

SEC. 329. REPEAL OR MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.

(a) REPEAL OF REPORTING REQUIREMENTS.—

(1) THREAT OF ATTACK ON THE UNITED STATES USING WEAPONS OF MASS DESTRUCTION.—Section 114 of the National Security Act of 1947 (50 U.S.C. 3050) is amended by striking subsection (b).

(2) TREATY ON CONVENTIONAL ARMED FORCES IN EUROPE.—Section 2(5)(E) of the Senate resolution advising and consenting to ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe

(CFE) of November 19, 1990, adopted at Vienna May 31, 1996 (Treaty Doc. 105–5) (commonly referred to as the "CFE Flank Document"), 105th Congress, agreed to May 14, 1997, is repealed.

(b) MODIFICATION OF REPORTING REQUIREMENTS.—

(1) INTELLIGENCE ADVISORY COMMITTEES.—Section 410(b) of the Intelligence Authorization Act for Fiscal Year 2010 (50 U.S.C. 3309) is amended to read as follows:

"(b) NOTIFICATION OF ESTABLISHMENT OF ADVISORY COMMITTEE.—The Director of National Intelligence and the Director of the Central Intelligence Agency shall each notify the congressional intelligence committees each time each such Director creates an advisory committee. Each notification shall include—

"(1) a description of such advisory committee, including the subject matter of such committee;

"(2) a list of members of such advisory committee; and

"(3) in the case of an advisory committee created by the Director of National Intelligence, the reasons for a determination by the Director under section 4(b)(3) of the Federal Advisory Committee Act (5 U.S.C. App.) that an advisory committee cannot comply with the requirements of such Act.".

(2) INTELLIGENCE INFORMATION SHARING.—Section 102A(g)(4) of the National Security Act of 1947 (50 U.S.C. 3024(g)(4)) is amended to read as follows:

Reports.

"(4) The Director of National Intelligence shall, in a timely manner, report to Congress any statute, regulation, policy, or practice that the Director believes impedes the ability of the Director to fully and effectively ensure maximum availability of access to intelligence information within the intelligence community consistent with the protection of the national security of the United States.".

(3) INTELLIGENCE COMMUNITY BUSINESS SYSTEM TRANSFORMATION.—Section 506D(j) of the National Security Act of 1947 (50 U.S.C. 3100(j)) is amended in the matter preceding paragraph (1) by striking "2015" and inserting "2014".

(4) ACTIVITIES OF PRIVACY AND CIVIL LIBERTIES OFFICERS.—Section 1062(f)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee–1(f)(1)) is amended in the matter preceding subparagraph (A) by striking "quarterly" and inserting "semiannually".

(c) CONFORMING AMENDMENTS.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

(1) in the table of contents in the first section, by striking the item relating to section 114 and inserting the following new item:

"Sec. 114. Annual report on hiring and retention of minority employees.";

(2) in section 114 (50 U.S.C. 3050)—

(A) by amending the heading to read as follows: "**ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES**";

(B) by striking "(a) ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES.—";

(C) by redesignating paragraphs (1) through (5) as subsections (a) through (e), respectively;

(D) in subsection (b) (as so redesignated)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively; and

(ii) in paragraph (2) (as so redesignated)—

(I) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and

(II) in the matter preceding subparagraph (A) (as so redesignated), by striking "clauses (i) and (ii)" and inserting "subparagraphs (A) and (B)";

(E) in subsection (d) (as redesignated by subparagraph (C) of this paragraph), by striking "subsection" and inserting "section"; and

(F) in subsection (e) (as redesignated by subparagraph (C) of this paragraph)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively; and

(ii) by striking "subsection," and inserting "section"; and

(3) in section 507 (50 U.S.C. 3106)—

(A) in subsection (a)—

(i) by striking "(1) The date" and inserting "The date";

(ii) by striking "subsection (c)(1)(A)" and inserting "subsection (c)(1)";

(iii) by striking paragraph (2); and

(iv) by redesignating subparagraphs (A) through (F) as paragraphs (1) through (6), respectively;

(B) in subsection (c)(1)—

(i) by striking "(A) Except" and inserting "Except"; and

(ii) by striking subparagraph (B); and

(C) in subsection (d)(1)—

(i) in subparagraph (A)—

(I) by striking "subsection (a)(1)" and inserting "subsection (a)"; and

(II) by inserting "and" after "March 1;";

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B).

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—National Security Agency

SEC. 401. APPOINTMENT OF THE DIRECTOR OF THE NATIONAL SECURITY AGENCY.

(a) DIRECTOR OF THE NATIONAL SECURITY AGENCY.—Section 2 of the National Security Agency Act of 1959 (50 U.S.C. 3602) is amended—

(1) by inserting "(b)" before "There"; and

(2) by inserting before subsection (b), as so designated by paragraph (1), the following:

"(a)(1) There is a Director of the National Security Agency.

Appointment.
President.

"(2) The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.

"(3) The Director of the National Security Agency shall be the head of the National Security Agency and shall discharge such functions and duties as are provided by this Act or otherwise by law or executive order.".

50 USC 3602 note.

(b) POSITION OF IMPORTANCE AND RESPONSIBILITY.—

(1) IN GENERAL.—The President may designate the Director of the National Security Agency as a position of importance and responsibility under section 601 of title 10, United States Code.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date of the enactment of this Act.

SEC. 402. APPOINTMENT OF THE INSPECTOR GENERAL OF THE NATIONAL SECURITY AGENCY.

The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 8G(a)(2), by striking "the National Security Agency,"; and

(2) in section 12—

(A) in paragraph (1), by striking "or the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code;" and inserting "the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code; the Director of the National Security Agency;"; and

(B) in paragraph (2), by striking "or the Commissions established under section 15301 of title 40, United States Code," and inserting "the Commissions established under section 15301 of title 40, United States Code, the National Security Agency,".

5 USC app. 8G note.

SEC. 403. EFFECTIVE DATE AND APPLICABILITY.

(a) IN GENERAL.—Except as otherwise specifically provided, the amendments made by sections 401 and 402 shall take effect on October 1, 2014, and shall apply upon the earlier of—

(1) in the case of section 401—

(A) the date of the first nomination by the President of an individual to serve as the Director of the National Security Agency that occurs on or after October 1, 2014; or

(B) the date of the cessation of the performance of the duties of the Director of the National Security Agency by the individual performing such duties on October 1, 2014; and

(2) in the case of section 402—

(A) the date of the first nomination by the President of an individual to serve as the Inspector General of the National Security Agency that occurs on or after October 1, 2014; or

(B) the date of the cessation of the performance of the duties of the Inspector General of the National Security Agency by the individual performing such duties on October 1, 2014.

President.

(b) EXCEPTION FOR INITIAL NOMINATIONS.—Notwithstanding paragraph (1)(A) or (2)(A) of subsection (a), an individual serving as the Director of the National Security Agency or the Inspector

General of the National Security Agency on the date that the President first nominates an individual for such position on or after October 1, 2014, may continue to perform in that position after such date of nomination and until the individual appointed to the position, by and with the advice and consent of the Senate, assumes the duties of the position.

(c) INCUMBENT INSPECTOR GENERAL.—The individual serving as Inspector General of the National Security Agency on the date of the enactment of this Act shall be eligible to be appointed by the President to a new term of service under section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), by and with the advice and consent of the Senate.

Subtitle B—National Reconnaissance Office

SEC. 411. APPOINTMENT OF THE DIRECTOR OF THE NATIONAL RECONNAISSANCE OFFICE.

(a) IN GENERAL.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by adding after section 106 the following:

"SEC. 106A. DIRECTOR OF THE NATIONAL RECONNAISSANCE OFFICE. 50 USC 3041a.

"(a) IN GENERAL.—There is a Director of the National Reconnaissance Office.

"(b) APPOINTMENT.—The Director of the National Reconnaissance Office shall be appointed by the President, by and with the advice and consent of the Senate.

"(c) FUNCTIONS AND DUTIES.—The Director of the National Reconnaissance Office shall be the head of the National Reconnaissance Office and shall discharge such functions and duties as are provided by this Act or otherwise by law or executive order.".

(b) POSITION OF IMPORTANCE AND RESPONSIBILITY.— 50 USC 3041a note.

(1) IN GENERAL.—The President may designate the Director of the National Reconnaissance Office as a position of importance and responsibility under section 601 of title 10, United States Code.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date of the enactment of this Act.

(c) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by inserting after the item relating to section 106 the following:

"Sec. 106A. Director of the National Reconnaissance Office.".

SEC. 412. APPOINTMENT OF THE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE.

The Inspector General Act of 1978 (5 U.S.C. App.)—

(1) in section 8G(a)(2), as amended by section 402, is further amended by striking "the National Reconnaissance Office,"; and 5 USC app.

(2) in section 12, as amended by section 402, is further amended— 5 USC app.

(A) in paragraph (1), by inserting "or the Director of the National Reconnaissance Office;" before "as the case may be;"; and

(B) in paragraph (2), by inserting "or the National Reconnaissance Office," before "as the case may be;".

5 USC app. 8G note.

SEC. 413. EFFECTIVE DATE AND APPLICABILITY.

(a) IN GENERAL.—The amendments made by sections 411 and 412 shall take effect on October 1, 2014, and shall apply upon the earlier of—

(1) in the case of section 411—

(A) the date of the first nomination by the President of an individual to serve as the Director of the National Reconnaissance Office that occurs on or after October 1, 2014; or

(B) the date of the cessation of the performance of the duties of the Director of the National Reconnaissance Office by the individual performing such duties on October 1, 2014; and

(2) in the case of section 412—

(A) the date of the first nomination by the President of an individual to serve as the Inspector General of the National Reconnaissance Office that occurs on or after October 1, 2014; or

(B) the date of the cessation of the performance of the duties of the Inspector General of the National Reconnaissance Office by the individual performing such duties on October 1, 2014.

President.

(b) EXCEPTION FOR INITIAL NOMINATIONS.—Notwithstanding paragraph (1)(A) or (2)(A) of subsection (a), an individual serving as the Director of the National Reconnaissance Office or the Inspector General of the National Reconnaissance Office on the date that the President first nominates an individual for such position on or after October 1, 2014, may continue to perform in that position after such date of nomination and until the individual appointed to the position, by and with the advice and consent of the Senate, assumes the duties of the position.

(c) INCUMBENT INSPECTOR GENERAL.—The individual serving as Inspector General of the National Reconnaissance Office on the date of the enactment of this Act shall be eligible to be appointed by the President to a new term of service under section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), by and with the advice and consent of the Senate.

Subtitle C—Central Intelligence Agency

SEC. 421. GIFTS, DEVISES, AND BEQUESTS.

Section 12 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3512) is amended—

(1) by striking the section heading and inserting "GIFTS, DEVISES, AND BEQUESTS";

(2) in subsection (a)(2)—

(A) by inserting "by the Director as a gift to the Agency" after "accepted"; and

(B) by striking "this section" and inserting "this subsection";

(3) in subsection (b), by striking "this section," and inserting "subsection (a),";

(4) in subsection (c), by striking "this section," and inserting "subsection (a),";

(5) in subsection (d), by striking "this section" and inserting "subsection (a)";

(6) by redesignating subsection (f) as subsection (g); and

(7) by inserting after subsection (e) the following:

"(f)(1) The Director may engage in fundraising in an official capacity for the benefit of nonprofit organizations that provide support to surviving family members of deceased Agency employees or that otherwise provide support for the welfare, education, or recreation of Agency employees, former Agency employees, or their family members.

"(2) In this subsection, the term 'fundraising' means the raising of funds through the active participation in the promotion, production, or presentation of an event designed to raise funds and does not include the direct solicitation of money by any other means.". Definition.

TITLE V—SECURITY CLEARANCE REFORM

SEC. 501. CONTINUOUS EVALUATION AND SHARING OF DEROGATORY INFORMATION REGARDING PERSONNEL WITH ACCESS TO CLASSIFIED INFORMATION.

Section 102A(j) of the National Security Act of 1947 (50 U.S.C. 3024(j)) is amended—

(1) in the heading, by striking "SENSITIVE COMPARTMENTED INFORMATION" and inserting "CLASSIFIED INFORMATION";

(2) in paragraph (3), by striking "; and" and inserting a semicolon;

(3) in paragraph (4), by striking the period and inserting a semicolon; and

(4) by adding at the end the following new paragraphs:

"(5) ensure that the background of each employee or officer of an element of the intelligence community, each contractor to an element of the intelligence community, and each individual employee of such a contractor who has been determined to be eligible for access to classified information is monitored on a continual basis under standards developed by the Director, including with respect to the frequency of evaluation, during the period of eligibility of such employee or officer of an element of the intelligence community, such contractor, or such individual employee to such a contractor to determine whether such employee or officer of an element of the intelligence community, such contractor, and such individual employee of such a contractor continues to meet the requirements for eligibility for access to classified information; and

"(6) develop procedures to require information sharing between elements of the intelligence community concerning potentially derogatory security information regarding an employee or officer of an element of the intelligence community, a contractor to an element of the intelligence community, or an individual employee of such a contractor that may impact the eligibility of such employee or officer of an element of the intelligence community, such contractor, or such individual employee of such a contractor for a security clearance.".

SEC. 502. REQUIREMENTS FOR INTELLIGENCE COMMUNITY CONTRACTORS.

(a) REQUIREMENTS.—Section 102A of the National Security Act of 1947 (50 U.S.C. 3024) is amended by adding at the end the following new subsection:

"(x) REQUIREMENTS FOR INTELLIGENCE COMMUNITY CONTRACTORS.—The Director of National Intelligence, in consultation with the head of each department of the Federal Government that contains an element of the intelligence community and the Director of the Central Intelligence Agency, shall—

"(1) ensure that—

"(A) any contractor to an element of the intelligence community with access to a classified network or classified information develops and operates a security plan that is consistent with standards established by the Director of National Intelligence for intelligence community networks; and

"(B) each contract awarded by an element of the intelligence community includes provisions requiring the contractor comply with such plan and such standards;

"(2) conduct periodic assessments of each security plan required under paragraph (1)(A) to ensure such security plan complies with the requirements of such paragraph; and

"(3) ensure that the insider threat detection capabilities and insider threat policies of the intelligence community apply to facilities of contractors with access to a classified network.".

50 USC 3024 note.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to contracts entered into or renewed after the date of the enactment of this Act.

SEC. 503. TECHNOLOGY IMPROVEMENTS TO SECURITY CLEARANCE PROCESSING.

Consultation. Analysis.

(a) IN GENERAL.—The Director of National Intelligence, in consultation with the Secretary of Defense and the Director of the Office of Personnel Management, shall conduct an analysis of the relative costs and benefits of potential improvements to the process for investigating persons who are proposed for access to classified information and adjudicating whether such persons satisfy the criteria for obtaining and retaining access to such information.

Evaluation.

(b) CONTENTS OF ANALYSIS.—In conducting the analysis required by subsection (a), the Director of National Intelligence shall evaluate the costs and benefits associated with—

(1) the elimination of manual processes in security clearance investigations and adjudications, if possible, and automating and integrating the elements of the investigation process, including—

(A) the clearance application process;

(B) case management;

(C) adjudication management;

(D) investigation methods for the collection, analysis, storage, retrieval, and transfer of data and records; and

(E) records management for access and eligibility determinations;

(2) the elimination or reduction, if possible, of the use of databases and information sources that cannot be accessed and processed automatically electronically, or modification of

such databases and information sources, to enable electronic access and processing;

(3) the use of government-developed and commercial technology for continuous monitoring and evaluation of government and commercial data sources that can identify and flag information pertinent to adjudication guidelines and eligibility determinations;

(4) the standardization of forms used for routine reporting required of cleared personnel (such as travel, foreign contacts, and financial disclosures) and use of continuous monitoring technology to access databases containing such reportable information to independently obtain and analyze reportable data and events;

(5) the establishment of an authoritative central repository of personnel security information that is accessible electronically at multiple levels of classification and eliminates technical barriers to rapid access to information necessary for eligibility determinations and reciprocal recognition thereof;

(6) using digitally processed fingerprints, as a substitute for ink or paper prints, to reduce error rates and improve portability of data;

(7) expanding the use of technology to improve an applicant's ability to discover the status of a pending security clearance application or reinvestigation; and

(8) using government and publicly available commercial data sources, including social media, that provide independent information pertinent to adjudication guidelines to improve quality and timeliness, and reduce costs, of investigations and reinvestigations.

(c) REPORT TO CONGRESS.—Not later than 6 months after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on the analysis required by subsection (a).

SEC. 504. REPORT ON RECIPROCITY OF SECURITY CLEARANCES.

The head of the entity selected pursuant to section 3001(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(b)) shall submit to the appropriate committees of Congress a report each year through 2017 that describes for the preceding year—

(1) the periods of time required by authorized adjudicative agencies for accepting background investigations and determinations completed by an authorized investigative entity or authorized adjudicative agency;

(2) the total number of cases in which a background investigation or determination completed by an authorized investigative entity or authorized adjudicative agency is accepted by another agency;

(3) the total number of cases in which a background investigation or determination completed by an authorized investigative entity or authorized adjudicative agency is not accepted by another agency; and

(4) such other information or recommendations as the head of the entity selected pursuant to such section 3001(b) considers appropriate.

Recommendations.

SEC. 505. IMPROVING THE PERIODIC REINVESTIGATION PROCESS.

Deadlines. Consultation. Strategic plan.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until December 31, 2017, the Director of National Intelligence, in consultation with the Secretary of Defense and the Director of the Office of Personnel Management, shall transmit to the appropriate committees of Congress a strategic plan for updating the process for periodic reinvestigations consistent with a continuous evaluation program.

(b) CONTENTS.—The plan required by subsection (a) shall include—

(1) an analysis of the costs and benefits associated with conducting periodic reinvestigations;

(2) an analysis of the costs and benefits associated with replacing some or all periodic reinvestigations with a program of continuous evaluation;

(3) a determination of how many risk-based and ad hoc periodic reinvestigations are necessary on an annual basis for each component of the Federal Government with employees with security clearances;

(4) an analysis of the potential benefits of expanding the Government's use of continuous evaluation tools as a means of improving the effectiveness and efficiency of procedures for confirming the eligibility of personnel for continued access to classified information; and

(5) an analysis of how many personnel with out-of-scope background investigations are employed by, or contracted or detailed to, each element of the intelligence community.

(c) PERIODIC REINVESTIGATIONS DEFINED.—In this section, the term "periodic reinvestigations" has the meaning given that term in section 3001(a) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(a)).

SEC. 506. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.

In this title, the term "appropriate committees of Congress" means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

TITLE VI—INTELLIGENCE COMMUNITY WHISTLEBLOWER PROTECTIONS

SEC. 601. PROTECTION OF INTELLIGENCE COMMUNITY WHISTLEBLOWERS.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 3231 et seq.) is amended by adding at the end the following new section:

50 USC 3234.

"SEC. 1104. PROHIBITED PERSONNEL PRACTICES IN THE INTELLIGENCE COMMUNITY.

"(a) DEFINITIONS.—In this section:

"(1) AGENCY.—The term 'agency' means an executive department or independent establishment, as defined under

sections 101 and 104 of title 5, United States Code, that contains an intelligence community element, except the Federal Bureau of Investigation.

"(2) COVERED INTELLIGENCE COMMUNITY ELEMENT.—The term 'covered intelligence community element'—

"(A) means—

"(i) the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, the Office of the Director of National Intelligence, and the National Reconnaissance Office; and

"(ii) any executive agency or unit thereof determined by the President under section 2302(a)(2)(C)(ii) of title 5, United States Code, to have as its principal function the conduct of foreign intelligence or counterintelligence activities; and

"(B) does not include the Federal Bureau of Investigation.

"(3) PERSONNEL ACTION.—The term 'personnel action' means, with respect to an employee in a position in a covered intelligence community element (other than a position excepted from the competitive service due to its confidential, policy-determining, policymaking, or policy-advocating character)—

"(A) an appointment;

"(B) a promotion;

"(C) a disciplinary or corrective action;

"(D) a detail, transfer, or reassignment;

"(E) a demotion, suspension, or termination;

"(F) a reinstatement or restoration;

"(G) a performance evaluation;

"(H) a decision concerning pay, benefits, or awards;

"(I) a decision concerning education or training if such education or training may reasonably be expected to lead to an appointment, promotion, or performance evaluation; or

"(J) any other significant change in duties, responsibilities, or working conditions.

"(b) IN GENERAL.—Any employee of an agency who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or fail to take a personnel action with respect to any employee of a covered intelligence community element as a reprisal for a lawful disclosure of information by the employee to the Director of National Intelligence (or an employee designated by the Director of National Intelligence for such purpose), the Inspector General of the Intelligence Community, the head of the employing agency (or an employee designated by the head of that agency for such purpose), the appropriate inspector general of the employing agency, a congressional intelligence committee, or a member of a congressional intelligence committee, which the employee reasonably believes evidences—

"(1) a violation of any Federal law, rule, or regulation; or

"(2) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

President.

"(c) ENFORCEMENT.—The President shall provide for the enforcement of this section.

"(d) EXISTING RIGHTS PRESERVED.—Nothing in this section shall be construed to—

"(1) preempt or preclude any employee, or applicant for employment, at the Federal Bureau of Investigation from exercising rights provided under any other law, rule, or regulation, including section 2303 of title 5, United States Code; or

"(2) repeal section 2303 of title 5, United States Code.".

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by adding at the end the following new item:

"Sec. 1104. Prohibited personnel practices in the intelligence community.".

SEC. 602. REVIEW OF SECURITY CLEARANCE OR ACCESS DETERMINATIONS.

(a) GENERAL RESPONSIBILITY.—

(1) IN GENERAL.—Section 3001(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(b)) is amended—

(A) in the matter preceding paragraph (1), by striking "Not" and inserting "Except as otherwise provided, not";

(B) in paragraph (5), by striking "and" after the semicolon;

(C) in paragraph (6), by striking the period at the end and inserting "; and"; and

(D) by inserting after paragraph (6) the following:

Deadline.
Procedures.

"(7) not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2014—

"(A) developing policies and procedures that permit, to the extent practicable, individuals to appeal a determination to suspend or revoke a security clearance or access to classified information and to retain their government employment status while such challenge is pending; and

"(B) developing and implementing uniform and consistent policies and procedures to ensure proper protections during the process for denying, suspending, or revoking a security clearance or access to classified information, including the ability to appeal such a denial, suspension, or revocation, except that there shall be no appeal of an agency's suspension of a security clearance or access determination for purposes of conducting an investigation, if that suspension lasts no longer than 1 year or the head of the agency or a designee of the head of the agency certifies that a longer suspension is needed before a final decision on denial or revocation to prevent imminent harm to the national security.".

Reports.
Deadline.
Extension.
50 USC 3341 note.

(2) REQUIRED ELEMENTS OF POLICIES AND PROCEDURES.—The policies and procedures for appeal developed under paragraph (7) of section 3001(b) of the Intelligence Reform and Terrorism Prevention Act of 2004, as added by subsection (a), shall provide for the Inspector General of the Intelligence Community, or the inspector general of the employing agency, to conduct fact-finding and report to the agency head or the designee of the agency head within 180 days unless the employee and the agency agree to an extension or the investigating inspector general determines in writing that a greater

period of time is required. To the fullest extent possible, such fact-finding shall include an opportunity for the employee to present relevant evidence such as witness testimony.

(b) RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.—Section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) is amended by adding at the end the following:

"(j) RETALIATORY REVOCATION OF SECURITY CLEARANCES AND ACCESS DETERMINATIONS.—

"(1) IN GENERAL.—Agency personnel with authority over personnel security clearance or access determinations shall not take or fail to take, or threaten to take or fail to take, any action with respect to any employee's security clearance or access determination in retaliation for—

"(A) any lawful disclosure of information to the Director of National Intelligence (or an employee designated by the Director of National Intelligence for such purpose) or the head of the employing agency (or employee designated by the head of that agency for such purpose) by an employee that the employee reasonably believes evidences—

"(i) a violation of any Federal law, rule, or regulation; or

"(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

"(B) any lawful disclosure to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures, of information which the employee reasonably believes evidences—

"(i) a violation of any Federal law, rule, or regulation; or

"(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

"(C) any lawful disclosure that complies with—

"(i) subsections (a)(1), (d), and (h) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.);

"(ii) subparagraphs (A), (D), and (H) of section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)); or

"(iii) subparagraphs (A), (D), and (I) of section 103H(k)(5) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)); and

"(D) if the actions do not result in the employee or applicant unlawfully disclosing information specifically required by Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs, any lawful disclosure in conjunction with—

"(i) the exercise of any appeal, complaint, or grievance right granted by any law, rule, or regulation;

"(ii) testimony for or otherwise lawfully assisting any individual in the exercise of any right referred to in clause (i); or

"(iii) cooperation with or disclosing information to the Inspector General of an agency, in accordance with applicable provisions of law in connection with an

audit, inspection, or investigation conducted by the Inspector General.

"(2) RULE OF CONSTRUCTION.—Consistent with the protection of sources and methods, nothing in paragraph (1) shall be construed to authorize the withholding of information from Congress or the taking of any personnel action against an employee who lawfully discloses information to Congress.

"(3) DISCLOSURES.—

"(A) IN GENERAL.—A disclosure shall not be excluded from paragraph (1) because—

"(i) the disclosure was made to a person, including a supervisor, who participated in an activity that the employee reasonably believed to be covered by paragraph (1)(A)(ii);

"(ii) the disclosure revealed information that had been previously disclosed;

"(iii) the disclosure was not made in writing;

"(iv) the disclosure was made while the employee was off duty; or

"(v) of the amount of time which has passed since the occurrence of the events described in the disclosure.

"(B) REPRISALS.—If a disclosure is made during the normal course of duties of an employee, the disclosure shall not be excluded from paragraph (1) if any employee who has authority to take, direct others to take, recommend, or approve any personnel action with respect to the employee making the disclosure, took, failed to take, or threatened to take or fail to take a personnel action with respect to that employee in reprisal for the disclosure.

"(4) AGENCY ADJUDICATION.—

Deadline.
Time period.

"(A) REMEDIAL PROCEDURE.—An employee or former employee who believes that he or she has been subjected to a reprisal prohibited by paragraph (1) may, within 90 days after the issuance of notice of such decision, appeal that decision within the agency of that employee or former employee through proceedings authorized by subsection (b)(7), except that there shall be no appeal of an agency's suspension of a security clearance or access determination for purposes of conducting an investigation, if that suspension lasts not longer than 1 year (or a longer period in accordance with a certification made under subsection (b)(7)).

"(B) CORRECTIVE ACTION.—If, in the course of proceedings authorized under subparagraph (A), it is determined that the adverse security clearance or access determination violated paragraph (1), the agency shall take specific corrective action to return the employee or former employee, as nearly as practicable and reasonable, to the position such employee or former employee would have held had the violation not occurred. Such corrective action may include back pay and related benefits, travel expenses, and compensatory damages not to exceed $300,000.

"(C) CONTRIBUTING FACTOR.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if a disclosure described in paragraph

(1) was a contributing factor in the adverse security clearance or access determination taken against the individual, unless the agency demonstrates by a preponderance of the evidence that it would have taken the same action in the absence of such disclosure, giving the utmost deference to the agency's assessment of the particular threat to the national security interests of the United States in the instant matter.

"(5) APPELLATE REVIEW OF SECURITY CLEARANCE ACCESS DETERMINATIONS BY DIRECTOR OF NATIONAL INTELLIGENCE.—

"(A) APPEAL.—Within 60 days after receiving notice of an adverse final agency determination under a proceeding under paragraph (4), an employee or former employee may appeal that determination in accordance with the procedures established under subparagraph (B). Deadline.

"(B) POLICIES AND PROCEDURES.—The Director of National Intelligence, in consultation with the Attorney General and the Secretary of Defense, shall develop and implement policies and procedures for adjudicating the appeals authorized by subparagraph (A). Consultation.

"(C) CONGRESSIONAL NOTIFICATION.—Consistent with the protection of sources and methods, at the time the Director of National Intelligence issues an order regarding an appeal pursuant to the policies and procedures established by this paragraph, the Director of National Intelligence shall notify the congressional intelligence committees.

"(6) JUDICIAL REVIEW.—Nothing in this section shall be construed to permit or require judicial review of any—

"(A) agency action under this section; or

"(B) action of the appellate review procedures established under paragraph (5).

"(7) PRIVATE CAUSE OF ACTION.—Nothing in this section shall be construed to permit, authorize, or require a private cause of action to challenge the merits of a security clearance determination.".

(c) ACCESS DETERMINATION DEFINED.—Section 3001(a) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(a)) is amended by adding at the end the following:

"(9) ACCESS DETERMINATION.—The term 'access determination' means the determination regarding whether an employee—

"(A) is eligible for access to classified information in accordance with Executive Order 12968 (60 Fed. Reg. 40245; relating to access to classified information), or any successor thereto, and Executive Order 10865 (25 Fed. Reg. 1583; relating to safeguarding classified information with industry), or any successor thereto; and

"(B) possesses a need to know under such an Order.".

(d) EXISTING RIGHTS PRESERVED.—Nothing in this section or the amendments made by this section shall be construed to preempt, preclude, or otherwise prevent an individual from exercising rights, remedies, or avenues of redress currently provided under any other law, regulation, or rule. 50 USC 3341 note.

(e) RULE OF CONSTRUCTION.—Nothing in section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341), as amended by this title, shall be construed to require 50 USC 3341 note.

the repeal or replacement of agency appeal procedures implementing Executive Order 12968 (60 Fed. Reg. 40245; relating to access to classified information), or any successor thereto, and Executive Order 10865 (25 Fed. Reg. 1583; relating to safeguarding classified information with industry), or any successor thereto, that meet the requirements of paragraph (7) of section 3001(b) of such Act, as added by this section.

SEC. 603. REVISIONS OF OTHER LAWS.

(a) INSPECTOR GENERAL ACT OF 1978.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (b)—

(A) by inserting "(1)" after "(b)"; and

(B) by adding at the end the following:

Determination. "(2) If the head of an establishment determines that a complaint or information transmitted under paragraph (1) would create a conflict of interest for the head of the establishment, the head of the establishment shall return the complaint or information to the Inspector General with that determination and the Inspector General shall make the transmission to the Director of National Intelligence and, if the establishment is within the Department Applicability. of Defense, to the Secretary of Defense. In such a case, the requirements of this section for the head of the establishment apply to each recipient of the Inspector General's transmission.";

(2) by redesignating subsection (h) as subsection (i); and

(3) by inserting after subsection (g) the following:

"(h) An individual who has submitted a complaint or information to an Inspector General under this section may notify any member of the Permanent Select Committee on Intelligence of the House of Representatives or the Select Committee on Intelligence of the Senate, or a staff member of either such Committee, of the fact that such individual has made a submission to that particular Inspector General, and of the date on which such submission was made.".

(b) CENTRAL INTELLIGENCE AGENCY.—Section 17(d)(5) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)) is amended—

(1) in subparagraph (B)—

(A) by inserting "(i)" after "(B)"; and

(B) by adding at the end the following:

Determination. "(ii) If the Director determines that a complaint or information transmitted under paragraph (1) would create a conflict of interest for the Director, the Director shall return the complaint or information to the Inspector General with that determination and the Inspector General shall make the transmission to the Director Applicability. of National Intelligence. In such a case, the requirements of this subsection for the Director of the Central Intelligence Agency apply to the Director of National Intelligence"; and

(2) by adding at the end the following:

"(H) An individual who has submitted a complaint or information to the Inspector General under this section may notify any member of the Permanent Select Committee on Intelligence of the House of Representatives or the Select Committee on Intelligence of the Senate, or a staff member of either such Committee, of the fact that such individual has made a submission to the Inspector General, and of the date on which such submission was made.".

(c) NATIONAL SECURITY ACT OF 1947.—Section 103H(k)(5) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)) is amended by adding at the end the following:

"(I) An individual who has submitted a complaint or information to the Inspector General under this section may notify any member of either of the congressional intelligence committees, or a staff member of either of such committees, of the fact that such individual has made a submission to the Inspector General, and of the date on which such submission was made.".

SEC. 604. POLICIES AND PROCEDURES; NONAPPLICABILITY TO CERTAIN TERMINATIONS.

50 USC 3234 note.

(a) COVERED INTELLIGENCE COMMUNITY ELEMENT DEFINED.—In this section, the term "covered intelligence community element"—

(1) means—

(A) the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, the Office of the Director of National Intelligence, and the National Reconnaissance Office; and

(B) any executive agency or unit thereof determined by the President under section 2302(a)(2)(C)(ii) of title 5, United States Code, to have as its principal function the conduct of foreign intelligence or counterintelligence activities; and

(2) does not include the Federal Bureau of Investigation.

(b) REGULATIONS.—In consultation with the Secretary of Defense, the Director of National Intelligence shall develop policies and procedures to ensure that a personnel action shall not be taken against an employee of a covered intelligence community element as a reprisal for any disclosure of information described in 1104 of the National Security Act of 1947, as added by section 601 of this Act.

Consultation.

(c) REPORT ON THE STATUS OF IMPLEMENTATION OF REGULATIONS.—Not later than 2 years after the date of the enactment of this Act, the Director of National Intelligence shall submit a report on the status of the implementation of the regulations promulgated under subsection (b) to the congressional intelligence committees.

(d) NONAPPLICABILITY TO CERTAIN TERMINATIONS.—Section 1104 of the National Security Act of 1947, as added by section 601 of this Act, and section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341), as amended by section 602 of this Act, shall not apply if—

(1) the affected employee is concurrently terminated under—

(A) section 1609 of title 10, United States Code;

(B) the authority of the Director of National Intelligence under section 102A(m) of the National Security Act of 1947 (50 U.S.C. 3024(m)), if the Director determines that the termination is in the interest of the United States;

(C) the authority of the Director of the Central Intelligence Agency under section 104A(e) of the National Security Act of 1947 (50 U.S.C. 3036(e)), if the Director determines that the termination is in the interest of the United States; or

(D) section 7532 of title 5, United States Code, if the head of the agency determines that the termination is in the interest of the United States; and

Deadline. Notification.

(2) not later than 30 days after such termination, the head of the agency that employed the affected employee notifies the congressional intelligence committees of the termination.

TITLE VII—TECHNICAL AMENDMENTS

SEC. 701. TECHNICAL AMENDMENTS TO THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949.

Section 21 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3521) is amended—

(1) in subsection (b)(1)(D), by striking "section (a)" and inserting "subsection (a)"; and

(2) in subsection (c)(2)(E), by striking "provider." and inserting "provider".

SEC. 702. TECHNICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947 RELATING TO THE PAST ELIMINATION OF CERTAIN POSITIONS.

Section 101(a) of the National Security Act of 1947 (50 U.S.C. 3021(a)) is amended—

(1) in paragraph (5), by striking the semicolon and inserting "; and";

(2) by striking paragraphs (6) and (7);

(3) by redesignating paragraph (8) as paragraph (6); and

(4) in paragraph (6) (as so redesignated), by striking "the Chairman of the Munitions Board, and the Chairman of the Research and Development Board,".

SEC. 703. TECHNICAL AMENDMENTS TO THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2013.

(a) AMENDMENTS.—Section 506 of the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112–277; 126 Stat. 2478) is amended—

50 USC 3126.

(1) by striking "Section 606(5)" and inserting "Paragraph (5) of section 605"; and

(2) by inserting ", as redesignated by section 310(a)(4)(B) of this Act," before "is amended".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112–277). 50 USC 3126 note.

Approved July 7, 2014.

LEGISLATIVE HISTORY—S. 1681:

SENATE REPORTS: No. 113–120 (Select Comm. on Intelligence).
CONGRESSIONAL RECORD, Vol. 160 (2014):
June 11, considered and passed Senate.
June 24, considered and passed House.

Public Law 113–127
113th Congress

An Act

July 16, 2014
[H.R. 2388]

To take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAND INTO TRUST FOR THE SHINGLE SPRINGS BAND OF MIWOK INDIANS.

(a) IN GENERAL.—The land described in subsection (b) is hereby taken into trust for the benefit of the Shingle Springs Band of Miwok Indians, subject to valid existing rights and management agreements related to easements and rights-of-way.

(b) LAND DESCRIPTION.—The land taken into trust pursuant to subsection (a) is the approximately 40.852 acres of Federal land under the administrative jurisdiction of the Bureau of Land Management identified as "Conveyance boundary" on the map titled "Shingle Springs Land Conveyance/Draft" and dated June 7, 2012, including improvements and appurtenances thereto.

(c) GAMING.—Class II and class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall not be permitted at any time on the land taken into trust pursuant to subsection (a).

Approved July 16, 2014.

LEGISLATIVE HISTORY—H.R. 2388:

HOUSE REPORTS: No. 113–95 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–97 (Comm. on Indian Affairs).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Dec. 3, considered and passed House.
Vol. 160 (2014): June 26, considered and passed Senate.

Public Law 113–128
113th Congress

An Act

To amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

July 22, 2014
[H.R. 803]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Workforce Innovation and Opportunity Act.
29 USC 3101 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Workforce Innovation and Opportunity Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

29 USC 3101.

SEC. 2. PURPOSES.

The purposes of this Act are the following:

(1) To increase, for individuals in the United States, particularly those individuals with barriers to employment,

access to and opportunities for the employment, education, training, and support services they need to succeed in the labor market.

(2) To support the alignment of workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system in the United States.

(3) To improve the quality and labor market relevance of workforce investment, education, and economic development efforts to provide America's workers with the skills and credentials necessary to secure and advance in employment with family-sustaining wages and to provide America's employers with the skilled workers the employers need to succeed in a global economy.

(4) To promote improvement in the structure of and delivery of services through the United States workforce development system to better address the employment and skill needs of workers, jobseekers, and employers.

(5) To increase the prosperity of workers and employers in the United States, the economic growth of communities, regions, and States, and the global competitiveness of the United States.

(6) For purposes of subtitle A and B of title I, to provide workforce investment activities, through statewide and local workforce development systems, that increase the employment, retention, and earnings of participants, and increase attainment of recognized postsecondary credentials by participants, and as a result, improve the quality of the workforce, reduce welfare dependency, increase economic self-sufficiency, meet the skill requirements of employers, and enhance the productivity and competitiveness of the Nation.

SEC. 3. DEFINITIONS. 29 USC 3102.

In this Act, and the core program provisions that are not in this Act, except as otherwise expressly provided:

(1) ADMINISTRATIVE COSTS.—The term "administrative costs" means expenditures incurred by State boards and local boards, direct recipients (including State grant recipients under subtitle B of title I and recipients of awards under subtitles C and D of title I), local grant recipients, local fiscal agents or local grant subrecipients, and one-stop operators in the performance of administrative functions and in carrying out activities under title I that are not related to the direct provision of workforce investment services (including services to participants and employers). Such costs include both personnel and nonpersonnel costs and both direct and indirect costs.

(2) ADULT.—Except as otherwise specified in section 132, the term "adult" means an individual who is age 18 or older.

(3) ADULT EDUCATION; ADULT EDUCATION AND LITERACY ACTIVITIES.—The terms "adult education" and "adult education and literacy activities" have the meanings given the terms in section 203.

(4) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.—The term "area career and technical education school" has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(5) BASIC SKILLS DEFICIENT.—The term "basic skills deficient" means, with respect to an individual—

(A) who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or

(B) who is a youth or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

(6) CAREER AND TECHNICAL EDUCATION.—The term "career and technical education" has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(7) CAREER PATHWAY.—The term "career pathway" means a combination of rigorous and high-quality education, training, and other services that—

(A) aligns with the skill needs of industries in the economy of the State or regional economy involved;

(B) prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the "National Apprenticeship Act"; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) (referred to individually in this Act as an "apprenticeship", except in section 171);

(C) includes counseling to support an individual in achieving the individual's education and career goals;

(D) includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;

(E) organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;

(F) enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and

(G) helps an individual enter or advance within a specific occupation or occupational cluster.

(8) CAREER PLANNING.—The term "career planning" means the provision of a client-centered approach in the delivery of services, designed—

(A) to prepare and coordinate comprehensive employment plans, such as service strategies, for participants to ensure access to necessary workforce investment activities and supportive services, using, where feasible, computer-based technologies; and

(B) to provide job, education, and career counseling, as appropriate during program participation and after job placement.

(9) CHIEF ELECTED OFFICIAL.—The term "chief elected official" means—

(A) the chief elected executive officer of a unit of general local government in a local area; and

(B) in a case in which a local area includes more than 1 unit of general local government, the individuals

designated under the agreement described in section 107(c)(1)(B).

(10) COMMUNITY-BASED ORGANIZATION.—The term "community-based organization" means a private nonprofit organization (which may include a faith-based organization), that is representative of a community or a significant segment of a community and that has demonstrated expertise and effectiveness in the field of workforce development.

(11) COMPETITIVE INTEGRATED EMPLOYMENT.—The term "competitive integrated employment" has the meaning given the term in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705), for individuals with disabilities.

(12) CORE PROGRAM.—The term "core programs" means a program authorized under a core program provision.

(13) CORE PROGRAM PROVISION.—The term "core program provision" means—

(A) chapters 2 and 3 of subtitle B of title I (relating to youth workforce investment activities and adult and dislocated worker employment and training activities);

(B) title II (relating to adult education and literacy activities);

(C) sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.) (relating to employment services); and

(D) title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741) (relating to vocational rehabilitation services).

(14) CUSTOMIZED TRAINING.—The term "customized training" means training—

(A) that is designed to meet the specific requirements of an employer (including a group of employers);

(B) that is conducted with a commitment by the employer to employ an individual upon successful completion of the training; and

(C) for which the employer pays—

(i) a significant portion of the cost of training, as determined by the local board involved, taking into account the size of the employer and such other factors as the local board determines to be appropriate, which may include the number of employees participating in training, wage and benefit levels of those employees (at present and anticipated upon completion of the training), relation of the training to the competitiveness of a participant, and other employer-provided training and advancement opportunities; and

(ii) in the case of customized training (as defined in subparagraphs (A) and (B)) involving an employer located in multiple local areas in the State, a significant portion of the cost of the training, as determined by the Governor of the State, taking into account the size of the employer and such other factors as the Governor determines to be appropriate.

(15) DISLOCATED WORKER.—The term "dislocated worker" means an individual who—

(A)(i) has been terminated or laid off, or who has received a notice of termination or layoff, from employment;

(ii)(I) is eligible for or has exhausted entitlement to unemployment compensation; or

(II) has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center referred to in section 121(e), attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and

(iii) is unlikely to return to a previous industry or occupation;

(B)(i) has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;

(ii) is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or

(iii) for purposes of eligibility to receive services other than training services described in section 134(c)(3), career services described in section 134(c)(2)(A)(xii), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close;

(C) was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters;

(D) is a displaced homemaker; or

(E)(i) is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code), and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or

(ii) is the spouse of a member of the Armed Forces on active duty and who meets the criteria described in paragraph (16)(B).

(16) DISPLACED HOMEMAKER.—The term "displaced homemaker" means an individual who has been providing unpaid services to family members in the home and who—

(A)(i) has been dependent on the income of another family member but is no longer supported by that income; or

(ii) is the dependent spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code) and whose family income is significantly reduced because of a deployment (as defined in section 991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section), a call or order to active duty pursuant to a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, a permanent change of station, or the service-connected (as defined in section 101(16) of title 38, United States Code) death or disability of the member; and

(B) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

(17) ECONOMIC DEVELOPMENT AGENCY.—The term "economic development agency" includes a local planning or zoning commission or board, a community development agency, or another local agency or institution responsible for regulating, promoting, or assisting in local economic development.

(18) ELIGIBLE YOUTH.—Except as provided in subtitles C and D of title I, the term "eligible youth" means an in-school youth or out-of-school youth.

(19) EMPLOYMENT AND TRAINING ACTIVITY.—The term "employment and training activity" means an activity described in section 134 that is carried out for an adult or dislocated worker.

(20) ENGLISH LANGUAGE ACQUISITION PROGRAM.—The term "English language acquisition program" has the meaning given the term in section 203.

(21) ENGLISH LANGUAGE LEARNER.—The term "English language learner" has the meaning given the term in section 203.

(22) GOVERNOR.—The term "Governor" means the chief executive of a State or an outlying area.

(23) IN-DEMAND INDUSTRY SECTOR OR OCCUPATION.—

(A) IN GENERAL.—The term "in-demand industry sector or occupation" means—

(i) an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or

(ii) an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate.

(B) DETERMINATION.—The determination of whether an industry sector or occupation is in-demand under this paragraph shall be made by the State board or local board, as appropriate, using State and regional business and labor market projections, including the use of labor market information.

(24) INDIVIDUAL WITH A BARRIER TO EMPLOYMENT.—The term "individual with a barrier to employment" means a member of 1 or more of the following populations:

(A) Displaced homemakers.

(B) Low-income individuals.

(C) Indians, Alaska Natives, and Native Hawaiians, as such terms are defined in section 166.

(D) Individuals with disabilities, including youth who are individuals with disabilities.

(E) Older individuals.

(F) Ex-offenders.

(G) Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), or homeless children and youths (as

defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))).

(H) Youth who are in or have aged out of the foster care system.

(I) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers.

(J) Eligible migrant and seasonal farmworkers, as defined in section 167(i).

(K) Individuals within 2 years of exhausting lifetime eligibility under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(L) Single parents (including single pregnant women).

(M) Long-term unemployed individuals.

(N) Such other groups as the Governor involved determines to have barriers to employment.

(25) INDIVIDUAL WITH A DISABILITY.—

(A) IN GENERAL.—The term "individual with a disability" means an individual with a disability as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

(B) INDIVIDUALS WITH DISABILITIES.—The term "individuals with disabilities" means more than 1 individual with a disability.

(26) INDUSTRY OR SECTOR PARTNERSHIP.—The term "industry or sector partnership" means a workforce collaborative, convened by or acting in partnership with a State board or local board, that—

(A) organizes key stakeholders in an industry cluster into a working group that focuses on the shared goals and human resources needs of the industry cluster and that includes, at the appropriate stage of development of the partnership—

(i) representatives of multiple businesses or other employers in the industry cluster, including small and medium-sized employers when practicable;

(ii) 1 or more representatives of a recognized State labor organization or central labor council, or another labor representative, as appropriate; and

(iii) 1 or more representatives of an institution of higher education with, or another provider of, education or training programs that support the industry cluster; and

(B) may include representatives of—

(i) State or local government;

(ii) State or local economic development agencies;

(iii) State boards or local boards, as appropriate;

(iv) a State workforce agency or other entity providing employment services;

(v) other State or local agencies;

(vi) business or trade associations;

(vii) economic development organizations;

(viii) nonprofit organizations, community-based organizations, or intermediaries;

(ix) philanthropic organizations;

(x) industry associations; and

(xi) other organizations, as determined to be necessary by the members comprising the industry or sector partnership.

(27) IN-SCHOOL YOUTH.—The term "in-school youth" means a youth described in section 129(a)(1)(C).

(28) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101, and subparagraphs (A) and (B) of section 102(a)(1), of the Higher Education Act of 1965 (20 U.S.C. 1001, 1002(a)(1)).

(29) INTEGRATED EDUCATION AND TRAINING.—The term "integrated education and training" has the meaning given the term in section 203.

(30) LABOR MARKET AREA.—The term "labor market area" means an economically integrated geographic area within which individuals can reside and find employment within a reasonable distance or can readily change employment without changing their place of residence. Such an area shall be identified in accordance with criteria used by the Bureau of Labor Statistics of the Department of Labor in defining such areas or similar criteria established by a Governor.

(31) LITERACY.—The term "literacy" has the meaning given the term in section 203.

(32) LOCAL AREA.—The term "local area" means a local workforce investment area designated under section 106, subject to sections 106(c)(3)(A), 107(c)(4)(B)(i), and 189(i).

(33) LOCAL BOARD.—The term "local board" means a local workforce development board established under section 107, subject to section 107(c)(4)(B)(i).

(34) LOCAL EDUCATIONAL AGENCY.—The term "local educational agency" has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(35) LOCAL PLAN.—The term "local plan" means a plan submitted under section 108, subject to section 106(c)(3)(B).

(36) LOW-INCOME INDIVIDUAL.—

(A) IN GENERAL.—The term "low-income individual" means an individual who—

(i) receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance;

(ii) is in a family with total family income that does not exceed the higher of—

(I) the poverty line; or

(II) 70 percent of the lower living standard income level;

(iii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994

(42 U.S.C. 14043e–2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));

(iv) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

(v) is a foster child on behalf of whom State or local government payments are made; or

(vi) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.

(B) LOWER LIVING STANDARD INCOME LEVEL.—The term "lower living standard income level" means that income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary.

(37) NONTRADITIONAL EMPLOYMENT.—The term "nontraditional employment" refers to occupations or fields of work, for which individuals from the gender involved comprise less than 25 percent of the individuals employed in each such occupation or field of work.

(38) OFFENDER.—The term "offender" means an adult or juvenile—

(A) who is or has been subject to any stage of the criminal justice process, and for whom services under this Act may be beneficial; or

(B) who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

(39) OLDER INDIVIDUAL.—The term "older individual" means an individual age 55 or older.

(40) ONE-STOP CENTER.—The term "one-stop center" means a site described in section 121(e)(2).

(41) ONE-STOP OPERATOR.—The term "one-stop operator" means 1 or more entities designated or certified under section 121(d).

(42) ONE-STOP PARTNER.—The term "one-stop partner" means—

(A) an entity described in section 121(b)(1); and

(B) an entity described in section 121(b)(2) that is participating, with the approval of the local board and chief elected official, in the operation of a one-stop delivery system.

(43) ONE-STOP PARTNER PROGRAM.—The term "one-stop partner program" means a program or activities described in section 121(b) of a one-stop partner.

(44) ON-THE-JOB TRAINING.—The term "on-the-job training" means training by an employer that is provided to a paid participant while engaged in productive work in a job that—

(A) provides knowledge or skills essential to the full and adequate performance of the job;

(B) is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, except as provided in section 134(c)(3)(H), for the extraordinary costs of providing

the training and additional supervision related to the training; and

(C) is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

(45) OUTLYING AREA.—The term "outlying area" means—

(A) American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands; and

(B) the Republic of Palau, except during any period for which the Secretary of Labor and the Secretary of Education determine that a Compact of Free Association is in effect and contains provisions for training and education assistance prohibiting the assistance provided under this Act.

(46) OUT-OF-SCHOOL YOUTH.—The term "out-of-school youth" means a youth described in section 129(a)(1)(B).

(47) PAY-FOR-PERFORMANCE CONTRACT STRATEGY.—The term "pay-for-performance contract strategy" means a procurement strategy that uses pay-for-performance contracts in the provision of training services described in section 134(c)(3) or activities described in section 129(c)(2), and includes—

(A) contracts, each of which shall specify a fixed amount that will be paid to an eligible service provider (which may include a local or national community-based organization or intermediary, community college, or other training provider, that is eligible under section 122 or 123, as appropriate) based on the achievement of specified levels of performance on the primary indicators of performance described in section 116(b)(2)(A) for target populations as identified by the local board (including individuals with barriers to employment), within a defined timetable, and which may provide for bonus payments to such service provider to expand capacity to provide effective training;

(B) a strategy for independently validating the achievement of the performance described in subparagraph (A); and

(C) a description of how the State or local area will reallocate funds not paid to a provider because the achievement of the performance described in subparagraph (A) did not occur, for further activities related to such a procurement strategy, subject to section 189(g)(4).

(48) PLANNING REGION.—The term "planning region" means a region described in subparagraph (B) or (C) of section 106(a)(2), subject to section 107(c)(4)(B)(i).

(49) POVERTY LINE.—The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(50) PUBLIC ASSISTANCE.—The term "public assistance" means Federal, State, or local government cash payments for which eligibility is determined by a needs or income test.

(51) RAPID RESPONSE ACTIVITY.—The term "rapid response activity" means an activity provided by a State, or by an entity

designated by a State, with funds provided by the State under section 134(a)(1)(A), in the case of a permanent closure or mass layoff at a plant, facility, or enterprise, or a natural or other disaster, that results in mass job dislocation, in order to assist dislocated workers in obtaining reemployment as soon as possible, with services including—

(A) the establishment of onsite contact with employers and employee representatives—

(i) immediately after the State is notified of a current or projected permanent closure or mass layoff; or

(ii) in the case of a disaster, immediately after the State is made aware of mass job dislocation as a result of such disaster;

(B) the provision of information on and access to available employment and training activities;

(C) assistance in establishing a labor-management committee, voluntarily agreed to by labor and management, with the ability to devise and implement a strategy for assessing the employment and training needs of dislocated workers and obtaining services to meet such needs;

(D) the provision of emergency assistance adapted to the particular closure, layoff, or disaster; and

(E) the provision of assistance to the local community in developing a coordinated response and in obtaining access to State economic development assistance.

(52) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term "recognized postsecondary credential" means a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the State involved or Federal Government, or an associate or baccalaureate degree.

(53) REGION.—The term "region", used without further description, means a region identified under section 106(a), subject to section 107(c)(4)(B)(i) and except as provided in section 106(b)(1)(B)(ii).

(54) SCHOOL DROPOUT.—The term "school dropout" means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.

(55) SECONDARY SCHOOL.—The term "secondary school" has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(56) STATE.—The term "State" means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(57) STATE BOARD.—The term "State board" means a State workforce development board established under section 101.

(58) STATE PLAN.—The term "State plan", used without further description, means a unified State plan under section 102 or a combined State plan under section 103.

(59) SUPPORTIVE SERVICES.—The term "supportive services" means services such as transportation, child care, dependent care, housing, and needs-related payments, that are necessary to enable an individual to participate in activities authorized under this Act.

(60) TRAINING SERVICES.—The term "training services" means services described in section 134(c)(3).

(61) UNEMPLOYED INDIVIDUAL.—The term "unemployed individual" means an individual who is without a job and who wants and is available for work. The determination of whether an individual is without a job, for purposes of this paragraph, shall be made in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as unemployed.

(62) UNIT OF GENERAL LOCAL GOVERNMENT.—The term "unit of general local government" means any general purpose political subdivision of a State that has the power to levy taxes and spend funds, as well as general corporate and police powers.

(63) VETERAN; RELATED DEFINITION.—

(A) VETERAN.—The term "veteran" has the meaning given the term in section 101 of title 38, United States Code.

(B) RECENTLY SEPARATED VETERAN.—The term "recently separated veteran" means any veteran who applies for participation under this Act within 48 months after the discharge or release from active military, naval, or air service.

(64) VOCATIONAL REHABILITATION PROGRAM.—The term "vocational rehabilitation program" means a program authorized under a provision covered under paragraph (13)(D).

(65) WORKFORCE DEVELOPMENT ACTIVITY.—The term "workforce development activity" means an activity carried out through a workforce development program.

(66) WORKFORCE DEVELOPMENT PROGRAM.—The term "workforce development program" means a program made available through a workforce development system.

(67) WORKFORCE DEVELOPMENT SYSTEM.—The term "workforce development system" means a system that makes available the core programs, the other one-stop partner programs, and any other programs providing employment and training services as identified by a State board or local board.

(68) WORKFORCE INVESTMENT ACTIVITY.—The term "workforce investment activity" means an employment and training activity, and a youth workforce investment activity.

(69) WORKFORCE PREPARATION ACTIVITIES.—The term "workforce preparation activities" has the meaning given the term in section 203.

(70) WORKPLACE LEARNING ADVISOR.—The term "workplace learning advisor" means an individual employed by an organization who has the knowledge and skills necessary to advise other employees of that organization about the education, skill development, job training, career counseling services, and credentials, including services provided through the workforce development system, required to progress toward career goals of such employees in order to meet employer requirements related to job openings and career advancements that support economic self-sufficiency.

(71) YOUTH WORKFORCE INVESTMENT ACTIVITY.—The term "youth workforce investment activity" means an activity described in section 129 that is carried out for eligible youth (or as described in section 129(a)(3)(A)).

TITLE I—WORKFORCE DEVELOPMENT ACTIVITIES

Subtitle A—System Alignment

CHAPTER 1—STATE PROVISIONS

29 USC 3111.

SEC. 101. STATE WORKFORCE DEVELOPMENT BOARDS.

(a) IN GENERAL.—The Governor of a State shall establish a State workforce development board to carry out the functions described in subsection (d).

(b) MEMBERSHIP.—

(1) IN GENERAL.—The State board shall include—

(A) the Governor;

(B) a member of each chamber of the State legislature (to the extent consistent with State law), appointed by the appropriate presiding officers of such chamber; and

(C) members appointed by the Governor, of which—

(i) a majority shall be representatives of businesses in the State, who—

(I) are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policy-making or hiring authority, and who, in addition, may be members of a local board described in section 107(b)(2)(A)(i);

(II) represent businesses (including small businesses), or organizations representing businesses described in this subclause, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the State; and

(III) are appointed from among individuals nominated by State business organizations and business trade associations;

(ii) not less than 20 percent shall be representatives of the workforce within the State, who—

(I) shall include representatives of labor organizations, who have been nominated by State labor federations;

(II) shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists in the State, such a representative of an apprenticeship program in the State;

(III) may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive, integrated employment for individuals with disabilities; and

(IV) may include representatives of organizations that have demonstrated experience and expertise in addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth; and

(iii) the balance—

(I) shall include representatives of government, who—

(aa) shall include the lead State officials with primary responsibility for the core programs; and

(bb) shall include chief elected officials (collectively representing both cities and counties, where appropriate); and

(II) may include such other representatives and officials as the Governor may designate, such as—

(aa) the State agency officials from agencies that are one-stop partners not specified in subclause (I) (including additional one-stop partners whose programs are covered by the State plan, if any);

(bb) State agency officials responsible for economic development or juvenile justice programs in the State;

(cc) individuals who represent an Indian tribe or tribal organization, as such terms are defined in section 166(b); and

(dd) State agency officials responsible for education programs in the State, including chief executive officers of community colleges and other institutions of higher education.

(2) DIVERSE AND DISTINCT REPRESENTATION.—The members of the State board shall represent diverse geographic areas of the State, including urban, rural, and suburban areas.

(3) NO REPRESENTATION OF MULTIPLE CATEGORIES.—No person shall serve as a member for more than 1 of—

(A) the category described in paragraph (1)(C)(i); or

(B) 1 category described in a subclause of clause (ii) or (iii) of paragraph (1)(C).

(c) CHAIRPERSON.—The Governor shall select a chairperson for the State board from among the representatives described in subsection (b)(1)(C)(i).

(d) FUNCTIONS.—The State board shall assist the Governor in—

(1) the development, implementation, and modification of the State plan;

(2) consistent with paragraph (1), the review of statewide policies, of statewide programs, and of recommendations on actions that should be taken by the State to align workforce development programs in the State in a manner that supports a comprehensive and streamlined workforce development system in the State, including the review and provision of comments on the State plans, if any, for programs and activities of one-stop partners that are not core programs; Review.

(3) the development and continuous improvement of the workforce development system in the State, including—

(A) the identification of barriers and means for removing barriers to better coordinate, align, and avoid duplication among the programs and activities carried out through the system;

(B) the development of strategies to support the use of career pathways for the purpose of providing individuals, including low-skilled adults, youth, and individuals with barriers to employment (including individuals with disabilities), with workforce investment activities, education, and supportive services to enter or retain employment;

(C) the development of strategies for providing effective outreach to and improved access for individuals and employers who could benefit from services provided through the workforce development system;

(D) the development and expansion of strategies for meeting the needs of employers, workers, and jobseekers, particularly through industry or sector partnerships related to in-demand industry sectors and occupations;

(E) the identification of regions, including planning regions, for the purposes of section 106(a), and the designation of local areas under section 106, after consultation with local boards and chief elected officials;

(F) the development and continuous improvement of the one-stop delivery system in local areas, including providing assistance to local boards, one-stop operators, one-stop partners, and providers with planning and delivering services, including training services and supportive services, to support effective delivery of services to workers, jobseekers, and employers; and

(G) the development of strategies to support staff training and awareness across programs supported under the workforce development system;

(4) the development and updating of comprehensive State performance accountability measures, including State adjusted levels of performance, to assess the effectiveness of the core programs in the State as required under section 116(b);

(5) the identification and dissemination of information on best practices, including best practices for—

(A) the effective operation of one-stop centers, relating to the use of business outreach, partnerships, and service delivery strategies, including strategies for serving individuals with barriers to employment;

(B) the development of effective local boards, which may include information on factors that contribute to enabling local boards to exceed negotiated local levels of performance, sustain fiscal integrity, and achieve other measures of effectiveness; and

(C) effective training programs that respond to real-time labor market analysis, that effectively use direct assessment and prior learning assessment to measure an individual's prior knowledge, skills, competencies, and experiences, and that evaluate such skills, and competencies for adaptability, to support efficient placement into employment or career pathways;

(6) the development and review of statewide policies affecting the coordinated provision of services through the State's one-stop delivery system described in section 121(e), including the development of—

(A) objective criteria and procedures for use by local boards in assessing the effectiveness and continuous improvement of one-stop centers described in such section;

(B) guidance for the allocation of one-stop center infrastructure funds under section 121(h); and

(C) policies relating to the appropriate roles and contributions of entities carrying out one-stop partner programs within the one-stop delivery system, including approaches to facilitating equitable and efficient cost allocation in such system;

(7) the development of strategies for technological improvements to facilitate access to, and improve the quality of, services and activities provided through the one-stop delivery system, including such improvements to—

(A) enhance digital literacy skills (as defined in section 202 of the Museum and Library Services Act (20 U.S.C. 9101); referred to in this Act as "digital literacy skills");

(B) accelerate the acquisition of skills and recognized postsecondary credentials by participants;

(C) strengthen the professional development of providers and workforce professionals; and

(D) ensure such technology is accessible to individuals with disabilities and individuals residing in remote areas;

(8) the development of strategies for aligning technology and data systems across one-stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures (including the design and implementation of common intake, data collection, case management information, and performance accountability measurement and reporting processes and the incorporation of local input into such design and implementation, to improve coordination of services across one-stop partner programs);

(9) the development of allocation formulas for the distribution of funds for employment and training activities for adults, and youth workforce investment activities, to local areas as permitted under sections 128(b)(3) and 133(b)(3);

(10) the preparation of the annual reports described in paragraphs (1) and (2) of section 116(d);

(11) the development of the statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 49l–2(e)); and

(12) the development of such other policies as may promote statewide objectives for, and enhance the performance of, the workforce development system in the State.

(e) ALTERNATIVE ENTITY.—

(1) IN GENERAL.—For the purposes of complying with subsections (a), (b), and (c), a State may use any State entity (including a State council, State workforce development board (within the meaning of the Workforce Investment Act of 1998, as in effect on the day before the date of enactment of this Act), combination of regional workforce development boards, or similar entity) that—

(A) was in existence on the day before the date of enactment of the Workforce Investment Act of 1998;

(B) is substantially similar to the State board described in subsections (a) through (c); and

(C) includes representatives of business in the State and representatives of labor organizations in the State.

(2) REFERENCES.—A reference in this Act, or a core program provision that is not in this Act, to a State board shall be considered to include such an entity.

(f) CONFLICT OF INTEREST.—A member of a State board may not—

(1) vote on a matter under consideration by the State board—

(A) regarding the provision of services by such member (or by an entity that such member represents); or

(B) that would provide direct financial benefit to such member or the immediate family of such member; or

(2) engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.

Public information. Plan.

(g) SUNSHINE PROVISION.—The State board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the State board, including information regarding the State plan, or a modification to the State plan, prior to submission of the plan or modification of the plan, respectively, information regarding membership, and, on request, minutes of formal meetings of the State board.

(h) AUTHORITY TO HIRE STAFF.—

(1) IN GENERAL.—The State board may hire a director and other staff to assist in carrying out the functions described in subsection (d) using funds available as described in section 129(b)(3) or 134(a)(3)(B)(i).

Applicability.

(2) QUALIFICATIONS.—The State board shall establish and apply a set of objective qualifications for the position of director, that ensures that the individual selected has the requisite knowledge, skills, and abilities, to meet identified benchmarks and to assist in effectively carrying out the functions of the State board.

(3) LIMITATION ON RATE.—The director and staff described in paragraph (1) shall be subject to the limitations on the payment of salary and bonuses described in section 194(15).

29 USC 3112.

SEC. 102. UNIFIED STATE PLAN.

(a) PLAN.—For a State to be eligible to receive allotments for the core programs, the Governor shall submit to the Secretary of Labor for the approval process described under subsection (c)(2), a unified State plan. The unified State plan shall outline a 4-year strategy for the core programs of the State and meet the requirements of this section.

(b) CONTENTS.—

(1) STRATEGIC PLANNING ELEMENTS.—The unified State plan shall include strategic planning elements consisting of a strategic vision and goals for preparing an educated and skilled workforce, that include—

(A) an analysis of the economic conditions in the State, including—

(i) existing and emerging in-demand industry sectors and occupations; and

(ii) the employment needs of employers, including a description of the knowledge, skills, and abilities, needed in those industries and occupations;

(B) an analysis of the current workforce, employment and unemployment data, labor market trends, and the educational and skill levels of the workforce, including individuals with barriers to employment (including individuals with disabilities), in the State;

(C) an analysis of the workforce development activities (including education and training) in the State, including an analysis of the strengths and weaknesses of such activities, and the capacity of State entities to provide such activities, in order to address the identified education and skill needs of the workforce and the employment needs of employers in the State;

(D) a description of the State's strategic vision and goals for preparing an educated and skilled workforce (including preparing youth and individuals with barriers to employment) and for meeting the skilled workforce needs of employers, including goals relating to performance accountability measures based on primary indicators of performance described in section 116(b)(2)(A), in order to support economic growth and economic self-sufficiency, and of how the State will assess the overall effectiveness of the workforce investment system in the State; and

(E) taking into account analyses described in subparagraphs (A) through (C), a strategy for aligning the core programs, as well as other resources available to the State, to achieve the strategic vision and goals described in subparagraph (D).

(2) OPERATIONAL PLANNING ELEMENTS.—

(A) IN GENERAL.—The unified State plan shall include the operational planning elements contained in this paragraph, which shall support the strategy described in paragraph (1)(E), including a description of how the State board will implement the functions under section 101(d).

(B) IMPLEMENTATION OF STATE STRATEGY.—The unified State plan shall describe how the lead State agency with responsibility for the administration of a core program will implement the strategy described in paragraph (1)(E), including a description of—

(i) the activities that will be funded by the entities carrying out the respective core programs to implement the strategy and how such activities will be aligned across the programs and among the entities administering the programs, including using co-enrollment and other strategies;

(ii) how the activities described in clause (i) will be aligned with activities provided under employment, training, education, including career and technical education, and human services programs not covered by the plan, as appropriate, assuring coordination of, and avoiding duplication among, the activities referred to in this clause;

(iii) how the entities carrying out the respective core programs will coordinate activities and provide comprehensive, high-quality services including supportive services, to individuals;

(iv) how the State's strategy will engage the State's community colleges and area career and technical education schools as partners in the workforce development system and enable the State to leverage other Federal, State, and local investments that have enhanced access to workforce development programs at those institutions;

(v) how the activities described in clause (i) will be coordinated with economic development strategies and activities in the State; and

(vi) how the State's strategy will improve access to activities leading to a recognized postsecondary credential (including a credential that is an industry-recognized certificate or certification, portable, and stackable).

(C) STATE OPERATING SYSTEMS AND POLICIES.—The unified State plan shall describe the State operating systems and policies that will support the implementation of the strategy described in paragraph (1)(E), including a description of—

(i) the State board, including the activities to assist members of the State board and the staff of such board in carrying out the functions of the State board effectively (but funds for such activities may not be used for long-distance travel expenses for training or development activities available locally or regionally);

(ii)(I) how the respective core programs will be assessed each year, including an assessment of the quality, effectiveness, and improvement of programs (analyzed by local area, or by provider), based on State performance accountability measures described in section 116(b); and

(II) how other one-stop partner programs will be assessed each year;

(iii) the results of an assessment of the effectiveness of the core programs and other one-stop partner programs during the preceding 2-year period;

(iv) the methods and factors the State will use in distributing funds under the core programs, in accordance with the provisions authorizing such distributions;

(v)(I) how the lead State agencies with responsibility for the administration of the core programs will align and integrate available workforce and education data on core programs, unemployment insurance programs, and education through postsecondary education;

(II) how such agencies will use the workforce development system to assess the progress of participants that are exiting from core programs in entering, persisting in, and completing postsecondary education, or entering or remaining in employment; and

(III) the privacy safeguards incorporated in such system, including safeguards required by section 444 of the General Education Provisions Act (20 U.S.C. 1232g) and other applicable Federal laws;

(vi) how the State will implement the priority of service provisions for veterans in accordance with the requirements of section 4215 of title 38, United States Code;

(vii) how the one-stop delivery system, including one-stop operators and the one-stop partners, will comply with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), regarding the physical and programmatic accessibility of facilities, programs, services, technology, and materials, for individuals with disabilities, including complying through providing staff training and support for addressing the needs of individuals with disabilities; and

(viii) such other operational planning elements as the Secretary of Labor or the Secretary of Education, as appropriate, determines to be necessary for effective State operating systems and policies.

(D) PROGRAM-SPECIFIC REQUIREMENTS.—The unified State plan shall include—

(i) with respect to activities carried out under subtitle B, a description of—

(I) State policies or guidance, for the statewide workforce development system and for use of State funds for workforce investment activities;

(II) the local areas designated in the State, including the process used for designating local areas, and the process used for identifying any planning regions under section 106(a), including a description of how the State consulted with the local boards and chief elected officials in determining the planning regions;

(III) the appeals process referred to in section 106(b)(5), relating to designation of local areas;

(IV) the appeals process referred to in section 121(h)(2)(E), relating to determinations for infrastructure funding; and

(V) with respect to youth workforce investment activities authorized in section 129, information identifying the criteria to be used by local boards in awarding grants for youth workforce investment activities and describing how the local boards will take into consideration the ability of the providers to meet performance accountability measures based on primary indicators of performance for the youth program as described in section 116(b)(2)(A)(ii) in awarding such grants;

(ii) with respect to activities carried out under title II, a description of—

(I) how the eligible agency will, if applicable, align content standards for adult education with State-adopted challenging academic content standards, as adopted under section 1111(b)(1) of the

Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1));

(II) how the State will fund local activities using considerations specified in section 231(e) for—

(aa) activities under section 231(b);

(bb) programs for corrections education under section 225;

(cc) programs for integrated English literacy and civics education under section 243; and

(dd) integrated education and training;

(III) how the State will use the funds to carry out activities under section 223;

(IV) how the State will use the funds to carry out activities under section 243;

(V) how the eligible agency will assess the quality of providers of adult education and literacy activities under title II and take actions to improve such quality, including providing the activities described in section 223(a)(1)(B);

(iii) with respect to programs carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), the information described in section 101(a) of that Act (29 U.S.C. 721(a)); and

(iv) information on such additional specific requirements for a program referenced in any of clauses (i) through (iii) or the Wagner-Peyser Act (29 U.S.C. 49 et seq.) as the Secretary of Labor determines to be necessary to administer that program but cannot reasonably be applied across all such programs.

(E) ASSURANCES.—The unified State plan shall include assurances—

(i) that the State has established a policy identifying circumstances that may present a conflict of interest for a State board or local board member, or the entity or class of officials that the member represents, and procedures to resolve such conflicts;

(ii) that the State has established a policy to provide to the public (including individuals with disabilities) access to meetings of State boards and local boards, and information regarding activities of State boards and local boards, such as data on board membership and minutes;

(iii)(I) that the lead State agencies with responsibility for the administration of core programs reviewed and commented on the appropriate operational planning elements of the unified State plan, and approved the elements as serving the needs of the populations served by such programs; and

(II) that the State obtained input into the development of the unified State plan and provided an opportunity for comment on the plan by representatives of local boards and chief elected officials, businesses, labor organizations, institutions of higher education, other primary stakeholders, and the general public

and that the unified State plan is available and accessible to the general public;

(iv) that the State has established, in accordance with section 116(i), fiscal control and fund accounting procedures that may be necessary to ensure the proper disbursement of, and accounting for, funds paid to the State through allotments made for adult, dislocated worker, and youth programs to carry out workforce investment activities under chapters 2 and 3 of subtitle B; Procedures.

(v) that the State has taken appropriate action to secure compliance with uniform administrative requirements in this Act, including that the State will annually monitor local areas to ensure compliance and otherwise take appropriate action to secure compliance with the uniform administrative requirements under section 184(a)(3);

(vi) that the State has taken the appropriate action to be in compliance with section 188, if applicable;

(vii) that the Federal funds received to carry out a core program will not be expended for any purpose other than for activities authorized with respect to such funds under that core program;

(viii) that the eligible agency under title II will—

(I) expend the funds appropriated to carry out that title only in a manner consistent with fiscal requirements under section 241(a) (regarding supplement and not supplant provisions); and

(II) ensure that there is at least 1 eligible provider serving each local area;

(ix) that the State will pay an appropriate share (as defined by the State board) of the costs of carrying out section 116, from funds made available through each of the core programs; and

(x) regarding such other matters as the Secretary of Labor or the Secretary of Education, as appropriate, determines to be necessary for the administration of the core programs.

(3) EXISTING ANALYSIS.—As appropriate, a State may use an existing analysis in order to carry out the requirements of paragraph (1) concerning an analysis.

(c) PLAN SUBMISSION AND APPROVAL.—

(1) SUBMISSION.— Deadlines.

(A) INITIAL PLAN.—The initial unified State plan under this section (after the date of enactment of the Workforce Innovation and Opportunity Act) shall be submitted to the Secretary of Labor not later than 120 days prior to the commencement of the second full program year after the date of enactment of this Act.

(B) SUBSEQUENT PLANS.—Except as provided in subparagraph (A), a unified State plan shall be submitted to the Secretary of Labor not later than 120 days prior to the end of the 4-year period covered by the preceding unified State plan. Time period.

(2) SUBMISSION AND APPROVAL.—

(A) SUBMISSION.—In approving a unified State plan under this section, the Secretary shall submit the portion

of the unified State plan covering a program or activity to the head of the Federal agency that administers the program or activity for the approval of such portion by such head.

(B) APPROVAL.—A unified State plan shall be subject to the approval of both the Secretary of Labor and the Secretary of Education, after approval of the Commissioner of the Rehabilitation Services Administration for the portion of the plan described in subsection (b)(2)(D)(iii). The plan shall be considered to be approved at the end of the 90-day period beginning on the day the plan is submitted, unless the Secretary of Labor or the Secretary of Education makes a written determination, during the 90-day period, that the plan is inconsistent with the provisions of this section or the provisions authorizing the core programs, as appropriate.

Time period.
Determination.

(3) MODIFICATIONS.—

(A) MODIFICATIONS.—At the end of the first 2-year period of any 4-year unified State plan, the State board shall review the unified State plan, and the Governor shall submit modifications to the plan to reflect changes in labor market and economic conditions or in other factors affecting the implementation of the unified State plan.

Time period.
Review.

(B) APPROVAL.—A modified unified State plan submitted for the review required under subparagraph (A) shall be subject to the approval requirements described in paragraph (2). A Governor may submit a modified unified State plan at such other times as the Governor determines to be appropriate, and such modified unified State plan shall also be subject to the approval requirements described in paragraph (2).

Time period.

(4) EARLY IMPLEMENTERS.—The Secretary of Labor, in conjunction with the Secretary of Education, shall establish a process for approving and may approve unified State plans that meet the requirements of this section and are submitted to cover periods commencing prior to the second full program year described in paragraph (1)(A).

29 USC 3113.

SEC. 103. COMBINED STATE PLAN.

(a) IN GENERAL.—

(1) AUTHORITY TO SUBMIT PLAN.—A State may develop and submit to the appropriate Secretaries a combined State plan for the core programs and 1 or more of the programs and activities described in paragraph (2) in lieu of submitting 2 or more plans, for the programs and activities and the core programs.

(2) PROGRAMS.—The programs and activities referred to in paragraph (1) are as follows:

(A) Career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

(B) Programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(C) Programs authorized under section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)).

(D) Work programs authorized under section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)).

(E) Activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.).

(F) Activities authorized under chapter 41 of title 38, United States Code.

(G) Programs authorized under State unemployment compensation laws (in accordance with applicable Federal law).

(H) Programs authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.).

(I) Employment and training activities carried out by the Department of Housing and Urban Development.

(J) Employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.).

(K) Programs authorized under section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532).

(b) REQUIREMENTS.—

(1) IN GENERAL.—The portion of a combined plan covering the core programs shall be subject to the requirements of section 102 (including section 102(c)(3)). The portion of such plan covering a program or activity described in subsection (a)(2) shall be subject to the requirements, if any, applicable to a plan or application for assistance for that program or activity, under the Federal law authorizing the program or activity. At the election of the State, section 102(c)(3) may apply to that portion.

(2) ADDITIONAL SUBMISSION NOT REQUIRED.—A State that submits a combined plan that is approved under subsection (c) shall not be required to submit any other plan or application in order to receive Federal funds to carry out the core programs or the program or activities described in subsection (a)(2) that are covered by the combined plan.

(3) COORDINATION.—A combined plan shall include—

(A) a description of the methods used for joint planning and coordination of the core programs and the other programs and activities covered by the combined plan; and

(B) an assurance that the methods included an opportunity for the entities responsible for planning or administering the core programs and the other programs and activities to review and comment on all portions of the combined plan.

(c) APPROVAL BY THE APPROPRIATE SECRETARIES.—

(1) JURISDICTION.—The appropriate Secretary shall have the authority to approve the corresponding portion of a combined plan as described in subsection (d). On the approval of the appropriate Secretary, that portion of the combined plan, covering a program or activity, shall be implemented by the State pursuant to that portion of the combined plan, and the Federal law authorizing the program or activity.

Implementation.

(2) APPROVAL OF CORE PROGRAMS.—No portion of the plan relating to a core program shall be implemented until the appropriate Secretary approves the corresponding portions of the plan for all core programs.

(3) TIMING OF APPROVAL.—

Time periods.

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), a portion of the combined State plan covering the core programs or a program or activity described in subsection (a)(2) shall be considered to be approved by

the appropriate Secretary at the end of the 90-day period beginning on the day the plan is submitted.

(B) PLAN APPROVED BY 3 OR MORE APPROPRIATE SECRETARIES.—If an appropriate Secretary other than the Secretary of Labor or the Secretary of Education has authority to approve a portion of a combined plan, that portion of the combined plan shall be considered to be approved by the appropriate Secretary at the end of the 120-day period beginning on the day the plan is submitted.

(C) DISAPPROVAL.—The portion shall not be considered to be approved if the appropriate Secretary makes a written determination, during the 90-day period (or the 120-day period, for an appropriate Secretary covered by subparagraph (B)), that the portion is not consistent with the requirements of the Federal law authorizing or applicable to the program or activity involved, including the criteria for approval of a plan or application, if any, under such law, or the plan is not consistent with the requirements of this section.

Definition.

(4) SPECIAL RULE.—In paragraph (3), the term "criteria for approval of a plan or application", with respect to a State and a core program or a program under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), includes a requirement for agreement between the State and the appropriate Secretaries regarding State performance measures or State performance accountability measures, as the case may be, including levels of performance.

Definition.

(d) APPROPRIATE SECRETARY.—In this section, the term "appropriate Secretary" means—

(1) with respect to the portion of a combined plan relating to any of the core programs (including a description, and an assurance concerning that program, specified in subsection (b)(3)), the Secretary of Labor and the Secretary of Education; and

(2) with respect to the portion of a combined plan relating to a program or activity described in subsection (a)(2) (including a description, and an assurance concerning that program or activity, specified in subsection (b)(3)), the head of the Federal agency who exercises plan or application approval authority for the program or activity under the Federal law authorizing the program or activity, or, if there are no planning or application requirements for such program or activity, exercises administrative authority over the program or activity under that Federal law.

CHAPTER 2—LOCAL PROVISIONS

29 USC 3121.

SEC. 106. WORKFORCE DEVELOPMENT AREAS.

(a) REGIONS.—

Consultation.

(1) IDENTIFICATION.—Before the second full program year after the date of enactment of this Act, in order for a State to receive an allotment under section 127(b) or 132(b) and as part of the process for developing the State plan, a State shall identify regions in the State after consultation with the local boards and chief elected officials in the local areas and consistent with the considerations described in subsection (b)(1)(B).

(2) TYPES OF REGIONS.—For purposes of this Act, the State shall identify—

(A) which regions are comprised of 1 local area that is aligned with the region;

(B) which regions are comprised of 2 or more local areas that are (collectively) aligned with the region (referred to as planning regions, consistent with section 3); and

(C) which, of the regions described in subparagraph (B), are interstate areas contained within 2 or more States, and consist of labor market areas, economic development areas, or other appropriate contiguous subareas of those States.

(b) LOCAL AREAS.—

(1) IN GENERAL.—

(A) PROCESS.—Except as provided in subsection (d), and consistent with paragraphs (2) and (3), in order for a State to receive an allotment under section 127(b) or 132(b), the Governor of the State shall designate local workforce development areas within the State— Consultation.

(i) through consultation with the State board; and

(ii) after consultation with chief elected officials and local boards, and after consideration of comments received through the public comment process as described in section 102(b)(2)(E)(iii)(II).

(B) CONSIDERATIONS.—The Governor shall designate local areas (except for those local areas described in paragraphs (2) and (3)) based on considerations consisting of the extent to which the areas—

(i) are consistent with labor market areas in the State;

(ii) are consistent with regional economic development areas in the State; and

(iii) have available the Federal and non-Federal resources necessary to effectively administer activities under subtitle B and other applicable provisions of this Act, including whether the areas have the appropriate education and training providers, such as institutions of higher education and area career and technical education schools.

(2) INITIAL DESIGNATION.—During the first 2 full program years following the date of enactment of this Act, the Governor shall approve a request for initial designation as a local area from any area that was designated as a local area for purposes of the Workforce Investment Act of 1998 for the 2-year period preceding the date of enactment of this Act, performed successfully, and sustained fiscal integrity. Time periods.

(3) SUBSEQUENT DESIGNATION.—After the period for which a local area is initially designated under paragraph (2), the Governor shall approve a request for subsequent designation as a local area from such local area, if such area—

(A) performed successfully;

(B) sustained fiscal integrity; and

(C) in the case of a local area in a planning region, met the requirements described in subsection (c)(1).

(4) DESIGNATION ON RECOMMENDATION OF STATE BOARD.—The Governor may approve a request from any unit of general Determination.

local government (including a combination of such units) for designation of an area as a local area if the State board determines, based on the considerations described in paragraph (1)(B), and recommends to the Governor, that such area should be so designated.

(5) APPEALS.—A unit of general local government (including a combination of such units) or grant recipient that requests but is not granted designation of an area as a local area under paragraph (2) or (3) may submit an appeal to the State board under an appeal process established in the State plan. If the appeal does not result in such a designation, the Secretary of Labor, after receiving a request for review from the unit or grant recipient and on determining that the unit or grant recipient was not accorded procedural rights under the appeals process described in the State plan, as specified in section 102(b)(2)(D)(i)(III), or that the area meets the requirements of paragraph (2) or (3), may require that the area be designated as a local area under such paragraph.

(6) REDESIGNATION ASSISTANCE.—On the request of all of the local areas in a planning region, the State shall provide funding from funds made available under sections 128(a) and 133(a)(1) to assist the local areas in carrying out activities to facilitate the redesignation of the local areas to a single local area.

(c) REGIONAL COORDINATION.—

(1) REGIONAL PLANNING.—The local boards and chief elected officials in each planning region described in subparagraph (B) or (C) of subsection (a)(2) shall engage in a regional planning process that results in—

(A) the preparation of a regional plan, as described in paragraph (2);

(B) the establishment of regional service strategies, including use of cooperative service delivery agreements;

(C) the development and implementation of sector initiatives for in-demand industry sectors or occupations for the region;

(D) the collection and analysis of regional labor market data (in conjunction with the State);

(E) the establishment of administrative cost arrangements, including the pooling of funds for administrative costs, as appropriate, for the region;

(F) the coordination of transportation and other supportive services, as appropriate, for the region;

(G) the coordination of services with regional economic development services and providers; and

(H) the establishment of an agreement concerning how the planning region will collectively negotiate and reach agreement with Governor on local levels of performance for, and report on, the performance accountability measures described in section 116(c), for local areas or the planning region.

Consultation.

(2) REGIONAL PLANS.—The State, after consultation with local boards and chief elected officials for the planning regions, shall require the local boards and chief elected officials within a planning region to prepare, submit, and obtain approval of a single regional plan that includes a description of the activities described in paragraph (1) and that incorporates local

plans for each of the local areas in the planning region. The State shall provide technical assistance and labor market data, as requested by local areas, to assist with such regional planning and subsequent service delivery efforts.

(3) REFERENCES.—In this Act, and the core program provisions that are not in this Act:

(A) LOCAL AREA.—Except as provided in section 101(d)(9), this section, paragraph (1)(B) or (4) of section 107(c), or section 107(d)(12)(B), or in any text that provides an accompanying provision specifically for a planning region, the term "local area" in a provision includes a reference to a planning region for purposes of implementation of that provision by the corresponding local areas in the region.

(B) LOCAL PLAN.—Except as provided in this subsection, the term "local plan" includes a reference to the portion of a regional plan developed with respect to the corresponding local area within the region, and any region-wide provision of that plan that impacts or relates to the local area.

(d) SINGLE STATE LOCAL AREAS.—

(1) CONTINUATION OF PREVIOUS DESIGNATION.—The Governor of any State that was a single State local area for purposes of title I of the Workforce Investment Act of 1998, as in effect on July 1, 2013, may designate the State as a single State local area for purposes of this title. In the case of such designation, the Governor shall identify the State as a local area in the State plan.

(2) EFFECT ON LOCAL PLAN AND LOCAL FUNCTIONS.—In any case in which a State is designated as a local area pursuant to this subsection, the local plan prepared under section 108 for the area shall be submitted for approval as part of the State plan. In such a State, the State board shall carry out the functions of a local board, as specified in this Act or the provisions authorizing a core program, but the State shall not be required to meet and report on a set of local performance accountability measures.

(e) DEFINITIONS.—For purposes of this section:

(1) PERFORMED SUCCESSFULLY.—The term "performed successfully", used with respect to a local area, means the local area met or exceeded the adjusted levels of performance for primary indicators of performance described in section 116(b)(2)(A) (or, if applicable, core indicators of performance described in section 136(b)(2)(A) of the Workforce Investment Act of 1998, as in effect the day before the date of enactment of this Act) for each of the last 2 consecutive years for which data are available preceding the determination of performance under this paragraph.

(2) SUSTAINED FISCAL INTEGRITY.—The term "sustained fiscal integrity", used with respect to a local area, means that the Secretary has not made a formal determination, during either of the last 2 consecutive years preceding the determination regarding such integrity, that either the grant recipient or the administrative entity of the area misexpended funds provided under subtitle B (or, if applicable, title I of the Workforce Investment Act of 1998 as in effect prior to the effective date of such subtitle B) due to willful disregard of

the requirements of the provision involved, gross negligence, or failure to comply with accepted standards of administration.

29 USC 3122.

SEC. 107. LOCAL WORKFORCE DEVELOPMENT BOARDS.

Certification.

(a) ESTABLISHMENT.—Except as provided in subsection (c)(2)(A), there shall be established, and certified by the Governor of the State, a local workforce development board in each local area of a State to carry out the functions described in subsection (d) (and any functions specified for the local board under this Act or the provisions establishing a core program) for such area.

(b) MEMBERSHIP.—

(1) STATE CRITERIA.—The Governor, in partnership with the State board, shall establish criteria for use by chief elected officials in the local areas for appointment of members of the local boards in such local areas in accordance with the requirements of paragraph (2).

(2) COMPOSITION.—Such criteria shall require that, at a minimum—

(A) a majority of the members of each local board shall be representatives of business in the local area, who—

(i) are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority;

(ii) represent businesses, including small businesses, or organizations representing businesses described in this clause, that provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in in-demand industry sectors or occupations in the local area; and

(iii) are appointed from among individuals nominated by local business organizations and business trade associations;

(B) not less than 20 percent of the members of each local board shall be representatives of the workforce within the local area, who—

(i) shall include representatives of labor organizations (for a local area in which employees are represented by labor organizations), who have been nominated by local labor federations, or (for a local area in which no employees are represented by such organizations) other representatives of employees;

(ii) shall include a representative, who shall be a member of a labor organization or a training director, from a joint labor-management apprenticeship program, or if no such joint program exists in the area, such a representative of an apprenticeship program in the area, if such a program exists;

(iii) may include representatives of community-based organizations that have demonstrated experience and expertise in addressing the employment needs of individuals with barriers to employment, including organizations that serve veterans or that provide or support competitive integrated employment for individuals with disabilities; and

(iv) may include representatives of organizations that have demonstrated experience and expertise in

addressing the employment, training, or education needs of eligible youth, including representatives of organizations that serve out-of-school youth;

(C) each local board shall include representatives of entities administering education and training activities in the local area, who—

(i) shall include a representative of eligible providers administering adult education and literacy activities under title II;

(ii) shall include a representative of institutions of higher education providing workforce investment activities (including community colleges);

(iii) may include representatives of local educational agencies, and of community-based organizations with demonstrated experience and expertise in addressing the education or training needs of individuals with barriers to employment;

(D) each local board shall include representatives of governmental and economic and community development entities serving the local area, who—

(i) shall include a representative of economic and community development entities;

(ii) shall include an appropriate representative from the State employment service office under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) serving the local area;

(iii) shall include an appropriate representative of the programs carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), serving the local area;

(iv) may include representatives of agencies or entities administering programs serving the local area relating to transportation, housing, and public assistance; and

(v) may include representatives of philanthropic organizations serving the local area; and

(E) each local board may include such other individuals or representatives of entities as the chief elected official in the local area may determine to be appropriate.

(3) CHAIRPERSON.—The members of the local board shall elect a chairperson for the local board from among the representatives described in paragraph (2)(A).

(4) STANDING COMMITTEES.—

(A) IN GENERAL.—The local board may designate and direct the activities of standing committees to provide information and to assist the local board in carrying out activities under this section. Such standing committees shall be chaired by a member of the local board, may include other members of the local board, and shall include other individuals appointed by the local board who are not members of the local board and who the local board determines have appropriate experience and expertise. At a minimum, the local board may designate each of the following:

(i) A standing committee to provide information and assist with operational and other issues relating

to the one-stop delivery system, which may include as members representatives of the one-stop partners.

(ii) A standing committee to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth, which shall include community-based organizations with a demonstrated record of success in serving eligible youth.

(iii) A standing committee to provide information and to assist with operational and other issues relating to the provision of services to individuals with disabilities, including issues relating to compliance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding providing programmatic and physical access to the services, programs, and activities of the one-stop delivery system, as well as appropriate training for staff on providing supports for or accommodations to, and finding employment opportunities for, individuals with disabilities.

(B) ADDITIONAL COMMITTEES.—The local board may designate standing committees in addition to the standing committees specified in subparagraph (A).

(C) DESIGNATION OF ENTITY.—Nothing in this paragraph shall be construed to prohibit the designation of an existing (as of the date of enactment of this Act) entity, such as an effective youth council, to fulfill the requirements of this paragraph as long as the entity meets the requirements of this paragraph.

(5) AUTHORITY OF BOARD MEMBERS.—Members of the board that represent organizations, agencies, or other entities shall be individuals with optimum policymaking authority within the organizations, agencies, or entities. The members of the board shall represent diverse geographic areas within the local area.

(6) SPECIAL RULE.—If there are multiple eligible providers serving the local area by administering adult education and literacy activities under title II, or multiple institutions of higher education serving the local area by providing workforce investment activities, each representative on the local board described in clause (i) or (ii) of paragraph (2)(C), respectively, shall be appointed from among individuals nominated by local providers representing such providers or institutions, respectively.

(c) APPOINTMENT AND CERTIFICATION OF BOARD.—

(1) APPOINTMENT OF BOARD MEMBERS AND ASSIGNMENT OF RESPONSIBILITIES.—

(A) IN GENERAL.—The chief elected official in a local area is authorized to appoint the members of the local board for such area, in accordance with the State criteria established under subsection (b).

(B) MULTIPLE UNITS OF LOCAL GOVERNMENT IN AREA.—

(i) IN GENERAL.—In a case in which a local area includes more than 1 unit of general local government, the chief elected officials of such units may execute an agreement that specifies the respective roles of the individual chief elected officials—

(I) in the appointment of the members of the local board from the individuals nominated or recommended to be such members in accordance with the criteria established under subsection (b); and

(II) in carrying out any other responsibilities assigned to such officials under this title.

(ii) LACK OF AGREEMENT.—If, after a reasonable effort, the chief elected officials are unable to reach agreement as provided under clause (i), the Governor may appoint the members of the local board from individuals so nominated or recommended.

(C) CONCENTRATED EMPLOYMENT PROGRAMS.—In the case of an area that was designated as a local area in accordance with section 116(a)(2)(B) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act), and that remains a local area on that date, the governing body of the concentrated employment program involved shall act in consultation with the chief elected official in the local area to appoint members of the local board, in accordance with the State criteria established under subsection (b), and to carry out any other responsibility relating to workforce investment activities assigned to such official under this Act.

(2) CERTIFICATION.—

(A) IN GENERAL.—The Governor shall, once every 2 years, certify 1 local board for each local area in the State.

(B) CRITERIA.—Such certification shall be based on criteria established under subsection (b), and for a second or subsequent certification, the extent to which the local board has ensured that workforce investment activities carried out in the local area have enabled the local area to meet the corresponding performance accountability measures and achieve sustained fiscal integrity, as defined in section 106(e)(2).

(C) FAILURE TO ACHIEVE CERTIFICATION.—Failure of a local board to achieve certification shall result in appointment and certification of a new local board for the local area pursuant to the process described in paragraph (1) and this paragraph.

(3) DECERTIFICATION.—

(A) FRAUD, ABUSE, FAILURE TO CARRY OUT FUNCTIONS.—Notwithstanding paragraph (2), the Governor shall have the authority to decertify a local board at any time after providing notice and an opportunity for comment, for—

(i) fraud or abuse; or

(ii) failure to carry out the functions specified for the local board in subsection (d).

(B) NONPERFORMANCE.—Notwithstanding paragraph (2), the Governor may decertify a local board if a local area fails to meet the local performance accountability measures for such local area in accordance with section 116(c) for 2 consecutive program years.

(C) REORGANIZATION PLAN.—If the Governor decertifies a local board for a local area under subparagraph (A) or (B), the Governor may require that a new local board be appointed and certified for the local area pursuant to

Certification.

a reorganization plan developed by the Governor, in consultation with the chief elected official in the local area and in accordance with the criteria established under subsection (b).

(4) SINGLE STATE LOCAL AREA.—

(A) STATE BOARD.—Notwithstanding subsection (b) and paragraphs (1) and (2), if a State described in section 106(d) indicates in the State plan that the State will be treated as a single State local area, for purposes of the application of this Act or the provisions authorizing a core program, the State board shall carry out any of the functions of a local board under this Act or the provisions authorizing a core program, including the functions described in subsection (d).

(B) REFERENCES.—

(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), with respect to such a State, a reference in this Act or a core program provision to a local board shall be considered to be a reference to the State board, and a reference in the Act or provision to a local area or region shall be considered to be a reference to the State.

(ii) PLANS.—The State board shall prepare a local plan under section 108 for the State, and submit the plan for approval as part of the State plan.

(iii) PERFORMANCE ACCOUNTABILITY MEASURES.—The State shall not be required to meet and report on a set of local performance accountability measures.

(d) FUNCTIONS OF LOCAL BOARD.—Consistent with section 108, the functions of the local board shall include the following:

(1) LOCAL PLAN.—The local board, in partnership with the chief elected official for the local area involved, shall develop and submit a local plan to the Governor that meets the requirements in section 108. If the local area is part of a planning region that includes other local areas, the local board shall collaborate with the other local boards and chief elected officials from such other local areas in the preparation and submission of a regional plan as described in section 106(c)(2).

(2) WORKFORCE RESEARCH AND REGIONAL LABOR MARKET ANALYSIS.—In order to assist in the development and implementation of the local plan, the local board shall—

(A) carry out analyses of the economic conditions in the region, the needed knowledge and skills for the region, the workforce in the region, and workforce development activities (including education and training) in the region described in section 108(b)(1)(D), and regularly update such information;

(B) assist the Governor in developing the statewide workforce and labor market information system described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 49l–2(e)), specifically in the collection, analysis, and utilization of workforce and labor market information for the region; and

(C) conduct such other research, data collection, and analysis related to the workforce needs of the regional economy as the board, after receiving input from a wide

array of stakeholders, determines to be necessary to carry out its functions.

(3) CONVENING, BROKERING, LEVERAGING.—The local board shall convene local workforce development system stakeholders to assist in the development of the local plan under section 108 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. The local board, including standing committees, may engage such stakeholders in carrying out the functions described in this subsection.

(4) EMPLOYER ENGAGEMENT.—The local board shall lead efforts to engage with a diverse range of employers and with entities in the region involved—

(A) to promote business representation (particularly representatives with optimal policymaking or hiring authority from employers whose employment opportunities reflect existing and emerging employment opportunities in the region) on the local board;

(B) to develop effective linkages (including the use of intermediaries) with employers in the region to support employer utilization of the local workforce development system and to support local workforce investment activities;

(C) to ensure that workforce investment activities meet the needs of employers and support economic growth in the region, by enhancing communication, coordination, and collaboration among employers, economic development entities, and service providers; and

(D) to develop and implement proven or promising strategies for meeting the employment and skill needs of workers and employers (such as the establishment of industry and sector partnerships), that provide the skilled workforce needed by employers in the region, and that expand employment and career advancement opportunities for workforce development system participants in in-demand industry sectors or occupations.

(5) CAREER PATHWAYS DEVELOPMENT.—The local board, with representatives of secondary and postsecondary education programs, shall lead efforts in the local area to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment.

(6) PROVEN AND PROMISING PRACTICES.—The local board shall lead efforts in the local area to—

(A) identify and promote proven and promising strategies and initiatives for meeting the needs of employers, and workers and jobseekers (including individuals with barriers to employment) in the local workforce development system, including providing physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), to the one-stop delivery system; and

(B) identify and disseminate information on proven and promising practices carried out in other local areas for meeting such needs.

(7) TECHNOLOGY.—The local board shall develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, and workers and jobseekers, by—

(A) facilitating connections among the intake and case management information systems of the one-stop partner programs to support a comprehensive workforce development system in the local area;

(B) facilitating access to services provided through the one-stop delivery system involved, including facilitating the access in remote areas;

(C) identifying strategies for better meeting the needs of individuals with barriers to employment, including strategies that augment traditional service delivery, and increase access to services and programs of the one-stop delivery system, such as improving digital literacy skills; and

(D) leveraging resources and capacity within the local workforce development system, including resources and capacity for services for individuals with barriers to employment.

(8) PROGRAM OVERSIGHT.—The local board, in partnership with the chief elected official for the local area, shall—

(A)(i) conduct oversight for local youth workforce investment activities authorized under section 129(c), local employment and training activities authorized under subsections (c) and (d) of section 134, and the one-stop delivery system in the local area; and

(ii) ensure the appropriate use and management of the funds provided under subtitle B for the activities and system described in clause (i); and

(B) for workforce development activities, ensure the appropriate use, management, and investment of funds to maximize performance outcomes under section 116.

(9) NEGOTIATION OF LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—The local board, the chief elected official, and the Governor shall negotiate and reach agreement on local performance accountability measures as described in section 116(c).

(10) SELECTION OF OPERATORS AND PROVIDERS.—

(A) SELECTION OF ONE-STOP OPERATORS.—Consistent with section 121(d), the local board, with the agreement of the chief elected official for the local area—

Certification.

(i) shall designate or certify one-stop operators as described in section 121(d)(2)(A); and

(ii) may terminate for cause the eligibility of such operators.

(B) SELECTION OF YOUTH PROVIDERS.—Consistent with section 123, the local board—

(i) shall identify eligible providers of youth workforce investment activities in the local area by awarding grants or contracts on a competitive basis (except as provided in section 123(b)), based on the recommendations of the youth standing committee, if such a committee is established for the local area under subsection (b)(4); and

(ii) may terminate for cause the eligibility of such providers.

(C) IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.—Consistent with section 122, the local board shall identify eligible providers of training services in the local area.

(D) IDENTIFICATION OF ELIGIBLE PROVIDERS OF CAREER SERVICES.—If the one-stop operator does not provide career services described in section 134(c)(2) in a local area, the local board shall identify eligible providers of those career services in the local area by awarding contracts.

(E) CONSUMER CHOICE REQUIREMENTS.—Consistent with section 122 and paragraphs (2) and (3) of section 134(c), the local board shall work with the State to ensure there are sufficient numbers and types of providers of career services and training services (including eligible providers with expertise in assisting individuals with disabilities and eligible providers with expertise in assisting adults in need of adult education and literacy activities) serving the local area and providing the services involved in a manner that maximizes consumer choice, as well as providing opportunities that lead to competitive integrated employment for individuals with disabilities.

(11) COORDINATION WITH EDUCATION PROVIDERS.—

(A) IN GENERAL.—The local board shall coordinate activities with education and training providers in the local area, including providers of workforce investment activities, providers of adult education and literacy activities under title II, providers of career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) and local agencies administering plans under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741).

(B) APPLICATIONS AND AGREEMENTS.—The coordination described in subparagraph (A) shall include—

(i) consistent with section 232—

(I) reviewing the applications to provide adult education and literacy activities under title II for the local area, submitted under such section to the eligible agency by eligible providers, to determine whether such applications are consistent with the local plan; and

(II) making recommendations to the eligible agency to promote alignment with such plan; and

Recommendation.

(ii) replicating cooperative agreements in accordance with subparagraph (B) of section 101(a)(11) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)), and implementing cooperative agreements in accordance with that section with the local agencies administering plans under title I of that Act (29 U.S.C. 720 et seq.) (other than section 112 or part C of that title (29 U.S.C. 732, 741) and subject to section 121(f)), with respect to efforts that will enhance the provision of services to individuals with disabilities and other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative

efforts with employers, and other efforts at cooperation, collaboration, and coordination.

Definition.

(C) COOPERATIVE AGREEMENT.—In this paragraph, the term "cooperative agreement" means an agreement entered into by a State designated agency or State designated unit under subparagraph (A) of section 101(a)(11) of the Rehabilitation Act of 1973.

(12) BUDGET AND ADMINISTRATION.—

(A) BUDGET.—The local board shall develop a budget for the activities of the local board in the local area, consistent with the local plan and the duties of the local board under this section, subject to the approval of the chief elected official.

(B) ADMINISTRATION.—

(i) GRANT RECIPIENT.—

(I) IN GENERAL.—The chief elected official in a local area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under sections 128 and 133, unless the chief elected official reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability.

(II) DESIGNATION.—In order to assist in administration of the grant funds, the chief elected official or the Governor, where the Governor serves as the local grant recipient for a local area, may designate an entity to serve as a local grant subrecipient for such funds or as a local fiscal agent. Such designation shall not relieve the chief elected official or the Governor of the liability for any misuse of grant funds as described in subclause (I).

(III) DISBURSAL.—The local grant recipient or an entity designated under subclause (II) shall disburse the grant funds for workforce investment activities at the direction of the local board, pursuant to the requirements of this title. The local grant recipient or entity designated under subclause (II) shall disburse the funds immediately on receiving such direction from the local board.

(ii) GRANTS AND DONATIONS.—The local board may solicit and accept grants and donations from sources other than Federal funds made available under this Act.

(iii) TAX-EXEMPT STATUS.—For purposes of carrying out duties under this Act, local boards may incorporate, and may operate as entities described in section 501(c)(3) of the Internal Revenue Code of 1986 that are exempt from taxation under section 501(a) of such Code.

(13) ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.—The local board shall annually assess the physical and programmatic accessibility, in accordance with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), of all one-stop centers in the local area.

(e) SUNSHINE PROVISION.—The local board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the local board, including information regarding the local plan prior to submission of the plan, and regarding membership, the designation and certification of one-stop operators, and the award of grants or contracts to eligible providers of youth workforce investment activities, and on request, minutes of formal meetings of the local board. Public information.

(f) STAFF.—

(1) IN GENERAL.—The local board may hire a director and other staff to assist in carrying out the functions described in subsection (d) using funds available under sections 128(b) and 133(b) as described in section 128(b)(4).

(2) QUALIFICATIONS.—The local board shall establish and apply a set of objective qualifications for the position of director, that ensures that the individual selected has the requisite knowledge, skills, and abilities, to meet identified benchmarks and to assist in effectively carrying out the functions of the local board.

(3) LIMITATION ON RATE.—The director and staff described in paragraph (1) shall be subject to the limitations on the payment of salaries and bonuses described in section 194(15).

(g) LIMITATIONS.—

(1) TRAINING SERVICES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), no local board may provide training services.

(B) WAIVERS OF TRAINING PROHIBITION.—The Governor of the State in which a local board is located may, pursuant to a request from the local board, grant a written waiver of the prohibition set forth in subparagraph (A) (relating to the provision of training services) for a program of training services, if the local board—

(i) submits to the Governor a proposed request for the waiver that includes—

(I) satisfactory evidence that there is an insufficient number of eligible providers of such a program of training services to meet local demand in the local area;

(II) information demonstrating that the board meets the requirements for an eligible provider of training services under section 122; and

(III) information demonstrating that the program of training services prepares participants for an in-demand industry sector or occupation in the local area;

(ii) makes the proposed request available to eligible providers of training services and other interested members of the public for a public comment period of not less than 30 days; and Public information. Time period.

(iii) includes, in the final request for the waiver, the evidence and information described in clause (i) and the comments received pursuant to clause (ii).

(C) DURATION.—A waiver granted to a local board under subparagraph (B) shall apply for a period that shall not exceed the duration of the local plan. The waiver may be renewed for additional periods under subsequent local Applicability. Time period.

plans, not to exceed the durations of such subsequent plans, pursuant to requests from the local board, if the board meets the requirements of subparagraph (B) in making the requests.

Determination.

(D) REVOCATION.—The Governor shall have the authority to revoke the waiver during the appropriate period described in subparagraph (C) if the Governor determines the waiver is no longer needed or that the local board involved has engaged in a pattern of inappropriate referrals to training services operated by the local board.

(2) CAREER SERVICES; DESIGNATION OR CERTIFICATION AS ONE-STOP OPERATORS.—A local board may provide career services described in section 134(c)(2) through a one-stop delivery system or be designated or certified as a one-stop operator only with the agreement of the chief elected official in the local area and the Governor.

(3) LIMITATION ON AUTHORITY.—Nothing in this Act shall be construed to provide a local board with the authority to mandate curricula for schools.

(h) CONFLICT OF INTEREST.—A member of a local board, or a member of a standing committee, may not—

(1) vote on a matter under consideration by the local board—

(A) regarding the provision of services by such member (or by an entity that such member represents); or

(B) that would provide direct financial benefit to such member or the immediate family of such member; or

(2) engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State plan.

(i) ALTERNATIVE ENTITY.—

(1) IN GENERAL.—For purposes of complying with subsections (a), (b), and (c), a State may use any local entity (including a local council, regional workforce development board, or similar entity) that—

(A) is established to serve the local area (or the service delivery area that most closely corresponds to the local area);

(B) was in existence on the day before the date of enactment of this Act, pursuant to State law; and

(C) includes—

(i) representatives of business in the local area; and

(ii)(I) representatives of labor organizations (for a local area in which employees are represented by labor organizations), nominated by local labor federations; or

(II) other representatives of employees in the local area (for a local area in which no employees are represented by such organizations).

(2) REFERENCES.—A reference in this Act or a core program provision to a local board, shall include a reference to such an entity.

29 USC 3123.

SEC. 108. LOCAL PLAN.

(a) IN GENERAL.—Each local board shall develop and submit to the Governor a comprehensive 4-year local plan, in partnership

with the chief elected official. The local plan shall support the strategy described in the State plan in accordance with section 102(b)(1)(E), and otherwise be consistent with the State plan. If the local area is part of a planning region, the local board shall comply with section 106(c) in the preparation and submission of a regional plan. At the end of the first 2-year period of the 4-year local plan, each local board shall review the local plan and the local board, in partnership with the chief elected official, shall prepare and submit modifications to the local plan to reflect changes in labor market and economic conditions or in other factors affecting the implementation of the local plan.

Compliance.

Time period.
Review.

(b) CONTENTS.—The local plan shall include—

(1) a description of the strategic planning elements consisting of—

(A) an analysis of the regional economic conditions including—

(i) existing and emerging in-demand industry sectors and occupations; and

(ii) the employment needs of employers in those industry sectors and occupations;

(B) an analysis of the knowledge and skills needed to meet the employment needs of the employers in the region, including employment needs in in-demand industry sectors and occupations;

(C) an analysis of the workforce in the region, including current labor force employment (and unemployment) data, and information on labor market trends, and the educational and skill levels of the workforce in the region, including individuals with barriers to employment;

(D) an analysis of the workforce development activities (including education and training) in the region, including an analysis of the strengths and weaknesses of such services, and the capacity to provide such services, to address the identified education and skill needs of the workforce and the employment needs of employers in the region;

(E) a description of the local board's strategic vision and goals for preparing an educated and skilled workforce (including youth and individuals with barriers to employment), including goals relating to the performance accountability measures based on primary indicators of performance described in section 116(b)(2)(A) in order to support regional economic growth and economic self-sufficiency; and

(F) taking into account analyses described in subparagraphs (A) through (D), a strategy to work with the entities that carry out the core programs to align resources available to the local area, to achieve the strategic vision and goals described in subparagraph (E);

(2) a description of the workforce development system in the local area that identifies the programs that are included in that system and how the local board will work with the entities carrying out core programs and other workforce development programs to support alignment to provide services, including programs of study authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), that support the strategy identified in the State plan under section 102(b)(1)(E);

(3) a description of how the local board, working with the entities carrying out core programs, will expand access to employment, training, education, and supportive services for eligible individuals, particularly eligible individuals with barriers to employment, including how the local board will facilitate the development of career pathways and co-enrollment, as appropriate, in core programs, and improve access to activities leading to a recognized postsecondary credential (including a credential that is an industry-recognized certificate or certification, portable, and stackable);

(4) a description of the strategies and services that will be used in the local area—

(A) in order to—

(i) facilitate engagement of employers, including small employers and employers in in-demand industry sectors and occupations, in workforce development programs;

(ii) support a local workforce development system that meets the needs of businesses in the local area;

(iii) better coordinate workforce development programs and economic development; and

(iv) strengthen linkages between the one-stop delivery system and unemployment insurance programs; and

(B) that may include the implementation of initiatives such as incumbent worker training programs, on-the-job training programs, customized training programs, industry and sector strategies, career pathways initiatives, utilization of effective business intermediaries, and other business services and strategies, designed to meet the needs of employers in the corresponding region in support of the strategy described in paragraph (1)(F);

(5) a description of how the local board will coordinate workforce investment activities carried out in the local area with economic development activities carried out in the region in which the local area is located (or planning region), and promote entrepreneurial skills training and microenterprise services;

(6) a description of the one-stop delivery system in the local area, including—

(A) a description of how the local board will ensure the continuous improvement of eligible providers of services through the system and ensure that such providers meet the employment needs of local employers, and workers and jobseekers;

(B) a description of how the local board will facilitate access to services provided through the one-stop delivery system, including in remote areas, through the use of technology and through other means;

(C) a description of how entities within the one-stop delivery system, including one-stop operators and the one-stop partners, will comply with section 188, if applicable, and applicable provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding the physical and programmatic accessibility of facilities, programs and services, technology, and materials for individuals with disabilities, including providing staff training and support

for addressing the needs of individuals with disabilities; and

(D) a description of the roles and resource contributions of the one-stop partners;

(7) a description and assessment of the type and availability of adult and dislocated worker employment and training activities in the local area;

(8) a description of how the local board will coordinate workforce investment activities carried out in the local area with statewide rapid response activities, as described in section 134(a)(2)(A);

(9) a description and assessment of the type and availability of youth workforce investment activities in the local area, including activities for youth who are individuals with disabilities, which description and assessment shall include an identification of successful models of such youth workforce investment activities;

(10) a description of how the local board will coordinate education and workforce investment activities carried out in the local area with relevant secondary and postsecondary education programs and activities to coordinate strategies, enhance services, and avoid duplication of services;

(11) a description of how the local board will coordinate workforce investment activities carried out under this title in the local area with the provision of transportation, including public transportation, and other appropriate supportive services in the local area;

(12) a description of plans and strategies for, and assurances concerning, maximizing coordination of services provided by the State employment service under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) and services provided in the local area through the one-stop delivery system, to improve service delivery and avoid duplication of services;

(13) a description of how the local board will coordinate workforce investment activities carried out under this title in the local area with the provision of adult education and literacy activities under title II in the local area, including a description of how the local board will carry out, consistent with subparagraphs (A) and (B)(i) of section 107(d)(11) and section 232, the review of local applications submitted under title II;

(14) a description of the replicated cooperative agreements (as defined in section 107(d)(11)) between the local board or other local entities described in section 101(a)(11)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)(B)) and the local office of a designated State agency or designated State unit administering programs carried out under title I of such Act (29 U.S.C. 720 et seq.) (other than section 112 or part C of that title (29 U.S.C. 732, 741) and subject to section 121(f)) in accordance with section 101(a)(11) of such Act (29 U.S.C. 721(a)(11)) with respect to efforts that will enhance the provision of services to individuals with disabilities and to other individuals, such as cross training of staff, technical assistance, use and sharing of information, cooperative efforts with employers, and other efforts at cooperation, collaboration, and coordination;

(15) an identification of the entity responsible for the disbursal of grant funds described in section 107(d)(12)(B)(i)(III),

as determined by the chief elected official or the Governor under section 107(d)(12)(B)(i);

(16) a description of the competitive process to be used to award the subgrants and contracts in the local area for activities carried out under this title;

(17) a description of the local levels of performance negotiated with the Governor and chief elected official pursuant to section 116(c), to be used to measure the performance of the local area and to be used by the local board for measuring the performance of the local fiscal agent (where appropriate), eligible providers under subtitle B, and the one-stop delivery system, in the local area;

(18) a description of the actions the local board will take toward becoming or remaining a high-performing board, consistent with the factors developed by the State board pursuant to section 101(d)(6);

(19) a description of how training services under chapter 3 of subtitle B will be provided in accordance with section 134(c)(3)(G), including, if contracts for the training services will be used, how the use of such contracts will be coordinated with the use of individual training accounts under that chapter and how the local board will ensure informed customer choice in the selection of training programs regardless of how the training services are to be provided;

(20) a description of the process used by the local board, consistent with subsection (d), to provide an opportunity for public comment, including comment by representatives of businesses and comment by representatives of labor organizations, and input into the development of the local plan, prior to submission of the plan;

(21) a description of how one-stop centers are implementing and transitioning to an integrated, technology-enabled intake and case management information system for programs carried out under this Act and programs carried out by one-stop partners; and

(22) such other information as the Governor may require.

(c) EXISTING ANALYSIS.—As appropriate, a local area may use an existing analysis in order to carry out the requirements of subsection (b)(1) concerning an analysis.

(d) PROCESS.—Prior to the date on which the local board submits a local plan under this section, the local board shall—

Records. Public information.

(1) make available copies of a proposed local plan to the public through electronic and other means, such as public hearings and local news media;

Deadline. Time period.

(2) allow members of the public, including representatives of business, representatives of labor organizations, and representatives of education to submit to the local board comments on the proposed local plan, not later than the end of the 30-day period beginning on the date on which the proposed local plan is made available; and

(3) include with the local plan submitted to the Governor under this section any such comments that represent disagreement with the plan.

Time period. Effective date.

(e) PLAN SUBMISSION AND APPROVAL.—A local plan submitted to the Governor under this section (including a modification to such a local plan) shall be considered to be approved by the Governor at the end of the 90-day period beginning on the day the

Governor receives the plan (including such a modification), unless the Governor makes a written determination during the 90-day period that—

(1) deficiencies in activities carried out under this subtitle or subtitle B have been identified, through audits conducted under section 184 or otherwise, and the local area has not made acceptable progress in implementing corrective measures to address the deficiencies;

(2) the plan does not comply with the applicable provisions of this Act; or

(3) the plan does not align with the State plan, including failing to provide for alignment of the core programs to support the strategy identified in the State plan in accordance with section 102(b)(1)(E).

CHAPTER 3—BOARD PROVISIONS

SEC. 111. FUNDING OF STATE AND LOCAL BOARDS. 29 USC 3131.

(a) STATE BOARDS.—In funding a State board under this subtitle, a State—

(1) shall use funds available as described in section 129(b)(3) or 134(a)(3)(B); and

(2) may use non-Federal funds available to the State that the State determines are appropriate and available for that use.

(b) LOCAL BOARDS.—In funding a local board under this subtitle, the chief elected official and local board for the local area—

(1) shall use funds available as described in section 128(b)(4); and

(2) may use non-Federal funds available to the local area that the chief elected official and local board determine are appropriate and available for that use.

CHAPTER 4—PERFORMANCE ACCOUNTABILITY

SEC. 116. PERFORMANCE ACCOUNTABILITY SYSTEM. 29 USC 3141.

(a) PURPOSE.—The purpose of this section is to establish performance accountability measures that apply across the core programs to assess the effectiveness of States and local areas (for core programs described in subtitle B) in achieving positive outcomes for individuals served by those programs. Applicability. Assessment.

(b) STATE PERFORMANCE ACCOUNTABILITY MEASURES.—

(1) IN GENERAL.—For each State, the performance accountability measures for the core programs shall consist of—

(A)(i) the primary indicators of performance described in paragraph (2)(A); and

(ii) the additional indicators of performance (if any) identified by the State under paragraph (2)(B); and

(B) a State adjusted level of performance for each indicator described in subparagraph (A).

(2) INDICATORS OF PERFORMANCE.—

(A) PRIMARY INDICATORS OF PERFORMANCE.—

(i) IN GENERAL.—The State primary indicators of performance for activities provided under the adult and dislocated worker programs authorized under chapter 3 of subtitle B, the program of adult education and literacy activities authorized under title II, the

employment services program authorized under sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.) (except that subclauses (IV) and (V) shall not apply to such program), and the program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741), shall consist of—

(I) the percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program;

(II) the percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;

(III) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program;

(IV) the percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to clause (iii)), during participation in or within 1 year after exit from the program;

(V) the percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment; and

(VI) the indicators of effectiveness in serving employers established pursuant to clause (iv).

(ii) PRIMARY INDICATORS FOR ELIGIBLE YOUTH.—The primary indicators of performance for the youth program authorized under chapter 2 of subtitle B shall consist of—

(I) the percentage of program participants who are in education or training activities, or in unsubsidized employment, during the second quarter after exit from the program;

(II) the percentage of program participants who are in education or training activities, or in unsubsidized employment, during the fourth quarter after exit from the program; and

(III) the primary indicators of performance described in subclauses (III) through (VI) of subparagraph (A)(i).

(iii) INDICATOR RELATING TO CREDENTIAL.—For purposes of clause (i)(IV), or clause (ii)(III) with respect to clause (i)(IV), program participants who obtain a secondary school diploma or its recognized equivalent shall be included in the percentage counted as meeting the criterion under such clause only if such participants, in addition to obtaining such diploma or its recognized equivalent, have obtained or retained employment or are in an education or training program leading to a recognized postsecondary credential within 1 year after exit from the program.

(iv) INDICATOR FOR SERVICES TO EMPLOYERS.—Prior to the commencement of the second full program year after the date of enactment of this Act, for purposes of clauses (i)(VI), or clause (ii)(III) with respect to clause (i)(IV), the Secretary of Labor and the Secretary of Education, after consultation with the representatives described in paragraph (4)(B), shall jointly develop and establish, for purposes of this subparagraph, 1 or more primary indicators of performance that indicate the effectiveness of the core programs in serving employers. Consultation.

(B) ADDITIONAL INDICATORS.—A State may identify in the State plan additional performance accountability indicators.

(3) LEVELS OF PERFORMANCE.—

(A) STATE ADJUSTED LEVELS OF PERFORMANCE FOR PRIMARY INDICATORS.—

(i) IN GENERAL.—For each State submitting a State plan, there shall be established, in accordance with this subparagraph, levels of performance for each of the corresponding primary indicators of performance described in paragraph (2) for each of the programs described in clause (ii).

(ii) INCLUDED PROGRAMS.—The programs included under clause (i) are—

(I) the youth program authorized under chapter 2 of subtitle B;

(II) the adult program authorized under chapter 3 of subtitle B;

(III) the dislocated worker program authorized under chapter 3 of subtitle B;

(IV) the program of adult education and literacy activities authorized under title II;

(V) the employment services program authorized under sections 1 through 13 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.); and

(VI) the program authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741).

(iii) IDENTIFICATION IN STATE PLAN.—Each State shall identify, in the State plan, expected levels of performance for each of the corresponding primary indicators of performance for each of the programs described in clause (ii) for the first 2 program years covered by the State plan. Time period.

(iv) AGREEMENT ON STATE ADJUSTED LEVELS OF PERFORMANCE.—

(I) FIRST 2 YEARS.—The State shall reach agreement with the Secretary of Labor, in conjunction with the Secretary of Education on levels of performance for each indicator described in clause (iii) for each of the programs described in clause (ii) for each of the first 2 program years covered by the State plan. In reaching the agreement, the State and the Secretary of Labor in conjunction with the Secretary of Education shall take into

account the levels identified in the State plan under clause (iii) and the factors described in clause (v). The levels agreed to shall be considered to be the State adjusted levels of performance for the State for such program years and shall be incorporated into the State plan prior to the approval of such plan.

(II) THIRD AND FOURTH YEAR.—The State and the Secretary of Labor, in conjunction with the Secretary of Education, shall reach agreement, prior to the third program year covered by the State plan, on levels of performance for each indicator described in clause (iii) for each of the programs described in clause (ii) for each of the third and fourth program years covered by the State plan. In reaching the agreement, the State and Secretary of Labor, in conjunction with the Secretary of Education, shall take into account the factors described in clause (v). The levels agreed to shall be considered to be the State adjusted levels of performance for the State for such program years and shall be incorporated into the State plan as a modification to the plan.

(v) FACTORS.—In reaching the agreements described in clause (iv), the State and Secretaries shall—

(I) take into account how the levels involved compare with the State adjusted levels of performance established for other States;

(II) ensure that the levels involved are adjusted, using the objective statistical model established by the Secretaries pursuant to clause (viii), based on—

(aa) the differences among States in actual economic conditions (including differences in unemployment rates and job losses or gains in particular industries); and

(bb) the characteristics of participants when the participants entered the program involved, including indicators of poor work history, lack of work experience, lack of educational or occupational skills attainment, dislocation from high-wage and high-benefit employment, low levels of literacy or English proficiency, disability status, homelessness, ex-offender status, and welfare dependency;

(III) take into account the extent to which the levels involved promote continuous improvement in performance accountability on the performance accountability measures by such State and ensure optimal return on the investment of Federal funds; and

(IV) take into account the extent to which the levels involved will assist the State in meeting the goals described in clause (vi).

Consultation.

(vi) GOALS.—In order to promote enhanced performance outcomes and to facilitate the process of

reaching agreements with the States under clause (iv), the Secretary of Labor, in conjunction with the Secretary of Education, shall establish performance goals for the core programs, in accordance with the Government Performance and Results Act of 1993 (Public Law 103–62; 107 Stat. 285) and the amendments made by that Act, and in consultation with States and other appropriate parties. Such goals shall be long-term goals for the adjusted levels of performance to be achieved by each of the programs described in clause (ii) regarding the corresponding primary indicators of performance described in paragraph (2)(A).

(vii) REVISIONS BASED ON ECONOMIC CONDITIONS AND INDIVIDUALS SERVED DURING THE PROGRAM YEAR.—The Secretary of Labor, in conjunction with the Secretary of Education, shall, in accordance with the objective statistical model developed pursuant to clause (viii), revise the State adjusted levels of performance applicable for each of the programs described in clause (ii), for a program year and a State, to reflect the actual economic conditions and characteristics of participants (as described in clause (v)(II)) in that program during such program year in such State.

Consultation.

(viii) STATISTICAL ADJUSTMENT MODEL.—The Secretary of Labor and the Secretary of Education, after consultation with the representatives described in paragraph (4)(B), shall develop and disseminate an objective statistical model that will be used to make the adjustments in the State adjusted levels of performance for actual economic conditions and characteristics of participants under clauses (v) and (vii).

(B) LEVELS OF PERFORMANCE FOR ADDITIONAL INDICATORS.—The State may identify, in the State plan, State levels of performance for each of the additional indicators identified under paragraph (2)(B). Such levels shall be considered to be State adjusted levels of performance for purposes of this section.

(4) DEFINITIONS OF INDICATORS OF PERFORMANCE.—

Consultation.

(A) IN GENERAL.—In order to ensure nationwide comparability of performance data, the Secretary of Labor and the Secretary of Education, after consultation with representatives described in subparagraph (B), shall issue definitions for the indicators described in paragraph (2).

(B) REPRESENTATIVES.—The representatives referred to in subparagraph (A) are representatives of States and political subdivisions, business and industry, employees, eligible providers of activities carried out through the core programs, educators, researchers, participants, the lead State agency officials with responsibility for the programs carried out through the core programs, individuals with expertise in serving individuals with barriers to employment, and other interested parties.

(c) LOCAL PERFORMANCE ACCOUNTABILITY MEASURES FOR SUBTITLE B.—

(1) IN GENERAL.—For each local area in a State designated under section 106, the local performance accountability measures for each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii) shall consist of—

(A)(i) the primary indicators of performance described in subsection (b)(2)(A) that are applicable to such programs; and

(ii) additional indicators of performance, if any, identified by the State for such programs under subsection (b)(2)(B); and

(B) the local level of performance for each indicator described in subparagraph (A).

Negotiation.

(2) LOCAL LEVEL OF PERFORMANCE.—The local board, the chief elected official, and the Governor shall negotiate and reach agreement on local levels of performance based on the State adjusted levels of performance established under subsection (b)(3)(A).

(3) ADJUSTMENT FACTORS.—In negotiating the local levels of performance, the local board, the chief elected official, and the Governor shall make adjustments for the expected economic conditions and the expected characteristics of participants to be served in the local area, using the statistical adjustment model developed pursuant to subsection (b)(3)(A)(viii). In addition, the negotiated local levels of performance applicable to a program year shall be revised to reflect the actual economic conditions experienced and the characteristics of the populations served in the local area during such program year using the statistical adjustment model.

(d) PERFORMANCE REPORTS.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Secretary of Labor, in conjunction with the Secretary of Education, shall develop a template for performance reports that shall be used by States, local boards, and eligible providers of training services under section 122 to report on outcomes achieved by the core programs. In developing such templates, the Secretary of Labor, in conjunction with the Secretary of Education, will take into account the need to maximize the value of the templates for workers, jobseekers, employers, local elected officials, State officials, Federal policymakers, and other key stakeholders.

(2) CONTENTS OF STATE PERFORMANCE REPORTS.—The performance report for a State shall include, subject to paragraph (5)(C)—

(A) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subsection (b)(3)(A)(ii) and the State adjusted levels of performance with respect to such indicators for each program;

(B) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subsection (b)(2)(A) for each of the programs described in subsection (b)(3)(A)(ii) with respect to individuals with barriers to employment, disaggregated by each subpopulation of such individuals, and by race, ethnicity, sex, and age;

(C) the total number of participants served by each of the programs described in subsection (b)(3)(A)(ii);

(D) the number of participants who received career and training services, respectively, during the most recent program year and the 3 preceding program years, and the amount of funds spent on each type of service;

(E) the number of participants who exited from career and training services, respectively, during the most recent program year and the 3 preceding program years;

(F) the average cost per participant of those participants who received career and training services, respectively, during the most recent program year and the 3 preceding program years;

(G) the percentage of participants in a program authorized under this subtitle who received training services and obtained unsubsidized employment in a field related to the training received;

(H) the number of individuals with barriers to employment served by each of the programs described in subsection (b)(3)(A)(ii), disaggregated by each subpopulation of such individuals;

(I) the number of participants who are enrolled in more than 1 of the programs described in subsection (b)(3)(A)(ii);

(J) the percentage of the State's annual allotment under section 132(b) that the State spent on administrative costs;

(K) in the case of a State in which local areas are implementing pay-for-performance contract strategies for programs—

(i) the performance of service providers entering into contracts for such strategies, measured against the levels of performance specified in the contracts for such strategies; and

(ii) an evaluation of the design of the programs and performance of the strategies, and, where possible, the level of satisfaction with the strategies among employers and participants benefitting from the strategies; and

(L) other information that facilitates comparisons of programs with programs in other States.

(3) CONTENTS OF LOCAL AREA PERFORMANCE REPORTS.—The performance reports for a local area shall include, subject to paragraph (6)(C)—

(A) the information specified in subparagraphs (A) through (L) of paragraph (2), for each of the programs described in subclauses (I) through (III) of subsection (b)(3)(A)(ii);

(B) the percentage of the local area's allocation under sections 128(b) and 133(b) that the local area spent on administrative costs; and

(C) other information that facilitates comparisons of programs with programs in other local areas (or planning regions, as appropriate).

(4) CONTENTS OF ELIGIBLE TRAINING PROVIDERS PERFORMANCE REPORTS.—The performance report for an eligible provider of training services under section 122 shall include, subject

to paragraph (6)(C), with respect to each program of study (or the equivalent) of such provider—

(A) information specifying the levels of performance achieved with respect to the primary indicators of performance described in subclauses (I) through (IV) of subsection (b)(2)(A)(i) with respect to all individuals engaging in the program of study (or the equivalent);

(B) the total number of individuals exiting from the program of study (or the equivalent);

(C) the total number of participants who received training services through each of the adult program and the dislocated worker program authorized under chapter 3 of subtitle B, disaggregated by the type of entity that provided the training, during the most recent program year and the 3 preceding program years;

(D) the total number of participants who exited from training services, disaggregated by the type of entity that provided the training, during the most recent program year and the 3 preceding program years;

(E) the average cost per participant for the participants who received training services, disaggregated by the type of entity that provided the training, during the most recent program year and the 3 preceding program years; and

(F) the number of individuals with barriers to employment served by each of the adult program and the dislocated worker program authorized under chapter 3 of subtitle B, disaggregated by each subpopulation of such individuals, and by race, ethnicity, sex, and age.

Procedures.

(5) DATA VALIDATION.—In preparing the State reports described in this subsection, each State shall establish procedures, consistent with guidelines issued by the Secretary, in conjunction with the Secretary of Education, to ensure the information contained in the reports is valid and reliable.

(6) PUBLICATION.—

(A) STATE PERFORMANCE REPORTS.—The Secretary of Labor and the Secretary of Education shall annually make available (including by electronic means), in an easily understandable format, the performance reports for States containing the information described in paragraph (2).

(B) LOCAL AREA AND ELIGIBLE TRAINING PROVIDER PERFORMANCE REPORTS.—The State shall make available (including by electronic means), in an easily understandable format, the performance reports for the local areas containing the information described in paragraph (3) and the performance reports for eligible providers of training services containing the information described in paragraph (4).

(C) RULES FOR REPORTING OF DATA.—The disaggregation of data under this subsection shall not be required when the number of participants in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual participant.

(D) DISSEMINATION TO CONGRESS.—The Secretary of Labor and the Secretary of Education shall make available (including by electronic means) a summary of the reports, and the reports, required under this subsection to the

Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. The Secretaries shall prepare and make available with the reports a set of recommendations for improvements in and adjustments to pay-for-performance contract strategies used under subtitle B.

Recommendations.

(e) EVALUATION OF STATE PROGRAMS.—

(1) IN GENERAL.—Using funds authorized under a core program and made available to carry out this section, the State, in coordination with local boards in the State and the State agencies responsible for the administration of the core programs, shall conduct ongoing evaluations of activities carried out in the State under such programs. The State, local boards, and State agencies shall conduct the evaluations in order to promote, establish, implement, and utilize methods for continuously improving core program activities in order to achieve high-level performance within, and high-level outcomes from, the workforce development system. The State shall coordinate the evaluations with the evaluations provided for by the Secretary of Labor and the Secretary of Education under section 169, section 242(c)(2)(D), and sections 12(a)(5), 14, and 107 of the Rehabilitation Act of 1973 (29 U.S.C. 709(a)(5), 711, 727) (applied with respect to programs carried out under title I of that Act (29 U.S.C. 720 et seq.)) and the investigations provided for by the Secretary of Labor under section 10(b) of the Wagner-Peyser Act (29 U.S.C. 49i(b)).

(2) DESIGN.—The evaluations conducted under this subsection shall be designed in conjunction with the State board, State agencies responsible for the administration of the core programs, and local boards and shall include analysis of customer feedback and outcome and process measures in the statewide workforce development system. The evaluations shall use designs that employ the most rigorous analytical and statistical methods that are reasonably feasible, such as the use of control groups.

(3) RESULTS.—The State shall annually prepare, submit to the State board and local boards in the State, and make available to the public (including by electronic means), reports containing the results of evaluations conducted under this subsection, to promote the efficiency and effectiveness of the workforce development system.

Public information.

(4) COOPERATION WITH FEDERAL EVALUATIONS.—The State shall, to the extent practicable, cooperate in the conduct of evaluations (including related research projects) provided for by the Secretary of Labor or the Secretary of Education under the provisions of Federal law identified in paragraph (1). Such cooperation shall include the provision of data (in accordance with appropriate privacy protections established by the Secretary of Labor), the provision of responses to surveys, and allowing site visits in a timely manner, for the Secretaries or their agents.

(f) SANCTIONS FOR STATE FAILURE TO MEET STATE PERFORMANCE ACCOUNTABILITY MEASURES.—

(1) STATES.—

(A) TECHNICAL ASSISTANCE.—If a State fails to meet the State adjusted levels of performance relating to indicators described in subsection (b)(2)(A) for a program for any program year, the Secretary of Labor and the Secretary of Education shall provide technical assistance, including assistance in the development of a performance improvement plan.

Determination.

(B) REDUCTION IN AMOUNT OF GRANT.—If such failure continues for a second consecutive year, or (except in the case of exceptional circumstances as determined by the Secretary of Labor or the Secretary of Education, as appropriate) a State fails to submit a report under subsection (d) for any program year, the percentage of each amount that would (in the absence of this paragraph) be reserved by the Governor under section 128(a) for the immediately succeeding program year shall be reduced by 5 percentage points until such date as the Secretary of Labor or the Secretary of Education, as appropriate, determines that the State meets such State adjusted levels of performance and has submitted such reports for the appropriate program years.

(g) SANCTIONS FOR LOCAL AREA FAILURE TO MEET LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—

(1) TECHNICAL ASSISTANCE.—If a local area fails to meet local performance accountability measures established under subsection (c) for the youth, adult, or dislocated worker program authorized under chapter 2 or 3 of subtitle B for a program described in subsection (d)(2)(A) for any program year, the Governor, or upon request by the Governor, the Secretary of Labor, shall provide technical assistance, which may include assistance in the development of a performance improvement plan or the development of a modified local plan (or regional plan).

(2) CORRECTIVE ACTIONS.—

Reorganization plan.

(A) IN GENERAL.—If such failure continues for a third consecutive year, the Governor shall take corrective actions, which shall include development of a reorganization plan through which the Governor shall—

(i) require the appointment and certification of a new local board, consistent with the criteria established under section 107(b);

(ii) prohibit the use of eligible providers and one-stop partners identified as achieving a poor level of performance; or

(iii) take such other significant actions as the Governor determines are appropriate.

Deadlines.

(B) APPEAL BY LOCAL AREA.—

(i) APPEAL TO GOVERNOR.—The local board and chief elected official for a local area that is subject to a reorganization plan under subparagraph (A) may, not later than 30 days after receiving notice of the reorganization plan, appeal to the Governor to rescind or revise such plan. In such case, the Governor shall make a final decision not later than 30 days after the receipt of the appeal.

(ii) SUBSEQUENT ACTION.—The local board and chief elected official for a local area may, not later

than 30 days after receiving a decision from the Governor pursuant to clause (i), appeal such decision to the Secretary of Labor. In such case, the Secretary shall make a final decision not later than 30 days after the receipt of the appeal.

(C) EFFECTIVE DATE.—The decision made by the Governor under subparagraph (B)(i) shall become effective at the time the Governor issues the decision pursuant to such clause. Such decision shall remain effective unless the Secretary of Labor rescinds or revises such plan pursuant to subparagraph (B)(ii).

(h) ESTABLISHING PAY-FOR-PERFORMANCE CONTRACT STRATEGY INCENTIVES.—Using non-Federal funds, the Governor may establish incentives for local boards to implement pay-for-performance contract strategies for the delivery of training services described in section 134(c)(3) or activities described in section 129(c)(2) in the local areas served by the local boards.

(i) FISCAL AND MANAGEMENT ACCOUNTABILITY INFORMATION SYSTEMS.—

(1) IN GENERAL.—Using funds authorized under a core program and made available to carry out this chapter, the Governor, in coordination with the State board, the State agencies administering the core programs, local boards, and chief elected officials in the State, shall establish and operate a fiscal and management accountability information system based on guidelines established by the Secretary of Labor and the Secretary of Education after consultation with the Governors of States, chief elected officials, and one-stop partners. Such guidelines shall promote efficient collection and use of fiscal and management information for reporting and monitoring the use of funds authorized under the core programs and for preparing the annual report described in subsection (d). Guidelines. Consultation.

(2) WAGE RECORDS.—In measuring the progress of the State on State and local performance accountability measures, a State shall utilize quarterly wage records, consistent with State law. The Secretary of Labor shall make arrangements, consistent with State law, to ensure that the wage records of any State are available to any other State to the extent that such wage records are required by the State in carrying out the State plan of the State or completing the annual report described in subsection (d).

(3) CONFIDENTIALITY.—In carrying out the requirements of this Act, the State shall comply with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

Subtitle B—Workforce Investment Activities and Providers

CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

SEC. 121. ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEMS.

29 USC 3151.

(a) IN GENERAL.—Consistent with an approved State plan, the local board for a local area, with the agreement of the chief elected official for the local area, shall—

Memorandum.

(1) develop and enter into the memorandum of understanding described in subsection (c) with one-stop partners;

Certification.

(2) designate or certify one-stop operators under subsection (d); and

(3) conduct oversight with respect to the one-stop delivery system in the local area.

(b) ONE-STOP PARTNERS.—

(1) REQUIRED PARTNERS.—

(A) ROLES AND RESPONSIBILITIES OF ONE-STOP PARTNERS.—Each entity that carries out a program or activities described in subparagraph (B) in a local area shall—

(i) provide access through the one-stop delivery system to such program or activities carried out by the entity, including making the career services described in section 134(c)(2) that are applicable to the program or activities available at the one-stop centers (in addition to any other appropriate locations);

(ii) use a portion of the funds available for the program and activities to maintain the one-stop delivery system, including payment of the infrastructure costs of one-stop centers in accordance with subsection (h);

Memorandum.

(iii) enter into a local memorandum of understanding with the local board, relating to the operation of the one-stop system, that meets the requirements of subsection (c);

(iv) participate in the operation of the one-stop system consistent with the terms of the memorandum of understanding, the requirements of this title, and the requirements of the Federal laws authorizing the program or activities; and

(v) provide representation on the State board to the extent provided under section 101.

(B) PROGRAMS AND ACTIVITIES.—The programs and activities referred to in subparagraph (A) consist of—

(i) programs authorized under this title;

(ii) programs authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.);

(iii) adult education and literacy activities authorized under title II;

(iv) programs authorized under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.) (other than section 112 or part C of title I of such Act (29 U.S.C. 732, 741);

(v) activities authorized under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.);

(vi) career and technical education programs at the postsecondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

(vii) activities authorized under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.);

(viii) activities authorized under chapter 41 of title 38, United States Code;

(ix) employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.);

(x) employment and training activities carried out by the Department of Housing and Urban Development;

(xi) programs authorized under State unemployment compensation laws (in accordance with applicable Federal law);

(xii) programs authorized under section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532); and

(xiii) programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), subject to subparagraph (C).

(C) DETERMINATION BY THE GOVERNOR.—

(i) IN GENERAL.—An entity that carries out a program referred to in subparagraph (B)(xiii) shall be included in the one-stop partners for the local area, as a required partner, for purposes of this Act and the other core program provisions that are not part of this Act, unless the Governor provides the notification described in clause (ii).

(ii) NOTIFICATION.—The notification referred to in clause (i) is a notification that—

(I) is made in writing of a determination by the Governor not to include such entity in the one-stop partners described in clause (i); and

(II) is provided to the Secretary of Labor (referred to in this subtitle, and subtitles C through E, as the "Secretary") and the Secretary of Health and Human Services.

(2) ADDITIONAL PARTNERS.—

(A) IN GENERAL.—With the approval of the local board and chief elected official, in addition to the entities described in paragraph (1), other entities that carry out workforce development programs described in subparagraph (B) may be one-stop partners for the local area and carry out the responsibilities described in paragraph (1)(A).

(B) PROGRAMS.—The programs referred to in subparagraph (A) may include—

(i) employment and training programs administered by the Social Security Administration, including the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b–19);

(ii) employment and training programs carried out by the Small Business Administration;

(iii) programs authorized under section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4));

(iv) work programs authorized under section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o));

(v) programs carried out under section 112 of the Rehabilitation Act of 1973 (29 U.S.C. 732);

(vi) programs authorized under the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.); and

(vii) other appropriate Federal, State, or local programs, including employment, education, and training programs provided by public libraries or in the private sector.

(c) MEMORANDUM OF UNDERSTANDING.—

(1) DEVELOPMENT.—The local board, with the agreement of the chief elected official, shall develop and enter into a memorandum of understanding (between the local board and the one-stop partners), consistent with paragraph (2), concerning the operation of the one-stop delivery system in the local area.

(2) CONTENTS.—Each memorandum of understanding shall contain—

(A) provisions describing—

(i) the services to be provided through the one-stop delivery system consistent with the requirements of this section, including the manner in which the services will be coordinated and delivered through such system;

(ii) how the costs of such services and the operating costs of such system will be funded, including—

(I) funding through cash and in-kind contributions (fairly evaluated), which contributions may include funding from philanthropic organizations or other private entities, or through other alternative financing options, to provide a stable and equitable funding stream for ongoing one-stop delivery system operations; and

(II) funding of the infrastructure costs of one-stop centers in accordance with subsection (h);

(iii) methods of referral of individuals between the one-stop operator and the one-stop partners for appropriate services and activities;

(iv) methods to ensure the needs of workers and youth, and individuals with barriers to employment, including individuals with disabilities, are addressed in the provision of necessary and appropriate access to services, including access to technology and materials, made available through the one-stop delivery system; and

(v) the duration of the memorandum of understanding and the procedures for amending the memorandum during the duration of the memorandum, and assurances that such memorandum shall be reviewed not less than once every 3-year period to ensure appropriate funding and delivery of services; and

(B) such other provisions, consistent with the requirements of this title, as the parties to the agreement determine to be appropriate.

(d) ONE-STOP OPERATORS.—

(1) LOCAL DESIGNATION AND CERTIFICATION.—Consistent with paragraphs (2) and (3), the local board, with the agreement of the chief elected official, is authorized to designate or certify one-stop operators and to terminate for cause the eligibility of such operators.

(2) ELIGIBILITY.—To be eligible to receive funds made available under this subtitle to operate a one-stop center referred

to in subsection (e), an entity (which may be a consortium of entities)—

(A) shall be designated or certified as a one-stop operator through a competitive process; and

(B) shall be an entity (public, private, or nonprofit), or consortium of entities (including a consortium of entities that, at a minimum, includes 3 or more of the one-stop partners described in subsection (b)(1)), of demonstrated effectiveness, located in the local area, which may include—

(i) an institution of higher education;

(ii) an employment service State agency established under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), on behalf of the local office of the agency;

(iii) a community-based organization, nonprofit organization, or intermediary;

(iv) a private for-profit entity;

(v) a government agency; and

(vi) another interested organization or entity, which may include a local chamber of commerce or other business organization, or a labor organization.

(3) EXCEPTION.—Elementary schools and secondary schools shall not be eligible for designation or certification as one-stop operators, except that nontraditional public secondary schools and area career and technical education schools may be eligible for such designation or certification.

(4) ADDITIONAL REQUIREMENTS.—The State and local boards shall ensure that in carrying out activities under this title, one-stop operators—

(A) disclose any potential conflicts of interest arising from the relationships of the operators with particular training service providers or other service providers;

(B) do not establish practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services, such as intensive employment, training, and education services; and

(C) comply with Federal regulations, and procurement policies, relating to the calculation and use of profits. Compliance.

(e) ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEM.—

(1) IN GENERAL.—There shall be established in each local area in a State that receives an allotment under section 132(b) a one-stop delivery system, which shall—

(A) provide the career services described in section 134(c)(2);

(B) provide access to training services as described in section 134(c)(3), including serving as the point of access to training services for participants in accordance with section 134(c)(3)(G);

(C) provide access to the employment and training activities carried out under section 134(d), if any;

(D) provide access to programs and activities carried out by one-stop partners described in subsection (b); and

(E) provide access to the data, information, and analysis described in section 15(a) of the Wagner-Peyser Act (29 U.S.C. 49l–2(a)) and all job search, placement, recruitment, and other labor exchange services authorized under the Wagner-Peyser Act (29 U.S.C. 49 et seq.).

(2) ONE-STOP DELIVERY.—The one-stop delivery system—

(A) at a minimum, shall make each of the programs, services, and activities described in paragraph (1) accessible at not less than 1 physical center in each local area of the State; and

(B) may also make programs, services, and activities described in paragraph (1) available—

(i) through a network of affiliated sites that can provide 1 or more of the programs, services, and activities to individuals; and

(ii) through a network of eligible one-stop partners—

(I) in which each partner provides 1 or more of the programs, services, and activities to such individuals and is accessible at an affiliated site that consists of a physical location or an electronically or technologically linked access point; and

(II) that assures individuals that information on the availability of the career services will be available regardless of where the individuals initially enter the statewide workforce development system, including information made available through an access point described in subclause (I);

(C) may have specialized centers to address special needs, such as the needs of dislocated workers, youth, or key industry sectors or clusters; and

(D) as applicable and practicable, shall make programs, services, and activities accessible to individuals through electronic means in a manner that improves efficiency, coordination, and quality in the delivery of one-stop partner services.

(3) COLOCATION OF WAGNER-PEYSER SERVICES.—Consistent with section 3(d) of the Wagner-Peyser Act (29 U.S.C. 49b(d)), and in order to improve service delivery, avoid duplication of services, and enhance coordination of services, including location of staff to ensure access to services in underserved areas, the employment service offices in each State shall be colocated with one-stop centers established under this title.

(4) USE OF COMMON ONE-STOP DELIVERY SYSTEM IDENTIFIER.—In addition to using any State or locally developed identifier, each one-stop delivery system shall include in the identification of products, programs, activities, services, facilities, and related property and materials, a common one-stop delivery system identifier. The identifier shall be developed by the Secretary, in consultation with heads of other appropriate departments and agencies, and representatives of State boards and local boards and of other stakeholders in the one-stop delivery system, not later than the beginning of the second full program year after the date of enactment of this Act. Such common identifier may consist of a logo, phrase, or other identifier that informs users of the one-stop delivery system that such products, programs, activities, services, facilities, property, or materials are being provided through such system. Nothing in this paragraph shall be construed to prohibit one-stop partners, States, or local areas from having additional identifiers.

Consultation.
Deadline.

(f) APPLICATION TO CERTAIN VOCATIONAL REHABILITATION PROGRAMS.—

(1) LIMITATION.—Nothing in this section shall be construed to apply to part C of title I of the Rehabilitation Act of 1973 (29 U.S.C. 741).

(2) CLIENT ASSISTANCE.—Nothing in this Act shall be construed to require that any entity carrying out a client assistance program authorized under section 112 of the Rehabilitation Act of 1973 (29 U.S.C. 732)—

(A) be included as a mandatory one-stop partner under subsection (b)(1); or

(B) if the entity is included as an additional one-stop partner under subsection (b)(2)—

(i) violate the requirement of section 112(c)(1)(A) of that Act (29 U.S.C. 732(c)(1)(A)) that the entity be independent of any agency that provides treatment, services, or rehabilitation to individuals under that Act; or

(ii) carry out any activity not authorized under section 112 of that Act (including appropriate Federal regulations).

(g) CERTIFICATION AND CONTINUOUS IMPROVEMENT OF ONE-STOP CENTERS.—

(1) IN GENERAL.—In order to be eligible to receive infrastructure funding described in subsection (h), the State board, in consultation with chief elected officials and local boards, shall establish objective criteria and procedures for use by local boards in assessing at least once every 3 years the effectiveness, physical and programmatic accessibility in accordance with section 188, if applicable, and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and continuous improvement of one-stop centers and the one-stop delivery system, consistent with the requirements of section 101(d)(6).

Consultation.
Criteria.
Procedures.
Assessment.
Time period.

(2) CRITERIA.—The criteria and procedures developed under this subsection shall include standards relating to service coordination achieved by the one-stop delivery system with respect to the programs administered by the one-stop partners at the one-stop centers. Such criteria and procedures shall—

(A) be developed in a manner that is consistent with the guidelines, guidance, and policies provided by the Governor and by the State board, in consultation with the chief elected officials and local boards, for such partners' participation under subsections (h)(1) and (i); and

Consultation.

(B) include such factors relating to the effectiveness, accessibility, and improvement of the one-stop delivery system as the State board determines to be appropriate, including at a minimum how well the one-stop center—

(i) supports the achievement of the negotiated local levels of performance for the indicators of performance described in section 116(b)(2) for the local area;

(ii) integrates available services; and

(iii) meets the workforce development and employment needs of local employers and participants.

(3) LOCAL CRITERIA.—Consistent with the criteria developed under paragraph (1) by the State, a local board in the State may develop additional criteria (or higher levels of service coordination than required for the State-developed criteria) relating to service coordination achieved by the one-stop

delivery system, for purposes of assessments described in paragraph (1), in order to respond to labor market, economic, and demographic, conditions and trends in the local area.

(4) EFFECT OF CERTIFICATION.—One-stop centers certified under this subsection shall be eligible to receive the infrastructure funding described in subsection (h).

(5) REVIEW AND UPDATE.—The criteria and procedures established under this subsection shall be reviewed and updated by the State board or the local board, as the case may be, as part of the biennial process for review and modification of State and local plans described in sections 102(c)(2) and 108(a).

(h) FUNDING OF ONE-STOP INFRASTRUCTURE.—

(1) IN GENERAL.—

(A) OPTIONS FOR INFRASTRUCTURE FUNDING.—

(i) LOCAL OPTIONS.—The local board, chief elected officials, and one-stop partners described in subsection (b)(1) in a local area may fund the costs of infrastructure of one-stop centers in the local area through—

(I) methods agreed on by the local board, chief elected officials, and one-stop partners (and described in the memorandum of understanding described in subsection (c)); or

(II) if no consensus agreement on methods is reached under subclause (I), the State infrastructure funding mechanism described in paragraph (2).

Effective date. Applicability.

(ii) FAILURE TO REACH CONSENSUS AGREEMENT ON FUNDING METHODS.—Beginning July 1, 2016, if the local board, chief elected officials, and one-stop partners described in subsection (b)(1) in a local area fail to reach consensus agreement on methods of sufficiently funding the costs of infrastructure of one-stop centers for a program year, the State infrastructure funding mechanism described in paragraph (2) shall be applicable to such local area for that program year and for each subsequent program year for which those entities and individuals fail to reach such agreement.

Consultation.

(B) GUIDANCE FOR INFRASTRUCTURE FUNDING.—In addition to carrying out the requirements relating to the State infrastructure funding mechanism described in paragraph (2), the Governor, after consultation with chief elected officials, local boards, and the State board, and consistent with the guidance and policies provided by the State board under subparagraphs (B) and (C)(i) of section 101(d)(7), shall provide, for the use of local areas under subparagraph (A)(i)(I)—

(i) guidelines for State-administered one-stop partner programs, for determining such programs' contributions to a one-stop delivery system, based on such programs' proportionate use of such system consistent with chapter II of title 2, Code of Federal Regulations (or any corresponding similar regulation or ruling), including determining funding for the costs of infrastructure, which contributions shall be negotiated pursuant to the memorandum of understanding under subsection (c); and

(ii) guidance to assist local boards, chief elected officials, and one-stop partners in local areas in determining equitable and stable methods of funding the costs of infrastructure of one-stop centers in such areas.

(2) STATE ONE-STOP INFRASTRUCTURE FUNDING.—

(A) DEFINITION.—In this paragraph, the term "covered portion", used with respect to funding for a fiscal year for a program described in subsection (b)(1), means a portion determined under subparagraph (C) of the Federal funds provided to a State (including local areas within the State) under the Federal law authorizing that program described in subsection (b)(1) for the fiscal year (taking into account the availability of funding for purposes related to infrastructure from philanthropic organizations, private entities, or other alternative financing options).

(B) PARTNER CONTRIBUTIONS.—Subject to subparagraph (D), for local areas in a State that are not covered by paragraph (1)(A)(i)(I), the covered portions of funding for a fiscal year shall be provided to the Governor from the programs described in subsection (b)(1), to assist in paying the costs of infrastructure of one-stop centers in those local areas of the State not adequately funded under the option described in paragraph (1)(A)(i)(I).

(C) DETERMINATION OF GOVERNOR.—

Consultation.

(i) IN GENERAL.—Subject to clause (ii) and subparagraph (D), the Governor, after consultation with chief elected officials, local boards, and the State board, shall determine the portion of funds to be provided under subparagraph (B) by each one-stop partner from each program described in subparagraph (B). In making such determination for the purpose of determining funding contributions, for funding pursuant to clause (i)(II) or (ii) of paragraph (1)(A) by each partner, the Governor shall calculate amounts for the proportionate use of the one-stop centers in the State, consistent with chapter II of title 2, Code of Federal Regulations (or any corresponding similar regulation or ruling), taking into account the costs of administration of the one-stop delivery system for purposes not related to one-stop centers, for each partner. The Governor shall exclude from such determination of funds the amounts for proportionate use of one-stop centers attributable to the programs of one-stop partners for those local areas of the State where the costs of infrastructure of one-stop centers are funded under the option described in paragraph (1)(A)(i)(I). The Governor shall also take into account the statutory requirements for each partner program and the partner program's ability to fulfill such requirements.

Consultation.

(ii) SPECIAL RULE.—In a State in which the State constitution or a State statute places policymaking authority that is independent of the authority of the Governor in an entity or official with respect to the funds provided for adult education and literacy activities authorized under title II, postsecondary career and technical education activities authorized under the Carl D. Perkins Career and Technical Education Act

of 2006 (20 U.S.C. 2301 et seq.), or vocational rehabilitation services offered under a provision covered by section 3(13)(D), the determination described in clause (i) with respect to the programs authorized under that title, Act, or provision shall be made by the chief officer of the entity, or the official, with such authority in consultation with the Governor.

(D) LIMITATIONS.—

(i) PROVISION FROM ADMINISTRATIVE FUNDS.—

(I) IN GENERAL.—Subject to subclause (II), the funds provided under this paragraph by each one-stop partner shall be provided only from funds available for the costs of administration under the program administered by such partner, and shall be subject to the program's limitations with respect to the portion of funds under such program that may be used for administration.

(II) EXCEPTIONS.—Nothing in this clause shall be construed to apply to the programs carried out under this title, or under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.).

Applicability.

(ii) CAP ON REQUIRED CONTRIBUTIONS.—For local areas in a State that are not covered by paragraph (1)(A)(i)(I), the following rules shall apply:

(I) WIA FORMULA PROGRAMS AND EMPLOYMENT SERVICE.—The portion of funds required to be contributed under this paragraph from a program authorized under chapter 2 or 3, or the Wagner-Peyser Act (29 U.S.C. 49 et seq.) shall not exceed 3 percent of the amount of Federal funds provided to carry out that program in the State for a fiscal year.

(II) OTHER ONE-STOP PARTNERS.—The portion of funds required to be contributed under this paragraph from a program described in subsection (b)(1) other than the programs described in subclause (I) shall not exceed 1.5 percent of the amount of Federal funds provided to carry out that program in the State for a fiscal year.

(III) VOCATIONAL REHABILITATION.—Notwithstanding subclauses (I) and (II), an entity administering a program described in subsection (b)(1)(B)(iv) shall not be required to provide from that program, under this paragraph, a portion that exceeds—

(aa) 0.75 percent of the amount of Federal funds provided to carry out such program in the State for the second full program year that begins after the date of enactment of this Act;

(bb) 1.0 percent of the amount provided to carry out such program in the State for the third full program year that begins after such date;

(cc) 1.25 percent of the amount provided to carry out such program in the State for

the fourth full program year that begins after such date; and

(dd) 1.5 percent of the amount provided to carry out such program in the State for the fifth and each succeeding full program year that begins after such date.

(iii) FEDERAL DIRECT SPENDING PROGRAMS.—For local areas in a State that are not covered by paragraph (1)(A)(i)(I), an entity administering a program funded with direct spending as defined in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, as in effect on February 15, 2014 (2 U.S.C. 900(c)(8)) shall not be required to provide, for purposes of this paragraph, an amount in excess of the amount determined under subparagraph (C)(i) to be equivalent to the cost of the proportionate use of the one-stop centers for the one-stop partner for such program in the State.

(iv) NATIVE AMERICAN PROGRAMS.—One-stop partners for Native American programs established under section 166 shall not be subject to the provisions of this subsection (other than this clause) or subsection (i). For purposes of subsection (c)(2)(A)(ii)(II), the method for determining the appropriate portion of funds to be provided by such partners to pay for the costs of infrastructure of a one-stop center shall be determined as part of the development of the memorandum of understanding under subsection (c) for the one-stop center and shall be stated in the memorandum.

(E) APPEAL BY ONE-STOP PARTNERS.—The Governor shall establish a process, described under section 102(b)(2)(D)(i)(IV), for a one-stop partner administering a program described in subsection (b)(1) to appeal a determination regarding the portion of funds to be provided under this paragraph. Such a determination may be appealed under the process on the basis that such determination is inconsistent with the requirements of this paragraph. Such process shall ensure prompt resolution of the appeal in order to ensure the funds are distributed in a timely manner, consistent with the requirements of section 182(e).

(3) ALLOCATION BY GOVERNOR.—

(A) IN GENERAL.—From the funds provided under paragraph (1), the Governor shall allocate the funds to local areas described in subparagraph (B) in accordance with the formula established under subparagraph (B) for the purposes of assisting in paying the costs of infrastructure of one-stop centers.

(B) ALLOCATION FORMULA.—The State board shall develop a formula to be used by the Governor to allocate the funds provided under paragraph (1) to local areas not funding costs of infrastructure under the option described in paragraph (1)(A)(i)(I). The formula shall be based on factors including the number of one-stop centers in a local area, the population served by such centers, the services provided by such centers, and other factors relating to

the performance of such centers that the State board determines are appropriate.

Definition.

(4) COSTS OF INFRASTRUCTURE.—In this subsection, the term "costs of infrastructure", used with respect to a one-stop center, means the nonpersonnel costs that are necessary for the general operation of the one-stop center, including the rental costs of the facilities, the costs of utilities and maintenance, equipment (including assessment-related products and assistive technology for individuals with disabilities), and technology to facilitate access to the one-stop center, including the center's planning and outreach activities.

(i) OTHER FUNDS.—

(1) IN GENERAL.—Subject to the memorandum of understanding described in subsection (c) for the one-stop delivery system involved, in addition to the funds provided to carry out subsection (h), a portion of funds made available under Federal law authorizing the programs described in subsection (b) and administered by one-stop partners, or the noncash resources available under such programs, shall be used to pay the additional costs relating to the operation of the one-stop delivery system that are not paid from the funds provided under subsection (h), as determined in accordance with paragraph (3), to the extent not inconsistent with the Federal law involved. Such costs shall include the costs of the provision of career services described in section 134(c)(2) applicable to each program and may include common costs that are not paid from the funds provided under subsection (h).

(2) SHARED SERVICES.—The costs described under paragraph (1) may include costs of services that are authorized for and may be commonly provided through the one-stop partner programs to any individual, such as initial intake, assessment of needs, appraisal of basic skills, identification of appropriate services to meet such needs, referrals to other one-stop partners, and other similar services.

(3) DETERMINATION AND GUIDANCE.—The method for determining the appropriate portion of funds and noncash resources to be provided by the one-stop partner for each program under paragraph (1) for a one-stop center shall be determined as part of the development of the memorandum of understanding under subsection (c) for the one-stop center and shall be stated in the memorandum. The State board shall provide guidance to facilitate the determination, for purposes of the memorandum of understanding, of an appropriate allocation of the funds and noncash resources in local areas, consistent with the requirements of section 101(d)(6)(C).

29 USC 3152.

SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.

(a) ELIGIBILITY.—

Consultation.
Criteria.
Requirements.
Procedures.

(1) IN GENERAL.—Except as provided in subsection (h), the Governor, after consultation with the State board, shall establish criteria, information requirements, and procedures regarding the eligibility of providers of training services to receive funds provided under section 133(b) for the provision of training services in local areas in the State.

(2) PROVIDERS.—Subject to the provisions of this section, to be eligible to receive those funds for the provision of training services, the provider shall be—

(A) an institution of higher education that provides a program that leads to a recognized postsecondary credential;

(B) an entity that carries out programs registered under the Act of August 16, 1937 (commonly known as the "National Apprenticeship Act"; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); or

(C) another public or private provider of a program of training services, which may include joint labor-management organizations, and eligible providers of adult education and literacy activities under title II if such activities are provided in combination with occupational skills training.

Compliance.

(3) INCLUSION IN LIST OF ELIGIBLE PROVIDERS.—A provider described in subparagraph (A) or (C) of paragraph (2) shall comply with the criteria, information requirements, and procedures established under this section to be included on the list of eligible providers of training services described in subsection (d). A provider described in paragraph (2)(B) shall be included and maintained on the list of eligible providers of training services described in subsection (d) for so long as the corresponding program of the provider remains registered as described in paragraph (2)(B).

(b) CRITERIA AND INFORMATION REQUIREMENTS.—

(1) STATE CRITERIA.—In establishing criteria pursuant to subsection (a), the Governor shall take into account each of the following:

(A) The performance of providers of training services with respect to—

(i) the performance accountability measures and other matters for which information is required under paragraph (2); and

(ii) other appropriate measures of performance outcomes determined by the Governor for those participants receiving training services under this subtitle (taking into consideration the characteristics of the population served and relevant economic conditions), and the outcomes of the program through which those training services were provided for students in general with respect to employment and earnings as defined under section 116(b)(2).

(B) The need to ensure access to training services throughout the State, including in rural areas, and through the use of technology.

(C) Information reported to State agencies with respect to Federal and State programs involving training services (other than the program carried out under this subtitle), including one-stop partner programs.

(D) The degree to which the training programs of such providers relate to in-demand industry sectors and occupations in the State.

(E) The requirements for State licensing of providers of training services, and the licensing status of providers of training services if applicable.

(F) Ways in which the criteria can encourage, to the extent practicable, the providers to use industry-recognized certificates or certifications.

(G) The ability of the providers to offer programs that lead to recognized postsecondary credentials.

(H) The quality of a program of training services, including a program of training services that leads to a recognized postsecondary credential.

(I) The ability of the providers to provide training services to individuals who are employed and individuals with barriers to employment.

(J) Such other factors as the Governor determines are appropriate to ensure—

(i) the accountability of the providers;

(ii) that the one-stop centers in the State will ensure that such providers meet the needs of local employers and participants;

(iii) the informed choice of participants among training services providers; and

(iv) that the collection of information required to demonstrate compliance with the criteria is not unduly burdensome or costly to providers.

(2) STATE INFORMATION REQUIREMENTS.—The information requirements established by the Governor shall require that a provider of training services submit appropriate, accurate, and timely information to the State, to enable the State to carry out subsection (d), with respect to participants receiving training services under this subtitle in the applicable program, including—

(A) information on the performance of the provider with respect to the performance accountability measures described in section 116 for such participants (taking into consideration the characteristics of the population served and relevant economic conditions), and information specifying the percentage of such participants who entered unsubsidized employment in an occupation related to the program, to the extent practicable;

(B) information on recognized postsecondary credentials received by such participants;

(C) information on cost of attendance, including costs of tuition and fees, for participants in the program;

(D) information on the program completion rate for such participants; and

(E) information on the criteria described in paragraph (1).

(3) LOCAL CRITERIA AND INFORMATION REQUIREMENTS.—A local board in the State may establish criteria and information requirements in addition to the criteria and information requirements established by the Governor, or may require higher levels of performance than required for the criteria established by the Governor, for purposes of determining the eligibility of providers of training services to receive funds described in subsection (a) for the provision of training services in the local area involved.

(4) CRITERIA AND INFORMATION REQUIREMENTS TO ESTABLISH INITIAL ELIGIBILITY.—

(A) PURPOSE.—The purpose of this paragraph is to enable the providers of programs carried out under chapter 3 to offer the highest quality training services and be responsive to in-demand and emerging industries by providing training services for those industries.

(B) INITIAL ELIGIBILITY.—Providers may seek initial eligibility under this paragraph as providers of training services and may receive that initial eligibility for only 1 fiscal year for a particular program. The criteria and information requirements established by the Governor under this paragraph shall require that a provider who has not previously been an eligible provider of training services under this section (or section 122 of the Workforce Investment Act of 1998, as in effect on the day before the date of enactment of this Act) provide the information described in subparagraph (C).

(C) INFORMATION.—The provider shall provide verifiable program-specific performance information based on criteria established by the State as described in subparagraph (D) that supports the provider's ability to serve participants under this subtitle.

(D) CRITERIA.—The criteria described in subparagraph (C) shall include at least—

(i) a factor related to indicators described in section 116;

(ii) a factor concerning whether the provider is in a partnership with business;

(iii) other factors that indicate high-quality training services, including the factor described in paragraph (1)(H); and

(iv) a factor concerning alignment of the training services with in-demand industry sectors and occupations, to the extent practicable.

(E) PROVISION.—The provider shall provide the information described in subparagraph (C) to the Governor and the local board in a manner that will permit the Governor and the local board to make a decision on inclusion of the provider on the list of eligible providers described in subsection (d).

(F) LIMITATION.—A provider that receives initial eligibility under this paragraph for a program shall be subject to the requirements under subsection (c) for that program after such initial eligibility expires.

(c) PROCEDURES.—

(1) APPLICATION PROCEDURES.—The procedures established under subsection (a) shall identify the application process for a provider of training services to become eligible to receive funds provided under section 133(b) for the provision of training services. The procedures shall identify the respective roles of the State and local areas in receiving and reviewing the applications and in making determinations of such eligibility based on the criteria, information, and procedures established under this section. The procedures shall also establish a process for a provider of training services to appeal a denial or termination of eligibility under this section that includes an opportunity for a hearing and prescribes appropriate time limits to ensure prompt resolution of the appeal.

(2) RENEWAL PROCEDURES.—The procedures established by the Governor shall also provide for biennial review and renewal of eligibility under this section for providers of training services.

(d) LIST AND INFORMATION TO ASSIST PARTICIPANTS IN CHOOSING PROVIDERS.—

(1) IN GENERAL.—In order to facilitate and assist participants in choosing employment and training activities and in choosing providers of training services, the Governor shall ensure that an appropriate list of providers determined to be eligible under this section to offer a program in the State (and, as appropriate, in a local area), accompanied by information identifying the recognized postsecondary credential offered by the provider and other appropriate information, is prepared. The list shall be provided to the local boards in the State, and made available to such participants and to members of the public through the one-stop delivery system in the State.

(2) ACCOMPANYING INFORMATION.—The accompanying information shall—

(A) with respect to providers described in subparagraphs (A) and (C) of subsection (a)(2), consist of information provided by such providers, disaggregated by local areas served, as applicable, in accordance with subsection (b);

(B) with respect to providers described in subsection (b)(4), consist of information provided by such providers in accordance with subsection (b)(4); and

(C) such other information as the Governor determines to be appropriate.

Public information.

(3) AVAILABILITY.—The list and the accompanying information shall be made available to such participants and to members of the public through the one-stop delivery system in the State, in a manner that does not reveal personally identifiable information about an individual participant.

(4) LIMITATION.—In carrying out the requirements of this subsection, no personally identifiable information regarding a student, including a Social Security number, student identification number, or other identifier, may be disclosed without the prior written consent of the parent or student in compliance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

Recommendations.

(e) OPPORTUNITY TO SUBMIT COMMENTS.—In establishing, under this section, criteria, information requirements, procedures, and the list of eligible providers described in subsection (d), the Governor shall provide an opportunity for interested members of the public to make recommendations and submit comments regarding such criteria, information requirements, procedures, and list.

(f) ENFORCEMENT.—

Determination. Termination. Time period.

(1) IN GENERAL.—The procedures established under this section shall provide the following:

(A) INTENTIONALLY SUPPLYING INACCURATE INFORMATION.—Upon a determination, by an individual or entity specified in the procedures, that a provider of training services, or individual providing information on behalf of the provider, violated this section (or section 122 of the Workforce Investment Act of 1998, as in effect on the

day before the date of enactment of this Act) by intentionally supplying inaccurate information under this section, the eligibility of such provider to receive funds under chapter 3 shall be terminated for a period of time that is not less than 2 years.

(B) SUBSTANTIAL VIOLATIONS.—Upon a determination, by an individual or entity specified in the procedures, that a provider of training services substantially violated any requirement under this title (or title I of the Workforce Investment Act of 1998, as in effect on the day before such date of enactment), the eligibility of such provider to receive funds under chapter 3 for the program involved shall be terminated for a period of not less than 2 years.

(C) REPAYMENT.—A provider of training services whose eligibility is terminated under subparagraph (A) or (B) shall be liable for the repayment of funds received under chapter 5 of subtitle B of title I of the Workforce Investment Act of 1998, as in effect on the day before such date of enactment, or chapter 3 of this subtitle during a period of violation described in such subparagraph.

(2) CONSTRUCTION.—Paragraph (1) shall be construed to provide remedies and penalties that supplement, but shall not supplant, civil and criminal remedies and penalties specified in other provisions of law.

(g) AGREEMENTS WITH OTHER STATES.—States may enter into agreements, on a reciprocal basis, to permit eligible providers of training services to accept individual training accounts provided in another State.

(h) ON-THE-JOB TRAINING, CUSTOMIZED TRAINING, INCUMBENT WORKER TRAINING, AND OTHER TRAINING EXCEPTIONS.—

(1) IN GENERAL.—Providers of on-the-job training, customized training, incumbent worker training, internships, and paid or unpaid work experience opportunities, or transitional employment shall not be subject to the requirements of subsections (a) through (f).

(2) COLLECTION AND DISSEMINATION OF INFORMATION.—A one-stop operator in a local area shall collect such performance information from providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, and transitional employment as the Governor may require, and use the information to determine whether the providers meet such performance criteria as the Governor may require. The one-stop operator shall disseminate information identifying such providers that meet the criteria as eligible providers, and the performance information, through the one-stop delivery system. Providers determined to meet the criteria shall be considered to be identified as eligible providers of training services.

(i) TRANSITION PERIOD FOR IMPLEMENTATION.—The Governor and local boards shall implement the requirements of this section not later than 12 months after the date of enactment of this Act. In order to facilitate early implementation of this section, the Governor may establish transition procedures under which providers eligible to provide training services under chapter 5 of subtitle B of title I of the Workforce Investment Act of 1998, as such chapter was in effect on the day before the date of enactment of this Act, may continue to be eligible to provide such services

Deadline.
Termination date.

until December 31, 2015, or until such earlier date as the Governor determines to be appropriate.

29 USC 3153.

SEC. 123. ELIGIBLE PROVIDERS OF YOUTH WORKFORCE INVESTMENT ACTIVITIES.

Grants.
Contracts.

(a) IN GENERAL.—From the funds allocated under section 128(b) to a local area, the local board for such area shall award grants or contracts on a competitive basis to providers of youth workforce investment activities identified based on the criteria in the State plan (including such quality criteria as the Governor shall establish for a training program that leads to a recognized postsecondary credential), and taking into consideration the ability of the providers to meet performance accountability measures based on primary indicators of performance for the youth program as described in section 116(b)(2)(A)(ii), as described in section 102(b)(2)(D)(i)(V), and shall conduct oversight with respect to such providers.

Determination.

(b) EXCEPTIONS.—A local board may award grants or contracts on a sole-source basis if such board determines there is an insufficient number of eligible providers of youth workforce investment activities in the local area involved (such as a rural area) for grants and contracts to be awarded on a competitive basis under subsection (a).

CHAPTER 2—YOUTH WORKFORCE INVESTMENT ACTIVITIES

Grants.
29 USC 3161.

SEC. 126. GENERAL AUTHORIZATION.

The Secretary shall make an allotment under section 127(b)(1)(C) to each State that meets the requirements of section 102 or 103 and a grant under section 127(b)(1)(B) to each outlying area that complies with the requirements of this title, to assist the State or outlying area, and to enable the State or outlying area to assist local areas, for the purpose of providing workforce investment activities for eligible youth in the State or outlying area and in the local areas.

29 USC 3162.

SEC. 127. STATE ALLOTMENTS.

(a) IN GENERAL.—The Secretary shall—

(1) for each fiscal year for which the amount appropriated under section 136(a) exceeds $925,000,000, reserve 4 percent of the excess amount to provide youth workforce investment activities under section 167 (relating to migrant and seasonal farmworkers); and

(2) use the remainder of the amount appropriated under section 136(a) for a fiscal year to make allotments and grants in accordance with subsection (b).

(b) ALLOTMENT AMONG STATES.—

(1) YOUTH WORKFORCE INVESTMENT ACTIVITIES.—

(A) NATIVE AMERICANS.—From the amount appropriated under section 136(a) for a fiscal year that is not reserved under subsection (a)(1), the Secretary shall reserve not more than 1½ percent of such amount to provide youth workforce investment activities under section 166 (relating to Native Americans).

(B) OUTLYING AREAS.—

(i) IN GENERAL.—From the amount appropriated under section 136(a) for each fiscal year that is not reserved under subsection (a)(1) and subparagraph (A),

the Secretary shall reserve not more than ¼ of 1 percent of such amount to provide assistance to the outlying areas to carry out youth workforce investment activities and statewide workforce investment activities.

(ii) LIMITATION FOR OUTLYING AREAS.—

(I) COMPETITIVE GRANTS.—The Secretary shall use funds reserved under clause (i) to award grants to outlying areas to carry out youth workforce investment activities and statewide workforce investment activities.

(II) AWARD BASIS.—The Secretary shall award grants pursuant to subclause (I) on a competitive basis and pursuant to the recommendations of experts in the field of employment and training, working through the Pacific Region Educational Laboratory in Honolulu, Hawaii.

(III) ADMINISTRATIVE COSTS.—The Secretary may provide not more than 5 percent of the funds made available for grants under subclause (I) to pay the administrative costs of the Pacific Region Educational Laboratory in Honolulu, Hawaii, regarding activities assisted under this clause.

(iii) ADDITIONAL REQUIREMENT.—The provisions of section 501 of Public Law 95–134 (48 U.S.C. 1469a), permitting the consolidation of grants by the outlying areas, shall not apply to assistance provided to those areas, including Palau, under this subparagraph.

(C) STATES.—

(i) IN GENERAL.—From the remainder of the amount appropriated under section 136(a) for a fiscal year that exists after the Secretary determines the amounts to be reserved under subsection (a)(1) and subparagraphs (A) and (B), the Secretary shall make allotments to the States in accordance with clause (ii) for youth workforce investment activities and statewide workforce investment activities.

(ii) FORMULA.—Subject to clauses (iii) and (iv), of the remainder—

(I) 33⅓ percent shall be allotted on the basis of the relative number of unemployed individuals in areas of substantial unemployment in each State, compared to the total number of unemployed individuals in areas of substantial unemployment in all States;

(II) 33⅓ percent shall be allotted on the basis of the relative excess number of unemployed individuals in each State, compared to the total excess number of unemployed individuals in all States; and

(III) 33⅓ percent shall be allotted on the basis of the relative number of disadvantaged youth in each State, compared to the total number of disadvantaged youth in all States, except as described in clause (iii).

(iii) CALCULATION.—In determining an allotment under clause (ii)(III) for any State in which there is

an area that was designated as a local area as described in section 107(c)(1)(C), the allotment shall be based on the higher of—

(I) the number of individuals who are age 16 through 21 in families with an income below the low-income level in such area; or

(II) the number of disadvantaged youth in such area.

(iv) MINIMUM AND MAXIMUM PERCENTAGES AND MINIMUM ALLOTMENTS.—In making allotments under this subparagraph, the Secretary shall ensure the following:

(I) MINIMUM PERCENTAGE AND ALLOTMENT.—Subject to subclause (IV), the Secretary shall ensure that no State shall receive an allotment for a fiscal year that is less than the greater of—

(aa) an amount based on 90 percent of the allotment percentage of the State for the preceding fiscal year; or

(bb) 100 percent of the allotments of the State under section 127(b)(1)(C) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act) for fiscal year 2014.

(II) SMALL STATE MINIMUM ALLOTMENT.—Subject to subclauses (I), (III), and (IV), the Secretary shall ensure that no State shall receive an allotment under this subparagraph that is less than the total of—

(aa) 3/10 of 1 percent of $1,000,000,000 of the remainder described in clause (i) for the fiscal year; and

(bb) if the remainder described in clause (i) for the fiscal year exceeds $1,000,000,000, 2/5 of 1 percent of the excess.

(III) MAXIMUM PERCENTAGE.—Subject to subclause (I), the Secretary shall ensure that no State shall receive an allotment percentage for a fiscal year that is more than 130 percent of the allotment percentage of the State for the preceding fiscal year.

(IV) MINIMUM FUNDING.—In any fiscal year in which the remainder described in clause (i) does not exceed $1,000,000,000, the minimum allotments under subclauses (I) and (II) shall be calculated by the methodology specified in section 127(b)(1)(C)(iv)(IV) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act).

(2) DEFINITIONS.—For the purpose of the formula specified in paragraph (1)(C):

(A) ALLOTMENT PERCENTAGE.—The term "allotment percentage", used with respect to fiscal year 2015 or a subsequent fiscal year, means a percentage of the remainder described in paragraph (1)(C)(i) that is received through an allotment made under paragraph (1)(C) for the fiscal year. The term, used with respect to fiscal year

2014, means the percentage of the amount allotted to States under section 127(b)(1)(C) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act) that is received under such section by the State involved for fiscal year 2014.

(B) AREA OF SUBSTANTIAL UNEMPLOYMENT.—The term "area of substantial unemployment" means any area that is of sufficient size and scope to sustain a program of workforce investment activities carried out under this subtitle and that has an average rate of unemployment of at least 6.5 percent for the most recent 12 months, as determined by the Secretary. For purposes of this subparagraph, determinations of areas of substantial unemployment shall be made once each fiscal year.

(C) DISADVANTAGED YOUTH.—Subject to paragraph (3), the term "disadvantaged youth" means an individual who is age 16 through 21 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

(i) the poverty line; or

(ii) 70 percent of the lower living standard income level.

(D) EXCESS NUMBER.—The term "excess number" means, used with respect to the excess number of unemployed individuals within a State, the higher of—

(i) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in the State; or

(ii) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in areas of substantial unemployment in such State.

(E) LOW-INCOME LEVEL.—The term "low-income level" means $7,000 with respect to income in 1969, and for any later year means that amount that bears the same relationship to $7,000 as the Consumer Price Index for that year bears to the Consumer Price Index for 1969, rounded to the nearest $1,000.

(3) SPECIAL RULE.—For the purpose of the formula specified in paragraph (1)(C), the Secretary shall, as appropriate and to the extent practicable, exclude college students and members of the Armed Forces from the determination of the number of disadvantaged youth.

(c) REALLOTMENT.—

(1) IN GENERAL.—The Secretary shall, in accordance with this subsection, reallot to eligible States amounts that are made available to States from allotments made under this section or a corresponding provision of the Workforce Investment Act of 1998 for youth workforce investment activities and statewide workforce investment activities (referred to individually in this subsection as a "State allotment") and that are available for reallotment.

(2) AMOUNT.—The amount available for reallotment for a program year is equal to the amount by which the unobligated balance of the State allotment, at the end of the program year prior to the program year for which the determination

under this paragraph is made, exceeds 20 percent of such allotment for the prior program year.

(3) REALLOTMENT.—In making reallotments to eligible States of amounts available pursuant to paragraph (2) for a program year, the Secretary shall allot to each eligible State an amount based on the relative amount of the State allotment for the program year for which the determination is made, as compared to the total amount of the State allotments for all eligible States for such program year.

(4) ELIGIBILITY.—For purposes of this subsection, an eligible State means a State that does not have an amount available for reallotment under paragraph (2) for the program year for which the determination under paragraph (2) is made.

(5) PROCEDURES.—The Governor shall prescribe uniform procedures for the obligation of funds by local areas within the State in order to avoid the requirement that funds be made available for reallotment under this subsection. The Governor shall further prescribe equitable procedures for making funds available from the State and local areas in the event that a State is required to make funds available for reallotment under this subsection.

29 USC 3163.

SEC. 128. WITHIN STATE ALLOCATIONS.

(a) RESERVATIONS FOR STATEWIDE ACTIVITIES.—

(1) IN GENERAL.—The Governor shall reserve not more than 15 percent of each of the amounts allotted to the State under section 127(b)(1)(C) and paragraphs (1)(B) and (2)(B) of section 132(b) for a fiscal year for statewide workforce investment activities.

(2) USE OF FUNDS.—Regardless of whether the reserved amounts were allotted under section 127(b)(1)(C), or under paragraph (1)(B) or (2)(B) of section 132(b), the Governor may use the reserved amounts to carry out statewide activities under section 129(b) or statewide employment and training activities, for adults or dislocated workers, under section 134(a).

(b) WITHIN STATE ALLOCATIONS.—

Consultation.

(1) METHODS.—The Governor, acting in accordance with the State plan, and after consulting with chief elected officials and local boards in the local areas, shall allocate the funds that are allotted to the State for youth activities and statewide workforce investment activities under section 127(b)(1)(C) and are not reserved under subsection (a), in accordance with paragraph (2) or (3).

(2) FORMULA ALLOCATION.—

(A) YOUTH ACTIVITIES.—

(i) ALLOCATION.—In allocating the funds described in paragraph (1) to local areas, a State may allocate—

(I) 33⅓ percent of the funds on the basis described in section 127(b)(1)(C)(ii)(I);

(II) 33⅓ percent of the funds on the basis described in section 127(b)(1)(C)(ii)(II); and

(III) 33⅓ percent of the funds on the basis described in clauses (ii)(III) and (iii) of section 127(b)(1)(C).

(ii) MINIMUM PERCENTAGE.—The local area shall not receive an allocation percentage for a fiscal year that is less than 90 percent of the average allocation

percentage of the local area for the 2 preceding fiscal years. Amounts necessary for increasing such allocations to local areas to comply with the preceding sentence shall be obtained by ratably reducing the allocations to be made to other local areas under this subparagraph.

(iii) DEFINITION.—In this subparagraph, the term "allocation percentage", used with respect to fiscal year 2015 or a subsequent fiscal year, means a percentage of the funds referred to in clause (i), received through an allocation made under this subparagraph, for the fiscal year. The term, used with respect to fiscal year 2013 or 2014, means a percentage of the funds referred to in section 128(b)(1) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act), received through an allocation made under paragraph (2) or (3) of section 128(b) of the Workforce Investment Act of 1998 (as so in effect), for the fiscal year 2013 or 2014, respectively.

(B) APPLICATION.—For purposes of carrying out subparagraph (A)—

(i) references in section 127(b) to a State shall be deemed to be references to a local area;

(ii) references in section 127(b) to all States shall be deemed to be references to all local areas in the State involved; and

(iii) except as described in clause (i), references in section 127(b)(1) to the term "excess number" shall be considered to be references to the term as defined in section 127(b)(2).

(3) YOUTH DISCRETIONARY ALLOCATION.—In lieu of making the allocation described in paragraph (2), in allocating the funds described in paragraph (1) to local areas, a State may distribute—

(A) a portion equal to not less than 70 percent of the funds in accordance with paragraph (2)(A); and

(B) the remaining portion of the funds on the basis of a formula that—

(i) incorporates additional factors (other than the factors described in paragraph (2)(A)) relating to—

(I) excess youth poverty in urban, rural, and suburban local areas; and

(II) excess unemployment above the State average in urban, rural, and suburban local areas; and

(ii) was developed by the State board and approved by the Secretary as part of the State plan.

(4) LOCAL ADMINISTRATIVE COST LIMIT.—

(A) IN GENERAL.—Of the amount allocated to a local area under this subsection and section 133(b) for a fiscal year, not more than 10 percent of the amount may be used by the local board involved for the administrative costs of carrying out local workforce investment activities under this chapter or chapter 3.

(B) USE OF FUNDS.—Funds made available for administrative costs under subparagraph (A) may be used for the

administrative costs of any of the local workforce investment activities described in this chapter or chapter 3, regardless of whether the funds were allocated under this subsection or section 133(b).

(c) REALLOCATION AMONG LOCAL AREAS.—

Consultation.

(1) IN GENERAL.—The Governor may, in accordance with this subsection and after consultation with the State board, reallocate to eligible local areas within the State amounts that are made available to local areas from allocations made under this section or a corresponding provision of the Workforce Investment Act of 1998 for youth workforce investment activities (referred to individually in this subsection as a "local allocation") and that are available for reallocation.

(2) AMOUNT.—The amount available for reallocation for a program year is equal to the amount by which the unobligated balance of the local allocation, at the end of the program year prior to the program year for which the determination under this paragraph is made, exceeds 20 percent of such allocation for the prior program year.

(3) REALLOCATION.—In making reallocations to eligible local areas of amounts available pursuant to paragraph (2) for a program year, the Governor shall allocate to each eligible local area within the State an amount based on the relative amount of the local allocation for the program year for which the determination is made, as compared to the total amount of the local allocations for all eligible local areas in the State for such program year.

(4) ELIGIBILITY.—For purposes of this subsection, an eligible local area means a local area that does not have an amount available for reallocation under paragraph (2) for the program year for which the determination under paragraph (2) is made.

29 USC 3164.

SEC. 129. USE OF FUNDS FOR YOUTH WORKFORCE INVESTMENT ACTIVITIES.

(a) YOUTH PARTICIPANT ELIGIBILITY.—

Definitions.

(1) ELIGIBILITY.—

(A) IN GENERAL.—To be eligible to participate in activities carried out under this chapter during any program year an individual shall, at the time the eligibility determination is made, be an out-of-school youth or an in-school youth.

(B) OUT-OF-SCHOOL YOUTH.—In this title, the term "out-of-school youth" means an individual who is—

(i) not attending any school (as defined under State law);

(ii) not younger than age 16 or older than age 24; and

(iii) one or more of the following:

(I) A school dropout.

(II) A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter.

(III) A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is—

(aa) basic skills deficient; or

(bb) an English language learner.

(IV) An individual who is subject to the juvenile or adult justice system.

(V) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.

(VI) An individual who is pregnant or parenting.

(VII) A youth who is an individual with a disability.

(VIII) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

(C) IN-SCHOOL YOUTH.—In this section, the term "in-school youth" means an individual who is—

(i) attending school (as defined by State law);

(ii) not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21;

(iii) a low-income individual; and

(iv) one or more of the following:

(I) Basic skills deficient.

(II) An English language learner.

(III) An offender.

(IV) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.

(V) Pregnant or parenting.

(VI) A youth who is an individual with a disability.

(VII) An individual who requires additional assistance to complete an educational program or to secure or hold employment.

(2) SPECIAL RULE.—For the purpose of this subsection, the term "low-income", used with respect to an individual, also includes a youth living in a high-poverty area.

(3) EXCEPTION AND LIMITATION.—

(A) EXCEPTION FOR PERSONS WHO ARE NOT LOW-INCOME INDIVIDUALS.—

(i) DEFINITION.—In this subparagraph, the term "covered individual" means an in-school youth, or an

out-of-school youth who is described in subclause (III) or (VIII) of paragraph (1)(B)(iii).

(ii) EXCEPTION.—In each local area, not more than 5 percent of the individuals assisted under this section may be persons who would be covered individuals, except that the persons are not low-income individuals.

(B) LIMITATION.—In each local area, not more than 5 percent of the in-school youth assisted under this section may be eligible under paragraph (1) because the youth are in-school youth described in paragraph (1)(C)(iv)(VII).

(4) OUT-OF-SCHOOL PRIORITY.—

(A) IN GENERAL.—For any program year, not less than 75 percent of the funds allotted under section 127(b)(1)(C), reserved under section 128(a), and available for statewide activities under subsection (b), and not less than 75 percent of funds available to local areas under subsection (c), shall be used to provide youth workforce investment activities for out-of-school youth.

(B) EXCEPTION.—A State that receives a minimum allotment under section 127(b)(1) in accordance with section 127(b)(1)(C)(iv) or under section 132(b)(1) in accordance with section 132(b)(1)(B)(iv) may decrease the percentage described in subparagraph (A) to not less than 50 percent for a local area in the State, if—

(i) after an analysis of the in-school youth and out-of-school youth populations in the local area, the State determines that the local area will be unable to use at least 75 percent of the funds available for activities under subsection (c) to serve out-of-school youth due to a low number of out-of-school youth; and

(ii)(I) the State submits to the Secretary, for the local area, a request including a proposed percentage decreased to not less than 50 percent for purposes of subparagraph (A), and a summary of the analysis described in clause (i); and

(II) the request is approved by the Secretary.

(5) CONSISTENCY WITH COMPULSORY SCHOOL ATTENDANCE LAWS.—In providing assistance under this section to an individual who is required to attend school under applicable State compulsory school attendance laws, the priority in providing such assistance shall be for the individual to attend school regularly.

(b) STATEWIDE ACTIVITIES.—

(1) REQUIRED STATEWIDE YOUTH ACTIVITIES.—Funds reserved by a Governor as described in sections 128(a) and 133(a)(1) shall be used, regardless of whether the funds were allotted to the State under section 127(b)(1)(C) or under paragraph (1)(B) or (2)(B) of section 132(b) for statewide activities, which shall include—

(A) conducting evaluations under section 116(e) of activities authorized under this chapter and chapter 3 in coordination with evaluations carried out by the Secretary under section 169(a);

(B) disseminating a list of eligible providers of youth workforce investment activities, as determined under section 123;

(C) providing assistance to local areas as described in subsections (b)(6) and (c)(2) of section 106, for local coordination of activities carried out under this title;

(D) operating a fiscal and management accountability information system under section 116(i);

(E) carrying out monitoring and oversight of activities carried out under this chapter and chapter 3, which may include a review comparing the services provided to male and female youth; and

(F) providing additional assistance to local areas that have high concentrations of eligible youth.

(2) ALLOWABLE STATEWIDE YOUTH ACTIVITIES.—Funds reserved by a Governor as described in sections 128(a) and 133(a)(1) may be used, regardless of whether the funds were allotted to the State under section 127(b)(1)(C) or under paragraph (1)(B) or (2)(B) of section 132(b), for statewide activities, which may include—

(A) conducting—

(i) research related to meeting the education and employment needs of eligible youth; and

(ii) demonstration projects related to meeting the education and employment needs of eligible youth;

(B) supporting the development of alternative, evidence-based programs and other activities that enhance the choices available to eligible youth and encourage such youth to reenter and complete secondary education, enroll in postsecondary education and advanced training, progress through a career pathway, and enter into unsubsidized employment that leads to economic self-sufficiency;

(C) supporting the provision of career services described in section 134(c)(2) in the one-stop delivery system in the State;

(D) supporting financial literacy, including—

(i) supporting the ability of participants to create household budgets, initiate savings plans, and make informed financial decisions about education, retirement, home ownership, wealth building, or other savings goals;

(ii) supporting the ability to manage spending, credit, and debt, including credit card debt, effectively;

(iii) increasing awareness of the availability and significance of credit reports and credit scores in obtaining credit, including determining their accuracy (and how to correct inaccuracies in the reports and scores), and their effect on credit terms;

(iv) supporting the ability to understand, evaluate, and compare financial products, services, and opportunities; and

(v) supporting activities that address the particular financial literacy needs of non-English speakers, including providing the support through the development and distribution of multilingual financial literacy and education materials; and

(E) providing technical assistance to, as appropriate, local boards, chief elected officials, one-stop operators, one-stop partners, and eligible providers, in local areas, which

provision of technical assistance shall include the development and training of staff, the development of exemplary program activities, the provision of technical assistance to local areas that fail to meet local performance accountability measures described in section 116(c), and the provision of technology to facilitate remote access to services provided through the one-stop delivery system in the State.

(3) LIMITATION.—Not more than 5 percent of the funds allotted to a State under section 127(b)(1)(C) shall be used by the State for administrative activities carried out under this subsection or section 134(a).

(c) LOCAL ELEMENTS AND REQUIREMENTS.—

(1) PROGRAM DESIGN.—Funds allocated to a local area for eligible youth under section 128(b) shall be used to carry out, for eligible youth, programs that—

(A) provide an objective assessment of the academic levels, skill levels, and service needs of each participant, which assessment shall include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including interests and aptitudes for nontraditional jobs), supportive service needs, and developmental needs of such participant, for the purpose of identifying appropriate services and career pathways for participants, except that a new assessment of a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent assessment of the participant conducted pursuant to another education or training program;

(B) develop service strategies for each participant that are directly linked to 1 or more of the indicators of performance described in section 116(b)(2)(A)(ii), and that shall identify career pathways that include education and employment goals (including, in appropriate circumstances, nontraditional employment), appropriate achievement objectives, and appropriate services for the participant taking into account the assessment conducted pursuant to subparagraph (A), except that a new service strategy for a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent service strategy developed for the participant under another education or training program;

(C) provide—

(i) activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized postsecondary credential;

(ii) preparation for postsecondary educational and training opportunities;

(iii) strong linkages between academic instruction (based on State academic content and student academic achievement standards established under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311)) and occupational education that lead to the attainment of recognized postsecondary credentials;

(iv) preparation for unsubsidized employment opportunities, in appropriate cases; and

(v) effective connections to employers, including small employers, in in-demand industry sectors and occupations of the local and regional labor markets; and

(D) at the discretion of the local board, implement a pay-for-performance contract strategy for elements described in paragraph (2), for which the local board may reserve and use not more than 10 percent of the total funds allocated to the local area under section 128(b).

(2) PROGRAM ELEMENTS.—In order to support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for participants, the programs described in paragraph (1) shall provide elements consisting of—

(A) tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized postsecondary credential;

(B) alternative secondary school services, or dropout recovery services, as appropriate;

(C) paid and unpaid work experiences that have as a component academic and occupational education, which may include—

(i) summer employment opportunities and other employment opportunities available throughout the school year;

(ii) pre-apprenticeship programs;

(iii) internships and job shadowing; and

(iv) on-the-job training opportunities;

(D) occupational skill training, which shall include priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area involved, if the local board determines that the programs meet the quality criteria described in section 123;

(E) education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;

(F) leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate;

(G) supportive services;

(H) adult mentoring for the period of participation and a subsequent period, for a total of not less than 12 months;

(I) followup services for not less than 12 months after the completion of participation, as appropriate;

(J) comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referral, as appropriate;

(K) financial literacy education;

(L) entrepreneurial skills training;

(M) services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and

(N) activities that help youth prepare for and transition to postsecondary education and training.

(3) ADDITIONAL REQUIREMENTS.—

(A) INFORMATION AND REFERRALS.—Each local board shall ensure that each participant shall be provided—

(i) information on the full array of applicable or appropriate services that are available through the local board or other eligible providers or one-stop partners, including those providers or partners receiving funds under this subtitle; and

(ii) referral to appropriate training and educational programs that have the capacity to serve the participant either on a sequential or concurrent basis.

(B) APPLICANTS NOT MEETING ENROLLMENT REQUIREMENTS.—Each eligible provider of a program of youth workforce investment activities shall ensure that an eligible applicant who does not meet the enrollment requirements of the particular program or who cannot be served shall be referred for further assessment, as necessary, and referred to appropriate programs in accordance with subparagraph (A) to meet the basic skills and training needs of the applicant.

(C) INVOLVEMENT IN DESIGN AND IMPLEMENTATION.—The local board shall ensure that parents, participants, and other members of the community with experience relating to programs for youth are involved in the design and implementation of the programs described in paragraph (1).

(4) PRIORITY.—Not less than 20 percent of the funds allocated to the local area as described in paragraph (1) shall be used to provide in-school youth and out-of-school youth with activities under paragraph (2)(C).

(5) RULE OF CONSTRUCTION.—Nothing in this chapter shall be construed to require that each of the elements described in subparagraphs of paragraph (2) be offered by each provider of youth services.

(6) PROHIBITIONS.—

(A) PROHIBITION AGAINST FEDERAL CONTROL OF EDUCATION.—No provision of this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution, school, or school system.

(B) NONINTERFERENCE AND NONREPLACEMENT OF REGULAR ACADEMIC REQUIREMENTS.—No funds described in paragraph (1) shall be used to provide an activity for eligible youth who are not school dropouts if participation in the activity would interfere with or replace the regular academic requirements of the youth.

(7) LINKAGES.—In coordinating the programs authorized under this section, local boards shall establish linkages with local educational agencies responsible for services to participants as appropriate.

(8) VOLUNTEERS.—The local board shall make opportunities available for individuals who have successfully participated in programs carried out under this section to volunteer assistance to participants in the form of mentoring, tutoring, and other activities.

CHAPTER 3—ADULT AND DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES

SEC. 131. GENERAL AUTHORIZATION. 29 USC 3171.

The Secretary shall make allotments under paragraphs (1)(B) and (2)(B) of section 132(b) to each State that meets the requirements of section 102 or 103 and grants under paragraphs (1)(A) and (2)(A) of section 132(b) to each outlying area that complies with the requirements of this title, to assist the State or outlying area, and to enable the State or outlying area to assist local areas, for the purpose of providing workforce investment activities for adults, and dislocated workers, in the State or outlying area and in the local areas.

SEC. 132. STATE ALLOTMENTS. 29 USC 3172.

(a) IN GENERAL.—The Secretary shall—

(1) make allotments and grants from the amount appropriated under section 136(b) for a fiscal year in accordance with subsection (b)(1); and Grants.

(2)(A) reserve 20 percent of the amount appropriated under section 136(c) for the fiscal year for use under subsection (b)(2)(A), and under sections 168(b) (relating to dislocated worker technical assistance), 169(c) (relating to dislocated worker projects), and 170 (relating to national dislocated worker grants); and

(B) make allotments from 80 percent of the amount appropriated under section 136(c) for the fiscal year in accordance with subsection (b)(2)(B).

(b) ALLOTMENT AMONG STATES.—

(1) ADULT EMPLOYMENT AND TRAINING ACTIVITIES.—

(A) RESERVATION FOR OUTLYING AREAS.—

(i) IN GENERAL.—From the amount made available under subsection (a)(1) for a fiscal year, the Secretary shall reserve not more than ¼ of 1 percent of such amount to provide assistance to the outlying areas.

(ii) APPLICABILITY OF ADDITIONAL REQUIREMENTS.—From the amount reserved under clause (i), the Secretary shall provide assistance to the outlying areas for adult employment and training activities and statewide workforce investment activities in accordance with the requirements of section 127(b)(1)(B).

(B) STATES.—

(i) IN GENERAL.—After determining the amount to be reserved under subparagraph (A), the Secretary shall allot the remainder of the amount made available under subsection (a)(1) for that fiscal year to the States pursuant to clause (ii) for adult employment and Determination.

training activities and statewide workforce investment activities.

(ii) FORMULA.—Subject to clauses (iii) and (iv), of the remainder—

(I) 33⅓ percent shall be allotted on the basis of the relative number of unemployed individuals in areas of substantial unemployment in each State, compared to the total number of unemployed individuals in areas of substantial unemployment in all States;

(II) 33⅓ percent shall be allotted on the basis of the relative excess number of unemployed individuals in each State, compared to the total excess number of unemployed individuals in all States; and

(III) 33⅓ percent shall be allotted on the basis of the relative number of disadvantaged adults in each State, compared to the total number of disadvantaged adults in all States, except as described in clause (iii).

(iii) CALCULATION.—In determining an allotment under clause (ii)(III) for any State in which there is an area that was designated as a local area as described in section 107(c)(1)(C), the allotment shall be based on the higher of—

(I) the number of adults in families with an income below the low-income level in such area; or

(II) the number of disadvantaged adults in such area.

(iv) MINIMUM AND MAXIMUM PERCENTAGES AND MINIMUM ALLOTMENTS.—In making allotments under this subparagraph, the Secretary shall ensure the following:

(I) MINIMUM PERCENTAGE AND ALLOTMENT.—Subject to subclause (IV), the Secretary shall ensure that no State shall receive an allotment for a fiscal year that is an amount based on 90 percent of the allotment percentage of the State for the preceding fiscal year.

(II) SMALL STATE MINIMUM ALLOTMENT.—Subject to subclauses (I), (III), and (IV), the Secretary shall ensure that no State shall receive an allotment under this subparagraph that is less than the total of—

(aa) 3/10 of 1 percent of $960,000,000 of the remainder described in clause (i) for the fiscal year; and

(bb) if the remainder described in clause (i) for the fiscal year exceeds $960,000,000, 2/5 of 1 percent of the excess.

(III) MAXIMUM PERCENTAGE.—Subject to subclause (I), the Secretary shall ensure that no State shall receive an allotment percentage for a fiscal year that is more than 130 percent of the allotment percentage of the State for the preceding fiscal year.

(IV) MINIMUM FUNDING.—In any fiscal year in which the remainder described in clause (i) does not exceed $960,000,000, the minimum allotments under subclauses (I) and (II) shall be calculated by the methodology specified in section 132(b)(1)(B)(iv)(IV) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act).

(v) DEFINITIONS.—For the purpose of the formula specified in this subparagraph:

(I) ADULT.—The term "adult" means an individual who is not less than age 22 and not more than age 72.

(II) ALLOTMENT PERCENTAGE.—The term "allotment percentage", used with respect to fiscal year 2015 or a subsequent fiscal year, means a percentage of the remainder described in clause (i) that is received through an allotment made under this subparagraph for the fiscal year. The term, used with respect to fiscal year 2014, means the percentage of the amount allotted to States under section 132(b)(1)(B) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act) that is received under such section by the State involved for fiscal year 2014.

(III) AREA OF SUBSTANTIAL UNEMPLOYMENT.—The term "area of substantial unemployment" means any area that is of sufficient size and scope to sustain a program of workforce investment activities carried out under this subtitle and that has an average rate of unemployment of at least 6.5 percent for the most recent 12 months, as determined by the Secretary. For purposes of this subclause, determinations of areas of substantial unemployment shall be made once each fiscal year.

(IV) DISADVANTAGED ADULT.—Subject to subclause (V), the term "disadvantaged adult" means an adult who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

(aa) the poverty line; or

(bb) 70 percent of the lower living standard income level.

(V) DISADVANTAGED ADULT SPECIAL RULE.—The Secretary shall, as appropriate and to the extent practicable, exclude college students and members of the Armed Forces from the determination of the number of disadvantaged adults.

(VI) EXCESS NUMBER.—The term "excess number" means, used with respect to the excess number of unemployed individuals within a State, the higher of—

(aa) the number that represents the number of unemployed individuals in excess

of 4.5 percent of the civilian labor force in the State; or

(bb) the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in areas of substantial unemployment in such State.

(VII) LOW-INCOME LEVEL.—The term "low-income level" means $7,000 with respect to income in 1969, and for any later year means that amount that bears the same relationship to $7,000 as the Consumer Price Index for that year bears to the Consumer Price Index for 1969, rounded to the nearest $1,000.

(2) DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES.—

(A) RESERVATION FOR OUTLYING AREAS.—

(i) IN GENERAL.—From the amount made available under subsection (a)(2)(A) for a fiscal year, the Secretary shall reserve not more than ¼ of 1 percent of the amount appropriated under section 136(c) for the fiscal year to provide assistance to the outlying areas.

(ii) APPLICABILITY OF ADDITIONAL REQUIREMENTS.—From the amount reserved under clause (i), the Secretary shall provide assistance to the outlying areas for dislocated worker employment and training activities and statewide workforce investment activities in accordance with the requirements of section 127(b)(1)(B).

(B) STATES.—

(i) IN GENERAL.—The Secretary shall allot the amount referred to in subsection (a)(2)(B) for a fiscal year to the States pursuant to clause (ii) for dislocated worker employment and training activities and statewide workforce investment activities.

(ii) FORMULA.—Subject to clause (iii), of the amount—

(I) 33⅓ percent shall be allotted on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States;

(II) 33⅓ percent shall be allotted on the basis of the relative excess number of unemployed individuals in each State, compared to the total excess number of unemployed individuals in all States; and

(III) 33⅓ percent shall be allotted on the basis of the relative number of individuals in each State who have been unemployed for 15 weeks or more, compared to the total number of individuals in all States who have been unemployed for 15 weeks or more.

(iii) MINIMUM AND MAXIMUM PERCENTAGES AND MINIMUM ALLOTMENTS.—In making allotments under

this subparagraph, for fiscal year 2016 and each subsequent fiscal year, the Secretary shall ensure the following:

(I) MINIMUM PERCENTAGE AND ALLOTMENT.—The Secretary shall ensure that no State shall receive an allotment for a fiscal year that is an amount based on 90 percent of the allotment percentage of the State for the preceding fiscal year.

(II) MAXIMUM PERCENTAGE.—Subject to subclause (I), the Secretary shall ensure that no State shall receive an allotment percentage for a fiscal year that is more than 130 percent of the allotment percentage of the State for the preceding fiscal year.

(iv) DEFINITIONS.—For the purpose of the formula specified in this subparagraph:

(I) ALLOTMENT PERCENTAGE.—The term "allotment percentage", used with respect to fiscal year 2015 or a subsequent fiscal year, means a percentage of the amount described in clause (i) that is received through an allotment made under this subparagraph for the fiscal year.

(II) EXCESS NUMBER.—The term "excess number" means, used with respect to the excess number of unemployed individuals within a State, the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in the State.

(c) REALLOTMENT.—

(1) IN GENERAL.—The Secretary shall, in accordance with this subsection, reallot to eligible States amounts that are made available to States from allotments made under this section or a corresponding provision of the Workforce Investment Act of 1998 for employment and training activities and statewide workforce investment activities (referred to individually in this subsection as a "State allotment") and that are available for reallotment.

(2) AMOUNT.—The amount available for reallotment for a program year for programs funded under subsection (b)(1)(B) (relating to adult employment and training) or for programs funded under subsection (b)(2)(B) (relating to dislocated worker employment and training) is equal to the amount by which the unobligated balance of the State allotments for adult employment and training activities or dislocated worker employment and training activities, respectively, at the end of the program year prior to the program year for which the determination under this paragraph is made, exceeds 20 percent of such allotments for the prior program year.

(3) REALLOTMENT.—In making reallotments to eligible States of amounts available pursuant to paragraph (2) for a program year, the Secretary shall allot to each eligible State an amount based on the relative amount of the State allotment under paragraph (1)(B) or (2)(B), respectively, of subsection (b) for the program year for which the determination is made, as compared to the total amount of the State allotments under

paragraph (1)(B) or (2)(B), respectively, of subsection (b) for all eligible States for such program year.

(4) ELIGIBILITY.—For purposes of this subsection, an eligible State means—

(A) with respect to funds allotted through a State allotment for adult employment and training activities, a State that does not have an amount of such funds available for reallotment under paragraph (2) for the program year for which the determination under paragraph (2) is made; and

(B) with respect to funds allotted through a State allotment for dislocated worker employment and training activities, a State that does not have an amount of such funds available for reallotment under paragraph (2) for the program year for which the determination under paragraph (2) is made.

(5) PROCEDURES.—The Governor shall prescribe uniform procedures for the obligation of funds by local areas within the State in order to avoid the requirement that funds be made available for reallotment under this subsection. The Governor shall further prescribe equitable procedures for making funds available from the State and local areas in the event that a State is required to make funds available for reallotment under this subsection.

29 USC 3173.

SEC. 133. WITHIN STATE ALLOCATIONS.

(a) RESERVATIONS FOR STATE ACTIVITIES.—

(1) STATEWIDE WORKFORCE INVESTMENT ACTIVITIES.—The Governor shall make the reservation required under section 128(a).

(2) STATEWIDE RAPID RESPONSE ACTIVITIES.—The Governor shall reserve not more than 25 percent of the total amount allotted to the State under section 132(b)(2)(B) for a fiscal year for statewide rapid response activities described in section 134(a)(2)(A).

(b) WITHIN STATE ALLOCATION.—

Consultation.

(1) METHODS.—The Governor, acting in accordance with the State plan, and after consulting with chief elected officials and local boards in the local areas, shall allocate—

(A) the funds that are allotted to the State for adult employment and training activities and statewide workforce investment activities under section 132(b)(1)(B) and are not reserved under subsection (a)(1), in accordance with paragraph (2) or (3); and

(B) the funds that are allotted to the State for dislocated worker employment and training activities and statewide workforce investment activities under section 132(b)(2)(B) and are not reserved under paragraph (1) or (2) of subsection (a), in accordance with paragraph (2).

(2) FORMULA ALLOCATIONS.—

(A) ADULT EMPLOYMENT AND TRAINING ACTIVITIES.—

(i) ALLOCATION.—In allocating the funds described in paragraph (1)(A) to local areas, a State may allocate—

(I) 33⅓ percent of the funds on the basis described in section 132(b)(1)(B)(ii)(I);

(II) 33⅓ percent of the funds on the basis described in section 132(b)(1)(B)(ii)(II); and

(III) 33⅓ percent of the funds on the basis described in clauses (ii)(III) and (iii) of section 132(b)(1)(B).

(ii) MINIMUM PERCENTAGE.—The local area shall not receive an allocation percentage for a fiscal year that is less than 90 percent of the average allocation percentage of the local area for the 2 preceding fiscal years. Amounts necessary for increasing such allocations to local areas to comply with the preceding sentence shall be obtained by ratably reducing the allocations to be made to other local areas under this subparagraph.

(iii) DEFINITION.—In this subparagraph, the term "allocation percentage", used with respect to fiscal year 2015 or a subsequent fiscal year, means a percentage of the funds referred to in clause (i), received through an allocation made under this subparagraph, for the fiscal year. The term, used with respect to fiscal year 2013 or 2014, means a percentage of the amount allocated to local areas under paragraphs (2)(A) and (3) of section 133(b) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act), received through an allocation made under paragraph (2)(A) or (3) of that section for fiscal year 2013 or 2014, respectively.

(B) DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES.—

(i) ALLOCATION.—In allocating the funds described in paragraph (1)(B) to local areas, a State shall allocate the funds based on an allocation formula prescribed by the Governor of the State. Such formula may be amended by the Governor not more than once for each program year. Such formula shall utilize the most appropriate information available to the Governor to distribute amounts to address the State's worker readjustment assistance needs.

(ii) INFORMATION.—The information described in clause (i) shall include insured unemployment data, unemployment concentrations, plant closing and mass layoff data, declining industries data, farmer-rancher economic hardship data, and long-term unemployment data.

(iii) MINIMUM PERCENTAGE.—The local area shall not receive an allocation percentage for fiscal year 2016 or a subsequent fiscal year that is less than 90 percent of the average allocation percentage of the local area for the 2 preceding fiscal years. Amounts necessary for increasing such allocations to local areas to comply with the preceding sentence shall be obtained by ratably reducing the allocations to be made to other local areas under this subparagraph.

(iv) DEFINITION.—In this subparagraph, the term "allocation percentage", used with respect to fiscal year 2015 or a subsequent fiscal year, means a percentage of the funds referred to in clause (i), received through

an allocation made under this subparagraph for the fiscal year. The term, used with respect to fiscal year 2014, means a percentage of the amount allocated to local areas under section 133(b)(2)(B) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of this Act), received through an allocation made under that section for fiscal year 2014.

(C) APPLICATION.—For purposes of carrying out subparagraph (A)—

(i) references in section 132(b) to a State shall be deemed to be references to a local area;

(ii) references in section 132(b) to all States shall be deemed to be references to all local areas in the State involved; and

(iii) except as described in clause (i), references in section 132(b)(1) to the term "excess number" shall be considered to be references to the term as defined in section 132(b)(1).

(3) ADULT EMPLOYMENT AND TRAINING DISCRETIONARY ALLOCATIONS.—In lieu of making the allocation described in paragraph (2)(A), in allocating the funds described in paragraph (1)(A) to local areas, a State may distribute—

(A) a portion equal to not less than 70 percent of the funds in accordance with paragraph (2)(A); and

(B) the remaining portion of the funds on the basis of a formula that—

(i) incorporates additional factors (other than the factors described in paragraph (2)(A)) relating to—

(I) excess poverty in urban, rural, and suburban local areas; and

(II) excess unemployment above the State average in urban, rural, and suburban local areas; and

(ii) was developed by the State board and approved by the Secretary as part of the State plan.

(4) TRANSFER AUTHORITY.—A local board may transfer, if such a transfer is approved by the Governor, up to and including 100 percent of the funds allocated to the local area under paragraph (2)(A) or (3), and up to and including 100 percent of the funds allocated to the local area under paragraph (2)(B), for a fiscal year between—

(A) adult employment and training activities; and

(B) dislocated worker employment and training activities.

(5) ALLOCATION.—

(A) IN GENERAL.—The Governor shall allocate the funds described in paragraph (1) to local areas under paragraphs (2) and (3) for the purpose of providing a single system of employment and training activities for adults and dislocated workers in accordance with subsections (c) and (d) of section 134.

(B) ADDITIONAL REQUIREMENTS.—

(i) ADULTS.—Funds allocated under paragraph (2)(A) or (3) shall be used by a local area to contribute to the costs of the one-stop delivery system described in section 121(e) as determined under section 121(h)

and to pay for employment and training activities provided to adults in the local area, consistent with section 134.

(ii) DISLOCATED WORKERS.—Funds allocated under paragraph (2)(B) shall be used by a local area to contribute to the costs of the one-stop delivery system described in section 121(e) as determined under section 121(h) and to pay for employment and training activities provided to dislocated workers in the local area, consistent with section 134.

(c) REALLOCATION AMONG LOCAL AREAS.—

Consultation.

(1) IN GENERAL.—The Governor may, in accordance with this subsection and after consultation with the State board, reallocate to eligible local areas within the State amounts that are made available to local areas from allocations made under paragraph (2)(A) or (3) of subsection (b) or a corresponding provision of the Workforce Investment Act of 1998 for adult employment and training activities, or under subsection (b)(2)(B) or a corresponding provision of the Workforce Investment Act of 1998 for dislocated worker employment and training activities (referred to individually in this subsection as a "local allocation") and that are available for reallocation.

(2) AMOUNT.—The amount available for reallocation for a program year—

(A) for adult employment and training activities is equal to the amount by which the unobligated balance of the local allocation under paragraph (2)(A) or (3) of subsection (b) for such activities, at the end of the program year prior to the program year for which the determination under this subparagraph is made, exceeds 20 percent of such allocation for the prior program year; and

(B) for dislocated worker employment and training activities is equal to the amount by which the unobligated balance of the local allocation under subsection (b)(2)(B) for such activities, at the end of the program year prior to the program year for which the determination under this subparagraph is made, exceeds 20 percent of such allocation for the prior program year.

(3) REALLOCATION.—In making reallocations to eligible local areas of amounts available pursuant to paragraph (2) for a program year, the Governor shall allocate to each eligible local area within the State—

(A) with respect to such available amounts that were allocated under paragraph (2)(A) or (3) of subsection (b), an amount based on the relative amount of the local allocation under paragraph (2)(A) or (3) of subsection (b), as appropriate, for the program year for which the determination is made, as compared to the total amount of the local allocations under paragraph (2)(A) or (3) of subsection (b), as appropriate, for all eligible local areas in the State for such program year; and

(B) with respect to such available amounts that were allocated under subsection (b)(2)(B), an amount based on the relative amount of the local allocation under subsection (b)(2)(B) for the program year for which the determination is made, as compared to the total amount of the local

allocations under subsection (b)(2)(B) for all eligible local areas in the State for such program year.

(4) ELIGIBILITY.—For purposes of this subsection, an eligible local area means—

(A) with respect to funds allocated through a local allocation for adult employment and training activities, a local area that does not have an amount of such funds available for reallocation under paragraph (2) for the program year for which the determination under paragraph (2) is made; and

(B) with respect to funds allocated through a local allocation for dislocated worker employment and training activities, a local area that does not have an amount of such funds available for reallocation under paragraph (2) for the program year for which the determination under paragraph (2) is made.

29 USC 3174.

SEC. 134. USE OF FUNDS FOR EMPLOYMENT AND TRAINING ACTIVITIES.

(a) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) IN GENERAL.—Funds reserved by a Governor—

(A) as described in section 133(a)(2) shall be used to carry out the statewide rapid response activities described in paragraph (2)(A); and

(B) as described in sections 128(a) and 133(a)(1)—

(i) shall be used to carry out the statewide employment and training activities described in paragraph (2)(B); and

(ii) may be used to carry out any of the statewide employment and training activities described in paragraph (3),

regardless of whether the funds were allotted to the State under section 127(b)(1) or under paragraph (1) or (2) of section 132(b).

(2) REQUIRED STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

(A) STATEWIDE RAPID RESPONSE ACTIVITIES.—

(i) IN GENERAL.—A State shall carry out statewide rapid response activities using funds reserved by the Governor for the State under section 133(a)(2), which activities shall include—

(I) provision of rapid response activities, carried out in local areas by the State or by an entity designated by the State, working in conjunction with the local boards and the chief elected officials for the local areas; and

(II) provision of additional assistance to local areas that experience disasters, mass layoffs, or plant closings, or other events that precipitate substantial increases in the number of unemployed individuals, carried out in local areas by the State, working in conjunction with the local boards and the chief elected officials for the local areas.

(ii) USE OF UNOBLIGATED FUNDS.—Funds reserved by a Governor under section 133(a)(2), and section 133(a)(2) of the Workforce Investment Act of 1998 (as in effect on the day before the date of enactment of

this Act), to carry out this subparagraph that remain unobligated after the first program year for which such funds were allotted may be used by the Governor to carry out statewide activities authorized under subparagraph (B) or paragraph (3)(A), in addition to activities under this subparagraph.

(B) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—Funds reserved by a Governor under sections 128(a)(1) and 133(a)(1) and not used under paragraph (1)(A) (regardless of whether the funds were allotted to the States under section 127(b)(1)(C) or paragraph (1)(B) or (2)(B) of section 132(b)) shall be used for statewide employment and training activities, including—

(i) providing assistance to—

(I) State entities and agencies, local areas, and one-stop partners in carrying out the activities described in the State plan, including the coordination and alignment of data systems used to carry out the requirements of this Act;

(II) local areas for carrying out the regional planning and service delivery efforts required under section 106(c);

(III) local areas by providing information on and support for the effective development, convening, and implementation of industry or sector partnerships; and

(IV) local areas, one-stop operators, one-stop partners, and eligible providers, including the development and training of staff, which may include the development and training of staff to provide opportunities for individuals with barriers to employment to enter in-demand industry sectors or occupations and nontraditional occupations, the development of exemplary program activities, and the provision of technical assistance to local areas that fail to meet local performance accountability measures described in section 116(c);

(ii) providing assistance to local areas as described in section 106(b)(6);

(iii) operating a fiscal and management accountability information system in accordance with section 116(i);

(iv) carrying out monitoring and oversight of activities carried out under this chapter and chapter 2;

(v) disseminating—

(I) the State list of eligible providers of training services, including eligible providers of nontraditional training services and eligible providers of apprenticeship programs described in section 122(a)(2)(B); List.

(II) information identifying eligible providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, or transitional jobs;

(III) information on effective outreach to, partnerships with, and services for, business;

(IV) information on effective service delivery strategies to serve workers and job seekers;

(V) performance information and information on the cost of attendance (including tuition and fees) for participants in applicable programs, as described in subsections (d) and (h) of section 122; and

(VI) information on physical and programmatic accessibility, in accordance with section 188, if applicable, and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), for individuals with disabilities; and

Evaluations.

(vi) conducting evaluations under section 116(e) of activities authorized under this chapter and chapter 2 in coordination with evaluations carried out by the Secretary under section 169(a).

(3) ALLOWABLE STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

(A) IN GENERAL.—Funds reserved by a Governor under sections 128(a)(1) and 133(a)(1) and not used under paragraph (1)(A) or (2)(B) (regardless of whether the funds were allotted to the State under section 127(b)(1)(C) or paragraph (1)(B) or (2)(B) of section 132(b)) may be used to carry out additional statewide employment and training activities, which may include—

(i) implementing innovative programs and strategies designed to meet the needs of all employers (including small employers) in the State, which programs and strategies may include incumbent worker training programs, customized training, sectoral and industry cluster strategies and implementation of industry or sector partnerships, career pathway programs, microenterprise and entrepreneurial training and support programs, utilization of effective business intermediaries, layoff aversion strategies, activities to improve linkages between the one-stop delivery system in the State and all employers (including small employers) in the State, and other business services and strategies that better engage employers in workforce investment activities and make the workforce development system more relevant to the needs of State and local businesses, consistent with the objectives of this title;

(ii) developing strategies for effectively serving individuals with barriers to employment and for coordinating programs and services among one-stop partners;

(iii) the development or identification of education and training programs that respond to real-time labor market analysis, that utilize direct assessment and prior learning assessment to measure and provide credit for prior knowledge, skills, competencies, and experiences, that evaluate such skills and competencies for adaptability, that ensure credits are portable and stackable for more skilled employment, and that accelerate course or credential completion;

(iv) implementing programs to increase the number of individuals training for and placed in non-traditional employment;

(v) carrying out activities to facilitate remote access to services, including training services described in subsection (c)(3), provided through a one-stop delivery system, including facilitating access through the use of technology;

(vi) supporting the provision of career services described in subsection (c)(2) in the one-stop delivery systems in the State;

(vii) coordinating activities with the child welfare system to facilitate provision of services for children and youth who are eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677);

(viii) activities—

(I) to improve coordination of workforce investment activities with economic development activities;

(II) to improve coordination of employment and training activities with—

(aa) child support services, and assistance provided by State and local agencies carrying out part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.);

(bb) cooperative extension programs carried out by the Department of Agriculture;

(cc) programs carried out in local areas for individuals with disabilities, including programs carried out by State agencies relating to intellectual disabilities and developmental disabilities, activities carried out by Statewide Independent Living Councils established under section 705 of the Rehabilitation Act of 1973 (29 U.S.C. 796d), programs funded under part B of chapter 1 of title VII of such Act (29 U.S.C. 796e et seq.), and activities carried out by centers for independent living, as defined in section 702 of such Act (29 U.S.C. 796a);

(dd) adult education and literacy activities, including those provided by public libraries;

(ee) activities in the corrections system that assist ex-offenders in reentering the workforce; and

(ff) financial literacy activities including those described in section 129(b)(2)(D); and

(III) consisting of development and dissemination of workforce and labor market information;

(ix) conducting research and demonstration projects related to meeting the employment and education needs of adult and dislocated workers;

(x) implementing promising services for workers and businesses, which may include providing support for education, training, skill upgrading, and statewide networking for employees to become workplace

learning advisors and maintain proficiency in carrying out the activities associated with such advising;

(xi) providing incentive grants to local areas for performance by the local areas on local performance accountability measures described in section 116(c);

(xii) adopting, calculating, or commissioning for approval an economic self-sufficiency standard for the State that specifies the income needs of families, by family size, the number and ages of children in the family, and substate geographical considerations;

(xiii) developing and disseminating common intake procedures and related items, including registration processes, materials, or software; and

(xiv) providing technical assistance to local areas that are implementing pay-for-performance contract strategies, which technical assistance may include providing assistance with data collection, meeting data entry requirements, identifying levels of performance, and conducting evaluations of such strategies.

(B) LIMITATION.—

(i) IN GENERAL.—Of the funds allotted to a State under sections 127(b) and 132(b) and reserved as described in sections 128(a) and 133(a)(1) for a fiscal year—

(I) not more than 5 percent of the amount allotted under section 127(b)(1);

(II) not more than 5 percent of the amount allotted under section 132(b)(1); and

(III) not more than 5 percent of the amount allotted under section 132(b)(2),

may be used by the State for the administration of statewide youth workforce investment activities carried out under section 129 and statewide employment and training activities carried out under this section.

(ii) USE OF FUNDS.—Funds made available for administrative costs under clause (i) may be used for the administrative cost of any of the statewide youth workforce investment activities or statewide employment and training activities, regardless of whether the funds were allotted to the State under section 127(b)(1) or paragraph (1) or (2) of section 132(b).

(b) LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to a local area for dislocated workers under section 133(b)(2)(B)—

(1) shall be used to carry out employment and training activities described in subsection (c) for adults or dislocated workers, respectively; and

(2) may be used to carry out employment and training activities described in subsection (d) for adults or dislocated workers, respectively.

(c) REQUIRED LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) IN GENERAL.—

(A) ALLOCATED FUNDS.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area

for dislocated workers under section 133(b)(2)(B), shall be used—

(i) to establish a one-stop delivery system described in section 121(e);

(ii) to provide the career services described in paragraph (2) to adults and dislocated workers, respectively, through the one-stop delivery system in accordance with such paragraph;

(iii) to provide training services described in paragraph (3) to adults and dislocated workers, respectively, described in such paragraph;

(iv) to establish and develop relationships and networks with large and small employers and their intermediaries; and

(v) to develop, convene, or implement industry or sector partnerships.

(B) OTHER FUNDS.—Consistent with subsections (h) and (i) of section 121, a portion of the funds made available under Federal law authorizing the programs and activities described in section 121(b)(1)(B), including the Wagner-Peyser Act (29 U.S.C. 49 et seq.), shall be used as described in clauses (i) and (ii) of subparagraph (A), to the extent not inconsistent with the Federal law involved.

(2) CAREER SERVICES.—

(A) SERVICES PROVIDED.—Funds described in paragraph (1) shall be used to provide career services, which shall be available to individuals who are adults or dislocated workers through the one-stop delivery system and shall, at a minimum, include—

(i) determinations of whether the individuals are eligible to receive assistance under this subtitle; Determinations.

(ii) outreach, intake (which may include worker profiling), and orientation to the information and other services available through the one-stop delivery system;

(iii) initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs; Assessment.

(iv) labor exchange services, including—

(I) job search and placement assistance and, in appropriate cases, career counseling, including—

(aa) provision of information on in-demand industry sectors and occupations; and

(bb) provision of information on nontraditional employment; and

(II) appropriate recruitment and other business services on behalf of employers, including small employers, in the local area, which services may include services described in this subsection, such as providing information and referral to specialized business services not traditionally offered through the one-stop delivery system;

(v) provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery

system and, in appropriate cases, other workforce development programs;

(vi) provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including—

(I) job vacancy listings in such labor market areas;

(II) information on job skills necessary to obtain the jobs described in subclause (I); and

(III) information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for such occupations; and

(vii) provision of performance information and program cost information on eligible providers of training services as described in section 122, provided by program, and eligible providers of youth workforce investment activities described in section 123, providers of adult education described in title II, providers of career and technical education activities at the postsecondary level, and career and technical education activities available to school dropouts, under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), and providers of vocational rehabilitation services described in title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);

(viii) provision of information, in formats that are usable by and understandable to one-stop center customers, regarding how the local area is performing on the local performance accountability measures described in section 116(c) and any additional performance information with respect to the one-stop delivery system in the local area;

(ix)(I) provision of information, in formats that are usable by and understandable to one-stop center customers, relating to the availability of supportive services or assistance, including child care, child support, medical or child health assistance under title XIX or XXI of the Social Security Act (42 U.S.C. 1396 et seq. and 1397aa et seq.), benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), assistance through the earned income tax credit under section 32 of the Internal Revenue Code of 1986, and assistance under a State program for temporary assistance for needy families funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other supportive services and transportation provided through funds made available under such part, available in the local area; and

(II) referral to the services or assistance described in subclause (I), as appropriate;

Claims.

(x) provision of information and assistance regarding filing claims for unemployment compensation;

(xi) assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act;

(xii) services, if determined to be appropriate in order for an individual to obtain or retain employment, that consist of—

(I) comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include—

(aa) diagnostic testing and use of other assessment tools; and

(bb) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;

(II) development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals, including providing information on eligible providers of training services pursuant to paragraph (3)(F)(ii), and career pathways to attain career objectives;

(III) group counseling;

(IV) individual counseling;

(V) career planning;

(VI) short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training;

(VII) internships and work experiences that are linked to careers;

(VIII) workforce preparation activities;

(IX) financial literacy services, such as the activities described in section 129(b)(2)(D);

(X) out-of-area job search assistance and relocation assistance; or

(XI) English language acquisition and integrated education and training programs; and

(xiii) followup services, including counseling regarding the workplace, for participants in workforce investment activities authorized under this subtitle who are placed in unsubsidized employment, for not less than 12 months after the first day of the employment, as appropriate. Time period.

(B) USE OF PREVIOUS ASSESSMENTS.—A one-stop operator or one-stop partner shall not be required to conduct a new interview, evaluation, or assessment of a participant under subparagraph (A)(xii) if the one-stop operator or one-stop partner determines that it is appropriate to use a recent interview, evaluation, or assessment of the participant conducted pursuant to another education or training program.

(C) DELIVERY OF SERVICES.—The career services described in subparagraph (A) shall be provided through the one-stop delivery system—

(i) directly through one-stop operators identified pursuant to section 121(d); or

Contracts.

(ii) through contracts with service providers, which may include contracts with public, private for-profit, and private nonprofit service providers, approved by the local board.

(3) TRAINING SERVICES.—

(A) IN GENERAL.—

(i) ELIGIBILITY.—Except as provided in clause (ii), funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), shall be used to provide training services to adults and dislocated workers, respectively—

(I) who, after an interview, evaluation, or assessment, and career planning, have been determined by a one-stop operator or one-stop partner, as appropriate, to—

(aa) be unlikely or unable to obtain or retain employment, that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment, through the career services described in paragraph (2)(A)(xii);

(bb) be in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and

(cc) have the skills and qualifications to successfully participate in the selected program of training services;

(II) who select programs of training services that are directly linked to the employment opportunities in the local area or the planning region, or in another area to which the adults or dislocated workers are willing to commute or relocate;

(III) who meet the requirements of subparagraph (B); and

(IV) who are determined to be eligible in accordance with the priority system in effect under subparagraph (E).

(ii) USE OF PREVIOUS ASSESSMENTS.—A one-stop operator or one-stop partner shall not be required to conduct a new interview, evaluation, or assessment of a participant under clause (i) if the one-stop operator or one-stop partner determines that it is appropriate to use a recent interview, evaluation, or assessment of the participant conducted pursuant to another education or training program.

(iii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to mean an individual is required to receive career services prior to receiving training services.

(B) QUALIFICATION.—

(i) REQUIREMENT.—Notwithstanding section 479B of the Higher Education Act of 1965 (20 U.S.C. 1087uu) and except as provided in clause (ii), provision of such training services shall be limited to individuals who—

(I) are unable to obtain other grant assistance for such services, including Federal Pell Grants established under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.); or

(II) require assistance beyond the assistance made available under other grant assistance programs, including Federal Pell Grants.

(ii) REIMBURSEMENTS.—Training services may be provided under this paragraph to an individual who otherwise meets the requirements of this paragraph while an application for a Federal Pell Grant is pending, except that if such individual is subsequently awarded a Federal Pell Grant, appropriate reimbursement shall be made to the local area from such Federal Pell Grant.

(iii) CONSIDERATION.—In determining whether an individual requires assistance under clause (i)(II), a one-stop operator (or one-stop partner, where appropriate) may take into consideration the full cost of participating in training services, including the costs of dependent care and transportation, and other appropriate costs.

(C) PROVIDER QUALIFICATION.—Training services shall be provided through providers identified in accordance with section 122.

(D) TRAINING SERVICES.—Training services may include—

(i) occupational skills training, including training for nontraditional employment;

(ii) on-the-job training;

(iii) incumbent worker training in accordance with subsection (d)(4);

(iv) programs that combine workplace training with related instruction, which may include cooperative education programs;

(v) training programs operated by the private sector;

(vi) skill upgrading and retraining;

(vii) entrepreneurial training;

(viii) transitional jobs in accordance with subsection (d)(5);

(ix) job readiness training provided in combination with services described in any of clauses (i) through (viii);

(x) adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services described in any of clauses (i) through (vii); and

(xi) customized training conducted with a commitment by an employer or group of employers to employ

an individual upon successful completion of the training.

(E) PRIORITY.—With respect to funds allocated to a local area for adult employment and training activities under paragraph (2)(A) or (3) of section 133(b), priority shall be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient for receipt of career services described in paragraph (2)(A)(xii) and training services. The appropriate local board and the Governor shall direct the one-stop operators in the local area with regard to making determinations related to such priority.

(F) CONSUMER CHOICE REQUIREMENTS.—

(i) IN GENERAL.—Training services provided under this paragraph shall be provided in a manner that maximizes consumer choice in the selection of an eligible provider of such services.

(ii) ELIGIBLE PROVIDERS.—Each local board, through one-stop centers, shall make available the list of eligible providers of training services described in section 122(d), and accompanying information, in accordance with section 122(d).

(iii) INDIVIDUAL TRAINING ACCOUNTS.—An individual who seeks training services and who is eligible pursuant to subparagraph (A), may, in consultation with a career planner, select an eligible provider of training services from the list of providers described in clause (ii). Upon such selection, the one-stop operator involved shall, to the extent practicable, refer such individual to the eligible provider of training services, and arrange for payment for such services through an individual training account.

(iv) COORDINATION.—Each local board may, through one-stop centers, coordinate funding for individual training accounts with funding from other Federal, State, local, or private job training programs or sources to assist the individual in obtaining training services.

(v) ADDITIONAL INFORMATION.—Priority consideration shall, consistent with clause (i), be given to programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area involved.

(G) USE OF INDIVIDUAL TRAINING ACCOUNTS.—

(i) IN GENERAL.—Except as provided in clause (ii), training services provided under this paragraph shall be provided through the use of individual training accounts in accordance with this paragraph, and shall be provided to eligible individuals through the one-stop delivery system.

Determinations.

(ii) TRAINING CONTRACTS.—Training services authorized under this paragraph may be provided pursuant to a contract for services in lieu of an individual training account if—

(I) the requirements of subparagraph (F) are met;

(II) such services are on-the-job training, customized training, incumbent worker training, or transitional employment;

(III) the local board determines there are an insufficient number of eligible providers of training services in the local area involved (such as in a rural area) to accomplish the purposes of a system of individual training accounts;

(IV) the local board determines that there is a training services program of demonstrated effectiveness offered in the local area by a community-based organization or another private organization to serve individuals with barriers to employment;

(V) the local board determines that—

(aa) it would be most appropriate to award a contract to an institution of higher education or other eligible provider of training services in order to facilitate the training of multiple individuals in in-demand industry sectors or occupations; and

(bb) such contract does not limit customer choice; or

(VI) the contract is a pay-for-performance contract.

(iii) LINKAGE TO OCCUPATIONS IN DEMAND.—Training services provided under this paragraph shall be directly linked to an in-demand industry sector or occupation in the local area or the planning region, or in another area to which an adult or dislocated worker receiving such services is willing to relocate, except that a local board may approve training services for occupations determined by the local board to be in sectors of the economy that have a high potential for sustained demand or growth in the local area.

(iv) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude the combined use of individual training accounts and contracts in the provision of training services, including arrangements that allow individuals receiving individual training accounts to obtain training services that are contracted for under clause (ii). Contracts.

(H) REIMBURSEMENT FOR ON-THE-JOB TRAINING.—

(i) REIMBURSEMENT LEVEL.—For purposes of the provision of on-the-job training under this paragraph, the Governor or local board involved may increase the amount of the reimbursement described in section 3(44) to an amount of up to 75 percent of the wage rate of a participant for a program carried out under chapter 2 or this chapter, if, respectively—

(I) the Governor approves the increase with respect to a program carried out with funds reserved by the State under that chapter, taking into account the factors described in clause (ii); or

(II) the local board approves the increase with respect to a program carried out with funds allocated to a local area under such chapter, taking into account those factors.

(ii) FACTORS.—For purposes of clause (i), the Governor or local board, respectively, shall take into account factors consisting of—

(I) the characteristics of the participants;

(II) the size of the employer;

(III) the quality of employer-provided training and advancement opportunities; and

(IV) such other factors as the Governor or local board, respectively, may determine to be appropriate, which may include the number of employees participating in the training, wage and benefit levels of those employees (at present and anticipated upon completion of the training), and relation of the training to the competitiveness of a participant.

(d) PERMISSIBLE LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) IN GENERAL.—

(A) ACTIVITIES.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), may be used to provide, through the one-stop delivery system involved (and through collaboration with the local board, for the purpose of the activities described in clauses (vii) and (ix))—

(i) customized screening and referral of qualified participants in training services described in subsection (c)(3) to employers;

(ii) customized employment-related services to employers, employer associations, or other such organizations on a fee-for-service basis;

(iii) implementation of a pay-for-performance contract strategy for training services, for which the local board may reserve and use not more than 10 percent of the total funds allocated to the local area under paragraph (2) or (3) of section 133(b);

(iv) customer support to enable individuals with barriers to employment (including individuals with disabilities) and veterans, to navigate among multiple services and activities for such populations;

(v) technical assistance for one-stop operators, one-stop partners, and eligible providers of training services, regarding the provision of services to individuals with disabilities in local areas, including the development and training of staff, the provision of outreach, intake, assessments, and service delivery, the coordination of services across providers and programs, and the development of performance accountability measures;

(vi) employment and training activities provided in coordination with—

(I) child support enforcement activities of the State and local agencies carrying out part D of

title IV of the Social Security Act (42 U.S.C. 651 et seq.);

(II) child support services, and assistance, provided by State and local agencies carrying out part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.);

(III) cooperative extension programs carried out by the Department of Agriculture; and

(IV) activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology;

(vii) activities—

(I) to improve coordination between workforce investment activities and economic development activities carried out within the local area involved, and to promote entrepreneurial skills training and microenterprise services;

(II) to improve services and linkages between the local workforce investment system (including the local one-stop delivery system) and employers, including small employers, in the local area, through services described in this section; and

(III) to strengthen linkages between the one-stop delivery system and unemployment insurance programs;

(viii) training programs for displaced homemakers and for individuals training for nontraditional occupations, in conjunction with programs operated in the local area;

(ix) activities to provide business services and strategies that meet the workforce investment needs of area employers, as determined by the local board, consistent with the local plan under section 108, which services—

(I) may be provided through effective business intermediaries working in conjunction with the local board, and may also be provided on a fee-for-service basis or through the leveraging of economic development, philanthropic, and other public and private resources in a manner determined appropriate by the local board; and

(II) may include—

(aa) developing and implementing industry sector strategies (including strategies involving industry partnerships, regional skills alliances, industry skill panels, and sectoral skills partnerships);

(bb) developing and delivering innovative workforce investment services and strategies for area employers, which may include career pathways, skills upgrading, skill standard development and certification for recognized postsecondary credential or other employer use, apprenticeship, and other effective initiatives for meeting the workforce investment needs of area employers and workers;

(cc) assistance to area employers in managing reductions in force in coordination with rapid response activities provided under subsection (a)(2)(A) and with strategies for the aversion of layoffs, which strategies may include early identification of firms at risk of layoffs, use of feasibility studies to assess the needs of and options for at-risk firms, and the delivery of employment and training activities to address risk factors; and

(dd) the marketing of business services offered under this title, to appropriate area employers, including small and mid-sized employers;

(x) activities to adjust the economic self-sufficiency standards referred to in subsection (a)(3)(A)(xii) for local factors, or activities to adopt, calculate, or commission for approval, economic self-sufficiency standards for the local areas that specify the income needs of families, by family size, the number and ages of children in the family, and substate geographical considerations;

(xi) improved coordination between employment and training activities and programs carried out in the local area for individuals with disabilities, including programs carried out by State agencies relating to intellectual disabilities and developmental disabilities, activities carried out by Statewide Independent Living Councils established under section 705 of the Rehabilitation Act of 1973 (29 U.S.C. 796d), programs funded under part B of chapter 1 of title VII of such Act (29 U.S.C. 796e et seq.), and activities carried out by centers for independent living, as defined in section 702 of such Act (29 U.S.C. 796a); and

(xii) implementation of promising services to workers and businesses, which may include support for education, training, skill upgrading, and statewide networking for employees to become workplace learning advisors and maintain proficiency in carrying out the activities associated with such advising.

(B) WORK SUPPORT ACTIVITIES FOR LOW-WAGE WORKERS.—

(i) IN GENERAL.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), may be used to provide, through the one-stop delivery system involved, work support activities designed to assist low-wage workers in retaining and enhancing employment. The one-stop partners of the system shall coordinate the appropriate programs and resources of the partners with the activities and resources provided under this subparagraph.

(ii) ACTIVITIES.—The work support activities described in clause (i) may include the provision of activities described in this section through the one-stop delivery system in a manner that enhances the

opportunities of such workers to participate in the activities, such as the provision of activities described in this section during nontraditional hours and the provision of onsite child care while such activities are being provided.

(2) SUPPORTIVE SERVICES.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), may be used to provide supportive services to adults and dislocated workers, respectively—

(A) who are participating in programs with activities authorized in paragraph (2) or (3) of subsection (c); and

(B) who are unable to obtain such supportive services through other programs providing such services.

(3) NEEDS-RELATED PAYMENTS.—

(A) IN GENERAL.—Funds allocated to a local area for adults under paragraph (2)(A) or (3), as appropriate, of section 133(b), and funds allocated to the local area for dislocated workers under section 133(b)(2)(B), may be used to provide needs-related payments to adults and dislocated workers, respectively, who are unemployed and do not qualify for (or have ceased to qualify for) unemployment compensation for the purpose of enabling such individuals to participate in programs of training services under subsection (c)(3).

(B) ADDITIONAL ELIGIBILITY REQUIREMENTS.—In addition to the requirements contained in subparagraph (A), a dislocated worker who has ceased to qualify for unemployment compensation may be eligible to receive needs-related payments under this paragraph only if such worker was enrolled in the training services— Time periods.

(i) by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility for employment and training activities for dislocated workers under this subtitle; or

(ii) if later, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months.

(C) LEVEL OF PAYMENTS.—The level of a needs-related payment made to a dislocated worker under this paragraph shall not exceed the greater of—

(i) the applicable level of unemployment compensation; or

(ii) if such worker did not qualify for unemployment compensation, an amount equal to the poverty line, for an equivalent period, which amount shall be adjusted to reflect changes in total family income.

(4) INCUMBENT WORKER TRAINING PROGRAMS.—

(A) IN GENERAL.—

(i) STANDARD RESERVATION OF FUNDS.—The local board may reserve and use not more than 20 percent of the funds allocated to the local area involved under section 133(b) to pay for the Federal share of the cost of providing training through a training program for incumbent workers, carried out in accordance with this paragraph.

(ii) DETERMINATION OF ELIGIBILITY.—For the purpose of determining the eligibility of an employer to receive funding under clause (i), the local board shall take into account factors consisting of—

(I) the characteristics of the participants in the program;

(II) the relationship of the training to the competitiveness of a participant and the employer; and

(III) such other factors as the local board may determine to be appropriate, which may include the number of employees participating in the training, the wage and benefit levels of those employees (at present and anticipated upon completion of the training), and the existence of other training and advancement opportunities provided by the employer.

(iii) STATEWIDE IMPACT.—The Governor or State board involved may make recommendations to the local board for providing incumbent worker training that has statewide impact.

(B) TRAINING ACTIVITIES.—The training program for incumbent workers carried out under this paragraph shall be carried out by the local board in conjunction with the employers or groups of employers of such workers (which may include employers in partnership with other entities for the purposes of delivering training) for the purpose of assisting such workers in obtaining the skills necessary to retain employment or avert layoffs.

(C) EMPLOYER PAYMENT OF NON-FEDERAL SHARE.—Employers participating in the program carried out under this paragraph shall be required to pay for the non-Federal share of the cost of providing the training to incumbent workers of the employers.

(D) NON-FEDERAL SHARE.—

(i) FACTORS.—Subject to clause (ii), the local board shall establish the non-Federal share of such cost (taking into consideration such other factors as the number of employees participating in the training, the wage and benefit levels of the employees (at the beginning and anticipated upon completion of the training), the relationship of the training to the competitiveness of the employer and employees, and the availability of other employer-provided training and advancement opportunities.

(ii) LIMITS.—The non-Federal share shall not be less than—

(I) 10 percent of the cost, for employers with not more than 50 employees;

(II) 25 percent of the cost, for employers with more than 50 employees but not more than 100 employees; and

(III) 50 percent of the cost, for employers with more than 100 employees.

(iii) CALCULATION OF EMPLOYER SHARE.—The non-Federal share provided by an employer participating in the program may include the amount of the wages

paid by the employer to a worker while the worker is attending a training program under this paragraph. The employer may provide the share in cash or in kind, fairly evaluated.

(5) TRANSITIONAL JOBS.—The local board may use not more than 10 percent of the funds allocated to the local area involved under section 133(b) to provide transitional jobs under subsection (c)(3) that—

(A) are time-limited work experiences that are subsidized and are in the public, private, or nonprofit sectors for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history;

(B) are combined with comprehensive employment and supportive services; and

(C) are designed to assist the individuals described in subparagraph (A) to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment.

CHAPTER 4—GENERAL WORKFORCE INVESTMENT PROVISIONS

SEC. 136. AUTHORIZATION OF APPROPRIATIONS. 29 USC 3181.

(a) YOUTH WORKFORCE INVESTMENT ACTIVITIES.—There are authorized to be appropriated to carry out the activities described in section 127(a), $820,430,000 for fiscal year 2015, $883,800,000 for fiscal year 2016, $902,139,000 for fiscal year 2017, $922,148,000 for fiscal year 2018, $943,828,000 for fiscal year 2019, and $963,837,000 for fiscal year 2020.

(b) ADULT EMPLOYMENT AND TRAINING ACTIVITIES.—There are authorized to be appropriated to carry out the activities described in section 132(a)(1), $766,080,000 for fiscal year 2015, $825,252,000 for fiscal year 2016, $842,376,000 for fiscal year 2017, $861,060,000 for fiscal year 2018, $881,303,000 for fiscal year 2019, and $899,987,000 for fiscal year 2020.

(c) DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES.—There are authorized to be appropriated to carry out the activities described in section 132(a)(2), $1,222,457,000 for fiscal year 2015, $1,316,880,000 for fiscal year 2016, $1,344,205,000 for fiscal year 2017, $1,374,019,000 for fiscal year 2018, $1,406,322,000 for fiscal year 2019, and $1,436,137,000 for fiscal year 2020.

Subtitle C—Job Corps

SEC. 141. PURPOSES. 29 USC 3191.

The purposes of this subtitle are—

(1) to maintain a national Job Corps program, carried out in partnership with States and communities, to—

(A) assist eligible youth to connect to the labor force by providing them with intensive social, academic, career and technical education, and service-learning opportunities, in primarily residential centers, in order for such youth to obtain secondary school diplomas or recognized postsecondary credentials leading to—

(i) successful careers, in in-demand industry sectors or occupations or the Armed Forces, that will result in economic self-sufficiency and opportunities for advancement; or

(ii) enrollment in postsecondary education, including an apprenticeship program; and

(B) support responsible citizenship;

(2) to set forth standards and procedures for selecting individuals as enrollees in the Job Corps;

(3) to authorize the establishment of Job Corps centers in which enrollees will participate in intensive programs of activities described in this subtitle; and

(4) to prescribe various other powers, duties, and responsibilities incident to the operation and continuing development of the Job Corps.

29 USC 3192.

SEC. 142. DEFINITIONS.

In this subtitle:

(1) APPLICABLE LOCAL BOARD.—The term "applicable local board" means a local board—

(A) that provides information for a Job Corps center on local employment opportunities and the job skills needed to obtain the opportunities; and

(B) that serves communities in which the graduates of the Job Corps center seek employment.

(2) APPLICABLE ONE-STOP CENTER.—The term "applicable one-stop center" means a one-stop center that provides services, such as referral, assessment, recruitment, and placement, to support the purposes of the Job Corps.

(3) ENROLLEE.—The term "enrollee" means an individual who has voluntarily applied for, been selected for, and enrolled in the Job Corps program, and remains with the program, but has not yet become a graduate.

(4) FORMER ENROLLEE.—The term "former enrollee" means an individual who has voluntarily applied for, been selected for, and enrolled in the Job Corps program, but left the program prior to becoming a graduate.

(5) GRADUATE.—The term "graduate" means an individual who has voluntarily applied for, been selected for, and enrolled in the Job Corps program and who, as a result of participation in the Job Corps program, has received a secondary school diploma or recognized equivalent, or completed the requirements of a career and technical education and training program that prepares individuals for employment leading to economic self-sufficiency or entrance into postsecondary education or training.

(6) JOB CORPS.—The term "Job Corps" means the Job Corps described in section 143.

(7) JOB CORPS CENTER.—The term "Job Corps center" means a center described in section 147.

(8) OPERATOR.—The term "operator" means an entity selected under this subtitle to operate a Job Corps center.

(9) REGION.—The term "region" means an area defined by the Secretary.

(10) SERVICE PROVIDER.—The term "service provider" means an entity selected under this subtitle to provide services described in this subtitle to a Job Corps center.

SEC. 143. ESTABLISHMENT. 29 USC 3193.

There shall be within the Department of Labor a "Job Corps".

SEC. 144. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS. 29 USC 3194.

(a) IN GENERAL.—To be eligible to become an enrollee, an individual shall be—

(1) not less than age 16 and not more than age 21 on the date of enrollment, except that—

(A) not more than 20 percent of the individuals enrolled in the Job Corps may be not less than age 22 and not more than age 24 on the date of enrollment; and

(B) either such maximum age limitation may be waived by the Secretary, in accordance with regulations of the Secretary, in the case of an individual with a disability;

(2) a low-income individual; and

(3) an individual who is one or more of the following:

(A) Basic skills deficient.

(B) A school dropout.

(C) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, an individual in foster care, or an individual who was in foster care and has aged out of the foster care system.

(D) A parent.

(E) An individual who requires additional education, career and technical education or training, or workforce preparation skills to be able to obtain and retain employment that leads to economic self-sufficiency.

(b) SPECIAL RULE FOR VETERANS.—Notwithstanding the requirement of subsection (a)(2), a veteran shall be eligible to become an enrollee under subsection (a) if the individual—

(1) meets the requirements of paragraphs (1) and (3) of such subsection; and

(2) does not meet the requirement of subsection (a)(2) because the military income earned by such individual within the 6-month period prior to the individual's application for Job Corps prevents the individual from meeting such requirement. Time period.

SEC. 145. RECRUITMENT, SCREENING, SELECTION, AND ASSIGNMENT OF ENROLLEES. 29 USC 3195.

(a) STANDARDS AND PROCEDURES.—

(1) IN GENERAL.—The Secretary shall prescribe specific standards and procedures for the recruitment, screening, and selection of eligible applicants for the Job Corps, after considering recommendations from Governors of States, local boards, and other interested parties. Recommendations.

(2) METHODS.—In prescribing standards and procedures under paragraph (1), the Secretary, at a minimum, shall—

(A) prescribe procedures for informing enrollees that drug tests will be administered to the enrollees and the results received within 45 days after the enrollees enroll in the Job Corps; Deadline.

(B) establish standards for recruitment of Job Corps applicants;

(C) establish standards and procedures for—

(i) determining, for each applicant, whether the educational and career and technical education and training needs of the applicant can best be met through the Job Corps program or an alternative program in the community in which the applicant resides; and

(ii) obtaining from each applicant pertinent data relating to background, needs, and interests for determining eligibility and potential assignment;

(D) where appropriate, take measures to improve the professional capability of the individuals conducting screening of the applicants; and

(E) assure appropriate representation of enrollees from urban areas and from rural areas.

(3) IMPLEMENTATION.—The standards and procedures shall be implemented through arrangements with—

(A) applicable one-stop centers;

(B) organizations that have a demonstrated record of effectiveness in serving at-risk youth and placing such youth into employment, including community action agencies, business organizations, or labor organizations; and

(C) child welfare agencies that are responsible for children and youth eligible for benefits and services under section 477 of the Social Security Act (42 U.S.C. 677).

(4) CONSULTATION.—The standards and procedures shall provide for necessary consultation with individuals and organizations, including court, probation, parole, law enforcement, education, welfare, and medical authorities and advisers.

Contracts.

(5) REIMBURSEMENT.—The Secretary is authorized to enter into contracts with and make payments to individuals and organizations for the cost of conducting recruitment, screening, and selection of eligible applicants for the Job Corps, as provided for in this section. The Secretary shall make no payment to any individual or organization solely as compensation for referring the names of applicants for the Job Corps.

(b) SPECIAL LIMITATIONS ON SELECTION.—

Determination.

(1) IN GENERAL.—No individual shall be selected as an enrollee unless the individual or organization implementing the standards and procedures described in subsection (a) determines that—

(A) there is a reasonable expectation that the individual considered for selection can participate successfully in group situations and activities, and is not likely to engage in behavior that would prevent other enrollees from receiving the benefit of the Job Corps program or be incompatible with the maintenance of sound discipline and satisfactory relationships between the Job Corps center to which the individual might be assigned and communities surrounding the Job Corps center;

(B) the individual manifests a basic understanding of both the rules to which the individual will be subject and of the consequences of failure to observe the rules, and agrees to comply with such rules; and

(C) the individual has passed a background check conducted in accordance with procedures established by the Secretary and with applicable State and local laws.

(2) INDIVIDUALS ON PROBATION, PAROLE, OR SUPERVISED RELEASE.—An individual on probation, parole, or supervised release may be selected as an enrollee only if release from the supervision of the probation or parole official involved is satisfactory to the official and the Secretary and does not violate applicable laws (including regulations). No individual shall be denied a position in the Job Corps solely on the basis of individual contact with the criminal justice system except for a disqualifying conviction as specified in paragraph (3).

(3) INDIVIDUALS CONVICTED OF CERTAIN CRIMES.—An individual shall not be selected as an enrollee if the individual has been convicted of a felony consisting of murder (as described in section 1111 of title 18, United States Code), child abuse, or a crime involving rape or sexual assault.

(c) ASSIGNMENT PLAN.—

(1) IN GENERAL.—Every 2 years, the Secretary shall develop and implement a plan for assigning enrollees to Job Corps centers. In developing the plan, the Secretary shall, based on the analysis described in paragraph (2), establish targets, applicable to each Job Corps center, for— Time period.

(A) the maximum attainable percentage of enrollees at the Job Corps center that reside in the State in which the center is located; and

(B) the maximum attainable percentage of enrollees at the Job Corps center that reside in the region in which the center is located, and in surrounding regions.

(2) ANALYSIS.—In order to develop the plan described in paragraph (1), every 2 years the Secretary, in consultation with operators of Job Corps centers, shall analyze relevant factors relating to each Job Corps center, including— Time period. Consultation.

(A) the size of the population of individuals eligible to participate in Job Corps in the State and region in which the Job Corps center is located, and in surrounding regions;

(B) the relative demand for participation in the Job Corps in the State and region, and in surrounding regions;

(C) the capacity and utilization of the Job Corps center, including the education, training, and supportive services provided through the center; and

(D) the performance of the Job Corps center relating to the expected levels of performance for the indicators described in section 159(c)(1), and whether any actions have been taken with respect to such center pursuant to paragraphs (2) and (3) of section 159(f).

(d) ASSIGNMENT OF INDIVIDUAL ENROLLEES.—

(1) IN GENERAL.—After an individual has been selected for the Job Corps in accordance with the standards and procedures of the Secretary under subsection (a), the enrollee shall be assigned to the Job Corps center that offers the type of career and technical education and training selected by the individual and, among the centers that offer such education and training, is closest to the home of the individual. The Secretary may waive this requirement if— Waiver authority.

(A) the enrollee would be unduly delayed in participating in the Job Corps program because the closest center is operating at full capacity; or

(B) the parent or guardian of the enrollee requests assignment of the enrollee to another Job Corps center due to circumstances in the community of the enrollee that would impair prospects for successful participation in the Job Corps program.

(2) ENROLLEES WHO ARE YOUNGER THAN 18.—An enrollee who is younger than 18 shall not be assigned to a Job Corps center other than the center closest to the home that offers the career and technical education and training desired by the enrollee pursuant to paragraph (1) if the parent or guardian of the enrollee objects to the assignment.

29 USC 3196.

SEC. 146. ENROLLMENT.

(a) RELATIONSHIP BETWEEN ENROLLMENT AND MILITARY OBLIGATIONS.—Enrollment in the Job Corps shall not relieve any individual of obligations under the Military Selective Service Act (50 U.S.C. App. 451 et seq.).

(b) PERIOD OF ENROLLMENT.—No individual may be enrolled in the Job Corps for more than 2 years, except—

(1) in a case in which completion of an advanced career training program under section 148(c) would require an individual to participate in the Job Corps for not more than one additional year;

(2) in the case of an individual with a disability who would reasonably be expected to meet the standards for a Job Corps graduate, as defined under section 142(5), if allowed to participate in the Job Corps for not more than 1 additional year;

(3) in the case of an individual who participates in national service, as authorized by a Civilian Conservation Center program, who would be granted an enrollment extension in the Job Corps for the amount of time equal to the period of national service; or

(4) as the Secretary may authorize in a special case.

29 USC 3197.

SEC. 147. JOB CORPS CENTERS.

(a) OPERATORS AND SERVICE PROVIDERS.—

(1) ELIGIBLE ENTITIES.—

Contracts.

(A) OPERATORS.—The Secretary shall enter into an agreement with a Federal, State, or local agency, an area career and technical education school, a residential career and technical education school, or a private organization, for the operation of each Job Corps center.

(B) PROVIDERS.—The Secretary may enter into an agreement with a local entity, or other entity with the necessary capacity, to provide activities described in this subtitle to a Job Corps center.

(2) SELECTION PROCESS.—

(A) COMPETITIVE BASIS.—Except as provided in subsections (a) and (b) of section 3304 of title 41, United States Code, the Secretary shall select on a competitive basis an entity to operate a Job Corps center and entities to provide activities described in this subtitle to the Job Corps center. In developing a solicitation for an operator or service provider, the Secretary shall consult with the Governor of the State in which the center is located, the workforce council for the Job Corps center (if established), and the applicable local board regarding the contents of

Consultation.

such solicitation, including elements that will promote the consistency of the activities carried out through the center with the objectives set forth in the State plan or in a local plan.

(B) RECOMMENDATIONS AND CONSIDERATIONS.—

(i) OPERATORS.—In selecting an entity to operate a Job Corps center, the Secretary shall consider—

(I) the ability of the entity to coordinate the activities carried out through the Job Corps center with activities carried out under the appropriate State plan and local plans;

(II) the ability of the entity to offer career and technical education and training that has been proposed by the workforce council under section 154(c), and the degree to which such education and training reflects employment opportunities in the local areas in which enrollees at the center intend to seek employment;

(III) the degree to which the entity demonstrates relationships with the surrounding communities, employers, labor organizations, State boards, local boards, applicable one-stop centers, and the State and region in which the center is located;

(IV) the performance of the entity, if any, relating to operating or providing activities described in this subtitle to a Job Corps center, including information regarding the entity in any reports developed by the Office of Inspector General of the Department of Labor and the entity's demonstrated effectiveness in assisting individuals in achieving the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii); and

(V) the ability of the entity to demonstrate a record of successfully assisting at-risk youth to connect to the workforce, including providing them with intensive academics and career and technical education and training.

(ii) PROVIDERS.—In selecting a service provider for a Job Corps center, the Secretary shall consider the factors described in clause (i).

(3) ADDITIONAL SELECTION FACTORS.—To be eligible to operate a Job Corps center, an entity shall submit to the Secretary, at such time and in such manner as the Secretary may require, information related to additional selection factors, which shall include the following:

(A) A description of the program activities that will be offered at the center and how the academics and career and technical education and training reflect State and local employment opportunities, including opportunities in in-demand industry sectors and occupations recommended by the workforce council under section 154(c)(2)(A).

(B) A description of the counseling, placement, and support activities that will be offered at the center, including a description of the strategies and procedures the entity will use to place graduates into unsubsidized

employment or education leading to a recognized postsecondary credential upon completion of the program.

(C) A description of the demonstrated record of effectiveness that the entity has in placing at-risk youth into employment and postsecondary education, including past performance of operating a Job Corps center under this subtitle or subtitle C of title I of the Workforce Investment Act of 1998, and as appropriate, the entity's demonstrated effectiveness in assisting individuals in achieving the indicators of performance for eligible youth described in section 116(b)(2)(A)(ii).

(D) A description of the relationships that the entity has developed with State boards, local boards, applicable one-stop centers, employers, labor organizations, State and local educational agencies, and the surrounding communities in which the center is located, in an effort to promote a comprehensive statewide workforce development system.

(E) A description of the entity's ability to coordinate the activities carried out through the Job Corps center with activities carried out under the appropriate State plan and local plans.

(F) A description of the strong fiscal controls the entity has in place to ensure proper accounting of Federal funds, and a description of how the entity will meet the requirements of section 159(a).

(G) A description of the steps to be taken to control costs in accordance with section 159(a)(3).

(H) A detailed budget of the activities that will be supported using funds under this subtitle and non-Federal resources.

(I) An assurance the entity is licensed to operate in the State in which the center is located.

(J) An assurance the entity will comply with basic health and safety codes, which shall include the disciplinary measures described in section 152(b).

(K) Any other information on additional selection factors that the Secretary may require.

(b) HIGH-PERFORMING CENTERS.—

Applicability.

(1) IN GENERAL.—If an entity meets the requirements described in paragraph (2) as applied to a particular Job Corps center, such entity shall be allowed to compete in any competitive selection process carried out for an award to operate such center.

(2) HIGH PERFORMANCE.—An entity shall be considered to be an operator of a high-performing center if the Job Corps center operated by the entity—

(A) is ranked among the top 20 percent of Job Corps centers for the most recent preceding program year; and

Time periods.

(B) meets the expected levels of performance established under section 159(c)(1) and, with respect to each of the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii)—

(i) for the period of the most recent preceding 3 program years for which information is available at the time the determination is made, achieved an average of 100 percent, or higher, of the expected level

of performance established under section 159(c)(1) for the indicator; and

(ii) for the most recent preceding program year for which information is available at the time the determination is made, achieved 100 percent, or higher, of the expected level of performance established under such section for the indicator.

(3) TRANSITION.—If any of the program years described in paragraph (2)(B) precedes the implementation of the establishment of expected levels of performance under section 159(c) and the application of the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii), an entity shall be considered an operator of a high-performing center during that period if the Job Corps center operated by the entity—

Time periods.

(A) meets the requirements of paragraph (2)(B) with respect to such preceding program years using the performance of the Job Corps center regarding the national goals or targets established by the Office of the Job Corps under the previous performance accountability system for—

(i) the 6-month follow-up placement rate of graduates in employment, the military, education, or training;

(ii) the 12–month follow-up placement rate of graduates in employment, the military, education, or training;

(iii) the 6-month follow-up average weekly earnings of graduates;

(iv) the rate of attainment of secondary school diplomas or their recognized equivalent;

(v) the rate of attainment of completion certificates for career and technical training;

(vi) average literacy gains; and

(vii) average numeracy gains; or

(B) is ranked among the top 5 percent of Job Corps centers for the most recent preceding program year.

(c) CHARACTER AND ACTIVITIES.—Job Corps centers may be residential or nonresidential in character, and shall be designed and operated so as to provide enrollees, in a well-supervised setting, with access to activities described in this subtitle. In any year, no more than 20 percent of the individuals enrolled in the Job Corps may be nonresidential participants in the Job Corps.

(d) CIVILIAN CONSERVATION CENTERS.—

Contracts.
Urban and rural areas.

(1) IN GENERAL.—The Job Corps centers may include Civilian Conservation Centers, operated under an agreement between the Secretary of Labor and the Secretary of Agriculture, that are located primarily in rural areas. Such centers shall provide, in addition to academics, career and technical education and training, and workforce preparation skills training, programs of work experience to conserve, develop, or manage public natural resources or public recreational areas or to develop community projects in the public interest.

(2) ASSISTANCE DURING DISASTERS.—Enrollees in Civilian Conservation Centers may provide assistance in addressing national, State, and local disasters, consistent with current child labor laws (including regulations). The Secretary of Agriculture shall ensure that with respect to the provision of such

assistance the enrollees are properly trained, equipped, supervised, and dispatched consistent with standards for the conservation and rehabilitation of wildlife established under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.).

Designation.

(3) NATIONAL LIAISON.—The Secretary of Agriculture shall designate a Job Corps National Liaison to support the agreement under this section between the Departments of Labor and Agriculture.

(e) INDIAN TRIBES.—

(1) GENERAL AUTHORITY.—The Secretary may enter into agreements with Indian tribes to operate Job Corps centers for Indians.

(2) DEFINITIONS.—In this subsection, the terms "Indian" and "Indian tribe" have the meanings given such terms in subsections (d) and (e), respectively, of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

Time periods.

(f) LENGTH OF AGREEMENT.—The agreement described in subsection (a)(1)(A) shall be for not more than a 2-year period. The Secretary may exercise any contractual option to renew the agreement in 1-year increments for not more than 3 additional years, consistent with the requirements of subsection (g).

Time periods.

(g) RENEWAL CONDITIONS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall not renew the terms of an agreement for any 1-year additional period described in subsection (f) for an entity to operate a particular Job Corps center if, for both of the 2 most recent preceding program years for which information is available at the time the determination is made, or if a second program year is not available, the preceding year for which information is available, such center—

(A) has been ranked in the lowest 10 percent of Job Corps centers; and

(B) failed to achieve an average of 50 percent or higher of the expected level of performance under section 159(c)(1) with respect to each of the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii).

Determination.

(2) EXCEPTION.—Notwithstanding paragraph (1), the Secretary may exercise an option to renew the agreement for no more than 2 additional years if the Secretary determines such renewal would be in the best interest of the Job Corps program, taking into account factors including—

(A) significant improvements in program performance in carrying out a performance improvement plan under section 159(f)(2);

(B) that the performance is due to circumstances beyond the control of the entity, such as an emergency or disaster, as defined in section 170(a)(1);

(C) a significant disruption in the operations of the center, including in the ability to continue to provide services to students, or significant increase in the cost of such operations; or

(D) a significant disruption in the procurement process with respect to carrying out a competition for the selection of a center operator.

(3) DETAILED EXPLANATION.—If the Secretary exercises an option under paragraph (2), the Secretary shall provide, to

the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, a detailed explanation of the rationale for exercising such option.

(4) ADDITIONAL CONSIDERATIONS.—The Secretary shall only renew the agreement of an entity to operate a Job Corps center if the entity—

(A) has a satisfactory record of integrity and business ethics;

(B) has adequate financial resources to perform the agreement;

(C) has the necessary organization, experience, accounting and operational controls, and technical skills; and

(D) is otherwise qualified and eligible under applicable laws and regulations, including that the contractor is not under suspension or debarred from eligibility for Federal contracts.

SEC. 148. PROGRAM ACTIVITIES. 29 USC 3198.

(a) ACTIVITIES PROVIDED BY JOB CORPS CENTERS.—

(1) IN GENERAL.—Each Job Corps center shall provide enrollees with an intensive, well organized, and fully supervised program of education, including English language acquisition programs, career and technical education and training, work experience, work-based learning, recreational activities, physical rehabilitation and development, driver's education, and counseling, which may include information about financial literacy. Each Job Corps center shall provide enrollees assigned to the center with access to career services described in clauses (i) through (xi) of section 134(c)(2)(A).

(2) RELATIONSHIP TO OPPORTUNITIES.—The activities provided under this subsection shall be targeted to helping enrollees, on completion of their enrollment—

(A) secure and maintain meaningful unsubsidized employment;

(B) enroll in and complete secondary education or postsecondary education or training programs, including other suitable career and technical education and training, and apprenticeship programs; or

(C) satisfy Armed Forces requirements.

(3) LINK TO EMPLOYMENT OPPORTUNITIES.—The career and technical education and training provided shall be linked to employment opportunities in in-demand industry sectors and occupations in the State or local area in which the Job Corps center is located and, to the extent practicable, in the State or local area in which the enrollee intends to seek employment after graduation.

(b) ACADEMIC AND CAREER AND TECHNICAL EDUCATION AND TRAINING.—The Secretary may arrange for career and technical education and training of enrollees through local public or private educational agencies, career and technical educational institutions, technical institutes, or national service providers, whenever such entities provide education and training substantially equivalent in cost and quality to that which the Secretary could provide through other means.

(c) ADVANCED CAREER TRAINING PROGRAMS.—

Time period.

(1) IN GENERAL.—The Secretary may arrange for programs of advanced career training for selected enrollees in which the enrollees may continue to participate for a period of not to exceed 1 year in addition to the period of participation to which the enrollees would otherwise be limited. The advanced career training may be provided through the eligible providers of training services identified under section 122.

(2) BENEFITS.—During the period of participation in an advanced career training program, an enrollee shall be eligible for full Job Corps benefits, or a monthly stipend equal to the average value of the residential support, food, allowances, and other benefits provided to enrollees assigned to residential Job Corps centers.

Standards.

(3) DEMONSTRATION.—The Secretary shall develop standards by which any operator seeking to enroll additional enrollees in an advanced career training program shall demonstrate, before the operator may carry out such additional enrollment, that—

(A) participants in such program have achieved a satisfactory rate of completion and placement in training-related jobs; and

Time period.

(B) for the most recently preceding 2 program years, such operator has, on average, met or exceeded the expected levels of performance under section 159(c)(1) for each of the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii).

Time period.

(d) GRADUATE SERVICES.—In order to promote the retention of graduates in employment or postsecondary education, the Secretary shall arrange for the provision of job placement and support services to graduates for up to 12 months after the date of graduation. Multiple resources, including one-stop partners, may support the provision of these services, including services from the State vocational rehabilitation agency, to supplement job placement and job development efforts for Job Corps graduates who are individuals with disabilities.

(e) CHILD CARE.—The Secretary shall, to the extent practicable, provide child care at or near Job Corps centers, for individuals who require child care for their children in order to participate in the Job Corps.

29 USC 3199.

SEC. 149. COUNSELING AND JOB PLACEMENT.

(a) ASSESSMENT AND COUNSELING.—The Secretary shall arrange for assessment and counseling for each enrollee at regular intervals to measure progress in the academic and career and technical education and training programs carried out through the Job Corps.

(b) PLACEMENT.—The Secretary shall arrange for assessment and counseling for enrollees prior to their scheduled graduations to determine their capabilities and, based on their capabilities, shall place the enrollees in employment leading to economic self-sufficiency for which the enrollees are trained or assist the enrollees in participating in further activities described in this subtitle. In arranging for the placement of graduates in jobs, the Secretary shall utilize the one-stop delivery system to the maximum extent practicable.

Determination.

(c) STATUS AND PROGRESS.—The Secretary shall determine the status and progress of enrollees scheduled for graduation and make

every effort to assure that their needs for further activities described in this subtitle are met.

(d) SERVICES TO FORMER ENROLLEES.—The Secretary may provide such services as the Secretary determines to be appropriate under this subtitle to former enrollees.

SEC. 150. SUPPORT. 29 USC 3200.

(a) PERSONAL ALLOWANCES.—The Secretary may provide enrollees assigned to Job Corps centers with such personal allowances as the Secretary may determine to be necessary or appropriate to meet the needs of the enrollees.

(b) TRANSITION ALLOWANCES.—The Secretary shall arrange for a transition allowance to be paid to graduates. The transition allowance shall be incentive-based to reflect a graduate's completion of academic, career and technical education or training, and attainment of recognized postsecondary credentials.

(c) TRANSITION SUPPORT.—The Secretary may arrange for the provision of 3 months of employment services for former enrollees. Time period.

SEC. 151. OPERATIONS. 29 USC 3201.

(a) OPERATING PLAN.—The provisions of the contract between the Secretary and an entity selected to operate a Job Corps center shall, at a minimum, serve as an operating plan for the Job Corps center.

(b) ADDITIONAL INFORMATION.—The Secretary may require the operator, in order to remain eligible to operate the Job Corps center, to submit such additional information as the Secretary may require, which shall be considered part of the operating plan.

(c) AVAILABILITY.—The Secretary shall make the operating plan described in subsections (a) and (b), excluding any proprietary information, available to the public. Public information.

SEC. 152. STANDARDS OF CONDUCT. 29 USC 3202.

(a) PROVISION AND ENFORCEMENT.—The Secretary shall provide, and directors of Job Corps centers shall stringently enforce, standards of conduct within the centers. Such standards of conduct shall include provisions forbidding the actions described in subsection (b)(2)(A).

(b) DISCIPLINARY MEASURES.—

(1) IN GENERAL.—To promote the proper behavioral standards in the Job Corps, the directors of Job Corps centers shall have the authority to take appropriate disciplinary measures against enrollees if such a director determines that an enrollee has committed a violation of the standards of conduct. The director shall dismiss the enrollee from the Job Corps if the director determines that the retention of the enrollee in the Job Corps will jeopardize the enforcement of such standards, threaten the safety of staff, students, or the local community, or diminish the opportunities of other enrollees.

(2) ZERO TOLERANCE POLICY AND DRUG TESTING.—

(A) GUIDELINES.—The Secretary shall adopt guidelines establishing a zero tolerance policy for an act of violence, for use, sale, or possession of a controlled substance, for abuse of alcohol, or for other illegal or disruptive activity.

(B) DRUG TESTING.—The Secretary shall require drug testing of all enrollees for controlled substances in accordance with procedures prescribed by the Secretary under section 145(a).

(C) DEFINITIONS.—In this paragraph:

(i) CONTROLLED SUBSTANCE.—The term "controlled substance" has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(ii) ZERO TOLERANCE POLICY.—The term "zero tolerance policy" means a policy under which an enrollee shall be automatically dismissed from the Job Corps after a determination by the director that the enrollee has carried out an action described in subparagraph (A).

(c) APPEAL.—A disciplinary measure taken by a director under this section shall be subject to expeditious appeal in accordance with procedures established by the Secretary.

29 USC 3203.

SEC. 153. COMMUNITY PARTICIPATION.

(a) BUSINESS AND COMMUNITY PARTICIPATION.—The director of each Job Corps center shall ensure the establishment and development of the mutually beneficial business and community relationships and networks described in subsection (b), including the use of local boards, in order to enhance the effectiveness of such centers.

(b) NETWORKS.—The activities carried out by each Job Corps center under this section shall include—

(1) establishing and developing relationships and networks with—

(A) local and distant employers, to the extent practicable, in coordination with entities carrying out other Federal and non-Federal programs that conduct similar outreach to employers;

(B) applicable one-stop centers and applicable local boards, for the purpose of providing—

(i) information to, and referral of, potential enrollees; and

(ii) job opportunities for Job Corps graduates; and

(C)(i) entities carrying out relevant apprenticeship programs and youth programs;

(ii) labor-management organizations and local labor organizations;

(iii) employers and contractors that support national training contractor programs; and

(iv) community-based organizations, non-profit organizations, and intermediaries providing workforce development-related services; and

(2) establishing and developing relationships with members of the community in which the Job Corps center is located, informing members of the community about the projects of the Job Corps center and changes in the rules, procedures, or activities of the center that may affect the community, and planning events of mutual interest to the community and the Job Corps center.

Time period.

(c) NEW CENTERS.—The director of a Job Corps center that is not yet operating shall ensure the establishment and development of the relationships and networks described in subsection (b) at least 3 months prior to the date on which the center accepts the first enrollee at the center.

SEC. 154. WORKFORCE COUNCILS.

29 USC 3204.

Establishment. Procedures.

(a) IN GENERAL.—Each Job Corps center shall have a workforce council, appointed by the director of the center, in accordance with procedures established by the Secretary.

(b) WORKFORCE COUNCIL COMPOSITION.—

(1) IN GENERAL.—A workforce council shall be comprised of—

(A) a majority of members who shall be owners of business concerns, chief executives or chief operating officers of nongovernmental employers, or other private sector employers, who—

(i) have substantial management, hiring, or policy responsibility; and

(ii) represent businesses with employment opportunities that reflect the employment opportunities of the applicable local areas in which enrollees will be seeking employment;

(B) representatives of labor organizations (where present) and representatives of employees; and

(C) enrollees and graduates of the Job Corps.

(2) LOCAL BOARD.—The workforce council may include members of the applicable local boards who meet the requirements described in paragraph (1).

(3) EMPLOYERS OUTSIDE OF LOCAL AREA.—The workforce council for a Job Corps center may include, or otherwise provide for consultation with, employers from outside the local area who are likely to hire a significant number of enrollees from the Job Corps center.

(4) SPECIAL RULE FOR SINGLE STATE LOCAL AREAS.—In the case of a single State local area designated under section 106(d), the workforce council shall include a representative of the State Board.

(c) RESPONSIBILITIES.—The responsibilities of the workforce council shall be—

(1) to work closely with all applicable local boards in order to determine, and recommend to the Secretary, appropriate career and technical education and training for the center;

(2) to review all the relevant labor market information, including related information in the State plan or the local plan, to—

(A) recommend the in-demand industry sectors or occupations in the area in which the Job Corps center operates;

(B) determine the employment opportunities in the local areas in which the enrollees intend to seek employment after graduation;

(C) determine the skills and education that are necessary to obtain the employment opportunities; and

(D) recommend to the Secretary the type of career and technical education and training that should be implemented at the center to enable the enrollees to obtain the employment opportunities; and

(3) to meet at least once every 6 months to reevaluate the labor market information, and other relevant information, to determine, and recommend to the Secretary, any necessary changes in the career and technical education and training provided at the center.

Time period.

(d) NEW CENTERS.—The workforce council for a Job Corps center that is not yet operating shall carry out the responsibilities described in subsection (c) at least 3 months prior to the date on which the center accepts the first enrollee at the center.

29 USC 3205.

SEC. 155. ADVISORY COMMITTEES.

The Secretary may establish and use advisory committees in connection with the operation of the Job Corps program, and the operation of Job Corps centers, whenever the Secretary determines that the availability of outside advice and counsel on a regular basis would be of substantial benefit in identifying and overcoming problems, in planning program or center development, or in strengthening relationships between the Job Corps and agencies, institutions, or groups engaged in related activities.

29 USC 3206.

SEC. 156. EXPERIMENTAL PROJECTS AND TECHNICAL ASSISTANCE.

(a) PROJECTS.—The Secretary may carry out experimental, research, or demonstration projects relating to carrying out the Job Corps program. The Secretary may waive any provisions of this subtitle that the Secretary finds would prevent the Secretary from carrying out the projects if the Secretary informs the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, in writing, not less than 90 days in advance of issuing such waiver.

Waiver authority. Deadline.

(b) TECHNICAL ASSISTANCE.—From the funds provided under section 162 (for the purposes of administration), the Secretary may reserve ¼ of 1 percent to provide, directly or through grants, contracts, or other agreements or arrangements as the Secretary considers appropriate, technical assistance for the Job Corps program for the purpose of improving program quality. Such assistance shall include—

(1) assisting Job Corps centers and programs—

(A) in correcting deficiencies under, and violations of, this subtitle;

(B) in meeting or exceeding the expected levels of performance under section 159(c)(1) for the indicators of performance described in section 116(b)(2)(A);

(C) in the development of sound management practices, including financial management procedures; and

(2) assisting entities, including entities not currently operating a Job Corps center, in developing the additional selection factors information described in section 147(a)(3).

29 USC 3207.

SEC. 157. APPLICATION OF PROVISIONS OF FEDERAL LAW.

(a) ENROLLEES NOT CONSIDERED TO BE FEDERAL EMPLOYEES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection and in section 8143(a) of title 5, United States Code, enrollees shall not be considered to be Federal employees and shall not be subject to the provisions of law relating to Federal employment, including such provisions regarding hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(2) PROVISIONS RELATING TO TAXES AND SOCIAL SECURITY BENEFITS.—For purposes of the Internal Revenue Code of 1986 and title II of the Social Security Act (42 U.S.C. 401 et seq.), enrollees shall be deemed to be employees of the United States and any service performed by an individual as an enrollee

shall be deemed to be performed in the employ of the United States.

(3) PROVISIONS RELATING TO COMPENSATION TO FEDERAL EMPLOYEES FOR WORK INJURIES.—For purposes of subchapter I of chapter 81 of title 5, United States Code (relating to compensation to Federal employees for work injuries), enrollees shall be deemed to be civil employees of the Government of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provisions of such subchapter shall apply as specified in section 8143(a) of title 5, United States Code.

(4) FEDERAL TORT CLAIMS PROVISIONS.—For purposes of the Federal tort claims provisions in title 28, United States Code, enrollees shall be considered to be employees of the Government.

(b) ADJUSTMENTS AND SETTLEMENTS.—Whenever the Secretary finds a claim for damages to a person or property resulting from the operation of the Job Corps to be a proper charge against the United States, and the claim is not cognizable under section 2672 of title 28, United States Code, the Secretary may adjust and settle the claim in an amount not exceeding $1,500.

(c) PERSONNEL OF THE UNIFORMED SERVICES.—Personnel of the uniformed services who are detailed or assigned to duty in the performance of agreements made by the Secretary for the support of the Job Corps shall not be counted in computing strength under any law limiting the strength of such services or in computing the percentage authorized by law for any grade in such services.

SEC. 158. SPECIAL PROVISIONS. 29 USC 3208.

(a) ENROLLMENT.—The Secretary shall ensure that women and men have an equal opportunity to participate in the Job Corps program, consistent with section 145.

(b) STUDIES, EVALUATIONS, PROPOSALS, AND DATA.—The Secretary shall assure that all studies, evaluations, proposals, and data produced or developed with Federal funds in the course of carrying out the Job Corps program shall become the property of the United States.

(c) TRANSFER OF PROPERTY.—

(1) IN GENERAL.—Notwithstanding chapter 5 of title 40, United States Code, and any other provision of law, the Secretary and the Secretary of Education shall receive priority by the Secretary of Defense for the direct transfer, on a nonreimbursable basis, of the property described in paragraph (2) for use in carrying out programs under this Act or under any other Act.

(2) PROPERTY.—The property described in this paragraph is real and personal property under the control of the Department of Defense that is not used by such Department, including property that the Secretary of Defense determines is in excess of current and projected requirements of such Department. Determination.

(d) GROSS RECEIPTS.—Transactions conducted by a private for-profit or nonprofit entity that is an operator or service provider for a Job Corps center shall not be considered to be generating gross receipts. Such an operator or service provider shall not be liable, directly or indirectly, to any State or subdivision of a State (nor to any person acting on behalf of such a State or subdivision) for any gross receipts taxes, business privilege taxes measured

by gross receipts, or any similar taxes imposed on, or measured by, gross receipts in connection with any payments made to or by such entity for operating or providing services to a Job Corps center. Such an operator or service provider shall not be liable to any State or subdivision of a State to collect or pay any sales, excise, use, or similar tax imposed on the sale to or use by such operator or service provider of any property, service, or other item in connection with the operation of or provision of services to a Job Corps center.

(e) MANAGEMENT FEE.—The Secretary shall provide each operator and (in an appropriate case, as determined by the Secretary) service provider with an equitable and negotiated management fee of not less than 1 percent of the amount of the funding provided under the appropriate agreement specified in section 147.

(f) DONATIONS.—The Secretary may accept on behalf of the Job Corps or individual Job Corps centers charitable donations of cash or other assistance, including equipment and materials, if such donations are available for appropriate use for the purposes set forth in this subtitle.

(g) SALE OF PROPERTY.—Notwithstanding any other provision of law, if the Administrator of General Services sells a Job Corps center facility, the Administrator shall transfer the proceeds from the sale to the Secretary, who shall use the proceeds to carry out the Job Corps program.

29 USC 3209.

SEC. 159. MANAGEMENT INFORMATION.

(a) FINANCIAL MANAGEMENT INFORMATION SYSTEM.—

Procedures.

(1) IN GENERAL.—The Secretary shall establish procedures to ensure that each operator, and each service provider, maintains a financial management information system that will provide—

(A) accurate, complete, and current disclosures of the costs of Job Corps operations; and

(B) sufficient data for the effective evaluation of activities carried out through the Job Corps program.

(2) ACCOUNTS.—Each operator and service provider shall maintain funds received under this subtitle in accounts in a manner that ensures timely and accurate reporting as required by the Secretary.

(3) FISCAL RESPONSIBILITY.—Operators shall remain fiscally responsible and control costs, regardless of whether the funds made available for Job Corps centers are incrementally increased or decreased between fiscal years.

(b) AUDIT.—

(1) ACCESS.—The Secretary, the Inspector General of the Department of Labor, the Comptroller General of the United States, and any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the operators and service providers described in subsection (a) that are pertinent to the Job Corps program, for purposes of conducting surveys, audits, and evaluations of the operators and service providers.

(2) SURVEYS, AUDITS, AND EVALUATIONS.—The Secretary shall survey, audit, or evaluate, or arrange for the survey, audit, or evaluation of, the operators and service providers, using Federal auditors or independent public accountants. The

Time period.

Secretary shall conduct such surveys, audits, or evaluations not less often than once every 3 years.

(c) INFORMATION ON INDICATORS OF PERFORMANCE.—

(1) LEVELS OF PERFORMANCE AND INDICATORS.—The Secretary shall annually establish expected levels of performance for a Job Corps center and the Job Corps program relating to each of the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii).

(2) PERFORMANCE OF RECRUITERS.—The Secretary shall also establish performance indicators, and expected levels of performance on the performance indicators, for recruitment service providers serving the Job Corps program. The performance indicators shall relate to—

(A) the number of enrollees recruited, compared to the established goals for such recruitment, and the number of enrollees who remain committed to the program for 90 days after enrollment; and

(B) the measurements described in subparagraphs (I), (L), and (M) of subsection (d)(1).

(3) PERFORMANCE OF CAREER TRANSITION SERVICE PROVIDERS.—The Secretary shall also establish performance indicators, and expected performance levels on the performance indicators, for career transition service providers serving the Job Corps program. The performance indicators shall relate to—

(A) the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii); and

(B) the measurements described in subparagraphs (D), (E), (H), (J), and (K) of subsection (d)(1).

(4) REPORT.—The Secretary shall collect, and annually submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, a report including—

(A) information on the performance of each Job Corps center, and the Job Corps program, based on the performance indicators described in paragraph (1), as compared to the expected level of performance established under such paragraph for each performance indicator; and

(B) information on the performance of the service providers described in paragraphs (2) and (3) on the performance indicators established under such paragraphs, as compared to the expected level of performance established for each performance indicator.

(d) ADDITIONAL INFORMATION.—

(1) IN GENERAL.—The Secretary shall also collect, and submit in the report described in subsection (c)(4), information on the performance of each Job Corps center, and the Job Corps program, regarding—

(A) the number of enrollees served;

(B) demographic information on the enrollees served, including age, race, gender, and education and income level;

(C) the number of graduates of a Job Corps center;

(D) the number of graduates who entered the Armed Forces;

(E) the number of graduates who entered apprenticeship programs;

(F) the number of graduates who received a regular secondary school diploma;

(G) the number of graduates who received a State recognized equivalent of a secondary school diploma;

(H) the number of graduates who entered unsubsidized employment related to the career and technical education and training received through the Job Corps program and the number who entered unsubsidized employment not related to the education and training received;

(I) the percentage and number of former enrollees, including the number dismissed under the zero tolerance policy described in section 152(b);

(J) the percentage and number of graduates who enter postsecondary education;

(K) the average wage of graduates who enter unsubsidized employment—

(i) on the first day of such employment; and

(ii) on the day that is 6 months after such first day;

(L) the percentages of enrollees described in subparagraphs (A) and (B) of section 145(c)(1), as compared to the percentage targets established by the Secretary under such section for the center;

(M) the cost per enrollee, which is calculated by comparing the number of enrollees at the center in a program year to the total budget for such center in the same program year;

(N) the cost per graduate, which is calculated by comparing the number of graduates of the center in a program year compared to the total budget for such center in the same program year; and

(O) any additional information required by the Secretary.

(2) RULES FOR REPORTING OF DATA.—The disaggregation of data under this subsection shall not be required when the number of individuals in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual.

(e) METHODS.—The Secretary shall collect the information described in subsections (c) and (d), using methods described in section 116(i)(2) and consistent with State law, by entering into agreements with the States to access such data for Job Corps enrollees, former enrollees, and graduates.

(f) PERFORMANCE ASSESSMENTS AND IMPROVEMENTS.—

(1) ASSESSMENTS.—The Secretary shall conduct an annual assessment of the performance of each Job Corps center. Based on the assessment, the Secretary shall take measures to continuously improve the performance of the Job Corps program.

Plan.

(2) PERFORMANCE IMPROVEMENT.—With respect to a Job Corps center that fails to meet the expected levels of performance relating to the primary indicators of performance specified in subsection (c)(1), the Secretary shall develop and implement a performance improvement plan. Such a plan shall require action to be taken during a 1-year period, including—

Time period.

(A) providing technical assistance to the center;

(B) changing the career and technical education and training offered at the center;

(C) changing the management staff of the center;

(D) replacing the operator of the center;

(E) reducing the capacity of the center;

(F) relocating the center; or

(G) closing the center.

(3) ADDITIONAL PERFORMANCE IMPROVEMENT.—In addition to the performance improvement plans required under paragraph (2), the Secretary may develop and implement additional performance improvement plans. Such a plan shall require improvements, including the actions described in such paragraph, for a Job Corps center that fails to meet criteria established by the Secretary other than the expected levels of performance described in such paragraph.

(4) CIVILIAN CONSERVATION CENTERS.—With respect to a Civilian Conservation Center that fails to meet the expected levels of performance relating to the primary indicators of performance specified in subsection (c)(1) or fails to improve performance as described in paragraph (2) after 3 program years, the Secretary, in consultation with the Secretary of Agriculture, shall select an entity to operate the Civilian Conservation Center on a competitive basis, in accordance with the requirements of section 147. Consultation.

(g) PARTICIPANT HEALTH AND SAFETY.—

(1) CENTER.—The Secretary shall ensure that a review by an appropriate Federal, State, or local entity of the physical condition and health-related activities of each Job Corps center occurs annually. Review.

(2) WORK-BASED LEARNING LOCATIONS.—The Secretary shall require that an entity that has entered into a contract to provide work-based learning activities for any Job Corps enrollee under this subtitle shall comply with the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) or, as appropriate, under the corresponding State Occupational Safety and Health Act of 1970 requirements in the State in which such activities occur. Compliance.

(h) BUILDINGS AND FACILITIES.—The Secretary shall collect, and submit in the report described in subsection (c)(4), information regarding the state of Job Corps buildings and facilities. Such report shall include— Review.

(1) a review of requested construction, rehabilitation, and acquisition projects, by each Job Corps center; and

(2) a review of new facilities under construction.

(i) NATIONAL AND COMMUNITY SERVICE.—The Secretary shall include in the report described in subsection (c)(4) available information regarding the national and community service activities of enrollees, particularly those enrollees at Civilian Conservation Centers.

(j) CLOSURE OF JOB CORPS CENTER.—Prior to the closure of any Job Corps center, the Secretary shall ensure—

(1) that the proposed decision to close the center is announced in advance to the general public through publication in the Federal Register or other appropriate means; Public information. Federal Register, publication.

(2) the establishment of a reasonable comment period, not to exceed 30 days, for interested individuals to submit written comments to the Secretary; and

Notification.

(3) that the Member of Congress who represents the district in which such center is located is notified within a reasonable period of time in advance of any final decision to close the center.

29 USC 3210.

SEC. 160. GENERAL PROVISIONS.

The Secretary is authorized to—

Determination.

(1) disseminate, with regard to the provisions of section 3204 of title 39, United States Code, data and information in such forms as the Secretary shall determine to be appropriate, to public agencies, private organizations, and the general public;

(2) subject to section 157(b), collect or compromise all obligations to or held by the Secretary and exercise all legal or equitable rights accruing to the Secretary in connection with the payment of obligations until such time as such obligations may be referred to the Attorney General for suit or collection; and

(3) expend funds made available for purposes of this subtitle—

(A) for printing and binding, in accordance with applicable law (including regulation); and

(B) without regard to any other law (including regulation), for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by the Secretary, except that the Secretary shall not expend funds under the authority of this subparagraph—

(i) except when necessary to obtain an item, service, or facility, that is required in the proper administration of this subtitle, and that otherwise could not be obtained, or could not be obtained in the quantity or quality needed, or at the time, in the form, or under the conditions in which the item, service, or facility is needed; and

(ii) prior to having given written notification to the Administrator of General Services (if the expenditure would affect an activity that otherwise would be under the jurisdiction of the General Services Administration) of the intention of the Secretary to make the expenditure, and the reasons and justifications for the expenditure.

29 USC 3211.

SEC. 161. JOB CORPS OVERSIGHT AND REPORTING.

(a) TEMPORARY FINANCIAL REPORTING.—

(1) IN GENERAL.—During the periods described in paragraphs (2) and (3)(B), the Secretary shall prepare and submit to the applicable committees financial reports regarding the Job Corps program under this subtitle. Each such financial report shall include—

(A) information regarding the implementation of the financial oversight measures suggested in the May 31, 2013, report of the Office of Inspector General of the Department of Labor entitled "The U.S. Department of Labor's Employment and Training Administration Needs to Strengthen Controls over Job Corps Funds";

(B) a description of any budgetary shortfalls for the program for the period covered by the financial report, and the reasons for such shortfalls; and

(C) a description and explanation for any approval for contract expenditures that are in excess of the amounts provided for under the contract.

(2) TIMING OF REPORTS.—The Secretary shall submit a financial report under paragraph (1) once every 6 months beginning on the date of enactment of this Act, for a 3-year period. After the completion of such 3-year period, the Secretary shall submit a financial report under such paragraph once a year for the next 2 years, unless additional reports are required under paragraph (3)(B). Effective date.

(3) REPORTING REQUIREMENTS IN CASES OF BUDGETARY SHORTFALLS.—If any financial report required under this subsection finds that the Job Corps program under this subtitle has a budgetary shortfall for the period covered by the report, the Secretary shall—

(A) not later than 90 days after the budgetary shortfall was identified, submit a report to the applicable committees explaining how the budgetary shortfall will be addressed; and

(B) submit an additional financial report under paragraph (1) for each 6-month period subsequent to the finding of the budgetary shortfall until the Secretary demonstrates, through such report, that the Job Corps program has no budgetary shortfall.

(b) THIRD-PARTY REVIEW.—Every 5 years after the date of enactment of this Act, the Secretary shall provide for a third-party review of the Job Corps program under this subtitle that addresses all of the areas described in subparagraphs (A) through (G) of section 169(a)(2). The results of the review shall be submitted to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. Deadline.

(c) CRITERIA FOR JOB CORPS CENTER CLOSURES.—By not later than December 1, 2014, the Secretary shall establish written criteria that the Secretary shall use to determine when a Job Corps center supported under this subtitle is to be closed and how to carry out such closure, and shall submit such criteria to the applicable committees. Deadline. Determination.

(d) DEFINITION OF APPLICABLE COMMITTEES.—In this section, the term "applicable committees" means—

(1) the Committee on Education and the Workforce of the House of Representatives;

(2) the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies of the Committee of Appropriations of the House of Representatives;

(3) the Committee on Health, Education, Labor, and Pensions of the Senate; and

(4) the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies of the Committee of Appropriations of the Senate.

SEC. 162. AUTHORIZATION OF APPROPRIATIONS. 29 USC 3212.

There are authorized to be appropriated to carry out this subtitle—

(1) $1,688,155,000 for fiscal year 2015;
(2) $1,818,548,000 for fiscal year 2016;
(3) $1,856,283,000 for fiscal year 2017;
(4) $1,897,455,000 for fiscal year 2018;
(5) $1,942,064,000 for fiscal year 2019; and
(6) $1,983,236,000 for fiscal year 2020.

Subtitle D—National Programs

29 USC 3221.

SEC. 166. NATIVE AMERICAN PROGRAMS.

(a) PURPOSE.—

(1) IN GENERAL.—The purpose of this section is to support employment and training activities for Indian, Alaska Native, and Native Hawaiian individuals in order—

(A) to develop more fully the academic, occupational, and literacy skills of such individuals;

(B) to make such individuals more competitive in the workforce and to equip them with the entrepreneurial skills necessary for successful self-employment; and

(C) to promote the economic and social development of Indian, Alaska Native, and Native Hawaiian communities in accordance with the goals and values of such communities.

(2) INDIAN POLICY.—All programs assisted under this section shall be administered in a manner consistent with the principles of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) and the government-to-government relationship between the Federal Government and Indian tribal governments.

(b) DEFINITIONS.—As used in this section:

(1) ALASKA NATIVE.—The term "Alaska Native" includes a Native and a descendant of a Native, as such terms are defined in subsections (b) and (r) of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b), (r)).

(2) INDIAN, INDIAN TRIBE, AND TRIBAL ORGANIZATION.—The terms "Indian", "Indian tribe", and "tribal organization" have the meanings given such terms in subsections (d), (e), and (l), respectively, of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) NATIVE HAWAIIAN AND NATIVE HAWAIIAN ORGANIZATION.—The terms "Native Hawaiian" and "Native Hawaiian organization" have the meanings given such terms in section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517).

Deadline.
Grants.
Contracts.

(c) PROGRAM AUTHORIZED.—Every 4 years, the Secretary shall, on a competitive basis, make grants to, or enter into contracts or cooperative agreements with, Indian tribes, tribal organizations, Alaska Native entities, Indian-controlled organizations serving Indians, or Native Hawaiian organizations to carry out the authorized activities described in subsection (d).

(d) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—Funds made available under subsection (c) shall be used to carry out the activities described in paragraph (2) that—

(A) are consistent with this section; and

(B) are necessary to meet the needs of Indians, Alaska Natives, or Native Hawaiians preparing to enter, reenter,

or retain unsubsidized employment leading to self-sufficiency.

(2) WORKFORCE DEVELOPMENT ACTIVITIES AND SUPPLEMENTAL SERVICES.—

(A) IN GENERAL.—Funds made available under subsection (c) shall be used for—

(i) comprehensive workforce development activities for Indians, Alaska Natives, or Native Hawaiians, including training on entrepreneurial skills; or

(ii) supplemental services for Indian, Alaska Native, or Native Hawaiian youth on or near Indian reservations and in Oklahoma, Alaska, or Hawaii.

(B) SPECIAL RULE.—Notwithstanding any other provision of this section, individuals who were eligible to participate in programs under section 401 of the Job Training Partnership Act (as such section was in effect on the day before the date of enactment of the Workforce Investment Act of 1998) shall be eligible to participate in an activity assisted under this section.

(e) PROGRAM PLAN.—In order to receive a grant or enter into a contract or cooperative agreement under this section, an entity described in subsection (c) shall submit to the Secretary a program plan that describes a 4-year strategy for meeting the needs of Indian, Alaska Native, or Native Hawaiian individuals, as appropriate, in the area served by such entity. Such plan shall—

(1) be consistent with the purpose of this section;

(2) identify the population to be served;

(3) identify the education and employment needs of the population to be served and the manner in which the activities to be provided will strengthen the ability of the individuals served to obtain or retain unsubsidized employment leading to self-sufficiency;

(4) describe the activities to be provided and the manner in which such activities are to be integrated with other appropriate activities; and

(5) describe, after the entity submitting the plan consults with the Secretary, the performance accountability measures to be used to assess the performance of entities in carrying out the activities assisted under this section, which shall include the primary indicators of performance described in section 116(b)(2)(A) and expected levels of performance for such indicators, in accordance with subsection (h).

(f) CONSOLIDATION OF FUNDS.—Each entity receiving assistance under subsection (c) may consolidate such assistance with assistance received from related programs in accordance with the provisions of the Indian Employment, Training and Related Services Demonstration Act of 1992 (25 U.S.C. 3401 et seq.).

(g) NONDUPLICATIVE AND NONEXCLUSIVE SERVICES.—Nothing in this section shall be construed—

(1) to limit the eligibility of any entity described in subsection (c) to participate in any activity offered by a State or local entity under this Act; or

(2) to preclude or discourage any agreement, between any entity described in subsection (c) and any State or local entity, to facilitate the provision of services by such entity or to the population served by such entity.

(h) PERFORMANCE ACCOUNTABILITY MEASURES.—

(1) ADDITIONAL PERFORMANCE INDICATORS AND STANDARDS.—

Consultation.
Applicability.

(A) DEVELOPMENT OF INDICATORS AND STANDARDS.—The Secretary, in consultation with the Native American Employment and Training Council, shall develop a set of performance indicators and standards that is in addition to the primary indicators of performance described in section 116(b)(2)(A) and that shall be applicable to programs under this section.

(B) SPECIAL CONSIDERATIONS.—Such performance indicators and standards shall take into account—

(i) the purpose of this section as described in subsection (a)(1);

(ii) the needs of the groups served by this section, including the differences in needs among such groups in various geographic service areas; and

(iii) the economic circumstances of the communities served, including differences in circumstances among various geographic service areas.

(2) AGREEMENT ON ADJUSTED LEVELS OF PERFORMANCE.—The Secretary and the entity described in subsection (c) shall reach agreement on the levels of performance for each of the primary indicators of performance described in section 116(b)(2)(A), taking into account economic conditions, characteristics of the individuals served, and other appropriate factors and using, to the extent practicable, the statistical adjustment model under section 116(b)(3)(A)(viii). The levels agreed to shall be the adjusted levels of performance and shall be incorporated in the program plan.

(i) ADMINISTRATIVE PROVISIONS.—

(1) ORGANIZATIONAL UNIT ESTABLISHED.—The Secretary shall designate a single organizational unit within the Department of Labor that shall have primary responsibility for the administration of the activities authorized under this section.

Consultation.

(2) REGULATIONS.—The Secretary shall consult with the entities described in subsection (c) in—

(A) establishing regulations to carry out this section, including regulations relating to the performance accountability measures for entities receiving assistance under this section; and

(B) developing a funding distribution plan that takes into consideration previous levels of funding (prior to the date of enactment of this Act) to such entities.

(3) WAIVERS.—

(A) IN GENERAL.—With respect to an entity described in subsection (c), the Secretary, notwithstanding any other provision of law, may, pursuant to a request submitted by such entity that meets the requirements established under subparagraph (B), waive any of the statutory or regulatory requirements of this title that are inconsistent with the specific needs of the entity described in such subsection, except that the Secretary may not waive requirements relating to wage and labor standards, worker rights, participation and protection of workers and participants, grievance procedures, and judicial review.

Plan.

(B) REQUEST AND APPROVAL.—An entity described in subsection (c) that requests a waiver under subparagraph

(A) shall submit a plan to the Secretary to improve the program of workforce investment activities carried out by the entity, which plan shall meet the requirements established by the Secretary and shall be generally consistent with the requirements of section 189(i)(3)(B).

(4) ADVISORY COUNCIL.—

(A) IN GENERAL.—Using funds made available to carry out this section, the Secretary shall establish a Native American Employment and Training Council to facilitate the consultation described in paragraph (2) and to provide the advice described in subparagraph (C). Establishment. Consultation.

(B) COMPOSITION.—The Council shall be composed of individuals, appointed by the Secretary, who are representatives of the entities described in subsection (c).

(C) DUTIES.—The Council shall advise the Secretary on the operation and administration of the programs assisted under this section, including the selection of the individual appointed as head of the unit established under paragraph (1).

(D) PERSONNEL MATTERS.—

(i) COMPENSATION OF MEMBERS.—Members of the Council shall serve without compensation.

(ii) TRAVEL EXPENSES.—The members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Council.

(iii) ADMINISTRATIVE SUPPORT.—The Secretary shall provide the Council with such administrative support as may be necessary to perform the functions of the Council.

(E) CHAIRPERSON.—The Council shall select a chairperson from among its members.

(F) MEETINGS.—The Council shall meet not less than twice each year.

(G) APPLICATION.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

(5) TECHNICAL ASSISTANCE.—The Secretary, acting through the unit established under paragraph (1), is authorized to provide technical assistance to entities described in subsection (c) that receive assistance under such subsection to enable such entities to improve the activities authorized under this section that are provided by such entities.

(6) AGREEMENT FOR CERTAIN FEDERALLY RECOGNIZED INDIAN TRIBES TO TRANSFER FUNDS TO THE PROGRAM.—A federally recognized Indian tribe that administers funds provided under this section and funds provided by more than one State under other sections of this title may enter into an agreement with the Secretary and the Governors of the affected States to transfer the funds provided by the States to the program administered by the tribe under this section.

Grants.
Contracts.

(j) COMPLIANCE WITH SINGLE AUDIT REQUIREMENTS; RELATED REQUIREMENT.—Grants made and contracts and cooperative agreements entered into under this section shall be subject to the requirements of chapter 75 of subtitle V of title 31, United States Code, and charging of costs under this section shall be subject to appropriate circulars issued by the Office of Management and Budget.

(k) ASSISTANCE TO UNIQUE POPULATIONS IN ALASKA AND HAWAII.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary is authorized to award grants, on a competitive basis, to entities with demonstrated experience and expertise in developing and implementing programs for the unique populations who reside in Alaska or Hawaii, including public and private nonprofit organizations, tribal organizations, American Indian tribal colleges or universities, institutions of higher education, or consortia of such organizations or institutions, to improve job training and workforce investment activities for such unique populations.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection—

(A) $461,000 for fiscal year 2015;
(B) $497,000 for fiscal year 2016;
(C) $507,000 for fiscal year 2017;
(D) $518,000 for fiscal year 2018;
(E) $530,000 for fiscal year 2019; and
(F) $542,000 for fiscal year 2020.

Grants.
Contracts.
29 USC 3222.
Time period.

SEC. 167. MIGRANT AND SEASONAL FARMWORKER PROGRAMS.

(a) IN GENERAL.—Every 4 years, the Secretary shall, on a competitive basis, make grants to, or enter into contracts with, eligible entities to carry out the activities described in subsection (d).

(b) ELIGIBLE ENTITIES.—To be eligible to receive a grant or enter into a contract under this section, an entity shall have an understanding of the problems of eligible migrant and seasonal farmworkers (including dependents), a familiarity with the area to be served, and the ability to demonstrate a capacity to administer and deliver effectively a diversified program of workforce investment activities (including youth workforce investment activities) and related assistance for eligible migrant and seasonal farmworkers.

(c) PROGRAM PLAN.—

(1) IN GENERAL.—To be eligible to receive a grant or enter into a contract under this section, an entity described in subsection (b) shall submit to the Secretary a plan that describes a 4-year strategy for meeting the needs of eligible migrant and seasonal farmworkers in the area to be served by such entity.

(2) CONTENTS.—Such plan shall—

(A) describe the population to be served and identify the education and employment needs of the population to be served and the manner in which the services to be provided will strengthen the ability of the eligible migrant and seasonal farmworkers and dependents to obtain or retain unsubsidized employment, or stabilize their unsubsidized employment, including upgraded employment in agriculture;

(B) describe the related assistance and supportive services to be provided and the manner in which such assistance and services are to be integrated and coordinated with other appropriate services;

(C) describe the performance accountability measures to be used to assess the performance of such entity in carrying out the activities assisted under this section, which shall include the expected levels of performance for the primary indicators of performance described in section 116(b)(2)(A);

(D) describe the availability and accessibility of local resources, such as supportive services, services provided through one-stop delivery systems, and education and training services, and how the resources can be made available to the population to be served; and

(E) describe the plan for providing services under this section, including strategies and systems for outreach, career planning, assessment, and delivery through one-stop delivery systems.

(3) AGREEMENT ON ADJUSTED LEVELS OF PERFORMANCE.—The Secretary and the entity described in subsection (b) shall reach agreement on the levels of performance for each of the primary indicators of performance described in section 116(b)(2)(A), taking into account economic conditions, characteristics of the individuals served, and other appropriate factors, and using, to the extent practicable, the statistical adjustment model under section 116(b)(3)(A)(viii). The levels agreed to shall be the adjusted levels of performance and shall be incorporated in the program plan.

(4) ADMINISTRATION.—Grants and contracts awarded under this section shall be centrally administered by the Department of Labor and competitively awarded by the Secretary using procedures consistent with standard Federal Government competitive procurement policies.

(d) AUTHORIZED ACTIVITIES.—Funds made available under this section and section 127(a)(1) shall be used to carry out workforce investment activities (including youth workforce investment activities) and provide related assistance for eligible migrant and seasonal farmworkers, which may include—

(1) outreach, employment, training, educational assistance, literacy assistance, English language and literacy instruction, pesticide and worker safety training, housing (including permanent housing), supportive services, and school dropout prevention and recovery activities;

(2) followup services for those individuals placed in employment;

(3) self-employment and related business or micro-enterprise development or education as needed by eligible individuals as identified pursuant to the plan required by subsection (c);

(4) customized career and technical education in occupations that will lead to higher wages, enhanced benefits, and long-term employment in agriculture or another area; and

(5) technical assistance to improve coordination of services and implement best practices relating to service delivery through one-stop delivery systems.

(e) CONSULTATION WITH GOVERNORS AND LOCAL BOARDS.—In making grants and entering into contracts under this section, the

Secretary shall consult with the Governors and local boards of the States in which the eligible entities will carry out the activities described in subsection (d).

Consultation.

(f) REGULATIONS.—The Secretary shall consult with eligible migrant and seasonal farmworkers groups and States in establishing regulations to carry out this section, including regulations relating to how economic and demographic barriers to employment of eligible migrant and seasonal farmworkers should be considered and included in the negotiations leading to the adjusted levels of performance described in subsection (c)(3).

(g) COMPLIANCE WITH SINGLE AUDIT REQUIREMENTS; RELATED REQUIREMENT.—Grants made and contracts entered into under this section shall be subject to the requirements of chapter 75 of subtitle V of title 31, United States Code and charging of costs under this section shall be subject to appropriate circulars issued by the Office of Management and Budget.

(h) FUNDING ALLOCATION.—From the funds appropriated and made available to carry out this section, the Secretary shall reserve not more than 1 percent for discretionary purposes, such as providing technical assistance to eligible entities.

(i) DEFINITIONS.—In this section:

(1) ELIGIBLE MIGRANT AND SEASONAL FARMWORKERS.—The term "eligible migrant and seasonal farmworkers" means individuals who are eligible migrant farmworkers or are eligible seasonal farmworkers.

(2) ELIGIBLE MIGRANT FARMWORKER.—The term "eligible migrant farmworker" means—

(A) an eligible seasonal farmworker described in paragraph (3)(A) whose agricultural labor requires travel to a job site such that the farmworker is unable to return to a permanent place of residence within the same day; and

(B) a dependent of the farmworker described in subparagraph (A).

(3) ELIGIBLE SEASONAL FARMWORKER.—The term "eligible seasonal farmworker" means—

(A) a low-income individual who—

(i) for 12 consecutive months out of the 24 months prior to application for the program involved, has been primarily employed in agricultural or fish farming labor that is characterized by chronic unemployment or underemployment; and

(ii) faces multiple barriers to economic self-sufficiency; and

(B) a dependent of the person described in subparagraph (A).

29 USC 3223.

SEC. 168. TECHNICAL ASSISTANCE.

(a) GENERAL TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall ensure that the Department has sufficient capacity to, and does, provide, coordinate, and support the development of, appropriate training, technical assistance, staff development, and other activities, including—

(A) assistance in replicating programs of demonstrated effectiveness, to States and localities;

(B) the training of staff providing rapid response services;

(C) the training of other staff of recipients of funds under this title, including the staff of local boards and State boards;

(D) the training of members of State boards and local boards;

(E) assistance in the development and implementation of integrated, technology-enabled intake and case management information systems for programs carried out under this Act and programs carried out by one-stop partners, such as standard sets of technical requirements for the systems, offering interfaces that States could use in conjunction with their current (as of the first date of implementation of the systems) intake and case management information systems that would facilitate shared registration across programs;

(F) assistance regarding accounting and program operations to States and localities (when such assistance would not supplant assistance provided by the State);

(G) peer review activities under this title; and

(H) in particular, assistance to States in making transitions to implement the provisions of this Act.

(2) FORM OF ASSISTANCE.—

(A) IN GENERAL.—In order to carry out paragraph (1) on behalf of a State or recipient of financial assistance under section 166 or 167, the Secretary, after consultation with the State or grant recipient, may award grants or enter into contracts or cooperative agreements. Consultation.

(B) LIMITATION.—Grants or contracts awarded under paragraph (1) to entities other than States or local units of government that are for amounts in excess of $100,000 shall only be awarded on a competitive basis. Grants. Contracts.

(b) DISLOCATED WORKER TECHNICAL ASSISTANCE.—

(1) AUTHORITY.—Of the amounts available pursuant to section 132(a)(2)(A), the Secretary shall reserve not more than 5 percent of such amounts to provide technical assistance to States that do not meet the State performance accountability measures for the primary indicators of performance described in section 116(b)(2)(A)(i) with respect to employment and training activities for dislocated workers. Using such reserved funds, the Secretary may provide such assistance to other States, local areas, and other entities involved in providing assistance to dislocated workers, to promote the continuous improvement of assistance provided to dislocated workers, under this title.

(2) TRAINING.—Amounts reserved under this subsection may be used to provide for the training of staff, including specialists, who provide rapid response services. Such training shall include instruction in proven methods of promoting, establishing, and assisting labor-management committees. Such projects shall be administered through the Employment and Training Administration of the Department.

(c) PROMISING AND PROVEN PRACTICES COORDINATION.—The Secretary shall—

(1) establish a system through which States may share information regarding promising and proven practices with

regard to the operation of workforce investment activities under this Act;

Evaluation. (2) evaluate and disseminate information regarding such promising and proven practices and identify knowledge gaps; and

Research. (3) commission research under section 169(b) to address knowledge gaps identified under paragraph (2).

29 USC 3224. **SEC. 169. EVALUATIONS AND RESEARCH.**

(a) EVALUATIONS.—

(1) EVALUATIONS OF PROGRAMS AND ACTIVITIES CARRIED OUT UNDER THIS TITLE.—

(A) IN GENERAL.—For the purpose of improving the management and effectiveness of programs and activities carried out under this title, the Secretary, through grants, contracts, or cooperative agreements, shall provide for the continuing evaluation of the programs and activities under this title, including those programs and activities carried out under this section.

(B) PERIODIC INDEPENDENT EVALUATION.—The evaluations carried out under this paragraph shall include an independent evaluation, at least once every 4 years, of the programs and activities carried out under this title.

(2) EVALUATION SUBJECTS.—Each evaluation carried out under paragraph (1) shall address—

(A) the general effectiveness of such programs and activities in relation to their cost, including the extent to which the programs and activities—

(i) improve the employment competencies of participants in comparison to comparably-situated individuals who did not participate in such programs and activities; and

(ii) to the extent feasible, increase the level of total employment over the level that would have existed in the absence of such programs and activities;

(B) the effectiveness of the performance accountability measures relating to such programs and activities;

(C) the effectiveness of the structure and mechanisms for delivery of services through such programs and activities, including the coordination and integration of services through such programs and activities;

(D) the impact of such programs and activities on the community, businesses, and participants involved;

(E) the impact of such programs and activities on related programs and activities;

(F) the extent to which such programs and activities meet the needs of various demographic groups; and

(G) such other factors as may be appropriate.

(3) EVALUATIONS OF OTHER PROGRAMS AND ACTIVITIES.—The Secretary may conduct evaluations of other federally funded employment-related programs and activities under other provisions of law.

(4) TECHNIQUES.—Evaluations conducted under this subsection shall utilize appropriate and rigorous methodology and research designs, including the use of control groups chosen by scientific random assignment methodologies. The Secretary shall conduct at least 1 multisite control group evaluation under

this subsection by the end of fiscal year 2019, and thereafter shall ensure that such an analysis is included in the independent evaluation described in paragraph (1)(B) that is conducted at least once every 4 years.

(5) REPORTS.—The entity carrying out an evaluation described in paragraph (1) or (2) shall prepare and submit to the Secretary a draft report and a final report containing the results of the evaluation.

(6) REPORTS TO CONGRESS.—Not later than 30 days after the completion of a draft report under paragraph (5), the Secretary shall transmit the draft report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate. Not later than 60 days after the completion of a final report under such paragraph, the Secretary shall transmit the final report to such committees.

(7) PUBLIC AVAILABILITY.—Not later than 30 days after the date the Secretary transmits the final report as described in paragraph (6), the Secretary shall make that final report available to the general public on the Internet, on the Web site of the Department of Labor. Deadline.

(8) PUBLICATION OF REPORTS.—If an entity that enters into a contract or other arrangement with the Secretary to conduct an evaluation of a program or activity under this subsection requests permission from the Secretary to publish a report resulting from the evaluation, such entity may publish the report unless the Secretary denies the request during the 90-day period beginning on the date the Secretary receives such request. Time period. Effective date.

(9) COORDINATION.—The Secretary shall ensure the coordination of evaluations carried out by States pursuant to section 116(e) with the evaluations carried out under this subsection.

(b) RESEARCH, STUDIES, AND MULTISTATE PROJECTS.—

(1) IN GENERAL.—After consultation with States, localities, and other interested parties, the Secretary shall, every 2 years, publish in the Federal Register, a plan that describes the research, studies, and multistate project priorities of the Department of Labor concerning employment and training for the 5-year period following the submission of the plan. The plan shall be consistent with the purposes of this title, including the purpose of aligning and coordinating core programs with other one-stop partner programs. Copies of the plan shall be transmitted to the Committee on Education and the Workforce of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, the Department of Education, and other relevant Federal agencies. Consultation. Time periods. Federal Register, publication. Plan.

(2) FACTORS.—The plan published under paragraph (1) shall contain strategies to address national employment and training problems and take into account factors such as—

(A) the availability of existing research (as of the date of the publication);

(B) the need to ensure results that have interstate validity;

(C) the benefits of economies of scale and the efficiency of proposed projects; and

(D) the likelihood that the results of the projects will be useful to policymakers and stakeholders in addressing employment and training problems.

Grants.
Contracts.

(3) RESEARCH PROJECTS.—The Secretary shall, through grants or contracts, carry out research projects that will contribute to the solution of employment and training problems in the United States and that are consistent with the priorities specified in the plan published under paragraph (1).

(4) STUDIES AND REPORTS.—

(A) NET IMPACT STUDIES AND REPORTS.—The Secretary of Labor, in coordination with the Secretary of Education and other relevant Federal agencies, may conduct studies to determine the net impact and best practices of programs, services, and activities carried out under this Act.

(B) STUDY ON RESOURCES AVAILABLE TO ASSIST DISCONNECTED YOUTH.—The Secretary of Labor, in coordination with the Secretary of Education, may conduct a study examining the characteristics of eligible youth that result in such youth being significantly disconnected from education and workforce participation, the ways in which such youth could have greater opportunities for education attainment and obtaining employment, and the resources available to assist such youth in obtaining the skills, credentials, and work experience necessary to become economically self-sufficient.

(C) STUDY OF EFFECTIVENESS OF WORKFORCE DEVELOPMENT SYSTEM IN MEETING BUSINESS NEEDS.—Using funds available to carry out this subsection jointly with funds available to the Secretary of Commerce, the Administrator of the Small Business Administration, and the Secretary of Education, the Secretary of Labor, in coordination with the Secretary of Commerce, the Administrator of the Small Business Administration, and the Secretary of Education, may conduct a study of the effectiveness of the workforce development system in meeting the needs of business, such as through the use of industry or sector partnerships, with particular attention to the needs of small business, including in assisting workers to obtain the skills needed to utilize emerging technologies.

(D) STUDY ON PARTICIPANTS ENTERING NONTRADITIONAL OCCUPATIONS.—The Secretary of Labor, in coordination with the Secretary of Education, may conduct a study examining the number and percentage of individuals who receive employment and training activities and who enter nontraditional occupations, successful strategies to place and support the retention of individuals in nontraditional employment (such as by providing post-placement assistance to participants in the form of exit interviews, mentoring, networking, and leadership development), and the degree to which recipients of employment and training activities are informed of the possibility of, or directed to begin, training or education needed for entrance into nontraditional occupations.

(E) STUDY ON PERFORMANCE INDICATORS.—The Secretary of Labor, in coordination with the Secretary of Education, may conduct studies to determine the feasibility

of, and potential means to replicate, measuring the compensation, including the wages, benefits, and other incentives provided by an employer, received by program participants by using data other than or in addition to data available through wage records, for potential use as a performance indicator.

(F) STUDY ON JOB TRAINING FOR RECIPIENTS OF PUBLIC HOUSING ASSISTANCE.—The Secretary of Labor, in coordination with the Secretary of Housing and Urban Development, may conduct studies to assist public housing authorities to provide, to recipients of public housing assistance, job training programs that successfully upgrade job skills and employment in, and access to, jobs with opportunity for advancement and economic self-sufficiency for such recipients.

(G) STUDY ON IMPROVING EMPLOYMENT PROSPECTS FOR OLDER INDIVIDUALS.—The Secretary of Labor, in coordination with the Secretary of Education and the Secretary of Health and Human Services, may conduct studies that lead to better design and implementation of, in conjunction with employers, local boards or State boards, community colleges or area career and technical education schools, and other organizations, effective evidence-based strategies to provide services to workers who are low-income, low-skilled older individuals that increase the workers' skills and employment prospects. Coordination.

(H) STUDY ON PRIOR LEARNING.—The Secretary of Labor, in coordination with other heads of Federal agencies, as appropriate, may conduct studies that, through convening stakeholders from the fields of education, workforce, business, labor, defense, and veterans services, and experts in such fields, develop guidelines for assessing, accounting for, and utilizing the prior learning of individuals, including dislocated workers and veterans, in order to provide the individuals with postsecondary educational credit for such prior learning that leads to the attainment of a recognized postsecondary credential identified under section 122(d) and employment.

(I) STUDY ON CAREER PATHWAYS FOR HEALTH CARE PROVIDERS AND PROVIDERS OF EARLY EDUCATION AND CHILD CARE.—The Secretary of Labor, in coordination with the Secretary of Education and the Secretary of Health and Human Services, shall conduct a multistate study to develop, implement, and build upon career advancement models and practices for low-wage health care providers or providers of early education and child care, including faculty education and distance education programs.

(J) STUDY ON EQUIVALENT PAY.—The Secretary shall conduct a multistate study to develop and disseminate strategies for ensuring that programs and activities carried out under this Act are placing individuals in jobs, education, and training that lead to equivalent pay for men and women, including strategies to increase the participation of women in high-wage, high-demand occupations in which women are underrepresented.

(K) REPORTS.—The Secretary shall prepare and disseminate to the Committee on Health, Education, Labor,

and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, and to the public, including through electronic means, reports containing the results of the studies conducted under this paragraph.

(5) MULTISTATE PROJECTS.—

(A) AUTHORITY.—The Secretary may, through grants or contracts, carry out multistate projects that require demonstrated expertise that is available at the national level to effectively disseminate best practices and models for implementing employment and training services, address the specialized employment and training needs of particular service populations, or address industry-wide skill shortages, to the extent such projects are consistent with the priorities specified in the plan published under paragraph (1).

(B) DESIGN OF GRANTS.—Agreements for grants or contracts awarded under this paragraph shall be designed to obtain information relating to the provision of services under different economic conditions or to various demographic groups in order to provide guidance at the national and State levels about how best to administer specific employment and training services.

Grants.
Contracts.

(6) LIMITATIONS.—

(A) COMPETITIVE AWARDS.—A grant or contract awarded for carrying out a project under this subsection in an amount that exceeds $100,000 shall be awarded only on a competitive basis, except that a noncompetitive award may be made in the case of a project that is funded jointly with other public or private sector entities that provide a substantial portion of assistance under the grant or contract for the project.

(B) TIME LIMITS.—A grant or contract shall not be awarded under this subsection to the same organization for more than 3 consecutive years unless such grant or contract is competitively reevaluated within such period.

(C) PEER REVIEW.—

(i) IN GENERAL.—The Secretary shall utilize a peer review process—

(I) to review and evaluate all applications for grants in amounts that exceed $500,000 that are submitted under this section; and

(II) to review and designate exemplary and promising programs under this section.

(ii) AVAILABILITY OF FUNDS.—The Secretary is authorized to use funds provided under this section to carry out peer review activities under this subparagraph.

(D) PRIORITY.—In awarding grants or contracts under this subsection, priority shall be provided to entities with recognized expertise in the methods, techniques, and knowledge of workforce investment activities. The Secretary shall establish appropriate time limits for the duration of such projects.

(c) DISLOCATED WORKER PROJECTS.—Of the amount made available pursuant to section 132(a)(2)(A) for any program year, the Secretary shall use not more than 10 percent of such amount

to carry out demonstration and pilot projects, multiservice projects, and multistate projects relating to the employment and training needs of dislocated workers. Of the requirements of this section, such projects shall be subject only to the provisions relating to review and evaluation of applications under subsection (b)(6)(C). Such projects may include demonstration and pilot projects relating to promoting self-employment, promoting job creation, averting dislocations, assisting dislocated farmers, assisting dislocated fishermen, and promoting public works. Such projects shall be administered by the Secretary, acting through the Assistant Secretary for Employment and Training.

SEC. 170. NATIONAL DISLOCATED WORKER GRANTS. 29 USC 3225.

(a) DEFINITIONS.—In this section:

(1) EMERGENCY OR DISASTER.—The term "emergency or disaster" means—

(A) an emergency or a major disaster, as defined in paragraphs (1) and (2), respectively, of section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122 (1) and (2)); or

(B) an emergency or disaster situation of national significance that could result in a potentially large loss of employment, as declared or otherwise recognized by the chief official of a Federal agency with authority for or jurisdiction over the Federal response to the emergency or disaster situation.

(2) DISASTER AREA.—The term "disaster area" means an area that has suffered or in which has occurred an emergency or disaster.

(b) IN GENERAL.—

(1) GRANTS.—The Secretary is authorized to award national dislocated worker grants—

(A) to an entity described in subsection (c)(1)(B) to provide employment and training assistance to workers affected by major economic dislocations, such as plant closures, mass layoffs, or closures and realignments of military installations;

(B) to provide assistance to—

(i) the Governor of any State within the boundaries of which is a disaster area, to provide disaster relief employment in the disaster area; or

(ii) the Governor of any State to which a substantial number of workers from an area in which an emergency or disaster has been declared or otherwise recognized have relocated;

(C) to provide additional assistance to a State board or local board for eligible dislocated workers in a case in which the State board or local board has expended the funds provided under this section to carry out activities described in subparagraphs (A) and (B) and can demonstrate the need for additional funds to provide appropriate services for such workers, in accordance with requirements prescribed by the Secretary; and

(D) to provide additional assistance to a State board or local board serving an area where—

(i) a higher-than-average demand for employment and training activities for dislocated members of the

Armed Forces, spouses described in section 3(15)(E), or members of the Armed Forces described in subsection (c)(2)(A)(iv), exceeds State and local resources for providing such activities; and

(ii) such activities are to be carried out in partnership with the Department of Defense and Department of Veterans Affairs transition assistance programs.

Deadline.

(2) DECISIONS AND OBLIGATIONS.—The Secretary shall issue a final decision on an application for a national dislocated worker grant under this subsection not later than 45 calendar days after receipt of the application. The Secretary shall issue a notice of obligation for such grant not later than 10 days after the award of such grant.

Notice.
Deadline.

(c) EMPLOYMENT AND TRAINING ASSISTANCE REQUIREMENTS.—

(1) GRANT RECIPIENT ELIGIBILITY.—

(A) APPLICATION.—To be eligible to receive a grant under subsection (b)(1)(A), an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(B) ELIGIBLE ENTITY.—In this paragraph, the term "entity" means a State, a local board, an entity described in section 166(c), an entity determined to be eligible by the Governor of the State involved, and any other entity that demonstrates to the Secretary the capability to effectively respond to the circumstances relating to particular dislocations.

(2) PARTICIPANT ELIGIBILITY.—

(A) IN GENERAL.—In order to be eligible to receive employment and training assistance under a national dislocated worker grant awarded pursuant to subsection (b)(1)(A), an individual shall be—

(i) a dislocated worker;

Time period.

(ii) a civilian employee of the Department of Defense or the Department of Energy employed at a military installation that is being closed, or that will undergo realignment, within the next 24 months after the date of the determination of eligibility;

Determination.

(iii) an individual who is employed in a nonmanagerial position with a Department of Defense contractor, who is determined by the Secretary of Defense to be at risk of termination from employment as a result of reductions in defense expenditures, and whose employer is converting operations from defense to nondefense applications in order to prevent worker layoffs; or

(iv) a member of the Armed Forces who—

(I) was on active duty or full-time National Guard duty;

(II)(aa) is involuntarily separated (as defined in section 1141 of title 10, United States Code) from active duty or full-time National Guard duty; or

(bb) is separated from active duty or full-time National Guard duty pursuant to a special separation benefits program under section 1174a of title

10, United States Code, or the voluntary separation incentive program under section 1175 of that title;

(III) is not entitled to retired or retained pay incident to the separation described in subclause (II); and

(IV) applies for such employment and training assistance before the end of the 180-day period beginning on the date of that separation. Time period. Effective date.

(B) RETRAINING ASSISTANCE.—The individuals described in subparagraph (A)(iii) shall be eligible for retraining assistance to upgrade skills by obtaining marketable skills needed to support the conversion described in subparagraph (A)(iii).

(C) ADDITIONAL REQUIREMENTS.—The Secretary shall establish and publish additional requirements related to eligibility for employment and training assistance under the national dislocated worker grants to ensure effective use of the funds available for this purpose. Publication.

(D) DEFINITIONS.—In this paragraph, the terms "military installation" and "realignment" have the meanings given the terms in section 2910 of the Defense Base Closure and Realignment Act of 1990 (Public Law 101–510; 10 U.S.C. 2687 note).

(d) DISASTER RELIEF EMPLOYMENT ASSISTANCE REQUIREMENTS.—

(1) IN GENERAL.—Funds made available under subsection (b)(1)(B)—

(A) shall be used, in coordination with the Administrator of the Federal Emergency Management Agency, as applicable, to provide disaster relief employment on projects that provide food, clothing, shelter, and other humanitarian assistance for emergency and disaster victims, and projects regarding demolition, cleaning, repair, renovation, and reconstruction of damaged and destroyed structures, facilities, and lands located within the disaster area and in offshore areas related to the emergency or disaster;

(B) may be expended through public and private agencies and organizations engaged in such projects; and

(C) may be expended to provide employment and training activities.

(2) ELIGIBILITY.—An individual shall be eligible to be offered disaster relief employment under subsection (b)(1)(B) if such individual—

(A) is a dislocated worker;

(B) is a long-term unemployed individual;

(C) is temporarily or permanently laid off as a consequence of the emergency or disaster; or

(D) in the case of an individual who is self-employed, becomes unemployed or significantly underemployed as a result of the emergency or disaster.

(3) LIMITATIONS ON DISASTER RELIEF EMPLOYMENT.— Time period.

(A) IN GENERAL.—Except as provided in subparagraph (B), no individual shall be employed under subsection (b)(1)(B) for more than 12 months for work related to recovery from a single emergency or disaster.

(B) EXTENSION.—At the request of a State, the Secretary may extend such employment, related to recovery from a single emergency or disaster involving the State, for not more than an additional 12 months.

(4) USE OF AVAILABLE FUNDS.—Funds made available under subsection (b)(1)(B) shall be available to assist workers described in paragraph (2) who are affected by an emergency or disaster, including workers who have relocated from an area in which an emergency or disaster has been declared or otherwise recognized, as appropriate. Under conditions determined by the Secretary and following notification to the Secretary, a State may use such funds, that are appropriated for any fiscal year and available for expenditure under any grant awarded to the State under this section, to provide any assistance authorized under this subsection. Funds used pursuant to the authority provided under this paragraph shall be subject to the liability and reimbursement requirements described in paragraph (5).

Determination.
Notification.

(5) LIABILITY AND REIMBURSEMENT.—Nothing in this Act shall be construed to relieve liability, by a responsible party that is liable under Federal law, for any costs incurred by the United States under subsection (b)(1)(B) or this subsection, including the responsibility to provide reimbursement for such costs to the United States.

29 USC 3226.

SEC. 171. YOUTHBUILD PROGRAM.

(a) STATEMENT OF PURPOSE.—The purposes of this section are—

(1) to enable disadvantaged youth to obtain the education and employment skills necessary to achieve economic self-sufficiency in occupations in demand and postsecondary education and training opportunities;

(2) to provide disadvantaged youth with opportunities for meaningful work and service to their communities;

(3) to foster the development of employment and leadership skills and commitment to community development among youth in low-income communities;

(4) to expand the supply of permanent affordable housing for homeless individuals and low-income families by utilizing the energies and talents of disadvantaged youth; and

(5) to improve the quality and energy efficiency of community and other nonprofit and public facilities, including those facilities that are used to serve homeless and low-income families.

(b) DEFINITIONS.—In this section:

(1) ADJUSTED INCOME.—The term "adjusted income" has the meaning given the term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(2) APPLICANT.—The term "applicant" means an eligible entity that has submitted an application under subsection (c).

(3) ELIGIBLE ENTITY.—The term "eligible entity" means a public or private nonprofit agency or organization (including a consortium of such agencies or organizations), including—

(A) a community-based organization;

(B) a faith-based organization;

(C) an entity carrying out activities under this title, such as a local board;

(D) a community action agency;

(E) a State or local housing development agency;

(F) an Indian tribe or other agency primarily serving Indians;

(G) a community development corporation;

(H) a State or local youth service or conservation corps; and

(I) any other entity eligible to provide education or employment training under a Federal program (other than the program carried out under this section).

(4) HOMELESS INDIVIDUAL.—The term "homeless individual" means a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))) or a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))).

(5) HOUSING DEVELOPMENT AGENCY.—The term "housing development agency" means any agency of a State or local government, or any private nonprofit organization, that is engaged in providing housing for homeless individuals or low-income families.

(6) INCOME.—The term "income" has the meaning given the term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(7) INDIAN; INDIAN TRIBE.—The terms "Indian" and "Indian tribe" have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(8) LOW-INCOME FAMILY.—The term "low-income family" means a family described in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

(9) QUALIFIED NATIONAL NONPROFIT AGENCY.—The term "qualified national nonprofit agency" means a nonprofit agency that—

(A) has significant national experience providing services consisting of training, information, technical assistance, and data management to YouthBuild programs or similar projects; and

(B) has the capacity to provide those services.

(10) REGISTERED APPRENTICESHIP PROGRAM.—The term "registered apprenticeship program" means an apprenticeship program—

(A) registered under the Act of August 16, 1937 (commonly known as the "National Apprenticeship Act"; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); and

(B) that meets such other criteria as may be established by the Secretary under this section.

(11) TRANSITIONAL HOUSING.—The term "transitional housing" has the meaning given the term in section 401(29) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(29)).

(12) YOUTHBUILD PROGRAM.—The term "YouthBuild program" means any program that receives assistance under this section and provides disadvantaged youth with opportunities for employment, education, leadership development, and training through the rehabilitation (which, for purposes of this section, shall include energy efficiency enhancements) or

construction of housing for homeless individuals and low-income families, and of public facilities.

(c) YOUTHBUILD GRANTS.—

(1) AMOUNTS OF GRANTS.—The Secretary is authorized to make grants to applicants for the purpose of carrying out YouthBuild programs approved under this section.

(2) ELIGIBLE ACTIVITIES.—An entity that receives a grant under this subsection shall use the funds made available through the grant to carry out a YouthBuild program, which may include the following activities:

(A) Education and workforce investment activities including—

(i) work experience and skills training (coordinated, to the maximum extent feasible, with preapprenticeship and registered apprenticeship programs) in the activities described in subparagraphs (B) and (C) related to rehabilitation or construction, and, if approved by the Secretary, in additional in-demand industry sectors or occupations in the region in which the program operates;

(ii) occupational skills training;

(iii) other paid and unpaid work experiences, including internships and job shadowing;

(iv) services and activities designed to meet the educational needs of participants, including—

(I) basic skills instruction and remedial education;

(II) language instruction educational programs for participants who are English language learners;

(III) secondary education services and activities, including tutoring, study skills training, and school dropout prevention and recovery activities, designed to lead to the attainment of a secondary school diploma or its recognized equivalent (including recognized certificates of attendance or similar documents for individuals with disabilities);

(IV) counseling and assistance in obtaining postsecondary education and required financial aid; and

(V) alternative secondary school services;

(v) counseling services and related activities, such as comprehensive guidance and counseling on drug and alcohol abuse and referral;

(vi) activities designed to develop employment and leadership skills, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors, and activities related to youth policy committees that participate in decision-making related to the program;

(vii) supportive services and provision of need-based stipends necessary to enable individuals to participate in the program and to assist individuals, for a period not to exceed 12 months after the completion of training, in obtaining or retaining employment,

or applying for and transitioning to postsecondary education or training; and

(viii) job search and assistance.

(B) Supervision and training for participants in the rehabilitation or construction of housing, including residential housing for homeless individuals or low-income families, or transitional housing for homeless individuals, and, if approved by the Secretary, in additional in-demand industry sectors or occupations in the region in which the program operates.

(C) Supervision and training for participants—

(i) in the rehabilitation or construction of community and other public facilities, except that not more than 15 percent of funds appropriated to carry out this section may be used for such supervision and training; and

(ii) if approved by the Secretary, in additional in-demand industry sectors or occupations in the region in which the program operates.

(D) Payment of administrative costs of the applicant, including recruitment and selection of participants, except that not more than 10 percent of the amount of assistance provided under this subsection to the grant recipient may be used for such costs.

(E) Adult mentoring.

(F) Provision of wages, stipends, or benefits to participants in the program.

(G) Ongoing training and technical assistance that are related to developing and carrying out the program.

(H) Follow-up services.

(3) APPLICATION.—

(A) FORM AND PROCEDURE.—To be qualified to receive a grant under this subsection, an eligible entity shall submit an application at such time, in such manner, and containing such information as the Secretary may require.

(B) MINIMUM REQUIREMENTS.—The Secretary shall require that the application contain, at a minimum—

(i) labor market information for the labor market area where the proposed program will be implemented, including both current data (as of the date of submission of the application) and projections on career opportunities in construction and in-demand industry sectors or occupations;

(ii) a request for the grant, specifying the amount of the grant requested and its proposed uses;

(iii) a description of the applicant and a statement of its qualifications, including a description of the applicant's relationship with local boards, one-stop operators, local unions, entities carrying out registered apprenticeship programs, other community groups, and employers, and the applicant's past experience, if any, with rehabilitation or construction of housing or public facilities, and with youth education and employment training programs;

(iv) a description of the proposed site for the proposed program;

(v) a description of the educational and job training activities, work opportunities, postsecondary education and training opportunities, and other services that will be provided to participants, and how those activities, opportunities, and services will prepare youth for employment in in-demand industry sectors or occupations in the labor market area described in clause (i);

(vi)(I) a description of the proposed activities to be undertaken under the grant related to rehabilitation or construction, and, in the case of an applicant requesting approval from the Secretary to also carry out additional activities related to in-demand industry sectors or occupations, a description of such additional proposed activities; and

(II) the anticipated schedule for carrying out all activities proposed under subclause (I);

(vii) a description of the manner in which eligible youth will be recruited and selected as participants, including a description of arrangements that will be made with local boards, one-stop operators, faith- and community-based organizations, State educational agencies or local educational agencies (including agencies of Indian tribes), public assistance agencies, the courts of jurisdiction, agencies operating shelters for homeless individuals and other agencies that serve youth who are homeless individuals, foster care agencies, and other appropriate public and private agencies;

(viii) a description of the special outreach efforts that will be undertaken to recruit eligible young women (including young women with dependent children) as participants;

(ix) a description of the specific role of employers in the proposed program, such as their role in developing the proposed program and assisting in service provision and in placement activities;

(x) a description of how the proposed program will be coordinated with other Federal, State, and local activities and activities conducted by Indian tribes, such as local workforce investment activities, career and technical education and training programs, adult and language instruction educational programs, activities conducted by public schools, activities conducted by community colleges, national service programs, and other job training provided with funds available under this title;

(xi) assurances that there will be a sufficient number of adequately trained supervisory personnel in the proposed program;

(xii) a description of the levels of performance to be achieved with respect to the primary indicators of performance for eligible youth described in section 116(b)(2)(A)(ii);

(xiii) a description of the applicant's relationship with local building trade unions regarding their involvement in training to be provided through the proposed program, the relationship of the proposed

program to established registered apprenticeship programs and employers, the ability of the applicant to grant an industry-recognized certificate or certification through the program, and the quality of the program leading to the certificate or certification;

(xiv) a description of activities that will be undertaken to develop the leadership skills of participants;

(xv) a detailed budget and a description of the system of fiscal controls, and auditing and accountability procedures, that will be used to ensure fiscal soundness for the proposed program;

(xvi) a description of the commitments for any additional resources (in addition to the funds made available through the grant) to be made available to the proposed program from—

(I) the applicant;

(II) recipients of other Federal, State, or local housing and community development assistance that will sponsor any part of the rehabilitation or construction, operation and maintenance, or other housing and community development activities undertaken as part of the proposed program; or

(III) entities carrying out other Federal, State, or local activities or activities conducted by Indian tribes, including career and technical education and training programs, adult and language instruction educational programs, and job training provided with funds available under this title;

(xvii) information identifying, and a description of, the financing proposed for any—

(I) rehabilitation of the property involved;

(II) acquisition of the property; or

(III) construction of the property;

(xviii) information identifying, and a description of, the entity that will operate and manage the property;

(xix) information identifying, and a description of, the data collection systems to be used;

(xx) a certification, by a public official responsible for the housing strategy for the State or unit of general local government within which the proposed program is located, that the proposed program is consistent with the housing strategy; and Certification.

(xxi) a certification that the applicant will comply with the requirements of the Fair Housing Act (42 U.S.C. 3601 et seq.) and will affirmatively further fair housing. Certification.

(4) SELECTION CRITERIA.—For an applicant to be eligible to receive a grant under this subsection, the applicant and the applicant's proposed program shall meet such selection criteria as the Secretary shall establish under this section, which shall include criteria relating to—

(A) the qualifications or potential capabilities of an applicant;

(B) an applicant's potential for developing a successful YouthBuild program;

(C) the need for an applicant's proposed program, as determined by the degree of economic distress of the community from which participants would be recruited (measured by indicators such as poverty, youth unemployment, and the number of individuals who have dropped out of secondary school) and of the community in which the housing and community and public facilities proposed to be rehabilitated or constructed is located (measured by indicators such as incidence of homelessness, shortage of affordable housing, and poverty);

(D) the commitment of an applicant to providing skills training, leadership development, and education to participants;

(E) the focus of a proposed program on preparing youth for in-demand industry sectors or occupations, or postsecondary education and training opportunities;

(F) the extent of an applicant's coordination of activities to be carried out through the proposed program with local boards, one-stop operators, and one-stop partners participating in the operation of the one-stop delivery system involved, or the extent of the applicant's good faith efforts in achieving such coordination;

(G) the extent of the applicant's coordination of activities with public education, criminal justice, housing and community development, national service, or postsecondary education or other systems that relate to the goals of the proposed program;

(H) the extent of an applicant's coordination of activities with employers in the local area involved;

(I) the extent to which a proposed program provides for inclusion of tenants who were previously homeless individuals in the rental housing provided through the program;

(J) the commitment of additional resources (in addition to the funds made available through the grant) to a proposed program by—

(i) an applicant;

(ii) recipients of other Federal, State, or local housing and community development assistance who will sponsor any part of the rehabilitation or construction, operation and maintenance, or other housing and community development activities undertaken as part of the proposed program; or

(iii) entities carrying out other Federal, State, or local activities or activities conducted by Indian tribes, including career and technical education and training programs, adult and language instruction educational programs, and job training provided with funds available under this title;

(K) the applicant's potential to serve different regions, including rural areas and States that have not previously received grants for YouthBuild programs; and

(L) such other factors as the Secretary determines to be appropriate for purposes of carrying out the proposed program in an effective and efficient manner.

Notification. Deadline.

(5) APPROVAL.—To the extent practicable, the Secretary shall notify each applicant, not later than 5 months after the

date of receipt of the application by the Secretary, whether the application is approved or not approved.

(d) USE OF HOUSING UNITS.—Residential housing units rehabilitated or constructed using funds made available under subsection (c), shall be available solely—

(1) for rental by, or sale to, homeless individuals or low-income families; or

(2) for use as transitional or permanent housing, for the purpose of assisting in the movement of homeless individuals to independent living.

(e) ADDITIONAL PROGRAM REQUIREMENTS.—

(1) ELIGIBLE PARTICIPANTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an individual may participate in a YouthBuild program only if such individual is—

(i) not less than age 16 and not more than age 24, on the date of enrollment;

(ii) a member of a low-income family, a youth in foster care (including youth aging out of foster care), a youth offender, a youth who is an individual with a disability, a child of incarcerated parents, or a migrant youth; and

(iii) a school dropout, or an individual who was a school dropout and has subsequently reenrolled.

(B) EXCEPTION FOR INDIVIDUALS NOT MEETING INCOME OR EDUCATIONAL NEED REQUIREMENTS.—Not more than 25 percent of the participants in such program may be individuals who do not meet the requirements of clause (ii) or (iii) of subparagraph (A), but who—

(i) are basic skills deficient, despite attainment of a secondary school diploma or its recognized equivalent (including recognized certificates of attendance or similar documents for individuals with disabilities); or

(ii) have been referred by a local secondary school for participation in a YouthBuild program leading to the attainment of a secondary school diploma.

(2) PARTICIPATION LIMITATION.—An eligible individual selected for participation in a YouthBuild program shall be offered full-time participation in the program for a period of not less than 6 months and not more than 24 months. Time period.

(3) MINIMUM TIME DEVOTED TO EDUCATIONAL SERVICES AND ACTIVITIES.—A YouthBuild program receiving assistance under subsection (c) shall be structured so that participants in the program are offered—

(A) education and related services and activities designed to meet educational needs, such as those specified in clauses (iv) through (vii) of subsection (c)(2)(A), during at least 50 percent of the time during which the participants participate in the program; and

(B) work and skill development activities, such as those specified in clauses (i), (ii), (iii), and (viii) of subsection (c)(2)(A), during at least 40 percent of the time during which the participants participate in the program.

(4) AUTHORITY RESTRICTION.—No provision of this section may be construed to authorize any agency, officer, or employee of the United States to exercise any direction, supervision,

or control over the curriculum, program of instruction, administration, or personnel of any educational institution (including a school) or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

(5) STATE AND LOCAL STANDARDS.—All educational programs and activities supported with funds provided under subsection (c) shall be consistent with applicable State and local educational standards. Standards and procedures for the programs and activities that relate to awarding academic credit for and certifying educational attainment in such programs and activities shall be consistent with applicable State and local educational standards.

(f) LEVELS OF PERFORMANCE AND INDICATORS.—

(1) IN GENERAL.—The Secretary shall annually establish expected levels of performance for YouthBuild programs relating to each of the primary indicators of performance for eligible youth activities described in section 116(b)(2)(A)(ii).

(2) ADDITIONAL INDICATORS.—The Secretary may establish expected levels of performance for additional indicators for YouthBuild programs, as the Secretary determines appropriate.

(g) MANAGEMENT AND TECHNICAL ASSISTANCE.—

(1) SECRETARY ASSISTANCE.—The Secretary may enter into contracts with 1 or more entities to provide assistance to the Secretary in the management, supervision, and coordination of the program carried out under this section.

(2) TECHNICAL ASSISTANCE.—

(A) CONTRACTS AND GRANTS.—The Secretary shall enter into contracts with or make grants to 1 or more qualified national nonprofit agencies, in order to provide training, information, technical assistance, program evaluation, and data management to recipients of grants under subsection (c).

(B) RESERVATION OF FUNDS.—Of the amounts available under subsection (i) to carry out this section for a fiscal year, the Secretary shall reserve 5 percent to carry out subparagraph (A).

(3) CAPACITY BUILDING GRANTS.—

(A) IN GENERAL.—In each fiscal year, the Secretary may use not more than 3 percent of the amounts available under subsection (i) to award grants to 1 or more qualified national nonprofit agencies to pay for the Federal share of the cost of capacity building activities.

(B) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) shall be 25 percent. The non-Federal share shall be provided from private sources.

(h) SUBGRANTS AND CONTRACTS.—Each recipient of a grant under subsection (c) to carry out a YouthBuild program shall provide the services and activities described in this section directly or through subgrants, contracts, or other arrangements with local educational agencies, institutions of higher education, State or local housing development agencies, other public agencies, including agencies of Indian tribes, or private organizations.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $77,534,000 for fiscal year 2015;

(2) $83,523,000 for fiscal year 2016;

(3) $85,256,000 for fiscal year 2017;
(4) $87,147,000 for fiscal year 2018;
(5) $89,196,000 for fiscal year 2019; and
(6) $91,087,000 for fiscal year 2020.

SEC. 172. AUTHORIZATION OF APPROPRIATIONS. 29 USC 3227.

(a) NATIVE AMERICAN PROGRAMS.—There are authorized to be appropriated to carry out section 166 (not including subsection (k) of such section)—
(1) $46,082,000 for fiscal year 2015;
(2) $49,641,000 for fiscal year 2016;
(3) $50,671,000 for fiscal year 2017;
(4) $51,795,000 for fiscal year 2018;
(5) $53,013,000 for fiscal year 2019; and
(6) $54,137,000 for fiscal year 2020.

(b) MIGRANT AND SEASONAL FARMWORKER PROGRAMS.—There are authorized to be appropriated to carry out section 167—
(1) $81,896,000 for fiscal year 2015;
(2) $88,222,000 for fiscal year 2016;
(3) $90,052,000 for fiscal year 2017;
(4) $92,050,000 for fiscal year 2018;
(5) $94,214,000 for fiscal year 2019; and
(6) $96,211,000 for fiscal year 2020.

(c) TECHNICAL ASSISTANCE.—There are authorized to be appropriated to carry out section 168—
(1) $3,000,000 for fiscal year 2015;
(2) $3,232,000 for fiscal year 2016;
(3) $3,299,000 for fiscal year 2017;
(4) $3,372,000 for fiscal year 2018;
(5) $3,451,000 for fiscal year 2019; and
(6) $3,524,000 for fiscal year 2020.

(d) EVALUATIONS AND RESEARCH.—There are authorized to be appropriated to carry out section 169—
(1) $91,000,000 for fiscal year 2015;
(2) $98,029,000 for fiscal year 2016;
(3) $100,063,000 for fiscal year 2017;
(4) $102,282,000 for fiscal year 2018;
(5) $104,687,000 for fiscal year 2019; and
(6) $106,906,000 for fiscal year 2020.

(e) ASSISTANCE FOR VETERANS.—If, as of the date of enactment of this Act, any unobligated funds appropriated to carry out section 168 of the Workforce Investment Act of 1998, as in effect on the day before the date of enactment of this Act, remain available, the Secretary of Labor shall continue to use such funds to carry out such section, as in effect on such day, until all of such funds are expended.

(f) ASSISTANCE FOR ELIGIBLE WORKERS.—If, as of the date of enactment of this Act, any unobligated funds appropriated to carry out subsections (f) and (g) of section 173 of the Workforce Investment Act of 1998, as in effect on the day before the date of enactment of this Act, remain available, the Secretary of Labor shall continue to use such funds to carry out such subsections, as in effect on such day, until all of such funds are expended.

Subtitle E—Administration

29 USC 3241.

SEC. 181. REQUIREMENTS AND RESTRICTIONS.

(a) BENEFITS.—

(1) WAGES.—

(A) IN GENERAL.—Individuals in on-the-job training or individuals employed in activities under this title shall be compensated at the same rates, including periodic increases, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills, and such rates shall be in accordance with applicable law, but in no event less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable State or local minimum wage law.

(B) RULE OF CONSTRUCTION.—The reference in subparagraph (A) to section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) shall not be applicable for individuals in territorial jurisdictions in which section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) does not apply.

(2) TREATMENT OF ALLOWANCES, EARNINGS, AND PAYMENTS.—Allowances, earnings, and payments to individuals participating in programs under this title shall not be considered as income for the purposes of determining eligibility for and the amount of income transfer and in-kind aid furnished under any Federal or federally assisted program based on need, other than as provided under the Social Security Act (42 U.S.C. 301 et seq.).

(b) LABOR STANDARDS.—

(1) LIMITATIONS ON ACTIVITIES THAT IMPACT WAGES OF EMPLOYEES.—No funds provided under this title shall be used to pay the wages of incumbent employees during their participation in economic development activities provided through a statewide workforce development system.

(2) DISPLACEMENT.—

(A) PROHIBITION.—A participant in a program or activity authorized under this title (referred to in this section as a "specified activity") shall not displace (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) any currently employed employee (as of the date of the participation).

(B) PROHIBITION ON IMPAIRMENT OF CONTRACTS.—A specified activity shall not impair an existing contract for services or collective bargaining agreement, and no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization and employer concerned.

(3) OTHER PROHIBITIONS.—A participant in a specified activity shall not be employed in a job if—

(A) any other individual is on layoff from the same or any substantially equivalent job;

(B) the employer has terminated the employment of any regular employee or otherwise reduced the workforce of the employer with the intention of filling the vacancy so created with the participant; or

(C) the job is created in a promotional line that will infringe in any way upon the promotional opportunities of currently employed individuals (as of the date of the participation).

(4) HEALTH AND SAFETY.—Health and safety standards established under Federal and State law otherwise applicable to working conditions of employees shall be equally applicable to working conditions of participants engaged in specified activities. To the extent that a State workers' compensation law applies, workers' compensation shall be provided to participants on the same basis as the compensation is provided to other individuals in the State in similar employment. Applicability.

(5) EMPLOYMENT CONDITIONS.—Individuals in on-the-job training or individuals employed in programs and activities under this title shall be provided benefits and working conditions at the same level and to the same extent as other trainees or employees working a similar length of time and doing the same type of work.

(6) OPPORTUNITY TO SUBMIT COMMENTS.—Interested members of the public, including representatives of businesses and of labor organizations, shall be provided an opportunity to submit comments to the Secretary with respect to programs and activities proposed to be funded under subtitle B.

(7) NO IMPACT ON UNION ORGANIZING.—Each recipient of funds under this title shall provide to the Secretary assurances that none of such funds will be used to assist, promote, or deter union organizing.

(c) GRIEVANCE PROCEDURE.—

(1) IN GENERAL.—Each State and local area receiving an allotment or allocation under this title shall establish and maintain a procedure for grievances or complaints alleging violations of the requirements of this title from participants and other interested or affected parties. Such procedure shall include an opportunity for a hearing and be completed within 60 days after the filing of the grievance or complaint. Hearings. Deadline.

(2) INVESTIGATION.— Time periods.

(A) IN GENERAL.—The Secretary shall investigate an allegation of a violation described in paragraph (1) if—

(i) a decision relating to such violation has not been reached within 60 days after the date of the filing of the grievance or complaint and either party appeals to the Secretary; or

(ii) a decision relating to such violation has been reached within such 60 days and the party to which such decision is adverse appeals such decision to the Secretary.

(B) ADDITIONAL REQUIREMENT.—The Secretary shall make a final determination relating to an appeal made under subparagraph (A) no later than 120 days after receiving such appeal. Determination.

(3) REMEDIES.—Remedies that may be imposed under this section for a violation of any requirement of this title shall be limited—

(A) to suspension or termination of payments under this title;

(B) to prohibition of placement of a participant with an employer that has violated any requirement under this title;

(C) where applicable, to reinstatement of an employee, payment of lost wages and benefits, and reestablishment of other relevant terms, conditions, and privileges of employment; and

(D) where appropriate, to other equitable relief.

(4) RULE OF CONSTRUCTION.—Nothing in paragraph (3) shall be construed to prohibit a grievant or complainant from pursuing a remedy authorized under another Federal, State, or local law for a violation of this title.

(d) RELOCATION.—

(1) PROHIBITION ON USE OF FUNDS TO ENCOURAGE OR INDUCE RELOCATION.—No funds provided under this title shall be used, or proposed for use, to encourage or induce the relocation of a business or part of a business if such relocation would result in a loss of employment for any employee of such business at the original location and such original location is within the United States.

Deadline.

(2) PROHIBITION ON USE OF FUNDS AFTER RELOCATION.—No funds provided under this title for an employment or training activity shall be used for customized or skill training, on-the-job training, incumbent worker training, transitional employment, or company-specific assessments of job applicants or employees, for any business or part of a business that has relocated, until the date that is 120 days after the date on which such business commences operations at the new location, if the relocation of such business or part of a business results in a loss of employment for any employee of such business at the original location and such original location is within the United States.

Determination.

(3) REPAYMENT.—If the Secretary determines that a violation of paragraph (1) or (2) has occurred, the Secretary shall require the State that has violated such paragraph (or that has provided funding to an entity that has violated such paragraph) to repay to the United States an amount equal to the amount expended in violation of such paragraph.

(e) LIMITATION ON USE OF FUNDS.—No funds available to carry out an activity under this title shall be used for employment generating activities, investment in revolving loan funds, capitalization of businesses, investment in contract bidding resource centers, economic development activities, or similar activities, that are not directly related to training for eligible individuals under this title. No funds received to carry out an activity under subtitle B shall be used for foreign travel.

(f) TESTING AND SANCTIONING FOR USE OF CONTROLLED SUBSTANCES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a State shall not be prohibited by the Federal Government from—

(A) testing participants in programs under subtitle B for the use of controlled substances; and

(B) sanctioning such participants who test positive for the use of such controlled substances.

(2) ADDITIONAL REQUIREMENTS.—

(A) PERIOD OF SANCTION.—In sanctioning participants in a program under subtitle B who test positive for the use of controlled substances—

(i) with respect to the first occurrence for which a participant tests positive, a State may exclude the participant from the program for a period not to exceed 6 months; and

(ii) with respect to the second occurrence and each subsequent occurrence for which a participant tests positive, a State may exclude the participant from the program for a period not to exceed 2 years.

(B) APPEAL.—The testing of participants and the imposition of sanctions under this subsection shall be subject to expeditious appeal in accordance with due process procedures established by the State.

(C) PRIVACY.—A State shall establish procedures for testing participants for the use of controlled substances that ensure a maximum degree of privacy for the participants. Procedures.

(3) FUNDING REQUIREMENT.—In testing and sanctioning of participants for the use of controlled substances in accordance with this subsection, the only Federal funds that a State may use are the amounts made available for the administration of statewide workforce investment activities under section 134(a)(3)(B).

(g) SUBGRANT AUTHORITY.—A recipient of grant funds under this title shall have the authority to enter into subgrants in order to carry out the grant, subject to such conditions as the Secretary may establish.

SEC. 182. PROMPT ALLOCATION OF FUNDS.

Grants.
29 USC 3242.

(a) ALLOTMENTS BASED ON LATEST AVAILABLE DATA.—All allotments to States and grants to outlying areas under this title shall be based on the latest available data and estimates satisfactory to the Secretary. All data relating to disadvantaged adults and disadvantaged youth shall be based on the most recent satisfactory data from the Bureau of the Census.

(b) PUBLICATION IN FEDERAL REGISTER RELATING TO FORMULA FUNDS.—Whenever the Secretary allots funds required to be allotted under this title, the Secretary shall publish in a timely fashion in the Federal Register the amount proposed to be distributed to each recipient of the funds.

(c) REQUIREMENT FOR FUNDS DISTRIBUTED BY FORMULA.—All funds required to be allotted under section 127 or 132 shall be allotted within 45 days after the date of enactment of the Act appropriating the funds, except that, if such funds are appropriated in advance as authorized by section 189(g), such funds shall be allotted or allocated not later than the March 31 preceding the program year for which such funds are to be available for obligation. Deadlines.

(d) PUBLICATION IN FEDERAL REGISTER RELATING TO DISCRETIONARY FUNDS.—Whenever the Secretary utilizes a formula to allot or allocate funds made available for distribution at the Secretary's discretion under this title, the Secretary shall, not later than 30 days prior to such allotment or allocation, publish for comment in the Federal Register the formula, the rationale for the formula, and the proposed amounts to be distributed to each Deadline.

State and local area. After consideration of any comments received, the Secretary shall publish final allotments and allocations in the Federal Register.

Deadlines.

(e) AVAILABILITY OF FUNDS.—Funds shall be made available under section 128, and funds shall be made available under section 133, for a local area not later than 30 days after the date the funds are made available to the Governor involved, under section 127 or 132 (as the case may be), or 7 days after the date the local plan for the area is approved, whichever is later.

29 USC 3243.

SEC. 183. MONITORING.

(a) IN GENERAL.—The Secretary is authorized to monitor all recipients of financial assistance under this title to determine whether the recipients are complying with the provisions of this title, including the regulations issued under this title.

(b) INVESTIGATIONS.—The Secretary may investigate any matter the Secretary determines to be necessary to determine the compliance of the recipients with this title, including the regulations issued under this title. The investigations authorized by this subsection may include examining records (including making certified copies of the records), questioning employees, and entering any premises or onto any site in which any part of a program or activity of such a recipient is conducted or in which any of the records of the recipient are kept.

Applicability.

(c) ADDITIONAL REQUIREMENT.—For the purpose of any investigation or hearing conducted under this title by the Secretary, the provisions of section 9 of the Federal Trade Commission Act (15 U.S.C. 49) (relating to the attendance of witnesses and the production of documents) apply to the Secretary, in the same manner and to the same extent as the provisions apply to the Federal Trade Commission.

29 USC 3244.

SEC. 184. FISCAL CONTROLS; SANCTIONS.

(a) ESTABLISHMENT OF FISCAL CONTROLS BY STATES.—

Procedures.

(1) IN GENERAL.—Each State shall establish such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursal of, and accounting for, Federal funds allocated to local areas under subtitle B. Such procedures shall ensure that all financial transactions carried out under subtitle B are conducted and records maintained in accordance with generally accepted accounting principles applicable in each State.

(2) COST PRINCIPLES.—

Compliance.

(A) IN GENERAL.—Each State (including the Governor of the State), local area (including the chief elected official for the area), and provider receiving funds under this title shall comply with the applicable uniform cost principles included in appropriate circulars or rules of the Office of Management and Budget for the type of entity receiving the funds.

(B) EXCEPTION.—The funds made available to a State for administration of statewide workforce investment activities in accordance with section 134(a)(3)(B) shall be allocable to the overall administration of workforce investment activities, but need not be specifically allocable to—

(i) the administration of adult employment and training activities;

(ii) the administration of dislocated worker employment and training activities; or

(iii) the administration of youth workforce investment activities.

(3) UNIFORM ADMINISTRATIVE REQUIREMENTS.—

(A) IN GENERAL.—Each State (including the Governor of the State), local area (including the chief elected official for the area), and provider receiving funds under this title shall comply with the appropriate uniform administrative requirements for grants and agreements applicable for the type of entity receiving the funds, as promulgated in circulars or rules of the Office of Management and Budget. Compliance.

(B) ADDITIONAL REQUIREMENT.—Procurement transactions under this title between local boards and units of State or local governments shall be conducted only on a cost-reimbursable basis. Contracts.

(4) MONITORING.—Each Governor of a State shall conduct on an annual basis onsite monitoring of each local area within the State to ensure compliance with the uniform administrative requirements referred to in paragraph (3).

(5) ACTION BY GOVERNOR.—If the Governor determines that a local area is not in compliance with the uniform administrative requirements referred to in paragraph (3), the Governor shall— Determination.

(A) require corrective action to secure prompt compliance with the requirements; and

(B) impose the sanctions provided under subsection (b) in the event of failure to take the required corrective action.

(6) CERTIFICATION.—The Governor shall, every 2 years, certify to the Secretary that— Deadline.

(A) the State has implemented the uniform administrative requirements referred to in paragraph (3);

(B) the State has monitored local areas to ensure compliance with the uniform administrative requirements as required under paragraph (4); and

(C) the State has taken appropriate action to secure compliance with the requirements pursuant to paragraph (5).

(7) ACTION BY THE SECRETARY.—If the Secretary determines that the Governor has not fulfilled the requirements of this subsection, the Secretary shall— Determination.

(A) require corrective action to secure prompt compliance with the requirements of this subsection; and

(B) impose the sanctions provided under subsection (e) in the event of failure of the Governor to take the required appropriate action to secure compliance with the requirements.

(b) SUBSTANTIAL VIOLATION.—

(1) ACTION BY GOVERNOR.—If, as a result of financial and compliance audits or otherwise, the Governor determines that there is a substantial violation of a specific provision of this title, and corrective action has not been taken, the Governor shall— Determination.

(A) issue a notice of intent to revoke approval of all or part of the local plan affected; or Notice.

(B) impose a reorganization plan, which may include— Reorganization plan.

(i) decertifying the local board involved;

(ii) prohibiting the use of eligible providers;

(iii) selecting an alternative entity to administer the program for the local area involved;

(iv) merging the local area into one or more other local areas; or

(v) making such other changes as the Secretary or Governor determines to be necessary to secure compliance with the provision.

(2) APPEAL.—

Effective date.

(A) IN GENERAL.—The actions taken by the Governor pursuant to subparagraphs (A) and (B) of paragraph (1) may be appealed to the Secretary and shall not become effective until—

(i) the time for appeal has expired; or

(ii) the Secretary has issued a decision.

Deadline.

(B) ADDITIONAL REQUIREMENT.—The Secretary shall make a final decision under subparagraph (A) not later than 45 days after the receipt of the appeal.

(3) ACTION BY THE SECRETARY.—If the Governor fails to take promptly an action required under paragraph (1), the Secretary shall take such action.

(c) REPAYMENT OF CERTAIN AMOUNTS TO THE UNITED STATES.—

(1) IN GENERAL.—Every recipient of funds under this title shall repay to the United States amounts found not to have been expended in accordance with this title.

Determination.

(2) OFFSET OF REPAYMENT AMOUNT.—If the Secretary determines that a State has expended funds received under this title in a manner contrary to the requirements of this title, the Secretary may require repayment by offsetting the amount of such expenditures against any other amount to which the State is or may be entitled under this title, except as provided under subsection (d)(1).

(3) REPAYMENT FROM DEDUCTION BY STATE.—If the Secretary requires a State to repay funds as a result of a determination that a local area of the State has expended funds in a manner contrary to the requirements of this title, the Governor of the State may use an amount deducted under paragraph (4) to repay the funds, except as provided under subsection (e).

(4) DEDUCTION BY STATE.—The Governor may deduct an amount equal to the misexpenditure described in paragraph (3) from subsequent program year (subsequent to the program year for which the determination was made) allocations to the local area from funds reserved for the administrative costs of the local programs involved, as appropriate.

(5) LIMITATIONS.—A deduction made by a State as described in paragraph (4) shall not be made until such time as the Governor has taken appropriate corrective action to ensure full compliance with this title within such local area with regard to appropriate expenditures of funds under this title.

(d) REPAYMENT OF AMOUNTS.—

Determination.

(1) IN GENERAL.—Each recipient of funds under this title shall be liable to repay the amounts described in subsection (c)(1), from funds other than funds received under this title, upon a determination by the Secretary that the misexpenditure of the amounts was due to willful disregard of the requirements

of this title, gross negligence, failure to observe accepted standards of administration, or a pattern of misexpenditure described in subsection (c)(1). No such determination shall be made under this subsection or subsection (c) until notice and opportunity for a fair hearing have been given to the recipient. Notice.

(2) FACTORS IN IMPOSING SANCTIONS.—In determining whether to impose any sanction authorized by this section against a recipient of funds under this title for violations of this title (including applicable regulations) by a subgrantee or contractor of such recipient, the Secretary shall first determine whether such recipient has adequately demonstrated that the recipient has— Contracts. Determination.

(A) established and adhered to an appropriate system, for entering into and monitoring subgrant agreements and contracts with subgrantees and contractors, that contains acceptable standards for ensuring accountability;

(B) entered into a written subgrant agreement or contract with such a subgrantee or contractor that established clear goals and obligations in unambiguous terms;

(C) acted with due diligence to monitor the implementation of the subgrant agreement or contract, including carrying out the appropriate monitoring activities (including audits) at reasonable intervals; and

(D) taken prompt and appropriate corrective action upon becoming aware of any evidence of a violation of this title, including regulations issued under this title, by such subgrantee or contractor.

(3) WAIVER.—If the Secretary determines that the recipient has demonstrated substantial compliance with the requirements of paragraph (2), the Secretary may waive the imposition of sanctions authorized by this section upon such recipient. The Secretary is authorized to impose any sanction consistent with the provisions of this title and with any applicable Federal or State law directly against any subgrantee or contractor for violation of this title, including regulations issued under this title.

(e) IMMEDIATE TERMINATION OR SUSPENSION OF ASSISTANCE IN EMERGENCY SITUATIONS.—In emergency situations, if the Secretary determines it is necessary to protect the integrity of the funds or ensure the proper operation of the program or activity involved, the Secretary may immediately terminate or suspend financial assistance, in whole or in part, to the recipient if the recipient is given prompt notice and the opportunity for a subsequent hearing within 30 days after such termination or suspension. The Secretary shall not delegate any of the functions or authority specified in this subsection, other than to an officer whose appointment is required to be made by and with the advice and consent of the Senate. Determination. Notice. Deadline.

(f) DISCRIMINATION AGAINST PARTICIPANTS.—If the Secretary determines that any recipient under this title has discharged or in any other manner discriminated against a participant or against any individual in connection with the administration of the program involved, or against any individual because such individual has filed any complaint or instituted or caused to be instituted any proceeding under or related to this title, or has testified or is about to testify in any such proceeding or an investigation under Determination. Deadline.

or related to this title, or otherwise unlawfully denied to any individual a benefit to which that individual is entitled under the provisions of this title, including regulations issued under this title, the Secretary shall, within 30 days, take such action or order such corrective measures, as necessary, with respect to the recipient or the aggrieved individual, or both.

(g) REMEDIES.—The remedies described in this section shall not be considered to be the exclusive remedies available for violations described in this section.

29 USC 3245.

SEC. 185. REPORTS; RECORDKEEPING; INVESTIGATIONS.

(a) RECIPIENT RECORDKEEPING AND REPORTS.—

(1) IN GENERAL.—Recipients of funds under this title shall keep records that are sufficient to permit the preparation of reports required by this title and to permit the tracing of funds to a level of expenditure adequate to ensure that the funds have not been spent unlawfully.

(2) RECORDS AND REPORTS REGARDING GENERAL PERFORMANCE.—Every such recipient shall maintain such records and submit such reports, in such form and containing such information, as the Secretary may require regarding the performance of programs and activities carried out under this title. Such records and reports shall be submitted to the Secretary but shall not be required to be submitted more than once each quarter unless specifically requested by Congress or a committee of Congress, in which case an estimate regarding such information may be provided.

(3) MAINTENANCE OF STANDARDIZED RECORDS.—In order to allow for the preparation of the reports required under subsection (c), such recipients shall maintain standardized records for all individual participants and provide to the Secretary a sufficient number of such records to provide for an adequate analysis of the records.

(4) AVAILABILITY TO THE PUBLIC.—

(A) IN GENERAL.—Except as provided in subparagraph (B), records maintained by such recipients pursuant to this subsection shall be made available to the public upon request.

(B) EXCEPTION.—Subparagraph (A) shall not apply to—

(i) information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and

(ii) trade secrets, or commercial or financial information, that is—

(I) obtained from a person; and

(II) privileged or confidential.

(C) FEES TO RECOVER COSTS.—Such recipients may charge fees sufficient to recover costs applicable to the processing of requests for records under subparagraph (A).

(b) INVESTIGATIONS OF USE OF FUNDS.—

(1) IN GENERAL.—

(A) SECRETARY.—In order to evaluate compliance with the provisions of this title, the Secretary shall conduct, in several States, in each fiscal year, investigations of the use of funds received by recipients under this title.

(B) COMPTROLLER GENERAL OF THE UNITED STATES.—In order to ensure compliance with the provisions of this

title, the Comptroller General of the United States may conduct investigations of the use of funds received under this title by any recipient.

(2) PROHIBITION.—In conducting any investigation under this title, the Secretary or the Comptroller General of the United States may not request the compilation of any information that the recipient is not otherwise required to compile and that is not readily available to such recipient.

(3) AUDITS.—

(A) IN GENERAL.—In carrying out any audit under this title (other than any initial audit survey or any audit investigating possible criminal or fraudulent conduct), either directly or through grant or contract, the Secretary, the Inspector General of the Department of Labor, or the Comptroller General of the United States shall furnish to the State, recipient, or other entity to be audited, advance notification of the overall objectives and purposes of the audit, and any extensive recordkeeping or data requirements to be met, not later than 14 days (or as soon as practicable) prior to the commencement of the audit. Deadline.

(B) NOTIFICATION REQUIREMENT.—If the scope, objectives, or purposes of the audit change substantially during the course of the audit, the entity being audited shall be notified of the change as soon as practicable.

(C) ADDITIONAL REQUIREMENT.—The reports on the results of such audits shall cite the law, regulation, policy, or other criteria applicable to any finding contained in the reports.

(D) RULE OF CONSTRUCTION.—Nothing contained in this title shall be construed so as to be inconsistent with the Inspector General Act of 1978 (5 U.S.C. App.) or government auditing standards issued by the Comptroller General of the United States.

(c) GRANTEE INFORMATION RESPONSIBILITIES.—Each State, each local board, and each recipient (other than a subrecipient, subgrantee, or contractor of a recipient) receiving funds under this title— Contracts.

(1) shall make readily accessible such reports concerning its operations and expenditures as shall be prescribed by the Secretary;

(2) shall prescribe and maintain comparable management information systems, in accordance with guidelines that shall be prescribed by the Secretary, designed to facilitate the uniform compilation, cross tabulation, and analysis of programmatic, participant, and financial data, on statewide, local area, and other appropriate bases, necessary for reporting, monitoring, and evaluating purposes, including data necessary to comply with section 188; Guidelines.

(3) shall monitor the performance of providers in complying with the terms of grants, contracts, or other agreements made pursuant to this title; and

(4) shall, to the extent practicable, submit or make available (including through electronic means) any reports, records, plans, or any other data that are required to be submitted or made available, respectively, under this title.

(d) INFORMATION TO BE INCLUDED IN REPORTS.—

(1) IN GENERAL.—The reports required in subsection (c) shall include information regarding programs and activities carried out under this title pertaining to—

(A) the relevant demographic characteristics (including race, ethnicity, sex, and age) and other related information regarding participants;

(B) the programs and activities in which participants are enrolled, and the length of time that participants are engaged in such programs and activities;

(C) outcomes of the programs and activities for participants, including the occupations of participants, and placement for participants in nontraditional employment;

(D) specified costs of the programs and activities; and

(E) information necessary to prepare reports to comply with section 188.

(2) ADDITIONAL REQUIREMENT.—The Secretary shall ensure that all elements of the information required for the reports described in paragraph (1) are defined and that the information is reported uniformly.

(e) QUARTERLY FINANCIAL REPORTS.—

(1) IN GENERAL.—Each local board in a State shall submit quarterly financial reports to the Governor with respect to programs and activities carried out under this title. Such reports shall include information identifying all program and activity costs by cost category in accordance with generally accepted accounting principles and by year of the appropriation involved.

(2) ADDITIONAL REQUIREMENT.—Each State shall submit to the Secretary, and the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, on a quarterly basis, a summary of the reports submitted to the Governor pursuant to paragraph (1).

(f) MAINTENANCE OF ADDITIONAL RECORDS.—Each State and local board shall maintain records with respect to programs and activities carried out under this title that identify—

(1) any income or profits earned, including such income or profits earned by subrecipients; and

(2) any costs incurred (such as stand-in costs) that are otherwise allowable except for funding limitations.

(g) COST CATEGORIES.—In requiring entities to maintain records of costs by cost category under this title, the Secretary shall require only that the costs be categorized as administrative or programmatic costs.

29 USC 3246.

SEC. 186. ADMINISTRATIVE ADJUDICATION.

(a) IN GENERAL.—Whenever any applicant for financial assistance under this title is dissatisfied because the Secretary has made a determination not to award financial assistance in whole or in part to such applicant, the applicant may request a hearing before an administrative law judge of the Department of Labor. A similar hearing may also be requested by any recipient for whom a corrective action has been required or a sanction has been imposed by the Secretary under section 184.

Deadlines.

(b) APPEAL.—The decision of the administrative law judge shall constitute final action by the Secretary unless, within 20 days

after receipt of the decision of the administrative law judge, a party dissatisfied with the decision or any part of the decision has filed exceptions with the Secretary specifically identifying the procedure, fact, law, or policy to which exception is taken. Any exception not specifically urged during the 20-day period shall be deemed to have been waived. After the 20-day period the decision of the administrative law judge shall become the final decision of the Secretary unless the Secretary, within 30 days after such filing, notifies the parties that the case involved has been accepted for review. Notification.

(c) TIME LIMIT.—Any case accepted for review by the Secretary under subsection (b) shall be decided within 180 days after such acceptance. If the case is not decided within the 180-day period, the decision of the administrative law judge shall become the final decision of the Secretary at the end of the 180-day period.

(d) ADDITIONAL REQUIREMENT.—The provisions of section 187 shall apply to any final action of the Secretary under this section. Applicability.

SEC. 187. JUDICIAL REVIEW. 29 USC 3247.

(a) REVIEW.— Deadlines.

(1) PETITION.—With respect to any final order by the Secretary under section 186 by which the Secretary awards, declines to award, or only conditionally awards, financial assistance under this title, or any final order of the Secretary under section 186 with respect to a corrective action or sanction imposed under section 184, any party to a proceeding that resulted in such final order may obtain review of such final order in the United States Court of Appeals having jurisdiction over the applicant for or recipient of the funds involved, by filing a review petition within 30 days after the date of issuance of such final order.

(2) ACTION ON PETITION.—The clerk of the court shall transmit a copy of the review petition to the Secretary, who shall file the record on which the final order was entered as provided in section 2112 of title 28, United States Code. The filing of a review petition shall not stay the order of the Secretary, unless the court orders a stay. Petitions filed under this subsection shall be heard expeditiously, if possible within 10 days after the date of filing of a reply to the petition. Records.

(3) STANDARD AND SCOPE OF REVIEW.—No objection to the order of the Secretary shall be considered by the court unless the objection was specifically urged, in a timely manner, before the Secretary. The review shall be limited to questions of law and the findings of fact of the Secretary shall be conclusive if supported by substantial evidence.

(b) JUDGMENT.—The court shall have jurisdiction to make and enter a decree affirming, modifying, or setting aside the order of the Secretary in whole or in part. The judgment of the court regarding the order shall be final, subject to certiorari review by the Supreme Court as provided in section 1254(1) of title 28, United States Code.

SEC. 188. NONDISCRIMINATION. 29 USC 3248.

(a) IN GENERAL.—

(1) FEDERAL FINANCIAL ASSISTANCE.—For the purpose of applying the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), on the basis of disability under section 504

of the Rehabilitation Act of 1973 (29 U.S.C. 794), on the basis of sex under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), or on the basis of race, color, or national origin under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), programs and activities funded or otherwise financially assisted in whole or in part under this Act are considered to be programs and activities receiving Federal financial assistance.

(2) PROHIBITION OF DISCRIMINATION REGARDING PARTICIPATION, BENEFITS, AND EMPLOYMENT.—No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color, religion, sex (except as otherwise permitted under title IX of the Education Amendments of 1972), national origin, age, disability, or political affiliation or belief.

(3) PROHIBITION ON ASSISTANCE FOR FACILITIES FOR SECTARIAN INSTRUCTION OR RELIGIOUS WORSHIP.—Participants shall not be employed under this title to carry out the construction, operation, or maintenance of any part of any facility that is used or to be used for sectarian instruction or as a place for religious worship (except with respect to the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship, in a case in which the organization operating the facility is part of a program or activity providing services to participants).

(4) PROHIBITION ON DISCRIMINATION ON BASIS OF PARTICIPANT STATUS.—No person may discriminate against an individual who is a participant in a program or activity that receives funds under this title, with respect to the terms and conditions affecting, or rights provided to, the individual, solely because of the status of the individual as a participant.

(5) PROHIBITION ON DISCRIMINATION AGAINST CERTAIN NONCITIZENS.—Participation in programs and activities or receiving funds under this title shall be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States.

Notification. Compliance.

(b) ACTION OF SECRETARY.—Whenever the Secretary finds that a State or other recipient of funds under this title has failed to comply with a provision of law referred to in subsection (a)(1), or with paragraph (2), (3), (4), or (5) of subsection (a), including an applicable regulation prescribed to carry out such provision or paragraph, the Secretary shall notify such State or recipient and shall request that the State or recipient comply. If within a reasonable period of time, not to exceed 60 days, the State or recipient fails or refuses to comply, the Secretary may—

Time period.

(1) refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted; or

(2) take such other action as may be provided by law.

(c) ACTION OF ATTORNEY GENERAL.—When a matter is referred to the Attorney General pursuant to subsection (b)(1), or whenever the Attorney General has reason to believe that a State or other recipient of funds under this title is engaged in a pattern or practice of discrimination in violation of a provision of law referred to

in subsection (a)(1) or in violation of paragraph (2), (3), (4), or (5) of subsection (a), the Attorney General may bring a civil action in any appropriate district court of the United States for such relief as may be appropriate, including injunctive relief.

(d) JOB CORPS.—For the purposes of this section, Job Corps members shall be considered to be the ultimate beneficiaries of Federal financial assistance.

(e) REGULATIONS.—The Secretary shall issue regulations necessary to implement this section not later than 1 year after the date of enactment of the Workforce Innovation and Opportunity Act. Such regulations shall adopt standards for determining discrimination and procedures for enforcement that are consistent with the Acts referred to in subsection (a)(1), as well as procedures to ensure that complaints filed under this section and such Acts are processed in a manner that avoids duplication of effort.

Deadline.
Procedures.

SEC. 189. SECRETARIAL ADMINISTRATIVE AUTHORITIES AND RESPONSIBILITIES.

29 USC 3249.

(a) IN GENERAL.—In accordance with chapter 5 of title 5, United States Code, the Secretary may prescribe rules and regulations to carry out this title, only to the extent necessary to administer and ensure compliance with the requirements of this title. Such rules and regulations may include provisions making adjustments authorized by section 6504 of title 31, United States Code. All such rules and regulations shall be published in the Federal Register at least 30 days prior to their effective dates. Copies of each such rule or regulation shall be transmitted to the appropriate committees of Congress on the date of such publication and shall contain, with respect to each material provision of such rule or regulation, a citation to the particular substantive section of law that is the basis for the provision.

Federal Register, publication.
Time period.

(b) ACQUISITION OF CERTAIN PROPERTY AND SERVICES.—The Secretary is authorized, in carrying out this title, to accept, purchase, or lease in the name of the Department of Labor, and employ or dispose of in furtherance of the purposes of this title, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise, and to accept voluntary and uncompensated services notwithstanding the provisions of section 1342 of title 31, United States Code.

(c) AUTHORITY TO ENTER INTO CERTAIN AGREEMENTS AND TO MAKE CERTAIN EXPENDITURES.—The Secretary may make such grants, enter into such contracts or agreements, establish such procedures, and make such payments, in installments and in advance or by way of reimbursement, or otherwise allocate or expend such funds under this title, as may be necessary to carry out this title, including making expenditures for construction, repairs, and capital improvements, and including making necessary adjustments in payments on account of over-payments or underpayments.

(d) ANNUAL REPORT.—The Secretary shall prepare and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate an annual report regarding the programs and activities funded under this title. The Secretary shall include in such report—

(1) a summary of the achievements, failures, and challenges of the programs and activities in meeting the objectives of this title;

(2) a summary of major findings from research, evaluations, pilot projects, and experiments conducted under this title in the fiscal year prior to the submission of the report;

Recommendations.

(3) recommendations for modifications in the programs and activities based on analysis of such findings; and

Recommendations.

(4) such other recommendations for legislative or administrative action as the Secretary determines to be appropriate.

Determination.
Applicability.

(e) UTILIZATION OF SERVICES AND FACILITIES.—The Secretary is authorized, in carrying out this title, under the same procedures as are applicable under subsection (c) or to the extent permitted by law other than this title, to accept and use the services and facilities of departments, agencies, and establishments of the United States. The Secretary is also authorized, in carrying out this title, to accept and use the services and facilities of the agencies of any State or political subdivision of a State, with the consent of the State or political subdivision.

(f) OBLIGATIONAL AUTHORITY.—Notwithstanding any other provision of this title, the Secretary shall have no authority to enter into contracts, grant agreements, or other financial assistance agreements under this title, except to such extent and in such amounts as are provided in advance in appropriations Acts.

(g) PROGRAM YEAR.—

Effective dates.

(1) IN GENERAL.—

(A) PROGRAM YEAR.—Except as provided in subparagraph (B), appropriations for any fiscal year for programs and activities funded under this title shall be available for obligation only on the basis of a program year. The program year shall begin on July 1 in the fiscal year for which the appropriation is made.

(B) YOUTH WORKFORCE INVESTMENT ACTIVITIES.—The Secretary may make available for obligation, beginning April 1 of any fiscal year, funds appropriated for such fiscal year to carry out youth workforce investment activities under subtitle B and activities under section 171.

(2) AVAILABILITY.—

(A) IN GENERAL.—Funds obligated for any program year for a program or activity funded under subtitle B may be expended by each State receiving such funds during that program year and the 2 succeeding program years. Funds received by local areas from States under subtitle B during a program year may be expended during that program year and the succeeding program year.

(B) CERTAIN NATIONAL ACTIVITIES.—

(i) IN GENERAL.—Funds obligated for any program year for any program or activity carried out under section 169 shall remain available until expended.

(ii) INCREMENTAL FUNDING BASIS.—A contract or arrangement entered into under the authority of subsection (a) or (b) of section 169 (relating to evaluations, research projects, studies and reports, and multistate projects), including a long-term, nonseverable services contract, may be funded on an incremental basis with annual appropriations or other available funds.

(C) SPECIAL RULE.—No amount of the funds obligated for a program year for a program or activity funded under this title shall be deobligated on account of a rate of expenditure that is consistent with a State plan, an operating plan described in section 151, or a plan, grant agreement, contract, application, or other agreement described in subtitle D, as appropriate.

(D) FUNDS FOR PAY-FOR-PERFORMANCE CONTRACT STRATEGIES.—Funds used to carry out pay-for-performance contract strategies by local areas shall remain available until expended.

(h) ENFORCEMENT OF MILITARY SELECTIVE SERVICE ACT.—The Secretary shall ensure that each individual participating in any program or activity established under this title, or receiving any assistance or benefit under this title, has not violated section 3 of the Military Selective Service Act (50 U.S.C. App. 453) by not presenting and submitting to registration as required pursuant to such section. The Director of the Selective Service System shall cooperate with the Secretary to enable the Secretary to carry out this subsection.

(i) WAIVERS.—

(1) SPECIAL RULE REGARDING DESIGNATED AREAS.—A State that has enacted, not later than December 31, 1997, a State law providing for the designation of service delivery areas for the delivery of workforce investment activities, may use such areas as local areas under this title, notwithstanding section 106. Deadline.

(2) SPECIAL RULE REGARDING SANCTIONS.—A State that has enacted, not later than December 31, 1997, a State law providing for the sanctioning of such service delivery areas for failure to meet performance accountability measures for workforce investment activities, may use the State law to sanction local areas for failure to meet State performance accountability measures under this title. Deadline.

(3) GENERAL WAIVERS OF STATUTORY OR REGULATORY REQUIREMENTS.—

(A) GENERAL AUTHORITY.—Notwithstanding any other provision of law, the Secretary may waive for a State, or a local area in a State, pursuant to a request submitted by the Governor of the State (in consultation with appropriate local elected officials) with a plan that meets the requirements of subparagraph (B)— Consultation.

(i) any of the statutory or regulatory requirements of subtitle A, subtitle B, or this subtitle (except for requirements relating to wage and labor standards, including nondisplacement protections, worker rights, participation and protection of workers and participants, grievance procedures and judicial review, nondiscrimination, allocation of funds to local areas, eligibility of providers or participants, the establishment and functions of local areas and local boards, the funding of infrastructure costs for one-stop centers, and procedures for review and approval of plans, and other requirements relating to the basic purposes of this title); and

(ii) any of the statutory or regulatory requirements of sections 8 through 10 of the Wagner-Peyser Act

(29 U.S.C. 49g through 49i) (excluding requirements relating to the provision of services to unemployment insurance claimants and veterans, and requirements relating to universal access to basic labor exchange services without cost to jobseekers).

Plan.

(B) REQUESTS.—A Governor requesting a waiver under subparagraph (A) shall submit a plan to the Secretary to improve the statewide workforce development system that—

(i) identifies the statutory or regulatory requirements that are requested to be waived and the goals that the State or local area in the State, as appropriate, intends to achieve as a result of the waiver;

(ii) describes the actions that the State or local area, as appropriate, has undertaken to remove State or local statutory or regulatory barriers;

(iii) describes the goals of the waiver and the expected programmatic outcomes if the request is granted;

(iv) describes the individuals impacted by the waiver; and

(v) describes the process used to monitor the progress in implementing such a waiver, and the process by which notice and, in the case of a waiver for a local area, an opportunity to comment on such request has been provided to the local board for the local area for which the waiver is requested.

Deadline.

(C) CONDITIONS.—Not later than 90 days after the date of the original submission of a request for a waiver under subparagraph (A), the Secretary shall provide a waiver under this subsection if and only to the extent that—

Determination.

(i) the Secretary determines that the requirements requested to be waived impede the ability of the State or local area, as appropriate, to implement the plan described in subparagraph (B); and

Memorandum.

(ii) the State has executed a memorandum of understanding with the Secretary requiring such State to meet, or ensure that the local area for which the waiver is requested meets, agreed-upon outcomes and to implement other appropriate measures to ensure accountability.

(D) EXPEDITED DETERMINATION REGARDING PROVISION OF WAIVERS.—If the Secretary has approved a waiver of statutory or regulatory requirements for a State or local area pursuant to this subsection, the Secretary shall expedite the determination regarding the provision of that waiver, for another State or local area if such waiver is in accordance with the approved State or local plan, as appropriate.

29 USC 3250.

SEC. 190. WORKFORCE FLEXIBILITY PLANS.

Waiver authority.

(a) PLANS.—A State may submit to the Secretary, and the Secretary may approve, a workforce flexibility plan under which the State is authorized to waive, in accordance with the plan—

(1) any of the statutory or regulatory requirements applicable under this title to local areas, pursuant to applications for such waivers from the local areas, except for requirements relating to the basic purposes of this title, wage and labor standards, grievance procedures and judicial review, nondiscrimination, eligibility of participants, allocation of funds to local areas, establishment and functions of local areas and local boards, procedures for review and approval of local plans, and worker rights, participation, and protection;

(2) any of the statutory or regulatory requirements applicable under sections 8 through 10 of the Wagner-Peyser Act (29 U.S.C. 49g through 49i) to the State (excluding requirements relating to the provision of services to unemployment insurance claimants and veterans, and requirements relating to universal access to basic labor exchange services without cost to jobseekers); and

(3) any of the statutory or regulatory requirements applicable under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) to State agencies on aging with respect to activities carried out using funds allotted under section 506(b) of such Act (42 U.S.C. 3056d(b)), except for requirements relating to the basic purposes of such Act, wage and labor standards, eligibility of participants in the activities, and standards for grant agreements.

(b) CONTENT OF PLANS.—A workforce flexibility plan implemented by a State under subsection (a) shall include descriptions of—

(1)(A) the process by which local areas in the State may submit and obtain approval by the State of applications for waivers of requirements applicable under this title; and

(B) the requirements described in subparagraph (A) that are likely to be waived by the State under the plan;

(2) the requirements applicable under sections 8 through 10 of the Wagner-Peyser Act that are proposed to be waived, if any;

(3) the requirements applicable under the Older Americans Act of 1965 that are proposed to be waived, if any;

(4) the outcomes to be achieved by the waivers described in paragraphs (1) through (3); and

(5) other measures to be taken to ensure appropriate accountability for Federal funds in connection with the waivers.

(c) PERIODS.—The Secretary may approve a workforce flexibility plan for a period of not more than 5 years.

(d) OPPORTUNITY FOR PUBLIC COMMENTS.—Prior to submitting a workforce flexibility plan to the Secretary for approval, the State shall provide to all interested parties and to the general public adequate notice of and a reasonable opportunity for comment on the waiver requests proposed to be implemented pursuant to such plan.

Notice. Public information.

SEC. 191. STATE LEGISLATIVE AUTHORITY.

29 USC 3251.

(a) AUTHORITY OF STATE LEGISLATURE.—Nothing in this title shall be interpreted to preclude the enactment of State legislation providing for the implementation, consistent with the provisions of this title, of the activities assisted under this title. Any funds received by a State under this title shall be subject to appropriation

by the State legislature, consistent with the terms and conditions required under this title.

(b) INTERSTATE COMPACTS AND COOPERATIVE AGREEMENTS.—In the event that compliance with provisions of this title would be enhanced by compacts and cooperative agreements between States, the consent of Congress is given to States to enter into such compacts and agreements to facilitate such compliance, subject to the approval of the Secretary.

29 USC 3252.

SEC. 192. TRANSFER OF FEDERAL EQUITY IN STATE EMPLOYMENT SECURITY AGENCY REAL PROPERTY TO THE STATES.

(a) TRANSFER OF FEDERAL EQUITY.—Notwithstanding any other provision of law, any Federal equity acquired in real property through grants to States awarded under title III of the Social Security Act (42 U.S.C. 501 et seq.) or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) is transferred to the States that used the grants for the acquisition of such equity. The portion of any real property that is attributable to the Federal equity transferred under this section shall be used to carry out activities authorized under this Act, title III of the Social Security Act, or the Wagner-Peyser Act. Any disposition of such real property shall be carried out in accordance with the procedures prescribed by the Secretary and the portion of the proceeds from the disposition of such real property that is attributable to the Federal equity transferred under this section shall be used to carry out activities authorized under this Act, title III of the Social Security Act, or the Wagner-Peyser Act.

(b) LIMITATION ON USE.—A State shall not use funds awarded under this Act, title III of the Social Security Act, or the Wagner-Peyser Act to amortize the costs of real property that is purchased by any State on or after the date of enactment of the Revised Continuing Appropriations Resolution, 2007.

29 USC 3253.

SEC. 193. CONTINUATION OF STATE ACTIVITIES AND POLICIES.

(a) IN GENERAL.—Notwithstanding any other provision of this title, the Secretary may not deny approval of a State plan for a covered State, or an application of a covered State for financial assistance, under this title, or find a covered State (including a State board or Governor), or a local area (including a local board or chief elected official) in a covered State, in violation of a provision of this title, on the basis that—

(1)(A) the State proposes to allocate or disburse, allocates, or disburses, within the State, funds made available to the State under section 127 or 132 in accordance with the allocation formula for the type of activities involved, or in accordance with a disbursal procedure or process, used by the State under prior consistent State laws; or

(B) a local board in the State proposes to disburse, or disburses, within the local area, funds made available to the State under section 127 or 132 in accordance with a disbursal procedure or process used by a private industry council under prior consistent State law;

(2) the State proposes to carry out or carries out a State procedure through which local areas use, as fiscal agents for funds made available to the State under section 127 or 132 and allocated within the State, fiscal agents selected in accordance with a process established under prior consistent State laws;

(3) the State proposes to carry out or carries out a State procedure through which the local boards in the State (or the local boards, the chief elected officials in the State, and the Governor) designate or select the one-stop partners and one-stop operators of the statewide system in the State under prior consistent State laws, in lieu of making the designation or certification described in section 121 (regardless of the date the one-stop delivery systems involved have been established);

(4) the State proposes to carry out or carries out a State procedure through which the persons responsible for selecting eligible providers for purposes of subtitle B are permitted to determine that a provider shall not be selected to provide both intake services under section 134(c)(2) and training services under section 134(c)(3), under prior consistent State laws;

(5) the State proposes to designate or designates a State board, or proposes to assign or assigns functions and roles of the State board (including determining the time periods for development and submission of a State plan required under section 102 or 103), for purposes of subtitle A in accordance with prior consistent State laws; or

(6) a local board in the State proposes to use or carry out, uses, or carries out a local plan (including assigning functions and roles of the local board) for purposes of subtitle A in accordance with the authorities and requirements applicable to local plans and private industry councils under prior consistent State laws.

(b) DEFINITION.—In this section:

(1) COVERED STATE.—The term "covered State" means a State that enacted State laws described in paragraph (2).

(2) PRIOR CONSISTENT STATE LAWS.—The term "prior consistent State laws" means State laws, not inconsistent with the Job Training Partnership Act or any other applicable Federal law, that took effect on September 1, 1993, September 1, 1995, and September 1, 1997.

SEC. 194. GENERAL PROGRAM REQUIREMENTS.

29 USC 3254.

Except as otherwise provided in this title, the following conditions apply to all programs under this title:

(1) Each program under this title shall provide employment and training opportunities to those who can benefit from, and who are most in need of, such opportunities. In addition, the recipients of Federal funding for programs under this title shall make efforts to develop programs that contribute to occupational development, upward mobility, development of new careers, and opportunities for nontraditional employment.

(2) Funds provided under this title shall only be used for activities that are in addition to activities that would otherwise be available in the local area in the absence of such funds.

(3)(A) Any local area may enter into an agreement with another local area (including a local area that is a city or county within the same labor market) to pay or share the cost of educating, training, or placing individuals participating in programs assisted under this title, including the provision of supportive services.

(B) Such agreement shall be approved by each local board for a local area entering into the agreement and shall be described in the local plan under section 108.

(4) On-the-job training contracts under this title, shall not be entered into with employers who have received payments under previous contracts under this Act or the Workforce Investment Act of 1998 and have exhibited a pattern of failing to provide on-the-job training participants with continued long-term employment as regular employees with wages and employment benefits (including health benefits) and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work.

(5) No person or organization may charge an individual a fee for the placement or referral of the individual in or to a workforce investment activity under this title.

(6) The Secretary shall not provide financial assistance for any program under this title that involves political activities.

(7)(A) Income under any program administered by a public or private nonprofit entity may be retained by such entity only if such income is used to continue to carry out the program.

(B) Income subject to the requirements of subparagraph (A) shall include—

(i) receipts from goods or services (including conferences) provided as a result of activities funded under this title;

(ii) funds provided to a service provider under this title that are in excess of the costs associated with the services provided; and

(iii) interest income earned on funds received under this title.

Records.

(C) For purposes of this paragraph, each entity receiving financial assistance under this title shall maintain records sufficient to determine the amount of such income received and the purposes for which such income is expended.

Notification.

(8)(A) The Secretary shall notify the Governor and the appropriate local board and chief elected official of, and consult with the Governor and such board and official concerning, any activity to be funded by the Secretary under this title within the corresponding State or local area.

(B) The Governor shall notify the appropriate local board and chief elected official of, and consult with such board and official concerning, any activity to be funded by the Governor under this title within the corresponding local area.

(9)(A) All education programs for youth supported with funds provided under chapter 2 of subtitle B shall be consistent with applicable State and local educational standards.

(B) Standards and procedures with respect to awarding academic credit and certifying educational attainment in programs conducted under such chapter shall be consistent with the requirements of applicable State and local law, including regulation.

(10) No funds available under this title may be used for public service employment except as specifically authorized under this title.

(11) The Federal requirements governing the title, use, and disposition of real property, equipment, and supplies purchased with funds provided under this title shall be the corresponding Federal requirements generally applicable to such items purchased through Federal grants to States and local governments.

(12) Nothing in this title shall be construed to provide an individual with an entitlement to a service under this title.

(13) Services, facilities, or equipment funded under this title may be used, as appropriate, on a fee-for-service basis, by employers in a local area in order to provide employment and training activities to incumbent workers—

(A) when such services, facilities, or equipment are not in use for the provision of services for eligible participants under this title;

(B) if such use for incumbent workers would not have an adverse effect on the provision of services to eligible participants under this title; and

(C) if the income derived from such fees is used to carry out the programs authorized under this title.

(14) Funds provided under this title shall not be used to establish or operate a stand-alone fee-for-service enterprise in a situation in which a private sector employment agency (as defined in section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e)) is providing full access to similar or related services in such a manner as to fully meet the identified need. For purposes of this paragraph, such an enterprise does not include a one-stop delivery system described in section 121(e).

(15)(A) None of the funds available under this title shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of the annual rate of basic pay prescribed for level II of the Executive Schedule under section 5313 of title 5, United States Code.

(B) The limitation described in subparagraph (A) shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A–133. In a case in which a State is a recipient of such funds, the State may establish a lower limit than is provided in subparagraph (A) for salaries and bonuses of those receiving salaries and bonuses from a subrecipient of such funds, taking into account factors including the relative cost of living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer the Federal programs involved.

SEC. 195. RESTRICTIONS ON LOBBYING ACTIVITIES. 29 USC 3255.

(a) PUBLICITY RESTRICTIONS.—

(1) IN GENERAL.—No funds provided under this Act shall be used for—

(A) publicity or propaganda purposes; or

(B) the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat—

(i) the enactment of legislation before Congress or any State or local legislature or legislative body; or

(ii) any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government.

(2) EXCEPTION.—Paragraph (1) shall not apply to—

(A) normal and recognized executive-legislative relationships;

(B) the preparation, distribution, or use of the materials described in paragraph (1)(B) in presentation to Congress or any State or local legislature or legislative body; or

(C) such preparation, distribution, or use of such materials in presentation to the executive branch of any State or local government.

(b) SALARY RESTRICTIONS.—

(1) IN GENERAL.—No funds provided under this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment or issuance of legislation, appropriations, regulations, administrative action, or an Executive order proposed or pending before Congress or any State government, or a State or local legislature or legislative body.

(2) EXCEPTION.—Paragraph (1) shall not apply to—

(A) normal and recognized executive-legislative relationships; or

(B) participation by an agency or officer of a State, local, or tribal government in policymaking and administrative processes within the executive branch of that government.

Adult Education and Family Literacy Act.

TITLE II—ADULT EDUCATION AND LITERACY

29 USC 3101 note.

SEC. 201. SHORT TITLE.

This title may be cited as the "Adult Education and Family Literacy Act".

29 USC 3271.

SEC. 202. PURPOSE.

It is the purpose of this title to create a partnership among the Federal Government, States, and localities to provide, on a voluntary basis, adult education and literacy activities, in order to—

(1) assist adults to become literate and obtain the knowledge and skills necessary for employment and economic self-sufficiency;

(2) assist adults who are parents or family members to obtain the education and skills that—

(A) are necessary to becoming full partners in the educational development of their children; and

(B) lead to sustainable improvements in the economic opportunities for their family;

(3) assist adults in attaining a secondary school diploma and in the transition to postsecondary education and training, including through career pathways; and

(4) assist immigrants and other individuals who are English language learners in—

(A) improving their—

(i) reading, writing, speaking, and comprehension skills in English; and

(ii) mathematics skills; and

(B) acquiring an understanding of the American system of Government, individual freedom, and the responsibilities of citizenship.

SEC. 203. DEFINITIONS. 29 USC 3272.

In this title:

(1) ADULT EDUCATION.—The term "adult education" means academic instruction and education services below the postsecondary level that increase an individual's ability to—

(A) read, write, and speak in English and perform mathematics or other activities necessary for the attainment of a secondary school diploma or its recognized equivalent;

(B) transition to postsecondary education and training; and

(C) obtain employment.

(2) ADULT EDUCATION AND LITERACY ACTIVITIES.—The term "adult education and literacy activities" means programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training.

(3) ELIGIBLE AGENCY.—The term "eligible agency" means the sole entity or agency in a State or an outlying area responsible for administering or supervising policy for adult education and literacy activities in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively.

(4) ELIGIBLE INDIVIDUAL.—The term "eligible individual" means an individual—

(A) who has attained 16 years of age;

(B) who is not enrolled or required to be enrolled in secondary school under State law; and

(C) who—

(i) is basic skills deficient;

(ii) does not have a secondary school diploma or its recognized equivalent, and has not achieved an equivalent level of education; or

(iii) is an English language learner.

(5) ELIGIBLE PROVIDER.—The term "eligible provider" means an organization that has demonstrated effectiveness in providing adult education and literacy activities that may include—

(A) a local educational agency;

(B) a community-based organization or faith-based organization;

(C) a volunteer literacy organization;

(D) an institution of higher education;

(E) a public or private nonprofit agency;

(F) a library;

(G) a public housing authority;

(H) a nonprofit institution that is not described in any of subparagraphs (A) through (G) and has the ability to provide adult education and literacy activities to eligible individuals;

(I) a consortium or coalition of the agencies, organizations, institutions, libraries, or authorities described in any of subparagraphs (A) through (H); and

(J) a partnership between an employer and an entity described in any of subparagraphs (A) through (I).

(6) ENGLISH LANGUAGE ACQUISITION PROGRAM.—The term "English language acquisition program" means a program of instruction—

(A) designed to help eligible individuals who are English language learners achieve competence in reading, writing, speaking, and comprehension of the English language; and

(B) that leads to—

(i)(I) attainment of a secondary school diploma or its recognized equivalent; and

(II) transition to postsecondary education and training; or

(ii) employment.

(7) ENGLISH LANGUAGE LEARNER.—The term "English language learner" when used with respect to an eligible individual, means an eligible individual who has limited ability in reading, writing, speaking, or comprehending the English language, and—

(A) whose native language is a language other than English; or

(B) who lives in a family or community environment where a language other than English is the dominant language.

(8) ESSENTIAL COMPONENTS OF READING INSTRUCTION.—The term "essential components of reading instruction" has the meaning given the term in section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368).

(9) FAMILY LITERACY ACTIVITIES.—The term "family literacy activities" means activities that are of sufficient intensity and quality, to make sustainable improvements in the economic prospects for a family and that better enable parents or family members to support their children's learning needs, and that integrate all of the following activities:

(A) Parent or family adult education and literacy activities that lead to readiness for postsecondary education or training, career advancement, and economic self-sufficiency.

(B) Interactive literacy activities between parents or family members and their children.

(C) Training for parents or family members regarding how to be the primary teacher for their children and full partners in the education of their children.

(D) An age-appropriate education to prepare children for success in school and life experiences.

(10) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(11) INTEGRATED EDUCATION AND TRAINING.—The term "integrated education and training" means a service approach that provides adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement.

(12) INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION.—The term "integrated English literacy and civics education" means education services provided to English language learners who are adults, including professionals with degrees and credentials in their native countries, that enables such adults to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States. Such services shall include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation, and may include workforce training.

(13) LITERACY.—The term "literacy" means an individual's ability to read, write, and speak in English, compute, and solve problems, at levels of proficiency necessary to function on the job, in the family of the individual, and in society.

(14) POSTSECONDARY EDUCATIONAL INSTITUTION.—The term "postsecondary educational institution" means—

(A) an institution of higher education that provides not less than a 2-year program of instruction that is acceptable for credit toward a bachelor's degree;

(B) a tribally controlled college or university; or

(C) a nonprofit educational institution offering certificate or apprenticeship programs at the postsecondary level.

(15) SECRETARY.—The term "Secretary" means the Secretary of Education.

(16) WORKPLACE ADULT EDUCATION AND LITERACY ACTIVITIES.—The term "workplace adult education and literacy activities" means adult education and literacy activities offered by an eligible provider in collaboration with an employer or employee organization at a workplace or an off-site location that is designed to improve the productivity of the workforce.

(17) WORKFORCE PREPARATION ACTIVITIES.—The term "workforce preparation activities" means activities, programs, or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education or training, or employment.

SEC. 204. HOME SCHOOLS. 29 USC 3273.

Nothing in this title shall be construed to affect home schools, whether a home school is treated as a home school or a private school under State law, or to compel a parent or family member

engaged in home schooling to participate in adult education and literacy activities.

29 USC 3274.

SEC. 205. RULE OF CONSTRUCTION REGARDING POSTSECONDARY TRANSITION AND CONCURRENT ENROLLMENT ACTIVITIES.

Nothing in this title shall be construed to prohibit or discourage the use of funds provided under this title for adult education and literacy activities that help eligible individuals transition to postsecondary education and training or employment, or for concurrent enrollment activities.

29 USC 3275.

SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $577,667,000 for fiscal year 2015, $622,286,000 for fiscal year 2016, $635,198,000 for fiscal year 2017, $649,287,000 for fiscal year 2018, $664,552,000 for fiscal year 2019, and $678,640,000 for fiscal year 2020.

Subtitle A—Federal Provisions

29 USC 3291.

SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE AGENCIES; ALLOTMENTS.

(a) RESERVATION OF FUNDS.—From the sum appropriated under section 206 for a fiscal year, the Secretary—

(1) shall reserve 2 percent to carry out section 242, except that the amount so reserved shall not exceed $15,000,000; and

(2) shall reserve 12 percent of the amount that remains after reserving funds under paragraph (1) to carry out section 243.

(b) GRANTS TO ELIGIBLE AGENCIES.—

(1) IN GENERAL.—From the sum appropriated under section 206 and not reserved under subsection (a) for a fiscal year, the Secretary shall award a grant to each eligible agency having a unified State plan approved under section 102 or a combined State plan approved under section 103 in an amount equal to the sum of the initial allotment under subsection (c)(1) and the additional allotment under subsection (c)(2) for the eligible agency for the fiscal year, subject to subsections (f) and (g), to enable the eligible agency to carry out the activities assisted under this title.

(2) PURPOSE OF GRANTS.—The Secretary may award a grant under paragraph (1) only if the eligible entity involved agrees to expend the grant for adult education and literacy activities in accordance with the provisions of this title.

(c) ALLOTMENTS.—

(1) INITIAL ALLOTMENTS.—From the sum appropriated under section 206 and not reserved under subsection (a) for a fiscal year, the Secretary shall allot to each eligible agency having a unified State plan approved under section 102 or a combined State plan approved under section 103—

(A) $100,000, in the case of an eligible agency serving an outlying area; and

(B) $250,000, in the case of any other eligible agency.

(2) ADDITIONAL ALLOTMENTS.—From the sum appropriated under section 206, not reserved under subsection (a), and not

allotted under paragraph (1), for a fiscal year, the Secretary shall allot to each eligible agency that receives an initial allotment under paragraph (1) an additional amount that bears the same relationship to such sum as the number of qualifying adults in the State or outlying area served by the eligible agency bears to the number of such adults in all States and outlying areas.

(d) QUALIFYING ADULT.—For the purpose of subsection (c)(2), the term "qualifying adult" means an adult who— Definition.

(1) is at least 16 years of age;

(2) is beyond the age of compulsory school attendance under the law of the State or outlying area;

(3) does not have a secondary school diploma or its recognized equivalent; and

(4) is not enrolled in secondary school.

(e) SPECIAL RULE.—

(1) IN GENERAL.—From amounts made available under subsection (c) for the Republic of Palau, the Secretary shall award grants to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Republic of Palau to carry out activities described in this title in accordance with the provisions of this title, as determined by the Secretary. Territories.

(2) AWARD BASIS.—The Secretary shall award grants pursuant to paragraph (1) on a competitive basis and pursuant to the recommendations from the Pacific Region Educational Laboratory in Honolulu, Hawaii.

(3) TERMINATION OF ELIGIBILITY.—Notwithstanding any other provision of law, the Republic of Palau shall be eligible to receive a grant under this title except during the period described in section 3(45).

(4) ADMINISTRATIVE COSTS.—The Secretary may provide not more than 5 percent of the funds made available for grants under this subsection to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subsection.

(f) HOLD-HARMLESS PROVISIONS.—

(1) IN GENERAL.—Notwithstanding subsection (c), for fiscal year 2015 and each succeeding fiscal year, no eligible agency shall receive an allotment under this section that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this section.

(2) RATABLE REDUCTION.—If for any fiscal year the amount available for allotment under this title is insufficient to satisfy the provisions of paragraph (1) the Secretary shall ratably reduce the payments to all eligible agencies, as necessary.

(g) REALLOTMENT.—The portion of any eligible agency's allotment under this title for a fiscal year that the Secretary determines will not be required for the period such allotment is available for carrying out activities under this title, shall be available for reallotment from time to time, on such dates during such period as the Secretary shall fix, to other eligible agencies in proportion to the original allotments to such agencies under this title for such year.

29 USC 3292.

SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.

Programs and activities authorized in this title are subject to the performance accountability provisions described in section 116.

Subtitle B—State Provisions

29 USC 3301.

SEC. 221. STATE ADMINISTRATION.

Each eligible agency shall be responsible for the State or outlying area administration of activities under this title, including—

(1) the development, implementation, and monitoring of the relevant components of the unified State plan in section 102 or the combined State plan in section 103;

(2) consultation with other appropriate agencies, groups, and individuals that are involved in, or interested in, the development and implementation of activities assisted under this title; and

(3) coordination and nonduplication with other Federal and State education, training, corrections, public housing, and social service programs.

29 USC 3302.

SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING REQUIREMENT.

(a) STATE DISTRIBUTION OF FUNDS.—Each eligible agency receiving a grant under section 211(b) for a fiscal year—

(1) shall use not less than 82.5 percent of the grant funds to award grants and contracts under section 231 and to carry out section 225, of which not more than 20 percent of such amount shall be available to carry out section 225;

(2) shall use not more than 12.5 percent of the grant funds to carry out State leadership activities under section 223; and

(3) shall use not more than 5 percent of the grant funds, or $85,000, whichever is greater, for the administrative expenses of the eligible agency.

(b) MATCHING REQUIREMENT.—

(1) IN GENERAL.—In order to receive a grant from the Secretary under section 211(b) each eligible agency shall provide, for the costs to be incurred by the eligible agency in carrying out the adult education and literacy activities for which the grant is awarded, a non-Federal contribution in an amount that is not less than—

(A) in the case of an eligible agency serving an outlying area, 12 percent of the total amount of funds expended for adult education and literacy activities in the outlying area, except that the Secretary may decrease the amount of funds required under this subparagraph for an eligible agency; and

(B) in the case of an eligible agency serving a State, 25 percent of the total amount of funds expended for adult education and literacy activities in the State.

(2) NON-FEDERAL CONTRIBUTION.—An eligible agency's non-Federal contribution required under paragraph (1) may be provided in cash or in kind, fairly evaluated, and shall include only non-Federal funds that are used for adult education and literacy activities in a manner that is consistent with the purpose of this title.

SEC. 223. STATE LEADERSHIP ACTIVITIES. 29 USC 3303.

(a) ACTIVITIES.—

(1) REQUIRED.—Each eligible agency shall use funds made available under section 222(a)(2) for the following adult education and literacy activities to develop or enhance the adult education system of the State or outlying area:

(A) The alignment of adult education and literacy activities with other core programs and one-stop partners, including eligible providers, to implement the strategy identified in the unified State plan under section 102 or the combined State plan under section 103, including the development of career pathways to provide access to employment and training services for individuals in adult education and literacy activities.

(B) The establishment or operation of high quality professional development programs to improve the instruction provided pursuant to local activities required under section 231(b), including instruction incorporating the essential components of reading instruction as such components relate to adults, instruction related to the specific needs of adult learners, instruction provided by volunteers or by personnel of a State or outlying area, and dissemination of information about models and promising practices related to such programs.

(C) The provision of technical assistance to eligible providers of adult education and literacy activities receiving funds under this title, including—

(i) the development and dissemination of instructional and programmatic practices based on the most rigorous or scientifically valid research available and appropriate, in reading, writing, speaking, mathematics, English language acquisition programs, distance education, and staff training;

(ii) the role of eligible providers as a one-stop partner to provide access to employment, education, and training services; and

(iii) assistance in the use of technology, including for staff training, to eligible providers, especially the use of technology to improve system efficiencies.

(D) The monitoring and evaluation of the quality of, and the improvement in, adult education and literacy activities and the dissemination of information about models and proven or promising practices within the State.

(2) PERMISSIBLE ACTIVITIES.—Each eligible agency may use funds made available under section 222(a)(2) for 1 or more of the following adult education and literacy activities:

(A) The support of State or regional networks of literacy resource centers.

(B) The development and implementation of technology applications, translation technology, or distance education, including professional development to support the use of instructional technology.

(C) Developing and disseminating curricula, including curricula incorporating the essential components of reading instruction as such components relate to adults.

(D) Developing content and models for integrated education and training and career pathways.

(E) The provision of assistance to eligible providers in developing and implementing programs that achieve the objectives of this title and in measuring the progress of those programs in achieving such objectives, including meeting the State adjusted levels of performance described in section 116(b)(3).

(F) The development and implementation of a system to assist in the transition from adult education to postsecondary education, including linkages with postsecondary educational institutions or institutions of higher education.

(G) Integration of literacy and English language instruction with occupational skill training, including promoting linkages with employers.

(H) Activities to promote workplace adult education and literacy activities.

(I) Identifying curriculum frameworks and aligning rigorous content standards that—

(i) specify what adult learners should know and be able to do in the areas of reading and language arts, mathematics, and English language acquisition; and

(ii) take into consideration the following:

(I) State adopted academic standards.

(II) The current adult skills and literacy assessments used in the State or outlying area.

(III) The primary indicators of performance described in section 116.

(IV) Standards and academic requirements for enrollment in nonremedial, for-credit courses in postsecondary educational institutions or institutions of higher education supported by the State or outlying area.

(V) Where appropriate, the content of occupational and industry skill standards widely used by business and industry in the State or outlying area.

(J) Developing and piloting of strategies for improving teacher quality and retention.

(K) The development and implementation of programs and services to meet the needs of adult learners with learning disabilities or English language learners, which may include new and promising assessment tools and strategies that are based on scientifically valid research, where appropriate, and identify the needs and capture the gains of such students at the lowest achievement levels.

(L) Outreach to instructors, students, and employers.

(M) Other activities of statewide significance that promote the purpose of this title.

(b) COLLABORATION.—In carrying out this section, eligible agencies shall collaborate where possible, and avoid duplicating efforts, in order to maximize the impact of the activities described in subsection (a).

(c) STATE-IMPOSED REQUIREMENTS.—Whenever a State or outlying area implements any rule or policy relating to the administration or operation of a program authorized under this title that has the effect of imposing a requirement that is not imposed under Federal law (including any rule or policy based on a State or

outlying area interpretation of a Federal statute, regulation, or guideline), the State or outlying area shall identify, to eligible providers, the rule or policy as being imposed by the State or outlying area.

SEC. 224. STATE PLAN. 29 USC 3304.

Each State desiring to receive funds under this title for any fiscal year shall submit and have approved a unified State plan in accordance with section 102 or a combined State plan in accordance with section 103.

SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS. 29 USC 3305.

(a) PROGRAM AUTHORIZED.—From funds made available under section 222(a)(1) for a fiscal year, each eligible agency shall carry out corrections education and education for other institutionalized individuals.

(b) USES OF FUNDS.—The funds described in subsection (a) shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic programs for—

(1) adult education and literacy activities;
(2) special education, as determined by the eligible agency;
(3) secondary school credit;
(4) integrated education and training;
(5) career pathways;
(6) concurrent enrollment;
(7) peer tutoring; and
(8) transition to re-entry initiatives and other postrelease services with the goal of reducing recidivism.

(c) PRIORITY.—Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders within a correctional institution shall give priority to serving individuals who are likely to leave the correctional institution within 5 years of participation in the program.

(d) REPORT.—In addition to any report required under section 116, each eligible agency that receives assistance provided under this section shall annually prepare and submit to the Secretary a report on the progress, as described in section 116, of the eligible agency with respect to the programs and activities carried out under this section, including the relative rate of recidivism for the criminal offenders served.

(e) DEFINITIONS.—In this section:

(1) CORRECTIONAL INSTITUTION.—The term "correctional institution" means any—

(A) prison;
(B) jail;
(C) reformatory;
(D) work farm;
(E) detention center; or
(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

(2) CRIMINAL OFFENDER.—The term "criminal offender" means any individual who is charged with or convicted of any criminal offense.

Subtitle C—Local Provisions

29 USC 3321.

SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS.

(a) GRANTS AND CONTRACTS.—From grant funds made available under section 222(a)(1), each eligible agency shall award multiyear grants or contracts, on a competitive basis, to eligible providers within the State or outlying area to enable the eligible providers to develop, implement, and improve adult education and literacy activities within the State.

(b) REQUIRED LOCAL ACTIVITIES.—The eligible agency shall require that each eligible provider receiving a grant or contract under subsection (a) use the grant or contract to establish or operate programs that provide adult education and literacy activities, including programs that provide such activities concurrently.

(c) DIRECT AND EQUITABLE ACCESS; SAME PROCESS.—Each eligible agency receiving funds under this title shall ensure that—

(1) all eligible providers have direct and equitable access to apply and compete for grants or contracts under this section; and

(2) the same grant or contract announcement process and application process is used for all eligible providers in the State or outlying area.

(d) SPECIAL RULE.—Each eligible agency awarding a grant or contract under this section shall not use any funds made available under this title for adult education and literacy activities for the purpose of supporting or providing programs, services, or activities for individuals who are not individuals described in subparagraphs (A) and (B) of section 203(4), except that such agency may use such funds for such purpose if such programs, services, or activities are related to family literacy activities. In providing family literacy activities under this title, an eligible provider shall attempt to coordinate with programs and services that are not assisted under this title prior to using funds for adult education and literacy activities under this title for activities other than activities for eligible individuals.

(e) CONSIDERATIONS.—In awarding grants or contracts under this section, the eligible agency shall consider—

(1) the degree to which the eligible provider would be responsive to—

(A) regional needs as identified in the local plan under section 108; and

(B) serving individuals in the community who were identified in such plan as most in need of adult education and literacy activities, including individuals—

(i) who have low levels of literacy skills; or

(ii) who are English language learners;

(2) the ability of the eligible provider to serve eligible individuals with disabilities, including eligible individuals with learning disabilities;

(3) past effectiveness of the eligible provider in improving the literacy of eligible individuals, to meet State-adjusted levels of performance for the primary indicators of performance described in section 116, especially with respect to eligible individuals who have low levels of literacy;

(4) the extent to which the eligible provider demonstrates alignment between proposed activities and services and the

strategy and goals of the local plan under section 108, as well as the activities and services of the one-stop partners;

(5) whether the eligible provider's program—

(A) is of sufficient intensity and quality, and based on the most rigorous research available so that participants achieve substantial learning gains; and

(B) uses instructional practices that include the essential components of reading instruction;

(6) whether the eligible provider's activities, including whether reading, writing, speaking, mathematics, and English language acquisition instruction delivered by the eligible provider, are based on the best practices derived from the most rigorous research available and appropriate, including scientifically valid research and effective educational practice;

(7) whether the eligible provider's activities effectively use technology, services, and delivery systems, including distance education in a manner sufficient to increase the amount and quality of learning and how such technology, services, and systems lead to improved performance;

(8) whether the eligible provider's activities provide learning in context, including through integrated education and training, so that an individual acquires the skills needed to transition to and complete postsecondary education and training programs, obtain and advance in employment leading to economic self-sufficiency, and to exercise the rights and responsibilities of citizenship;

(9) whether the eligible provider's activities are delivered by well-trained instructors, counselors, and administrators who meet any minimum qualifications established by the State, where applicable, and who have access to high quality professional development, including through electronic means;

(10) whether the eligible provider's activities coordinate with other available education, training, and social service resources in the community, such as by establishing strong links with elementary schools and secondary schools, postsecondary educational institutions, institutions of higher education, local workforce investment boards, one-stop centers, job training programs, and social service agencies, business, industry, labor organizations, community-based organizations, nonprofit organizations, and intermediaries, for the development of career pathways;

(11) whether the eligible provider's activities offer flexible schedules and coordination with Federal, State, and local support services (such as child care, transportation, mental health services, and career planning) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs;

(12) whether the eligible provider maintains a high-quality information management system that has the capacity to report measurable participant outcomes (consistent with section 116) and to monitor program performance; and

(13) whether the local areas in which the eligible provider is located have a demonstrated need for additional English language acquisition programs and civics education programs.

29 USC 3322.

SEC. 232. LOCAL APPLICATION.

Each eligible provider desiring a grant or contract from an eligible agency shall submit an application to the eligible agency containing such information and assurances as the eligible agency may require, including—

(1) a description of how funds awarded under this title will be spent consistent with the requirements of this title;

(2) a description of any cooperative arrangements the eligible provider has with other agencies, institutions, or organizations for the delivery of adult education and literacy activities;

(3) a description of how the eligible provider will provide services in alignment with the local plan under section 108, including how such provider will promote concurrent enrollment in programs and activities under title I, as appropriate;

(4) a description of how the eligible provider will meet the State adjusted levels of performance described in section 116(b)(3), including how such provider will collect data to report on such performance indicators;

(5) a description of how the eligible provider will fulfill one-stop partner responsibilities as described in section 121(b)(1)(A), as appropriate;

(6) a description of how the eligible provider will provide services in a manner that meets the needs of eligible individuals; and

(7) information that addresses the considerations described under section 231(e), as applicable.

29 USC 3323.

SEC. 233. LOCAL ADMINISTRATIVE COST LIMITS.

(a) IN GENERAL.—Subject to subsection (b), of the amount that is made available under this title to an eligible provider—

(1) not less than 95 percent shall be expended for carrying out adult education and literacy activities; and

(2) the remaining amount, not to exceed 5 percent, shall be used for planning, administration (including carrying out the requirements of section 116), professional development, and the activities described in paragraphs (3) and (5) of section 232.

(b) SPECIAL RULE.—In cases where the cost limits described in subsection (a) are too restrictive to allow for the activities described in subsection (a)(2), the eligible provider shall negotiate with the eligible agency in order to determine an adequate level of funds to be used for noninstructional purposes.

Subtitle D—General Provisions

29 USC 3331.

SEC. 241. ADMINISTRATIVE PROVISIONS.

(a) SUPPLEMENT NOT SUPPLANT.—Funds made available for adult education and literacy activities under this title shall supplement and not supplant other State or local public funds expended for adult education and literacy activities.

(b) MAINTENANCE OF EFFORT.—

(1) IN GENERAL.—

(A) DETERMINATION.—An eligible agency may receive funds under this title for any fiscal year if the Secretary finds that the fiscal effort per student or the aggregate

expenditures of such eligible agency for activities under this title, in the second preceding fiscal year, were not less than 90 percent of the fiscal effort per student or the aggregate expenditures of such eligible agency for adult education and literacy activities in the third preceding fiscal year.

(B) PROPORTIONATE REDUCTION.—Subject to paragraphs (2), (3), and (4), for any fiscal year with respect to which the Secretary determines under subparagraph (A) that the fiscal effort or the aggregate expenditures of an eligible agency for the preceding program year were less than such effort or expenditures for the second preceding program year, the Secretary—

Determination.

(i) shall determine the percentage decreases in such effort or in such expenditures; and

(ii) shall decrease the payment made under this title for such program year to the agency for adult education and literacy activities by the lesser of such percentages.

(2) COMPUTATION.—In computing the fiscal effort and aggregate expenditures under paragraph (1), the Secretary shall exclude capital expenditures and special one-time project costs.

(3) DECREASE IN FEDERAL SUPPORT.—If the amount made available for adult education and literacy activities under this title for a fiscal year is less than the amount made available for adult education and literacy activities under this title for the preceding fiscal year, then the fiscal effort per student and the aggregate expenditures of an eligible agency required in order to avoid a reduction under paragraph (1)(B) shall be decreased by the same percentage as the percentage decrease in the amount so made available.

(4) WAIVER.—The Secretary may waive the requirements of this subsection for not more than 1 fiscal year, if the Secretary determines that a waiver would be equitable due to exceptional or uncontrollable circumstances, such as a natural disaster or an unforeseen and precipitous decline in the financial resources of the State or outlying area of the eligible agency. If the Secretary grants a waiver under the preceding sentence for a fiscal year, the level of effort required under paragraph (1) shall not be reduced in the subsequent fiscal year because of the waiver.

SEC. 242. NATIONAL LEADERSHIP ACTIVITIES.

29 USC 3332.

(a) IN GENERAL.—The Secretary shall establish and carry out a program of national leadership activities to enhance the quality and outcomes of adult education and literacy activities and programs nationwide.

(b) REQUIRED ACTIVITIES.—The national leadership activities described in subsection (a) shall include technical assistance, including—

(1) assistance to help States meet the requirements of section 116;

(2) upon request by a State, assistance provided to eligible providers in using performance accountability measures based on indicators described in section 116, and data systems for the improvement of adult education and literacy activities;

(3) carrying out rigorous research and evaluation on effective adult education and literacy activities, as well as estimating the number of adults functioning at the lowest levels of literacy proficiency, which shall be coordinated across relevant Federal agencies, including the Institute of Education Sciences; and

(4) carrying out an independent evaluation at least once every 4 years of the programs and activities under this title, taking into consideration the evaluation subjects referred to in section 169(a)(2).

(c) ALLOWABLE ACTIVITIES.—The national leadership activities described in subsection (a) may include the following:

(1) Technical assistance, including—

(A) assistance related to professional development activities, and assistance for the purposes of developing, improving, identifying, and disseminating the most successful methods and techniques for providing adult education and literacy activities, based on scientifically valid research where available;

(B) assistance in distance education and promoting and improving the use of technology in the classroom, including instruction in English language acquisition for English language learners;

(C) assistance in the development and dissemination of proven models for addressing the digital literacy needs of adults, including older adults; and

(D) supporting efforts aimed at strengthening programs at the State and local levels, such as technical assistance in program planning, assessment, evaluation, and monitoring of activities carried out under this title.

(2) Funding national leadership activities either directly or through grants, contracts, or cooperative agreements awarded on a competitive basis to or with postsecondary educational institutions, institutions of higher education, public or private organizations or agencies (including public libraries), or consortia of such institutions, organizations, or agencies, which may include—

(A) developing, improving, and identifying the most successful methods and techniques for addressing the education needs of adults, including instructional practices using the essential components of reading instruction based on the work of the National Institute of Child Health and Human Development;

(B) supporting national, regional, or local networks of private nonprofit organizations, public libraries, or institutions of higher education to strengthen the ability of such networks' members to meet the performance requirements described in section 116 of eligible providers;

(C) increasing the effectiveness, and improving the quality, of adult education and literacy activities, which may include—

(i) carrying out rigorous research;

(ii) carrying out demonstration programs;

(iii) accelerating learning outcomes for eligible individuals with the lowest literacy levels;

(iv) developing and promoting career pathways for eligible individuals;

(v) promoting concurrent enrollment programs in adult education and credit bearing postsecondary coursework;

(vi) developing high-quality professional development activities for eligible providers; and

(vii) developing, replicating, and disseminating information on best practices and innovative programs, such as—

(I) the identification of effective strategies for working with adults with learning disabilities and with adults who are English language learners;

(II) integrated education and training programs;

(III) workplace adult education and literacy activities; and

(IV) postsecondary education and training transition programs;

(D) providing for the conduct of an independent evaluation and assessment of adult education and literacy activities through grants and contracts awarded on a competitive basis, which shall include descriptions of—

(i) the effect of performance accountability measures and other measures of accountability on the delivery of adult education and literacy activities;

(ii) the extent to which the adult education and literacy activities increase the literacy skills of eligible individuals, lead to involvement in education and training, enhance the employment and earnings of such participants, and, if applicable, lead to other positive outcomes, such as success in re-entry and reductions in recidivism in the case of prison-based adult education and literacy activities;

(iii) the extent to which the provision of support services to eligible individuals enrolled in adult education and literacy activities increase the rate of enrollment in, and successful completion of, such programs; and

(iv) the extent to which different types of providers measurably improve the skills of eligible individuals in adult education and literacy activities;

(E) collecting data, such as data regarding the improvement of both local and State data systems, through technical assistance and development of model performance data collection systems;

(F) determining how participation in adult education and literacy activities prepares eligible individuals for entry into postsecondary education and employment and, in the case of programs carried out in correctional institutions, has an effect on recidivism; and

(G) other activities designed to enhance the quality of adult education and literacy activities nationwide.

SEC. 243. INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION. 29 USC 3333.

(a) IN GENERAL.—From funds made available under section 211(a)(2) for each fiscal year, the Secretary shall award grants to States, from allotments under subsection (b), for integrated Grants.

English literacy and civics education, in combination with integrated education and training activities.

(b) ALLOTMENT.—

(1) IN GENERAL.—Subject to paragraph (2), from amounts made available under section 211(a)(2) for a fiscal year, the Secretary shall allocate—

(A) 65 percent to the States on the basis of a State's need for integrated English literacy and civics education, as determined by calculating each State's share of a 10-year average of the data of the Office of Immigration Statistics of the Department of Homeland Security for immigrants admitted for legal permanent residence for the 10 most recent years; and

(B) 35 percent to the States on the basis of whether the State experienced growth, as measured by the average of the 3 most recent years for which the data of the Office of Immigration Statistics of the Department of Homeland Security for immigrants admitted for legal permanent residence are available.

(2) MINIMUM.—No State shall receive an allotment under paragraph (1) in an amount that is less than $60,000.

(c) GOAL.—Each program that receives funding under this section shall be designed to—

(1) prepare adults who are English language learners for, and place such adults in, unsubsidized employment in in-demand industries and occupations that lead to economic self-sufficiency; and

(2) integrate with the local workforce development system and its functions to carry out the activities of the program.

(d) REPORT.—The Secretary shall prepare and submit to the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate and make available to the public, a report on the activities carried out under this section.

TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

SEC. 301. EMPLOYMENT SERVICE OFFICES.

Section 1 of the Wagner-Peyser Act (29 U.S.C. 49) is amended by inserting "service" before "offices".

SEC. 302. DEFINITIONS.

Section 2 of the Wagner-Peyser Act (29 U.S.C. 49a) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) the terms 'chief elected official', 'institution of higher education', 'one-stop center', 'one-stop partner', 'training services', 'workforce development activity', and 'workplace learning advisor', have the meaning given the terms in section 3 of the Workforce Innovation and Opportunity Act;";

(2) in paragraph (2)—

(A) by striking "investment board" each place it appears and inserting "development board"; and

(B) by striking "section 117 of the Workforce Investment Act of 1998" and inserting "section 107 of the Workforce Innovation and Opportunity Act";

(3) in paragraph (3)—

(A) by striking "134(c)" and inserting "121(e)"; and

(B) by striking "Workforce Investment Act of 1998" and inserting "Workforce Innovation and Opportunity Act"; and

(4) in paragraph (4), by striking "and" at the end;

(5) in paragraph (5), by striking the period and inserting "; and"; and

(6) by adding at the end the following:

"(6) the term 'employment service office' means a local office of a State agency; and

"(7) except in section 15, the term 'State agency', used without further description, means an agency designated or authorized under section 4.".

SEC. 303. FEDERAL AND STATE EMPLOYMENT SERVICE OFFICES.

(a) COORDINATION.—Section 3(a) of the Wagner-Peyser Act (29 U.S.C. 49b(a)) is amended by striking "services" and inserting "service offices".

(b) PUBLIC LABOR EXCHANGE SERVICES SYSTEM.—Section 3(c) of the Wagner-Peyser Act (29 U.S.C. 49b(c)) is amended—

(1) in paragraph (2), by striking the semicolon and inserting ", and identify and disseminate information on best practices for such system; and"; and

(2) by adding at the end the following:

"(4) in coordination with the State agencies and the staff of such agencies, assist in the planning and implementation of activities to enhance the professional development and career advancement opportunities of such staff, in order to strengthen the provision of a broad range of career guidance services, the identification of job openings (including providing intensive outreach to small and medium-sized employers and enhanced employer services), the provision of technical assistance and training to other providers of workforce development activities (including workplace learning advisors) relating to counseling and employment-related services, and the development of new strategies for coordinating counseling and technology.".

(c) ONE-STOP CENTERS.—Section 3 of the Wagner-Peyser Act (29 U.S.C. 49b) is amended by inserting after subsection (c) the following:

"(d) In order to improve service delivery, avoid duplication of services, and enhance coordination of services, including location of staff to ensure access to services under section 7(a) statewide in underserved areas, employment service offices in each State shall be colocated with one-stop centers.

Consultation.

"(e) The Secretary, in consultation with States, is authorized to assist the States in the development of national electronic tools that may be used to improve access to workforce information for individuals through—

"(1) the one-stop delivery systems established as described in section 121(e) of the Workforce Innovation and Opportunity Act; and

"(2) such other delivery systems as the Secretary determines to be appropriate.".

SEC. 304. ALLOTMENT OF SUMS.

Section 6 of the Wagner-Peyser Act (29 U.S.C. 49e) is amended—

(1) in subsection (a), by striking "amounts appropriated pursuant to section 5" and inserting "funds appropriated and (except for Guam) certified under section 5 and made available for allotments under this section"; and

(2) in subsection (b)(1)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting before "the Secretary" the following "after making the allotments required by subsection (a),"; and

(ii) by striking "sums" and all that follows through "this Act" and inserting "funds described in subsection (a)";

(B) in each of subparagraphs (A) and (B), by striking "sums" and inserting "remainder"; and

(C) by adding at the end the following: "For purposes of this paragraph, the term 'State' does not include Guam or the Virgin Islands.".

SEC. 305. USE OF SUMS.

(a) IMPROVED COORDINATION.—Section 7(a)(1) of the Wagner-Peyser Act (29 U.S.C. 49f(a)(1)) is amended by inserting ", including unemployment insurance claimants," after "seekers".

(b) RESOURCES FOR UNEMPLOYMENT INSURANCE CLAIMANTS.—Section 7(a)(3) of the Wagner-Peyser Act (29 U.S.C. 49f(a)(3)) is amended—

(1) by striking "and" at the end of subparagraph (E);

(2) in subparagraph (F)—

(A) by inserting ", including making eligibility assessments," after "system"; and

(B) by striking the period at the end and inserting "; and"; and

(3) by inserting after subparagraph (F) the following:

"(G) providing unemployment insurance claimants with referrals to, and application assistance for, training and education resources and programs, including Federal Pell Grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.), educational assistance under chapter 30 of title 38, United States Code (commonly referred to as the Montgomery GI Bill), and chapter 33 of that title (Post-9/11 Veterans Educational Assistance), student assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), State student higher education assistance, and training and education programs provided under titles I and II of the Workforce Innovation and Opportunity Act, and title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.).".

(c) STATE ACTIVITIES.—Section 7(b) of the Wagner-Peyser Act (29 U.S.C. 49f(b)) is amended—

(1) in paragraph (1), by striking "performance standards established by the Secretary" and inserting "the performance accountability measures that are based on indicators described in section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act";

(2) in paragraph (2), by inserting "offices" after "employment service"; and

(3) in paragraph (3), by inserting ", and models for enhancing professional development and career advancement opportunities of State agency staff, as described in section 3(c)(4)" after "subsection (a)".

(d) PROVIDING ADDITIONAL FUNDS.—Subsections (c)(2) and (d) of section 7 of the Wagner-Peyser Act (29 U.S.C. 49f) are amended by striking "the Workforce Investment Act of 1998" and inserting "the Workforce Innovation and Opportunity Act".

(e) CONFORMING AMENDMENT.—Section 7(e) of the Wagner-Peyser Act (29 U.S.C. 49f(e)) is amended by striking "labor employment statistics" and inserting "workforce and labor market information".

SEC. 306. STATE PLAN.

Section 8 of the Wagner-Peyser Act (29 U.S.C. 49g) is amended to read as follows:

"SEC. 8. Any State desiring to receive assistance under section 6 shall prepare and submit to, and have approved by, the Secretary and the Secretary of Education, a State plan in accordance with section 102 or 103 of the Workforce Innovation and Opportunity Act.".

SEC. 307. PERFORMANCE MEASURES.

Section 13(a) of the Wagner-Peyser Act (29 U.S.C. 49l(a)) is amended to read as follows:

"(a) The activities carried out pursuant to section 7 shall be subject to the performance accountability measures that are based on indicators described in section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act.".

SEC. 308. WORKFORCE AND LABOR MARKET INFORMATION SYSTEM.

(a) HEADING.—The section heading for section 15 of the Wagner-Peyser Act (29 U.S.C. 49l–2) is amended by striking "**EMPLOYMENT STATISTICS**" and inserting "**WORKFORCE AND LABOR MARKET INFORMATION SYSTEM**".

(b) NAME OF SYSTEM.—Section 15(a)(1) of the Wagner-Peyser Act (29 U.S.C. 49l–2(a)(1)) is amended by striking "employment statistics system of employment statistics" and inserting "workforce and labor market information system".

(c) SYSTEM RESPONSIBILITIES.—Section 15(b) of the Wagner-Peyser Act (29 U.S.C. 49l–2(b)) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—

"(A) STRUCTURE.—The workforce and labor market information system described in subsection (a) shall be evaluated and improved by the Secretary, in consultation with the Workforce Information Advisory Council established in subsection (d).

Evaluation.
Consultation.

"(B) GRANTS AND RESPONSIBILITIES.—

"(i) IN GENERAL.—The Secretary shall carry out the provisions of this section in a timely manner, through grants to or agreements with States.

"(ii) DISTRIBUTION OF FUNDS.—Using amounts appropriated under subsection (g), the Secretary shall provide funds through those grants and agreements. In distributing the funds (relating to workforce and

labor market information funding) for fiscal years 2015 through 2020, the Secretary shall continue to distribute the funds to States in the manner in which the Secretary distributed funds to the States under this section for fiscal years 2004 through 2008."; and

(2) by striking paragraph (2) and inserting the following:

"(2) DUTIES.—The Secretary, with respect to data collection, analysis, and dissemination of workforce and labor market information for the system, shall carry out the following duties:

"(A) Assign responsibilities within the Department of Labor for elements of the workforce and labor market information system described in subsection (a) to ensure that the statistical and administrative data collected is consistent with appropriate Bureau of Labor Statistics standards and definitions, and that the information is accessible and understandable to users of such data.

"(B) Actively seek the cooperation of heads of other Federal agencies to establish and maintain mechanisms for ensuring complementarity and nonduplication in the development and operation of statistical and administrative data collection activities.

Evaluation.

"(C) Solicit, receive, and evaluate the recommendations from the Workforce Information Advisory Council established in subsection (d) concerning the evaluation and improvement of the workforce and labor market information system described in subsection (a) and respond in writing to the Council regarding the recommendations.

"(D) Eliminate gaps and duplication in statistical undertakings.

"(E) Through the Bureau of Labor Statistics and the Employment and Training Administration, and in collaboration with States, develop and maintain the elements of the workforce and labor market information system described in subsection (a), including the development of consistent procedures and definitions for use by the States in collecting the data and information described in subparagraphs (A) and (B) of subsection (a)(1).

"(F) Establish procedures for the system to ensure that—

"(i) such data and information are timely; and

"(ii) paperwork and reporting for the system are reduced to a minimum.".

(d) TWO-YEAR PLAN.—Section 15 of the Wagner-Peyser Act (29 U.S.C. 49l–2) is amended by striking subsection (c) and inserting the following:

"(c) TWO-YEAR PLAN.—The Secretary, acting through the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training, and in consultation with the Workforce Information Advisory Council described in subsection (d) and heads of other appropriate Federal agencies, shall prepare a 2-year plan for the workforce and labor market information system. The plan shall be developed and implemented in a manner that takes into account the activities described in State plans submitted by States under section 102 or 103 of the Workforce Innovation and Opportunity Act and shall be submitted to the Committee on Education

and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. The plan shall include—

"(1) a description of how the Secretary will work with the States to manage the nationwide workforce and labor market information system described in subsection (a) and the statewide workforce and labor market information systems that comprise the nationwide system;

"(2) a description of the steps to be taken in the following 2 years to carry out the duties described in subsection (b)(2);

"(3) an evaluation of the performance of the system, with particular attention to the improvements needed at the State and local levels; Evaluation.

"(4) a description of the involvement of States in the development of the plan, through consultation by the Secretary with the Workforce Information Advisory Council in accordance with subsection (d); and

"(5) a description of the written recommendations received from the Workforce Information Advisory Council established under subsection (d), and the extent to which those recommendations were incorporated into the plan.".

(e) WORKFORCE INFORMATION ADVISORY COUNCIL.—Section 15 of the Wagner-Peyser Act (29 U.S.C. 49l–2) is amended by striking subsection (d) and inserting the following:

"(d) WORKFORCE INFORMATION ADVISORY COUNCIL.—

"(1) IN GENERAL.—The Secretary, through the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training, shall formally consult at least twice annually with the Workforce Information Advisory Council established in accordance with paragraph (2). Such consultations shall address the evaluation and improvement of the nationwide workforce and labor market information system described in subsection (a) and the statewide workforce and labor market information systems that comprise the nationwide system and how the Department of Labor and the States will cooperate in the management of such systems. The Council shall provide written recommendations to the Secretary concerning the evaluation and improvement of the nationwide system, including any recommendations regarding the 2-year plan described in subsection (c). Consultation. Deadline. Recommendations.

"(2) ESTABLISHMENT OF COUNCIL.—

"(A) ESTABLISHMENT.—The Secretary shall establish an advisory council that shall be known as the Workforce Information Advisory Council (referred to in this section as the 'Council') to participate in the consultations and provide the recommendations described in paragraph (1).

"(B) MEMBERSHIP.—The Secretary shall appoint the members of the Council, which shall consist of— Appointments.

"(i) 4 members who are representatives of lead State agencies with responsibility for workforce investment activities, or State agencies described in section 4, who have been nominated by such agencies or by a national organization that represents such agencies;

"(ii) 4 members who are representatives of the State workforce and labor market information directors affiliated with the State agencies that perform the

duties described in subsection (e)(2), who have been nominated by the directors;

"(iii) 1 member who is a representative of providers of training services under section 122 of the Workforce Innovation and Opportunity Act;

"(iv) 1 member who is a representative of economic development entities;

"(v) 1 member who is a representative of businesses, who has been nominated by national business organizations or trade associations;

"(vi) 1 member who is a representative of labor organizations, who has been nominated by a national labor federation;

"(vii) 1 member who is a representative of local workforce development boards, who has been nominated by a national organization representing such boards; and

"(viii) 1 member who is a representative of research entities that utilize workforce and labor market information.

"(C) GEOGRAPHIC DIVERSITY.—The Secretary shall ensure that the membership of the Council is geographically diverse and that no 2 of the members appointed under clauses (i), (ii), and (vii) represent the same State.

"(D) PERIOD OF APPOINTMENT; VACANCIES.—

"(i) IN GENERAL.—Each member of the Council shall be appointed for a term of 3 years, except that the initial terms for members may be 1, 2, or 3 years in order to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

"(ii) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

"(E) TRAVEL EXPENSES.—The members of the Council shall not receive compensation for the performance of services for the Council, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Council. Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the voluntary and uncompensated services of members of the Council.

"(F) PERMANENT COUNCIL.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.".

(f) STATE RESPONSIBILITIES.—Section 15(e) of the Wagner-Peyser Act (29 U.S.C. 49l–2(e)) is amended—

(1) by striking "employment statistics" each place it appears and inserting "workforce and labor market information";

(2) in paragraph (1)(A) by striking "annual plan" and inserting "plan described in subsection (c)";

(3) in paragraph (2)—

(A) in subparagraph (G), by inserting "and" at the end;

(B) by striking subparagraph (H);

(C) in subparagraph (I), by striking "section 136(f)(2) of the Workforce Investment Act of 1998" and inserting "section 116(i)(2) of the Workforce Innovation and Opportunity Act"; and

(D) by redesignating subparagraph (I) as subparagraph (H).

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 15(g) of the Wagner-Peyser Act (29 U.S.C. 49l–2(g)) is amended by striking "such sums as may be necessary for each of the fiscal years 1999 through 2004" and inserting "$60,153,000 for fiscal year 2015, $64,799,000 for fiscal year 2016, $66,144,000 for fiscal year 2017, $67,611,000 for fiscal year 2018, $69,200,000 for fiscal year 2019, and $70,667,000 for fiscal year 2020".

TITLE IV—AMENDMENTS TO THE REHABILITATION ACT OF 1973

Subtitle A—Introductory Provisions

SEC. 401. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the amendment or repeal shall be considered to be made to a provision of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

SEC. 402. FINDINGS, PURPOSE, POLICY.

(a) FINDINGS.—Section 2(a) (29 U.S.C. 701(a)) is amended—

(1) in paragraph (4), by striking "workforce investment systems under title I of the Workforce Investment Act of 1998" and inserting "workforce development systems defined in section 3 of the Workforce Innovation and Opportunity Act";

(2) in paragraph (5), by striking "and" at the end;

(3) in paragraph (6), by striking the period and inserting "; and"; and

(4) by adding at the end the following:

"(7)(A) a high proportion of students with disabilities is leaving secondary education without being employed in competitive integrated employment, or being enrolled in postsecondary education; and

"(B) there is a substantial need to support such students as they transition from school to postsecondary life.".

(b) PURPOSE.—Section 2(b) (29 U.S.C. 701(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "workforce investment systems implemented in accordance with title I of the Workforce Investment Act of 1998" and inserting "workforce development systems defined in section 3 of the Workforce Innovation and Opportunity Act"; and

(B) at the end of subparagraph (F), by striking "and";

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following:

"(2) to maximize opportunities for individuals with disabilities, including individuals with significant disabilities, for competitive integrated employment;";

(4) in paragraph (3), as redesignated by paragraph (2), by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following:

"(4) to increase employment opportunities and employment outcomes for individuals with disabilities, including through encouraging meaningful input by employers and vocational rehabilitation service providers on successful and prospective employment and placement strategies; and

"(5) to ensure, to the greatest extent possible, that youth with disabilities and students with disabilities who are transitioning from receipt of special education services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and receipt of services under section 504 of this Act have opportunities for postsecondary success.".

SEC. 403. REHABILITATION SERVICES ADMINISTRATION.

Section 3 (29 U.S.C. 702) is amended—

(1) in subsection (a)—

(A) in the first sentence, by inserting "in the Department of Education" after "Secretary";

(B) by striking the second sentence and inserting "Such Administration shall be the principal agency, and the Commissioner shall be the principal officer, of the Department for purposes of carrying out titles I, III, VI, and chapter 2 of title VII."; and

(C) in the fourth and sixth sentences, by inserting "of Education" after "Secretary" the first place it appears; and

(2) in subsection (b), by inserting "of Education" after "Secretary".

SEC. 404. DEFINITIONS.

Section 7 (29 U.S.C. 705) is amended—

(1) in paragraph (2)(B)—

(A) in clause (iii), by striking "and" at the end;

(B) in clause (iv), by striking the semicolon and inserting "; and"; and

(C) by adding at the end the following:

"(v) to the maximum extent possible, relies on information obtained from experiences in integrated employment settings in the community, and other integrated community settings;";

(2) by striking paragraphs (3) and (4) and inserting the following:

"(3) ASSISTIVE TECHNOLOGY TERMS.—

"(A) ASSISTIVE TECHNOLOGY.—The term 'assistive technology' has the meaning given such term in section 3 of the Assistive Technology Act of 1998 (29 U.S.C. 3002).

"(B) ASSISTIVE TECHNOLOGY DEVICE.—The term 'assistive technology device' has the meaning given such term in section 3 of the Assistive Technology Act of 1998,

except that the reference in such section to the term 'individuals with disabilities' shall be deemed to mean more than 1 individual with a disability as defined in paragraph (20)(A)).

"(C) ASSISTIVE TECHNOLOGY SERVICE.—The term 'assistive technology service' has the meaning given such term in section 3 of the Assistive Technology Act of 1998, except that the reference in such section—

"(i) to the term 'individual with a disability' shall be deemed to mean an individual with a disability, as defined in paragraph (20)(A); and

"(ii) to the term 'individuals with disabilities' shall be deemed to mean more than 1 such individual.";

(3) by redesignating paragraph (5) as paragraph (4);

(4) in paragraph (4), as redesignated by paragraph (3)—

(A) by redesignating subparagraphs (O) through (Q) as subparagraphs (P) through (R), respectively;

(B) by inserting after subparagraph (N) the following:

"(O) customized employment;"; and

(C) in subparagraph (R), as redesignated by subparagraph (A) of this paragraph, by striking "(P)" and inserting "(Q)";

(5) by inserting before paragraph (6) the following:

"(5) COMPETITIVE INTEGRATED EMPLOYMENT.—The term 'competitive integrated employment' means work that is performed on a full-time or part-time basis (including self-employment)—

"(A) for which an individual—

"(i) is compensated at a rate that—

"(I)(aa) shall be not less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the rate specified in the applicable State or local minimum wage law; and

"(bb) is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills; or

"(II) in the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities, and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills; and

"(ii) is eligible for the level of benefits provided to other employees;

"(B) that is at a location where the employee interacts with other persons who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that individuals who are not individuals with disabilities and who are in comparable positions interact with other persons; and

"(C) that, as appropriate, presents opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.";

(6) in paragraph (6)(B), by striking "includes" and all that follows through "fees" and inserting "includes architects' fees";

(7) by inserting after paragraph (6) the following:

"(7) CUSTOMIZED EMPLOYMENT.—The term 'customized employment' means competitive integrated employment, for an individual with a significant disability, that is based on an individualized determination of the strengths, needs, and interests of the individual with a significant disability, is designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer, and is carried out through flexible strategies, such as—

"(A) job exploration by the individual;

"(B) working with an employer to facilitate placement, including—

"(i) customizing a job description based on current employer needs or on previously unidentified and unmet employer needs;

"(ii) developing a set of job duties, a work schedule and job arrangement, and specifics of supervision (including performance evaluation and review), and determining a job location;

"(iii) representation by a professional chosen by the individual, or self-representation of the individual, in working with an employer to facilitate placement; and

"(iv) providing services and supports at the job location.";

(8) in paragraph (11)—

(A) in subparagraph (C)—

(i) by inserting "of Education" after "Secretary"; and

(ii) by inserting "customized employment," before "self-employment,";

(9) in paragraph (12), by inserting "of Education" after "Secretary" each place it appears;

(10) in paragraph (14)(C), by inserting "of Education" after "Secretary";

(11) in paragraph (17)—

(A) in subparagraph (C), by striking "and" at the end;

(B) in subparagraph (D), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(E) services that—

"(i) facilitate the transition of individuals with significant disabilities from nursing homes and other institutions to home and community-based residences, with the requisite supports and services;

"(ii) provide assistance to individuals with significant disabilities who are at risk of entering institutions so that the individuals may remain in the community; and

"(iii) facilitate the transition of youth who are individuals with significant disabilities, who were

eligible for individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)), and who have completed their secondary education or otherwise left school, to postsecondary life.";

(12) in paragraph (18), by striking "term" and all that follows through "includes—" and inserting "term 'independent living services' includes—";

(13) in paragraph (19)—

(A) in subparagraph (A), by inserting before the period the following: "and includes a Native and a descendant of a Native, as such terms are defined in subsections (b) and (r) of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)"; and

(B) in subparagraph (B), by inserting before the period the following: "and a tribal organization (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l)))";

(14) in paragraph (23), by striking "section 101" and inserting "section 102";

(15) by striking paragraph (25) and inserting the following:

"(25) LOCAL WORKFORCE DEVELOPMENT BOARD.—The term 'local workforce development board' means a local board, as defined in section 3 of the Workforce Innovation and Opportunity Act.";

(16) by striking paragraph (37);

(17) by redesignating paragraphs (29) through (39) as paragraphs (31) through (36), and (38) through (41), respectively;

(18) by inserting after paragraph (28) the following:

"(30) PRE-EMPLOYMENT TRANSITION SERVICES.—The term 'pre-employment transition services' means services provided in accordance with section 113.";

(19) by striking paragraph (33), as redesignated by paragraph (17), and inserting the following:

"(33) SECRETARY.—Unless where the context otherwise requires, the term 'Secretary'—

"(A) used in title I, III, IV, V, VI, or chapter 2 of title VII, means the Secretary of Education; and

"(B) used in title II or chapter 1 of title VII, means the Secretary of Health and Human Services.";

(20) by striking paragraphs (35) and (36), as redesignated by paragraph (17), and inserting the following:

"(35) STATE WORKFORCE DEVELOPMENT BOARD.—The term 'State workforce development board' means a State board, as defined in section 3 of the Workforce Innovation and Opportunity Act.

"(36) STATEWIDE WORKFORCE DEVELOPMENT SYSTEM.—The term 'statewide workforce development system' means a workforce development system, as defined in section 3 of the Workforce Innovation and Opportunity Act.";

(21) by inserting after that paragraph (36) the following:

"(37) STUDENT WITH A DISABILITY.—

"(A) IN GENERAL.—The term 'student with a disability' means an individual with a disability who—

"(i)(I)(aa) is not younger than the earliest age for the provision of transition services under section

614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VIII)); or

"(bb) if the State involved elects to use a lower minimum age for receipt of pre-employment transition services under this Act, is not younger than that minimum age; and

"(II)(aa) is not older than 21 years of age; or

"(bb) if the State law for the State provides for a higher maximum age for receipt of services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), is not older than that maximum age; and

"(ii)(I) is eligible for, and receiving, special education or related services under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.); or

"(II) is an individual with a disability, for purposes of section 504.

"(B) STUDENTS WITH DISABILITIES.—The term 'students with disabilities' means more than 1 student with a disability.";

(22) by striking paragraphs (38) and (39), as redesignated by paragraph (17), and inserting the following:

"(38) SUPPORTED EMPLOYMENT.—The term 'supported employment' means competitive integrated employment, including customized employment, or employment in an integrated work setting in which individuals are working on a short-term basis toward competitive integrated employment, that is individualized and customized consistent with the strengths, abilities, interests, and informed choice of the individuals involved, for individuals with the most significant disabilities—

"(A)(i) for whom competitive integrated employment has not historically occurred; or

"(ii) for whom competitive integrated employment has been interrupted or intermittent as a result of a significant disability; and

"(B) who, because of the nature and severity of their disability, need intensive supported employment services and extended services after the transition described in paragraph (13)(C), in order to perform the work involved.

"(39) SUPPORTED EMPLOYMENT SERVICES.—The term 'supported employment services' means ongoing support services, including customized employment, needed to support and maintain an individual with a most significant disability in supported employment, that—

"(A) are provided singly or in combination and are organized and made available in such a way as to assist an eligible individual to achieve competitive integrated employment;

"(B) are based on a determination of the needs of an eligible individual, as specified in an individualized plan for employment; and

"(C) are provided by the designated State unit for a period of not more than 24 months, except that period may be extended, if necessary, in order to achieve the

employment outcome identified in the individualized plan for employment.";

(23) in paragraph (41), as redesignated by paragraph (17), by striking "as defined in section 101 of the Workforce Investment Act of 1998" and inserting "as defined in section 3 of the Workforce Innovation and Opportunity Act"; and

(24) by inserting after paragraph (41), as redesignated by paragraph (17), the following:

"(42) YOUTH WITH A DISABILITY.—

"(A) IN GENERAL.—The term 'youth with a disability' means an individual with a disability who—

"(i) is not younger than 14 years of age; and

"(ii) is not older than 24 years of age.

"(B) YOUTH WITH DISABILITIES.—The term 'youth with disabilities' means more than 1 youth with a disability.".

SEC. 405. ADMINISTRATION OF THE ACT.

(a) PROMULGATION.—Section 8(a)(2) (29 U.S.C. 706(a)(2)) is amended by inserting "of Education" after "Secretary".

(b) PRIVACY.—Section 11 (29 U.S.C. 708) is amended—

(1) by inserting "(a)" before "The provisions"; and

(2) by adding at the end the following:

"(b) Section 501 of the Workforce Innovation and Opportunity Act shall apply, as specified in that section, to amendments to this Act that were made by the Workforce Innovation and Opportunity Act.". Applicability.

(c) ADMINISTRATION.—Section 12 (29 U.S.C. 709) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "(1)" and inserting "(1)(A)"; and

(ii) by adding at the end the following:

"(B) provide technical assistance to the designated State units on developing successful partnerships with local and multi-State businesses in an effort to increase the employment of individuals with disabilities;

"(C) provide technical assistance to providers and organizations on developing self-employment opportunities and outcomes for individuals with disabilities; and

"(D) provide technical assistance to entities carrying out community rehabilitation programs to build their internal capacity to provide individualized services and supports leading to competitive integrated employment, and to transition individuals with disabilities away from nonintegrated settings;"; and

(B) in paragraph (2), by striking ", centers for independent living,";

(2) in subsection (c), by striking "Commissioner" the first place it appears and inserting "Secretary of Education";

(3) in subsection (d), by inserting "of Education" after "Secretary";

(4) in subsection (e)—

(A) by striking "Rehabilitation Act Amendments of 1998" each place it appears and inserting "Workforce Innovation and Opportunity Act"; and

(B) by inserting "of Education" after "Secretary";

(5) in subsection (f), by inserting "of Education" after "Secretary";

(6)(A) in subsection (c), by striking "(c)" and inserting "(c)(1)";

(B) in subsection (d), by striking "(d)" and inserting "(d)(1)";

(C) in subsection (e), by striking "(e)" and inserting "(2)";

(D) in subsection (f), by striking "(f)" and inserting "(2)"; and

(E) by moving paragraph (2) (as redesignated by subparagraph (D)) to the end of subsection (c); and

(7) by inserting after subsection (d) the following:

"(e)(1) The Administrator of the Administration for Community Living (referred to in this subsection as the 'Administrator') may carry out the authorities and shall carry out the responsibilities of the Commissioner described in paragraphs (1)(A) and (2) through (4) of subsection (a), and subsection (b), except that, for purposes of applying subsections (a) and (b), a reference in those subsections—

"(A) to facilitating meaningful and effective participation shall be considered to be a reference to facilitating meaningful and effective collaboration with independent living programs, and promoting a philosophy of independent living for individuals with disabilities in community activities; and

"(B) to training for personnel shall be considered to be a reference to training for the personnel of centers for independent living and Statewide Independent Living Councils.

"(2) The Secretary of Health and Human Services may carry out the authorities and shall carry out the responsibilities of the Secretary of Education described in subsections (c) and (d).

"(f)(1) In subsections (a) through (d), a reference to 'this Act' means a provision of this Act that the Secretary of Education has authority to carry out; and

"(2) In subsection (e), for purposes of applying subsections (a) through (d), a reference in those subsections to 'this Act' means a provision of this Act that the Secretary of Health and Human Services has authority to carry out.".

SEC. 406. REPORTS.

Section 13 (29 U.S.C. 710) is amended—

(1) in section (c)—

(A) by striking "(c)" and inserting "(c)(1)"; and

(B) in the second sentence, by striking "section 136(d) of the Workforce Investment Act of 1998" and inserting "section 116(d)(2) of the Workforce Innovation and Opportunity Act"; and

(2) by adding at the end the following:

Public information.

"(d) The Commissioner shall ensure that the report described in this section is made publicly available in a timely manner, including through electronic means, in order to inform the public about the administration and performance of programs under this Act.".

SEC. 407. EVALUATION AND INFORMATION.

(a) EVALUATION.—Section 14 (29 U.S.C. 711) is amended—

(1) by inserting "of Education" after "Secretary" each place it appears;

(2) in subsection (f)(2), by inserting "competitive" before "integrated employment";

(3)(A) in subsection (b), by striking "(b)" and inserting "(b)(1)";

(B) in subsection (c), by striking "(c)" and inserting "(2)";

(C) in subsection (d), by striking "(d)" and inserting "(3)"; and

(D) by redesignating subsections (e) and (f) as subsections (c) and (d), respectively;

(4) by inserting after subsection (d), as redesignated by paragraph (3)(D), the following:

"(e)(1) The Secretary of Health and Human Services may carry out the authorities and shall carry out the responsibilities of the Secretary of Education described in subsections (a) and (b).

"(2) The Administrator of the Administration for Community Living may carry out the authorities and shall carry out the responsibilities of the Commissioner described in subsections (a) and (d)(1), except that, for purposes of applying those subsections, a reference in those subsections to exemplary practices shall be considered to be a reference to exemplary practices concerning independent living services and centers for independent living.

"(f)(1) In subsections (a) through (d), a reference to 'this Act' means a provision of this Act that the Secretary of Education has authority to carry out; and

"(2) In subsection (e), for purposes of applying subsections (a), (b), and (d), a reference in those subsections to 'this Act' means a provision of this Act that the Secretary of Health and Human Services has authority to carry out.".

(b) INFORMATION.—Section 15 (29 U.S.C. 712) is amended—

(1) in subsection (a)—

(A) by inserting "of Education" after "Secretary" each place it appears; and

(B) in paragraph (1), by striking "State workforce investment boards" and inserting "State workforce development boards"; and

(2) in subsection (b), by striking "Secretary" and inserting "Secretary of Education".

SEC. 408. CARRYOVER.

Section 19(a)(1) (29 U.S.C. 716(a)(1)) is amended by striking "part B of title VI" and inserting "title VI".

SEC. 409. TRADITIONALLY UNDERSERVED POPULATIONS.

Section 21 (29 U.S.C. 718) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the first sentence, by striking "racial" and inserting "demographic";

(ii) in the second sentence—

(I) by striking "rate of increase" the first place it appears and inserting "percentage increase from 2000 to 2010";

(II) by striking "is 3.2" and inserting "was 9.7";

(III) by striking "rate of increase" and inserting "percentage increase";

(IV) by striking "is much" and inserting "was much";

(V) by striking "38.6" and inserting "43.0";

(VI) by striking "14.6" and inserting "12.3";

(VII) by striking "40.1" and inserting "43.2"; and

(VIII) by striking "and other ethnic groups"; and

(iii) by striking the last sentence; and

(B) in paragraph (2), by striking the second and third sentences and inserting the following: "In 2011—

"(A) among Americans ages 16 through 64, the rate of disability was 12.1 percent;

"(B) among African-Americans in that age range, the disability rate was more than twice as high, at 27.1 percent; and

"(C) for American Indians and Alaska Natives in the same age range, the disability rate was also more than twice as high, at 27.0 percent.";

(2) in subsection (b)(1), by striking "National Institute on Disability and Rehabilitation Research" and inserting "National Institute on Disability, Independent Living, and Rehabilitation Research"; and

(3) in subsection (c), by striking "Director" and inserting "Director of the National Institute on Disability, Independent Living, and Rehabilitation Research".

Subtitle B—Vocational Rehabilitation Services

SEC. 411. DECLARATION OF POLICY; AUTHORIZATION OF APPROPRIATIONS.

(a) FINDINGS; PURPOSE; POLICY.—Section 100(a) (29 U.S.C. 720(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking "integrated" and inserting "competitive integrated employment";

(B) in subparagraph (D)(iii), by striking "medicare and medicaid" and inserting "Medicare and Medicaid";

(C) in subparagraph (F), by striking "investment" and inserting "development"; and

(D) in subparagraph (G)—

(i) by striking "workforce investment systems" and inserting "workforce development systems"; and

(ii) by striking "workforce investment activities" and inserting "workforce development activities";

(2) in paragraph (2)—

(A) in subparagraph (A), by striking "workforce investment system" and inserting "workforce development system"; and

(B) in subparagraph (B), by striking "and informed choice," and inserting "informed choice, and economic self-sufficiency,"; and

(3) in paragraph (3)—

(A) in subparagraph (B), by striking "gainful employment in integrated settings" and inserting "competitive integrated employment"; and

(B) in subparagraph (E), by inserting "should" before "facilitate".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 100(b)(1) (29 U.S.C. 720(b)(1)) is amended by striking "such sums as may be

necessary for fiscal years 1999 through 2003" and inserting "$3,302,053,000 for each of the fiscal years 2015 through 2020".

SEC. 412. STATE PLANS.

(a) PLAN REQUIREMENTS.—Section 101(a) (29 U.S.C. 721(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "to participate" and all that follows and inserting "to receive funds under this title for a fiscal year, a State shall submit, and have approved by the Secretary and the Secretary of Labor, a unified State plan in accordance with section 102, or a combined State plan in accordance with section 103, of the Workforce Innovation and Opportunity Act. The unified or combined State plan shall include, in the portion of the plan described in section 102(b)(2)(D) of such Act (referred to in this subsection as the 'vocational rehabilitation services portion'), the provisions of a State plan for vocational rehabilitation services, described in this subsection."; and

(B) in subparagraph (B)—

(i) by striking "in the State plan for vocational rehabilitation services," and inserting "as part of the vocational rehabilitation services portion of the unified or combined State plan submitted in accordance with subparagraph (A),"; and

(ii) by striking "Rehabilitation Act Amendments of 1998" and inserting "Workforce Innovation and Opportunity Act"; and

(C) in subparagraph (C)—

(i) by striking "The State plan shall remain in effect subject to the submission of such modifications" and inserting "The vocational rehabilitation services portion of the unified or combined State plan submitted in accordance with subparagraph (A) shall remain in effect until the State submits and receives approval of a new State plan in accordance with subparagraph (A), or until the submission of such modifications"; and

(ii) by striking ", until the State submits and receives approval of a new State plan";

(2) in paragraph (2)—

(A) in subparagraph (A), by striking "The State plan" and inserting "The State plan for vocational rehabilitation services"; and

(B) in subparagraph (B)(ii)—

(i) in subclause (II), by inserting "who is responsible for the day-to-day operation of the vocational rehabilitation program" before the semicolon;

(ii) in subclause (III), by striking "and" at the end;

(iii) in subclause (IV), by striking the period and inserting "; and"; and

(iv) by adding at the end the following:

"(V) has the sole authority and responsibility within the designated State agency described in subparagraph (A) to expend funds made available

under this title in a manner that is consistent with the purposes of this title.";

(3) in paragraph (5)—

(A) in subparagraph (C), by striking "and" at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

"(D) notwithstanding subparagraph (C), permit the State, in its discretion, to elect to serve eligible individuals (whether or not receiving vocational rehabilitation services) who require specific services or equipment to maintain employment; and";

(4) in paragraph (7)—

(A) in subparagraph (A)(v)—

(i) in subclause (I), after "rehabilitation technology" insert the following: ", including training implemented in coordination with entities carrying out State programs under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003)"; and

(ii) in subclause (II), by striking "Rehabilitation Act Amendments of 1998" and inserting "Workforce Innovation and Opportunity Act"; and

(B) in subparagraph (B), by striking clause (ii) and inserting the following:

"(ii) the establishment and maintenance of education and experience requirements, to ensure that the personnel have a 21st century understanding of the evolving labor force and the needs of individuals with disabilities, including requirements for—

"(I)(aa) attainment of a baccalaureate degree in a field of study reasonably related to vocational rehabilitation, to indicate a level of competency and skill demonstrating basic preparation in a field of study such as vocational rehabilitation counseling, social work, psychology, disability studies, business administration, human resources, special education, supported employment, customized employment, economics, or another field that reasonably prepares individuals to work with consumers and employers; and

"(bb) demonstrated paid or unpaid experience, for not less than 1 year, consisting of—

"(AA) direct work with individuals with disabilities in a setting such as an independent living center;

"(BB) direct service or advocacy activities that provide such individual with experience and skills in working with individuals with disabilities; or

"(CC) direct experience as an employer, as a small business owner or operator, or in self-employment, or other experience in human resources, recruitment, or experience in supervising employees, training, or other activities that provide experience in competitive integrated employment environments; or

"(II) attainment of a master's or doctoral degree in a field of study such as vocational rehabilitation counseling, law, social work, psychology, disability studies, business administration, human resources, special education, management, public administration, or another field that reasonably provides competence in the employment sector, in a disability field, or in both business-related and rehabilitation-related fields; and";

(5) in paragraph (8)—

(A) in subparagraph (A)(i)—

(i) by inserting "an accommodation or auxiliary aid or service or" after "prior to providing"; and

(ii) by striking "(5)(D)" and inserting "(5)(E)";

(B) in subparagraph (B)—

(i) in the matter preceding clause (i)—

(I) by striking "medicaid" and inserting "Medicaid";

(II) by striking "workforce investment system" and inserting "workforce development system";

(III) by striking "(5)(D)" and inserting "(5)(E)";

(IV) by inserting "and, if appropriate, accommodations or auxiliary aids and services," before "that are included"; and

(V) by striking "provision of such vocational rehabilitation services" and inserting "provision of such vocational rehabilitation services (including, if appropriate, accommodations or auxiliary aids and services)"; and

(ii) in clause (iv)—

(I) by striking "(5)(D)" and inserting "(5)(E)"; and

(II) by inserting ", and accommodations or auxiliary aids and services" before the period; and

(C) in subparagraph (C)(i), by striking "(5)(D)" and inserting "(5)(E)";

(6) in paragraph (10)—

(A) in subparagraph (B), by striking "annual" and all that follows through "of 1998" and inserting "annual reporting of information, on eligible individuals receiving the services, that is necessary to assess the State's performance on the standards and indicators described in section 106(a)";

(B) in subparagraph (C)—

(i) in the matter preceding clause (i), by inserting ", from each State," after "additional data";

(ii) by striking clause (i) and inserting:

"(i) the number of applicants and the number of individuals determined to be eligible or ineligible for the program carried out under this title, including the number of individuals determined to be ineligible (disaggregated by type of disability and age);";

(iii) in clause (ii)—

(I) in subclause (I), by striking "(5)(D)" and inserting "(5)(E)";

(II) in subclause (II), by striking "and" at the end; and

(III) by adding at the end the following:

"(IV) the number of individuals with open cases (disaggregated by those who are receiving training and those who are in postsecondary education), and the type of services the individuals are receiving (including supported employment);

"(V) the number of students with disabilities who are receiving pre-employment transition services under this title: and

"(VI) the number of individuals referred to State vocational rehabilitation programs by one-stop operators (as defined in section 3 of the Workforce Innovation and Opportunity Act), and the number of individuals referred to such one-stop operators by State vocational rehabilitation programs;"; and

(iv) in clause (iv)(I), by inserting before the semicolon the following: "and, for those who achieved employment outcomes, the average length of time to obtain employment";

(C) in subparagraph (D)(i), by striking "title I of the Workforce Investment Act of 1998" and inserting "title I of the Workforce Innovation and Opportunity Act";

(D) in subparagraph (E)(ii), by striking "of the State" and all that follows and inserting "of the State in meeting the standards and indicators established pursuant to section 106."; and

(E) by adding at the end the following:

"(G) RULES FOR REPORTING OF DATA.—The disaggregation of data under this Act shall not be required within a category if the number of individuals in a category is insufficient to yield statistically reliable information, or if the results would reveal personally identifiable information about an individual.

"(H) COMPREHENSIVE REPORT.—The State plan shall specify that the Commissioner will provide an annual comprehensive report that includes the reports and data required under this section, as well as a summary of the reports and data, for each fiscal year. The Commissioner shall submit the report to the Committee on Education and the Workforce of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations of the Senate, not later than 90 days after the end of the fiscal year involved.";

(7) in paragraph (11)—

(A) in subparagraph (A)—

(i) in the subparagraph header, by striking "WORKFORCE INVESTMENT SYSTEMS" and inserting "WORKFORCE DEVELOPMENT SYSTEMS";

(ii) in the matter preceding clause (i), by striking "workforce investment system" and inserting "workforce development system";

(iii) in clause (i)(II)—

(I) by striking "investment" and inserting "development"; and

(II) by inserting "(including programmatic accessibility and physical accessibility)" after "program accessibility";

(iv) in clause (ii), by striking "workforce investment system" and inserting "workforce development system"; and

(v) in clause (v), by striking "workforce investment system" and inserting "workforce development system";

(B) in subparagraph (B), by striking "workforce investment system" and inserting "workforce development system";

(C) in subparagraph (C)—

(i) by inserting "the State programs carried out under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003)," after "including";

(ii) by inserting ", noneducational agencies serving out-of-school youth," after "Agriculture"; and

(iii) by striking "such agencies and programs" and inserting "such Federal, State, and local agencies and programs"; and

(iv) by striking "workforce investment system" and inserting "workforce development system";

(D) in subparagraph (D)—

(i) in the matter preceding clause (i), by inserting ", including pre-employment transition services," before "under this title";

(ii) in clause (i), by inserting ", which may be provided using alternative means for meeting participation (such as video conferences and conference calls)," after "consultation and technical assistance"; and

(iii) in clause (ii), by striking "completion" and inserting "implementation";

(E) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (H), respectively;

(F) by inserting after subparagraph (D) the following:

"(E) COORDINATION WITH EMPLOYERS.—The State plan shall describe how the designated State unit will work with employers to identify competitive integrated employment opportunities and career exploration opportunities, in order to facilitate the provision of—

"(i) vocational rehabilitation services; and

"(ii) transition services for youth with disabilities and students with disabilities, such as pre-employment transition services.";

(G) in subparagraph (F), as redesignated by subparagraph (E) of this paragraph—

(i) by inserting "chapter 1 of" after "part C of"; and

(ii) by inserting ", as appropriate" before the period;

(H) by inserting after subparagraph (F), as redesignated by subparagraph (E) of this paragraph, the following:

"(G) COOPERATIVE AGREEMENT REGARDING INDIVIDUALS ELIGIBLE FOR HOME AND COMMUNITY-BASED WAIVER PROGRAMS.—The State plan shall include an assurance that

the designated State unit has entered into a formal cooperative agreement with the State agency responsible for administering the State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and the State agency with primary responsibility for providing services and supports for individuals with intellectual disabilities and individuals with developmental disabilities, with respect to the delivery of vocational rehabilitation services, including extended services, for individuals with the most significant disabilities who have been determined to be eligible for home and community-based services under a Medicaid waiver, Medicaid State plan amendment, or other authority related to a State Medicaid program.";

(I) in subparagraph (H), as redesignated by subparagraph (E) of this paragraph—

(i) in clause (ii)—

(I) by inserting "on or" before "near"; and

(II) by striking "and" at the end;

(ii) by redesignating clause (iii) as clause (iv); and

(iii) by inserting after clause (ii) the following:

"(iii) strategies for the provision of transition planning, by personnel of the designated State unit, the State educational agency, and the recipient of funds under part C, that will facilitate the development and approval of the individualized plans for employment under section 102; and"; and

(J) by adding at the end the following:

"(I) COORDINATION WITH ASSISTIVE TECHNOLOGY PROGRAMS.—The State plan shall include an assurance that the designated State unit, and the lead agency and implementing entity (if any) designated by the Governor of the State under section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003), have developed working relationships and will enter into agreements for the coordination of their activities, including the referral of individuals with disabilities to programs and activities described in that section.

"(J) COORDINATION WITH TICKET TO WORK AND SELF-SUFFICIENCY PROGRAM.—The State plan shall include an assurance that the designated State unit will coordinate activities with any other State agency that is functioning as an employment network under the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b–19).

"(K) INTERAGENCY COOPERATION.—The State plan shall describe how the designated State agency or agencies (if more than 1 agency is designated under paragraph (2)(A)) will collaborate with the State agency responsible for administering the State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), the State agency responsible for providing services for individuals with developmental disabilities, and the State agency responsible for providing mental health services, to develop opportunities for community-based employment in integrated settings, to the greatest extent practicable.";

(8) in paragraph (14)—

(A) in the paragraph header, by striking "ANNUAL" and inserting "SEMIANNUAL";

(B) in subparagraph (A)—

(i) by striking "an annual" and inserting "a semi-annual";

(ii) by striking "has achieved an employment outcome" and inserting "is employed";

(iii) by striking "achievement of the outcome" and all that follows through "representative)" and inserting "beginning of such employment, and annually thereafter";

(iv) by striking "to competitive" and all that follows and inserting the following: "to competitive integrated employment or training for competitive integrated employment;";

(C) in subparagraph (B), by striking "and" at the end;

(D) in subparagraph (C), by striking "the individuals described" and all that follows and inserting "individuals described in subparagraph (A) in attaining competitive integrated employment; and"; and

(E) by adding at the end the following:

"(D) an assurance that the State will report the information generated under subparagraphs (A), (B), and (C), for each of the individuals, to the Administrator of the Wage and Hour Division of the Department of Labor for each fiscal year, not later than 60 days after the end of the fiscal year.";

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(9) in paragraph (15)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (II), by striking "and" at the end;

(II) in subclause (III)—

(aa) by striking "workforce investment system" and inserting "workforce development system"; and

(bb) by adding "and" at the end; and

(III) by adding at the end the following:

"(IV) youth with disabilities, and students with disabilities, including their need for pre-employment transition services or other transition services;";

(ii) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(iii) by inserting after clause (i) the following:

"(ii) include an assessment of the needs of individuals with disabilities for transition services and pre-employment transition services, and the extent to which such services provided under this Act are coordinated with transition services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in order to meet the needs of individuals with disabilities.";

(B) in subparagraph (B)—

(i) in clause (ii)—

(I) by striking "part B of title VI" and inserting "title VI"; and

(II) by striking "and" at the end;

(ii) by redesignating clause (iii) as clause (iv); and

(iii) by inserting after clause (ii) the following:

"(iii) the number of individuals who are eligible for services under this title, but are not receiving such services due to an order of selection; and"; and

(C) in subparagraph (D)—

(i) by redesignating clauses (iii) through (v) as clauses (iv) through (vi), respectively;

(ii) by inserting after clause (ii) the following:

"(iii) the methods to be used to improve and expand vocational rehabilitation services for students with disabilities, including the coordination of services designed to facilitate the transition of such students from the receipt of educational services in school to postsecondary life (including the receipt of vocational rehabilitation services under this title, postsecondary education, employment, and pre-employment transition services);"; and

(iii) in clause (vi), as redesignated by clause (i) of this subparagraph, by striking "workforce investment system" and inserting "workforce development system";

(10) in paragraph (20), in subparagraphs (A) and (B)(i), by striking "workforce investment system" and inserting "workforce development system";

(11) in paragraph (22), by striking "part B of title VI" and inserting "title VI"; and

(12) by adding at the end the following:

"(25) SERVICES FOR STUDENTS WITH DISABILITIES.—The State plan shall provide an assurance that, with respect to students with disabilities, the State—

"(A) has developed and will implement—

"(i) strategies to address the needs identified in the assessments described in paragraph (15); and

"(ii) strategies to achieve the goals and priorities identified by the State, in accordance with paragraph (15), to improve and expand vocational rehabilitation services for students with disabilities on a statewide basis; and

"(B) has developed and will implement strategies to provide pre-employment transition services.

"(26) JOB GROWTH AND DEVELOPMENT.—The State plan shall provide an assurance describing how the State will utilize initiatives involving in-demand industry sectors or occupations under sections 106(c) and 108 of the Workforce Innovation and Opportunity Act to increase competitive integrated employment opportunities for individuals with disabilities.".

(b) APPROVAL.—Section 101(b) (29 U.S.C. 721(b)) is amended to read as follows:

"(b) SUBMISSION; APPROVAL; MODIFICATION.—The State plan for vocational rehabilitation services shall be subject to—

"(1) subsection (c) of section 102 of the Workforce Innovation and Opportunity Act, in a case in which that plan is a portion of the unified State plan described in that section 102; and

"(2) subsection (b), and paragraphs (1), (2), and (3) of subsection (c), of section 103 of such Act in a case in which that State plan for vocational rehabilitation services is a portion of the combined State plan described in that section 103.".

(c) CONSTRUCTION.—Section 101 (29 U.S.C. 721) is amended by adding at the end the following:

"(c) CONSTRUCTION.—Nothing in this part shall be construed to reduce the obligation under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) of a local educational agency or any other agency to provide or pay for any transition services that are also considered special education or related services and that are necessary for ensuring a free appropriate public education to children with disabilities within the State involved.".

SEC. 413. ELIGIBILITY AND INDIVIDUALIZED PLAN FOR EMPLOYMENT.

(a) ELIGIBILITY.—Section 102(a) (29 U.S.C. 722(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "is an" and inserting "has undergone an assessment for determining eligibility and vocational rehabilitation needs and as a result has been determined to be an";

(B) in subparagraph (B), by striking "or regain employment." and inserting "advance in, or regain employment that is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice."; and

(C) by adding at the end the following: "For purposes of an assessment for determining eligibility and vocational rehabilitation needs under this Act, an individual shall be presumed to have a goal of an employment outcome.";

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) in the subparagraph header, by striking "DEMONSTRATION" and inserting "APPLICANTS"; and

(ii) by striking ", unless" and all that follows and inserting a period; and

(B) in subparagraph (B)—

(i) in the subparagraph header, by striking "METHODS" and inserting "RESPONSIBILITIES";

(ii) in the first sentence—

(I) by striking "In making the demonstration required under subparagraph (A)," and inserting "Prior to determining under this subsection that an applicant described in subparagraph (A) is unable to benefit due to the severity of the individual's disability or that the individual is ineligible for vocational rehabilitation services,"; and

(II) by striking ", except under" and all that follows and inserting a period; and

(iii) in the second sentence, by striking "individual or to determine" and all that follows and inserting "individual. In providing the trial experiences, the designated State unit shall provide the individual with the opportunity to try different employment experiences, including supported employment, and the opportunity to become employed in competitive integrated employment.";

(3) in paragraph (3)(A)(ii), by striking "outcome from" and all that follows and inserting "outcome due to the severity of the individual's disability (as of the date of the determination).";

(4) in paragraph (5)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "If an individual" and inserting "If, after the designated State unit carries out the activities described in paragraph (2)(B), a review of existing data, and, to the extent necessary, the assessment activities described in section 7(2)(A)(ii), an individual"; and

(ii) by striking "title is determined" and all that follows through "not to be" and inserting "title is determined not to be";

(B) by redesignating subparagraphs (A) through (D) as subparagraphs (B) through (E), respectively;

(C) by inserting before subparagraph (B), as redesignated by subparagraph (B) of this paragraph, the following:

"(A) the ineligibility determination shall be an individualized one, based on the available data, and shall not be based on assumptions about broad categories of disabilities;"; and

(D) in clause (i) of subparagraph (C), as redesignated by subparagraph (B) of this paragraph, by inserting after "determination" the following: ", including the clear and convincing evidence that forms the basis for the determination of ineligibility".

(b) DEVELOPMENT OF AN INDIVIDUALIZED PLAN FOR EMPLOYMENT, AND RELATED INFORMATION.—Section 102(b) (29 U.S.C. 722(b)) is amended—

(1) in paragraph (1)(A)—

(A) by striking ", to the extent determined to be appropriate by the eligible individual,"; and

(B) by inserting "or, as appropriate, a disability advocacy organization" after "counselor";

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following:

"(2) INDIVIDUALS DESIRING TO ENTER THE WORKFORCE.—For an individual entitled to benefits under title II or XVI of the Social Security Act (42 U.S.C. 401 et seq., 1381 et seq.) on the basis of a disability or blindness, the designated State unit shall provide to the individual general information on additional supports and assistance for individuals with disabilities desiring to enter the workforce, including assistance with benefits planning.";

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection—

(A) in subparagraph (E)—

(i) in clause (i), by striking "and" at the end;

(ii) in clause (ii), by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(iii) amended, as necessary, to include the postemployment services and service providers that are necessary for the individual to maintain or regain employment, consistent with the individual's strengths,

resources, priorities, concerns, abilities, capabilities, interests, and informed choice."; and

(B) by adding at the end the following:

"(F) TIMEFRAME FOR COMPLETING THE INDIVIDUALIZED PLAN FOR EMPLOYMENT.—The individualized plan for employment shall be developed as soon as possible, but not later than a deadline of 90 days after the date of the determination of eligibility described in paragraph (1), unless the designated State unit and the eligible individual agree to an extension of that deadline to a specific date by which the individualized plan for employment shall be completed."; and Deadline.

(5) in paragraph (4), as redesignated by paragraph (2) of this subsection—

(A) in subparagraph (A), by striking "choice of the" and all that follows and inserting "choice of the eligible individual, consistent with the general goal of competitive integrated employment (except that in the case of an eligible individual who is a student, the description may be a description of the student's projected postschool employment outcome);";

(B) in subparagraph (B)(i)—

(i) by redesignating subclause (II) as subclause (III); and

(ii) by striking subclause (I) and inserting the following:

"(I) needed to achieve the employment outcome, including, as appropriate—

"(aa) the provision of assistive technology devices and assistive technology services (including referrals described in section 103(a)(3) to the device reutilization programs and demonstrations described in subparagraphs (B) and (D) of section 4(e)(2) of the Assistive Technology Act of 1998 (29 U.S.C. 3003(e)(2)) through agreements developed under section 101(a)(11)(I); and

"(bb) personal assistance services (including training in the management of such services);

"(II) in the case of a plan for an eligible individual that is a student, the specific transition services and supports needed to achieve the student's employment outcome or projected postschool employment outcome; and";

(C) in subparagraph (F), by striking "and" at the end;

(D) in subparagraph (G), by striking the period and inserting "; and"; and

(E) by adding at the end the following:

"(H) for an individual who also is receiving assistance from an employment network under the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b–19), a description of how responsibility for service delivery will be divided between the employment network and the designated State unit.".

(c) PROCEDURES.—Section 102(c) (29 U.S.C. 722(c)) is amended—

(1) in paragraph (1), by adding at the end the following: "The procedures shall allow an applicant or an eligible individual the opportunity to request mediation, an impartial due process hearing, or both procedures.";

(2) in paragraph (2)(A)—

(A) in clause (ii), by striking "and" at the end;

(B) in clause (iii), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(iv) any applicable State limit on the time by which a request for mediation under paragraph (4) or a hearing under paragraph (5) shall be made, and any required procedure by which the request shall be made."; and

(3) in paragraph (5)—

(A) by striking subparagraph (A) and inserting the following:

"(A) OFFICER.—A due process hearing described in paragraph (2) shall be conducted by an impartial hearing officer who, on reviewing the evidence presented, shall issue a written decision based on the provisions of the approved State plan, requirements specified in this Act (including regulations implementing this Act), and State regulations and policies that are consistent with the Federal requirements specified in this title. The officer shall provide the written decision to the applicant or eligible individual, or, as appropriate, the applicant's representative or individual's representative, and to the designated State unit. The impartial hearing officer shall have the authority to render a decision and require actions regarding the applicant's or eligible individual's vocational rehabilitation services under this title."; and

(B) in subparagraph (B), by striking "in laws" and inserting "about Federal laws".

SEC. 414. VOCATIONAL REHABILITATION SERVICES.

Section 103 (29 U.S.C. 723) is amended—

(1) in subsection (a)—

(A) in paragraph (13), by striking "workforce investment system" and inserting "workforce development system";

(B) by striking paragraph (15) and inserting the following:

"(15) transition services for students with disabilities, that facilitate the transition from school to postsecondary life, such as achievement of an employment outcome in competitive integrated employment, or pre-employment transition services;";

(C) by redesignating paragraphs (17) and (18) as paragraphs (19) and (20), respectively; and

(D) by inserting after paragraph (16) the following:

"(17) customized employment;

"(18) encouraging qualified individuals who are eligible to receive services under this title to pursue advanced training in a science, technology, engineering, or mathematics (including computer science) field, medicine, law, or business;".

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking "(A)"; and

(II) by striking the second sentence and inserting "Such programs shall be used to provide services described in this section that promote integration into the community and that prepare individuals with disabilities for competitive integrated employment, including supported employment and customized employment."; and

(ii) by striking subparagraph (B);

(B) by striking paragraph (5) and inserting the following:

"(5) Technical assistance to businesses that are seeking to employ individuals with disabilities."; and

(C) by striking paragraph (6) and inserting the following:

"(6) Consultation and technical assistance services to assist State educational agencies and local educational agencies in planning for the transition of students with disabilities from school to postsecondary life, including employment.

"(7) Transition services to youth with disabilities and students with disabilities, for which a vocational rehabilitation counselor works in concert with educational agencies, providers of job training programs, providers of services under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), entities designated by the State to provide services for individuals with developmental disabilities, centers for independent living (as defined in section 702), housing and transportation authorities, workforce development systems, and businesses and employers.

"(8) The establishment, development, or improvement of assistive technology demonstration, loan, reutilization, or financing programs in coordination with activities authorized under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.) to promote access to assistive technology for individuals with disabilities and employers.

Applicability.

"(9) Support (including, as appropriate, tuition) for advanced training in a science, technology, engineering, or mathematics (including computer science) field, medicine, law, or business, provided after an individual eligible to receive services under this title, demonstrates—

"(A) such eligibility;

"(B) previous completion of a bachelor's degree program at an institution of higher education or scheduled completion of such degree program prior to matriculating in the program for which the individual proposes to use the support; and

"(C) acceptance by a program at an institution of higher education in the United States that confers a master's degree in a science, technology, engineering, or mathematics (including computer science) field, a juris doctor degree, a master of business administration degree, or a doctor of medicine degree,

except that the limitations of subsection (a)(5) that apply to training services shall apply to support described in this paragraph, and nothing in this paragraph shall prevent any designated State unit from providing similar support to individuals with disabilities within the State who are eligible to receive support under this title and who are not served under this paragraph.".

SEC. 415. STATE REHABILITATION COUNCIL.

Section 105 (29 U.S.C. 725) is amended—

(1) in subsection (b)(1)(A)—

(A) by striking clause (ix) and inserting the following:

"(ix) in a State in which one or more projects are funded under section 121, at least one representative of the directors of the projects located in such State;"; and

(B) in clause (xi), by striking "State workforce investment board" and inserting "State workforce development board"; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking "State workforce investment board" and inserting "State workforce development board"; and

(B) in paragraph (6), by striking "Service Act" and all that follows and inserting "Service Act (42 U.S.C. 300x–3(a)) and the State workforce development board, and with the activities of entities carrying out programs under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.);".

SEC. 416. EVALUATION STANDARDS AND PERFORMANCE INDICATORS.

Section 106 (29 U.S.C. 726) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) IN GENERAL.—

"(1) STANDARDS AND INDICATORS.—The evaluation standards and performance indicators for the vocational rehabilitation program carried out under this title shall be subject to the performance accountability provisions described in section 116(b) of the Workforce Innovation and Opportunity Act.

"(2) ADDITIONAL PERFORMANCE ACCOUNTABILITY INDICATORS.—A State may establish and provide information on additional performance accountability indicators, which shall be identified in the State plan submitted under section 101."; and

(2) in subsection (b)(2)(B)(i), by striking "review the program" and all that follows through "request the State" and inserting "on a biannual basis, review the program improvement efforts of the State and, if the State has not improved its performance to acceptable levels, as determined by the Commissioner, direct the State".

SEC. 417. MONITORING AND REVIEW.

(a) IN GENERAL.—Section 107 (29 U.S.C. 727) is amended—

(1) in subsection (a)—

(A) in paragraph (3)(E), by inserting before the period the following: ", including personnel of a client assistance program under section 112, and past or current recipients of vocational rehabilitation services"; and

(B) in paragraph (4)—

(i) by striking subparagraphs (A) and (B) and inserting the following:

"(A) the eligibility process, including the process related to the determination of ineligibility under section 102(a)(5);

"(B) the provision of services, including supported employment services and pre-employment transition services, and, if applicable, the order of selection;";

(ii) in subparagraph (C), by striking "and" at the end;

(iii) by redesignating subparagraph (D) as subparagraph (E); and

(iv) by inserting after subparagraph (C) the following:

"(D) data reported under section 101(a)(10)(C)(i); and"; and

(2) in subsection (b)—

(A) in paragraph (1), by striking "and" at the end;

(B) in paragraph (2), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(3) provide technical assistance to programs under this title to—

"(A) promote high-quality employment outcomes for individuals with disabilities;

"(B) integrate veterans who are individuals with disabilities into their communities and to support the veterans to obtain and retain competitive integrated employment;

"(C) develop, improve, and disseminate information on procedures, practices, and strategies, including for the preparation of personnel, to better enable individuals with intellectual disabilities and other individuals with disabilities to participate in postsecondary educational experiences and to obtain and retain competitive integrated employment; and

"(D) apply evidence-based findings to facilitate systemic improvements in the transition of youth with disabilities to postsecondary life.".

(b) TECHNICAL AMENDMENT.—Section 108(a) (29 U.S.C. 728(a)) is amended by striking "part B of title VI" and inserting "title VI".

SEC. 418. TRAINING AND SERVICES FOR EMPLOYERS.

Section 109 (29 U.S.C. 728a) is amended to read as follows:

"SEC. 109. TRAINING AND SERVICES FOR EMPLOYERS.

"A State may expend payments received under section 111 to educate and provide services to employers who have hired or are interested in hiring individuals with disabilities under programs carried out under this title, including—

"(1) providing training and technical assistance to employers regarding the employment of individuals with disabilities, including disability awareness, and the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and other employment-related laws;

"(2) working with employers to—

"(A) provide opportunities for work-based learning experiences (including internships, short-term employment,

apprenticeships, and fellowships), and opportunities for pre-employment transition services;

"(B) recruit qualified applicants who are individuals with disabilities;

"(C) train employees who are individuals with disabilities; and

"(D) promote awareness of disability-related obstacles to continued employment;

"(3) providing consultation, technical assistance, and support to employers on workplace accommodations, assistive technology, and facilities and workplace access through collaboration with community partners and employers, across States and nationally, to enable the employers to recruit, job match, hire, and retain qualified individuals with disabilities who are recipients of vocational rehabilitation services under this title, or who are applicants for such services; and

"(4) assisting employers with utilizing available financial support for hiring or accommodating individuals with disabilities.".

SEC. 419. STATE ALLOTMENTS.

Section 110 (29 U.S.C. 730) is amended—

(1) in subsection (a)(1), by striking "Subject to the provisions of subsection (c)" and inserting "Subject to the provisions of subsections (c) and (d),";

(2) in subsection (c)—

(A) in paragraph (1), by striking "1987" and inserting "2015"; and

(B) in paragraph (2)—

(i) by striking "Secretary" and all that follows through "(B)" and inserting "Secretary,"; and

(ii) by striking "2000 through 2003" and inserting "2015 through 2020"; and

(3) by adding at the end the following:

"(d)(1) From any State allotment under subsection (a) for a fiscal year, the State shall reserve not less than 15 percent of the allotted funds for the provision of pre-employment transition services.

"(2) Such reserved funds shall not be used to pay for the administrative costs of providing pre-employment transition services.".

SEC. 420. PAYMENTS TO STATES.

Section 111(a)(2)(B) (29 U.S.C. 731(a)(2)(B)) is amended—

(1) by striking "For fiscal year 1994 and each fiscal year thereafter, the" and inserting "The";

(2) by striking "this title for the previous" and inserting "this title for any previous"; and

(3) by striking "year preceding the previous" and inserting "year preceding that previous".

SEC. 421. CLIENT ASSISTANCE PROGRAM.

Section 112 (29 U.S.C. 732) is amended—

(1) in subsection (a), in the first sentence, by inserting "including under sections 113 and 511," after "all available benefits under this Act,";

(2) in subsection (b), by striking "not later than October 1, 1984,";

(3) in subsection (e)(1)—

(A) in subparagraph (A), by striking "The Secretary shall allot" and inserting "After reserving funds under subparagraphs (E) and (F), the Secretary shall allot the remainder of"; and

(B) by adding at the end the following:

Grants.

"(E)(i) The Secretary shall reserve funds appropriated under subsection (h) to make a grant to the protection and advocacy system serving the American Indian Consortium to provide services in accordance with this section. The amount of such a grant shall be the same amount as is provided to a territory under this subsection.

Definitions.

"(ii) In this subparagraph:

"(I) The term 'American Indian Consortium' has the meaning given the term in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002).

"(II) The term 'protection and advocacy system' means a protection and advocacy system established under subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.).

"(F) For any fiscal year for which the amount appropriated under subsection (h) equals or exceeds $14,000,000, the Secretary may reserve not less than 1.8 percent and not more than 2.2 percent of such amount to provide a grant for training and technical assistance for the programs established under this section. Such training and technical assistance shall be coordinated with activities provided under section 509(c)(1)(A)."; and

(4) by striking subsection (h) and inserting the following:

Appropriation authorization.

"(h) There are authorized to be appropriated to carry out the provisions of this section—

"(1) $12,000,000 for fiscal year 2015;
"(2) $12,927,000 for fiscal year 2016;
"(3) $13,195,000 for fiscal year 2017;
"(4) $13,488,000 for fiscal year 2018;
"(5) $13,805,000 for fiscal year 2019; and
"(6) $14,098,000 for fiscal year 2020.".

SEC. 422. PRE-EMPLOYMENT TRANSITION SERVICES.

Part B of title I (29 U.S.C. 730 et seq.) is further amended by adding at the end the following:

"SEC. 113. PROVISION OF PRE-EMPLOYMENT TRANSITION SERVICES. 29 USC 733.

"(a) IN GENERAL.—From the funds reserved under section 110(d), and any funds made available from State, local, or private funding sources, each State shall ensure that the designated State unit, in collaboration with the local educational agencies involved, shall provide, or arrange for the provision of, pre-employment transition services for all students with disabilities in need of such services who are eligible or potentially eligible for services under this title.

"(b) REQUIRED ACTIVITIES.—Funds available under subsection (a) shall be used to make available to students with disabilities described in subsection (a)—

"(1) job exploration counseling;

"(2) work-based learning experiences, which may include in-school or after school opportunities, or experience outside the traditional school setting (including internships), that is

provided in an integrated environment to the maximum extent possible;

"(3) counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education;

"(4) workplace readiness training to develop social skills and independent living; and

"(5) instruction in self-advocacy, which may include peer mentoring.

"(c) AUTHORIZED ACTIVITIES.—Funds available under subsection (a) and remaining after the provision of the required activities described in subsection (b) may be used to improve the transition of students with disabilities described in subsection (a) from school to postsecondary education or an employment outcome by—

"(1) implementing effective strategies to increase the likelihood of independent living and inclusion in communities and competitive integrated workplaces;

"(2) developing and improving strategies for individuals with intellectual disabilities and individuals with significant disabilities to live independently, participate in postsecondary education experiences, and obtain and retain competitive integrated employment;

"(3) providing instruction to vocational rehabilitation counselors, school transition personnel, and other persons supporting students with disabilities;

"(4) disseminating information about innovative, effective, and efficient approaches to achieve the goals of this section;

"(5) coordinating activities with transition services provided by local educational agencies under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

"(6) applying evidence-based findings to improve policy, procedure, practice, and the preparation of personnel, in order to better achieve the goals of this section;

"(7) developing model transition demonstration projects;

"(8) establishing or supporting multistate or regional partnerships involving States, local educational agencies, designated State units, developmental disability agencies, private businesses, or other participants to achieve the goals of this section; and

"(9) disseminating information and strategies to improve the transition to postsecondary activities of individuals who are members of traditionally unserved populations.

"(d) PRE-EMPLOYMENT TRANSITION COORDINATION.—Each local office of a designated State unit shall carry out responsibilities consisting of—

"(1) attending individualized education program meetings for students with disabilities, when invited;

"(2) working with the local workforce development boards, one-stop centers, and employers to develop work opportunities for students with disabilities, including internships, summer employment and other employment opportunities available throughout the school year, and apprenticeships;

"(3) work with schools, including those carrying out activities under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VIII)), to coordinate and ensure the provision of pre-employment transition services under this section; and

"(4) when invited, attend person-centered planning meetings for individuals receiving services under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

"(e) NATIONAL PRE-EMPLOYMENT TRANSITION COORDINATION.— Consultation.
The Secretary shall support designated State agencies providing services under this section, highlight best State practices, and consult with other Federal agencies to advance the goals of this section.

"(f) SUPPORT.—In carrying out this section, States shall address the transition needs of all students with disabilities, including such students with physical, sensory, intellectual, and mental health disabilities.".

SEC. 423. AMERICAN INDIAN VOCATIONAL REHABILITATION SERVICES.

Section 121 (29 U.S.C. 741) is amended—

(1) in subsection (a), in the first sentence, by inserting before the period the following: "(referred to in this section as 'eligible individuals'), consistent with such eligible individuals' strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, so that such individuals may prepare for, and engage in, high-quality employment that will increase opportunities for economic self-sufficiency";

(2) in subsection (b)(1)—

(A) in subparagraph (B), by striking "and" at the end;

(B) in subparagraph (C), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(D) contains assurances that—

"(i) all decisions affecting eligibility for vocational rehabilitation services, the nature and scope of available vocational rehabilitation services and the provision of such services will, consistent with this title, be made by a representative of the tribal vocational rehabilitation program funded through the grant; and

"(ii) such decisions will not be delegated to another agency or individual.";

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b) the following:

"(c)(1) From the funds appropriated and made available to Effective date.
carry out this part for any fiscal year, beginning with fiscal year 2015, the Commissioner shall first reserve not less than 1.8 percent and not more than 2 percent of the funds to provide training and technical assistance to governing bodies described in subsection (a) for such fiscal year.

"(2) From the funds reserved under paragraph (1), the Commissioner shall make grants to, or enter into contracts or other cooperative agreements with, entities that have experience in the operation of vocational rehabilitation services programs under this section to provide such training and technical assistance with respect to developing, conducting, administering, and evaluating such programs. Grants. Contracts.

"(3) The Commissioner shall conduct a survey of the governing bodies regarding training and technical assistance needs in order to determine funding priorities for such grants, contracts, or cooperative agreements. Survey.

"(4) To be eligible to receive a grant or enter into a contract or cooperative agreement under this section, such an entity shall submit an application to the Commissioner at such time, in such

Peer review.

manner, and containing a proposal to provide such training and technical assistance, and containing such additional information as the Commissioner may require. The Commissioner shall provide for peer review of applications by panels that include persons who are not government employees and who have experience in the operation of vocational rehabilitation services programs under this section.".

SEC. 424. VOCATIONAL REHABILITATION SERVICES CLIENT INFORMATION.

Section 131(a)(2) (29 U.S.C. 751(a)(2)) is amended by striking "title I of the Workforce Investment Act of 1998" and inserting "title I of the Workforce Innovation and Opportunity Act".

Subtitle C—Research and Training

SEC. 431. PURPOSE.

Section 200 (29 U.S.C. 760) is amended—

(1) in paragraph (1), by inserting "technical assistance," after "training,";

(2) in paragraph (2), by inserting "technical assistance," after "training,";

(3) in paragraph (3), in the matter preceding subparagraph (A)—

(A) by inserting "and use" after "transfer"; and

(B) by inserting ", in a timely and efficient manner," after "disabilities"; and

(4) in paragraph (4), by striking "distribution" and inserting "dissemination";

(5) in paragraph (5)—

(A) by inserting ", including individuals with intellectual and psychiatric disabilities," after "disabilities"; and

(B) by striking "and" after the semicolon;

(6) by redesignating paragraph (6) as paragraph (7);

(7) by inserting after paragraph (5) the following:

"(6) identify strategies for effective coordination of services to job seekers with disabilities available through programs of one-stop partners, as defined in section 3 of the Workforce Innovation and Opportunity Act;";

(8) in paragraph (7), as redesignated by paragraph (6), by striking the period and inserting "; and"; and

(9) by adding at the end the following:

"(8) identify effective strategies for supporting the employment of individuals with disabilities in competitive integrated employment.".

SEC. 432. AUTHORIZATION OF APPROPRIATIONS.

Section 201 (29 U.S.C. 761) is amended to read as follows:

"SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this title $103,970,000 for fiscal year 2015, $112,001,000 for fiscal year 2016, $114,325,000 for fiscal year 2017, $116,860,000 for fiscal year 2018, $119,608,000 for fiscal year 2019, and $122,143,000 for fiscal year 2020.".

SEC. 433. NATIONAL INSTITUTE ON DISABILITY, INDEPENDENT LIVING, AND REHABILITATION RESEARCH.

Section 202 (29 U.S.C. 762) is amended—

(1) in the section heading, by inserting ", INDEPENDENT LIVING," after "DISABILITY";

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "Department of Education" and all that follows through "which" and inserting "Administration for Community Living of the Department of Health and Human Services a National Institute on Disability, Independent Living, and Rehabilitation Research (referred to in this title as the 'Institute'), which"; and

(ii) in subparagraph (A)—

(I) in clause (ii), by striking "and training; and" and inserting ", training, and technical assistance;";

(II) by redesignating clause (iii) as clause (iv); and

(III) by inserting after clause (ii) the following:

"(iii) outreach and information that clarifies research implications for policy and practice; and"; and

(B) in paragraph (2), by striking "directly" and all that follows through the period and inserting "directly responsible to the Administrator for the Administration for Community Living of the Department of Health and Human Services.";

(3) in subsection (b)—

(A) in paragraph (2), by striking subparagraph (B) and inserting the following:

"(B) private organizations engaged in research relating to—

"(i) independent living;

"(ii) rehabilitation; or

"(iii) providing rehabilitation or independent living services;";

(B) in paragraph (3), by striking "in rehabilitation" and inserting "on disability, independent living, and rehabilitation";

(C) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting "education, health and wellness," after "independent living,"; and

(ii) by striking subparagraphs (A) through (D) and inserting the following:

"(A) public and private entities, including—

"(i) elementary schools and secondary schools (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)); and

"(ii) institutions of higher education;

"(B) rehabilitation practitioners;

"(C) employers and organizations representing employers with respect to employment-based educational materials or research;

"(D) individuals with disabilities (especially such individuals who are members of minority groups or of populations that are unserved or underserved by programs under this Act);

"(E) the individuals' representatives for the individuals described in subparagraph (D); and

"(F) the Committee on Education and the Workforce of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations of the Senate;";

(D) in paragraph (6)—

(i) by striking "advances in rehabilitation" and inserting "advances in disability, independent living, and rehabilitation"; and

(ii) by inserting "education, health and wellness," after "employment, independent living,";

(E) by striking paragraph (7);

(F) by redesignating paragraphs (8) through (11) as paragraphs (7) through (10), respectively;

(G) in paragraph (7), as redesignated by subparagraph (F)—

(i) by striking "health, income," and inserting "health and wellness, income, education,"; and

(ii) by striking "and evaluation of vocational and other" and inserting "and evaluation of independent living, vocational, and";

(H) in paragraph (8), as redesignated by subparagraph (F), by striking "with vocational rehabilitation services for the purpose of identifying effective rehabilitation programs and policies that promote the independence of individuals with disabilities and achievement of long-term vocational goals" and inserting "with independent living and vocational rehabilitation services for the purpose of identifying effective independent living and rehabilitation programs and policies that promote the independence of individuals with disabilities and achievement of long-term independent living and employment goals"; and

(I) in paragraph (9), as redesignated by subparagraph (F), by striking "and telecommuting; and" and inserting ", supported employment (including customized employment), and telecommuting; and";

(4) in subsection (d)(1), by striking the second sentence and inserting the following: "The Director shall be an individual with substantial knowledge of and experience in independent living, rehabilitation, and research administration.";

(5) in subsection (f)(1), by striking the second sentence and inserting the following: "The scientific peer review shall be conducted by individuals who are not Department of Health and Human Services employees. The Secretary shall consider for peer review individuals who are scientists or other experts in disability, independent living, and rehabilitation, including individuals with disabilities and the individuals' representatives, and who have sufficient expertise to review the projects.";

(6) in subsection (h)—

(A) in paragraph (1)(A)—

(i) by striking "priorities for rehabilitation research," and inserting "priorities for disability, independent living, and rehabilitation research,"; and

(ii) by inserting "dissemination," after "training,"; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking "especially in the area of employment" and inserting "especially in the areas of employment and independent living";

(ii) in subparagraph (D)—

(I) by striking "developed by the Director" and inserting "coordinated with the strategic plan required under section 203(c)";

(II) in clause (i), by striking "Rehabilitation" and inserting "Disability, Independent Living, and Rehabilitation";

(III) in clause (ii), by striking "Commissioner" and inserting "Administrator"; and

(IV) in clause (iv), by striking "researchers in the rehabilitation field" and inserting "researchers in the independent living and rehabilitation fields";

(iii) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(iv) by inserting after subparagraph (D) the following:

"(E) be developed by the Director;";

(v) in subparagraph (F), as redesignated by clause (iii), by inserting "and information that clarifies implications of the results for practice," after "covered activities,"; and

(vi) in subparagraph (G), as redesignated by clause (iii), by inserting "and information that clarifies implications of the results for practice" after "covered activities";

(7) in subsection (j), by striking paragraph (3); and

(8) by striking subsection (k) and inserting the following:

"(k) The Director shall make grants to institutions of higher education for the training of independent living and rehabilitation researchers, including individuals with disabilities and traditionally underserved populations of individuals with disabilities, as described in section 21, with particular attention to research areas that— Grants.

"(1) support the implementation and objectives of this Act; and

"(2) improve the effectiveness of services authorized under this Act.

"(l)(1) Not later than December 31 of each year, the Director shall prepare, and submit to the Secretary, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives, a report on the activities funded under this title. Deadlines. Reports.

"(2) The report under paragraph (1) shall include—

"(A) a compilation and summary of the information provided by recipients of funding for such activities under this title;

"(B) a summary describing the funding received under this title and the progress of the recipients of the funding in achieving the measurable goals described in section 204(d)(2); and

"(C) a summary of implications of research outcomes on practice.

Determination.

"(m)(1) If the Director determines that an entity that receives funding under this title fails to comply with the applicable requirements of this Act, or to make progress toward achieving the measurable goals described in section 204(d)(2), with respect to the covered activities involved, the Director shall utilize available monitoring and enforcement measures.

"(2) As part of the annual report required under subsection (l), the Secretary shall describe each action taken by the Secretary under paragraph (1) and the outcomes of such action.".

SEC. 434. INTERAGENCY COMMITTEE.

Section 203 (29 U.S.C. 763) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "conducting rehabilitation research" and inserting "conducting disability, independent living, and rehabilitation research";

(ii) by striking "chaired by the Director" and inserting "chaired by the Secretary, or the Secretary's designee,";

(iii) by inserting "the Assistant Secretary of Labor for Disability Employment Policy, the Secretary of Defense, the Administrator of the Administration for Community Living," after "Assistant Secretary for Special Education and Rehabilitative Services,"; and

(iv) by striking "and the Director of the National Science Foundation." and inserting "the Director of the National Science Foundation and the Administrator of the Small Business Administration."; and

(B) in paragraph (2), by inserting ", and for not less than 1 of such meetings at least every 2 years, the Committee shall invite policymakers, representatives from other Federal agencies conducting relevant research, individuals with disabilities, organizations representing individuals with disabilities, researchers, and providers, to offer input on the Committee's work, including the development and implementation of the strategic plan required under subsection (c)" after "each year";

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "from targeted individuals" and inserting "individuals with disabilities"; and

(ii) by inserting "independent living and" before "rehabilitation"; and

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting "independent living research," after "assistive technology research,";

(ii) in subparagraph (B), by inserting ", independent living research," after "technology research";

(iii) in subparagraph (D), by striking "and research that incorporates the principles of universal design"

and inserting ", independent living research, and research that incorporates the principles of universal design"; and

(iv) in subparagraph (E), by striking "and research that incorporates the principles of universal design." and inserting ", independent living research, and research that incorporates the principles of universal design.";

(3) by striking subsection (d);

(4) by redesignating subsection (c) as subsection (d);

(5) by inserting after subsection (b) the following:

"(c)(1) The Committee shall develop a comprehensive government wide strategic plan for disability, independent living, and rehabilitation research. Strategic plan.

"(2) The strategic plan shall include, at a minimum—

"(A) a description of the—

"(i) measurable goals and objectives;

"(ii) existing resources each agency will devote to carrying out the plan;

"(iii) timetables for completing the projects outlined in the plan; and

"(iv) assignment of responsible individuals and agencies for carrying out the research activities;

"(B) research priorities and recommendations; Recommendations.

"(C) a description of how funds from each agency will be combined, as appropriate, for projects administered among Federal agencies, and how such funds will be administered;

"(D) the development and ongoing maintenance of a searchable government wide inventory of disability, independent living, and rehabilitation research for trend and data analysis across Federal agencies;

"(E) guiding principles, policies, and procedures, consistent with the best research practices available, for conducting and administering disability, independent living, and rehabilitation research across Federal agencies; and

"(F) a summary of underemphasized and duplicative areas of research.

"(3) The strategic plan described in this subsection shall be submitted to the President and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.";

(6) in subsection (d), as redesignated by paragraph (4)—

(A) in the matter preceding paragraph (1), by striking "Committee on Labor and Human Resources of the Senate" and inserting "Committee on Health, Education, Labor, and Pensions of the Senate"; and

(B) by striking paragraph (1) and inserting the following:

"(1) describes the progress of the Committee in fulfilling the duties described in subsections (b) and (c), and including specifically for subsection (c)—

"(A) a report of the progress made in implementing the strategic plan, including progress toward implementing the elements described in subsection (c)(2)(A); and Reports.

"(B) detailed budget information."; and

(7) in subsection (e), by striking paragraph (2) and inserting the following:

Definition.

"(2) the term 'independent living', used in connection with research, means research on issues and topics related to attaining maximum self-sufficiency and function by individuals with disabilities, including research on assistive technology and universal design, employment, education, health and wellness, and community integration and participation.".

SEC. 435. RESEARCH AND OTHER COVERED ACTIVITIES.

Section 204 (29 U.S.C. 764) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "pay" and inserting "fund";

(ii) by inserting "have practical applications and" before "maximize"; and

(iii) by striking "employment, independent living," and inserting "employment, education, independent living, health and wellness,";

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting "and from which the research findings, conclusions, or recommendations can be transferred to practice" after "State agencies";

(ii) in subparagraph (B)—

(I) by striking clause (ii) and inserting the following:

"(ii) studies and analyses of factors related to industrial, vocational, educational, employment, social, recreational, psychiatric, psychological, economic, and health and wellness variables affecting individuals with disabilities, including traditionally underserved populations as described in section 21, and how those variables affect such individuals' ability to live independently and their participation in the work force;";

(II) in clause (iii), by striking "are homebound" and all that follows and inserting "have significant challenges engaging in community life outside their homes and individuals who are in institutional settings;";

(III) in clause (iv), by inserting ", including the principles of universal design and the interoperability of products and services" after "disabilities";

(IV) in clause (v), by inserting ", and to promoting employment opportunities in competitive integrated employment" after "employment";

(V) in clause (vi), by striking "and" after the semicolon;

(VI) in clause (vii), by striking "and assistive technology." and inserting ", assistive technology, and communications technology; and"; and

(VII) by adding at the end the following:

"(viii) studies, analyses, and other activities affecting employment outcomes as defined in section 7(11), including self-employment and telecommuting, of individuals with disabilities."; and

(C) by adding at the end the following:

"(3) In carrying out this section, the Director shall emphasize covered activities that include plans for—

"(A) dissemination of high-quality materials, of scientifically valid research results, or of findings, conclusions, and recommendations resulting from covered activities, including through electronic means (such as the website of the Department of Health and Human Services), so that such information is available in a timely manner to the general public; or

Recommendations. Website. Public information.

"(B) the commercialization of marketable products, research results, or findings, resulting from the covered activities.";

(2) in subsection (b)—

(A) in paragraph (1), by striking "(18)" both places the term appears and inserting "(17)";

(B) in paragraph (2)—

(i) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

"(i) be operated in collaboration with institutions of higher education, providers of rehabilitation services, developers or providers of assistive technology devices, assistive technology services, or information technology devices or services, as appropriate, or providers of other appropriate services; and

"(ii) serve as centers of national excellence and national or regional resources for individuals with disabilities, as well as providers, educators, and researchers.";

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by adding "independent living and" after "research in";

(bb) by adding "independent living and" after "will improve"; and

(cc) by striking "alleviate or stabilize" and all that follows and inserting "maximize health and function (including alleviating or stabilizing conditions, or preventing secondary conditions), and promote maximum social and economic independence of individuals with disabilities, including promoting the ability of the individuals to prepare for, secure, retain, regain, or advance in employment;";

(II) by redesignating clauses (ii), (iii), and (iv), as clauses (iii), (iv), and (v), respectively;

(III) by inserting after clause (i) the following:

"(ii) conducting research in, and dissemination of, employer-based practices to facilitate the identification, recruitment, accommodation, advancement, and retention of qualified individuals with disabilities;";

(IV) in clause (iii), as redesignated by subclause (II), by inserting "independent living and" before "rehabilitation services";

(V) in clause (iv), as redesignated by subclause (II)—

(aa) by inserting "independent living and" before "rehabilitation" each place the term appears; and

(bb) by striking "and" after the semicolon; and

(VI) by striking clause (v), as redesignated by subclause (II), and inserting the following:

"(v) serving as an informational and technical assistance resource to individuals with disabilities, as well as to providers, educators, and researchers, by providing outreach and information that clarifies research implications for practice and identifies potential new areas of research; and

"(vi) developing practical applications for the research findings of the Centers.";

(iii) in subparagraph (C)—

(I) in clause (i), by inserting ", including research on assistive technology devices, assistive technology services, and accessible electronic and information technology devices" after "research";

(II) in clause (ii)—

(aa) by striking "and social" and inserting ", social, and economic"; and

(bb) by inserting "independent living and" before "rehabilitation"; and

(III) by striking clauses (iii) and (iv);

(IV) by redesignating clauses (v) and (vi) as clauses (iii) and (iv), respectively;

(V) in clause (iii), as redesignated by subclause (IV), by striking "to develop" and all that follows and inserting "that promotes the emotional, social, educational, and functional growth of children who are individuals with disabilities, as well as their integration in school, employment, and community activities;";

(VI) in clause (iv), as redesignated by subclause (IV), by striking "that will improve" and all that follows and inserting "to develop and evaluate interventions, policies, and services that support families of those children and adults who are individuals with disabilities;"; and

(VII) by adding at the end the following:

"(v) continuation of research that will improve services and policies that foster the independence and social integration of individuals with disabilities, and enable individuals with disabilities, including individuals with intellectual disabilities and other developmental disabilities, to live in their communities; and

"(vi) research, dissemination, and technical assistance, on best practices in vocational rehabilitation, including supported employment and other strategies to promote competitive integrated employment for persons with the most significant disabilities.";

(iv) by striking subparagraph (D) and inserting the following:

"(D) Training of students preparing to be independent living or rehabilitation personnel or to provide independent living, rehabilitative, assistive, or supportive services (such as rehabilitation counseling, personal care services, direct care, job coaching, aides in school based settings, or advice or assistance in utilizing assistive technology devices, assistive technology services, and accessible electronic and information technology devices and services) shall be an important priority for each such Center.";

(v) in subparagraph (E), by striking "comprehensive";

(vi) in subparagraph (G)(i), by inserting "independent living and" before "rehabilitation-related";

(vii) by striking subparagraph (I); and

(viii) by redesignating subparagraphs (J) through (O) as subparagraphs (I) through (N), respectively;

(C) in paragraph (3)—

(i) in subparagraph (A), by inserting "independent living strategies and" before "rehabilitation technology";

(ii) in subparagraph (B)—

(I) in clause (i)(I), by inserting "independent living and" before "rehabilitation problems";

(II) in clause (ii)(II), by striking "employment" and inserting "educational, employment,"; and

(III) in clause (iii)(II), by striking "employment" and inserting "educational, employment,";

(iii) in subparagraph (D)(i)(II), by striking "post-school" and inserting "postsecondary education, competitive integrated employment, and other age-appropriate"; and

(iv) in subparagraph (G)(ii), by inserting "the impact of any commercialized product researched or developed through the Center," after "individuals with disabilities,";

(D) in paragraph (4)(B)—

(i) in clause (i)—

(I) by striking "vocational" and inserting "independent living, employment,";

(II) by striking "special" and inserting "unique"; and

(III) by inserting "social and functional needs, and" before "acute care"; and

(ii) in clause (iv), by inserting "education, health and wellness," after "employment,";

(E) by striking paragraph (8) and inserting the following:

"(8) Grants may be used to conduct a program of joint projects with other administrations and offices of the Department of Health and Human Services, the National Science Foundation, the Department of Veterans Affairs, the Department of Defense, the Federal Communications Commission, the National Aeronautics and Space Administration, the Small Business Administration, the Department of Labor, other Federal agencies, and private industry in areas of joint interest involving rehabilitation.";

(F) by striking paragraphs (9) and (11);

(G) by redesignating paragraphs (10), (12), (13), (14), (15), (16), (17), and (18), as paragraphs (9), (10), (11), (12), (13), (14), (15), and (16), respectively;

(H) in paragraph (11), as redesignated by subparagraph (G)—

(i) in the matter preceding subparagraph (A), by striking "employment needs of individuals with disabilities, including" and inserting "employment needs, opportunities, and outcomes (including those relating to self-employment, supported employment, and telecommuting) of individuals with disabilities, including";

(ii) in subparagraph (B), by inserting "and employment related" after "the employment";

(iii) in subparagraph (E), by striking "and" after the semicolon;

(iv) in subparagraph (F), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

"(G) develop models to facilitate the successful transition of individuals with disabilities from nonintegrated employment and employment that is compensated at a wage less than the Federal minimum wage to competitive integrated employment;

"(H) develop models to maximize opportunities for integrated community living, including employment and independent living, for individuals with disabilities;

"(I) provide training and continuing education for personnel involved with community living for individuals with disabilities;

"(J) develop model procedures for testing and evaluating the community living related needs of individuals with disabilities;

"(K) develop model training programs to teach individuals with disabilities skills which will lead to integrated community living and full participation in the community; and

"(L) develop new approaches for long-term services and supports for individuals with disabilities, including supports necessary for competitive integrated employment.";

(I) in paragraph (12), as redesignated by subparagraph (G)—

(i) in the matter preceding subparagraph (A), by inserting "an independent living or" after "conduct";

(ii) in subparagraph (D), by inserting "independent living or" before "rehabilitation"; and

(iii) in the matter following subparagraph (E), by striking "National Institute on Disability and Rehabilitation Research" and inserting "National Institute on Disability, Independent Living, and Rehabilitation Research";

(J) in paragraph (13), as redesignated by subparagraph (G), by inserting "independent living and" before "rehabilitation needs"; and

(K) in paragraph (14), as redesignated by subparagraph (G), by striking "and access to gainful employment." and inserting ", full participation, and economic self-sufficiency."; and

(3) by adding at the end the following:

Grants.
Contracts.

"(d)(1) In awarding grants, contracts, or cooperative agreements under this title, the Director shall award the funding on a competitive basis.

"(2)(A) To be eligible to receive funds under this section for a covered activity, an entity described in subsection (a)(1) shall submit an application to the Director at such time, in such manner, and containing such information as the Director may require.

"(B) The application shall include information describing—

"(i) measurable goals, as established through section 1115 of title 31, United States Code, and a timeline and specific plan for meeting the goals, that the applicant has established;

"(ii) how the project will address 1 or more of the following: commercialization of a marketable product, technology transfer (if applicable), dissemination of any research results, and other priorities as established by the Director; and

"(iii) how the applicant will quantifiably measure the goals to determine whether such goals have been accomplished.

"(3)(A) In the case of an application for funding under this section to carry out a covered activity that results in the development of a marketable product, the application shall also include a commercialization and dissemination plan, as appropriate, containing commercialization and marketing strategies for the product involved, and strategies for disseminating information about the product. The funding received under this section shall not be used to carry out the commercialization and marketing strategies.

"(B) In the case of any other application for funding to carry out a covered activity under this section, the application shall also include a dissemination plan, containing strategies for disseminating educational materials, research results, or findings, conclusions, and recommendations, resulting from the covered activity.".

SEC. 436. DISABILITY, INDEPENDENT LIVING, AND REHABILITATION RESEARCH ADVISORY COUNCIL.

Section 205 (29 U.S.C. 765) is amended—

(1) in the section heading, by inserting "**DISABILITY, INDEPENDENT LIVING, AND**" before "**REHABILITATION**";

(2) in subsection (a)—

(A) by striking "Department of Education a Rehabilitation Research Advisory Council" and inserting "Department of Health and Human Services a Disability, Independent Living, and Rehabilitation Research Advisory Council"; and

(B) by inserting "not less than" after "composed of";

(3) by striking subsection (c) and inserting the following:

"(c) QUALIFICATIONS.—Members of the Council shall be generally representative of the community of disability, independent living, and rehabilitation professionals, the community of disability, independent living, and rehabilitation researchers, the directors of independent living centers and community rehabilitation programs, the business community (including a representative of the small business community) that has experience with the system of vocational rehabilitation services and independent living services carried out under this Act and with hiring individuals with disabilities, the community of stakeholders involved in assistive technology, the community of covered school professionals, and the community of individuals with disabilities, and the individuals' representatives. At least one-half of the members shall be individuals with disabilities or the individuals' representatives."; and

(4) in subsection (g), by striking "Department of Education" and inserting "Department of Health and Human Services".

SEC. 437. DEFINITION OF COVERED SCHOOL.

Title II (29 U.S.C. 760 et seq.) is amended by adding at the end the following:

"SEC. 206. DEFINITION OF COVERED SCHOOL. 29 USC 766.

"In this title, the term 'covered school' means an elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) or an institution of higher education.".

Subtitle D—Professional Development and Special Projects and Demonstration

SEC. 441. PURPOSE; TRAINING.

(a) PURPOSE.—Section 301(a) (29 U.S.C. 771(a)) is amended—

(1) in paragraph (2), by inserting "and" after the semicolon;

(2) by striking paragraphs (3) and (4);

(3) by redesignating paragraph (5) as paragraph (3); and

(4) in paragraph (3), as redesignated by paragraph (3), by striking "workforce investment systems" and inserting "workforce development systems".

(b) TRAINING.—Section 302 (29 U.S.C. 772) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (E), by striking all after "deliver" and inserting "supported employment services and customized employment services to individuals with the most significant disabilities;";

(ii) in subparagraph (F), by striking "and" after the semicolon;

(iii) in subparagraph (G), by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following:

"(H) personnel trained in providing assistive technology services.";

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by striking "title I of the Workforce Investment Act of 1998" and inserting "subtitle B of title I of the Workforce Innovation and Opportunity Act";

(ii) in subparagraph (A), by striking "workforce investment system" and inserting "workforce development system"; and

(iii) in subparagraph (B), by striking "section 134(c) of the Workforce Investment Act of 1998." and inserting "section 121(e) of the Workforce Innovation and Opportunity Act."; and

(C) in paragraph (5), by striking "title I of the Workforce Investment Act of 1998" and inserting "subtitle B of title I of the Workforce Innovation and Opportunity Act";

(2) in subsection (b)(1)(B)(i), by striking "or prosthetics and orthotics" and inserting "prosthetics and orthotics, vision rehabilitation therapy, orientation and mobility instruction, or low vision therapy";

(3) in subsection (g)—

(A) in the subsection heading, by striking "AND IN-SERVICE TRAINING";

(B) in paragraph (1), by adding after the period the following: "Any technical assistance provided to community rehabilitation programs shall be focused on the employment outcome of competitive integrated employment for individuals with disabilities."; and

(C) by striking paragraph (3);

(4) in subsection (h), by striking "section 306" and inserting "section 304"; and

(5) in subsection (i), by striking "such sums as may be necessary for each of the fiscal years 1999 through 2003." and inserting "$33,657,000 for fiscal year 2015, $36,257,000 for fiscal year 2016, $37,009,000 for fiscal year 2017, $37,830,000 for fiscal year 2018, $38,719,000 for fiscal year 2019, and $39,540,000 for fiscal year 2020.".

SEC. 442. DEMONSTRATION, TRAINING, AND TECHNICAL ASSISTANCE PROGRAMS.

Section 303 (29 U.S.C. 773) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking "section 306" and inserting "section 304";

(B) in paragraph (3)(A), by striking "National Institute on Disability and Rehabilitation Research" and inserting "National Institute on Disability, Independent Living, and Rehabilitation Research";

(C) in paragraph (5)—

(i) in subparagraph (A)—

(I) by striking clause (i) and inserting the following:

"(i) initiatives focused on improving transition from education, including postsecondary education, to employment, particularly in competitive integrated employment, for youth who are individuals with significant disabilities;"; and

(II) by striking clause (iii) and inserting the following:

"(iii) increasing competitive integrated employment for individuals with significant disabilities."; and

(ii) in subparagraph (B)(viii), by striking "under title I of the Workforce Investment Act of 1998" and inserting "under subtitle B of title I of the Workforce Innovation and Opportunity Act"; and

(D) by striking paragraph (6);

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (E), by striking "and" after the semicolon;

(ii) by redesignating subparagraph (F) as subparagraph (G); and

(iii) by inserting after subparagraph (E) the following:

"(F) to provide support and guidance in helping individuals with significant disabilities, including students with disabilities, transition to competitive integrated employment; and";

(B) in paragraph (4)—

(i) in subparagraph (A)(ii)—

(I) by inserting "the" after "closely with"; and

(II) by inserting ", the community parent resource centers established pursuant to section 672 of such Act, and the eligible entities receiving awards under section 673 of such Act" after "Individuals with Disabilities Education Act"; and

(ii) in subparagraph (C), by inserting ", and demonstrate the capacity for serving," after "shall serve"; and

(C) by adding at the end the following:

"(8) RESERVATION.—From the amount appropriated to carry out this section for a fiscal year, 20 percent of such amount or $500,000, whichever is less, may be reserved to carry out paragraph (6)."; and

(3) by striking subsection (e) and inserting the following:

"(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section there are authorized to be appropriated $5,796,000 for fiscal year 2015, $6,244,000 for fiscal year 2016, $6,373,000 for fiscal year 2017, $6,515,000 for fiscal year 2018, $6,668,000 for fiscal year 2019, and $6,809,000 for fiscal year 2020.".

SEC. 443. MIGRANT AND SEASONAL FARMWORKERS; RECREATIONAL PROGRAMS.

The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended—

29 USC 774, 775.

(1) by striking sections 304 and 305;

29 USC 776.

(2) by redesignating section 306 as section 304.

Subtitle E—National Council on Disability

SEC. 451. ESTABLISHMENT.

Section 400 (29 U.S.C. 780) is amended—

(1) in subsection (a)(1)—

(A) by redesignating subparagraph (C) as subparagraph (D);

(B) by striking subparagraphs (A) and (B) and inserting the following:

Appointments.

"(A) There is established within the Federal Government a National Council on Disability (referred to in this title as the 'National Council'), which, subject to subparagraph (B), shall be composed of 9 members, of which—

"(i) 5 shall be appointed by the President;

"(ii) 1 shall be appointed by the Majority Leader of the Senate;

"(iii) 1 shall be appointed by the Minority Leader of the Senate;

"(iv) 1 shall be appointed by the Speaker of the House of Representatives; and

"(v) 1 shall be appointed by the Minority Leader of the House of Representatives.

"(B) The National Council shall transition from 15 members (as of the date of enactment of the Workforce Innovation and Opportunity Act) to 9 members as follows:

Appointments.

"(i) On the first 4 expirations of National Council terms (after that date), replacement members shall be appointed to the National Council in the following order and manner:

"(I) 1 shall be appointed by the Majority Leader of the Senate.

"(II) 1 shall be appointed by the Minority Leader of the Senate.

"(III) 1 shall be appointed by the Speaker of the House of Representatives.

"(IV) 1 shall be appointed by the Minority Leader of the House of Representatives.

"(ii) On the next 6 expirations of National Council terms (after the 4 expirations described in clause (i) occur), no replacement members shall be appointed to the National Council.

"(C) For any vacancy on the National Council that occurs after the transition described in subparagraph (B), the vacancy shall be filled in the same manner as the original appointment was made."; and

(C) in subparagraph (D), as redesignated by subparagraph (A) of this paragraph, in the first sentence—

(i) by inserting "national leaders on disability policy," after "guardians of individuals with disabilities,"; and

(ii) by striking "policy or programs" and inserting "policy or issues that affect individuals with disabilities";

(2) in subsection (b), by striking ", except" and all that follows and inserting a period; and

(3) in subsection (d), by striking "Eight" and inserting "Five".

SEC. 452. REPORT.

Section 401 (29 U.S.C. 781) is amended—

(1) in paragraphs (1) and (3) of subsection (a), by striking "National Institute on Disability and Rehabilitation Research" and inserting "National Institute on Disability, Independent Living, and Rehabilitation Research"; and

(2) by striking subsection (c).

SEC. 453. AUTHORIZATION OF APPROPRIATIONS.

Section 405 (29 U.S.C. 785) is amended by striking "such sums as may be necessary for each of the fiscal years 1999 through 2003." and inserting "$3,186,000 for fiscal year 2015, $3,432,000 for fiscal year 2016, $3,503,000 for fiscal year 2017, $3,581,000 for fiscal year 2018, $3,665,000 for fiscal year 2019, and $3,743,000 for fiscal year 2020.".

Subtitle F—Rights and Advocacy

SEC. 456. INTERAGENCY COMMITTEE, BOARD, AND COUNCIL.

(a) INTERAGENCY COMMITTEE.—Section 501 (29 U.S.C. 791) is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

(b) ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD.—Section 502(j) (29 U.S.C. 792(j)) is amended by striking "such sums as may be necessary for each of the fiscal years 1999 through 2003." and inserting "$7,448,000 for fiscal year 2015, $8,023,000 for fiscal year 2016, $8,190,000 for fiscal year 2017, $8,371,000 for fiscal year 2018, $8,568,000 for fiscal year 2019, and $8,750,000 for fiscal year 2020.".

(c) PROGRAM OR ACTIVITY.—Section 504(b)(2)(B) (29 U.S.C. 794(b)(2)(B)) is amended by striking "vocational education" and inserting "career and technical education".

(d) INTERAGENCY DISABILITY COORDINATING COUNCIL.—Section 507(a) (29 U.S.C. 794c(a)) is amended by inserting "the Chairperson of the National Council on Disability," before "and such other".

SEC. 457. PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.

Section 509 (29 U.S.C. 794e) is amended—

(1) in subsection (c)(1)(A), by inserting "a grant, contract, or cooperative agreement for" before "training";

(2) in subsection (f)(2)—

(A) by striking "general" and all that follows through "records" and inserting "general authorities, including the authority to access records"; and

(B) by inserting "of title I" after "subtitle C"; and

(3) in subsection (l), by striking "such sums as may be necessary for each of the fiscal years 1999 through 2003." and inserting "$17,650,000 for fiscal year 2015, $19,013,000 for fiscal year 2016, $19,408,000 for fiscal year 2017, $19,838,000 for fiscal year 2018, $20,305,000 for fiscal year 2019, and $20,735,000 for fiscal year 2020.".

SEC. 458. LIMITATIONS ON USE OF SUBMINIMUM WAGE.

(a) IN GENERAL.—Title V (29 U.S.C. 791 et seq.) is amended by adding at the end the following:

Contracts.
29 USC 794g.

"SEC. 511. LIMITATIONS ON USE OF SUBMINIMUM WAGE.

"(a) IN GENERAL.—No entity, including a contractor or subcontractor of the entity, which holds a special wage certificate as described in section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)) may compensate an individual with a disability who is age 24 or younger at a wage (referred to in this section as a 'subminimum wage') that is less than the Federal minimum wage unless 1 of the following conditions is met:

"(1) The individual is currently employed, as of the effective date of this section, by an entity that holds a valid certificate pursuant to section 14(c) of the Fair Labor Standards Act of 1938.

"(2) The individual, before beginning work that is compensated at a subminimum wage, has completed, and produces documentation indicating completion of, each of the following actions:

"(A) The individual has received pre-employment transition services that are available to the individual under section 113, or transition services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) such as transition services available to the individual under section 614(d) of that Act (20 U.S.C. 1414(d)).

"(B) The individual has applied for vocational rehabilitation services under title I, with the result that—

"(i)(I) the individual has been found ineligible for such services pursuant to that title and has documentation consistent with section 102(a)(5)(C) regarding the determination of ineligibility; or

"(II)(aa) the individual has been determined to be eligible for vocational rehabilitation services;

"(bb) the individual has an individualized plan for employment under section 102;

"(cc) the individual has been working toward an employment outcome specified in such individualized

plan for employment, with appropriate supports and services, including supported employment services, for a reasonable period of time without success; and

"(dd) the individual's vocational rehabilitation case is closed; and

"(ii)(I) the individual has been provided career counseling, and information and referrals to Federal and State programs and other resources in the individual's geographic area that offer employment-related services and supports designed to enable the individual to explore, discover, experience, and attain competitive integrated employment; and

"(II) such counseling and information and referrals are not for employment compensated at a subminimum wage provided by an entity described in this subsection, and such employment-related services are not compensated at a subminimum wage and do not directly result in employment compensated at a subminimum wage provided by an entity described in this subsection.

"(b) CONSTRUCTION.—

"(1) RULE.—Nothing in this section shall be construed to—

"(A) change the purpose of this Act described in section 2(b)(2), to empower individuals with disabilities to maximize opportunities for competitive integrated employment; or

"(B) preference employment compensated at a subminimum wage as an acceptable vocational rehabilitation strategy or successful employment outcome, as defined in section 7(11).

"(2) CONTRACTS.—A local educational agency (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) or a State educational agency (as defined in such section) may not enter into a contract or other arrangement with an entity described in subsection (a) for the purpose of operating a program for an individual who is age 24 or younger under which work is compensated at a subminimum wage.

"(3) VOIDABILITY.—The provisions in this section shall be construed in a manner consistent with the provisions of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), as amended before or after the effective date of this Act.

"(c) DURING EMPLOYMENT.—

"(1) IN GENERAL.—The entity described in subsection (a) may not continue to employ an individual, regardless of age, at a subminimum wage unless, after the individual begins work at that wage, at the intervals described in paragraph (2), the individual (with, in an appropriate case, the individual's parent or guardian)—

"(A) is provided by the designated State unit career counseling, and information and referrals described in subsection (a)(2)(B)(ii), delivered in a manner that facilitates independent decisionmaking and informed choice, as the individual makes decisions regarding employment and career advancement; and

"(B) is informed by the employer of self-advocacy, self-determination, and peer mentoring training opportunities available in the individual's geographic area, provided by

an entity that does not have any financial interest in the individual's employment outcome, under applicable Federal and State programs or other sources.

Time period.

"(2) TIMING.—The actions required under subparagraphs (A) and (B) of paragraph (1) shall be carried out once every 6 months for the first year of the individual's employment at a subminimum wage, and annually thereafter for the duration of such employment.

"(3) SMALL BUSINESS EXCEPTION.—In the event that the entity described in subsection (a) is a business with fewer than 15 employees, such entity can satisfy the requirements of subparagraphs (A) and (B) of paragraph (1) by referring the individual, at the intervals described in paragraph (2), to the designated State unit for the counseling, information, and referrals described in paragraph (1)(A) and the information described in paragraph (1)(B).

"(d) DOCUMENTATION.—

Consultation.

"(1) IN GENERAL.—The designated State unit, in consultation with the State educational agency, shall develop a new process or utilize an existing process, consistent with guidelines developed by the Secretary, to document the completion of the actions described in subparagraphs (A) and (B) of subsection (a)(2) by a youth with a disability who is an individual with a disability.

"(2) DOCUMENTATION PROCESS.—Such process shall require that—

"(A) in the case of a student with a disability, for documentation of actions described in subsection (a)(2)(A)—

"(i) if such a student with a disability receives and completes each category of required activities in section 113(b), such completion of services shall be documented by the designated State unit in a manner consistent with this section;

"(ii) if such a student with a disability receives and completes any transition services available for students with disabilities under the Individuals with Disabilities Education Act, including those provided under section 614(d)(1)(A)(i)(VIII) (20 U.S.C. 1414(d)(1)(A)(i)(VIII)), such completion of services shall be documented by the appropriate school official responsible for the provision of such transition services, in a manner consistent with this section; and

"(iii) the designated State unit shall provide the final documentation, in a form and manner consistent with this section, of the completion of pre-employment transition services as described in clause (i), or transition services under the Individuals with Disabilities Education Act as described in clause (ii), to the student with a disability within a reasonable period of time following the completion; and

"(B) when an individual has completed the actions described in subsection (a)(2)(B), the designated State unit shall provide the individual a document indicating such completion, in a manner consistent with this section, within a reasonable time period following the completion of the actions described in this subparagraph.

Records.

"(e) VERIFICATION.—

"(1) BEFORE EMPLOYMENT.—Before an individual covered by subsection (a)(2) begins work for an entity described in subsection (a) at a subminimum wage, the entity shall review such documentation received by the individual under subsection (d), and provided by the individual to the entity, that indicates that the individual has completed the actions described in subparagraphs (A) and (B) of subsection (a)(2) and the entity shall maintain copies of such documentation.

"(2) DURING EMPLOYMENT.—

"(A) IN GENERAL.—In order to continue to employ an individual at a subminimum wage, the entity described in subsection (a) shall verify completion of the requirements of subsection (c), including reviewing any relevant documents provided by the individual, and shall maintain copies of the documentation described in subsection (d).

"(B) REVIEW OF DOCUMENTATION.—The entity described in subsection (a) shall be subject to review of individual documentation described in subsection (d) by a representative working directly for the designated State unit or the Department of Labor at such a time and in such a manner as may be necessary to fulfill the intent of this section, consistent with regulations established by the designated State unit or the Secretary of Labor.

"(f) FEDERAL MINIMUM WAGE.—In this section, the term 'Federal minimum wage' means the rate applicable under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)).". Definition.

(b) EFFECTIVE DATE.—This section takes effect 2 years after the date of enactment of the Workforce Innovation and Opportunity Act. 29 USC 794g note.

Subtitle G—Employment Opportunities for Individuals With Disabilities

SEC. 461. EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES.

Title VI (29 U.S.C. 795 et seq.) is amended—

(1) by striking part A; 29 USC 795, 795a.

(2) by striking the part heading relating to part B; 29 USC 795g prec.

(3) by redesignating sections 621 through 628 as sections 602 through 609, respectively; 29 USC 795g–795n.

(4) in section 602, as redesignated by paragraph (3)—

(A) by striking "part" and inserting "title"; and 29 USC 795g.

(B) by striking "individuals with the most significant disabilities" and all that follows and inserting "individuals with the most significant disabilities, including youth with the most significant disabilities, to enable such individuals to achieve an employment outcome of supported employment in competitive integrated employment.";

(5) in section 603, as redesignated by paragraph (3)— 29 USC 795h.

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking "part" and inserting "title";

(II) in subparagraph (A), by inserting "amount" after "whichever"; and

(III) in subparagraph (B)—

(aa) by striking "part for the fiscal year" and inserting "title for the fiscal year";

(bb) by striking "this part in fiscal year 1992" and inserting "part B of this title (as in effect on September 30, 1992) in fiscal year 1992"; and

(cc) by inserting "amount" after "whichever"; and

(ii) in paragraph (2)(B), by striking "one-eighth of one percent" and inserting "⅛ of 1 percent";

(B) in subsection (b)—

(i) by inserting "under subsection (a)" after "allotment to a State";

(ii) by striking "part" each place the term appears and inserting "title"; and

(iii) by striking "one or more" and inserting "1 or more"; and

(C) by adding at the end the following:

"(c) LIMITATIONS ON ADMINISTRATIVE COSTS.—A State that receives an allotment under this title shall not use more than 2.5 percent of such allotment to pay for administrative costs.

"(d) SERVICES FOR YOUTH WITH THE MOST SIGNIFICANT DISABILITIES.—A State that receives an allotment under this title shall reserve and expend half of such allotment for the provision of supported employment services, including extended services, to youth with the most significant disabilities in order to assist those youth in achieving an employment outcome in supported employment.";

(6) by striking section 604, as redesignated by paragraph (3), and inserting the following:

29 USC 795i.

"SEC. 604. AVAILABILITY OF SERVICES.

"(a) SUPPORTED EMPLOYMENT SERVICES.—Funds provided under this title may be used to provide supported employment services to individuals who are eligible under this title.

"(b) EXTENDED SERVICES.—

"(1) IN GENERAL.—Except as provided in paragraph (2), funds provided under this title, or title I, may not be used to provide extended services to individuals under this title or title I.

"(2) EXTENDED SERVICES FOR YOUTH WITH THE MOST SIGNIFICANT DISABILITIES.—Funds allotted under this title, or title I, and used for the provision of services under this title to youth with the most significant disabilities pursuant to section 603(d), may be used to provide extended services to youth with the most significant disabilities. Such extended services shall be available for a period not to exceed 4 years.";

Time period.

29 USC 795j.

(7) in section 605, as redesignated by paragraph (3)—

(A) in the matter preceding paragraph (1)—

(i) by inserting ", including a youth with a disability," after "An individual"; and

(ii) by striking "this part" and inserting "this title";

(B) in paragraph (1), by inserting "under title I" after "rehabilitation services";

(C) in paragraph (2), by striking "and" after the semicolon;

(D) by redesignating paragraph (3) as paragraph (4);

(E) by inserting after paragraph (2) the following:

"(3) for purposes of activities carried out with funds described in section 603(d), the individual is a youth with a disability, as defined in section (7)(42); and"; and

(F) in paragraph (4), as redesignated by subparagraph (D), by striking "assessment of rehabilitation needs" and inserting "assessment of the rehabilitation needs";

(8) in section 606, as redesignated by paragraph (3)— 29 USC 795k.

(A) in subsection (a)—

(i) by striking "this part" and inserting "this title"; and

(ii) by inserting ", including youth with the most significant disabilities," after "individuals";

(B) in subsection (b)—

(i) in paragraph (1), by striking "this part" and inserting "this title";

(ii) in paragraph (2), by inserting ", including youth," after "rehabilitation needs of individuals";

(iii) in paragraph (3)—

(I) by inserting ", including youth with the most significant disabilities," after "provided to individuals"; and

(II) by striking "section 622" and inserting "section 603";

(iv) by striking paragraph (7);

(v) by redesignating paragraph (6) as paragraph (7);

(vi) by inserting after paragraph (5) the following:

"(6) describe the activities to be conducted pursuant to section 603(d) for youth with the most significant disabilities, including—

"(A) the provision of extended services for a period not to exceed 4 years; and Time period.

"(B) how the State will use the funds reserved in section 603(d) to leverage other public and private funds to increase resources for extended services and expand supported employment opportunities for youth with the most significant disabilities;";

(vii) in paragraph (7), as redesignated by clause (v)—

(I) in subparagraph (A), by striking "under this part" both places the term appears and inserting "under this title";

(II) in subparagraph (B), by inserting ", including youth with the most significant disabilities," after "significant disabilities";

(III) in subparagraph (C)—

(aa) in clause (i), by inserting ", including, as appropriate, for youth with the most significant disabilities, transition services and pre-employment transition services" after "services to be provided";

(bb) in clause (ii), by inserting ", including Time period. the extended services that may be provided to youth with the most significant disabilities under this title, in accordance with an approved individualized plan for employment,

for a period not to exceed 4 years" after "services needed"; and

(cc) in clause (iii)—

(AA) by striking "identify the source of extended services," and inserting "identify, as appropriate, the source of extended services,";

(BB) by striking "or to the extent" and inserting "or indicate"; and

(CC) by striking "employment is developed" and all that follows and inserting "employment is developed;"

(IV) in subparagraph (D), by striking "under this part" and inserting "under this title";

(V) in subparagraph (F), by striking "and" after the semicolon;

(VI) in subparagraph (G), by striking "for the maximum number of hours possible"; and

(VII) by adding at the end the following:

"(H) the State agencies designated under paragraph (1) will expend not more than 2.5 percent of the allotment of the State under this title for administrative costs of carrying out this title; and

"(I) with respect to supported employment services provided to youth with the most significant disabilities pursuant to section 603(d), the designated State agency will provide, directly or indirectly through public or private entities, non-Federal contributions in an amount that is not less than 10 percent of the costs of carrying out such services; and";

(9) by striking section 607, as redesignated by paragraph (3), and inserting the following:

29 USC 795*l*.

"SEC. 607. RESTRICTION.

"Each State agency designated under section 606(b)(1) shall collect the information required by section 101(a)(10) separately for—

"(1) eligible individuals receiving supported employment services under this title;

"(2) eligible individuals receiving supported employment services under title I;

"(3) eligible youth receiving supported employment services under this title; and

"(4) eligible youth receiving supported employment services under title I.";

29 USC 795m.

(10) in section 608(b), as redesignated by paragraph (3), by striking "this part" both places the terms appears and inserting "this title"; and

29 USC 795n.

(11) by striking section 609, as redesignated by paragraph (3), and inserting the following:

"SEC. 609. ADVISORY COMMITTEE ON INCREASING COMPETITIVE INTEGRATED EMPLOYMENT FOR INDIVIDUALS WITH DISABILITIES.

Deadline.

"(a) ESTABLISHMENT.—Not later than 60 days after the date of enactment of the Workforce Innovation and Opportunity Act, the Secretary of Labor shall establish an Advisory Committee on

Increasing Competitive Integrated Employment for Individuals with Disabilities (referred to in this section as the 'Committee').

"(b) APPOINTMENT AND VACANCIES.—

"(1) APPOINTMENT.—The Secretary of Labor shall appoint the members of the Committee described in subsection (c)(6), in accordance with subsection (c).

"(2) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner, in accordance with the same paragraph of subsection (c), as the original appointment or designation was made.

"(c) COMPOSITION.—The Committee shall be composed of—

"(1) the Assistant Secretary for Disability Employment Policy, the Assistant Secretary for Employment and Training, and the Administrator of the Wage and Hour Division, of the Department of Labor;

"(2) the Commissioner of the Administration on Intellectual and Developmental Disabilities, or the Commissioner's designee;

"(3) the Director of the Centers for Medicare & Medicaid Services of the Department of Health and Human Services, or the Director's designee;

"(4) the Commissioner of Social Security, or the Commissioner's designee;

"(5) the Commissioner of the Rehabilitation Services Administration, or the Commissioner's designee; and

"(6) representatives from constituencies consisting of—

"(A) self-advocates for individuals with intellectual or developmental disabilities;

"(B) providers of employment services, including those that employ individuals with intellectual or developmental disabilities in competitive integrated employment;

"(C) representatives of national disability advocacy organizations for adults with intellectual or developmental disabilities;

"(D) experts with a background in academia or research and expertise in employment and wage policy issues for individuals with intellectual or developmental disabilities;

"(E) representatives from the employer community or national employer organizations; and

"(F) other individuals or representatives of organizations with expertise on increasing opportunities for competitive integrated employment for individuals with disabilities.

"(d) CHAIRPERSON.—The Committee shall elect a Chairperson of the Committee from among the appointed members of the Committee.

"(e) MEETINGS.—The Committee shall meet at the call of the Chairperson, but not less than 8 times.

"(f) DUTIES.—The Committee shall study, and prepare findings, conclusions, and recommendations for the Secretary of Labor on— Recommendations.

"(1) ways to increase the employment opportunities for individuals with intellectual or developmental disabilities or other individuals with significant disabilities in competitive integrated employment;

"(2) the use of the certificate program carried out under section 14(c) of the Fair Labor Standards Act of 1938 (29

U.S.C. 214(c)) for the employment of individuals with intellectual or developmental disabilities, or other individuals with significant disabilities; and

"(3) ways to improve oversight of the use of such certificates.

"(g) COMMITTEE PERSONNEL MATTERS.—

"(1) TRAVEL EXPENSES.—The members of the Committee shall not receive compensation for the performance of services for the Committee, but shall be allowed reasonable travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee. Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the voluntary and uncompensated services of members of the Committee.

"(2) STAFF.—The Secretary of Labor may designate such personnel as may be necessary to enable the Committee to perform its duties.

"(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee, with the approval of the head of the appropriate Federal agency, may be detailed to the Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

"(4) FACILITIES, EQUIPMENT, AND SERVICES.—The Secretary of Labor shall make available to the Committee, under such arrangements as may be appropriate, necessary equipment, supplies, and services.

"(h) REPORTS.—

Recommendations.

"(1) INTERIM AND FINAL REPORTS.—The Committee shall prepare and submit to the Secretary of Labor, as well as the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives—

"(A) an interim report that summarizes the progress of the Committee, along with any interim findings, conclusions, and recommendations as described in subsection (f); and

"(B) a final report that states final findings, conclusions, and recommendations as described in subsection (f).

"(2) PREPARATION AND SUBMISSION.—The reports shall be prepared and submitted—

"(A) in the case of the interim report, not later than 1 year after the date on which the Committee is established under subsection (a); and

"(B) in the case of the final report, not later than 2 years after the date on which the Committee is established under subsection (a).

"(i) TERMINATION.—The Committee shall terminate on the day after the date on which the Committee submits the final report.

29 USC 795o.

"SEC. 610. AUTHORIZATION OF APPROPRIATIONS.

"There is authorized to be appropriated to carry out this title $27,548,000 for fiscal year 2015, $29,676,000 for fiscal year 2016, $30,292,000 for fiscal year 2017, $30,963,000 for fiscal year 2018,

$31,691,000 for fiscal year 2019, and $32,363,000 for fiscal year 2020.".

Subtitle H—Independent Living Services and Centers for Independent Living

CHAPTER 1—INDIVIDUALS WITH SIGNIFICANT DISABILITIES

Subchapter A—General Provisions

SEC. 471. PURPOSE.

Section 701 (29 U.S.C. 796) is amended, in paragraph (3)—

(1) by striking "part B of title VI" and inserting "title VI"; and

(2) by inserting before the period the following: ", with the goal of improving the independence of individuals with disabilities".

SEC. 472. ADMINISTRATION OF THE INDEPENDENT LIVING PROGRAM.

Title VII (29 U.S.C. 796 et seq.) is amended by inserting after section 701 the following:

"SEC. 701A. ADMINISTRATION OF THE INDEPENDENT LIVING PROGRAM. 29 USC 796–1.

Establishment.

"There is established within the Administration for Community Living of the Department of Health and Human Services, an Independent Living Administration. The Independent Living Administration shall be headed by a Director (referred to in this section as the 'Director') appointed by the Secretary of Health and Human Services. The Director shall be an individual with substantial knowledge of independent living services. The Independent Living Administration shall be the principal agency, and the Director shall be the principal officer, to carry out this chapter. In performing the functions of the office, the Director shall be directly responsible to the Administrator of the Administration for Community Living of the Department of Health and Human Services. The Secretary shall ensure that the Independent Living Administration has sufficient resources (including designating at least 1 individual from the Office of General Counsel who is knowledgeable about independent living services) to provide technical assistance and support to, and oversight of, the programs funded under this chapter.".

SEC. 473. DEFINITIONS.

Section 702 (29 U.S.C. 796a) is amended—

(1) in paragraph (1)—

(A) in the matter before subparagraph (A), by inserting "for individuals with significant disabilities (regardless of age or income)" before "that—"; and

(B) in subparagraph (B), by striking the period and inserting ", including, at a minimum, independent living core services as defined in section 7(17).";

(2) in paragraph (2), by striking the period and inserting the following: ", in terms of the management, staffing, decision-making, operation, and provisions of services, of the center.";

(3) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(4) by inserting before paragraph (2) the following:

"(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Administration for Community Living of the Department of Health and Human Services.".

SEC. 474. STATE PLAN.

Section 704 (29 U.S.C. 796c) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting after "State plan" the following: "developed and signed in accordance with paragraph (2),"; and

(ii) by striking "Commissioner" each place it appears and inserting "Administrator";

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking "developed and signed by"; and

(ii) by striking subparagraphs (A) and (B) and inserting the following:

"(A) developed by the chairperson of the Statewide Independent Living Council, and the directors of the centers for independent living in the State, after receiving public input from individuals with disabilities and other stakeholders throughout the State; and

"(B) signed by—

"(i) the chairperson of the Statewide Independent Living Council, acting on behalf of and at the direction of the Council;

"(ii) the director of the designated State entity described in subsection (c); and

"(iii) not less than 51 percent of the directors of the centers for independent living in the State.";

(C) in paragraph (3)—

(i) in subparagraph (A), by striking "State independent living services" and inserting "independent living services in the State"; and

(ii) by striking subparagraph (C) and inserting the following:

"(C) working relationships and collaboration between—

"(i) centers for independent living; and

"(ii)(I) entities carrying out programs that provide independent living services, including those serving older individuals;

"(II) other community-based organizations that provide or coordinate the provision of housing, transportation, employment, information and referral assistance, services, and supports for individuals with significant disabilities; and

"(III) entities carrying out other programs providing services for individuals with disabilities.".

(D) in paragraph (4), by striking "Commissioner" each place it appears and inserting "Administrator"; and

(E) by adding at the end the following:

"(5) STATEWIDENESS.—The State plan shall describe strategies for providing independent living services on a statewide basis, to the greatest extent possible.";

(2) in subsection (c)—

(A) in the subsection heading, by striking "UNIT" and inserting "ENTITY";

(B) in the matter preceding paragraph (1), by striking "the designated State unit of such State" and inserting "a State entity of such State (referred to in this title as the 'designated State entity')";

(C) in paragraphs (3) and (4), by striking "Commissioner" each place it appears and inserting "Administrator";

(D) in paragraph (3), by striking "and" at the end;

(E) in paragraph (4), by striking the period and inserting "; and"; and

(F) by adding at the end the following:

"(5) retain not more than 5 percent of the funds received by the State for any fiscal year under part B, for the performance of the services outlined in paragraphs (1) through (4).";

(3) in subsection (i), by striking paragraphs (1) and (2) and inserting the following:

"(1) the Statewide Independent Living Council;

"(2) centers for independent living;

"(3) the designated State entity; and

"(4) other State agencies or entities represented on the Council, other councils that address the needs and issues of specific disability populations, and other public and private entities determined to be appropriate by the Council.";

(4) in subsection (m)—

(A) in paragraph (4), by striking "Commissioner" each place it appears and inserting "Administrator"; and

(B) in paragraph (5), by striking "Commissioner" and inserting "Administrator"; and

(5) by adding at the end the following:

"(o) PROMOTING FULL ACCESS TO COMMUNITY LIFE.—The plan shall describe how the State will provide independent living services described in section 7(18) that promote full access to community life for individuals with significant disabilities.".

SEC. 475. STATEWIDE INDEPENDENT LIVING COUNCIL.

Section 705 (29 U.S.C. 796d) is amended—

(1) in subsection (a), by inserting "and maintain" after "shall establish";

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by inserting "among its voting members," before "at least"; and

(II) by striking "one" and inserting "1"; and

(ii) by striking subparagraphs (B) and (C) and inserting the following:

"(B) among its voting members, for a State in which 1 or more centers for independent living are run by, or in conjunction with, the governing bodies of American Indian tribes located on Federal or State reservations, at least 1 representative of the directors of such centers; and

"(C) as ex officio, nonvoting members, a representative of the designated State entity, and representatives from State agencies that provide services for individuals with disabilities.";

(B) in paragraph (3)—

(i) by redesignating subparagraphs (C) through (F) as subparagraphs (D) through (G), respectively;

(ii) in subparagraph (B), by striking "parents and guardians of"; and

(iii) by inserting after paragraph (B) the following:

"(C) parents and guardians of individuals with disabilities;";

(C) in paragraph (5)(B), by striking "paragraph (3)" and inserting "paragraph (1)"; and

(D) in paragraph (6)(B), by inserting ", other than a representative described in paragraph (2)(A) if there is only one center for independent living within the State," after "the Council";

(3) by striking subsection (c) and inserting the following:

"(c) FUNCTIONS.—

"(1) DUTIES.—The Council shall—

"(A) develop the State plan as provided in section 704(a)(2);

"(B) monitor, review, and evaluate the implementation of the State plan;

"(C) meet regularly, and ensure that such meetings of the Council are open to the public and sufficient advance notice of such meetings is provided;

"(D) submit to the Administrator such periodic reports as the Administrator may reasonably request, and keep such records, and afford such access to such records, as the Administrator finds necessary to verify the information in such reports; and

"(E) as appropriate, coordinate activities with other entities in the State that provide services similar to or complementary to independent living services, such as entities that facilitate the provision of or provide long-term community-based services and supports.

"(2) AUTHORITIES.—The Council may, consistent with the State plan described in section 704, unless prohibited by State law—

"(A) in order to improve services provided to individuals with disabilities, work with centers for independent living to coordinate services with public and private entities;

"(B) conduct resource development activities to support the activities described in this subsection or to support the provision of independent living services by centers for independent living; and

"(C) perform such other functions, consistent with the purpose of this chapter and comparable to other functions described in this subsection, as the Council determines to be appropriate.

"(3) LIMITATION.—The Council shall not provide independent living services directly to individuals with significant disabilities or manage such services.";

(4) in subsection (e)—

(A) in paragraph (1), in the first sentence, by striking "prepare" and all that follows through "a plan" and inserting "prepare, in conjunction with the designated State entity, a plan"; and

(B) in paragraph (3), by striking "State agency" and inserting "State entity"; and

(5) in subsection (f)—

(A) by striking "such resources" and inserting "available resources"; and

(B) by striking "(including" and all that follows through "compensation" and inserting "(such as personal assistance services), and to pay reasonable compensation".

SEC. 475A. RESPONSIBILITIES OF THE ADMINISTRATOR.

Section 706 (29 U.S.C. 796d–1) is amended—

(1) by striking the title of the section and inserting the following:

"SEC. 706. RESPONSIBILITIES OF THE ADMINISTRATOR.";

(2) in subsection (a)—

(A) in paragraph (1), by striking "Commissioner" each place it appears and inserting "Administrator"; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking "Commissioner" and inserting "Administrator"; and

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by inserting "or the Commissioner" after "to the Secretary"; and

(bb) by striking "to the Commissioner; and" and inserting "to the Administrator;";

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following:

"(ii) to the State agency shall be deemed to be references to the designated State entity; and";

(3) by striking subsection (b) and inserting the following:

"(b) INDICATORS.—Not later than 1 year after the date of enactment of the Workforce Innovation and Opportunity Act, the Administrator shall develop and publish in the Federal Register indicators of minimum compliance for centers for independent living (consistent with the standards set forth in section 725), and indicators of minimum compliance for Statewide Independent Living Councils.";

Deadline.
Federal Register, publication.

(4) in subsection (c)—

(A) in paragraph (1)—

(i) by striking "Commissioner" each place it appears and inserting "Administrator"; and

(ii) by striking the last sentence;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking "Commissioner" and inserting "Administrator";

(ii) in subparagraph (A), by striking "such a review" and inserting "a review described in paragraph (1)"; and

(iii) in subparagraphs (A) and (B), by striking "Department" each place it appears and inserting "Department of Health and Human Services"; and

(5) by striking subsection (d) and inserting the following:

"(d) REPORTS.—

"(1) IN GENERAL.—The Director described in section 701A shall provide to the Administrator of the Administration for Community Living and the Administrator shall include, in an

annual report, information on the extent to which centers for independent living receiving funds under part C have complied with the standards and assurances set forth in section 725. The Director may identify individual centers for independent living in the analysis contained in that information. The Director shall include in the report the results of onsite compliance reviews, identifying individual centers for independent living and other recipients of assistance under part C.

"(2) PUBLIC AVAILABILITY.—The Director shall ensure that the report described in this subsection is made publicly available in a timely manner, including through electronic means, in order to inform the public about the administration and performance of programs under this Act.".

Subchapter B—Independent Living Services

SEC. 476. ADMINISTRATION.

(a) ALLOTMENTS.—Section 711 (29 U.S.C. 796e) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A)—

(i) by striking "Except" and inserting "After the reservation required by section 711A is made, and except"; and

(ii) by inserting "the remainder of the" before "sums appropriated"; and

(B) in paragraph (2)(B), by striking "amounts made available for purposes of this part" and inserting "remainder described in paragraph (1)(A)";

(2) in subsections (a), (b), and (c), by striking "Commissioner" each place it appears and inserting "Administrator"; and

(3) by adding at the end the following:

"(d) ADMINISTRATION.—Funds allotted or made available to a State under this section shall be administered by the designated State entity, in accordance with the approved State plan.".

(b) TRAINING AND TECHNICAL ASSISTANCE.—Part B of chapter 1 of title VII is amended by inserting after section 711 (29 U.S.C. 796e) the following:

"TRAINING AND TECHNICAL ASSISTANCE

Effective date. Grants. Contracts. 29 USC 796e–0.

"SEC. 711A. (a) From the funds appropriated and made available to carry out this part for any fiscal year, beginning with fiscal year 2015, the Administrator shall first reserve not less than 1.8 percent and not more than 2 percent of the funds to provide, either directly or through grants, contracts, or cooperative agreements, training and technical assistance to Statewide Independent Living Councils established under section 705 for such fiscal year.

Survey.

"(b) The Administrator shall conduct a survey of such Statewide Independent Living Councils regarding training and technical assistance needs in order to determine funding priorities for such training and technical assistance.

"(c) To be eligible to receive a grant or enter into a contract or cooperative agreement under this section, an entity shall submit an application to the Administrator at such time, in such manner,

containing a proposal to provide such training and technical assistance, and containing such additional information, as the Administrator may require. The Administrator shall provide for peer review of applications by panels that include persons who are not government employees and who have experience in the operation of such Statewide Independent Living Councils.". Peer review.

(c) PAYMENTS.—Section 712(a) (29 U.S.C. 796e–1(a)) is amended by striking "Commissioner" and inserting "Administrator".

(d) AUTHORIZED USES OF FUNDS.—Section 713 (29 U.S.C. 796e–2) is amended—

(1) by striking the matter preceding paragraph (1) and inserting the following:

"(a) IN GENERAL.—The State may use funds received under this part to provide the resources described in section 705(e) (but may not use more than 30 percent of the funds paid to the State under section 712 for such resources unless the State specifies that a greater percentage of the funds is needed for such resources in a State plan approved under section 706), relating to the Statewide Independent Living Council, may retain funds under section 704(c)(5), and shall distribute the remainder of the funds received under this part in a manner consistent with the approved State plan for the activities described in subsection (b).

"(b) ACTIVITIES.—The State may use the remainder of the funds described in subsection (a)—"; and

(2) in paragraph (1), by inserting ", particularly those in unserved areas of the State" after "disabilities".

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 714 (29 U.S.C. 796e–3) is amended by striking "such sums as may be necessary for each of the fiscal years 1999 through 2003." and inserting "$22,878,000 for fiscal year 2015, $24,645,000 for fiscal year 2016, $25,156,000 for fiscal year 2017, $25,714,000 for fiscal year 2018, $26,319,000 for fiscal year 2019, and $26,877,000 for fiscal year 2020.".

Subchapter C—Centers for Independent Living

SEC. 481. PROGRAM AUTHORIZATION.

Section 721 (29 U.S.C. 796f) is amended—

(1) in subsection (a)—

(A) by striking "1999" and inserting "2015";

(B) by striking "Commissioner shall allot" and inserting "Administrator shall make available"; and

(C) by inserting ", centers for independent living," after "States";

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the paragraph heading, by striking "OTHER ARRANGEMENTS" and inserting "COOPERATIVE AGREEMENTS";

(ii) by striking "For" and all that follows through "Commissioner" and inserting "From the funds appropriated to carry out this part for any fiscal year, beginning with fiscal year 2015, the Administrator";

(iii) by striking "reserve from such excess" and inserting "reserve not less than 1.8 percent and not more than 2 percent of the funds"; and

(iv) by striking "eligible agencies" and all that follows and inserting "centers for independent living and eligible agencies for such fiscal year.";

(B) in paragraph (2)—

(i) by striking "Commissioner shall make grants to, and enter into contracts and other arrangements with," and inserting "Administrator shall make grants to, or enter into contracts or cooperative agreements with,"; and

(ii) by inserting "fiscal management of," before "planning,";

(C) in paragraphs (3), (4), and (5), by striking "Commissioner" each place it appears and inserting "Administrator"; and

(D) in paragraph (3), by striking "Statewide Independent Living Councils and";

(3) in paragraph (4), by striking "other arrangement" and inserting "cooperative agreement";

(4) in subsection (c), by striking "Commissioner" each place it appears and inserting "Administrator"; and

(5) in subsection (d), by striking "Commissioner" each place it appears and inserting "Administrator".

SEC. 482. CENTERS.

(a) CENTERS IN STATES IN WHICH FEDERAL FUNDING EXCEEDS STATE FUNDING.—Section 722 (29 U.S.C. 796f–1) is amended—

(1) in subsections (a), (b), and (c), by striking "Commissioner" each place it appears and inserting "Administrator";

(2) in subsection (c)—

(A) by striking "grants" and inserting "grants for a fiscal year"; and

(B) by striking "by September 30, 1997" and inserting "for the preceding fiscal year";

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking "Commissioner" and inserting "Administrator"; and

(ii) by striking "region, consistent" and all that follows and inserting "region. The Administrator's determination of the most qualified applicant shall be consistent with the provisions in the State plan setting forth the design of the State for establishing a statewide network of centers for independent living."; and

Determination.

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking "Commissioner" and inserting "Administrator"; and

(ii) by striking subparagraph (A) and inserting the following:

"(A) shall consider comments regarding the application—

"(i) by individuals with disabilities and other interested parties within the new region proposed to be served; and

"(ii) if any, by the Statewide Independent Living Council in the State in which the applicant is located;"; and

(4) in subsections (e) and (g) by striking "Commissioner" each place it appears and inserting "Administrator.".

(b) CENTERS IN STATES IN WHICH STATE FUNDING EXCEEDS FEDERAL FUNDING.—Section 723 (29 U.S.C. 796f–2) is amended—

(1) in subsections (a), (b), (g), (h), and (i), by striking "Commissioner" each place it appears and inserting "Administrator";

(2) in subsection (a)—

(A) in paragraph (1)(A)(ii), by inserting "of a designated State unit" after "director"; and

(B) in the heading of paragraph (3), by striking "COMMISSIONER" and inserting "ADMINISTRATOR"; and

(3) in subsection (c)—

(A) by striking "grants" and inserting "grants for a fiscal year"; and

(B) by striking "by September 30, 1997" and inserting "for the preceding fiscal year".

(c) CENTERS OPERATED BY STATE AGENCIES.—Section 724 (29 U.S.C. 796f–3) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking "1993" and inserting "2015";

(B) by striking "Rehabilitation Act Amendments of 1998" and inserting "Workforce Innovation and Opportunity Act"; and

(C) by striking "1994" and inserting "2015"; and

(2) by striking "Commissioner" each place it appears and inserting "Administrator".

SEC. 483. STANDARDS AND ASSURANCES.

Section 725 (29 U.S.C. 796f–4) is amended—

(1) in subsection (b)(1)(D)—

(A) by striking "access of" and inserting "access for"; and

(B) by striking "to society and" and inserting ", within their communities,"; and

(2) in subsection (c), by striking "Commissioner" each place it appears and inserting "Administrator".

SEC. 484. AUTHORIZATION OF APPROPRIATIONS.

Section 727 (29 U.S.C. 796f–6) is amended by striking "such sums as may be necessary for each of the fiscal years 1999 through 2003." and inserting "$78,305,000 for fiscal year 2015, $84,353,000 for fiscal year 2016, $86,104,000 for fiscal year 2017, $88,013,000 for fiscal year 2018, $90,083,000 for fiscal year 2019, and $91,992,000 for fiscal year 2020.".

CHAPTER 2—INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND

SEC. 486. INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND.

Chapter 2 of title VII (29 U.S.C. 796j et seq.) is amended by inserting after section 751 the following:

"TRAINING AND TECHNICAL ASSISTANCE

"SEC. 751A. (a) From the funds appropriated and made available to carry out this chapter for any fiscal year, beginning with

Effective date.
Grants.
Contracts.
29 USC 796j–1.

fiscal year 2015, the Commissioner shall first reserve not less than 1.8 percent and not more than 2 percent of the funds to provide, either directly or through grants, contracts, or cooperative agreements, training and technical assistance to designated State agencies, or other providers of independent living services for older individuals who are blind, that are funded under this chapter for such fiscal year.

Survey.

"(b) The Commissioner shall conduct a survey of designated State agencies that receive grants under section 752 regarding training and technical assistance needs in order to determine funding priorities for such training and technical assistance.

"(c) To be eligible to receive a grant or enter into a contract or cooperative agreement under this section, an entity shall submit an application to the Commissioner at such time, in such manner, containing a proposal to provide such training and technical assistance, and containing such additional information, as the Commissioner may require. The Commissioner shall provide for peer review of applications by panels that include persons who are not government employees and who have experience in the provision of services to older individuals who are blind.".

Peer review.

SEC. 487. PROGRAM OF GRANTS.

Section 752 (29 U.S.C. 796k) is amended—

(1) by striking subsection (h);

(2) by redesignating subsections (i) and (j) as subsections (h) and (i), respectively;

(3) in subsection (c)(2)—

(A) by striking "subsection (j)" and inserting "subsection (i)"; and

(B) by striking "subsection (i)" and inserting "subsection (h)";

(4) in subsection (g), by inserting ", or contracts or cooperative agreements with," after "grants to";

(5) in subsection (h), as redesignated by paragraph (2)—

(A) in paragraph (1), by striking "subsection (j)(4)" and inserting "subsection (i)(4)"; and

(B) in paragraph (2)—

(i) in subparagraph (A)(vi), by adding "and" after the semicolon;

(ii) in subparagraph (B)(ii)(III), by striking "; and" and inserting a period; and

(iii) by striking subparagraph (C); and

(6) in subsection (i), as redesignated by paragraph (2)—

(A) in paragraph (2)(A)(ii), by inserting ", and not reserved under section 751A," after "section 753";

(B) in paragraph (3)(A), by inserting ", and not reserved under section 751A," after "section 753"; and

(C) in paragraph (4)(B)(i), by striking "subsection (i)" and inserting "subsection (h)".

SEC. 488. INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND AUTHORIZATION OF APPROPRIATIONS.

Section 753 (29 U.S.C. 796l) is amended by striking "such sums as may be necessary for each of the fiscal years 1999 through 2003." and inserting "$33,317,000 for fiscal year 2015, $35,890,000 for fiscal year 2016, $36,635,000 for fiscal year 2017, $37,448,000 for fiscal year 2018, $38,328,000 for fiscal year 2019, and $39,141,000 for fiscal year 2020.".

Subtitle I—General Provisions

SEC. 491. TRANSFER OF FUNCTIONS REGARDING INDEPENDENT LIVING TO DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND SAVINGS PROVISIONS. 42 USC 3515e.

(a) DEFINITIONS.—For purposes of this section, unless otherwise provided or indicated by the context—

(1) the term "Administration for Community Living" means the Administration for Community Living of the Department of Health and Human Services;

(2) the term "Federal agency" has the meaning given to the term "agency" by section 551(1) of title 5, United States Code;

(3) the term "function" means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program; and

(4) the term "Rehabilitation Services Administration" means the Rehabilitation Services Administration of the Office of Special Education and Rehabilitative Services of the Department of Education.

(b) TRANSFER OF FUNCTIONS.—There are transferred to the Administration for Community Living, all functions which the Commissioner of the Rehabilitation Services Administration exercised before the effective date of this section (including all related functions of any officer or employee of that Administration) under chapter 1 of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796 et seq.).

(c) PERSONNEL DETERMINATIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—The Office of Management and Budget shall—

(1) ensure that this section does not result in any net increase in full-time equivalent employees at any Federal agency impacted by this section; and

(2) not later than 1 year after the effective date of this section, certify compliance with this subsection to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. Deadline. Certification.

(d) DELEGATION AND ASSIGNMENT.—Except where otherwise expressly prohibited by law or otherwise provided by this section, the Administrator of the Administration for Community Living may delegate any of the functions transferred to the Administrator of such Administration by subsection (b) and any function described in subsection (b) that was transferred or granted to such Administrator after the effective date of this section to such officers and employees of such Administration as the Administrator may designate, and may authorize successive redelegations of such functions described in subsection (b) as may be necessary or appropriate. No delegation of such functions by the Administrator of the Administration for Community Living under this subsection or under any other provision of this section shall relieve such Administrator of responsibility for the administration of such functions.

(e) REORGANIZATION.—Except where otherwise expressly prohibited by law or otherwise provided by this Act, the Administrator of the Administration for Community Living is authorized to allocate or reallocate any function transferred under subsection (b) among the officers of such Administration, and to consolidate,

alter, or discontinue such organizational entities in such Administration as may be necessary or appropriate.

Regulations.

(f) RULES.—The Administrator of the Administration for Community Living is authorized to prescribe, in accordance with the provisions of chapters 5 and 6 of title 5, United States Code, such rules and regulations as that Administrator determines necessary or appropriate to administer and manage the functions described in subsection (b) of that Administration.

(g) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.—Except as otherwise provided in this section, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred by subsection (b), subject to section 1531 of title 31, United States Code, shall be transferred to the Administration for Community Living. Unexpended funds transferred pursuant to this subsection shall be used only for the purposes for which the funds were originally authorized and appropriated.

Determinations.

(h) INCIDENTAL TRANSFERS.—The Director of the Office of Management and Budget, at such time or times as the Director shall provide, is authorized to make such determinations as may be necessary with regard to the functions transferred by subsection (b), and to make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this section. The Director of the Office of Management and Budget shall provide for the termination of the affairs of all entities terminated by this section and for such further measures and dispositions as may be necessary to effectuate the purposes of this section, with respect to such functions.

(i) SAVINGS PROVISIONS.—

(1) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(A) which have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which are transferred under subsection (b); and

(B) which are in effect at the time this section takes effect, or were final before the effective date of this section and are to become effective on or after the effective date of this section,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Administrator of the Administration for Community Living or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) PROCEEDINGS NOT AFFECTED.—The provisions of this section shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit,

certificate, or financial assistance pending before the Rehabilitation Services Administration at the time this section takes effect, with respect to functions transferred by subsection (b) but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this section had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this paragraph shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

(3) SUITS NOT AFFECTED.—The provisions of this section shall not affect suits commenced (with respect to functions transferred under subsection (b)) before the effective date of this section, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this section had not been enacted.

(4) NONABATEMENT OF ACTIONS.—No suit, action, or other proceeding commenced by or against the Rehabilitation Services Administration (with regard to functions transferred under subsection (b)), or by or against any individual in the official capacity of such individual as an officer of the Rehabilitation Services Administration (with regard to functions transferred under subsection (b)), shall abate by reason of the enactment of this section.

(5) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the Rehabilitation Services Administration (with regard to functions transferred under subsection (b)) may be continued by the Administration for Community Living with the same effect as if this section had not been enacted.

(j) SEPARABILITY.—If a provision of this section or its application to any person or circumstance is held invalid, neither the remainder of this section nor the application of the provision to other persons or circumstances shall be affected.

(k) REFERENCES.—A reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or relating to—

(1) the Commissioner of the Rehabilitation Services Administration (with regard to functions transferred under subsection (b)), shall be deemed to refer to the Administrator of the Administration for Community Living; and

(2) the Rehabilitation Services Administration (with regard to functions transferred under subsection (b)), shall be deemed to refer to the Administration for Community Living.

(l) TRANSITION.—The Administrator of the Administration for Community Living is authorized to utilize—

(1) the services of such officers, employees, and other personnel of the Rehabilitation Services Administration with regard to functions transferred under subsection (b); and

(2) funds appropriated to such functions,

for such period of time as may reasonably be needed to facilitate the orderly implementation of this section.

(m) ADMINISTRATION FOR COMMUNITY LIVING.—

(1) TRANSFER OF FUNCTIONS.—There are transferred to the Administration for Community Living, all functions which the Commissioner of the Rehabilitation Services Administration exercised before the effective date of this section (including all related functions of any officer or employee of that Administration) under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.).

Applicability.

(2) ADMINISTRATIVE MATTERS.—Subsections (d) through (l) shall apply to transfers described in paragraph (1).

(n) NATIONAL INSTITUTE ON DISABILITY, INDEPENDENT LIVING, AND REHABILITATION RESEARCH.—

(1) DEFINITIONS.—For purposes of this subsection, unless otherwise provided or indicated by the context—

(A) the term "NIDILRR" means the National Institute on Disability, Independent Living, and Rehabilitation Research of the Administration for Community Living of the Department of Health and Human Services; and

(B) the term "NIDRR" means the National Institute on Disability and Rehabilitation Research of the Office of Special Education and Rehabilitative Services of the Department of Education.

(2) TRANSFER OF FUNCTIONS.—There are transferred to the NIDILRR, all functions which the Director of the NIDRR exercised before the effective date of this section (including all related functions of any officer or employee of the NIDRR).

(3) ADMINISTRATIVE MATTERS.—

Applicability.

(A) IN GENERAL.—Subsections (d) through (l) shall apply to transfers described in paragraph (2).

Applicability.

(B) REFERENCES.—For purposes of applying those subsections under subparagraph (A), those subsections—

(i) shall apply to the NIDRR and the Director of the NIDRR in the same manner and to the same extent as those subsections apply to the Rehabilitation Services Administration and the Commissioner of that Administration; and

(ii) shall apply to the NIDILRR and the Director of the NIDILRR in the same manner and to the same extent as those subsections apply to the Administration for Community Living and the Administrator of that Administration.

(o) REFERENCES IN ASSISTIVE TECHNOLOGY ACT OF 1998.—

(1) SECRETARY.—Section 3(13) of the Assistive Technology Act of 1998 (29 U.S.C. 3002(13)) is amended by striking "Education" and inserting "Health and Human Services".

(2) NATIONAL ACTIVITIES.—Section 6(d)(4) of the Assistive Technology Act of 1998 (29 U.S.C. 3005(d)(4)) is amended by striking "Education" and inserting "Health and Human Services".

(3) GENERAL ADMINISTRATION.—Section 7 of the Assistive Technology Act of 1998 (29 U.S.C. 3006) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking "the Assistant Secretary" and all that follows through "Rehabilitation

Services Administration," and inserting "the Administrator of the Administration for Community Living";

(ii) in paragraph (2), by striking "The Assistant Secretary" and all that follows and inserting "The Administrator of the Administration for Community Living shall consult with the Office of Special Education Programs of the Department of Education, the Rehabilitation Services Administration of the Department of Education, the Office of Disability Employment Policy of the Department of Labor, the National Institute on Disability, Independent Living, and Rehabilitation Research, and other appropriate Federal entities in the administration of this Act."; and Consultation.

(iii) in paragraph (3), by striking "the Rehabilitation Services Administration" and inserting "the Administrator of the Administration for Community Living"; and

(B) in subsection (c)(5), by striking "Education" and inserting "Health and Human Services".

SEC. 492. TABLE OF CONTENTS.

The table of contents in section 1(b) is amended—

(1) by striking the item relating to section 109 and inserting the following:

"Sec. 109. Training and services for employers.";

(2) by inserting after the item relating to section 112 the following:

"Sec. 113. Provision of pre-employment transition services.";

(3) by striking the item relating to section 202 and inserting the following:

"Sec. 202. National Institute on Disability, Independent Living, and Rehabilitation Research.";

(4) by striking the item relating to section 205 and inserting the following:

"Sec. 205. Disability, Independent Living, and Rehabilitation Research Advisory Council.
"Sec. 206. Definition of covered school.";

(5) by striking the items relating to sections 304, 305, and 306 and inserting the following:

"Sec. 304. Measuring of project outcomes and performance.".

(6) by inserting after the item relating to section 509 the following:

"Sec. 511. Limitations on use of subminimum wage.";

(7) by striking the items relating to title VI and inserting the following:

"TITLE VI—EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES
"Sec. 601. Short title.
"Sec. 602. Purpose.
"Sec. 603. Allotments.
"Sec. 604. Availability of services.
"Sec. 605. Eligibility.
"Sec. 606. State plan.

"Sec. 607. Restriction.
"Sec. 608. Savings provision.
"Sec. 609. Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities.
"Sec. 610. Authorization of appropriations."; and

(8) in the items relating to title VII—

(A)(i) by inserting after the item relating to section 701 the following:

"Sec. 701A. Administration of the independent living program.";

and

(ii) by striking the item relating to section 706 and inserting the following:

"Sec. 706. Responsibilities of the Administrator.";

(B) by inserting after the item relating to section 711 the following:

"Sec. 711A. Training and technical assistance.";

and

(C) by inserting after the item relating to section 751 the following:

"Sec. 751A. Training and technical assistance.".

TITLE V—GENERAL PROVISIONS

Subtitle A—Workforce Investment

29 USC 3341.

SEC. 501. PRIVACY.

(a) SECTION 444 OF THE GENERAL EDUCATION PROVISIONS ACT.—Nothing in this Act (including the amendments made by this Act) shall be construed to supersede the privacy protections afforded parents and students under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

(b) PROHIBITION ON DEVELOPMENT OF NATIONAL DATABASE.—

(1) IN GENERAL.—Nothing in this Act (including the amendments made by this Act) shall be construed to permit the development of a national database of personally identifiable information on individuals receiving services under title I or under the amendments made by title IV.

(2) LIMITATION.—Nothing in paragraph (1) shall be construed to prevent the proper administration of national programs under subtitles C and D of title I, or the amendments made by title IV (as the case may be), or to carry out program management activities consistent with title I or the amendments made by title IV (as the case may be).

29 USC 3342.

SEC. 502. BUY-AMERICAN REQUIREMENTS.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available under title I or II or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 8301 through 8303 of title 41, United States Code (commonly known as the "Buy American Act").

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may

be authorized to be purchased with financial assistance provided using funds made available under title I or II or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), it is the sense of Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available under title I or II or under the Wagner-Peyser Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available under title I or II or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations, as such sections were in effect on August 7, 1998, or pursuant to any successor regulations.

SEC. 503. TRANSITION PROVISIONS. 29 USC 3343.

(a) WORKFORCE DEVELOPMENT SYSTEMS AND INVESTMENT ACTIVITIES.—The Secretary of Labor and the Secretary of Education shall take such actions as the Secretaries determine to be appropriate to provide for the orderly transition from any authority under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) to any authority under subtitle A of title I. Such actions shall include the provision of guidance related to unified State planning, combined State planning, and the performance accountability system described in such subtitle.

(b) WORKFORCE INVESTMENT ACTIVITIES.—The Secretary of Labor shall take such actions as the Secretary determines to be appropriate to provide for the orderly transition from any authority under the Workforce Investment Act of 1998 to any authority under subtitles B through E of title I.

(c) ADULT EDUCATION AND LITERACY PROGRAMS.—The Secretary of Education shall take such actions as the Secretary determines to be appropriate to provide for the orderly transition from any authority under the Adult Education and Family Literacy Act (20 U.S.C. 9201 et seq.), as in effect on the day before the date of enactment of this Act, to any authority under the Adult Education and Family Literacy Act, as amended by this Act.

(d) EMPLOYMENT SERVICES ACTIVITIES.—The Secretary of Labor shall take such actions as the Secretary determines to be appropriate to provide for the orderly transition from any authority under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), as in effect on the day before the date of enactment of this Act, to any authority under the Wagner-Peyser Act, as amended by this Act.

(e) VOCATIONAL REHABILITATION PROGRAMS.—The Secretary of Education and the Secretary of Health and Human Services shall take such actions as the Secretaries determine to be appropriate

to provide for the orderly transition from any authority under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), as in effect on the day before the date of enactment of this Act, to any authority under the Rehabilitation Act of 1973, as amended by this Act.

(f) REGULATIONS.—

(1) PROPOSED REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Labor, the Secretary of Education, and the Secretary of Health and Human Services, as appropriate, shall develop and publish in the Federal Register proposed regulations relating to the transition to, and implementation of, this Act (including the amendments made by this Act).

(2) FINAL REGULATIONS.—Not later than 18 months after the date of enactment of this Act, the Secretaries described in paragraph (1), as appropriate, shall develop and publish in the Federal Register final regulations relating to the transition to, and implementation of, this Act (including the amendments made by this Act).

(g) EXPENDITURE OF FUNDS DURING TRANSITION.—

(1) IN GENERAL.—Subject to paragraph (2) and in accordance with regulations developed under subsection (f), States, grant recipients, administrative entities, and other recipients of financial assistance under the Workforce Investment Act of 1998 may expend funds received under such Act in order to plan and implement programs and activities authorized under this Act.

(2) ADDITIONAL REQUIREMENTS.—Not more than 2 percent of any allotment to any State from amounts appropriated under the Workforce Investment Act of 1998 for fiscal year 2014 may be made available to carry out activities authorized under paragraph (1) and not less than 50 percent of any amount used to carry out activities authorized under paragraph (1) shall be made available to local entities for the purposes of the activities described in such paragraph.

Procedures.
Criteria.
29 USC 3344.

SEC. 504. REDUCTION OF REPORTING BURDENS AND REQUIREMENTS.

In order to simplify reporting requirements and reduce reporting burdens, the Secretary of Labor, the Secretary of Education, and the Secretary of Health and Human Services shall establish procedures and criteria under which a State board and local board may reduce reporting burdens and requirements under this Act (including the amendments made by this Act).

SEC. 505. REPORT ON DATA CAPABILITY OF FEDERAL AND STATE DATABASES AND DATA EXCHANGE AGREEMENTS.

(a) IN GENERAL.—The Comptroller General of the United States shall prepare and submit an interim report and a final report to Congress regarding existing Federal and State databases and data exchange agreements, as of the date of the report, that contain job training information relevant to the administration of programs authorized under this Act and the amendments made by this Act.

(b) REQUIREMENTS.—The report required under subsection (a) shall—

(1) list existing Federal and State databases and data exchange agreements described in subsection (a) and, for each, describe—

(A) the purposes of the database or agreement;

(B) the data elements, such as wage and employment outcomes, contained in the database or accessible under the agreement;

(C) the data elements described in subparagraph (B) that are shared between States;

(D) the Federal and State workforce training programs from which each Federal and State database derives the data elements described in subparagraph (B);

(E) the number and type of Federal and State agencies having access to such data;

(F) the number and type of private research organizations having access to, through grants, contracts, or other agreements, such data; and

(G) whether the database or data exchange agreement provides for opt-out procedures for individuals whose data is shared through the database or data exchange agreement;

(2) study the effects that access by State workforce agencies and the Secretary of Labor to the databases and data exchange agreements described in subsection (a) would have on efforts to carry out this Act and the amendments made by this Act, and on individual privacy;

(3) explore opportunities to enhance the quality, reliability, and reporting frequency of the data included in such databases and data exchange agreements;

(4) describe, for each database or data exchange agreement considered by the study described in subsection (a), the number of individuals whose data is contained in each database or accessible through the data agreement, and the specific data elements contained in each that could be used to personally identify an individual;

(5) include the number of data breaches having occurred since 2004 to data systems administered by Federal and State agencies;

(6) include the number of data breaches regarding any type of personal data having occurred since 2004 to private research organizations with whom Federal and State agencies contract for studies; and

(7) include a survey of the security protocols used for protecting personal data, including best practices shared amongst States for access to, and administration of, data elements stored and recommendations for improving security protocols for the safe warehousing of data elements. Recommendations.

(c) TIMING OF REPORTS.—

(1) INTERIM REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall prepare and submit to Congress an interim report regarding the initial findings of the report required under this section.

(2) FINAL REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall prepare and submit to Congress the final report required under this section.

SEC. 506. EFFECTIVE DATES. 29 USC 3101 note.

(a) IN GENERAL.—Except as otherwise provided in this Act, this Act, including the amendments made by this Act, shall take

effect on the first day of the first full program year after the date of enactment of this Act.

(b) APPLICATION DATE FOR WORKFORCE DEVELOPMENT PERFORMANCE ACCOUNTABILITY SYSTEM.—

(1) IN GENERAL.—Section 136 of the Workforce Investment Act of 1998 (29 U.S.C. 2871), as in effect on the day before the date of enactment of this Act, shall apply in lieu of section 116 of this Act, for the first full program year after the date of enactment of this Act.

(2) SPECIAL PROVISIONS.—For purposes of the application described in paragraph (1)—

(A) except as otherwise specified, a reference in section 136 of the Workforce Investment Act of 1998 to a provision in such Act (29 U.S.C. 2801 et seq.), other than to a provision in such section or section 112 of such Act, shall be deemed to refer to the corresponding provision of this Act;

(B) the terms "local area", "local board", "one-stop partner", and "State board" have the meanings given the terms in section 3 of this Act;

(C) except as provided in subparagraph (B), terms used in such section 136 shall have the meanings given the terms in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801);

(D) any agreement negotiated and reached under section 136(c)(2) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(c)(2)) shall remain in effect, until a new agreement is so negotiated and reached, for that first full program year;

(E) if a State or local area fails to meet levels of performance under subsection (g) or (h), respectively, of section 136 of the Workforce Investment Act of 1998 during that first full program year, the sanctions provided under such subsection shall apply during the second full program year after the date of enactment of this Act; and

(F) the Secretary shall use an amount retained, as a result of a reduction in an allotment to a State made under section 136(g)(1)(B) of such Act (29 U.S.C. 2871(g)(1)(B)), to provide technical assistance as described in subsections (f)(1) and (g)(1) of section 116 of this Act, in lieu of incentive grants under section 503 of the Workforce Investment Act of 1998 (20 U.S.C. 9273) as provided in section 136(g)(2) of such Act (29 U.S.C. 2871(g)(2)).

(c) APPLICATION DATE FOR STATE AND LOCAL PLAN PROVISIONS.—

(1) IMPLEMENTATION.—Sections 112 and 118 of the Workforce Investment Act of 1998 (29 U.S.C. 2822, 2833), as in effect on the day before the date of enactment of this Act, shall apply to implementation of State and local plans, in lieu of sections 102 and 103, and section 108, respectively, of this Act, for the first full program year after the date of enactment of this Act.

(2) SPECIAL PROVISIONS.—For purposes of the application described in paragraph (1)—

(A) except as otherwise specified, a reference in section 112 or 118 of the Workforce Investment Act of 1998 to

a provision in such Act (29 U.S.C. 2801 et seq.), other than to a provision in or to either such section or to section 136 of such Act, shall be deemed to refer to the corresponding provision of this Act;

(B) the terms "local area", "local board", "one-stop partner", and "State board" have the meanings given the terms in section 3 of this Act;

(C) except as provided in subparagraph (B), terms used in such section 112 or 118 shall have the meanings given the terms in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801); and

(D) section 112(b)(18)(D) of the Workforce Investment Act of 1998 (29 U.S.C. 2822(b)(18)(D)) shall not apply.

(3) SUBMISSION.—Sections 102, 103, and 108 of this Act shall apply to plans for the second full program year after the date of enactment, including the development, submission, and approval of such plans during the first full program year after such date.

(d) DISABILITY PROVISIONS.—Except as otherwise provided in title IV of this Act, title IV, and the amendments made by title IV, shall take effect on the date of enactment of this Act.

Subtitle B—Amendments to Other Laws

SEC. 511. REPEAL OF THE WORKFORCE INVESTMENT ACT OF 1998.

(a) WORKFORCE INVESTMENT ACT OF 1998.—The Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) is repealed.

(b) GRANTS TO STATES FOR WORKPLACE AND COMMUNITY TRANSITION TRAINING FOR INCARCERATED INDIVIDUALS.—Section 821 of the Higher Education Amendments of 1998 (20 U.S.C. 1151) is repealed.

SEC. 512. CONFORMING AMENDMENTS.

(a) AMERICAN COMPETITIVENESS AND WORKFORCE IMPROVEMENT ACT OF 1998.—Section 414(c)(3)(C) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 2916a(3)(C)) is amended by striking "entities involved in administering the workforce investment system established under title I of the Workforce Investment Act of 1998" and inserting "entities involved in administering the workforce development system, as defined in section 3 of the Workforce Innovation and Opportunity Act".

(b) ASSISTIVE TECHNOLOGY ACT OF 1998.—The Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.) is amended as follows:

(1) Section 3(1)(C) of such Act (29 U.S.C. 3002(1)(C)) is amended by striking "such as a one-stop partner, as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)" and inserting "such as a one-stop partner, as defined in section 3 of the Workforce Innovation and Opportunity Act".

(2) Section 4 of such Act (29 U.S.C. 3003) is amended—

(A) in subsection (c)(2)(B)(i)(IV), by striking "a representative of the State workforce investment board established under section 111 of the Workforce Investment Act of 1998 (29 U.S.C. 2821)" and inserting "a representative of the State workforce development board established under

section 101 of the Workforce Innovation and Opportunity Act"; and

(B) in subsection (e)—

(i) in paragraph (2)(D)(i), by striking "such as one-stop partners, as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)," and inserting "such as one-stop partners, as defined in section 3 of the Workforce Innovation and Opportunity Act,"; and

(ii) in paragraph (3)(B)(ii)(I)(aa), by striking "with entities in the statewide and local workforce investment systems established under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)," and inserting "with entities in the statewide and local workforce development systems established under the Workforce Innovation and Opportunity Act,".

(c) ALASKA NATURAL GAS PIPELINE ACT.—Section 113(a)(2) of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720k(a)(2)) is amended by striking "consistent with the vision and goals set forth in the State of Alaska Unified Plan, as developed pursuant to the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)" and inserting "consistent with the vision and goals set forth in the State of Alaska unified plan or combined plan, as appropriate, as developed pursuant to section 102 or 103, as appropriate, of the Workforce Innovation and Opportunity Act".

(d) ATOMIC ENERGY DEFENSE ACT.—Section 4604(c)(6)(A) of the Atomic Energy Defense Act (50 U.S.C. 2704(c)(6)(A)) is amended by striking "programs carried out by the Secretary of Labor under the Job Training Partnership Act or title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)" and inserting "programs carried out by the Secretary of Labor under title I of the Workforce Innovation and Opportunity Act".

(e) CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006.—The Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) is amended as follows:

(1) Section 118(d)(2) of such Act (20 U.S.C. 2328(d)(2)) is amended—

(A) in the paragraph heading, by striking "PUBLIC LAW 105–220" and inserting "WORKFORCE INNOVATION AND OPPORTUNITY ACT"; and

(B) by striking "functions and activities carried out under Public Law 105–220" and inserting "functions and activities carried out under the Workforce Innovation and Opportunity Act".

(2) Section 121(a)(4) of such Act (20 U.S.C. 2341(a)(4)) is amended—

(A) in subparagraph (A), by striking "activities undertaken by the State boards under section 111 of Public Law 105–220" and inserting "activities undertaken by the State boards under section 101 of the Workforce Innovation and Opportunity Act"; and

(B) in subparagraph (B), by striking "the service delivery system under section 121 of Public Law 105–220" and inserting "the one-stop delivery system under section 121 of the Workforce Innovation and Opportunity Act".

(3) Section 122 of such Act (20 U.S.C. 2342) is amended—

(A) in subsection (b)(1)(A)(viii), by striking "entities participating in activities described in section 111 of Public Law 105–220" and inserting "entities participating in activities described in section 101 of the Workforce Innovation and Opportunity Act";

(B) in subsection (c)(20), by striking "the description and information specified in sections 112(b)(8) and 121(c) of Public Law 105–220 concerning the provision of services only for postsecondary students and school dropouts" and inserting "the description and information specified in subparagraphs (B) and (C)(iii) of section 102(b)(2), and, as appropriate, section 103(b)(3)(A), and section 121(c), of the Workforce Innovation and Opportunity Act concerning the provision of services only for postsecondary students and school dropouts"; and

(C) in subsection (d)(2)—

(i) in the paragraph heading, by striking "501 PLAN" and inserting "COMBINED PLAN"; and

(ii) by striking "as part of the plan submitted under section 501 of Public Law 105–220" and inserting "as part of the plan submitted under section 103 of the Workforce Innovation and Opportunity Act".

(4) Section 124(c)(13) of such Act (20 U.S.C. 2344(c)(13)) is amended by striking "such as through referral to the system established under section 121 of Public Law 105–220" and inserting "such as through referral to the system established under section 121 of the Workforce Innovation and Opportunity Act".

(5) Section 134(b)(5) of such Act (20 U.S.C. 2354(b)(5)) is amended by striking "entities participating in activities described in section 117 of Public Law 105–220 (if applicable)" and inserting "entities participating in activities described in section 107 of the Workforce Innovation and Opportunity Act (if applicable)".

(6) Section 135(c)(16) of such Act (20 U.S.C. 2355(c)(16)) is amended by striking "such as through referral to the system established under section 121 of Public Law 105–220 (29 U.S.C. 2801 et seq.)" and inserting "such as through referral to the system established under section 121 of the Workforce Innovation and Opportunity Act".

(7) Section 321(b)(1) of such Act (20 U.S.C. 2411(b)(1)) is amended by striking "Chapters 4 and 5 of subtitle B of title I of Public Law 105–220" and inserting "Chapters 2 and 3 of subtitle B of title I of the Workforce Innovation and Opportunity Act".

(f) COMMUNITY SERVICES BLOCK GRANT ACT.—Section 676(b)(5) of the Community Services Block Grant Act (42 U.S.C. 9908(b)(5)) is amended by striking "the eligible entities will coordinate the provision of employment and training activities, as defined in section 101 of such Act, in the State and in communities with entities providing activities through statewide and local workforce investment systems under the Workforce Investment Act of 1998" and inserting "the eligible entities will coordinate the provision of employment and training activities, as defined in section 3 of the Workforce Innovation and Opportunity Act, in the State and in communities with entities providing activities through statewide and local workforce development systems under such Act".

(g) COMPACT OF FREE ASSOCIATION AMENDMENTS ACT OF 2003.—The Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 et seq.) is amended as follows:

(1) Section 105(f)(1)(B)(iii) of such Act (48 U.S.C. 1921d(f)(1)(B)(iii)) is amended by striking "title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), other than subtitle C of that Act (29 U.S.C. 2881 et seq.) (Job Corps), title II of the Workforce Investment Act of 1998 (20 U.S.C. 9201 et seq.; commonly known as the Adult Education and Family Literacy Act)," and inserting "titles I (other than subtitle C) and II of the Workforce Innovation and Opportunity Act,".

(2) Section 108(a) of such Act (48 U.S.C. 1921g(a)) is amended by striking "subtitle C of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2881 et seq.; relating to Job Corps)" and inserting "subtitle C of title I of the Workforce Innovation and Opportunity Act (relating to Job Corps)".

(h) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—Section 103(d) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4953(d)) is amended by striking "employment." and all that follows and inserting the following: "employment. Whenever feasible, such efforts shall be coordinated with an appropriate local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act.".

(i) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended as follows:

(1) Section 1203(c)(2)(A) of such Act (20 U.S.C. 6363(c)(2)(A)) is amended—

(A) by striking ", in consultation with the National Institute for Literacy,"; and

(B) by striking clause (ii); and

(C) by redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively.

(2) Section 1235(9)(B) of such Act (20 U.S.C. 6381d(9)(B)) is amended by striking "any relevant programs under the Adult Education and Family Literacy Act, the Individuals with Disabilities Education Act, and title I of the Workforce Investment Act of 1998" and inserting "any relevant programs under the Adult Education and Family Literacy Act, the Individuals with Disabilities Education Act, and title I of the Workforce Innovation and Opportunity Act".

(3) Section 1423(9) of such Act (20 U.S.C. 6453(9)) is amended by striking "a description of how the program under this subpart will be coordinated with other Federal, State, and local programs, such as programs under title I of Public Law 105–220" and inserting "a description of how the program under this subpart will be coordinated with other Federal, State, and local programs, such as programs under title I of the Workforce Innovation and Opportunity Act".

(4) Section 1425(9) of such Act (20 U.S.C. 6455(9)) is amended by striking "coordinate funds received under this subpart with other local, State, and Federal funds available to provide services to participating children and youth, such as funds made available under title I of Public Law 105–220," and inserting "coordinate funds received under this subpart with other local, State, and Federal funds available to provide

services to participating children and youth, such as funds made available under title I of the Workforce Innovation and Opportunity Act,".

(5) Section 7202(13)(H) of such Act (20 U.S.C. 7512(13)(H)) is amended by striking "the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)" and inserting "the Workforce Innovation and Opportunity Act".

(j) ENVIRONMENTAL PROGRAMS ASSISTANCE ACT OF 1984.—Section 2(a) of the Environmental Programs Assistance Act of 1984 (42 U.S.C. 4368a(a)) is amended by striking "Funding for such grants or agreements may be made available from such programs or through title V of the Older Americans Act of 1965 and subtitle D of title I of the Workforce Investment Act of 1998" and inserting "Funding for such grants or agreements may be made available from such programs or through title V of the Older Americans Act of 1965 and subtitle D of title I of the Workforce Innovation and Opportunity Act".

(k) ENERGY CONSERVATION AND PRODUCTION ACT.—Section 414(b)(3) of the Energy Conservation and Production Act (42 U.S.C. 6864(b)(3)) is amended by striking "securing, to the maximum extent practicable, the services of volunteers and training participants and public service employment workers, pursuant to title I of the Workforce Investment Act of 1998" and inserting "securing, to the maximum extent practicable, the services of volunteers and training participants and public service employment workers, pursuant to title I of the Workforce Innovation and Opportunity Act".

(l) FOOD AND NUTRITION ACT OF 2008.—The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended as follows:

(1) Section 5(l) of such Act (7 U.S.C. 2014(l)) is amended by striking "Notwithstanding section 181(a)(2) of the Workforce Investment Act of 1998, earnings to individuals participating in on-the-job-training under title I of the Workforce Investment Act of 1998" and inserting "Notwithstanding section 181(a)(2) of the Workforce Innovation and Opportunity Act, earnings to individuals participating in on-the-job training under title I of such Act".

(2) Section 6 of such Act (7 U.S.C. 2015) is amended—

(A) in subsection (d)(4)(M), by striking "activities under title I of the Workforce Investment Act of 1998" and inserting "activities under title I of the Workforce Innovation and Opportunity Act";

(B) in subsection (e)(3)(A), by striking "a program under title I of the Workforce Investment Act of 1998" and inserting "a program under title I of the Workforce Innovation and Opportunity Act"; and

(C) in subsection (o)(1)(A), by striking "a program under the title I of the Workforce Investment Act of 1998" and inserting "a program under title I of the Workforce Innovation and Opportunity Act".

(3) Section 17(b)(2) of such Act (7 U.S.C. 2026(b)(2)) is amended by striking "a program carried out under title I of the Workforce Investment Act of 1998" and inserting "a program carried out under title I of the Workforce Innovation and Opportunity Act".

(m) FULL EMPLOYMENT AND BALANCED GROWTH ACT OF 1978.—Section 206 of the Full Employment and Balanced Growth Act of 1978 (15 U.S.C. 3116) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking "the Secretary of Labor shall, as appropriate, fully utilize the authority provided under the Job Training Partnership Act and title I of the Workforce Investment Act of 1998" and inserting "the Secretary of Labor shall, as appropriate, fully utilize the authority provided under title I of the Workforce Innovation and Opportunity Act"; and

(2) in subsection (c)(1), by striking "the President shall, as may be authorized by law, establish reservoirs of public employment and private nonprofit employment projects, to be approved by the Secretary of Labor, through expansion of title I of the Workforce Investment Act of 1998" and inserting "the President shall, as may be authorized by law, establish reservoirs of public employment and private nonprofit employment projects, to be approved by the Secretary of Labor, through expansion of activities under title I of the Workforce Innovation and Opportunity Act".

(n) HIGHER EDUCATION ACT OF 1965.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended as follows:

(1) Section 418A of such Act (20 U.S.C. 1070d–2) is amended—

(A) in subsection (b)(1)(B)(ii), by striking "section 167 of the Workforce Investment Act of 1998" and inserting "section 167 of the Workforce Innovation and Opportunity Act"; and

(B) in subsection (c)(1)(A), by striking "section 167 of the Workforce Investment Act of 1998" and inserting "section 167 of the Workforce Innovation and Opportunity Act".

(2) Section 479(d)(1) of such Act (20 U.S.C. 1087ss(d)(1)) is amended by striking "The term 'dislocated worker' has the meaning given the term in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)" and inserting "The term 'dislocated worker' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act".

(3) Section 479A(a) of such Act (20 U.S.C. 1087tt(a)) is amended by striking "a dislocated worker (as defined in section 101 of the Workforce Investment Act of 1998)" and inserting "a dislocated worker (as defined in section 3 of the Workforce Innovation and Opportunity Act)".

(4) Section 480(b)(1)(I) of such Act (20 U.S.C. 1087vv(b)(1)(I)) is amended by striking "benefits received through participation in employment and training activities under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)" and inserting "benefits received through participation in employment and training activities under title I of the Workforce Innovation and Opportunity Act".

(5) Section 803 of such Act (20 U.S.C. 1161c) is amended—

(A) in subsection (i)(1), by striking "for changes to this Act and related Acts, such as the Carl D. Perkins Career and Technical Education Act of 2006 and the Workforce Investment Act of 1998 (including titles I and II), to help create and sustain business and industry workforce partnerships at institutions of higher education"

and inserting "for changes to this Act and related Acts, such as the Carl D. Perkins Career and Technical Education Act of 2006 and the Workforce Innovation and Opportunity Act (including titles I and II), to help create and sustain business and industry workforce partnerships at institutions of higher education"; and

(B) in subsection (j)(1)—

(i) in subparagraph (A)(ii), by striking "local board (as such term is defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))" and inserting "local board (as such term is defined in section 3 of the Workforce Innovation and Opportunity Act)"; and

(ii) in subparagraph (B), by striking "a State board (as such term is defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))" and inserting "a State board (as such term is defined in section 3 of the Workforce Innovation and Opportunity Act)".

(6) Section 861(c)(1)(B) of such Act (20 U.S.C. 1161q(c)(1)(B)) is amended by striking "local boards (as such term is defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))" and inserting "local boards (as such term is defined in section 3 of the Workforce Innovation and Opportunity Act)".

(7) Section 872(b)(2)(E) of such Act (20 U.S.C. 1161s(b)(2)(E)) is amended by striking "local boards (as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))" and inserting "local boards (as defined in section 3 of the Workforce Innovation and Opportunity Act)".

(o) HOUSING ACT OF 1949.—Section 504(c)(3) of the Housing Act of 1949 (42 U.S.C. 1474(c)(3)) is amended by striking "an insufficient number of volunteers and training participants and public service employment workers, assisted pursuant to title I of the Workforce Investment Act of 1998 or the Older American Community Service Employment Act," and inserting "an insufficient number of volunteers and training participants and public service employment workers, assisted pursuant to title I of the Workforce Innovation and Opportunity Act or the Community Service Senior Opportunities Act,".

(p) HOUSING AND URBAN DEVELOPMENT ACT OF 1968.—Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) is amended—

(1) in subsection (c)—

(A) in paragraph (1)(B)(iii), by striking "participants in YouthBuild programs receiving assistance under section 173A of the Workforce Investment Act of 1998" and inserting "participants in YouthBuild programs receiving assistance under section 171 of the Workforce Innovation and Opportunity Act"; and

(B) in paragraph (2)(B), by striking "participants in YouthBuild programs receiving assistance under section 173A of the Workforce Investment Act of 1998" and inserting "participants in YouthBuild programs receiving assistance under section 171 of the Workforce Innovation and Opportunity Act"; and

(2) in subsection (d)—

(A) in paragraph (1)(B)(iii), by striking "To YouthBuild programs receiving assistance under section 173A of the

Workforce Investment Act of 1998" and inserting "To YouthBuild programs receiving assistance under section 171 of the Workforce Innovation and Opportunity Act"; and

(B) in paragraph (2)(B), by striking "to YouthBuild programs receiving assistance under section 173A of the Workforce Investment Act of 1998" and inserting "to YouthBuild programs receiving assistance under section 171 of the Workforce Innovation and Opportunity Act".

(q) IMMIGRATION AND NATIONALITY ACT.—Section 245A(h)(4)(F) of the Immigration and Nationality Act (8 U.S.C. 1255a(h)(4)(F)) is amended by striking "Title I of the Workforce Investment Act of 1998" and inserting "Title I of the Workforce Innovation and Opportunity Act".

(r) INTERNAL REVENUE CODE OF 1986.—Section 7527(e)(2) of the Internal Revenue Code of 1986 is amended by inserting "(as in effect on the day before the date of enactment of the Workforce Innovation and Opportunity Act)" after "of 1998". 26 USC 7527.

(s) MCKINNEY-VENTO HOMELESS ASSISTANCE ACT.—Section 103(c)(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(c)(2)) is amended by striking "a homeless individual shall be eligible for assistance under title I of the Workforce Investment Act of 1998" and inserting "a homeless individual shall be eligible for assistance under title I of the Workforce Innovation and Opportunity Act".

(t) MUSEUM AND LIBRARY SERVICES ACT.—The Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended as follows:

(1) Section 204(f)(3) of such Act (20 U.S.C. 9103(f)(3)) is amended by striking "activities under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) (including activities under section 134(c) of such Act) (29 U.S.C. 2864(c))" and inserting "activities under the Workforce Innovation and Opportunity Act (including activities under section 121(e) of such Act))".

(2) Section 224(b)(6)(C) of such Act (20 U.S.C. 9134(b)(6)(C)) is amended—

(A) in clause (i), by striking "the activities carried out by the State workforce investment board under section 111(d) of the Workforce Investment Act of 1998 (29 U.S.C. 2821(d))" and inserting "the activities carried out by the State workforce development board under section 101 of the Workforce Innovation and Opportunity Act"; and

(B) in clause (ii), by striking "the State's one-stop delivery system established under section 134(c) of such Act (29 U.S.C. 2864(c))" and inserting "the State's one-stop delivery system established under section 121(e) of such Act".

(u) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—The National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) is amended as follows:

(1) Section 112(a)(3)(B) of such Act (42 U.S.C. 12523(a)(3)(B)) is amended by striking "or who may participate in a Youthbuild program under section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a)" and inserting "or who may participate in a Youthbuild program under section 171 of the Workforce Innovation and Opportunity Act".

(2) Section 199L(a) of such Act (42 U.S.C. 12655m(a)) is amended by striking "coordinated with activities supported with

assistance made available under programs administered by the heads of such agencies (including title I of the Workforce Investment Act of 1998)" and inserting "coordinated with activities supported with assistance made available under programs administered by the heads of such agencies (including title I of the Workforce Innovation and Opportunity Act)".

(v) NATIONAL ENERGY CONSERVATION POLICY ACT.—Section 233 of the National Energy Conservation and Policy Act (42 U.S.C. 6873) is amended, in the matter preceding paragraph (1), by striking "a sufficient number of volunteers and training participants and public service employment workers, assisted pursuant to title I of the Workforce Investment Act of 1998 and the Older American Community Service Employment Act" and inserting "a sufficient number of volunteers and training participants and public service employment workers, assisted pursuant to title I of the Workforce Innovation and Opportunity Act and the Community Service Senior Opportunities Act".

(w) OLDER AMERICANS ACT OF 1965.—The Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) is amended as follows:

(1) Section 203 of such Act (42 U.S.C. 3013) is amended—

(A) in subsection (a)(2), by striking "In particular, the Secretary of Labor shall consult and cooperate with the Assistant Secretary in carrying out title I of the Workforce Investment Act of 1998" and inserting "In particular, the Secretary of Labor shall consult and cooperate with the Assistant Secretary in carrying out title I of the Workforce Innovation and Opportunity Act"; and

(B) in subsection (b)(1), by striking "title I of the Workforce Investment Act of 1998" and inserting "title I of the Workforce Innovation and Opportunity Act".

(2) Section 321(a)(12) of such Act (42 U.S.C. 3030d(a)(12)) is amended by striking "including programs carried out under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)" and inserting "including programs carried out under the Workforce Innovation and Opportunity Act".

(3) Section 502 of such Act (42 U.S.C. 3056) is amended—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (H), by striking "will coordinate activities with training and other services provided under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), including utilizing the one-stop delivery system of the local workforce investment areas involved" and inserting "will coordinate activities with training and other services provided under title I of the Workforce Innovation and Opportunity Act, including utilizing the one-stop delivery system of the local workforce development areas involved";

(II) in subparagraph (O)—

(aa) by striking "through the one-stop delivery system of the local workforce investment areas involved as established under section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c))," and inserting "through the one-stop delivery system of the local workforce development areas involved as

established under section 121(e) of the Workforce Innovation and Opportunity Act,"; and

(bb) by striking "and will be involved in the planning and operations of such system pursuant to a memorandum of understanding with the local workforce investment board in accordance with section 121(c) of such Act (29 U.S.C. 2841(c))" and inserting "and will be involved in the planning and operations of such system pursuant to a memorandum of understanding with the local workforce development board in accordance with section 121(c) of such Act"; and

(III) in subparagraph (Q)—

(aa) in clause (i), by striking "paragraph (8), relating to coordination with other Federal programs, of section 112(b) of the Workforce Investment Act of 1998 (29 U.S.C. 2822(b))" and inserting "clauses (ii) and (viii) of paragraph (2)(B), relating to coordination with other Federal programs, of section 102(b) of the Workforce Innovation and Opportunity Act"; and

(bb) in clause (ii), by striking "paragraph (14), relating to implementation of one-stop delivery systems, of section 112(b) of the Workforce Investment Act of 1998" and inserting "paragraph (2)(C)(i), relating to implementation of one-stop delivery systems, of section 102(b) of the Workforce Innovation and Opportunity Act"; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking "An assessment and service strategy required by paragraph (1)(N) to be prepared for an eligible individual shall satisfy any condition for an assessment and service strategy or individual employment plan for an adult participant under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.), in order to determine whether such eligible individual also qualifies for intensive or training services described in section 134(d) of such Act (29 U.S.C. 2864(d))." and inserting "An assessment and service strategy required by paragraph (1)(N) to be prepared for an eligible individual shall satisfy any condition for an assessment and service strategy or individual employment plan for an adult participant under subtitle B of title I of the Workforce Innovation and Opportunity Act, in order to determine whether such eligible individual also qualifies for career or training services described in section 134(c) of such Act."; and

(II) in subparagraph (B)—

(aa) in the subparagraph heading, by striking "WORKFORCE INVESTMENT ACT OF 1998"

and inserting "WORKFORCE INNOVATION AND OPPORTUNITY ACT"; and

(bb) by striking "An assessment and service strategy or individual employment plan prepared under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.)" and inserting "An assessment and service strategy or individual employment plan prepared under subtitle B of title I of the Workforce Innovation and Opportunity Act"; and

(B) in subsection (e)(2)(B)(ii), by striking "one-stop delivery systems established under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)" and inserting "one-stop delivery systems established under section 121(e) of the Workforce Innovation and Opportunity Act".

(4) Section 503 of such Act (42 U.S.C. 3056a) is amended—

(A) in subsection (a)—

(i) in paragraph (2)(A), by striking "the State and local workforce investment boards established under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)" and inserting "the State and local workforce development boards established under title I of the Workforce Innovation and Opportunity Act"; and

(ii) in paragraph (4)(F), by striking "plans for facilitating the coordination of activities of grantees in the State under this title with activities carried out in the State under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)" and inserting "plans for facilitating the coordination of activities of grantees in the State under this title with activities carried out in the State under title I of the Workforce Innovation and Opportunity Act"; and

(B) in subsection (b)(2)(A), by striking "with the program carried out under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)" and inserting "with the program carried out under the Workforce Innovation and Opportunity Act".

(5) Section 505(c)(1) (42 U.S.C. 3056c(c)(1)) of such Act is amended by striking "activities carried out under other Acts, especially activities provided under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), including activities provided through one-stop delivery systems established under section 134(c)) of such Act (29 U.S.C. 2864(c)),," and inserting "activities carried out under other Acts, especially activities provided under the Workforce Innovation and Opportunity Act, including activities provided through one-stop delivery systems established under section 121(e) of such Act,".

(6) Section 510 of such Act (42 U.S.C. 3056h) is amended—

(A) by striking "by local workforce investment boards and one-stop operators established under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)" and inserting "by local workforce development boards and one-stop operators established under title I of the Workforce Innovation and Opportunity Act"; and

(B) by striking "such title I" and inserting "such title".

(7) Section 511 of such Act (42 U.S.C. 3056i) is amended—

(A) in subsection (a), by striking "Grantees under this title shall be one-stop partners as described in subparagraphs (A) and (B)(vi) of section 121(b)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(b)(1)) in the one-stop delivery system established under section 134(c) of such Act (29 U.S.C. 2864(c)) for the appropriate local workforce investment areas" and inserting "Grantees under this title shall be one-stop partners as described in subparagraphs (A) and (B)(v) of section 121(b)(1) of the Workforce Innovation and Opportunity Act in the one-stop delivery system established under section 121(e) of such Act for the appropriate local workforce development areas"; and

(B) in subsection (b)(2), by striking "be signatories of the memorandum of understanding established under section 121(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(c))" and inserting "be signatories of the memorandum of understanding established under section 121(c) of the Workforce Innovation and Opportunity Act".

(8) Section 518(b)(2)(F) of such Act (42 U.S.C. 3056p(b)(2)(F)) is amended by striking "has failed to find employment after utilizing services provided under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)" and inserting "has failed to find employment after utilizing services provided under title I of the Workforce Innovation and Opportunity Act".

(x) PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.—Section 403(c)(2)(K) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(c)(2)(K)) is amended by striking "Benefits under the title I of the Workforce Investment Act of 1998" and inserting "Benefits under title I of the Workforce Innovation and Opportunity Act".

(y) PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Section 5101(d)(3)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 294q(d)(3)(D)) is amended by striking "other health care workforce programs, including those supported through the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)," and inserting "other health care workforce programs, including those supported through the Workforce Innovation and Opportunity Act,".

(z) PUBLIC HEALTH SERVICE ACT.—The Public Health Service Act (42 U.S.C. 201 et seq.) is amended as follows:

(1) Section 399V(e) of such Act (42 U.S.C. 280g–11(e)) is amended by striking "one-stop delivery systems under section 134(c) of the Workforce Investment Act of 1998" and inserting "one-stop delivery systems under section 121(e) of the Workforce Innovation and Opportunity Act".

(2) Section 751(c)(1)(A) of such Act (42 U.S.C. 294a(c)(1)(A)) is amended by striking "the applicable one-stop delivery system under section 134(c) of the Workforce Investment Act of 1998," and inserting "the applicable one-stop delivery system under section 121(e) of the Workforce Innovation and Opportunity Act,".

(3) Section 799B(23) of such Act (42 U.S.C. 295p(23)) is amended by striking "one-stop delivery system described in section 134(c) of the Workforce Investment Act of 1998 (29

U.S.C. 2864(c))" and inserting "one-stop delivery system described in section 121(e) of the Workforce Innovation and Opportunity Act".

(aa) RUNAWAY AND HOMELESS YOUTH ACT.—Section 322(a)(7) of the Runaway and Homeless Youth Act (42 U.S.C. 5714–2(a)(7)) is amended by striking "(including services and programs for youth available under the Workforce Investment Act of 1998)" and inserting "(including services and programs for youth available under the Workforce Innovation and Opportunity Act)".

(bb) SECOND CHANCE ACT OF 2007.—The Second Chance Act of 2007 (42 U.S.C. 17501 et seq.) is amended as follows:

(1) Section 212 of such Act (42 U.S.C. 17532) is amended—

(A) in subsection (c)(1)(B), by striking "in coordination with the one-stop partners and one-stop operators (as such terms are defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)) that provide services at any center operated under a one-stop delivery system established under section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c))," and inserting "in coordination with the one-stop partners and one-stop operators (as such terms are defined in section 3 of the Workforce Innovation and Opportunity Act) that provide services at any center operated under a one-stop delivery system established under section 121(e) of the Workforce Innovation and Opportunity Act,"; and

(B) in subsection (d)(1)(B)(iii), by striking "the local workforce investment boards established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832))," and inserting "the local workforce development boards established under section 107 of the Workforce Innovation and Opportunity Act,".

(2) Section 231(e) of such Act (42 U.S.C. 17541(e)) is amended by striking "the one-stop partners and one-stop operators (as such terms are defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)) that provide services at any center operated under a one-stop delivery system established under section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c))" and inserting "the one-stop partners and one-stop operators (as such terms are defined in section 3 of the Workforce Innovation and Opportunity Act) that provide services at any center operated under a one-stop delivery system established under section 121(e) of the Workforce Innovation and Opportunity Act".

(cc) SMALL BUSINESS ACT.—Section 7(j)(13)(E) of the Small Business Act (15 U.S.C. 636(j)(13)(E)) is amended by striking "an institution eligible to provide skills training or upgrading under title I of the Workforce Investment Act of 1998" and inserting "an institution eligible to provide skills training or upgrading under title I of the Workforce Innovation and Opportunity Act".

(dd) SOCIAL SECURITY ACT.—The Social Security Act (42 U.S.C. 301 et seq.) is amended as follows:

(1) Section 403(a)(5) of such Act (42 U.S.C. 603(a)(5)) is amended—

(A) in subparagraph (A)(vii)(I), by striking "chief elected official (as defined in section 101 of the Workforce Investment Act of 1998)" and inserting "chief elected official

(as defined in section 3 of the Workforce Innovation and Opportunity Act)"; and

(B) in subparagraph (D)(ii), by striking "local workforce investment board established for the service delivery area pursuant to title I of the Workforce Investment Act of 1998, as appropriate" and inserting "local workforce development board established for the local workforce development area pursuant to title I of the Workforce Innovation and Opportunity Act, as appropriate".

(2) Section 1148(f)(1)(B) of such Act (42 U.S.C. 1320b–19(f)(1)(B)) is amended by striking "a one-stop delivery system established under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.)" and inserting "a one-stop delivery system established under section 121(e) of the Workforce Innovation and Opportunity Act".

(3) Section 1149(a)(3) of such Act (42 U.S.C. 1320b–20(a)(3)) is amended by striking "a one-stop delivery system established under subtitle B of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq.)" and inserting "a one-stop delivery system established under section 121(e) of the Workforce Innovation and Opportunity Act".

(4) Section 2008(a) of such Act (42 U.S.C. 1397g(a)) is amended—

(A) in paragraph (2)(B), by striking "the State workforce investment board established under section 111 of the Workforce Investment Act of 1998" and inserting "the State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act"; and

(B) in paragraph (4)(A), by striking "a local workforce investment board established under section 117 of the Workforce Investment Act of 1998," and inserting "a local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act,".

(ee) TITLE 18 OF THE UNITED STATES CODE.—Section 665 of title 18 of the United States Code is amended—

(1) in subsection (a), by striking "Whoever, being an officer, director, agent, or employee of, or connected in any capacity with any agency or organization receiving financial assistance or any funds under the Job Training Partnership Act or title I of the Workforce Investment Act of 1998" and inserting "Whoever, being an officer, director, agent, or employee of, or connected in any capacity with any agency or organization receiving financial assistance or any funds under title I of the Workforce Innovation and Opportunity Act or title I of the Workforce Investment Act of 1998";

(2) in subsection (b), by striking "a contract of employment in connection with a financial assistance agreement or contract under the Job Training Partnership Act or title I of the Workforce Investment Act of 1998" and inserting "a contract of employment in connection with a financial assistance agreement or contract under title I of the Workforce Innovation and Opportunity Act or title I of the Workforce Investment Act of 1998"; and

(3) in subsection (c), by striking "Whoever willfully obstructs or impedes or willfully endeavors to obstruct or impede, an investigation or inquiry under the Job Training

Partnership Act or title I of the Workforce Investment Act of 1998," and inserting "Whoever willfully obstructs or impedes or willfully endeavors to obstruct or impede, an investigation or inquiry under title I of the Workforce Innovation and Opportunity Act or title I of the Workforce Investment Act of 1998,".

(ff) TITLE 31 OF THE UNITED STATES CODE.—Section 6703(a)(4) of title 31 of the United States Code is amended by striking "Programs under title I of the Workforce Investment Act of 1998." and inserting "Programs under title I of the Workforce Innovation and Opportunity Act.".

(gg) TITLE 38 OF THE UNITED STATES CODE.—Title 38 of the United States Code is amended as follows:

(1) Section 4101(9) of title 38 of the United States Code is amended by striking "The term 'intensive services' means local employment and training services of the type described in section 134(d)(3) of the Workforce Investment Act of 1998" and inserting "The term 'career services' means local employment and training services of the type described in section 134(c)(2) of the Workforce Innovation and Opportunity Act".

(2) Section 4102A of title 38 of the United States Code is amended—

(A) in subsection (d), by striking "participation of qualified veterans and eligible persons in employment and training opportunities under title I of the Workforce Investment Act of 1998" and inserting "participation of qualified veterans and eligible persons in employment and training opportunities under title I of the Workforce Innovation and Opportunity Act"; and

(B) in subsection (f)(2)(A), by striking "be consistent with State performance measures applicable under section 136(b) of the Workforce Investment Act of 1998" and inserting "be consistent with State performance accountability measures applicable under section 116(b) of the Workforce Innovation and Opportunity Act".

(3) Section 4104A of title 38 of the United States Code is amended—

(A) in subsection (b)(1)(B), by striking "the appropriate State boards and local boards (as such terms are defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))" and inserting "the appropriate State boards and local boards (as such terms are defined in section 3 of the Workforce Innovation and Opportunity Act)"; and

(B) in subsection (c)(1)(A), by striking "the appropriate State boards and local boards (as such terms are defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))" and inserting "the appropriate State boards and local boards (as such terms are defined in section 3 of the Workforce Innovation and Opportunity Act)".

(4) Section 4110B of title 38 of the United States Code is amended by striking "enter into an agreement with the Secretary regarding the implementation of the Workforce Investment Act of 1998 that includes the description and information described in paragraphs (8) and (14) of section 112(b) of the Workforce Investment Act of 1998 (29 U.S.C.

2822(b))" and inserting "enter into an agreement with the Secretary regarding the implementation of the Workforce Innovation and Opportunity Act that includes the descriptions described in sections 102(b)(2)(B)(ii) and 103(b)(3)(A) of the Workforce Innovation and Opportunity Act and a description of how the State board will carry out the activities described in section 101(d)(3)(F) of such Act".

(5) Section 4213(a)(4) of title 38 of the United States Code is amended by striking "Any employment or training program carried out under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)" and inserting "Any employment or training program carried out under title I of the Workforce Innovation and Opportunity Act".

(hh) TRADE ACT OF 1974.—The Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended as follows:

(1) Section 221(a) of such Act (19 U.S.C. 2271) is amended—

(A) in paragraph (1)(C)—

(i) by striking ", one-stop operators or one-stop partners (as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)) including State employment security agencies," and inserting ", one-stop operators or one-stop partners (as defined in section 3 of the Workforce Innovation and Opportunity Act) including State employment security agencies,"; and

(ii) by striking "or the State dislocated worker unit established under title I of such Act," and inserting "or a State dislocated worker unit,"; and

(B) in subsection (a)(2)(A), by striking "rapid response activities and appropriate core and intensive services (as described in section 134 of the Workforce Investment Act of 1998 (29 U.S.C. 2864)) authorized under other Federal laws" and inserting "rapid response activities and appropriate career services (as described in section 134 of the Workforce Innovation and Opportunity Act) authorized under other Federal laws".

(2) Section 222(d)(2)(A)(iv) of such Act (19 U.S.C. 2272(d)(2)(A)(iv)) is amended by striking "one-stop operators or one-stop partners (as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801))" and inserting "one-stop operators or one-stop partners (as defined in section 3 of the Workforce Innovation and Opportunity Act)".

(3) Section 236(a)(5) of such Act (19 U.S.C. 2296(a)(5)) is amended—

(A) in subparagraph (B), by striking "any training program provided by a State pursuant to title I of the Workforce Investment Act of 1998" and inserting "any training program provided by a State pursuant to title I of the Workforce Innovation and Opportunity Act"; and

(B) in the flush text following subparagraph (H), by striking "The Secretary may not limit approval of a training program under paragraph (1) to a program provided pursuant to title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)." and inserting "The Secretary may not limit approval of a training program under paragraph (1) to a program provided pursuant to title I of the Workforce Innovation and Opportunity Act.".

(4) Section 239 of such Act (19 U.S.C. 2311) is amended—

(A) in subsection (f), by striking "Any agreement entered into under this section shall provide for the coordination of the administration of the provisions for employment services, training, and supplemental assistance under sections 235 and 236 of this Act and under title I of the Workforce Investment Act of 1998" and inserting "Any agreement entered into under this section shall provide for the coordination of the administration of the provisions for employment services, training, and supplemental assistance under sections 235 and 236 of this Act and under title I of the Workforce Innovation and Opportunity Act"; and

(B) in subsection (h), by striking "the description and information described in paragraphs (8) and (14) of section 112(b) of the Workforce Investment Act of 1998 (29 U.S.C. 2822(b))" and inserting "the descriptions described in sections 102(b)(2)(B)(ii) and 103(b)(3)(A) of the Workforce Innovation and Opportunity Act, a description of how the State board will carry out the activities described in section 101(d)(3)(F) of such Act,".

(ii) UNITED STATES HOUSING ACT OF 1937.—Section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u) is amended—

(1) in subsection (b)(2)(A), by striking "lack of supportive services accessible to eligible families, which shall include insufficient availability of resources for programs under title I of the Workforce Investment Act of 1998" and inserting "lack of supportive services accessible to eligible families, which shall include insufficient availability of resources for programs under title I of the Workforce Innovation and Opportunity Act";

(2) in subsection (f)(2), by striking "the local agencies (if any) responsible for carrying out programs under title I of the Workforce Investment Act of 1998 or the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act," and inserting "the local agencies (if any) responsible for carrying out programs under title I of the Workforce Innovation and Opportunity Act or the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act,"; and

(3) in subsection (g)—

(A) in paragraph (2), by striking "any local agencies responsible for programs under title I of the Workforce Investment Act of 1998 or the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act" and inserting "any local agencies responsible for programs under title I of the Workforce Innovation and Opportunity Act or the Job Opportunities and Basic Skills Training Program under part F of title IV of the Social Security Act"; and

(B) in paragraph (3)(H), by striking "programs under title I of the Workforce Investment Act of 1998 and any other relevant employment, child care, transportation, training, and education programs in the applicable area" and inserting "programs under title I of the Workforce Innovation and Opportunity Act and any other relevant employment, child care, transportation, training, and education programs in the applicable area".

(jj) VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994.—Section 31113(a)(4)(C) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13823(a)(4)(C)) is amended by striking "job training programs authorized under title I of the Workforce Investment Act of 1998 or the Family Support Act of 1988 (Public Law 100–485)" and inserting "job training programs authorized under title I of the Workforce Innovation and Opportunity Act or the Family Support Act of 1988 (Public Law 100–485)".

(kk) WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT.—Section 3(a)(2) of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102(a)(2)) is amended by striking "the State or entity designated by the State to carry out rapid response activities under section 134(a)(2)(A) of the Workforce Investment Act of 1998," and inserting "the State or entity designated by the State to carry out rapid response activities under section 134(a)(2)(A) of the Workforce Innovation and Opportunity Act,".

29 USC 3361.

SEC. 513. REFERENCES.

(a) WORKFORCE INVESTMENT ACT OF 1998 REFERENCES.—Except as otherwise specified, a reference in a Federal law to a provision of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) shall be deemed to refer to the corresponding provision of this Act.

(b) WAGNER-PEYSER ACT REFERENCES.—Except as otherwise specified, a reference in a Federal law to a provision of the Wagner-Peyser Act (29 U.S.C. 49 et seq.) shall be deemed to refer to the corresponding provision of such Act, as amended by this Act.

(c) DISABILITY-RELATED REFERENCES.—Except as otherwise specified, a reference in a Federal law to a provision of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) shall be deemed to refer to the corresponding provision of such Act, as amended by this Act.

Approved July 22, 2014.

LEGISLATIVE HISTORY—H.R. 803:

HOUSE REPORTS: No. 113–14, Pt. 1 (Comm. on Education and the Workforce).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Mar. 15, considered and passed House.
Vol. 160 (2014): June 25, considered and passed Senate, amended.
July 9, House concurred in Senate amendments.
DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
July 22, Presidential remarks.

Public Law 113–129
113th Congress

An Act

To amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, and for other purposes.

July 25, 2014
[H.R. 255]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CLARIFYING CERTAIN PROPERTY DESCRIPTIONS IN PROVO RIVER PROJECT TRANSFER ACT.

Utah.

(a) PLEASANT GROVE PROPERTY.—Section 2(4)(A) of the Provo River Project Transfer Act (Public Law 108–382; 118 Stat. 2212) is amended by striking "of enactment of this Act" and inserting "on which the parcel is conveyed under section 3(a)(2)".

(b) PROVO RESERVOIR CANAL.—Section 2(5) of the Provo River Project Transfer Act (Public Law 108–382; 118 Stat. 2212) is amended—

(1) by striking "canal, and any associated land, rights-of-way, and facilities" and inserting "water conveyance facility historically known as the Provo Reservoir Canal and all associated bridges, fixtures, structures, facilities, lands, interests in land, and rights-of-way held,";

(2) by inserting "and forebay" after "Diversion Dam";

(3) by inserting "near the Jordan Narrows to the point where water is discharged to the Welby-Jacob Canal and the Utah Lake Distributing Canal" after "Penstock"; and

(4) by striking "of enactment of this Act" and inserting "on which the Provo Reservoir Canal is conveyed under section 3(a)(1)".

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 255:

HOUSE REPORTS: No. 113–200 (Comm. on Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Dec. 3, considered and passed House.
Vol. 160 (2014): July 9, considered and passed Senate.

Public Law 113–130
113th Congress

An Act

July 25, 2014
[H.R. 272]

To designate the Department of Veterans Affairs and Department of Defense joint outpatient clinic to be constructed in Marina, California, as the "Major General William H. Gourley VA–DOD Outpatient Clinic".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NAME OF THE DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE JOINT OUTPATIENT CLINIC, MARINA, CALIFORNIA.

(a) DESIGNATION.—The Department of Veterans Affairs and Department of Defense joint outpatient clinic to be constructed at the intersection of the proposed Ninth Street and the proposed First Avenue in Marina, California, shall be known and designated as the "Major General William H. Gourley VA–DOD Outpatient Clinic".

(b) REFERENCES.—Any reference in a law, regulation, map, document, record, or other paper of the United States to the Department of Veterans Affairs and Department of Defense joint outpatient clinic referred to in subsection (a) shall be deemed to be a reference to the "Major General William H. Gourley VA–DOD Outpatient Clinic".

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 272:

CONGRESSIONAL RECORD:
Vol. 159 (2013): Nov. 18, considered and passed House.
Vol. 160 (2014): July 9, considered and passed Senate.

Public Law 113–131
113th Congress

An Act

To provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota.

July 25, 2014
[H.R. 291]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Black Hills Cemetery Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Black Hills Cemetery Act".

SEC. 2. LAND CONVEYANCES, CERTAIN CEMETERIES LOCATED IN BLACK HILLS NATIONAL FOREST, SOUTH DAKOTA.

(a) CEMETERY CONVEYANCES REQUIRED.—The Secretary of Agriculture shall convey, without consideration, to the local communities in South Dakota that are currently managing and maintaining certain community cemeteries (as specified in subsection (b)) all right, title, and interest of the United States in and to—

(1) the parcels of National Forest System land containing such cemeteries; and

(2) up to an additional two acres adjoining each cemetery in order to ensure the conveyances include unmarked gravesites and allow for expansion of the cemeteries.

(b) PROPERTY AND RECIPIENTS.—The properties to be conveyed under subsection (a), and the recipients of each property, are as follows:

(1) The Silver City Cemetery to the Silver City Volunteer Fire Department.

(2) The Hayward Cemetery to the Hayward Volunteer Fire Department.

(3) The encumbered land adjacent to the Englewood Cemetery (encompassing the cemetery entrance portal, access road, fences, 2,500 gallon reservoir and building housing such reservoir, and piping to provide sprinkling system to the cemetery) to the City of Lead.

(4) The land adjacent to the Mountain Meadow Cemetery to the Mountain Meadow Cemetery Association.

(5) The Roubaix Cemetery to the Roubaix Cemetery Association.

(6) The Nemo Cemetery to the Nemo Cemetery Association.

(7) The Galena Cemetery to the Galena Historical Society.

(8) The Rockerville Cemetery to the Rockerville Community Club.

(9) The Cold Springs Cemetery (including adjacent school yard and log building) to the Cold Springs Historical Society.

(c) CONDITION OF CONVEYANCE.—Each conveyance under subsection (a) shall be subject to the condition that the recipient

accept the conveyed real property in its condition at the time of the conveyance.

(d) USE OF LAND CONVEYED.—The lands conveyed under subsection (a) shall continue to be used in the same manner and for the same purposes as they were immediately prior to their conveyance under this Act.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of each parcel of real property to be conveyed under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the survey for a particular parcel shall be borne by the recipient of such parcel.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 291 (S. 447):

HOUSE REPORTS: No. 113–26 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–63 (Comm. on Energy and Natural Resources) accompanying S. 447.
CONGRESSIONAL RECORD:
Vol. 159 (2013): May 6, considered and passed House.
Vol. 160 (2014): July 9, considered and passed Senate.

Public Law 113–132
113th Congress

An Act

To designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California.

July 25, 2014
[H.R. 330]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Distinguished Flying Cross National Memorial Act.
16 USC 431 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Distinguished Flying Cross National Memorial Act".

SEC. 2. DESIGNATION OF DISTINGUISHED FLYING CROSS NATIONAL MEMORIAL IN RIVERSIDE, CALIFORNIA.

(a) FINDINGS.—Congress finds the following:

(1) The most reliable statistics regarding the number of members of the Armed Forces who have been awarded the Distinguished Flying Cross indicate that 126,318 members of the Armed Forces received the medal during World War II, approximately 21,000 members received the medal during the Korean conflict, and 21,647 members received the medal during the Vietnam War. Since the end of the Vietnam War, more than 203 Armed Forces members have received the medal in times of conflict.

(2) The National Personnel Records Center in St. Louis, Missouri, burned down in 1973, and thus many more recipients of the Distinguished Flying Cross may be undocumented. Currently, the Department of Defense continues to locate and identify members of the Armed Forces who have received the medal and are undocumented.

(3) The United States currently lacks a national memorial dedicated to the bravery and sacrifice of those members of the Armed Forces who have distinguished themselves by heroic deeds performed in aerial flight.

(4) An appropriate memorial to current and former members of the Armed Forces is under construction at March Field Air Museum in Riverside, California.

(5) This memorial will honor all those members of the Armed Forces who have distinguished themselves in aerial flight, whether documentation of such members who earned the Distinguished Flying Cross exists or not.

(b) DESIGNATION.—The memorial to members of the Armed Forces who have been awarded the Distinguished Flying Cross, located at March Field Air Museum in Riverside, California, is hereby designated as the Distinguished Flying Cross National Memorial.

(c) EFFECT OF DESIGNATION.—The national memorial designated by this section is not a unit of the National Park System, and the designation of the national memorial shall not be construed to require or permit Federal funds to be expended for any purpose related to the national memorial.

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 330:

HOUSE REPORTS: No. 113–79 (Comm. on Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Oct. 29, considered and passed House.
Vol. 160 (2014): July 9, considered and passed Senate.

Public Law 113–133
113th Congress

An Act

To clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes".

July 25, 2014
[H.R. 356]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Hill Creek Cultural Preservation and Energy Development Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hill Creek Cultural Preservation and Energy Development Act".

SEC. 2. CLARIFICATION OF AUTHORITY.

The Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes", approved March 11, 1948 (62 Stat. 72), as amended by the Act entitled "An Act to amend the Act extending the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah so as to authorize such State to exchange certain mineral lands for other lands mineral in character" approved August 9, 1955, (69 Stat. 544), is further amended by adding at the end the following:

"SEC. 5. In order to further clarify authorizations under this Act, the State of Utah is hereby authorized to relinquish to the United States, for the benefit of the Ute Indian Tribe of the Uintah and Ouray Reservation, State school trust or other State-owned subsurface mineral lands located beneath the surface estate delineated in Public Law 440 (approved March 11, 1948) and south of the border between Grand County, Utah, and Uintah County, Utah, and select in lieu of such relinquished lands, on an acre-for-acre basis, any subsurface mineral lands of the United States located beneath the surface estate delineated in Public Law 440 (approved March 11, 1948) and north of the border between Grand County, Utah, and Uintah County, Utah, subject to the following conditions:

"(1) RESERVATION BY UNITED STATES.—The Secretary of the Interior shall reserve an overriding interest in that portion of the mineral estate comprised of minerals subject to leasing under the Mineral Leasing Act (30 U.S.C. 171 et seq.) in any mineral lands conveyed to the State.

"(2) EXTENT OF OVERRIDING INTEREST.—The overriding interest reserved by the United States under paragraph (1) shall consist of—

"(A) 50 percent of any bonus bid or other payment received by the State as consideration for securing any lease or authorization to develop such mineral resources;

"(B) 50 percent of any rental or other payments received by the State as consideration for the lease or authorization to develop such mineral resources;

"(C) a 6.25 percent overriding royalty on the gross proceeds of oil and gas production under any lease or authorization to develop such oil and gas resources; and

"(D) an overriding royalty on the gross proceeds of production of such minerals other than oil and gas, equal to 50 percent of the royalty rate established by the Secretary of the Interior by regulation as of October 1, 2011.

"(3) RESERVATION BY STATE OF UTAH.—The State of Utah shall reserve, for the benefit of its State school trust, an overriding interest in that portion of the mineral estate comprised of minerals subject to leasing under the Mineral Leasing Act (30 U.S.C. 181 et seq.) in any mineral lands relinquished by the State to the United States.

"(4) EXTENT OF OVERRIDING INTEREST.—The overriding interest reserved by the State under paragraph (3) shall consist of—

"(A) 50 percent of any bonus bid or other payment received by the United States as consideration for securing any lease or authorization to develop such mineral resources on the relinquished lands;

"(B) 50 percent of any rental or other payments received by the United States as consideration for the lease or authorization to develop such mineral resources;

"(C) a 6.25 percent overriding royalty on the gross proceeds of oil and gas production under any lease or authorization to develop such oil and gas resources; and

"(D) an overriding royalty on the gross proceeds of production of such minerals other than oil and gas, equal to 50 percent of the royalty rate established by the Secretary of the Interior by regulation as of October 1, 2011.

"(5) NO OBLIGATION TO LEASE.—Neither the United States nor the State shall be obligated to lease or otherwise develop oil and gas resources in which the other party retains an overriding interest under this section.

"(6) COOPERATIVE AGREEMENTS.—The Secretary of the Interior is authorized to enter into cooperative agreements with the State and the Ute Indian Tribe of the Uintah and Ouray Reservation to facilitate the relinquishment and selection of

lands to be conveyed under this section, and the administration of the overriding interests reserved hereunder.".

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 356 (S. 27):

HOUSE REPORTS: No. 113–57 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–49 (Comm. on Energy and Natural Resources) accompanying S. 27.
CONGRESSIONAL RECORD:
Vol. 159 (2013): May 15, considered and passed House.
Vol. 160 (2014): July 9, considered and passed Senate.

Public Law 113–134
113th Congress

An Act

July 25, 2014
[H.R. 507]

To provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Pascua Yaqui Tribe Trust Land Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pascua Yaqui Tribe Trust Land Act".

SEC. 2. DEFINITIONS.

For the purposes of this Act, the following definitions apply:

(1) DISTRICT.—The term "District" means the Tucson Unified School District, a school district recognized as such under the laws of the State of Arizona.

(2) MAP.—The term "map" means the map titled "PYT Land Department" and dated January 15, 2013.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) TRIBE.—The term "Tribe" means the Pascua Yaqui Tribe of Arizona, a federally recognized Indian tribe.

SEC. 3. LANDS TO BE HELD IN TRUST.

(a) PARCEL A.—Subject to subsection (c) and to valid existing rights, all right, title, and interest of the United States in and to the approximately 10 acres of Federal lands generally depicted on the map as Parcel A are declared to be held in trust by the United States for the benefit of the Tribe.

(b) PARCEL B.—Subject to subsection (c) and valid existing rights, all right, title, and interest of the United States in and to the approximately 10 acres of Federal lands generally depicted on the map as Parcel B are declared to be held in trust by the United States for the benefit of the Tribe.

(c) EFFECTIVE DATE.—Subsections (a) and (b) shall take effect on the day after the date on which—

(1) the District relinquishes all right, title, and interest of the District in and to the land described in subsection (b); and

(2) the Secretary (or a delegate of the Secretary) approves and records the lease agreement between the Tribe and the District for the construction and operation of a regional transportation facility located on the restricted Indian land of the Tribe in accordance with the requirements of the first section of the Act entitled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational,

recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955 (25 U.S.C. 415), and part 162 of title 25, Code of Federal Regulations (including successor regulations).

SEC. 4. GAMING PROHIBITION.

The Tribe may not conduct gaming activities on the lands held in trust under this Act, as a matter of claimed inherent authority, or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

SEC. 5. WATER RIGHTS.

(a) IN GENERAL.—There shall not be Federal reserved rights to surface water or groundwater for any land taken into trust by the United States for the benefit of the Tribe under this Act.

(b) STATE WATER RIGHTS.—The Tribe retains any right or claim to water under State law for any land taken into trust by the United States for the benefit of the Tribe under this Act.

(c) FORFEITURE OR ABANDONMENT.—Any water rights that are appurtenant to land taken into trust by the United States for the benefit of the Tribe under this Act may not be forfeited or abandoned.

(d) ADMINISTRATION.—Nothing in this Act affects or modifies any right of the Tribe or any obligation of the United States under Public Law 95–375 (25 U.S.C. 1300f et seq.).

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 507:

HOUSE REPORTS: No. 113–27 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–148 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): May 6, considered and passed House.
Vol. 160 (2014): July 9, considered and passed Senate.

Public Law 113–135
113th Congress

An Act

July 25, 2014
[H.R. 697]

To provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Three Kids Mine Remediation and Reclamation Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Three Kids Mine Remediation and Reclamation Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term "Federal land" means the approximately 948 acres of Bureau of Reclamation and Bureau of Land Management land within the Three Kids Mine Project Site, as depicted on the map.

(2) HAZARDOUS SUBSTANCE; POLLUTANT OR CONTAMINANT; REMEDY.—The terms "hazardous substance", "pollutant or contaminant", and "remedy" have the meanings given those terms in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(3) HENDERSON REDEVELOPMENT AGENCY.—The term "Henderson Redevelopment Agency" means the redevelopment agency of the City of Henderson, Nevada, established and authorized to transact business and exercise the powers of the agency in accordance with the Nevada Community Redevelopment Law (Nev. Rev. Stat. 279.382 to 279.685).

(4) MAP.—The term "map" means the map entitled "Three Kids Mine Project Area" and dated February 6, 2012.

(5) RESPONSIBLE PARTY.—The term "Responsible Party" means the private sector entity designated by the Henderson Redevelopment Agency, and approved by the State of Nevada, to complete the assessment, remediation, reclamation and redevelopment of the Three Kids Mine Project Site).

(6) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(7) STATE.—The term "State" means the State of Nevada.

(8) THREE KIDS MINE PROJECT SITE.—The term "Three Kids Mine Project Site" means the approximately 1,262 acres of land that is—

(A) comprised of—

(i) the Federal land; and

(ii) the approximately 314 acres of adjacent non-Federal land; and

(B) depicted as the "Three Kids Mine Project Site" on the map.

SEC. 3. LAND CONVEYANCE.

Deadlines. Determinations.

(a) IN GENERAL.—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), not later than 90 days after the date on which the Secretary determines that the conditions described in subsection (b) have been met, and subject to valid existing rights and applicable law, the Secretary shall convey to the Henderson Redevelopment Agency all right, title, and interest of the United States in and to the Federal land.

(b) CONDITIONS.—

(1) APPRAISAL; FAIR MARKET VALUE.—

(A) IN GENERAL.—As consideration for the conveyance under subsection (a), the Henderson Redevelopment Agency shall pay the fair market value of the Federal land, if any, as determined under subparagraph (B) and as adjusted under subparagraph (F).

(B) APPRAISAL.—The Secretary shall determine the fair market value of the Federal land based on an appraisal—

(i) that is conducted in accordance with nationally recognized appraisal standards, including—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice; and

(ii) that does not take into account any existing contamination associated with historical mining on the Federal land.

(C) REMEDIATION AND RECLAMATION COSTS.—

Cost estimate.

(i) IN GENERAL.—The Secretary shall prepare a reasonable estimate of the costs to assess, remediate, and reclaim the Three Kids Mine Project Site.

(ii) CONSIDERATIONS.—The estimate prepared under clause (i) shall be—

(I) based on the results of a comprehensive Phase II environmental site assessment of the Three Kids Mine Project Site prepared by the Henderson Redevelopment Agency or a Responsible Party that has been approved by the State; and

(II) prepared in accordance with the current version of the ASTM International Standard E–2137–06 (2011) entitled "Standard Guide for Estimating Monetary Costs and Liabilities for Environmental Matters".

(iii) ASSESSMENT REQUIREMENTS.—The Phase II environmental site assessment prepared under clause (ii)(I) shall, without limiting any additional requirements that may be required by the State, be conducted in accordance with the procedures of—

(I) the most recent version of ASTM International Standard E–1527–05 entitled "Standard Practice for Environmental Site Assessments:

Phase I Environmental Site Assessment Process"; and

(II) the most recent version of ASTM International Standard E–1903–11 entitled "Standard Guide for Environmental Site Assessments: Phase II Environmental Site Assessment Process".

(iv) REVIEW OF CERTAIN INFORMATION.—

(I) IN GENERAL.—The Secretary shall review and consider cost information proffered by the Henderson Redevelopment Agency, the Responsible Party, and the State in the preparation of the estimate under this subparagraph.

(II) FINAL DETERMINATION.—If there is a disagreement among the Secretary, Henderson Redevelopment Agency, and the State over the reasonable estimate of costs under this subparagraph, the parties shall jointly select 1 or more experts to assist the Secretary in making the final estimate of the costs.

(D) DEADLINE.—Not later than 30 days after the date of enactment of this Act, the Secretary shall begin the appraisal and cost estimates under subparagraphs (B) and (C), respectively.

(E) APPRAISAL COSTS.—The Henderson Redevelopment Agency or the Responsible Party shall reimburse the Secretary for the costs incurred in performing the appraisal under subparagraph (B).

(F) ADJUSTMENT.—The Secretary shall administratively adjust the fair market value of the Federal land, as determined under subparagraph (B), based on the estimate of remediation, and reclamation costs, as determined under subparagraph (C).

(2) MINE REMEDIATION AND RECLAMATION AGREEMENT EXECUTED.—

(A) IN GENERAL.—The conveyance under subsection (a) shall be contingent on—

Notification.

(i) the Secretary receiving from the State written notification that a mine remediation and reclamation agreement has been executed in accordance with subparagraph (B); and

(ii) the Secretary concurring, not later than 30 days after the date of receipt of the written notification under clause (i), that the requirements under subparagraph (B) have been met.

(B) REQUIREMENTS.—The mine remediation and reclamation agreement required under subparagraph (A) shall be an enforceable consent order or agreement between the State and the Responsible Party who will be obligated to perform under the consent order or agreement administered by the State that—

(i) obligates the Responsible Party to perform, after the conveyance of the Federal land under this Act, the remediation and reclamation work at the Three Kids Mine Project Site necessary to ensure all remedial actions necessary to protect human health and the environment with respect to any hazardous substances,

pollutant, or contaminant will be taken, in accordance with all Federal, State, and local requirements; and

(ii) contains provisions determined to be necessary by the State and the Henderson Redevelopment Agency, including financial assurance provisions to ensure the completion of the remedy.

(3) NOTIFICATION FROM AGENCY.—As a condition of the conveyance under subsection (a), not later than 90 days after the date of execution of the mine remediation and reclamation agreement required under paragraph (2), the Secretary shall accept written notification from the Henderson Redevelopment Agency that the Henderson Redevelopment Agency is prepared to accept conveyance of the Federal land under subsection (a).

SEC. 4. WITHDRAWAL.

(a) IN GENERAL.—Subject to valid existing rights, for the 10-year period beginning on the earlier of the date of enactment of this Act or the date of the conveyance required by this Act, the Federal land is withdrawn from all forms of— Effective date. Time period.

(1) entry, appropriation, operation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under the mineral leasing, mineral materials, and the geothermal leasing laws.

(b) EXISTING RECLAMATION WITHDRAWALS.—Subject to valid existing rights, any withdrawal under the public land laws that includes all or any portion of the Federal land for which the Bureau of Reclamation has determined that the Bureau of Reclamation has no further need under applicable law is relinquished and revoked solely to the extent necessary—

(1) to exclude from the withdrawal the property that is no longer needed; and

(2) to allow for the immediate conveyance of the Federal land as required under this Act.

(c) EXISTING RECLAMATION PROJECT AND PERMITTED FACILITIES.—Except as provided in subsection (a), nothing in this Act diminishes, hinders, or interferes with the exclusive and perpetual use by the existing rights holders for the operation, maintenance, and improvement of water conveyance infrastructure and facilities, including all necessary ingress and egress, situated on the Federal land that were constructed or permitted by the Bureau of Reclamation before the effective date of this Act.

SEC. 5. ACEC BOUNDARY ADJUSTMENT.

Notwithstanding section 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713), the boundary of the River Mountains Area of Critical Environmental Concern (NVN 76884) is adjusted to exclude any portion of the Three Kids Mine Project Site consistent with the map.

SEC. 6. RESPONSIBILITIES OF THE PARTIES.

(a) RESPONSIBILITY OF PARTIES TO MINE REMEDIATION AND RECLAMATION AGREEMENT.—On completion of the conveyance under section 3, the responsibility for complying with the mine remediation and reclamation agreement executed under section 3(b)(2) shall apply to the Responsible Party and the State of Nevada. Applicability.

(b) SAVINGS PROVISION.—If the conveyance under this Act has occurred, but the terms of the agreement executed under section 3(b)(2) have not been met, nothing in this Act—

(1) affects the responsibility of the Secretary to take any additional response action necessary to protect public health and the environment from a release or the threat of a release of a hazardous substance, pollutant, or contaminant; or

(2) unless otherwise expressly provided, modifies, limits, or otherwise affects—

(A) the application of, or obligation to comply with, any law, including any environmental or public health law; or

(B) the authority of the United States to enforce compliance with the requirements of any law or the agreement executed under section 3(b)(2).

SEC. 7. SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT.

Southern Nevada Public Land Management Act of 1998 (31 U.S.C. 6901 note; Public Law 105–263) shall not apply to land conveyed under this Act.

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 697:

HOUSE REPORTS: No. 113–137 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–147 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): July 22, considered and passed House.
Vol. 160 (2014): July 9, considered and passed Senate.

Public Law 113–136
113th Congress

An Act

To authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

July 25, 2014
[H.R. 876]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Idaho Wilderness Water Resources Protection Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Idaho Wilderness Water Resources Protection Act".

Determinations.

SEC. 2. TREATMENT OF EXISTING WATER DIVERSIONS IN FRANK CHURCH-RIVER OF NO RETURN WILDERNESS AND SELWAY-BITTERROOT WILDERNESS, IDAHO.

(a) AUTHORIZATION FOR CONTINUED USE.—The Secretary of Agriculture shall issue a special use authorization to the owners of a water storage, transport, or diversion facility (in this section referred to as a "facility") located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness for the continued operation, maintenance, and reconstruction of the facility if the Secretary determines that—

(1) the facility was in existence on the date on which the land upon which the facility is located was designated as part of the National Wilderness Preservation System (in this section referred to as "the date of designation");

(2) the facility has been in substantially continuous use to deliver water for the beneficial use on the owner's non-Federal land since the date of designation;

(3) the owner of the facility holds a valid water right for use of the water on the owner's non-Federal land under Idaho State law, with a priority date that predates the date of designation; and

(4) it is not practicable or feasible to relocate the facility to land outside of the wilderness and continue the beneficial use of water on the non-Federal land recognized under State law.

(b) TERMS AND CONDITIONS.—

(1) REQUIRED TERMS AND CONDITIONS.—In a special use authorization issued under subsection (a), the Secretary shall—

(A) allow use of motorized equipment and mechanized transport for operation, maintenance, or reconstruction of a facility, if the Secretary determines that—

(i) the use is necessary to allow the facility to continue delivery of water to the non-Federal land

for the beneficial uses recognized by the water right held under Idaho State law; and

(ii) the use of nonmotorized equipment and nonmechanized transport is impracticable or infeasible; and

(B) preclude use of the facility for the storage, diversion, or transport of water in excess of the water right recognized by the State of Idaho on the date of designation.

(2) DISCRETIONARY TERMS AND CONDITIONS.—In a special use authorization issued under subsection (a), the Secretary may—

(A) require or allow modification or relocation of the facility in the wilderness, as the Secretary determines necessary, to reduce impacts to wilderness values set forth in section 2 of the Wilderness Act (16 U.S.C. 1131) if the beneficial use of water on the non-Federal land is not diminished; and

(B) require that the owner provide a reciprocal right of access across the non-Federal property, in which case, the owner shall receive market value for any right-of-way or other interest in real property conveyed to the United States, and market value may be paid by the Secretary, in whole or in part, by the grant of a reciprocal right-of-way, or by reduction of fees or other costs that may accrue to the owner to obtain the authorization for water facilities.

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 876:

HOUSE REPORTS: No. 113–76 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–150 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): June 17, considered and passed House.
Vol. 160 (2014): July 9, considered and passed Senate.

Public Law 113–137
113th Congress

An Act

To direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

July 25, 2014
[H.R. 1158]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

North Cascades National Park Service Complex Fish Stocking Act.
16 USC 90c note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "North Cascades National Park Service Complex Fish Stocking Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) NORTH CASCADES NATIONAL PARK SERVICE COMPLEX.—The term "North Cascades National Park Service Complex" means collectively the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

(2) PLAN.—The term "plan" means the document entitled "North Cascades National Park Service Complex Mountain Lakes Fishery Management Plan and Environmental Impact Statement" and dated June 2008.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 3. STOCKING OF CERTAIN LAKES IN THE NORTH CASCADES NATIONAL PARK SERVICE COMPLEX.

(a) IN GENERAL.—Subject to subsection (b), the Secretary shall authorize the stocking of fish in lakes in the North Cascades National Park Service Complex.

(b) CONDITIONS.—

(1) IN GENERAL.—The Secretary is authorized to allow stocking of fish in not more than 42 of the 91 lakes in the North Cascades National Park Service Complex that have historically been stocked with fish.

(2) NATIVE NONREPRODUCING FISH.—The Secretary shall only stock fish that are—

(A) native to the slope of the Cascade Range on which the lake to be stocked is located; and

(B) nonreproducing, as identified in management alternative B of the plan.

(3) CONSIDERATIONS.—In making fish stocking decisions under this Act, the Secretary shall consider relevant scientific information, including the plan and information gathered under subsection (c).

(4) REQUIRED COORDINATION.—The Secretary shall coordinate the stocking of fish under this Act with the State of Washington.

(c) RESEARCH AND MONITORING.—The Secretary shall—

(1) continue a program of research and monitoring of the impacts of fish stocking on the resources of the applicable unit of the North Cascades National Park Service Complex; and

Deadlines. Reports.

(2) beginning on the date that is 5 years after the date of enactment of this Act and every 5 years thereafter, submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the results of the research and monitoring under paragraph (1).

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 1158:

HOUSE REPORTS: No. 113–68 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–151 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): June 11, considered and passed House.
Vol. 160 (2014): July 9, considered and passed Senate.

Public Law 113–138
113th Congress

An Act

To designate the Department of Veterans Affairs Vet Center in Prescott, Arizona, as the "Dr. Cameron McKinley Department of Veterans Affairs Veterans Center".

July 25, 2014
[H.R. 1216]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) Dr. Cameron K. McKinley was born on December 9, 1930, in Shreveport, Louisiana.

(2) Dr. McKinley served in the U.S. Marine Corps Reserve in Shreveport, Louisiana, from 1947 to 1949.

(3) Dr. McKinley served valiantly at Wiesbaden Air Force Hospital during and after the Vietnam War, providing therapy to military personnel and their families.

(4) Dr. McKinley served with great distinction as the Chief of Psychology at the Veterans Affairs Hospital in Prescott, Arizona, from 1981–1995.

(5) At the Prescott Veterans Affairs Hospital, Dr. McKinley organized a "Rap Group" for Vietnam Era veterans dealing with various degrees of post-traumatic stress disorder (PTSD). That group of veterans formed the Vietnam Veterans of America, Chapter 95.

(6) Vietnam Veterans of America, Chapter 95, in concert with Dr. McKinley, local leaders, businesses and nonprofit groups petitioned the Federal Government for a free-standing Veterans Affairs Medical Center (VAMC).

(7) Congress authorized 91 new rural VAMCs, among them the Prescott Vet Center. In June of 1985, the Prescott Vet Center opened.

(8) Dr. McKinley spent decades confronting the pressing issue of PTSD by providing cutting-edge psychological and neuropsychological assessments to the returning veterans of three wars. He produced targeted action plans for veterans suffering from PTSD, giving them tools to deal with their afflictions and transition successfully back into civilian life.

(9) Dr. McKinley's cutting-edge work has earned him recognition from Prescott VAMC, Vietnam Veterans of America, the Veterans' Readjustment Counseling Center, and the Department of the Army for his outstanding work to improve the lives of veterans of multiple generations.

(10) It is only well and fitting that as a tribute to this remarkable person's life that Congress seek to name the facility after the leader who was its inspiration and a lifesaver for so many.

SEC. 2. DR. CAMERON MCKINLEY DEPARTMENT OF VETERANS AFFAIRS VETERANS CENTER.

(a) DESIGNATION.—The Department of Veterans Affairs Vet Center located at 3180 Stillwater Dr. #A, Prescott, Arizona, shall after the date of the enactment of this Act be known and designated as the "Dr. Cameron McKinley Department of Veterans Affairs Veterans Center".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Department of Veterans Affairs Vet Center referred to in subsection (a) shall be deemed to be a reference to the "Dr. Cameron McKinley Department of Veterans Affairs Veterans Center".

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 1216:

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 17, considered and passed House.
July 9, considered and passed Senate.

Public Law 113–139
113th Congress

An Act

To designate the facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, as the "Judge Shirley A. Tolentino Post Office Building".

July 25, 2014
[H.R. 1376]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JUDGE SHIRLEY A. TOLENTINO POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, shall be known and designated as the "Judge Shirley A. Tolentino Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Judge Shirley A. Tolentino Post Office Building".

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 1376:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 24, considered and passed House.
July 10, considered and passed Senate.

Public Law 113–140
113th Congress

An Act

July 25, 2014
[H.R. 1813]

To redesignate the facility of the United States Postal Service located at 162 Northeast Avenue in Tallmadge, Ohio, as the "Lance Corporal Daniel Nathan Deyarmin, Jr., Post Office Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LANCE CORPORAL DANIEL NATHAN DEYARMIN, JR., POST OFFICE BUILDING.

(a) REDESIGNATION.—The facility of the United States Postal Service located at 162 Northeast Avenue in Tallmadge, Ohio, shall be known and designated as the "Lance Corporal Daniel Nathan Deyarmin, Jr., Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Lance Corporal Daniel Nathan Deyarmin, Jr., Post Office Building".

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 1813:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 24, considered and passed House.
July 10, considered and passed Senate.

Public Law 113–141
113th Congress

An Act

To provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado.

July 25, 2014
[H.R. 2337]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Lake Hill Administrative Site Affordable Housing Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Lake Hill Administrative Site Affordable Housing Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) COUNTY.—The term "County" means Summit County, Colorado.

(2) LAKE HILL ADMINISTRATIVE SITE.—The term "Lake Hill Administrative Site" means the parcel of approximately 40 acres of National Forest System land in the County, as depicted on the map entitled "Lake Hill Administrative Site" and dated June 2012.

(3) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

SEC. 3. CONVEYANCE OF FOREST SERVICE LAKE HILL ADMINISTRATIVE SITE, SUMMIT COUNTY, COLORADO.

(a) CONVEYANCE AUTHORITY.—Upon receipt of an offer from the County in which the County agrees to the condition imposed by subsection (c), the Secretary shall use the authority provided by the Forest Service Facility Realignment and Enhancement Act of 2005 (Public Law 109–54; 16 U.S.C. 580d note) to convey to the County all right, title, and interest of the United States in and to the Forest Service Lake Hill Administrative Site.

(b) APPLICATION OF LAW.—

(1) TREATMENT AS ADMINISTRATIVE SITE.—The Lake Hill Administrative Site is considered to be an administrative site under section 502(1)(A) of the Forest Service Facility Realignment and Enhancement Act of 2005 (Public Law 109–54; 16 U.S.C. 580d note).

(2) EXCEPTION.—Section 502(1)(C) of that Act does not apply to the conveyance of the Lake Hill Administrative Site.

(c) COSTS.—The County shall be responsible for processing and transaction costs related to the direct sale under subsection (a).

(d) PROCEEDS.—Proceeds received from the conveyance pursuant to subsection (a) shall be available, without further appropriation and until expended, for capital improvement and maintenance

of Forest Service facilities in Region 2 of the United States Forest Service.

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 2337:

HOUSE REPORTS: No. 113–196 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–173 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Oct. 29, considered and passed House.
Vol. 160 (2014): July 9, considered and passed Senate.

Public Law 113–142
113th Congress

An Act

To allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska.

July 25, 2014
[H.R. 3110]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Huna Tlingit Traditional Gull Egg Use Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Huna Tlingit Traditional Gull Egg Use Act".

SEC. 2. LIMITED AUTHORIZATION FOR COLLECTION OF GULL EGGS.

(a) IN GENERAL.—The Secretary of the Interior (referred to in this Act as the "Secretary") may allow the collection by members of the Hoonah Indian Association of the eggs of glaucous-winged gulls (Laurus glaucescens) within Glacier Bay National Park (referred to in this Act as the "Park") not more frequently than twice each calendar year at up to 5 locations within the Park, subject to any terms and conditions that the Secretary determines to be necessary.

(b) APPLICABLE LAW.—For the purposes of sections 203 and 816 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 410hh–2, 3126), the collection of eggs of glaucous-winged gulls within the Park in accordance with subsection (a) shall be considered to be a use specifically permitted by that Act.

(c) HARVEST PLAN.—The Secretary shall establish schedules, locations, and any additional terms and conditions that the Secretary determines to be necessary for the harvesting of eggs of glaucous-winged gulls in the Park, based on an annual harvest plan to be prepared by the Secretary and the Hoonah Indian Association.

Approved July 25, 2014.

LEGISLATIVE HISTORY—H.R. 3110 (S. 156):

HOUSE REPORTS: No. 113–393 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–51 (Comm. on Energy and Natural Resources) accompanying S. 156.
CONGRESSIONAL RECORD, Vol. 160 (2014):
Apr. 28, considered and passed House.
July 9, considered and passed Senate.

Public Law 113–143
113th Congress

An Act

Aug. 1, 2014
[H.R. 1528]

To amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Veterinary Medicine Mobility Act of 2014.
21 USC 801 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterinary Medicine Mobility Act of 2014".

SEC. 2. TRANSPORT AND DISPENSING OF CONTROLLED SUBSTANCES IN THE USUAL COURSE OF VETERINARY PRACTICE.

Section 302(e) of the Controlled Substances Act (21 U.S.C. 822(e)) is amended—

(1) by striking "(e)" and inserting "(e)(1)"; and

(2) by adding at the end the following:

"(2) Notwithstanding paragraph (1), a registrant who is a veterinarian shall not be required to have a separate registration in order to transport and dispense controlled substances in the usual course of veterinary practice at a site other than the registrant's registered principal place of business or professional practice, so long as the site of transporting and dispensing is located in a State where the veterinarian is licensed to practice veterinary medicine and is not a principal place of business or professional practice.".

Approved August 1, 2014.

LEGISLATIVE HISTORY—H.R. 1528:

HOUSE REPORTS: No. 113–457, Pt. 1 (Comm. on Energy and Commerce).
CONGRESSIONAL RECORD, Vol. 160 (2014):
July 8, considered and passed House.
July 16, considered and passed Senate.

Public Law 113–144
113th Congress

An Act

To promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices, and for other purposes.

Aug. 1, 2014
[S. 517]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Unlocking Consumer Choice and Wireless Competition Act. 17 USC 1201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Unlocking Consumer Choice and Wireless Competition Act".

Effective dates.

SEC. 2. REPEAL OF EXISTING RULE AND ADDITIONAL RULEMAKING BY LIBRARIAN OF CONGRESS.

(a) REPEAL AND REPLACE.—As of the date of the enactment of this Act, paragraph (3) of section 201.40(b) of title 37, Code of Federal Regulations, as amended and revised by the Librarian of Congress on October 28, 2012, pursuant to the Librarian's authority under section 1201(a) of title 17, United States Code, shall have no force and effect, and such paragraph shall read, and shall be in effect, as such paragraph was in effect on July 27, 2010.

Recommendation. Consultation. Reports. Determination.

(b) RULEMAKING.—The Librarian of Congress, upon the recommendation of the Register of Copyrights, who shall consult with the Assistant Secretary for Communications and Information of the Department of Commerce and report and comment on his or her views in making such recommendation, shall determine, consistent with the requirements set forth under section 1201(a)(1) of title 17, United States Code, whether to extend the exemption for the class of works described in section 201.40(b)(3) of title 37, Code of Federal Regulations, as amended by subsection (a), to include any other category of wireless devices in addition to wireless telephone handsets. The determination shall be made in the first rulemaking under section 1201(a)(1)(C) of title 17, United States Code, that begins on or after the date of enactment of this Act.

(c) UNLOCKING AT DIRECTION OF OWNER.—Circumvention of a technological measure that restricts wireless telephone handsets or other wireless devices from connecting to a wireless telecommunications network—

(1)(A) as authorized by paragraph (3) of section 201.40(b) of title 37, Code of Federal Regulations, as made effective by subsection (a); and

(B) as may be extended to other wireless devices pursuant to a determination in the rulemaking conducted under subsection (b); or

(2) as authorized by an exemption adopted by the Librarian of Congress pursuant to a determination made on or after the date of enactment of this Act under section 1201(a)(1)(C) of title 17, United States Code,

may be initiated by the owner of any such handset or other device, by another person at the direction of the owner, or by a provider of a commercial mobile radio service or a commercial mobile data service at the direction of such owner or other person, solely in order to enable such owner or a family member of such owner to connect to a wireless telecommunications network, when such connection is authorized by the operator of such network.

(d) RULE OF CONSTRUCTION.—

(1) IN GENERAL.—Except as expressly provided herein, nothing in this Act shall be construed to alter the scope of any party's rights under existing law.

(2) LIBRARIAN OF CONGRESS.—Nothing in this Act alters, or shall be construed to alter, the authority of the Librarian of Congress under section 1201(a)(1) of title 17, United States Code.

(e) DEFINITIONS.—In this Act:

(1) COMMERCIAL MOBILE DATA SERVICE; COMMERCIAL MOBILE RADIO SERVICE.—The terms "commercial mobile data service" and "commercial mobile radio service" have the respective meanings given those terms in section 20.3 of title 47, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(2) WIRELESS TELECOMMUNICATIONS NETWORK.—The term "wireless telecommunications network" means a network used to provide a commercial mobile radio service or a commercial mobile data service.

(3) WIRELESS TELEPHONE HANDSETS; WIRELESS DEVICES.—The terms "wireless telephone handset" and "wireless device" mean a handset or other device that operates on a wireless telecommunications network.

Approved August 1, 2014.

LEGISLATIVE HISTORY—S. 517 (H.R. 1123):

HOUSE REPORTS: No. 113–356 (Comm. on the Judiciary) accompanying H.R. 1123.
SENATE REPORTS: No. 113–212 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 160 (2014):
July 15, considered and passed Senate.
July 25, considered and passed House.

Public Law 113–145
113th Congress

Joint Resolution

Making an emergency supplemental appropriation for the fiscal year ending September 30, 2014, to provide funding to Israel for the Iron Dome defense system to counter short-range rocket threats.

Aug. 4, 2014
[H.J. Res. 76]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sum is appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2014, and for other purposes, namely:

Emergency Supplemental Appropriations Resolution, 2014.

DEPARTMENT OF DEFENSE

PROCUREMENT

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", $225,000,000, to remain available until September 30, 2015, which shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats: *Provided*, That such funds shall be transferred immediately only through an exchange of letters to address emergent operations in support of Operation Protective Edge, notwithstanding section 3.1.3.2.1 of the U.S.-Israel Iron Dome Procurement Agreement: *Provided further*, That nothing in this paragraph shall be construed to apply to previously appropriated funds for the procurement of Iron Dome: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

This joint resolution may be cited as the "Emergency Supplemental Appropriations Resolution, 2014".

Approved August 4, 2014.

LEGISLATIVE HISTORY—H.J. Res. 76:

CONGRESSIONAL RECORD:
Vol. 159 (2013): Oct. 11, considered and passed House.
Vol. 160 (2014): Aug. 1, considered and passed Senate, amended. House concurred in Senate amendments.

Public Law 113–146
113th Congress

An Act

Aug. 7, 2014
[H.R. 3230]

To improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Veterans Access, Choice, and Accountability Act of 2014.
38 USC 101 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Veterans Access, Choice, and Accountability Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

38 USC 1701 note.

In this Act:

(1) The term "facility of the Department" has the meaning given the term "facilities of the Department" in section 1701 of title 38, United States Code.

(2) The terms "hospital care" and "medical services" have the meanings given such terms in section 1701 of title 38, United States Code.

TITLE I—IMPROVEMENT OF ACCESS TO CARE FROM NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS

38 USC 1701 note.

SEC. 101. EXPANDED AVAILABILITY OF HOSPITAL CARE AND MEDICAL SERVICES FOR VETERANS THROUGH THE USE OF AGREEMENTS WITH NON-DEPARTMENT OF VETERANS AFFAIRS ENTITIES.

(a) EXPANSION OF AVAILABLE CARE AND SERVICES.—

(1) FURNISHING OF CARE.—

(A) IN GENERAL.—Hospital care and medical services under chapter 17 of title 38, United States Code, shall

be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through agreements authorized under subsection (d), or any other law administered by the Secretary of Veterans Affairs, with entities specified in subparagraph (B) for the furnishing of such care and services to veterans.

(B) ENTITIES SPECIFIED.—The entities specified in this subparagraph are the following:

(i) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

(ii) Any Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

(iii) The Department of Defense.

(iv) The Indian Health Service.

(2) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (c) to receive hospital care or medical services under this section may select a provider of such care or services from among the entities specified in paragraph (1)(B) that are accessible to the veteran.

(3) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department of Veterans Affairs, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

Eligibility date.

(1)(A) as of August 1, 2014, the veteran is enrolled in the patient enrollment system of the Department of Veterans Affairs established and operated under section 1705 of title 38, United States Code, including any such veteran who has not received hospital care or medical services from the Department and has contacted the Department seeking an initial appointment from the Department for the receipt of such care or services; or

(B) the veteran is eligible for hospital care and medical services under section 1710(e)(1)(D) of such title and is a veteran described in section 1710(e)(3) of such title; and

(2) the veteran—

(A) attempts, or has attempted, to schedule an appointment for the receipt of hospital care or medical services under chapter 17 of title 38, United States Code, but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services;

(B) resides more than 40 miles from the medical facility of the Department, including a community-based outpatient clinic, that is closest to the residence of the veteran;

(C) resides—

(i) in a State without a medical facility of the Department that provides—

(I) hospital care;

(II) emergency medical services; and

(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

(ii) more than 20 miles from a medical facility of the Department described in clause (i); or

(D)(i) resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that is 40 miles or less from a medical facility of the Department, including a community-based outpatient clinic; and

(ii)(I) is required to travel by air, boat, or ferry to reach each medical facility described in clause (i) that is 40 miles or less from the residence of the veteran; or

(II) faces an unusual or excessive burden in accessing each medical facility described in clause (i) that is 40 miles or less from the residence of the veteran due to geographical challenges, as determined by the Secretary.

(c) ELECTION AND AUTHORIZATION.—

(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the eligible veteran—

(A) place such eligible veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

(B)(i) authorize that such care or services be furnished to the eligible veteran under this section for a period of time specified by the Secretary; and

(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the eligible veteran is eligible to receive under this section. Notification.

(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website for the following purposes:

(A) To determine the place of such eligible veteran on the waiting list.

(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

(d) CARE AND SERVICES THROUGH AGREEMENTS.—

(1) AGREEMENTS.—

(A) IN GENERAL.—The Secretary shall enter into agreements for furnishing care and services to eligible veterans under this section with entities specified in subsection (a)(1)(B).

(B) AGREEMENT DEFINED.—In this paragraph, the term "agreement" includes contracts, intergovernmental agreements, and provider agreements, as appropriate.

(2) RATES AND REIMBURSEMENT.—

(A) IN GENERAL.—In entering into an agreement under paragraph (1) with an entity specified in subsection (a)(1)(B), the Secretary shall—

(i) negotiate rates for the furnishing of care and services under this section; and

(ii) reimburse the entity for such care and services at the rates negotiated pursuant to clause (i) as provided in such agreement.

(B) LIMIT ON RATES.—

(i) IN GENERAL.—Except as provided in clause (ii), rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

(ii) EXCEPTION.—

(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

(II) HIGHLY RURAL AREA DEFINED.—In this clause, the term "highly rural area" means an area located in a county that has fewer than seven individuals residing in that county per square mile.

(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to an agreement under paragraph (1), an entity specified in subsection (a)(1)(B) may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

(3) CERTAIN PROCEDURES.—

(A) IN GENERAL.—In entering into an agreement under paragraph (1) with an entity described in subparagraph (B), the Secretary may use the procedures, including those procedures relating to reimbursement, available for entering into provider agreements under section 1866(a) of the Social Security Act (42 U.S.C. 1395cc(a)) and participation agreements under section 1842(h) of such Act (42 U.S.C. 1395u(h)). During the period in which such entity furnishes care or services pursuant to this section, such entity may not be treated as a Federal contractor or subcontractor by the Office of Federal Contract Compliance Programs of the Department of Labor by virtue of furnishing such care or services.

(B) ENTITIES DESCRIBED.—The entities described in this subparagraph are the following:

(i) In the case of the Medicare program, any provider of services that has entered into a provider agreement under section 1866(a) of the Social Security Act (42 U.S.C. 1395cc(a)) and any physician or other supplier who has entered into a participation agreement under section 1842(h) of such Act (42 U.S.C. 1395u(h)); and

(ii) In the case of the Medicaid program, any provider participating under a State plan under title XIX of such Act (42 U.S.C. 1396 et seq.).

(4) INFORMATION ON POLICIES AND PROCEDURES.—The Secretary shall provide to any entity with which the Secretary has entered into an agreement under paragraph (1) the following:

(A) Information on applicable policies and procedures for submitting bills or claims for authorized care or services furnished to eligible veterans under this section.

(B) Access to a telephone hotline maintained by the Department that such entity may call for information on the following:

(i) Procedures for furnishing care and services under this section.

(ii) Procedures for submitting bills or claims for authorized care and services furnished to eligible veterans under this section and being reimbursed for furnishing such care and services.

(iii) Whether particular care or services under this section are authorized, and the procedures for authorization of such care or services.

(e) OTHER HEALTH-CARE PLAN.—

(1) SUBMITTAL OF INFORMATION TO SECRETARY.—Before receiving hospital care or medical services under this section, an eligible veteran shall provide to the Secretary information on any health-care plan described in paragraph (4) under which the eligible veteran is covered.

(2) DISCLOSURE OF INFORMATION TO NON-DEPARTMENT ENTITY.—Notwithstanding section 5701 of title 38, United States Code, for purposes of furnishing hospital care or medical services to an eligible veteran under this section, the Secretary shall disclose to the entity specified in paragraph (1)(B) of subsection (a) with which the Secretary has entered into an agreement described in such subsection—

(A) whether the eligible veteran is covered under a health-care plan described in paragraph (4); and

(B) whether the hospital care or medical services sought by the eligible veteran is for a medical condition that is related to a non-service-connected disability described in paragraph (3)(C).

(3) CARE FOR WHICH THE DEPARTMENT IS SECONDARILY RESPONSIBLE.—

(A) IN GENERAL.—If an eligible veteran is covered under a health-care plan described in paragraph (4) and receives hospital care or medical services for a non-service-connected disability described in subparagraph (C), such health-care plan shall be primarily responsible for paying for such care or services, to the extent such care or services is covered by such health-care plan, and the Secretary shall be secondarily responsible for paying for such care or services in accordance with subparagraph (B)(ii).

(B) RESPONSIBILITY FOR COSTS OF CARE.—In a case in which the Secretary is secondarily responsible for paying for hospital care or medical services as described in subparagraph (A)—

(i) the health care provider that furnishes such care or services pursuant to an agreement described in subsection (a) shall be responsible for seeking reimbursement for the cost of such care or services from the health-care plan described in paragraph (4) under which the eligible veteran is covered; and

(ii) the Secretary shall be responsible for promptly paying only the amount that is not covered by such health-care plan, except that such responsibility for payment may not exceed the rate determined for such care or services pursuant to subsection (d)(2).

(C) NON-SERVICE-CONNECTED DISABILITY DESCRIBED.—A non-service-connected disability described in this subsection is a non-service-connected disability (as defined in section 101 of title 38, United States Code)—

(i) that is incurred incident to a veteran's employment and that is covered under a workers' compensation law or plan that provides for payment for the cost of health care and services provided to the veteran by reason of the disability;

(ii) that is incurred as the result of a motor vehicle accident to which applies a State law that requires the owners or operators of motor vehicles registered in that State to have in force automobile accident reparations insurance;

(iii) that is incurred as the result of a crime of personal violence that occurred in a State, or a political subdivision of a State, in which a person injured as the result of such a crime is entitled to receive health care and services at such State's or subdivision's expense for personal injuries suffered as the result of such crime;

(iv) that is incurred by a veteran—

(I) who does not have a service-connected disability; and

(II) who is entitled to care (or payment of the expenses of care) under a health-care plan; or

(v) for which care and services are furnished under this section to a veteran who—

(I) has a service-connected disability; and

(II) is entitled to care (or payment of the expenses of care) under a health-care plan.

(4) HEALTH-CARE PLAN.—A health-care plan described in this paragraph—

(A) is an insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar arrangement not administered by the Secretary of Veterans Affairs, under which health services for individuals are provided or the expenses of such services are paid; and

(B) does not include any such policy, contract, agreement, or similar arrangement pursuant to title XVIII or XIX of the Social Security Act (42 U.S.C. 1395 et seq.) or chapter 55 of title 10, United States Code.

(f) VETERANS CHOICE CARD.—

(1) IN GENERAL.—For purposes of receiving care and services under this section, the Secretary shall, not later than 90 days after the date of the enactment of this Act, issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section. Deadline.

(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a "Veterans Choice Card".

(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

(A) The name of the veteran.

(B) An identification number for the veteran that is not the social security number of the veteran.

(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

(E) The following statement: "This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.".

(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

(g) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

(1) In the case of a veteran described in subsection (b)(1)(B), when the veteran enrolls in the patient enrollment system of the Department under section 1705 of title 38, United States Code.

(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), or (D) of subsection (b)(2).

(h) FOLLOW-UP CARE.—In carrying out this section, the Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from a health care provider in an episode of care under this section, the veteran receives such hospital care and medical services from such health care provider through the completion of the episode of care (but for a period not exceeding 60 days), including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such hospital care or medical services. Time period.

(i) PROVIDERS.—To be eligible to furnish care or services under this section, a health care provider must—

(1) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

(2) submit, not less frequently than once each year during the period in which the Secretary is authorized to carry out this section pursuant to subsection (p), verification of such licenses and credentials maintained by such health care provider.

(j) COST-SHARING.—

Requirement.

(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department pursuant to chapter 17 of title 38, United States Code.

(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department pursuant to chapter 17 of title 38, United States Code.

(3) COLLECTION OF COPAYMENT.—A health care provider that furnishes care or services to an eligible veteran under this section shall collect the copayment required under paragraph (1) from such eligible veteran at the time of furnishing such care or services.

(k) CLAIMS PROCESSING SYSTEM.—

(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for processing and paying bills or claims for authorized care and services furnished to eligible veterans under this section.

Deadline.

(2) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall prescribe regulations for the implementation of such system.

(3) OVERSIGHT.—The Chief Business Office of the Veterans Health Administration shall oversee the implementation and maintenance of such system.

(4) ACCURACY OF PAYMENT.—

(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

(B) QUARTERLY REPORT.—

(i) IN GENERAL.—The Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a quarterly report on the accuracy of such system.

(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

(II) An assessment of the success of the Department in meeting such goals during the quarter covered by the report.

(iii) DEADLINE.—The Secretary shall submit each report required by clause (i) not later than 20 days after the end of the quarter covered by the report.

(l) MEDICAL RECORDS.—

(1) IN GENERAL.—The Secretary shall ensure that any health care provider that furnishes care or services under this section to an eligible veteran submits to the Department any medical record related to the care or services provided to such eligible veteran by such health care provider for inclusion in the electronic medical record of such eligible veteran maintained by the Department upon the completion of the provision of such care or services to such eligible veteran.

(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

(m) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

(n) IMPLEMENTATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall prescribe interim final regulations on the implementation of this section and publish such regulations in the Federal Register.

Deadline. Regulations. Federal Register, publication.

(o) INSPECTOR GENERAL REPORT.—Not later than 30 days after the date on which the Secretary determines that 75 percent of the amounts deposited in the Veterans Choice Fund established by section 802 have been exhausted, the Inspector General of the Department shall submit to the Secretary a report on the results of an audit of the care and services furnished under this section to ensure the accuracy and timeliness of payments by the Department for the cost of such care and services, including any findings and recommendations of the Inspector General.

Determination. Recommendations.

(p) AUTHORITY TO FURNISH CARE AND SERVICES.—

(1) IN GENERAL.—The Secretary may not use the authority under this section to furnish care and services after the date specified in paragraph (2).

(2) DATE SPECIFIED.—The date specified in this paragraph is the date on which the Secretary has exhausted all amounts deposited in the Veterans Choice Fund established by section 802, or the date that is 3 years after the date of the enactment of this Act, whichever occurs first.

(3) PUBLICATION.—The Secretary shall publish such date in the Federal Register and on an Internet website of the Department available to the public not later than 30 days before such date.

Federal Register, publication. Web posting. Public information. Deadline.

(q) REPORTS.—

(1) INITIAL REPORT.—Not later than 90 days after the publication of the interim final regulations under subsection (n), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under this section that includes the following:

(A) The number of eligible veterans who have received care or services under this section.

(B) A description of the types of care and services furnished to eligible veterans under this section.

Determination.

(2) FINAL REPORT.—Not later than 30 days after the date on which the Secretary determines that 75 percent of the amounts deposited in the Veterans Choice Fund established by section 802 have been exhausted, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under this section that includes the following:

(A) The total number of eligible veterans who have received care or services under this section, disaggregated by—

(i) eligible veterans described in subsection (b)(2)(A);

(ii) eligible veterans described in subsection (b)(2)(B);

(iii) eligible veterans described in subsection (b)(2)(C); and

(iv) eligible veterans described in subsection (b)(2)(D).

(B) A description of the types of care and services furnished to eligible veterans under this section.

(C) An accounting of the total cost of furnishing care and services to eligible veterans under this section.

(D) The results of a survey of eligible veterans who have received care or services under this section on the satisfaction of such eligible veterans with the care or services received by such eligible veterans under this section.

(E) An assessment of the effect of furnishing care and services under this section on wait times for appointments for the receipt of hospital care and medical services from the Department.

(F) An assessment of the feasibility and advisability of continuing furnishing care and services under this section after the termination date specified in subsection (p).

(r) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

(s) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

Definition.

(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term "wait-time goals of the Veterans Health Administration" means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

Deadline.
Reports.

(2) ALTERNATE GOALS.—If the Secretary submits to Congress, not later than 60 days after the date of the enactment of this Act, a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

Federal Register, publication. Web posting. Public information.

SEC. 102. ENHANCEMENT OF COLLABORATION BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND INDIAN HEALTH SERVICE.

(a) OUTREACH TO TRIBAL-RUN MEDICAL FACILITIES.—The Secretary of Veterans Affairs shall, in consultation with the Director of the Indian Health Service, conduct outreach to each medical facility operated by an Indian tribe or tribal organization through a contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) to raise awareness of the ability of such facilities, Indian tribes, and tribal organizations to enter into agreements with the Department of Veterans Affairs under which the Secretary reimburses such facilities, Indian tribes, or tribal organizations, as the case may be, for health care provided to veterans who are—

Consultation.

(1) eligible for health care at such facilities; and

(2)(A) enrolled in the patient enrollment system of the Department established and operated under section 1705 of title 38, United States Code; or

(B) eligible for hospital care and medical services pursuant to subsection (c)(2) of such section.

(b) PERFORMANCE METRICS FOR MEMORANDUM OF UNDERSTANDING.—The Secretary of Veterans Affairs shall establish performance metrics for assessing the performance by the Department of Veterans Affairs and the Indian Health Service under the memorandum of understanding entitled "Memorandum of Understanding between the Department of Veterans Affairs (VA) and the Indian Health Service (IHS)" in increasing access to health care, improving quality and coordination of health care, promoting effective patient-centered collaboration and partnerships between the Department and the Service, and ensuring health-promotion and disease-prevention services are appropriately funded and available for beneficiaries under both health care systems.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Director of the Indian Health Service shall jointly submit to Congress a report on the feasibility and advisability of the following:

(1) Entering into agreements for the reimbursement by the Secretary of the costs of direct care services provided through organizations receiving amounts pursuant to grants made or contracts entered into under section 503 of the Indian Health Care Improvement Act (25 U.S.C. 1653) to veterans who are otherwise eligible to receive health care from such organizations.

(2) Including the reimbursement of the costs of direct care services provided to veterans who are not Indians in agreements between the Department and the following:

(A) The Indian Health Service.

(B) An Indian tribe or tribal organization operating a medical facility through a contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(C) A medical facility of the Indian Health Service.

(d) DEFINITIONS.—In this section:

(1) INDIAN.—The terms "Indian" and "Indian tribe" have the meanings given those terms in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

(2) MEDICAL FACILITY OF THE INDIAN HEALTH SERVICE.—The term "medical facility of the Indian Health Service" includes a facility operated by an Indian tribe or tribal organization through a contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(3) TRIBAL ORGANIZATION.—The term "tribal organization" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 103. ENHANCEMENT OF COLLABORATION BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND NATIVE HAWAIIAN HEALTH CARE SYSTEMS.

Consultation. Contracts.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall, in consultation with Papa Ola Lokahi and such other organizations involved in the delivery of health care to Native Hawaiians as the Secretary considers appropriate, enter into contracts or agreements with Native Hawaiian health care systems that are in receipt of funds from the Secretary of Health and Human Services pursuant to grants awarded or contracts entered into under section 6(a) of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11705(a)) for the reimbursement of direct care services provided to eligible veterans as specified in such contracts or agreements.

(b) DEFINITIONS.—In this section, the terms "Native Hawaiian", "Native Hawaiian health care system", and "Papa Ola Lokahi" have the meanings given those terms in section 12 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11711).

SEC. 104. REAUTHORIZATION AND MODIFICATION OF PILOT PROGRAM OF ENHANCED CONTRACT CARE AUTHORITY FOR HEALTH CARE NEEDS OF VETERANS.

Section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking "only during the" and all that follows through the period at the end and inserting "only during the period beginning on the date of the commencement of the pilot program under paragraph (2) and ending on the date that is two years after the date of the enactment of the Veterans Access, Choice, and Accountability Act of 2014."; and

(B) by amending paragraph (4) to read as follows:

"(4) PROGRAM LOCATIONS.—The Secretary shall carry out the pilot program at locations in the following Veterans Integrated Service Networks (and such other locations as the Secretary considers appropriate):

"(A) Veterans Integrated Service Network 1.

"(B) Veterans Integrated Service Network 6.

"(C) Veterans Integrated Service Network 15.

"(D) Veterans Integrated Service Network 18.

"(E) Veterans Integrated Service Network 19.";

(2) in subsection (b)(1)(A), by striking "as of the date of the commencement of the pilot program under subsection (a)(2)" and inserting "as of August 1, 2014";

(3) by redesignating subsection (h) as subsection (k);

(4) by inserting after subsection (g) the following new subsections:

"(h) APPOINTMENTS.—In carrying out the pilot program under this section, the Secretary shall ensure that medical appointments for covered veterans—

"(1) are scheduled not later than 5 days after the date on which the appointment is requested; and

"(2) occur not later than 30 days after such date.

"(i) OUTREACH.—The Secretary shall ensure that covered veterans are informed about the pilot program under this section.

"(j) USE OF EXISTING CONTRACTS.—In carrying out the pilot program under this section after the date of the enactment of the Veterans Access, Choice, and Accountability Act of 2014, the Secretary shall make use of contracts entered into before such date or may enter into new contracts."; and

(5) in paragraph (2)(B) of subsection (k), as redesignated by paragraph (3) of this section, by striking the semicolon at the end and inserting "; and".

SEC. 105. PROMPT PAYMENT BY DEPARTMENT OF VETERANS AFFAIRS.

(a) SENSE OF CONGRESS ON PROMPT PAYMENT BY DEPARTMENT.—It is the sense of Congress that the Secretary of Veterans Affairs shall comply with section 1315 of title 5, Code of Federal Regulations (commonly known as the "prompt payment rule"), or any corresponding similar regulation or ruling, in paying for health care pursuant to contracts entered into with non-Department of Veterans Affairs providers to provide health care under the laws administered by the Secretary. Compliance.

(b) ESTABLISHMENT OF CLAIMS PROCESSING SYSTEM.—

(1) CLAIMS PROCESSING SYSTEM.—The Secretary of Veterans Affairs shall establish and implement a system to process and pay claims for payment for hospital care, medical services, and other health care furnished by non-Department of Veterans Affairs health care providers under the laws administered by the Secretary.

(2) COMPLIANCE WITH PROMPT PAYMENT ACT.—The system established and implemented under paragraph (1) shall comply with all requirements of chapter 39, United States Code (commonly referred to as the "Prompt Payment Act").

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the timeliness of payments by the Secretary for hospital care, medical services, and other health care furnished by non-Department of Veterans Affairs health care providers under the laws administered by the Secretary.

(d) ELEMENTS.—The report required by subsection (b) shall include the following:

(1) The results of a survey of non-Department health care providers who have submitted claims to the Department for hospital care, medical services, or other health care furnished to veterans for which payment is authorized under the laws

administered by the Secretary during the one-year period preceding the submittal of the report, which survey shall include the following:

(A) The amount of time it took for such health care providers, after submitting such claims, to receive payment from the Department for such care or services.

(B) A comparison of the amount of time under subparagraph (A) and the amount of time it takes such health care providers to receive payments from the United States for similar care or services provided to the following, if applicable:

(i) Beneficiaries under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(ii) Covered beneficiaries under the TRICARE program under chapter 55 of title 10, United States Code.

Recommendations.

(2) Such recommendations for legislative or administrative action as the Comptroller General considers appropriate.

(e) SURVEY ELEMENTS.—In carrying out the survey, the Comptroller General shall seek responses from non-Department health care providers in a manner that ensures that the survey reflects the responses of such providers that—

(1) are located in different geographic areas;

(2) furnish a variety of different hospital care, medical services, and other health care; and

(3) furnish such care and services in a variety of different types of medical facilities.

SEC. 106. TRANSFER OF AUTHORITY FOR PAYMENTS FOR HOSPITAL CARE, MEDICAL SERVICES, AND OTHER HEALTH CARE FROM NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS TO THE CHIEF BUSINESS OFFICE OF THE VETERANS HEALTH ADMINISTRATION.

(a) TRANSFER OF AUTHORITY.—

Effective date.

(1) IN GENERAL.—Effective as of October 1, 2014, the Secretary of Veterans Affairs shall transfer the authority to pay for hospital care, medical services, and other health care furnished through non-Department of Veterans Affairs providers from—

(A) the Veterans Integrated Service Networks and medical centers of the Department of Veterans Affairs, to

(B) the Chief Business Office of the Veterans Health Administration of the Department of Veterans Affairs.

Consultation.

(2) MANNER OF CARE.—The Chief Business Office shall work in consultation with the Office of Clinical Operations and Management of the Department to ensure that care and services described in paragraph (1) are provided in a manner that is clinically appropriate and in the best interest of the veterans receiving such care and services.

(3) NO DELAY IN PAYMENT.—The transfer of authority under paragraph (1) shall be carried out in a manner that does not delay or impede any payment by the Department for hospital care, medical services, or other health care furnished through a non-Department provider under the laws administered by the Secretary.

(b) BUDGET MATTERS.—The budget of the Department of Veterans Affairs for any fiscal year beginning after the date of the

enactment of this Act (as submitted to Congress pursuant to section 1105(a) of title 31, United States Code) shall specify funds for the payment for hospital care, medical services, and other health care furnished through non-Department of Veterans Affairs providers, including any administrative costs associated with such payment, as funds for the Chief Business Office of the Veterans Health Administration rather than as funds for the Veterans Integrated Service Networks or medical centers of the Department.

TITLE II—HEALTH CARE ADMINISTRATIVE MATTERS

38 USC 1701 note.

SEC. 201. INDEPENDENT ASSESSMENT OF THE HEALTH CARE DELIVERY SYSTEMS AND MANAGEMENT PROCESSES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) INDEPENDENT ASSESSMENT.—

(1) ASSESSMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into one or more contracts with a private sector entity or entities described in subsection (b) to conduct an independent assessment of the hospital care, medical services, and other health care furnished in medical facilities of the Department. Such assessment shall address each of the following:

Deadline. Contracts.

(A) Current and projected demographics and unique health care needs of the patient population served by the Department.

(B) Current and projected health care capabilities and resources of the Department, including hospital care, medical services, and other health care furnished by non-Department facilities under contract with the Department, to provide timely and accessible care to veterans.

(C) The authorities and mechanisms under which the Secretary may furnish hospital care, medical services, and other health care at non-Department facilities, including whether the Secretary should have the authority to furnish such care and services at such facilities through the completion of episodes of care.

(D) The appropriate system-wide access standard applicable to hospital care, medical services, and other health care furnished by and through the Department, including an identification of appropriate access standards for each individual specialty and post-care rehabilitation.

(E) The workflow process at each medical facility of the Department for scheduling appointments for veterans to receive hospital care, medical services, or other health care from the Department.

(F) The organization, workflow processes, and tools used by the Department to support clinical staffing, access to care, effective length-of-stay management and care transitions, positive patient experience, accurate documentation, and subsequent coding of inpatient services.

(G) The staffing level at each medical facility of the Department and the productivity of each health care provider at such medical facility, compared with health care

industry performance metrics, which may include an assessment of any of the following:

(i) The case load of, and number of patients treated by, each health care provider at such medical facility during an average week.

(ii) The time spent by such health care provider on matters other than the case load of such health care provider, including time spent by such health care provider as follows:

(I) At a medical facility that is affiliated with the Department.

(II) Conducting research.

(III) Training or supervising other health care professionals of the Department.

(H) The information technology strategies of the Department with respect to furnishing and managing health care, including an identification of any weaknesses and opportunities with respect to the technology used by the Department, especially those strategies with respect to clinical documentation of episodes of hospital care, medical services, and other health care, including any clinical images and associated textual reports, furnished by the Department in Department or non-Department facilities.

(I) Business processes of the Veterans Health Administration, including processes relating to furnishing non-Department health care, insurance identification, third-party revenue collection, and vendor reimbursement, including an identification of mechanisms as follows:

(i) To avoid the payment of penalties to vendors.

(ii) To increase the collection of amounts owed to the Department for hospital care, medical services, or other health care provided by the Department for which reimbursement from a third party is authorized and to ensure that such amounts collected are accurate.

(iii) To increase the collection of any other amounts owed to the Department with respect to hospital care, medical services, and other health care and to ensure that such amounts collected are accurate.

(iv) To increase the accuracy and timeliness of Department payments to vendors and providers.

(J) The purchasing, distribution, and use of pharmaceuticals, medical and surgical supplies, medical devices, and health care related services by the Department, including the following:

(i) The prices paid for, standardization of, and use by the Department of the following:

(I) Pharmaceuticals.

(II) Medical and surgical supplies.

(III) Medical devices.

(ii) The use by the Department of group purchasing arrangements to purchase pharmaceuticals, medical and surgical supplies, medical devices, and health care related services.

(iii) The strategy and systems used by the Department to distribute pharmaceuticals, medical and surgical supplies, medical devices, and health care related

services to Veterans Integrated Service Networks and medical facilities of the Department.

(K) The process of the Department for carrying out construction and maintenance projects at medical facilities of the Department and the medical facility leasing program of the Department.

(L) The competency of leadership with respect to culture, accountability, reform readiness, leadership development, physician alignment, employee engagement, succession planning, and performance management.

(2) PARTICULAR ELEMENTS OF CERTAIN ASSESSMENTS.—

(A) SCHEDULING ASSESSMENT.—In carrying out the assessment required by paragraph (1)(E), the private sector entity or entities shall do the following:

(i) Review all training materials pertaining to scheduling of appointments at each medical facility of the Department.

(ii) Assess whether all employees of the Department conducting tasks related to scheduling are properly trained for conducting such tasks.

(iii) Assess whether changes in the technology or system used in scheduling appointments are necessary to limit access to the system to only those employees that have been properly trained in conducting such tasks.

(iv) Assess whether health care providers of the Department are making changes to their schedules that hinder the ability of employees conducting such tasks to perform such tasks.

(v) Assess whether the establishment of a centralized call center throughout the Department for scheduling appointments at medical facilities of the Department would improve the process of scheduling such appointments.

(vi) Assess whether booking templates for each medical facility or clinic of the Department would improve the process of scheduling such appointments.

(vii) Assess any interim technology changes or attempts by Department to internally develop a long-term scheduling solutions with respect to the feasibility and cost effectiveness of such internally developed solutions compared to commercially available solutions.

(viii) Recommend actions, if any, to be taken by the Department to improve the process for scheduling such appointments, including the following:

(I) Changes in training materials provided to employees of the Department with respect to conducting tasks related to scheduling such appointments.

(II) Changes in monitoring and assessment conducted by the Department of wait times of veterans for such appointments.

(III) Changes in the system used to schedule such appointments, including changes to improve how the Department—

(aa) measures wait times of veterans for such appointments;

(bb) monitors the availability of health care providers of the Department; and

(cc) provides veterans the ability to schedule such appointments.

(IV) Such other actions as the private sector entity or entities considers appropriate.

(B) MEDICAL CONSTRUCTION AND MAINTENANCE PROJECT AND LEASING PROGRAM ASSESSMENT.—In carrying out the assessment required by paragraph (1)(K), the private sector entity or entities shall do the following:

(i) Review the process of the Department for identifying and designing proposals for construction and maintenance projects at medical facilities of the Department and leases for medical facilities of the Department.

(ii) Assess the process through which the Department determines the following:

(I) That a construction or maintenance project or lease is necessary with respect to a medical facility or proposed medical facility of the Department.

(II) The proper size of such medical facility or proposed medical facility with respect to treating veterans in the catchment area of such medical facility or proposed medical facility.

(iii) Assess the management processes of the Department with respect to the capital management programs of the Department, including processes relating to the methodology for construction and design of medical facilities of the Department, the management of projects relating to the construction and design of such facilities, and the activation of such facilities.

(iv) Assess the medical facility leasing program of the Department.

Deadline.

(3) TIMING.—The private sector entity or entities carrying out the assessment required by paragraph (1) shall complete such assessment not later than 240 days after entering into the contract described in such paragraph.

(b) PRIVATE SECTOR ENTITIES DESCRIBED.—A private entity described in this subsection is a private entity that—

(1) has experience and proven outcomes in optimizing the performance of the health care delivery systems of the Veterans Health Administration and the private sector and in health care management; and

(2) specializes in implementing large-scale organizational and cultural transformations, especially with respect to health care delivery systems.

(c) PROGRAM INTEGRATOR.—

(1) IN GENERAL.—If the Secretary enters into contracts with more than one private sector entity under subsection (a), the Secretary shall designate one such entity that is predominately a health care organization as the program integrator.

(2) RESPONSIBILITIES.—The program integrator designated pursuant to paragraph (1) shall be responsible for coordinating the outcomes of the assessments conducted by the private entities pursuant to such contracts.

(d) REPORT ON ASSESSMENT.—

(1) IN GENERAL.—Not later than 60 days after completing the assessment required by subsection (a), the private sector entity or entities carrying out such assessment shall submit to the Secretary of Veterans Affairs, the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Commission on Care established under section 202 a report on the findings and recommendations of the private sector entity or entities with respect to such assessment.

(2) PUBLICATION.—Not later than 30 days after receiving the report under paragraph (1), the Secretary shall publish such report in the Federal Register and on an Internet website of the Department of Veterans Affairs that is accessible to the public.

Deadline. Federal Register, publication. Web posting. Public information.

(e) NON-DEPARTMENT FACILITIES DEFINED.—In this section, the term "non-Department facilities" has the meaning given that term in section 1701 of title 38, United States Code.

SEC. 202. COMMISSION ON CARE.

(a) ESTABLISHMENT OF COMMISSION.—

(1) IN GENERAL.—There is established a commission, to be known as the "Commission on Care" (in this section referred to as the "Commission"), to examine the access of veterans to health care from the Department of Veterans Affairs and strategically examine how best to organize the Veterans Health Administration, locate health care resources, and deliver health care to veterans during the 20-year period beginning on the date of the enactment of this Act.

(2) MEMBERSHIP.—

(A) VOTING MEMBERS.—The Commission shall be composed of 15 voting members who are appointed as follows:

(i) Three members appointed by the Speaker of the House of Representatives, at least one of whom shall be a veteran.

(ii) Three members appointed by the Minority Leader of the House of Representatives, at least one of whom shall be a veteran.

(iii) Three members appointed by the Majority Leader of the Senate, at least one of whom shall be a veteran.

(iv) Three members appointed by the Minority Leader of the Senate, at least one of whom shall be a veteran.

(v) Three members appointed by the President, at least two of whom shall be veterans.

(B) QUALIFICATIONS.—Of the members appointed under subparagraph (A)—

(i) at least one member shall represent an organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code;

(ii) at least one member shall have experience as senior management for a private integrated health care system with an annual gross revenue of more than $50,000,000;

(iii) at least one member shall be familiar with government health care systems, including those systems of the Department of Defense, the Indian Health Service, and Federally-qualified health centers (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B)));

(iv) at least one member shall be familiar with the Veterans Health Administration but shall not be currently employed by the Veterans Health Administration; and

(v) at least one member shall be familiar with medical facility construction and leasing projects carried out by government entities and have experience in the building trades, including construction, engineering, and architecture.

Deadline. (C) DATE.—The appointments of members of the Commission shall be made not later than 1 year after the date of the enactment of this Act.

(3) PERIOD OF APPOINTMENT.—

(A) IN GENERAL.—Members shall be appointed for the life of the Commission.

(B) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

Deadline. (4) INITIAL MEETING.—Not later than 15 days after the date on which eight voting members of the Commission have been appointed, the Commission shall hold its first meeting.

(5) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(6) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

President. (7) CHAIRPERSON AND VICE CHAIRPERSON.—The President shall designate a member of the commission to serve as Chairperson of the Commission. The Commission shall select a Vice Chairperson from among its members.

(b) DUTIES OF COMMISSION.—

(1) EVALUATION AND ASSESSMENT.—The Commission shall undertake a comprehensive evaluation and assessment of access to health care at the Department of Veterans Affairs.

(2) MATTERS EVALUATED AND ASSESSED.—In undertaking the comprehensive evaluation and assessment required by paragraph (1), the Commission shall evaluate and assess the results of the assessment conducted by the private sector entity or entities under section 201, including any findings, data, or recommendations included in such assessment.

(3) REPORTS.—The Commission shall submit to the President, through the Secretary of Veterans Affairs, reports as follows:

(A) Not later than 90 days after the date of the initial meeting of the Commission, an interim report on—

(i) the findings of the Commission with respect to the evaluation and assessment required by this subsection; and

(ii) such recommendations as the Commission may have for legislative or administrative action to improve

access to health care through the Veterans Health Administration.

(B) Not later than 180 days after the date of the initial meeting of the Commission, a final report on—

(i) the findings of the Commission with respect to the evaluation and assessment required by this subsection; and

(ii) such recommendations as the Commission may have for legislative or administrative action to improve access to health care through the Veterans Health Administration.

(c) POWERS OF THE COMMISSION.—

(1) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal agency such information as the Commission considers necessary to carry out this section. Upon request of the Chairperson of the Commission, the head of such agency shall furnish such information to the Commission.

(d) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—

(A) IN GENERAL.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission.

(B) OFFICERS OR EMPLOYEES OF THE UNITED STATES.—All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) STAFF.—

(A) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(B) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive

director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(e) TERMINATION OF THE COMMISSION.—The Commission shall terminate 30 days after the date on which the Commission submits the report under subsection (b)(3)(B).

(f) FUNDING.—The Secretary of Veterans Affairs shall make available to the Commission from amounts appropriated or otherwise made available to the Secretary such amounts as the Secretary and the Chairperson of the Commission jointly consider appropriate for the Commission to perform its duties under this section.

President.

(g) EXECUTIVE ACTION.—

(1) ACTION ON RECOMMENDATIONS.—The President shall require the Secretary of Veterans Affairs and such other heads of relevant Federal departments and agencies to implement each recommendation set forth in a report submitted under subsection (b)(3) that the President—

(A) considers feasible and advisable; and

(B) determines can be implemented without further legislative action.

(2) REPORTS.—Not later than 60 days after the date on which the President receives a report under subsection (b)(3), the President shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives and such other committees of Congress as the President considers appropriate a report setting forth the following:

(A) An assessment of the feasibility and advisability of each recommendation contained in the report received by the President.

(B) For each recommendation assessed as feasible and advisable under subparagraph (A) the following:

(i) Whether such recommendation requires legislative action.

(ii) If such recommendation requires legislative action, a recommendation concerning such legislative action.

(iii) A description of any administrative action already taken to carry out such recommendation.

(iv) A description of any administrative action the President intends to be taken to carry out such recommendation and by whom.

SEC. 203. TECHNOLOGY TASK FORCE ON REVIEW OF SCHEDULING SYSTEM AND SOFTWARE OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) TASK FORCE REVIEW.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall, through the use of a technology task force, conduct a review of the needs of the Department of Veterans Affairs with respect to the scheduling system and scheduling software of the Department of Veterans Affairs that is used by the Department to schedule appointments for veterans for hospital care, medical services, and other health care from the Department. Establishment.

(2) AGREEMENT.—

(A) IN GENERAL.—The Secretary shall seek to enter into an agreement with a technology organization or technology organizations to carry out the review required by paragraph (1).

(B) PROHIBITION ON USE OF FUNDS.—Notwithstanding any other provision of law, no Federal funds may be used to assist the technology organization or technology organizations under subparagraph (A) in carrying out the review required by paragraph (1).

(b) REPORT.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the technology task force required under subsection (a)(1) shall submit to the Secretary, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives a report setting forth the findings and recommendations of the technology task force regarding the needs of the Department with respect to the scheduling system and scheduling software of the Department described in such subsection.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) Proposals for specific actions to be taken by the Department to improve the scheduling system and scheduling software of the Department described in subsection (a)(1).

(B) A determination as to whether one or more existing off-the-shelf systems would—

(i) meet the needs of the Department to schedule appointments for veterans for hospital care, medical services, and other health care from the Department; and

(ii) improve the access of veterans to such care and services.

(3) PUBLICATION.—Not later than 30 days after the receipt of the report required by paragraph (1), the Secretary shall publish such report in the Federal Register and on an Internet website of the Department accessible to the public. Deadline. Federal Register, publication. Web posting. Public information.

(c) IMPLEMENTATION OF TASK FORCE RECOMMENDATIONS.—Not later than 1 year after the receipt of the report required by subsection (b)(1), the Secretary shall implement the recommendations set forth in such report that the Secretary considers are feasible, advisable, and cost effective. Deadline.

SEC. 204. IMPROVEMENT OF ACCESS OF VETERANS TO MOBILE VET CENTERS AND MOBILE MEDICAL CENTERS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IMPROVEMENT OF ACCESS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall improve the access of veterans to telemedicine and other health care through the use of mobile vet centers and mobile medical centers of the Department of Veterans Affairs by providing standardized requirements for the operation of such centers.

(2) REQUIREMENTS.—The standardized requirements required by paragraph (1) shall include the following:

(A) The number of days each mobile vet center and mobile medical center of the Department is expected to travel per year.

(B) The number of locations each center is expected to visit per year.

(C) The number of appointments each center is expected to conduct per year.

(D) The method and timing of notifications given by each center to individuals in the area to which the center is traveling, including notifications informing veterans of the availability to schedule appointments at the center.

(3) USE OF TELEMEDICINE.—The Secretary shall ensure that each mobile vet center and mobile medical center of the Department has the capability to provide telemedicine services.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and not later than September 30 each year thereafter, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on access to health care through the use of mobile vet centers and mobile medical centers of the Department that includes statistics on each of the requirements set forth in subsection (a)(2) for the year covered by the report.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) A description of the use of mobile vet centers and mobile medical centers to provide telemedicine services to veterans during the year preceding the submittal of the report, including the following:

(i) The number of days each mobile vet center and mobile medical center was open to provide such services.

(ii) The number of days each center traveled to a location other than the headquarters of the center to provide such services.

(iii) The number of appointments each center conducted to provide such services on average per month and in total during such year.

(B) An analysis of the effectiveness of using mobile vet centers and mobile medical centers to provide health care services to veterans through the use of telemedicine.

(C) Any recommendations for an increase in the number of mobile vet centers and mobile medical centers of the Department.

(D) Any recommendations for an increase in the telemedicine capabilities of each mobile vet center and mobile medical center.

(E) The feasibility and advisability of using temporary health care providers, including locum tenens, to provide direct health care services to veterans at mobile vet centers and mobile medical centers.

(F) Such other recommendations on improvement of the use of mobile vet centers and mobile medical centers by the Department as the Secretary considers appropriate.

SEC. 205. IMPROVED PERFORMANCE METRICS FOR HEALTH CARE PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) PROHIBITION ON USE OF SCHEDULING AND WAIT-TIME METRICS IN DETERMINATION OF PERFORMANCE AWARDS.—The Secretary of Veterans Affairs shall ensure that scheduling and wait-time metrics or goals are not used as factors in determining the performance of the following employees for purposes of determining whether to pay performance awards to such employees:

(1) Directors, associate directors, assistant directors, deputy directors, chiefs of staff, and clinical leads of medical centers of the Department of Veterans Affairs.

(2) Directors, assistant directors, and quality management officers of Veterans Integrated Service Networks of the Department of Veterans Affairs.

(b) MODIFICATION OF PERFORMANCE PLANS.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall modify the performance plans of the directors of the medical centers of the Department and the directors of the Veterans Integrated Service Networks to ensure that such plans are based on the quality of care received by veterans at the health care facilities under the jurisdictions of such directors. Deadline.

(2) FACTORS.—In modifying performance plans under paragraph (1), the Secretary shall ensure that assessment of the quality of care provided at health care facilities under the jurisdiction of a director described in paragraph (1) includes consideration of the following:

(A) Recent reviews by the Joint Commission (formerly known as the "Joint Commission on Accreditation of Healthcare Organizations") of such facilities.

(B) The number and nature of recommendations concerning such facilities by the Inspector General of the Department in reviews conducted through the Combined Assessment Program, in the reviews by the Inspector General of community-based outpatient clinics and primary care clinics, and in reviews conducted through the Office of Healthcare Inspections during the two most recently completed fiscal years.

(C) The number of recommendations described in subparagraph (B) that the Inspector General of the Department determines have not been carried out satisfactorily with respect to such facilities.

(D) Reviews of such facilities by the Commission on Accreditation of Rehabilitation Facilities.

(E) The number and outcomes of administrative investigation boards, root cause analyses, and peer reviews conducted at such facilities during the fiscal year for which the assessment is being conducted.

(F) The effectiveness of any remedial actions or plans resulting from any Inspector General recommendations in the reviews and analyses described in subparagraphs (A) through (E).

Assessment.

(3) ADDITIONAL LEADERSHIP POSITIONS.—To the degree practicable, the Secretary shall assess the performance of other employees of the Department in leadership positions at Department medical centers, including associate directors, assistant directors, deputy directors, chiefs of staff, and clinical leads, and in Veterans Integrated Service Networks, including assistant directors and quality management officers, using factors and criteria similar to those used in the performance plans modified under paragraph (1).

(c) REMOVAL OF CERTAIN PERFORMANCE GOALS.—For each fiscal year that begins after the date of the enactment of this Act, the Secretary shall not include in the performance goals of any employee of a Veterans Integrated Service Network or medical center of the Department any performance goal that might disincentivize the payment of Department amounts to provide hospital care, medical services, or other health care through a non-Department provider.

SEC. 206. IMPROVED TRANSPARENCY CONCERNING HEALTH CARE PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS.

Deadline. Federal Register, publication. Web posting. Public information.

(a) PUBLICATION OF WAIT TIMES.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall publish in the Federal Register, and on a publicly accessible Internet website of each medical center of the Department of Veterans Affairs, the wait-times for the scheduling of an appointment in each Department facility by a veteran for the receipt of primary care, specialty care, and hospital care and medical services based on the general severity of the condition of the veteran. Whenever the wait-times for the scheduling of such an appointment changes, the Secretary shall publish the revised wait-times—

(1) on a publicly accessible Internet website of each medical center of the Department by not later than 30 days after such change; and

(2) in the Federal Register by not later than 90 days after such change.

(b) PUBLICLY AVAILABLE DATABASE OF PATIENT SAFETY, QUALITY OF CARE, AND OUTCOME MEASURES.—

Deadline.

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and make available to the public a comprehensive database containing all applicable patient safety, quality of care, and outcome measures for health care provided by the Department that are tracked by the Secretary.

(2) UPDATE FREQUENCY.—The Secretary shall update the database required by paragraph (1) not less frequently than once each year.

Notice.

(3) UNAVAILABLE MEASURES.—For all measures that the Secretary would otherwise publish in the database required

by paragraph (1) but has not done so because such measures are not available, the Secretary shall publish notice in the database of the reason for such unavailability and a timeline for making such measures available in the database.

(4) ACCESSIBILITY.—The Secretary shall ensure that the database required by paragraph (1) is accessible to the public through the primary Internet website of the Department and through each primary Internet website of a Department medical center.

(c) HOSPITAL COMPARE WEBSITE OF DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

(1) AGREEMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with the Secretary of Health and Human Services for the provision by the Secretary of Veterans Affairs of such information as the Secretary of Health and Human Services may require to report and make publicly available patient quality and outcome information concerning Department of Veterans Affairs medical centers through the Hospital Compare Internet website of the Department of Health and Human Services or any successor Internet website. Deadline. Public information.

(2) INFORMATION PROVIDED.—The information provided by the Secretary of Veterans Affairs to the Secretary of Health and Human Services under paragraph (1) shall include the following:

(A) Measures of timely and effective health care.

(B) Measures of readmissions, complications of death, including with respect to 30-day mortality rates and 30-day readmission rates, surgical complication measures, and health care related infection measures.

(C) Survey data of patient experiences, including the Hospital Consumer Assessment of Healthcare Providers and Systems or any similar successor survey developed by the Department of Health and Human Services.

(D) Any other measures required of or reported with respect to hospitals participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(3) UNAVAILABLE INFORMATION.—For any applicable metric collected by the Department of Veterans Affairs or required to be provided under paragraph (2) and withheld from or unavailable in the Hospital Compare Internet website or any successor Internet website, the Secretary of Veterans Affairs shall publish a notice on such Internet website stating the reason why such metric was withheld from public disclosure and a timeline for making such metric available, if applicable. Notice.

(d) COMPTROLLER GENERAL REVIEW OF PUBLICLY AVAILABLE SAFETY AND QUALITY METRICS.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of the safety and quality metrics made publicly available by the Secretary of Veterans Affairs under this section to assess the degree to which the Secretary is complying with the provisions of this section. Deadline.

SEC. 207. INFORMATION FOR VETERANS ON THE CREDENTIALS OF DEPARTMENT OF VETERANS AFFAIRS PHYSICIANS.

(a) IMPROVEMENT OF "OUR DOCTORS" INTERNET WEBSITE LINKS.—

(1) AVAILABILITY THROUGH DEPARTMENT OF VETERANS AFFAIRS HOMEPAGE.—A link to the "Our Doctors" health care providers database of the Department of Veterans Affairs, or any successor database, shall be available on and through the homepage of the Internet website of the Department that is accessible to the public.

(2) INFORMATION ON LOCATION OF RESIDENCY TRAINING.—The Internet website of the Department that is accessible to the public shall include under the link to the "Our Doctors" health care providers database of the Department, or any successor database, the name of the facility at which each licensed physician of the Department underwent residency training.

(3) INFORMATION ON PHYSICIANS AT PARTICULAR FACILITIES.—The "Our Doctors" health care providers database of the Department, or any successor database, shall identify whether each licensed physician of the Department is a physician in residency.

(b) INFORMATION ON CREDENTIALS OF PHYSICIANS FOR VETERANS UNDERGOING SURGICAL PROCEDURES.—

(1) IN GENERAL.—Each veteran who is undergoing a surgical procedure by or through the Department shall be provided information described in paragraph (2) with respect to the surgeon to be performing such procedure at such time in advance of the procedure as is appropriate to permit such veteran to evaluate such information.

(2) INFORMATION DESCRIBED.—The information described in this paragraph with respect to a surgeon described in paragraph (1) is as follows:

(A) The education and training of the surgeon.

(B) The licensure, registration, and certification of the surgeon by the State or national entity responsible for such licensure, registration, or certification.

(3) OTHER INDIVIDUALS.—If a veteran is unable to evaluate the information provided under paragraph (1) due to the health or mental competence of the veteran, such information shall be provided to an individual acting on behalf of the veteran.

(c) COMPTROLLER GENERAL REPORT AND PLAN.—

(1) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth an assessment by the Comptroller General of the following:

(A) The manner in which contractors under the Patient-Centered Community Care initiative of the Department perform oversight of the credentials of physicians within the networks of such contractors under the initiative.

(B) The oversight by the Department of the contracts under the Patient-Centered Community Care initiative.

(C) The verification by the Department of the credentials and licenses of health care providers furnishing hospital care and medical services under section 101.

(2) PLAN.— Deadlines.

(A) IN GENERAL.—Not later than 30 days after the submittal of the report under paragraph (1), the Secretary shall submit to the Comptroller General, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives a plan to address any findings and recommendations of the Comptroller General included in such report.

(B) IMPLEMENTATION.—Not later than 90 days after the submittal of the report under paragraph (1), the Secretary shall carry out such plan.

SEC. 208. INFORMATION IN ANNUAL BUDGET OF THE PRESIDENT ON HOSPITAL CARE AND MEDICAL SERVICES FURNISHED THROUGH EXPANDED USE OF CONTRACTS FOR SUCH CARE.

The materials on the Department of Veterans Affairs in the budget of the President for a fiscal year, as submitted to Congress pursuant to section 1105(a) of title 31, United States Code, shall set forth the following:

(1) The number of veterans who received hospital care and medical services under section 101 during the fiscal year preceding the fiscal year in which such budget is submitted.

(2) The amount expended by the Department on furnishing care and services under such section during the fiscal year preceding the fiscal year in which such budget is submitted.

(3) The amount requested in such budget for the costs of furnishing care and services under such section during the fiscal year covered by such budget, set forth in aggregate and by amounts for each account for which amounts are so requested.

(4) The number of veterans that the Department estimates will receive hospital care and medical services under such section during the fiscal years covered by the budget submission.

(5) The number of employees of the Department on paid administrative leave at any point during the fiscal year preceding the fiscal year in which such budget is submitted.

SEC. 209. PROHIBITION ON FALSIFICATION OF DATA CONCERNING WAIT TIMES AND QUALITY MEASURES AT DEPARTMENT OF VETERANS AFFAIRS.

Not later than 60 days after the date of the enactment of this Act, and in accordance with title 5, United States Code, the Secretary of Veterans Affairs shall establish policies whereby any employee of the Department of Veterans Affairs who knowingly submits false data concerning wait times for health care or quality measures with respect to health care to another employee of the Department or knowingly requires another employee of the Department to submit false data concerning such wait times or quality measures to another employee of the Department is subject to a penalty the Secretary considers appropriate after notice and an opportunity for a hearing, including civil penalties, unpaid suspensions, or termination. Deadline.

TITLE III—HEALTH CARE STAFFING, RECRUITMENT, AND TRAINING MATTERS

SEC. 301. TREATMENT OF STAFFING SHORTAGE AND BIENNIAL REPORT ON STAFFING OF MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) STAFFING SHORTAGES.—

(1) IN GENERAL.—Subchapter I of chapter 74 of title 38, United States Code, is amended by adding at the end the following new section:

38 USC 7412.

"§ 7412. Annual determination of staffing shortages; recruitment and appointment for needed occupations

Deadline. Federal Register, publication. Time period.

"(a) IN GENERAL.—Not later than September 30 of each year, the Inspector General of the Department shall determine, and the Secretary shall publish in the Federal Register, the five occupations of personnel of this title of the Department covered under section 7401 of this title for which there are the largest staffing shortages throughout the Department as calculated over the five-year period preceding the determination.

"(b) RECRUITMENT AND APPOINTMENT.—Notwithstanding sections 3304 and 3309 through 3318 of title 5, the Secretary may, upon a determination by the Inspector General under paragraph (1) that there is a staffing shortage throughout the Department with respect to a particular occupation, recruit and directly appoint, during the fiscal year after the fiscal year during which such determination is made, qualified personnel to serve in that particular occupation for the Department.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7411 the following new item:

"7412. Annual determination of staffing shortages; recruitment and appointment for needed occupations.".

Federal Register, publication. 38 USC 7412 note.

(3) DEADLINE FOR FIRST DETERMINATION.—Notwithstanding the deadline under section 7412 of title 38, United States Code, as added by paragraph (1), for the annual determination of staffing shortages in the Veterans Health Administration, the Inspector General of the Department of Veterans Affairs shall make the first determination required under such section, and the Secretary of Veterans Affairs shall publish in the Federal Register such determination, by not later than the date that is 180 days after the date of the enactment of this Act.

(b) INCREASE OF GRADUATE MEDICAL EDUCATION RESIDENCY POSITIONS.—

(1) IN GENERAL.—Section 7302 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(e)(1) In carrying out this section, the Secretary shall establish medical residency programs, or ensure that already established medical residency programs have a sufficient number of residency positions, at any medical facility of the Department that the Secretary determines—

"(A) is experiencing a shortage of physicians; and

"(B) is located in a community that is designated as a health professional shortage area (as defined in section 332 of the Public Health Service Act (42 U.S.C. 254e)).

"(2) In carrying out paragraph (1), the Secretary shall—

"(A) allocate the residency positions under such paragraph among occupations included in the most current determination published in the Federal Register pursuant to section 7412(a) of this title; and

"(B) give priority to residency positions and programs in primary care, mental health, and any other specialty the Secretary determines appropriate.".

(2) FIVE-YEAR INCREASE.—

(A) IN GENERAL.—In carrying out section 7302(e) of title 38, United States Code, as added by paragraph (1), during the 5-year period beginning on the day that is 1 year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall increase the number of graduate medical education residency positions at medical facilities of the Department by up to 1,500 positions.

Time period. Effective date. 38 USC 7302 note.

(B) PRIORITY.—In increasing the number of graduate medical education residency positions at medical facilities of the Department under subparagraph (A), the Secretary shall give priority to medical facilities that—

(i) as of the date of the enactment of this Act, do not have a medical residency program; and

(ii) are located in a community that has a high concentration of veterans.

(3) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and not later than October 1 each year thereafter until 2019, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on graduate medical education residency positions at medical facilities of the Department.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) For the year preceding the submittal of the report, the number of graduate medical education residency positions at medical facilities of the Department as follows:

(I) That were filled.

(II) That were not filled.

(III) That the Department anticipated filling.

(ii) With respect to each graduate medical education residency position specified in clause (i)—

(I) the geographic location of each such position; and

(II) if such position was filled, the academic affiliation of the medical resident that filled such position.

(iii) The policy at each medical facility of the Department with respect to the ratio of medical residents to staff supervising medical residents.

Time period.

(iv) During the 1-year period preceding the submittal of the report, the number of individuals who declined an offer from the Department to serve as a medical resident at a medical facility of the Department and the reason why each such individual declined such offer.

Time period.

(v) During the 1-year period preceding the submittal of the report, a description of—

(I) challenges, if any, faced by the Department in filling graduate medical education residency positions at medical facilities of the Department; and

(II) actions, if any, taken by the Department to address such challenges.

(vi) A description of efforts of the Department, as of the date of the submittal of the report, to recruit and retain medical residents to work for the Veterans Health Administration as full-time employees.

(c) PRIORITY IN SCHOLARSHIP PROGRAM OF HEALTH PROFESSIONALS EDUCATIONAL ASSISTANCE PROGRAM TO CERTAIN PROVIDERS.—Section 7612(b)(5) of title 38, United States Code, is amended—

(1) in subparagraph (A), by striking "and" at the end;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph (B):

"(B) shall give priority to applicants pursuing a course of education or training toward a career in an occupation for which the Inspector General of the Department has, in the most current determination published in the Federal Register pursuant to section 7412(a) of this title, determined that there is one of the largest staffing shortages throughout the Department with respect to such occupation; and".

(d) REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not later than December 31 of each even-numbered year thereafter until 2024, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report assessing the staffing of each medical facility of the Department.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) The results of a system-wide assessment of all medical facilities of the Department to ensure the following:

(i) Appropriate staffing levels for health care professionals to meet the goals of the Secretary for timely access to care for veterans.

(ii) Appropriate staffing levels for support personnel, including clerks.

(iii) Appropriate sizes for clinical panels.

(iv) Appropriate numbers of full-time staff, or full-time equivalents, dedicated to direct care of patients.

(v) Appropriate physical plant space to meet the capacity needs of the Department in that area.

(vi) Such other factors as the Secretary considers necessary.

(B) A plan for addressing any issues identified in the assessment described in subparagraph (A), including a timeline for addressing such issues.

(C) A list of the current wait times and workload levels for the following clinics in each medical facility:

(i) Mental health.

(ii) Primary care.

(iii) Gastroenterology.

(iv) Women's health.

(v) Such other clinics as the Secretary considers appropriate.

(D) A description of the results of the most current determination of the Inspector General under subsection (a) of section 7412 of title 38, United States Code, as added by subsection (a)(1) of this section, and a plan to use direct appointment authority under subsection (b) of such section 7412 to fill staffing shortages, including recommendations for improving the speed at which the credentialing and privileging process can be conducted.

(E) The current staffing models of the Department for the following clinics, including recommendations for changes to such models:

(i) Mental health.

(ii) Primary care.

(iii) Gastroenterology.

(iv) Women's health.

(v) Such other clinics as the Secretary considers appropriate.

(F) A detailed analysis of succession planning at medical facilities of the Department, including the following:

(i) The number of positions in medical facilities throughout the Department that are not filled by a permanent employee.

(ii) The length of time each position described in clause (i) remained vacant or filled by a temporary or acting employee.

(iii) A description of any barriers to filling the positions described in clause (i).

(iv) A plan for filling any positions that are vacant or filled by a temporary or acting employee for more than 180 days.

(v) A plan for handling emergency circumstances, such as administrative leave or sudden medical leave for senior officials.

Time period.

(G) The number of health care providers of the Department who have been removed from their positions, have retired, or have left their positions for another reason, disaggregated by provider type, during the 2-year period preceding the submittal of the report.

(H) Of the health care providers specified in subparagraph (G) who have been removed from their positions, the following:

(i) The number of such health care providers who were reassigned to other positions in the Department.

(ii) The number of such health care providers who left the Department.

(iii) The number of such health care providers who left the Department and were subsequently rehired by the Department.

SEC. 302. EXTENSION AND MODIFICATION OF CERTAIN PROGRAMS WITHIN THE DEPARTMENT OF VETERANS AFFAIRS HEALTH PROFESSIONALS EDUCATIONAL ASSISTANCE PROGRAM.

(a) EXTENSION OF SCHOLARSHIP PROGRAM.—Section 7619 of title 38, United States Code, is amended by striking "December 31, 2014" and inserting "December 31, 2019".

(b) MODIFICATION OF EDUCATION DEBT REDUCTION PROGRAM.—

(1) MODIFICATION OF AMOUNT AND DURATION OF ELIGIBILITY.—Paragraph (1) of section 7683(d) of such title is amended—

(A) by striking "$60,000" and inserting "$120,000"; and

(B) by striking "$12,000 of such payments" and all that follows through the period at the end and inserting "$24,000 of such payments may be made in each year of participation in the Program".

(2) ELIMINATION OF LIMITATION.—

(A) IN GENERAL.—Such section is further amended—

(i) by striking paragraph (2);

(ii) by redesignating paragraph (3) as paragraph (2); and

(iii) in paragraph (2), as redesignated by clause (ii), by striking "paragraphs (1) and (2)" and inserting "paragraph (1)".

(B) CONFORMING AMENDMENT.—Paragraph (1) of such section, as amended by paragraph (1), is further amended by striking "Subject to paragraph (2), the amount" and inserting "The amount".

38 USC 703 note.

SEC. 303. CLINIC MANAGEMENT TRAINING FOR EMPLOYEES AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) CLINIC MANAGEMENT TRAINING PROGRAM.—

Deadline.

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a role-specific clinic management training program to provide in-person, standardized education on systems and processes for health care practice management and scheduling to all appropriate employees, as determined by the Secretary, at medical facilities of the Department.

(2) ELEMENTS.—

(A) IN GENERAL.—The clinic management training program required by paragraph (1) shall include the following:

(i) Training on how to manage the schedules of health care providers of the Department, including the following:

(I) Maintaining such schedules in a manner that allows appointments to be booked at least eight weeks in advance.

(II) Proper planning procedures for vacation, leave, and graduate medical education training schedules.

(ii) Training on the appropriate number of appointments that a health care provider should conduct on a daily basis, based on specialty.

(iii) Training on how to determine whether there are enough available appointment slots to manage demand for different appointment types and mechanisms for alerting management of insufficient slots.

(iv) Training on how to properly use the appointment scheduling system of the Department, including any new scheduling system implemented by the Department.

(v) Training on how to optimize the use of technology, including the following:

(I) Telemedicine.

(II) Electronic mail.

(III) Text messaging.

(IV) Such other technologies as specified by the Secretary.

(vi) Training on how to properly use physical plant space at medical facilities of the Department to ensure efficient flow and privacy for patients and staff.

(B) ROLE-SPECIFIC.—The Secretary shall ensure that each employee of the Department included in the clinic management training program required by paragraph (1) receives education under such program that is relevant to the responsibilities of such employee.

(3) SUNSET.—The clinic management training program required by paragraph (1) shall terminate on the date that is 2 years after the date on which the Secretary commences such program.

(b) TRAINING MATERIALS.—

(1) IN GENERAL.—After the termination of the clinic management training program required by subsection (a), the Secretary shall provide training materials on health care management to each of the following employees of the Department that are relevant to the position and responsibilities of such employee upon the commencement of employment of such employee:

(A) Any manager of a medical facility of the Department.

(B) Any health care provider at a medical facility of the Department.

(C) Such other employees of the Department as the Secretary considers appropriate.

(2) UPDATE.—The Secretary shall regularly update the training materials required under paragraph (1).

TITLE IV—HEALTH CARE RELATED TO SEXUAL TRAUMA

SEC. 401. EXPANSION OF ELIGIBILITY FOR SEXUAL TRAUMA COUNSELING AND TREATMENT TO VETERANS ON INACTIVE DUTY TRAINING.

Section 1720D(a)(1) of title 38, United States Code, is amended by striking "or active duty for training" and inserting ", active duty for training, or inactive duty training".

SEC. 402. PROVISION OF COUNSELING AND TREATMENT FOR SEXUAL TRAUMA BY THE DEPARTMENT OF VETERANS AFFAIRS TO MEMBERS OF THE ARMED FORCES.

(a) EXPANSION OF COVERAGE TO MEMBERS OF THE ARMED FORCES.—Subsection (a) of section 1720D of title 38, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph (2):

Consultation.

"(2)(A) In operating the program required by paragraph (1), the Secretary may, in consultation with the Secretary of Defense, provide counseling and care and services to members of the Armed Forces (including members of the National Guard and Reserves) on active duty to overcome psychological trauma described in that paragraph.

"(B) A member described in subparagraph (A) shall not be required to obtain a referral before receiving counseling and care and services under this paragraph."; and

(3) in paragraph (3), as redesignated by paragraph (1)—

(A) by striking "a veteran" and inserting "an individual"; and

(B) by striking "that veteran" each place it appears and inserting "that individual".

(b) INFORMATION TO MEMBERS ON AVAILABILITY OF COUNSELING AND SERVICES.—Subsection (c) of such section is amended—

(1) by striking "to veterans" each place it appears; and

(2) in paragraph (3), by inserting "members of the Armed Forces and" before "individuals".

(c) INCLUSION OF MEMBERS IN REPORTS ON COUNSELING AND SERVICES.—Subsection (e) of such section is amended—

(1) in the matter preceding paragraph (1), by striking "to veterans";

(2) in paragraph (2)—

(A) by striking "women veterans" and inserting "individuals"; and

(B) by striking "training under subsection (d)." and inserting "training under subsection (d), disaggregated by—

"(A) veterans;

"(B) members of the Armed Forces (including members of the National Guard and Reserves) on active duty; and

"(C) for each of subparagraphs (A) and (B)—

"(i) men; and

"(ii) women.";

(3) in paragraph (4), by striking "veterans" and inserting "individuals"; and

(4) in paragraph (5)—

(A) by striking "women veterans" and inserting "individuals"; and

(B) by inserting ", including specific recommendations for individuals specified in subparagraphs (A), (B), and (C) of paragraph (2)" before the period at the end.

38 USC 1720D.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 1 year after the date of the enactment of this Act.

SEC. 403. REPORTS ON MILITARY SEXUAL TRAUMA.

(a) REPORT ON SERVICES AVAILABLE FOR MILITARY SEXUAL TRAUMA IN THE DEPARTMENT OF VETERANS AFFAIRS.—Not later than 630 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the treatment and services available from the Department of Veterans Affairs for male veterans who experience military sexual trauma compared to such treatment and services available to female veterans who experience military sexual trauma.

(b) REPORTS ON TRANSITION OF MILITARY SEXUAL TRAUMA TREATMENT FROM DEPARTMENT OF DEFENSE TO DEPARTMENT OF VETERANS AFFAIRS.—Not later than 630 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Department of Veterans Affairs-Department of Defense Joint Executive Committee established by section 320(a) of title 38, United States Code, shall submit to the appropriate committees of Congress a report on military sexual trauma that includes the following:

(1) The processes and procedures utilized by the Department of Veterans Affairs and the Department of Defense to facilitate transition of treatment of individuals who have experienced military sexual trauma from treatment provided by the Department of Defense to treatment provided by the Department of Veterans Affairs.

(2) A description and assessment of the collaboration between the Department of Veterans Affairs and the Department of Defense in assisting veterans in filing claims for disabilities related to military sexual trauma, including permitting veterans access to information and evidence necessary to develop or support such claims.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the Committee on Veterans' Affairs and the Committee on Armed Services of the Senate; and

(B) the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives.

(2) MILITARY SEXUAL TRAUMA.—The term "military sexual trauma" means psychological trauma, which in the judgment of a mental health professional employed by the Department, resulted from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while the veteran was serving on active duty, active duty for training, or inactive duty training.

(3) SEXUAL HARASSMENT.—The term "sexual harassment" means repeated, unsolicited verbal or physical contact of a sexual nature which is threatening in character.

(4) SEXUAL TRAUMA.—The term "sexual trauma" shall have the meaning given that term by the Secretary of Veterans Affairs for purposes of this section.

(d) EFFECTIVE DATE.—This section shall take effect on the date that is 270 days after the date of the enactment of this Act.

TITLE V—OTHER HEALTH CARE MATTERS

SEC. 501. EXTENSION OF PILOT PROGRAM ON ASSISTED LIVING SERVICES FOR VETERANS WITH TRAUMATIC BRAIN INJURY.

(a) IN GENERAL.—Section 1705 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 38 U.S.C. 1710C note) is amended by adding at the end the following:

"(g) TERMINATION.—The pilot program shall terminate on October 6, 2017.".

(b) CONFORMING AMENDMENT.—Subsection (a) of such section is amended by striking "five-year".

TITLE VI—MAJOR MEDICAL FACILITY LEASES

SEC. 601. AUTHORIZATION OF MAJOR MEDICAL FACILITY LEASES.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified, and in an amount for each lease not to exceed the amount shown for such location (not including any estimated cancellation costs):

(1) For a clinical research and pharmacy coordinating center, Albuquerque, New Mexico, an amount not to exceed $9,560,000.

(2) For a community-based outpatient clinic, Brick, New Jersey, an amount not to exceed $7,280,000.

(3) For a new primary care and dental clinic annex, Charleston, South Carolina, an amount not to exceed $7,070,250.

(4) For a community-based outpatient clinic, Cobb County, Georgia, an amount not to exceed $6,409,000.

(5) For the Leeward Outpatient Healthcare Access Center, Honolulu, Hawaii, including a co-located clinic with the Department of Defense and the co-location of the Honolulu Regional Office of the Veterans Benefits Administration and the Kapolei Vet Center of the Department of Veterans Affairs, an amount not to exceed $15,887,370.

(6) For a community-based outpatient clinic, Johnson County, Kansas, an amount not to exceed $2,263,000.

(7) For a replacement community-based outpatient clinic, Lafayette, Louisiana, an amount not to exceed $2,996,000.

(8) For a community-based outpatient clinic, Lake Charles, Louisiana, an amount not to exceed $2,626,000.

(9) For outpatient clinic consolidation, New Port Richey, Florida, an amount not to exceed $11,927,000.

(10) For an outpatient clinic, Ponce, Puerto Rico, an amount not to exceed $11,535,000.

(11) For lease consolidation, San Antonio, Texas, an amount not to exceed $19,426,000.

(12) For a community-based outpatient clinic, San Diego, California, an amount not to exceed $11,946,100.

(13) For an outpatient clinic, Tyler, Texas, an amount not to exceed $4,327,000.

(14) For the Errera Community Care Center, West Haven, Connecticut, an amount not to exceed $4,883,000.

(15) For the Worcester Community-Based Outpatient Clinic, Worcester, Massachusetts, an amount not to exceed $4,855,000.

(16) For the expansion of a community-based outpatient clinic, Cape Girardeau, Missouri, an amount not to exceed $4,232,060.

(17) For a multispecialty clinic, Chattanooga, Tennessee, an amount not to exceed $7,069,000.

(18) For the expansion of a community-based outpatient clinic, Chico, California, an amount not to exceed $4,534,000.

(19) For a community-based outpatient clinic, Chula Vista, California, an amount not to exceed $3,714,000.

(20) For a new research lease, Hines, Illinois, an amount not to exceed $22,032,000.

(21) For a replacement research lease, Houston, Texas, an amount not to exceed $6,142,000.

(22) For a community-based outpatient clinic, Lincoln, Nebraska, an amount not to exceed $7,178,400.

(23) For a community-based outpatient clinic, Lubbock, Texas, an amount not to exceed $8,554,000.

(24) For a community-based outpatient clinic consolidation, Myrtle Beach, South Carolina, an amount not to exceed $8,022,000.

(25) For a community-based outpatient clinic, Phoenix, Arizona, an amount not to exceed $20,757,000.

(26) For the expansion of a community-based outpatient clinic, Redding, California, an amount not to exceed $8,154,000.

(27) For the expansion of a community-based outpatient clinic, Tulsa, Oklahoma, an amount not to exceed $13,269,200.

(b) REQUIREMENTS FOR CLINIC IN TULSA.— Oklahoma.

(1) IN GENERAL.—In carrying out the expansion of the community-based outpatient clinic in Tulsa, Oklahoma, authorized by subsection (a)(27), the Secretary of Veterans Affairs shall ensure that such clinic satisfies the following requirements:

(A) Consist of not more than 140,000 gross square feet.

(B) Have an annual cost per square foot of not more than the average market rate in Tulsa, Oklahoma, for an equivalent medical facility plus 20 percent.

(C) Satisfy the mandate of the Department of Veterans Affairs to provide veterans in Oklahoma with access to quality and efficient care.

(D) Expand clinical capacity in the region in which the clinic is located in a cost efficient manner based upon regional cost comparisons, taking into account the needs of current veterans and the potential demand by veterans for care in the future.

(E) Be the most cost effective option for the Department as predicted over a 30-year life cycle for such clinic.

(2) COST EFFECTIVE DETERMINATION.—

(A) IN GENERAL.—If the Secretary determines that the most cost effective option over a 30-year life cycle would be to purchase or construct a facility in Tulsa, Oklahoma, instead of entering into a major medical facility lease in

such location as authorized by subsection (a)(27), the Secretary shall not enter into such lease.

(B) MAJOR MEDICAL FACILITY PROJECT.—If the Secretary makes the determination described in subparagraph (A), the Secretary may request authority for a major medical facility project in Tulsa, Oklahoma, from Congress pursuant to section 8104(b) of title 38, United States Code.

Deadline.

(C) COST-BENEFIT ANALYSIS.—If the Secretary requests authority for the major medical facility project described in subparagraph (B), not later than 90 days after making the determination described in subparagraph (A), the Secretary shall submit to Congress a detailed cost-benefit analysis of such major medical facility project.

38 USC 8104 note.

SEC. 602. BUDGETARY TREATMENT OF DEPARTMENT OF VETERANS AFFAIRS MAJOR MEDICAL FACILITIES LEASES.

(a) FINDINGS.—Congress finds the following:

(1) Title 31, United States Code, requires the Department of Veterans Affairs to record the full cost of its contractual obligation against funds available at the time a contract is executed.

(2) Office of Management and Budget Circular A–11 provides guidance to agencies in meeting the statutory requirements under title 31, United States Code, with respect to leases.

(3) For operating leases, Office of Management and Budget Circular A–11 requires the Department of Veterans Affairs to record up-front budget authority in an "amount equal to total payments under the full term of the lease or [an] amount sufficient to cover first year lease payments plus cancellation costs".

(b) REQUIREMENT FOR OBLIGATION OF FULL COST.—

Records.

(1) IN GENERAL.—Subject to the availability of appropriations provided in advance, in exercising the authority of the Secretary of Veterans Affairs to enter into leases provided in this Act, the Secretary shall record, pursuant to section 1501 of title 31, United States Code, as the full cost of the contractual obligation at the time a contract is executed either—

(A) an amount equal to total payments under the full term of the lease; or

(B) if the lease specifies payments to be made in the event the lease is terminated before its full term, an amount sufficient to cover the first year lease payments plus the specified cancellation costs.

(2) SELF-INSURING AUTHORITY.—The requirements of paragraph (1) may be satisfied through the use of the self-insuring authority identified in title 40, United States Code, consistent with Office of Management and Budget Circular A–11.

(c) TRANSPARENCY.—

(1) COMPLIANCE.—Subsection (b) of section 8104 of title 38, United States Code, is amended by adding at the end the following new paragraph:

"(7) In the case of a prospectus proposing funding for a major medical facility lease, a detailed analysis of how the lease is expected to comply with Office of Management and Budget Circular A–11 and section 1341 of title 31 (commonly

referred to as the 'Anti-Deficiency Act'). Any such analysis shall include—

"(A) an analysis of the classification of the lease as a 'lease-purchase', 'capital lease', or 'operating lease' as those terms are defined in Office of Management and Budget Circular A–11;

"(B) an analysis of the obligation of budgetary resources associated with the lease; and

"(C) an analysis of the methodology used in determining the asset cost, fair market value, and cancellation costs of the lease.".

(2) SUBMITTAL TO CONGRESS.—Such section 8104 is further amended by adding at the end the following new subsection:

"(h)(1) Not less than 30 days before entering into a major medical facility lease, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives— Deadline.

"(A) notice of the Secretary's intention to enter into the lease; Notice.

"(B) a detailed summary of the proposed lease;

"(C) a description and analysis of any differences between the prospectus submitted pursuant to subsection (b) and the proposed lease; and

"(D) a scoring analysis demonstrating that the proposed lease fully complies with Office of Management and Budget Circular A–11.

"(2) Each committee described in paragraph (1) shall ensure that any information submitted to the committee under such paragraph is treated by the committee with the same level of confidentiality as is required by law of the Secretary and subject to the same statutory penalties for unauthorized disclosure or use as the Secretary. Confidentiality.

"(3) Not more than 30 days after entering into a major medical facility lease, the Secretary shall submit to each committee described in paragraph (1) a report on any material differences between the lease that was entered into and the proposed lease described under such paragraph, including how the lease that was entered into changes the previously submitted scoring analysis described in subparagraph (D) of such paragraph.". Deadline. Reports.

(d) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, shall be construed to in any way relieve the Department of Veterans Affairs from any statutory or regulatory obligations or requirements existing prior to the enactment of this section and such amendments.

TITLE VII—OTHER VETERANS MATTERS

SEC. 701. EXPANSION OF MARINE GUNNERY SERGEANT JOHN DAVID FRY SCHOLARSHIP.

(a) EXPANSION OF ENTITLEMENT.—Subsection (b)(9) of section 3311 of title 38, United States Code, is amended by inserting "or spouse" after "child".

(b) LIMITATION AND ELECTION ON CERTAIN BENEFITS.—Subsection (f) of such section is amended—

(1) by redesignating paragraph (2) as paragraph (4); and

(2) by inserting after paragraph (1) the following new paragraphs:

Expiration date.

"(2) LIMITATION.—The entitlement of an individual to assistance under subsection (a) pursuant to paragraph (9) of subsection (b) because the individual was a spouse of a person described in such paragraph shall expire on the earlier of—

"(A) the date that is 15 years after the date on which the person died; or

"(B) the date on which the individual remarries.

"(3) ELECTION ON RECEIPT OF CERTAIN BENEFITS.—A surviving spouse entitled to assistance under subsection (a) pursuant to paragraph (9) of subsection (b) who is also entitled to educational assistance under chapter 35 of this title may not receive assistance under both this section and such chapter, but shall make an irrevocable election (in such form and manner as the Secretary may prescribe) under which section or chapter to receive educational assistance.".

(c) CONFORMING AMENDMENT.—Section 3321(b)(4) of such title is amended—

(1) by striking "an individual" and inserting "a child"; and

(2) by striking "such individual's" each time it appears and inserting "such child's".

Applicability. 38 USC 3311 note.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to a quarter, semester, or term, as applicable, commencing on or after January 1, 2015.

SEC. 702. APPROVAL OF COURSES OF EDUCATION PROVIDED BY PUBLIC INSTITUTIONS OF HIGHER LEARNING FOR PURPOSES OF ALL-VOLUNTEER FORCE EDUCATIONAL ASSISTANCE PROGRAM AND POST-9/11 EDUCATIONAL ASSISTANCE CONDITIONAL ON IN-STATE TUITION RATE FOR VETERANS.

(a) IN GENERAL.—Section 3679 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(c)(1) Notwithstanding any other provision of this chapter and subject to paragraphs (3) through (6), the Secretary shall disapprove a course of education provided by a public institution of higher learning to a covered individual pursuing a course of education with educational assistance under chapter 30 or 33 of this title while living in the State in which the public institution of higher learning is located if the institution charges tuition and fees for that course for the covered individual at a rate that is higher than the rate the institution charges for tuition and fees for that course for residents of the State in which the institution is located, regardless of the covered individual's State of residence.

Definition.

"(2) For purposes of this subsection, a covered individual is any individual as follows:

Time period.

"(A) A veteran who was discharged or released from a period of not fewer than 90 days of service in the active military, naval, or air service less than three years before the date of enrollment in the course concerned.

"(B) An individual who is entitled to assistance under section 3311(b)(9) or 3319 of this title by virtue of such individual's relationship to a veteran described in subparagraph (A).

"(3) If after enrollment in a course of education that is subject to disapproval under paragraph (1) by reason of paragraph (2)(A)

or (2)(B) a covered individual pursues one or more courses of education at the same public institution of higher learning while remaining continuously enrolled (other than during regularly scheduled breaks between courses, semesters or terms) at that institution of higher learning, any course so pursued by the covered individual at that institution of higher learning while so continuously enrolled shall also be subject to disapproval under paragraph (1).

"(4) It shall not be grounds to disapprove a course of education under paragraph (1) if a public institution of higher learning requires a covered individual pursuing a course of education at the institution to demonstrate an intent, by means other than satisfying a physical presence requirement, to establish residency in the State in which the institution is located, or to satisfy other requirements not relating to the establishment of residency, in order to be charged tuition and fees for that course at a rate that is equal to or less than the rate the institution charges for tuition and fees for that course for residents of the State.

"(5) The Secretary may waive such requirements of paragraph (1) as the Secretary considers appropriate. Waiver authority.

"(6) Disapproval under paragraph (1) shall apply only with respect to educational assistance under chapters 30 and 33 of this title.". Applicability.

(b) EFFECTIVE DATE.—Subsection (c) of section 3679 of title 38, United States Code (as added by subsection (a) of this section), shall apply with respect to educational assistance provided for pursuit of a program of education during a quarter, semester, or term, as applicable, that begins after July 1, 2015. Applicability. 38 USC 3679 note.

SEC. 703. EXTENSION OF REDUCTION IN AMOUNT OF PENSION FURNISHED BY DEPARTMENT OF VETERANS AFFAIRS FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.

Section 5503(d)(7) of title 38, United States Code, is amended by striking "November 30, 2016" and inserting "September 30, 2024".

SEC. 704. EXTENSION OF REQUIREMENT FOR COLLECTION OF FEES FOR HOUSING LOANS GUARANTEED BY SECRETARY OF VETERANS AFFAIRS.

Section 3729(b)(2) of title 38, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (iii), by striking "October 1, 2017" and inserting "September 30, 2024"; and

(B) in clause (iv), by striking "October 1, 2017" and inserting "September 30, 2024";

(2) in subparagraph (B)—

(A) in clause (i), by striking "October 1, 2017" and inserting "September 30, 2024"; and

(B) in clause (ii), by striking "October 1, 2017" and inserting "September 30, 2024";

(3) in subparagraph (C)—

(A) in clause (i), by striking "October 1, 2017" and inserting "September 30, 2024"; and

(B) in clause (ii), by striking "October 1, 2017" and inserting "September 30, 2024"; and

(4) in subparagraph (D)—

(A) in clause (i), by striking "October 1, 2017" and inserting "September 30, 2024"; and

(B) in clause (ii), by striking "October 1, 2017" and inserting "September 30, 2024".

38 USC 703 note.

SEC. 705. LIMITATION ON AWARDS AND BONUSES PAID TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

In each of fiscal years 2015 through 2024, the Secretary of Veterans Affairs shall ensure that the aggregate amount of awards and bonuses paid by the Secretary in a fiscal year under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title does not exceed $360,000,000.

SEC. 706. EXTENSION OF AUTHORITY TO USE INCOME INFORMATION.

Section 5317(g) of title 38, United States Code, is amended by striking "September 30, 2016" and inserting "September 30, 2024".

SEC. 707. REMOVAL OF SENIOR EXECUTIVES OF THE DEPARTMENT OF VETERANS AFFAIRS FOR PERFORMANCE OR MISCONDUCT.

(a) REMOVAL OR TRANSFER.—

(1) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

38 USC 713.

"§ 713. Senior executives: removal based on performance or misconduct

"(a) IN GENERAL.—(1) The Secretary may remove an individual employed in a senior executive position at the Department of Veterans Affairs from the senior executive position if the Secretary determines the performance or misconduct of the individual warrants such removal. If the Secretary so removes such an individual, the Secretary may—

"(A) remove the individual from the civil service (as defined in section 2101 of title 5); or

"(B) in the case of an individual described in paragraph (2), transfer the individual from the senior executive position to a General Schedule position at any grade of the General Schedule for which the individual is qualified and that the Secretary determines is appropriate.

"(2) An individual described in this paragraph is an individual who—

"(A) previously occupied a permanent position within the competitive service (as that term is defined in section 2102 of title 5);

"(B) previously occupied a permanent position within the excepted service (as that term is defined in section 2103 of title 5); or

"(C) prior to employment in a senior executive position at the Department of Veterans Affairs, did not occupy any position within the Federal Government.

"(b) PAY OF TRANSFERRED INDIVIDUAL.—(1) Notwithstanding any other provision of law, including the requirements of section 3594 of title 5, any individual transferred to a General Schedule position under subsection (a)(2) shall, beginning on the date of such transfer, receive the annual rate of pay applicable to such position.

"(2) An individual so transferred may not be placed on administrative leave or any other category of paid leave during the period

during which an appeal (if any) under this section is ongoing, and may only receive pay if the individual reports for duty. If an individual so transferred does not report for duty, such individual shall not receive pay or other benefits pursuant to subsection (e)(5).

"(c) NOTICE TO CONGRESS.—Not later than 30 days after removing or transferring an individual from a senior executive position under subsection (a), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives notice in writing of such removal or transfer and the reason for such removal or transfer. Deadline.

"(d) PROCEDURE.—(1) The procedures under section 7543(b) of title 5 shall not apply to a removal or transfer under this section.

"(2)(A) Subject to subparagraph (B) and subsection (e), any removal or transfer under subsection (a) may be appealed to the Merit Systems Protection Board under section 7701 of title 5.

"(B) An appeal under subparagraph (A) of a removal or transfer may only be made if such appeal is made not later than seven days after the date of such removal or transfer. Deadline.

"(e) EXPEDITED REVIEW BY ADMINISTRATIVE JUDGE.—(1) Upon receipt of an appeal under subsection (d)(2)(A), the Merit Systems Protection Board shall refer such appeal to an administrative judge pursuant to section 7701(b)(1) of title 5. The administrative judge shall expedite any such appeal under such section and, in any such case, shall issue a decision not later than 21 days after the date of the appeal. Deadline.

"(2) Notwithstanding any other provision of law, including section 7703 of title 5, the decision of an administrative judge under paragraph (1) shall be final and shall not be subject to any further appeal.

"(3) In any case in which the administrative judge cannot issue a decision in accordance with the 21-day requirement under paragraph (1), the removal or transfer is final. In such a case, the Merit Systems Protection Board shall, within 14 days after the date that such removal or transfer is final, submit to Congress and the Committees on Veterans' Affairs of the Senate and House of Representatives a report that explains the reasons why a decision was not issued in accordance with such requirement. Deadline. Reports.

"(4) The Merit Systems Protection Board or administrative judge may not stay any removal or transfer under this section.

"(5) During the period beginning on the date on which an individual appeals a removal from the civil service under subsection (d) and ending on the date that the administrative judge issues a final decision on such appeal, such individual may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits. Time period.

"(6) To the maximum extent practicable, the Secretary shall provide to the Merit Systems Protection Board, and to any administrative judge to whom an appeal under this section is referred, such information and assistance as may be necessary to ensure an appeal under this subsection is expedited.

"(f) RELATION TO TITLE 5.—(1) The authority provided by this section is in addition to the authority provided by section 3592 or subchapter V of chapter 75 of title 5.

"(2) Section 3592(b)(1) of title 5 does not apply to an action to remove or transfer an individual under this section.

"(g) DEFINITIONS.—In this section:

"(1) The term 'individual' means—

"(A) a career appointee (as that term is defined in section 3132(a)(4) of title 5); or

"(B) any individual who occupies an administrative or executive position and who was appointed under section 7306(a) or section 7401(1) of this title.

"(2) The term 'misconduct' includes neglect of duty, malfeasance, or failure to accept a directed reassignment or to accompany a position in a transfer of function.

"(3) The term 'senior executive position' means—

"(A) with respect to a career appointee (as that term is defined in section 3132(a)(4) of title 5), a Senior Executive Service position (as such term is defined in section 3132(a)(2) of title 5); and

"(B) with respect to an individual appointed under section 7306(a) or section 7401(1) of this title, an administrative or executive position.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"713. Senior executives: removal based on performance or misconduct.".

38 USC 713 note.
Deadline.

(b) ESTABLISHMENT OF EXPEDITED REVIEW PROCESS.—

(1) IN GENERAL.—Not later than 14 days after the date of the enactment of this Act, the Merit Systems Protection Board shall establish and put into effect a process to conduct expedited reviews in accordance with section 713(d) of title 38, United States Code.

(2) INAPPLICABILITY OF CERTAIN REGULATIONS.—Section 1201.22 of title 5, Code of Federal Regulations, as in effect on the day before the date of the enactment of this Act, shall not apply to expedited reviews carried out under section 713(d) of title 38, United States Code.

(3) WAIVER.—The Merit Systems Protection Board may waive any other regulation in order to provide for the expedited review required under section 713(d) of title 38, United States Code.

(4) REPORT BY MERIT SYSTEMS PROTECTION BOARD.—Not later than 14 days after the date of the enactment of this Act, the Merit Systems Protection Board shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the actions the Board plans to take to conduct expedited reviews under section 713(d) of title 38, United States Code, as added by subsection (a). Such report shall include a description of the resources the Board determines will be necessary to conduct such reviews and a description of whether any resources will be necessary to conduct such reviews that were not available to the Board on the day before the date of the enactment of this Act.

Time period.
Effective date.
38 USC 713 note.

(c) TEMPORARY EXEMPTION FROM CERTAIN LIMITATION ON INITIATION OF REMOVAL FROM SENIOR EXECUTIVE SERVICE.—During the 120-day period beginning on the date of the enactment of this Act, an action to remove an individual from the Senior Executive Service at the Department of Veterans Affairs pursuant to section 7543 of title 5, United States Code, may be initiated, notwithstanding section 3592(b) of such title, or any other provision of law.

(d) CONSTRUCTION.—

38 USC 713 note. Applicability.

(1) IN GENERAL.—Nothing in this section or section 713 of title 38, United States Code, as added by subsection (a), shall be construed to apply to an appeal of a removal, transfer, or other personnel action that was pending before the date of the enactment of this Act.

(2) RELATION TO TITLE 5.—With respect to the removal or transfer of an individual (as that term is defined in such section 713) employed at the Department of Veterans Affairs, the authority provided by such section 713 is in addition to the authority provided by section 3592 or subchapter V of chapter 75 of title 5, United States Code.

TITLE VIII—OTHER MATTERS

38 USC 1701 note.

SEC. 801. APPROPRIATION OF AMOUNTS.

(a) IN GENERAL.—There is authorized to be appropriated, and is appropriated, to the Secretary of Veterans Affairs, out of any funds in the Treasury not otherwise appropriated $5,000,000,000 to carry out subsection (b). Such funds shall be available for obligation or expenditure without fiscal year limitation.

(b) USE OF AMOUNTS.—The amount appropriated under subsection (a) shall be used by the Secretary as follows:

(1) To increase the access of veterans to care as follows:

(A) To hire primary care and specialty care physicians for employment in the Department of Veterans Affairs.

(B) To hire other medical staff, including the following:

(i) Physicians.

(ii) Nurses.

(iii) Social workers.

(iv) Mental health professionals.

(v) Other health care professionals as the Secretary considers appropriate.

(C) To carry out sections 301 and 302, including the amendments made by such sections.

(D) To pay for expenses, equipment, and other costs associated with the hiring of primary care, specialty care physicians, and other medical staff under subparagraphs (A), (B), and (C).

(2) To improve the physical infrastructure of the Department as follows:

(A) To maintain and operate hospitals, nursing homes, domiciliary facilities, and other facilities of the Veterans Health Administration.

(B) To enter into contracts or hire temporary employees to repair, alter, or improve facilities under the jurisdiction of the Department that are not otherwise provided for under this paragraph.

(C) To carry out leases for facilities of the Department.

(D) To carry out minor construction projects of the Department.

(c) AVAILABILITY.—The amount appropriated under subsection (a) shall remain available until expended.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Veterans Affairs

shall submit to the appropriate committees of Congress a report on how the Secretary has obligated the amounts appropriated under subsection (a) as of the date of the submittal of the report.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term "appropriate committees of Congress" means—

(A) the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives.

(e) FUNDING PLAN.—The Secretary shall submit to Congress a funding plan describing how the Secretary intends to use the amounts provided under subsection (a).

SEC. 802. VETERANS CHOICE FUND.

(a) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the Veterans Choice Fund.

(b) ADMINISTRATION OF FUND.—The Secretary of Veterans Affairs shall administer the Veterans Choice Fund established by subsection (a).

(c) USE OF AMOUNTS.—

(1) IN GENERAL.—Any amounts deposited in the Veteran Choice Fund shall be used by the Secretary of Veterans Affairs to carry out section 101, including, subject to paragraph (2), any administrative requirements of such section.

(2) AMOUNT FOR ADMINISTRATIVE REQUIREMENTS.—

(A) LIMITATION.—Except as provided by subparagraph (B), of the amounts deposited in the Veterans Choice Fund, not more than $300,000,000 may be used for administrative requirements to carry out section 101.

(B) INCREASE.—The Secretary may increase the amount set forth in subparagraph (A) with respect to the amounts used for administrative requirements if—

Determination.

(i) the Secretary determines that the amount of such increase is necessary to carry out section 101;

Reports.
Time period.

(ii) the Secretary submits to the Committees on Veterans' Affairs and Appropriations of the House of Representatives and the Committees on Veterans' Affairs and Appropriations of the Senate a report described in subparagraph (C); and

(iii) a period of 60 days has elapsed following the date on which the Secretary submits the report under clause (ii).

(C) REPORT.—A report described in this subparagraph is a report that contains the following:

(i) A notification of the amount of the increase that the Secretary determines necessary under subparagraph (B)(i).

(ii) The justifications for such increased amount.

(iii) The administrative requirements that the Secretary will carry out using such increased amount.

(d) APPROPRIATION AND DEPOSIT OF AMOUNTS.—

(1) IN GENERAL.—There is authorized to be appropriated, and is appropriated, to the Secretary of Veterans Affairs, out of any funds in the Treasury not otherwise appropriated $10,000,000,000 to be deposited in the Veterans Choice Fund

established by subsection (a). Such funds shall be available for obligation or expenditure without fiscal year limitation, and only for the program created under section 101.

(2) AVAILABILITY.—The amount appropriated under paragraph (1) shall remain available until expended.

(e) SENSE OF CONGRESS.—It is the sense of Congress that the Veterans Choice Fund is a supplement to but distinct from the Department of Veterans Affairs' current and expected level of non-Department care currently part of Department's medical care budget. Congress expects that the Department will maintain at least its existing obligations of non-Department care programs in addition to but distinct from the Veterans Choice Fund for each of fiscal years 2015 through 2017.

SEC. 803. EMERGENCY DESIGNATIONS.

(a) IN GENERAL.—This Act is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) DESIGNATION IN SENATE.—In the Senate, this Act is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

Approved August 7, 2014.

LEGISLATIVE HISTORY—H.R. 3230 (S. 2450):

HOUSE REPORTS: No. 113–564 (Comm. of Conference).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Oct. 3, considered and passed House.
Vol. 160 (2014): June 11, considered and passed Senate, amended, in lieu of S. 2450.
June 18, House concurred in Senate amendments with an amendment.
July 30, House agreed to conference report.
July 31, Senate agreed to conference report.
DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
Aug. 7, Presidential remarks.

Public Law 113–147
113th Congress

An Act

Aug. 8, 2014
[H.R. 606]

To designate the facility of the United States Postal Service located at 815 County Road 23 in Tyrone, New York, as the "Specialist Christopher Scott Post Office Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPECIALIST CHRISTOPHER SCOTT POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 815 County Road 23 in Tyrone, New York, shall be known and designated as the "Specialist Christopher Scott Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Specialist Christopher Scott Post Office Building".

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 606 (S. 233):

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 14, considered and passed House.
Aug. 1, considered and passed Senate.

Public Law 113–148
113th Congress

An Act

To designate the facility of the United States Postal Service located at 6937 Village Parkway in Dublin, California, as the "James 'Jim' Kohnen Post Office".

Aug. 8, 2014
[H.R. 1671]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JAMES "JIM" KOHNEN POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 6937 Village Parkway in Dublin, California, shall be known and designated as the "James 'Jim' Kohnen Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "James 'Jim' Kohnen Post Office".

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 1671:

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 17, considered and passed House.
Aug. 1, considered and passeed Senate.

Public Law 113–149
113th Congress

An Act

Aug. 8, 2014
[H.R. 2291]

To designate the facility of the United States Postal Service located at 450 Lexington Avenue in New York, New York, as the "Vincent R. Sombrotto Post Office".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VINCENT R. SOMBROTTO POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 450 Lexington Avenue in New York, New York, shall be known and designated as the "Vincent R. Sombrotto Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Vincent R. Sombrotto Post Office".

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 2291:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 14, considered and passed House.
Aug. 1, considered and passed Senate.

Public Law 113–150
113th Congress

An Act

To ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes.

Aug. 8, 2014
[H.R. 3212]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

Sean and David Goldman International Child Abduction Prevention and Return Act of 2014.
22 USC 9101 note.

(a) SHORT TITLE.—This Act may be cited as the "Sean and David Goldman International Child Abduction Prevention and Return Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSES.

22 USC 9101 note.

(a) FINDINGS.—Congress finds the following:

(1) Sean Goldman, a United States citizen and resident of New Jersey, was abducted from the United States in 2004 and separated from his father, David Goldman, who spent nearly 6 years battling for the return of his son from Brazil before Sean was finally returned to Mr. Goldman's custody on December 24, 2009.

(2) The Department of State's Office of Children's Issues, which serves as the Central Authority of the United States for the purposes of the 1980 Hague Convention on the Civil

Aspects of International Child Abduction (referred to in this Act as the "Hague Abduction Convention"), has received thousands of requests since 2007 for assistance in the return to the United States of children who have been wrongfully abducted by a parent or other legal guardian to another country.

(3) For a variety of reasons reflecting the significant obstacles to the recovery of abducted children, as well as the legal and factual complexity involving such cases, not all cases are reported to the Central Authority of the United States.

(4) More than 1,000 outgoing international child abductions are reported every year to the Central Authority of the United States, which depends solely on proactive reporting of abduction cases.

(5) Only about one-half of the children abducted from the United States to countries with which the United States enjoys reciprocal obligations under the Hague Abduction Convention are returned to the United States.

(6) The United States and other Convention countries have expressed their desire, through the Hague Abduction Convention, "to protect children internationally from the harmful effects of their wrongful removal or retention and to establish procedures to ensure their prompt return to the State of their habitual residence, as well as to secure protection for rights of access."

(7) Compliance by the United States and other Convention countries depends on the actions of their designated central authorities, the performance of their judicial systems as reflected in the legal process and decisions rendered to enforce or effectuate the Hague Abduction Convention, and the ability and willingness of their law enforcement authorities to ensure the swift enforcement of orders rendered pursuant to the Hague Abduction Convention.

(8) According to data from the Department of State, approximately 40 percent of abduction cases involve children taken from the United States to countries with which the United States does not have reciprocal obligations under the Hague Abduction Convention or other arrangements relating to the resolution of abduction cases.

(9) According to the Department of State's April 2010 Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction, "parental child abduction jeopardizes the child and has substantial long-term consequences for both the child and the left-behind parent."

(10) Few left-behind parents have the extraordinary financial resources necessary—

(A) to pursue individual civil or criminal remedies in both the United States and a foreign country, even if such remedies are available; or

(B) to engage in repeated foreign travel to attempt to obtain the return of their children through diplomatic or other channels.

(11) Military parents often face additional complications in resolving abduction cases because of the challenges presented by their military obligations.

(12) In addition to using the Hague Abduction Convention to achieve the return of abducted children, the United States has an array of Federal, State, and local law enforcement,

criminal justice, and judicial tools at its disposal to prevent international abductions.

(13) Federal agencies tasked with preventing international abductions have indicated that the most effective way to stop international child abductions is while they are in progress, rather than after the child has been removed to a foreign destination.

(14) Parental awareness of abductions in progress, rapid response by relevant law enforcement, and effective coordination among Federal, State, local, and international stakeholders are critical in preventing such abductions.

(15) A more robust application of domestic tools, in cooperation with international law enforcement entities and appropriate application of the Hague Abduction Convention could—

(A) discourage some parents from attempting abductions;

(B) block attempted abductions at ports of exit; and

(C) help achieve the return of more abducted children.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should set a strong example for other Convention countries in the timely location and prompt resolution of cases involving children abducted abroad and brought to the United States.

(c) PURPOSES.—The purposes of this Act are—

(1) to protect children whose habitual residence is the United States from wrongful abduction;

(2) to assist left-behind parents in quickly resolving cases and maintaining safe and predictable contact with their child while an abduction case is pending;

(3) to protect the custodial rights of parents, including military parents, by providing the parents, the judicial system, and law enforcement authorities with the information they need to prevent unlawful abduction before it occurs;

(4) to enhance the prompt resolution of abduction and access cases;

(5) to detail an appropriate set of actions to be undertaken by the Secretary of State to address persistent problems in the resolution of abduction cases;

(6) to establish a program to prevent wrongful abductions; and

(7) to increase interagency coordination in preventing international child abduction by convening a working group composed of presidentially appointed and Senate confirmed officials from the Department of State, the Department of Homeland Security, and the Department of Justice.

SEC. 3. DEFINITIONS. 22 USC 9101.

In this Act:

(1) ABDUCTED CHILD.—The term "abducted child" means a child who is the victim of international child abduction.

(2) ABDUCTION.—The term "abduction" means the alleged wrongful removal of a child from the child's country of habitual residence, or the wrongful retention of a child outside such country, in violation of a left-behind parent's custodial rights, including the rights of a military parent.

(3) ABDUCTION CASE.—The term "abduction case" means a case that—

(A) has been reported to the Central Authority of the United States by a left-behind parent for the resolution of an abduction; and

(B) meets the criteria for an international child abduction under the Hague Abduction Convention, regardless of whether the country at issue is a Convention country.

(4) ACCESS CASE.—The term "access case" means a case involving an application filed with the Central Authority of the United States by a parent seeking rights of access.

(5) ANNUAL REPORT.—The term "Annual Report" means the Annual Report on International Child Abduction required under section 101.

(6) APPLICATION.—The term "application" means—

(A) in the case of a Convention country, the application required pursuant to article 8 of the Hague Abduction Convention;

(B) in the case of a bilateral procedures country, the formal document required, pursuant to the provisions of the applicable arrangement, to request the return of an abducted child or to request rights of access, as applicable; and

(C) in the case of a non-Convention country, the formal request by the Central Authority of the United States to the Central Authority of such country requesting the return of an abducted child or for rights of contact with an abducted child.

(7) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(8) BILATERAL PROCEDURES.—The term "bilateral procedures" means any procedures established by, or pursuant to, a bilateral arrangement, including a Memorandum of Understanding between the United States and another country, to resolve abduction and access cases, including procedures to address interim contact matters.

(9) BILATERAL PROCEDURES COUNTRY.—The term "bilateral procedures country" means a country with which the United States has entered into bilateral procedures, including Memoranda of Understanding, with respect to child abductions.

(10) CENTRAL AUTHORITY.—The term "Central Authority" means—

(A) in the case of a Convention country, the meaning given such term in article 6 of the Hague Abduction Convention;

(B) in the case of a bilateral procedures country, the official entity designated by the government of the bilateral procedures country within the applicable memorandum of understanding pursuant to section 103(b)(1) to discharge the duties imposed on the entity; and

(C) in the case of a non-Convention country, the foreign ministry or other appropriate authority of such country.

(11) CHILD.—The term "child" means an individual who has not attained 16 years of age.

(12) CONVENTION COUNTRY.—The term "Convention country" means a country for which the Hague Abduction

Convention has entered into force with respect to the United States.

(13) HAGUE ABDUCTION CONVENTION.—The term "Hague Abduction Convention" means the Convention on the Civil Aspects of International Child Abduction, done at The Hague October 25, 1980.

(14) INTERIM CONTACT.—The term "interim contact" means the ability of a left-behind parent to communicate with or visit an abducted child during the pendency of an abduction case.

(15) LEFT-BEHIND PARENT.—The term "left-behind parent" means an individual or legal custodian who alleges that an abduction has occurred that is in breach of rights of custody attributed to such individual.

(16) NON-CONVENTION COUNTRY.—The term "non-Convention country" means a country in which the Hague Abduction Convention has not entered into force with respect to the United States.

(17) OVERSEAS MILITARY DEPENDENT CHILD.—The term "overseas military dependent child" means a child whose habitual residence is the United States according to United States law even though the child is residing outside the United States with a military parent.

(18) OVERSEAS MILITARY PARENT.—The term "overseas military parent" means an individual who—

(A) has custodial rights with respect to a child; and

(B) is serving outside the United States as a member of the United States Armed Forces.

(19) PATTERN OF NONCOMPLIANCE.—

(A) IN GENERAL.—The term "pattern of noncompliance" means the persistent failure—

(i) of a Convention country to implement and abide by provisions of the Hague Abduction Convention;

(ii) of a non-Convention country to abide by bilateral procedures that have been established between the United States and such country; or

(iii) of a non-Convention country to work with the Central Authority of the United States to resolve abduction cases.

(B) PERSISTENT FAILURE.—Persistent failure under subparagraph (A) may be evidenced in a given country by the presence of 1 or more of the following criteria:

(i) Thirty percent or more of the total abduction cases in such country are unresolved abduction cases.

(ii) The Central Authority regularly fails to fulfill its responsibilities pursuant to—

(I) the Hague Abduction Convention; or

(II) any bilateral procedures between the United States and such country.

(iii) The judicial or administrative branch, as applicable, of the national government of a Convention country or a bilateral procedures country fails to regularly implement and comply with the provisions of the Hague Abduction Convention or bilateral procedures, as applicable.

(iv) Law enforcement authorities regularly fail to enforce return orders or determinations of rights of

access rendered by the judicial or administrative authorities of the government of the country in abduction cases.

(20) RIGHTS OF ACCESS.—The term "rights of access" means the establishment of rights of contact between a child and a parent seeking access in Convention countries—

(A) by operation of law;

(B) through a judicial or administrative determination; or

(C) through a legally enforceable arrangement between the parties.

(21) RIGHTS OF CUSTODY.—The term "rights of custody" means rights of care and custody of a child, including the right to determine the place of residence of a child, under the laws of the country in which the child is a habitual resident—

(A) attributed to an individual or legal custodian; and

(B) arising—

(i) by operation of law; or

(ii) through a judicial or administrative decision; or

(iii) through a legally enforceable arrangement between the parties.

(22) RIGHTS OF INTERIM CONTACT.—The term "rights of interim contact" means the rights of contact between a child and a left-behind parent, which has been provided as a provisional measure while an abduction case is pending, under the laws of the country in which the child is located—

(A) by operation of law; or

(B) through a judicial or administrative determination; or

(C) through a legally enforceable arrangement between the parties.

(23) UNRESOLVED ABDUCTION CASE.—

Time period.

(A) IN GENERAL.—Subject to subparagraph (B), the term "unresolved abduction case" means an abduction case that remains unresolved for a period that exceeds 12 months after the date on which the completed application for return of the child is submitted for determination to the judicial or administrative authority, as applicable, in the country in which the child is located.

(B) RESOLUTION OF CASE.—An abduction case shall be considered to be resolved if—

(i) the child is returned to the country of habitual residence, pursuant to the Hague Abduction Convention or other appropriate bilateral procedures, if applicable;

(ii) the judicial or administrative branch, as applicable, of the government of the country in which the child is located has implemented, and is complying with, the provisions of the Hague Abduction Convention or other bilateral procedures, as applicable;

(iii) the left-behind parent reaches a voluntary arrangement with the other parent;

(iv) the left-behind parent submits a written withdrawal of the application or the request for assistance to the Department of State;

(v) the left-behind parent cannot be located for 1 year despite the documented efforts of the Department of State to locate the parent; or

(vi) the child or left-behind parent is deceased.

TITLE I—DEPARTMENT OF STATE ACTIONS

SEC. 101. ANNUAL REPORT.

22 USC 9111.

Public information. Web posting.

(a) IN GENERAL.—Not later than April 30 of each year, the Secretary of State shall submit to the appropriate congressional committees an Annual Report on International Child Abduction. The Secretary shall post the Annual Report to the publicly accessible website of the Department of State.

(b) CONTENTS.—Each Annual Report shall include—

(1) a list of all countries in which there were 1 or more abduction cases, during the preceding calendar year, relating to a child whose habitual residence is the United States, including a description of whether each such country—

(A) is a Convention country;

(B) is a bilateral procedures country;

(C) has other procedures for resolving such abductions; or

(D) adheres to no protocols with respect to child abduction;

(2) for each country with respect to which there were 5 or more pending abduction cases, during the preceding year, relating to a child whose habitual residence is the United States—

(A) the number of such new abduction and access cases reported during the preceding year;

(B) for Convention and bilateral procedures countries—

(i) the number of abduction and access cases that the Central Authority of the United States transmitted to the Central Authority of such country; and

(ii) the number of abduction and access cases that were not submitted by the Central Authority to the judicial or administrative authority, as applicable, of such country;

(C) the reason for the delay in submission of each case identified in subparagraph (B)(ii) by the Central Authority of such country to the judicial or administrative authority of that country;

(D) the number of unresolved abduction and access cases, and the length of time each case has been pending;

(E) the number and percentage of unresolved abduction cases in which law enforcement authorities have—

(i) not located the abducted child;

(ii) failed to undertake serious efforts to locate the abducted child; and

(iii) failed to enforce a return order rendered by the judicial or administrative authorities of such country;

(F) the total number and the percentage of the total number of abduction and access cases, respectively, resolved during the preceding year;

(G) recommendations to improve the resolution of abduction and access cases; and

(H) the average time it takes to locate a child;

(3) the number of abducted children whose habitual residence is in the United States and who were returned to the United States from—

(A) Convention countries;

(B) bilateral procedures countries;

(C) countries having other procedures for resolving such abductions; or

(D) countries adhering to no protocols with respect to child abduction;

(4) a list of Convention countries and bilateral procedures countries that have failed to comply with any of their obligations under the Hague Abduction Convention or bilateral procedures, as applicable, with respect to the resolution of abduction and access cases;

(5) a list of countries demonstrating a pattern of noncompliance and a description of the criteria on which the determination of a pattern of noncompliance for each country is based;

(6) information on efforts by the Secretary of State to encourage non-Convention countries—

(A) to ratify or accede to the Hague Abduction Convention;

(B) to enter into or implement other bilateral procedures, including memoranda of understanding, with the United States; and

(C) to address pending abduction and access cases;

(7) the number of cases resolved without abducted children being returned to the United States from Convention countries, bilateral procedures countries, or other non-Convention countries;

(8) a list of countries that became Convention countries with respect to the United States during the preceding year; and

(9) information about efforts to seek resolution of abduction cases of children whose habitual residence is in the United States and whose abduction occurred before the Hague Abduction Convention entered into force with respect to the United States.

(c) EXCEPTIONS.—Unless a left-behind parent provides written permission to the Central Authority of the United States to include personally identifiable information about the parent or the child in the Annual Report, the Annual Report may not include any personally identifiable information about any such parent, child, or party to an abduction or access case involving such parent or child.

(d) ADDITIONAL SECTIONS.—Each Annual Report shall also include—

(1) information on the number of unresolved abduction cases affecting military parents;

(2) a description of the assistance offered to such military parents;

(3) information on the use of airlines in abductions, voluntary airline practices to prevent abductions, and recommendations for best airline practices to prevent abductions;

(4) information on actions taken by the Central Authority of the United States to train domestic judges in the application of the Hague Abduction Convention; and

(5) information on actions taken by the Central Authority of the United States to train United States Armed Forces legal assistance personnel, military chaplains, and military family support center personnel about—

(A) abductions;

(B) the risk of loss of contact with children; and

(C) the legal means available to resolve such cases.

(e) REPEAL OF THE HAGUE ABDUCTION CONVENTION COMPLIANCE REPORT.—Section 2803 of the Foreign Affairs Reform and Restructuring Act of 1998 (42 U.S.C. 11611) is repealed.

(f) NOTIFICATION TO CONGRESS ON COUNTRIES IN NONCOMPLIANCE.—

(1) IN GENERAL.—The Secretary of State shall include, in a separate section of the Annual Report, the Secretary's determination, pursuant to the provisions under section 202(b), of whether each country listed in the report has engaged in a pattern of noncompliance in cases of child abduction during the preceding 12 months. Determination. Time period.

(2) CONTENTS.—The section described in paragraph (1)—

(A) shall identify any action or actions described in section 202(d) (or commensurate action as provided in section 202(e)) that have been taken by the Secretary with respect to each country;

(B) shall describe the basis for the Secretary's determination of the pattern of noncompliance by each country;

(C) shall indicate whether noneconomic policy options designed to resolve the pattern of noncompliance have reasonably been exhausted, including the consultations required under section 203.

SEC. 102. STANDARDS AND ASSISTANCE. 22 USC 9112.

The Secretary of State shall—

(1) ensure that United States diplomatic and consular missions abroad—

(A) maintain a consistent reporting standard with respect to abduction and access cases;

(B) designate at least 1 senior official in each such mission, at the discretion of the Chief of Mission, to assist left-behind parents from the United States who are visiting such country or otherwise seeking to resolve abduction or access cases; and

(C) monitor developments in abduction and access cases; and

(2) develop and implement written strategic plans for engagement with any Convention or non-Convention country in which there are 5 or more cases of international child abduction. Strategic plans.

SEC. 103. BILATERAL PROCEDURES, INCLUDING MEMORANDA OF UNDERSTANDING. 22 USC 9113.

(a) DEVELOPMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall initiate a process to develop and enter into appropriate bilateral procedures, including memoranda of understanding, as appropriate, Deadline.

with non-Convention countries that are unlikely to become Convention countries in the foreseeable future, or with Convention countries that have unresolved abduction cases that occurred before the Hague Abduction Convention entered into force with respect to the United States or that country.

(2) PRIORITIZATION.—In carrying out paragraph (1), the Secretary of State shall give priority to countries with significant abduction cases and related issues.

(b) ELEMENTS.—The bilateral procedures described in subsection (a) should include provisions relating to—

(1) the identification of—

(A) the Central Authority;

(B) the judicial or administrative authority that will promptly adjudicate abduction and access cases;

(C) the law enforcement agencies; and

(D) the implementation of procedures to ensure the immediate enforcement of an order issued by the authority identified pursuant to subparagraph (B) to return an abducted child to a left-behind parent, including by—

(i) conducting an investigation to ascertain the location of the abducted child;

(ii) providing protection to the abducted child after such child is located; and

(iii) retrieving the abducted child and making the appropriate arrangements for such child to be returned to the child's country of habitual residence;

Deadline.

(2) the implementation of a protocol to effectuate the return of an abducted child identified in an abduction case not later than 6 weeks after the application with respect to the abduction case has been submitted to the judicial or administrative authority, as applicable, of the country in which the abducted child is located;

(3) the implementation of a protocol for the establishment and protection of the rights of interim contact during pendency of abduction cases; and

(4) the implementation of a protocol to establish periodic visits between a United States embassy or consular official and an abducted child, in order to allow the official to ascertain the child's location and welfare.

22 USC 9114.

SEC. 104. REPORT TO CONGRESSIONAL REPRESENTATIVES.

(a) NOTIFICATION.—The Secretary of State shall submit written notification to the Member of Congress and Senators, or Resident Commissioner or Delegate, as appropriate, representing the legal residence of a left-behind parent if such parent—

(1) reports an abduction to the Central Authority of the United States; and

(2) consents to such notification.

(b) TIMING.—At the request of any person who is a left-behind parent, including a left-behind parent who previously reported an abduction to the Central Authority of the United States before the date of the enactment of this Act, the notification required under subsection (a) shall be provided as soon as is practicable.

TITLE II—ACTIONS BY THE SECRETARY OF STATE

SEC. 201. RESPONSE TO INTERNATIONAL CHILD ABDUCTIONS. 22 USC 9121.

(a) UNITED STATES POLICY.—It is the policy of the United States—

(1) to promote the best interest of children wrongfully abducted from the United States by—

(A) establishing legal rights and procedures for their prompt return; and

(B) ensuring the enforcement of reciprocal international obligations under the Hague Abduction Convention or arrangements under bilateral procedures;

(2) to promote the timely resolution of abduction cases through 1 or more of the actions described in section 202; and

(3) to ensure appropriate coordination within the Federal Government and between Federal, State, and local agencies involved in abduction prevention, investigation, and resolution.

(b) ACTIONS BY THE SECRETARY OF STATE IN RESPONSE TO UNRESOLVED CASES.—

(1) DETERMINATION OF ACTION BY THE SECRETARY OF STATE.—For each abduction or access case relating to a child whose habitual residence is in the United States that remains pending or is otherwise unresolved on the date that is 12 months after the date on which the Central Authority of the United States submits such case to a foreign country, the Secretary of State shall determine whether the government of such foreign country has failed to take appropriate steps to resolve the case. If the Secretary of State determines that such failure occurred, the Secretary should, as expeditiously as practicable— Time period.

(A) take 1 or more of the actions described in subsections (d) and (e) of section 202; and

(B) direct the Chief of Mission in that foreign country to directly address the resolution of the case with senior officials in the foreign government.

(2) AUTHORITY FOR DELAY OF ACTION BY THE SECRETARY OF STATE.—The Secretary of State may delay any action described in paragraph (1) if the Secretary determines that an additional period of time, not to exceed 1 year, will substantially assist in resolving the case. Time period.

(3) REPORT.—If the Secretary of State delays any action pursuant to paragraph (2) or decides not to take an action described in subsection (d) or (e) of section 202 after making the determination described in paragraph (1), the Secretary, not later than 15 days after such delay or decision, shall provide a report to the appropriate congressional committees that details the reasons for delaying action or not taking action, as appropriate.

(4) CONGRESSIONAL BRIEFINGS.—At the request of the appropriate congressional committees, the Secretary of State shall provide a detailed briefing, including a written report, if requested, on actions taken to resolve a case or the cause for delay.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—In carrying out subsection (b), the Secretary of State should—

(A) take 1 or more actions that most appropriately respond to the nature and severity of the governmental failure to resolve the unresolved abduction case; and

(B) seek, to the fullest extent possible—

(i) to initially respond by communicating with the Central Authority of the country; and

(ii) if clause (i) is unsuccessful, to target subsequent actions—

(I) as narrowly as practicable, with respect to the agencies or instrumentalities of the foreign government that are responsible for such failures; and

(II) in ways that respect the separation of powers and independence of the judiciary of the country, as applicable.

(2) GUIDELINES FOR ACTIONS BY THE SECRETARY OF STATE.—In addition to the guidelines under paragraph (1), the Secretary of State, in determining whether to take 1 or more actions under paragraphs (5) through (7) of section 202(d) or section 202(e), shall seek to minimize any adverse impact on—

(A) the population of the country whose government is targeted by the action or actions;

(B) the humanitarian activities of United States and nongovernmental organizations in the country; and

(C) the national security interests of the United States.

22 USC 9122.

SEC. 202. ACTIONS BY THE SECRETARY OF STATE IN RESPONSE TO PATTERNS OF NONCOMPLIANCE IN CASES OF INTERNATIONAL CHILD ABDUCTIONS.

(a) RESPONSE TO A PATTERN OF NONCOMPLIANCE.—It is the policy of the United States—

(1) to oppose institutional or other systemic failures of foreign governments to fulfill their obligations pursuant to the Hague Abduction Convention or bilateral procedures, as applicable, to resolve abduction and access cases;

(2) to promote reciprocity pursuant to, and in compliance with, the Hague Abduction Convention or bilateral procedures, as appropriate; and

(3) to directly engage with senior foreign government officials to most effectively address patterns of noncompliance.

(b) DETERMINATION OF COUNTRIES WITH PATTERNS OF NONCOMPLIANCE IN CASES OF INTERNATIONAL CHILD ABDUCTION.—

Deadline.

(1) ANNUAL REVIEW.—Not later than April 30 of each year, the Secretary of State shall—

Time period.

(A) review the status of abduction and access cases in each foreign country in order to determine whether the government of such country has engaged in a pattern of noncompliance during the preceding 12 months; and

(B) report such determination pursuant to section 101(f).

(2) DETERMINATIONS OF RESPONSIBLE PARTIES.—The Secretary of State shall seek to determine the agencies or instrumentalities of the government of each country determined to have engaged in a pattern of noncompliance under paragraph (1)(A) that are responsible for such pattern of noncompliance—

(A) to appropriately target actions in response to such noncompliance; and

(B) to engage with senior foreign government officials to effectively address such noncompliance.

(c) ACTIONS BY THE SECRETARY OF STATE WITH RESPECT TO A COUNTRY WITH A PATTERN OF NONCOMPLIANCE.—

(1) IN GENERAL.—Not later than 90 days (or 180 days in case of a delay under paragraph (2)) after a country is determined to have been engaged in a pattern of noncompliance under subsection (b)(1)(A), the Secretary of State shall— Deadlines.

(A) take 1 or more of the actions described in subsection (d);

(B) direct the Chief of Mission in that country to directly address the systemic problems that led to such determination; and

(C) inform senior officials in the foreign government of the potential repercussions related to such designation. Notification.

(2) AUTHORITY FOR DELAY OF ACTIONS BY THE SECRETARY OF STATE.—The Secretary shall not be required to take action under paragraph (1) until the expiration of a single, additional period of up to 90 days if, on or before the date on which the Secretary of State is required to take such action, the Secretary determines and certifies to the appropriate congressional committees that such additional period is necessary— Time period. Determination. Certification.

(A) for a continuation of negotiations that have been commenced with the government of a country described in paragraph (1) in order to bring about a cessation of the pattern of noncompliance by such country;

(B) for a review of corrective action taken by a country after the designation of such country as being engaged in a pattern of noncompliance under subsection (b)(1)(A); or

(C) in anticipation that corrective action will be taken by such country during such 90-day period.

(3) EXCEPTION FOR ADDITIONAL ACTION BY THE SECRETARY OF STATE.—The Secretary of State shall not be required to take additional action under paragraph (1) with respect to a country determined to have been engaged in a persistent pattern of noncompliance if the Secretary—

(A) has taken action pursuant to paragraph (5), (6), or (7) of subsection (d) with respect to such country in the preceding year and such action continues to be in effect;

(B) exercises the waiver under section 204 and briefs the appropriate congressional committees; or

(C) submits a report to the appropriate congressional committees that— Reports.

(i) indicates that such country is subject to multiple, broad-based sanctions; and

(ii) describes how such sanctions satisfy the requirements under this subsection.

(4) REPORT TO CONGRESS.—Not later than 90 days after the submission of the Annual Report, the Secretary shall submit a report to Congress on the specific actions taken against countries determined to have been engaged in a pattern of noncompliance under this section.

(d) DESCRIPTION OF ACTIONS BY THE SECRETARY OF STATE IN HAGUE ABDUCTION CONVENTION COUNTRIES.—Except as provided in subsection (f), the actions by the Secretary of State referred to in this subsection are—

(1) a demarche;

(2) an official public statement detailing unresolved cases;

(3) a public condemnation;

(4) a delay or cancellation of 1 or more bilateral working, official, or state visits;

(5) the withdrawal, limitation, or suspension of United States development assistance in accordance with section 116 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n);

(6) the withdrawal, limitation, or suspension of United States security assistance in accordance with section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304);

(7) the withdrawal, limitation, or suspension of assistance to the central government of a country pursuant to chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the Economic Support Fund); and

(8) a formal request to the foreign country concerned to extradite an individual who is engaged in abduction and who has been formally accused of, charged with, or convicted of an extraditable offense.

(e) COMMENSURATE ACTION.—

Determination.

(1) IN GENERAL.—Except as provided in subsection (f), the Secretary of State may substitute any other action authorized by law for any action described in subsection (d) if the Secretary determines that such action—

(A) is commensurate in effect to the action substituted; and

(B) would substantially further the purposes of this Act.

Reports.

(2) NOTIFICATION.—If commensurate action is taken pursuant to this subsection, the Secretary shall submit a report to the appropriate congressional committees that—

(A) describes such action;

(B) explains the reasons for taking such action; and

(C) specifically describes the basis for the Secretary's determination under paragraph (1) that such action—

(i) is commensurate with the action substituted; and

(ii) substantially furthers the purposes of this Act.

(f) RESOLUTION.—The Secretary of State shall seek to take all appropriate actions authorized by law to resolve the unresolved case or to obtain the cessation of such pattern of noncompliance, as applicable.

(g) HUMANITARIAN EXCEPTION.—Any action taken pursuant to subsection (d) or (e) may not prohibit or restrict the provision of medicine, medical equipment or supplies, food, or other life-saving humanitarian assistance.

22 USC 9123.

SEC. 203. CONSULTATIONS WITH FOREIGN GOVERNMENTS.

As soon as practicable after the Secretary of State makes a determination under section 201 in response to a failure to resolve unresolved abduction cases or the Secretary takes an action under subsection (d) or (e) of section 202, based on a pattern of noncompliance, the Secretary shall request consultations with the government

of such country regarding the situation giving rise to such determination.

SEC. 204. WAIVER BY THE SECRETARY OF STATE. 22 USC 9124.

(a) IN GENERAL.—Subject to subsection (b), the Secretary of State may waive the application of any of the actions described in subsections (d) and (e) of section 202 with respect to a country if the Secretary determines and notifies the appropriate congressional committees that— Determination. Notification.

(1) the government of such country—

(A) has satisfactorily resolved the abduction cases giving rise to the application of any of such actions; or

(B) has ended such country's pattern of noncompliance; or

(2) the national security interest of the United States requires the exercise of such waiver authority.

(b) CONGRESSIONAL NOTIFICATION.—Not later than the date on which the Secretary of State exercises the waiver authority under subsection (a), the Secretary shall— Deadline.

(1) notify the appropriate congressional committees of such waiver; and

(2) provide such committees with a detailed justification for such waiver, including an explanation of the steps the noncompliant government has taken—

(A) to resolve abductions cases; or

(B) to end its pattern of noncompliance.

(c) PUBLICATION IN FEDERAL REGISTER.—Subject to subsection (d), the Secretary of State shall ensure that each waiver determination under this section—

(1) is published in the Federal Register; or

(2) is posted on the Department of State website. Web posting.

(d) LIMITED DISCLOSURE OF INFORMATION.—The Secretary of State may limit the publication of information under subsection (c) in the same manner and to the same extent as the President may limit the publication of findings and determinations described in section 654(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2414(c)), if the Secretary determines that the publication of such information would be harmful to the national security of the United States and would not further the purposes of this Act. Determination.

SEC. 205. TERMINATION OF ACTIONS BY THE SECRETARY OF STATE. 22 USC 9125.

Any specific action taken under this Act or any amendment made by this Act with respect to a foreign country shall terminate on the date on which the Secretary of State submits a written certification to Congress that the government of such country— Certification.

(1) has resolved any unresolved abduction case that gave rise to such specific action; or

(2) has taken substantial and verifiable steps to correct such country's persistent pattern of noncompliance that gave rise to such specific action, as applicable.

TITLE III—PREVENTION OF INTERNATIONAL CHILD ABDUCTION

SEC. 301. PREVENTING CHILDREN FROM LEAVING THE UNITED STATES IN VIOLATION OF A COURT ORDER.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following:

6 USC 241.

"SEC. 433. PREVENTION OF INTERNATIONAL CHILD ABDUCTION.

"(a) PROGRAM ESTABLISHED.—The Secretary, through the Commissioner of U.S. Customs and Border Protection (referred to in this section as 'CBP'), in coordination with the Secretary of State, the Attorney General, and the Director of the Federal Bureau of Investigation, shall establish a program that—

"(1) seeks to prevent a child (as defined in section 1204(b)(1) of title 18, United States Code) from departing from the territory of the United States if a parent or legal guardian of such child presents a court order from a court of competent jurisdiction prohibiting the removal of such child from the United States to a CBP Officer in sufficient time to prevent such departure for the duration of such court order; and

"(2) leverages other existing authorities and processes to address the wrongful removal and return of a child.

"(b) INTERAGENCY COORDINATION.—

Establishment.

"(1) IN GENERAL.—The Secretary of State shall convene and chair an interagency working group to prevent international parental child abduction. The group shall be composed of presidentially appointed, Senate confirmed officials from—

"(A) the Department of State;

"(B) the Department of Homeland Security, including U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement; and

"(C) the Department of Justice, including the Federal Bureau of Investigation.

"(2) DEPARTMENT OF DEFENSE.—The Secretary of Defense shall designate an official within the Department of Defense—

"(A) to coordinate with the Department of State on international child abduction issues; and

"(B) to oversee activities designed to prevent or resolve international child abduction cases relating to active duty military service members.".

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by adding after the item relating to section 432 the following:

"Sec. 433. Prevention of international child abduction.".

22 USC 9141.

SEC. 302. AUTHORIZATION FOR JUDICIAL TRAINING ON INTERNATIONAL PARENTAL CHILD ABDUCTION.

(a) IN GENERAL.—The Secretary of State, subject to the availability of appropriations, shall seek to provide training, directly or through another government agency or nongovernmental organizations, on the effective handling of parental abduction cases to the judicial and administrative authorities in countries—

(1) in which a significant number of unresolved abduction cases are pending; or

(2) that have been designated as having a pattern of noncompliance under section 202(b).

(b) STRATEGY REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit a strategy to carry out the activities described in subsection (a) to— Deadline. President.

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Foreign Affairs of the House of Representatives;

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

(4) the Committee on Appropriations of the House of Representatives.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of State $1,000,000 for each of the fiscal years 2015 and 2016 to carry out subsection (a).

(2) USE OF FUNDS.—Amounts appropriated for the activities set forth in subsection (a) shall be used pursuant to the authorization and requirements under this section.

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 3212:

SENATE REPORTS: No. 113–204 (Comm. on Foreign Relations).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Dec. 11, considered and passed House.
Vol. 160 (2014): July 16, considered and passed Senate, amended.
July 25, House concurred in Senate amendment.

Public Law 113–151
113th Congress

An Act

Aug. 8, 2014
[H.R. 3472]

To designate the facility of the United States Postal Service located at 13127 Broadway Street in Alden, New York, as the "Sergeant Brett E. Gornewicz Memorial Post Office".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SERGEANT BRETT E. GORNEWICZ MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 13127 Broadway Street in Alden, New York, shall be known and designated as the "Sergeant Brett E. Gornewicz Memorial Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Sergeant Brett E. Gornewicz Memorial Post Office".

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 3472 (S. 2056):

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 17, considered and passed House.
Aug. 1, considered and passed Senate.

Public Law 113–152
113th Congress

An Act

To amend title XII of the Public Health Service Act to expand the definition of trauma to include thermal, electrical, chemical, radioactive, and other extrinsic agents.

Aug. 8, 2014
[H.R. 3548]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Improving Trauma Care Act of 2014.
42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Improving Trauma Care Act of 2014".

SEC. 2. TRAUMA DEFINITION.

(a) REVISED DEFINITION UNDER TRAUMA SYSTEMS GRANTS PROGRAMS.—Paragraph (4) of section 1231 of the Public Health Service Act (42 U.S.C. 300d–31) is amended to read as follows:

"(4) TRAUMA.—The term 'trauma' means an injury resulting from exposure to—

"(A) a mechanical force; or

"(B) another extrinsic agent, including an extrinsic agent that is thermal, electrical, chemical, or radioactive.".

(b) REVISED DEFINITION UNDER INTERAGENCY PROGRAM FOR TRAUMA RESEARCH.—Paragraph (3) of section 1261(h) of the Public Health Service Act (42 U.S.C. 300d–61(h)) is amended to read as follows:

"(3) The term 'trauma' means an injury resulting from exposure to—

"(A) a mechanical force; or

"(B) another extrinsic agent, including an extrinsic agent that is thermal, electrical, chemical, or radioactive.".

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 3548 (S. 2406):

HOUSE REPORTS: No. 113–458 (Comm. on Energy and Commerce).
CONGRESSIONAL RECORD, Vol. 160 (2014):
June 24, considered and passed House.
July 31, considered and passed Senate.

Public Law 113–153
113th Congress

An Act

Aug. 8, 2014
[H.R. 3765]

To designate the facility of the United States Postal Service located at 198 Baker Street in Corning, New York, as the "Specialist Ryan P. Jayne Post Office Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPECIALIST RYAN P. JAYNE POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 198 Baker Street in Corning, New York, shall be known and designated as the "Specialist Ryan P. Jayne Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Specialist Ryan P. Jayne Post Office Building".

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 3765 (S. 2057):

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 17, considered and passed House.
Aug. 1, considered and passed Senate.

Public Law 113–154
113th Congress

An Act

To amend the International Religious Freedom Act of 1998 to include the desecration of cemeteries among the many forms of violations of the right to religious freedom.

Aug. 8, 2014
[H.R. 4028]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

22 USC 6401 note.

Congress finds the following:

(1) Cemeteries are sacred sites that are of great spiritual, cultural, and historical significance to many religious and ethnic groups.

(2) Congress is committed to protecting and preserving the heritage and sacred sites of national, religious, and ethnic groups, which includes cemeteries in the United States and abroad.

(3) Cemeteries around the world have and continue to be defaced or destroyed as a direct result of their affiliation with a particular religious or spiritual group.

(4) Such attacks constitute an assault on the fundamental right to freedom of religion, and are especially egregious when sponsored or tolerated by the local or national governments in the countries in which such offenses occur.

SEC. 2. AMENDMENT TO INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998.

Section 2(a)(4) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a)(4)) is amended in the fourth sentence by inserting "desecration of cemeteries," after "confiscations of property,".

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 4028:

SENATE REPORTS: No. 113–214 (Comm. on Foreign Relations).
CONGRESSIONAL RECORD, Vol. 160 (2014):
May 28, considered and passed House.
July 29, considered and passed Senate.

Public Law 113–155
113th Congress

An Act

Aug. 8, 2014
[H.R. 4360]

To designate the facility of the United States Forest Service for the Grandfather Ranger District located at 109 Lawing Drive in Nebo, North Carolina, as the "Jason Crisp Forest Service Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF JASON CRISP FOREST SERVICE BUILDING, NEBO, NORTH CAROLINA.

(a) DESIGNATION.—The facility of the Grandfather Ranger District of the United States Forest Service located at 109 Lawing Drive in Nebo, North Carolina, shall be known and designated as the "Jason Crisp Forest Service Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Jason Crisp Forest Service Building".

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 4360:

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 17, considered and passed House.
July 31, considered and passed Senate.

Public Law 113–156
113th Congress

An Act

To allow the Secretary of the Treasury to rely on State examinations for certain financial institutions, and for other purposes.

Aug. 8, 2014
[H.R. 4386]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Money Remittances Improvement Act of 2014.
12 USC 1951 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Money Remittances Improvement Act of 2014".

SEC. 2. COMPLIANCE AUTHORITY FOR CERTAIN REPORTING REQUIREMENTS.

(a) COMPLIANCE WITH REPORTING REQUIREMENTS ON MONETARY INSTRUMENT TRANSACTIONS.—Section 5318(a) of title 31, United States Code, is amended—

(1) in paragraph (5), by striking "and" at the end;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

"(6) rely on examinations conducted by a State supervisory agency of a category of financial institution, if the Secretary determines that—

"(A) the category of financial institution is required to comply with this subchapter and regulations prescribed under this subchapter; or

"(B) the State supervisory agency examines the category of financial institution for compliance with this subchapter and regulations prescribed under this subchapter; and".

(b) COMPLIANCE WITH REPORTING REQUIREMENTS OF OTHER FINANCIAL INSTITUTIONS.—Section 128 of Public Law 91–508 (12 U.S.C. 1958) is amended—

(1) by striking "this title" and inserting "this chapter and section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1829b)"; and

(2) by inserting at the end the following: "The Secretary may rely on examinations conducted by a State supervisory agency of a category of financial institution, if the Secretary determines that the category of financial institution is required to comply with this chapter and section 21 of the Federal Deposit Insurance Act (and regulations prescribed under this chapter and section 21 of the Federal Deposit Insurance Act), or the State supervisory agency examines the category of financial institution for compliance with this chapter and section

Determination.
Examination.

21 of the Federal Deposit Insurance Act (and regulations prescribed under this chapter and section 21 of the Federal Deposit Insurance Act).".

(c) CONSULTATION WITH STATE AGENCIES.—In issuing rules to carry out section 5318(a)(6) of title 31, United States Code, and section 128 of Public Law 91–508 (12 U.S.C. 1958), the Secretary of the Treasury shall consult with State supervisory agencies.

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 4386:

CONGRESSIONAL RECORD, Vol. 160 (2014):
May 6, considered and passed House.
Aug. 1, considered and passed Senate.

Public Law 113–157
113th Congress

An Act

To reauthorize certain provisions of the Public Health Service Act relating to autism, and for other purposes.

Aug. 8, 2014
[H.R. 4631]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Autism Collaboration, Accountability, Research, Education, and Support Act of 2014.
42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Autism Collaboration, Accountability, Research, Education, and Support Act of 2014" or the "Autism CARES Act of 2014".

42 USC 280i note.
Designation.
Consultation.

SEC. 2. NATIONAL AUTISM SPECTRUM DISORDER INITIATIVE.

(a) IN GENERAL.—The Secretary of Health and Human Services shall designate an existing official within the Department of Health and Human Services to oversee, in consultation with the Secretaries of Defense and Education, national autism spectrum disorder research, services, and support activities.

(b) DUTIES.—The official designated under subsection (a) shall—

(1) implement autism spectrum disorder activities, taking into account the strategic plan developed by the Interagency Autism Coordinating Committee under section 399CC(b) of the Public Health Service Act (42 U.S.C. 280i–2(b)); and

(2) ensure that autism spectrum disorder activities of the Department of Health and Human Services and of other Federal departments and agencies are not unnecessarily duplicative.

SEC. 3. RESEARCH PROGRAM.

Section 399AA of the Public Health Service Act (42 U.S.C. 280i) is amended—

(1) in subsection (a)(1), by inserting "for children and adults" after "reporting of State epidemiological data";

(2) in subsection (b)(1)—

(A) by striking "establishment of regional centers of excellence" and inserting "establishment or support of regional centers of excellence"; and

(B) by inserting "for children and adults" before the period at the end;

(3) in subsection (b)(2), by striking "center to be established" and inserting "center to be established or supported"; and

(4) in subsection (e), by striking "2014" and inserting "2019".

SEC. 4. AUTISM INTERVENTION.

Section 399BB of the Public Health Service Act (42 U.S.C. 280i–1) is amended—

(1) in subsection (b)(1), by inserting "culturally competent" after "provide";

(2) in subsection (c)(2)(A)(ii), by inserting "(which may include respite care for caregivers of individuals with an autism spectrum disorder)" after "services and supports";

(3) in subsection (e)(1)(B)(v), by inserting before the semicolon the following: ", which may include collaborating with research centers or networks to provide training for providers of respite care (as defined in section 2901)";

(4) in subsection (f), by striking "grants or contracts" and all that follows through "for individuals with" and inserting "grants or contracts, which may include grants or contracts to research centers or networks, to determine the evidence-based practices for interventions to improve the physical and behavioral health of individuals with"; and

(5) in subsection (g), by striking "2014" and inserting "2019".

SEC. 5. INTERAGENCY AUTISM COORDINATING COMMITTEE.

Section 399CC of the Public Health Service Act (42 U.S.C. 280i–2) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "and annually update"; and

(ii) by striking "intervention" and inserting "interventions, including school and community-based interventions";

(B) by striking paragraph (2);

(C) by redesignating paragraph (1) as paragraph (2), and inserting before such redesignated paragraph the following:

"(1) monitor autism spectrum disorder research, and to the extent practicable services and support activities, across all relevant Federal departments and agencies, including coordination of Federal activities with respect to autism spectrum disorder;";

(D) in paragraph (3), by striking "recommendations to the Director of NIH";

(E) in paragraph (4), by inserting before the semicolon the following: ", and the process by which public feedback can be better integrated into such decisions"; and

(F) by striking paragraphs (5) and (6) and inserting the following:

Strategic plan.

"(5) develop a strategic plan for the conduct of, and support for, autism spectrum disorder research, including as practicable for services and supports, for individuals with an autism spectrum disorder and the families of such individuals, which shall include—

Budget requirements. Recommendations.

"(A) proposed budgetary requirements; and

"(B) recommendations to ensure that autism spectrum disorder research, and services and support activities to the extent practicable, of the Department of Health and Human Services and of other Federal departments and agencies are not unnecessarily duplicative; and

"(6) submit to Congress and the President—

Deadline. Updates.

"(A) an annual update on the summary of advances described in paragraph (2); and

"(B) an annual update to the strategic plan described in paragraph (5), including any progress made in achieving the goals outlined in such strategic plan.";

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking the paragraph designation, the heading, and the matter preceding subparagraph (A) and inserting the following:

"(1) FEDERAL MEMBERSHIP.—The Committee shall be composed of the following Federal members—";

(ii) in subparagraph (C)—

(I) by inserting ", such as the Administration for Community Living, Administration for Children and Families, the Centers for Medicare & Medicaid Services, the Food and Drug Administration, and the Health Resources and Services Administration" before the semicolon at the end; and

(II) by adding at the end "and";

(iii) in subparagraph (D)—

(I) by inserting "and the Department of Defense" after "Department of Education"; and

(II) by striking at the end "; and" and inserting a period; and

(iv) by striking subparagraph (E);

(B) in paragraph (2)—

(i) in the paragraph heading, by striking "ADDITIONAL" and inserting "NON-FEDERAL";

(ii) in the matter preceding subparagraph (A), by striking "Not fewer than 6 members of the Committee, or ⅓ of the total membership of the Committee, whichever is greater" and inserting "Not more than ½, but not fewer than ⅓, of the total membership of the Committee";

(iii) in subparagraph (A), by striking "one such member shall be an individual" and inserting "two such members shall be individuals";

(iv) in subparagraph (B), by striking "one such member shall be a parent or legal guardian" and inserting "two such members shall be parents or legal guardians"; and

(v) in subparagraph (C), by striking "one such member shall be a representative" and inserting "two such members shall be representatives"; and

(C) by adding at the end the following:

"(3) PERIOD OF APPOINTMENT; VACANCIES.—

"(A) PERIOD OF APPOINTMENT FOR NON-FEDERAL MEMBERS.—Non-Federal members shall serve for a term of 4 years, and may be reappointed for one or more additional 4-year terms.

"(B) VACANCIES.—A vacancy on the Committee shall be filled in the manner in which the original appointment was made and shall not affect the powers or duties of the Committee. Any member appointed to fill a vacancy for an unexpired term shall be appointed for the remainder of such term. A member may serve after the expiration

of the member's term until a successor has been appointed.";

(3) in subsection (d)—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in subsection (f), by striking "2014" and inserting "2019".

SEC. 6. REPORTS.

Section 399DD of the Public Health Service Act (42 U.S.C. 280i–3) is amended—

(1) in the section heading, by striking "**REPORT**" and inserting "**REPORTS**";

(2) in subsection (b), by redesignating paragraphs (1) through (9) as subparagraphs (A) through (I), respectively, and realigning the margins accordingly;

(3) by redesignating subsections (a) and (b) as paragraphs (1) and (2), respectively, and realigning the margins accordingly;

(4) by inserting after the section heading the following: "(a) PROGRESS REPORT.—";

(5) in subsection (a)(1) (as so redesignated)—

(A) by striking "2 years after the date of enactment of the Combating Autism Reauthorization Act of 2011" and inserting "4 years after the date of enactment of the Autism CARES Act of 2014";

(B) by inserting "and the Secretary of Defense" after "the Secretary of Education"; and

Public information. Web posting.

(C) by inserting ", and make publicly available, including through posting on the Internet Web site of the Department of Health and Human Services," after "Representatives"; and

(6) in subsection (a)(2) (as so redesignated)—

(A) in subparagraph (A), (as so redesignated), by striking "Combating Autism Act of 2006" and inserting "Autism CARES Act of 2014";

(B) in subparagraph (B) (as so redesignated), by striking "particular provisions of Combating Autism Act of 2006" and inserting "amendments made by the Autism CARES Act of 2014";

(C) by striking subparagraph (C) (as so redesignated), and inserting the following:

"(C) information on the incidence and prevalence of autism spectrum disorder, including available information on the prevalence of autism spectrum disorder among children and adults, and identification of any changes over time with respect to the incidence and prevalence of autism spectrum disorder;";

Time period.

(D) in subparagraph (D) (as so redesignated), by striking "6-year period beginning on the date of enactment of the Combating Autism Act of 2006" and inserting "4-year period beginning on the date of enactment of the Autism CARES Act of 2014 and, as appropriate, how this age varies across population subgroups";

Time period.

(E) in subparagraph (E) (as so redesignated), by striking "6-year period beginning on the date of enactment of the Combating Autism Act of 2006" and inserting "4-year period beginning on the date of enactment of the

Autism CARES Act of 2014 and, as appropriate, how this age varies across population subgroups";

(F) in subparagraph (F) (as so redesignated), by inserting "and, as appropriate, on how such average time varies across population subgroups" before the semicolon at the end;

(G) in subparagraph (G) (as so redesignated)—

(i) by striking "including by various subtypes," and inserting "including by severity level as practicable,"; and

(ii) by striking "child may" and inserting "child or other factors, such as demographic characteristics, may"; and

(H) by striking subparagraph (I) (as so redesignated), and inserting the following:

"(I) a description of the actions taken to implement and the progress made on implementation of the strategic plan developed by the Interagency Autism Coordinating Committee under section 399CC(b)."; and

(7) by adding at the end the following new subsection:

"(b) REPORT ON YOUNG ADULTS AND TRANSITIONING YOUTH.—

"(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Autism CARES Act of 2014, the Secretary of Health and Human Services, in coordination with the Secretary of Education and in collaboration with the Secretary of Transportation, the Secretary of Labor, the Secretary of Housing and Urban Development, and the Attorney General, shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report concerning young adults with autism spectrum disorder and the challenges related to the transition from existing school-based services to those services available during adulthood. Coordination. Collaboration.

"(2) CONTENTS.—The report submitted under paragraph (1) shall contain—

"(A) demographic characteristics of youth transitioning from school-based to community-based supports;

"(B) an overview of policies and programs relevant to young adults with autism spectrum disorder relating to post-secondary school transitional services, including an identification of existing Federal laws, regulations, policies, research, and programs; Overview.

"(C) proposals on establishing best practices guidelines to ensure— Proposals. Coordination.

"(i) interdisciplinary coordination between all relevant service providers receiving Federal funding;

"(ii) coordination with transitioning youth and the family of such transitioning youth; and

"(iii) inclusion of the individualized education program for the transitioning youth, as prescribed in section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414);

"(D) comprehensive approaches to transitioning from existing school-based services to those services available during adulthood, including—

"(i) services that increase access to, and improve integration and completion of, post-secondary education, peer support, vocational training (as defined in section 103 of the Rehabilitation Act of 1973 (29 U.S.C. 723)), rehabilitation, self-advocacy skills, and competitive, integrated employment;

"(ii) community-based behavioral supports and interventions;

"(iii) community-based integrated residential services, housing, and transportation;

"(iv) nutrition, health and wellness, recreational, and social activities;

"(v) personal safety services for individuals with autism spectrum disorder related to public safety agencies or the criminal justice system; and

"(vi) evidence-based approaches for coordination of resources and services once individuals have aged out of post-secondary education; and

Proposals.

"(E) proposals that seek to improve outcomes for adults with autism spectrum disorder making the transition from a school-based support system to adulthood by—

"(i) increasing the effectiveness of programs that provide transition services;

"(ii) increasing the ability of the relevant service providers described in subparagraph (C) to provide supports and services to underserved populations and regions;

"(iii) increasing the efficiency of service delivery to maximize resources and outcomes, including with respect to the integration of and collaboration among services for transitioning youth;

"(iv) ensuring access to all services necessary to transitioning youth of all capabilities; and

"(v) encouraging transitioning youth to utilize all available transition services to maximize independence, equal opportunity, full participation, and self-sufficiency.".

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

Section 399EE of the Public Health Service Act (42 U.S.C. 280i–4) is amended—

(1) in subsection (a), by striking "fiscal years 2012 through 2014" and inserting "fiscal years 2015 through 2019";

(2) in subsection (b), by striking "fiscal years 2011 through 2014" and inserting "fiscal years 2015 through 2019"; and

(3) in subsection (c), by striking "$161,000,000 for each of fiscal years 2011 through 2014" and inserting "$190,000,000 for each of fiscal years 2015 through 2019".

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 4631:

HOUSE REPORTS: No. 113–490 (Comm. on Energy and Commerce).
CONGRESSIONAL RECORD, Vol. 160 (2014):
June 24, considered and passed House.
July 31, considered and passed Senate.

Public Law 113–158
113th Congress

An Act

Aug. 8, 2014
[H.R. 4838]

To redesignate the railroad station located at 2955 Market Street in Philadelphia, Pennsylvania, commonly known as "30th Street Station", as the "William H. Gray III 30th Street Station".

49 USC 24909 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REDESIGNATION.

The railroad station located at 2955 Market Street in Philadelphia, Pennsylvania, commonly known as "30th Street Station", shall be known and designated as the "William H. Gray III 30th Street Station".

49 USC 24909.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the railroad station referred to in section 1 shall be deemed to be a reference to the "William H. Gray III 30th Street Station".

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 4838:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 28, considered and passed House.
July 31, considered and passed Senate.

Public Law 113–159
113th Congress

An Act

To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

Aug. 8, 2014
[H.R. 5021]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

Highway and Transportation Funding Act of 2014.
23 USC 101 note.

(a) SHORT TITLE.—This Act may be cited as the "Highway and Transportation Funding Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. FINDINGS.

23 USC 101 note.

Congress finds that—

(1) the existing Highway Trust Fund system is unsustainable and unable to meet our Nation's 21st century transportation needs;

(2) MAP–21 included important reforms that must be built upon in the next reauthorization bill to increase the efficient and effective utilization of Federal funding;

(3) these reforms should include the elimination of duplicative Federal regulations and increase the authority and responsibility of the States to safely and efficiently build, operate, and fund transportation systems that best serve the needs of their citizens, including the ability of each State to implement innovative solutions, while also maintaining the appropriate Federal role in transportation; and

(4) Congress should enact and the President should sign a surface transportation reauthorization and reform bill prior to the expiration of this Act.

TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION

Subtitle A—Federal-Aid Highways

Time period.

Termination date.

SEC. 1001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Except as provided in this subtitle, requirements, authorities, conditions, eligibilities, limitations, and other provisions authorized under divisions A and E of MAP–21 (Public Law 112–141), the SAFETEA–LU Technical Corrections Act of 2008 (Public Law 110–244), titles I, V, and VI of SAFETEA–LU (Public Law 109–59), titles I and V of the Transportation Equity Act for the 21st Century (Public Law 105–178), the National Highway System Designation Act of 1995 (104–59), titles I and VI of the Intermodal Surface Transportation Act of 1991 (Public Law 102–240), and title 23, United States Code (excluding chapter 4 of that title), which would otherwise expire on or cease to apply after September 30, 2014, are incorporated by reference and shall continue in effect until May 31, 2015.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) HIGHWAY TRUST FUND.—Except as provided in section 1002, there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for the period beginning on October 1, 2014, and ending on May 31, 2015, a sum equal to $^{243}/_{365}$ of the total amount authorized to be appropriated out of the Highway Trust Fund for programs, projects, and activities for fiscal year 2014 under divisions A and E of MAP–21 (Public Law 112–141) and title 23, United States Code (excluding chapter 4 of that title).

(2) GENERAL FUND.—Section 1123(h)(1) of MAP–21 (23 U.S.C. 202 note) is amended by inserting "and $19,972,603 out of the general fund of the Treasury to carry out the program for the period beginning on October 1, 2014, and ending on May 31, 2015" before the period at the end.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Except as otherwise expressly provided in this subtitle, funds authorized to be appropriated under subsection (b)(1) for the period beginning on October 1, 2014, and ending on May 31, 2015, shall be distributed, administered, limited, and made available for obligation in the same manner and at the same levels as $^{243}/_{365}$ of the amounts of funds

authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal year 2014 to carry out programs, projects, activities, eligibilities, and requirements under MAP–21 (Public Law 112–141), the SAFETEA–LU Technical Corrections Act of 2008 (Public Law 110–244), SAFETEA–LU (Public Law 109–59), titles I and V of the Transportation Equity Act for the 21st Century (Public Law 105–178), the National Highway System Designation Act of 1995 (104–59), titles I and VI of the Intermodal Surface Transportation Act of 1991 (Public Law 102–240), and title 23, United States Code (excluding chapter 4 of that title).

(2) CONTRACT AUTHORITY.—Funds authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) under this section shall be—

(A) available for obligation and shall be administered in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; and

(B) subject to section 1102 of MAP–21 (23 U.S.C. 104 note), as amended by this subsection.

(3) OBLIGATION CEILING.—Section 1102 of MAP–21 (23 U.S.C. 104 note) is amended—

(A) in subsection (a)—

(i) by striking "and" at the end of paragraph (1);

(ii) by striking the period at the end of paragraph (2) and inserting "; and"; and

(iii) by adding at the end the following:

"(3) $26,800,569,863 for the period beginning on October 1, 2014, and ending on May 31, 2015.";

(B) in subsection (b)—

(i) in paragraph (10) by striking "2011" and inserting "2012"; and

(ii) in paragraph (12) by inserting ", and for the period beginning on October 1, 2014, and ending on May 31, 2015, only in an amount equal to $639,000,000, less any reductions that would have otherwise been required for that year by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), then multiplied by $^{243}/_{365}$ for that period" after "those fiscal years";

(C) in subsection (c)—

(i) in the matter preceding paragraph (1) by inserting "and for the period beginning on October 1, 2014, and ending on May 31, 2015" after "2014";

(ii) by striking paragraph (1)(A) and inserting the following:

"(A) amounts provided for administrative expenses and programs; and";

(iii) in paragraph (2) in the matter preceding subparagraph (A) by inserting "or, for the period beginning on October 1, 2014, and ending May 31, 2015, that is equal to $^{243}/_{365}$ of such unobligated balance" after "unobligated balance of amounts";

(iv) in paragraph (5) by striking "section 204" and inserting "sections 202 and 204"; and

(v) by inserting "or period" after "the fiscal year" each place it appears;

(D) in subsection (d) in the matter preceding paragraph (1) by striking "2014" and inserting "2015";

(E) in subsection (f)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A) by inserting "and for the period beginning on October 1, 2014, and ending on May 31, 2015" after "2014"; and

(II) by inserting "or period" after "the fiscal year" each place it appears; and

(ii) in paragraph (3) by striking "section 133(c)" and inserting "section 133(b)".

Time period.

SEC. 1002. ADMINISTRATIVE EXPENSES.

(a) AUTHORIZATION OF CONTRACT AUTHORITY.—Notwithstanding any other provision of this Act or any other law, there is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account), from amounts provided under section 1001, for administrative expenses of the Federal-aid highway program $292,931,507 for the period beginning on October 1, 2014, and ending on May 31, 2015.

(b) CONTRACT AUTHORITY.—Funds authorized to be appropriated by this section shall be—

(1) available for obligation, and shall be administered, in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that such funds shall remain available until expended; and

(2) subject to the limitation on obligations for Federal-aid highways and highway safety construction programs for the period beginning on October 1, 2014, and ending on May 31, 2015, specified in section 1102 of MAP–21 (23 U.S.C. 104 note), as amended by this subtitle.

Subtitle B—Extension of Highway Safety Programs

SEC. 1101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) EXTENSION OF PROGRAMS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 31101(a)(1) of MAP–21 (126 Stat. 733) is amended—

(A) in subparagraph (A) by striking "and" at the end;

(B) in subparagraph (B) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(C) $156,452,055 for the period beginning on October 1, 2014, and ending on May 31, 2015.".

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 31101(a)(2) of MAP–21 (126 Stat. 733) is amended—

(A) in subparagraph (A) by striking "and" at the end;

(B) in subparagraph (B) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(C) $75,563,014 for the period beginning on October 1, 2014, and ending on May 31, 2015.".

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 31101(a)(3) of MAP–21 (126 Stat. 733) is amended—

(A) in subparagraph (A) by striking "and" at the end;

(B) in subparagraph (B) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(C) $181,084,932 for the period beginning on October 1, 2014, and ending on May 31, 2015.".

(4) NATIONAL DRIVER REGISTER.—Section 31101(a)(4) of MAP–21 (126 Stat. 733) is amended—

(A) in subparagraph (A) by striking "and" at the end;

(B) in subparagraph (B) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(C) $3,328,767 for the period beginning on October 1, 2014, and ending on May 31, 2015.".

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(A) AUTHORIZATION OF APPROPRIATIONS.—Section 31101(a)(5) of MAP–21 (126 Stat. 733) is amended—

(i) in subparagraph (A) by striking "and" at the end;

(ii) in subparagraph (B) by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(C) $19,306,849 for the period beginning on October 1, 2014, and ending on May 31, 2015.".

(B) LAW ENFORCEMENT CAMPAIGNS.—Section 2009(a) of SAFETEA–LU (23 U.S.C. 402 note) is amended—

(i) in the first sentence by inserting "and in the period beginning on October 1, 2014, and ending on May 31, 2015" after "fiscal years 2013 and 2014"; and

(ii) in the second sentence by inserting "and in the period beginning on October 1, 2014, and ending on May 31, 2015," after "fiscal years 2013 and 2014".

(6) ADMINISTRATIVE EXPENSES.—Section 31101(a)(6) of MAP–21 (126 Stat. 733) is amended—

(A) in subparagraph (A) by striking "and" at the end;

(B) in subparagraph (B) by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(C) $16,976,712 for the period beginning on October 1, 2014, and ending on May 31, 2015.".

(b) COOPERATIVE RESEARCH AND EVALUATION.—Section 403(f)(1) of title 23, United States Code, is amended by inserting "ending before October 1, 2014, and $1,664,384 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2014, and ending on May 31, 2015," after "each fiscal year". Time period.

(c) APPLICABILITY OF TITLE 23.—Section 31101(c) of MAP–21 (126 Stat. 733) is amended by inserting "and for the period beginning on October 1, 2014, and ending on May 31, 2015," after "fiscal years 2013 and 2014".

SEC. 1102. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a) of title 49, United States Code, is amended—

(1) by striking "and" at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting "; and"; and

(3) by adding at the end the following:

"(10) $145,134,247 for the period beginning on October 1, 2014, and ending on May 31, 2015.".

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1) of title 49, United States Code, is amended—

(1) by striking "and" at the end of subparagraph (H);

(2) by striking the period at the end of subparagraph (I) and inserting "; and"; and

(3) by adding at the end the following:

"(J) $172,430,137 for the period beginning on October 1, 2014, and ending on May 31, 2015.".

(c) GRANT PROGRAMS.—

(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—Section 4101(c)(1) of SAFETEA–LU (119 Stat. 1715) is amended by inserting before the period at the end the following: "and $19,972,603 for the period beginning on October 1, 2014, and ending on May 31, 2015".

(2) BORDER ENFORCEMENT GRANTS.—Section 4101(c)(2) of SAFETEA–LU (119 Stat. 1715) is amended by inserting before the period at the end the following: "and $21,304,110 for the period beginning on October 1, 2014, and ending on May 31, 2015".

(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.—Section 4101(c)(3) of SAFETEA–LU (119 Stat. 1715) is amended by inserting before the period at the end the following: "and $3,328,767 for the period beginning on October 1, 2014, and ending on May 31, 2015".

(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT PROGRAM.—Section 4101(c)(4) of SAFETEA–LU (119 Stat. 1715) is amended by inserting before the period at the end the following: "and $16,643,836 for the period beginning on October 1, 2014, and ending on May 31, 2015".

(5) SAFETY DATA IMPROVEMENT GRANTS.—Section 4101(c)(5) of SAFETEA–LU (119 Stat. 1715) is amended by inserting before the period at the end the following: "and $1,997,260 for the period beginning on October 1, 2014, and ending on May 31, 2015".

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by inserting "and up to $9,986,301 for the period beginning on October 1, 2014, and ending on May 31, 2015," after "2014".

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by inserting "and up to $21,304,110 for the period beginning on October 1, 2014, and ending on May 31, 2015," after "per fiscal year".

49 USC 31100 note.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA–LU (119 Stat. 1741) is amended by inserting "and $2,663,014 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2014, and ending on May 31, 2015," after "2014".

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (49 U.S.C. 31301 note)

is amended by inserting "and $665,753 for the period beginning on October 1, 2014, and ending on May 31, 2015," after "2014".

SEC. 1103. DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a) in the matter preceding paragraph (1) by inserting "and for the period beginning on October 1, 2014, and ending on May 31, 2015" after "2014"; and

(2) in subsection (b)(1)(A) by striking "for each" and all that follows before "the Secretary of the Interior" and inserting "for each fiscal year ending before October 1, 2014, and for the period beginning on October 1, 2014, and ending on May 31, 2015,".

Subtitle C—Public Transportation Programs

SEC. 1201. FORMULA GRANTS FOR RURAL AREAS.

Section 5311(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A) by inserting "for each fiscal year ending before October 1, 2014, and $3,328,767 for the period beginning on October 1, 2014, and ending on May 31, 2015," before "shall be distributed"; and

(2) in subparagraph (B) by inserting "for each fiscal year ending before October 1, 2014, and $16,643,836 for the period beginning on October 1, 2014, and ending on May 31, 2015," before "shall be apportioned".

SEC. 1202. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336(h)(1) of title 49, United States Code, is amended by inserting "for each fiscal year ending before October 1, 2014, and $19,972,603 for the period beginning on October 1, 2014, and ending on May 31, 2015," before "shall be set aside".

SEC. 1203. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA GRANTS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking "and $8,595,000,000 for fiscal year 2014" and inserting ", $8,595,000,000 for fiscal year 2014, and $5,722,150,685 for the period beginning on October 1, 2014, and ending on May 31, 2015";

(2) in paragraph (2)—

(A) in subparagraph (A) by striking "and $128,800,000 for fiscal year 2014" and inserting ", $128,800,000 for fiscal year 2014, and $85,749,041 for the period beginning on October 1, 2014, and ending on May 31, 2015,";

(B) in subparagraph (B) by inserting "and $6,657,534 for the period beginning on October 1, 2014, and ending on May 31, 2015," after "2014";

(C) in subparagraph (C) by striking "and $4,458,650,000 for fiscal year 2014" and inserting ", $4,458,650,000 for fiscal year 2014, and $2,968,361,507 for the period beginning on October 1, 2014, and ending on May 31, 2015,";

(D) in subparagraph (D) by striking "and $258,300,000 for fiscal year 2014" and inserting ", $258,300,000 for fiscal year 2014, and $171,964,110 for the period beginning on October 1, 2014, and ending on May 31, 2015,";

(E) in subparagraph (E)—

(i) by striking "and $607,800,000 for fiscal year 2014" and inserting ", $607,800,000 for fiscal year 2014, and $404,644,932 for the period beginning on October 1, 2014, and ending on May 31, 2015,";

(ii) by striking "and $30,000,000 for fiscal year 2014" and inserting ", $30,000,000 for fiscal year 2014, and $19,972,603 for the period beginning on October 1, 2014, and ending on May 31, 2015,"; and

(iii) by striking "and $20,000,000 for fiscal year 2014" and inserting ", $20,000,000 for fiscal year 2014, and $13,315,068 for the period beginning on October 1, 2014, and ending on May 31, 2015,";

(F) in subparagraph (F) by inserting "and $1,997,260 for the period beginning on October 1, 2014, and ending on May 31, 2015," after "2014";

(G) in subparagraph (G) by inserting "and $3,328,767 for the period beginning on October 1, 2014, and ending on May 31, 2015," after "2014";

(H) in subparagraph (H) by inserting "and $2,563,151 for the period beginning on October 1, 2014, and ending on May 31, 2015," after "2014";

(I) in subparagraph (I) by striking "and $2,165,900,000 for fiscal year 2014" and inserting ", $2,165,900,000 for fiscal year 2014, and $1,441,955,342 for the period beginning on October 1, 2014, and ending on May 31, 2015,";

(J) in subparagraph (J) by striking "and $427,800,000 for fiscal year 2014" and inserting ", $427,800,000 for fiscal year 2014, and $284,809,315 for the period beginning on October 1, 2014, and ending on May 31, 2015,"; and

(K) in subparagraph (K) by striking "and $525,900,000 for fiscal year 2014" and inserting ", $525,900,000 for fiscal year 2014, and $350,119,726 for the period beginning on October 1, 2014, and ending on May 31, 2015,".

(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—Section 5338(b) of title 49, United States Code, is amended by striking "and $70,000,000 for fiscal year 2014" and inserting ", $70,000,000 for fiscal year 2014, and $46,602,740 for the period beginning on October 1, 2014, and ending on May 31, 2015".

(c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—Section 5338(c) of title 49, United States Code, is amended by striking "and $7,000,000 for fiscal year 2014" and inserting ", $7,000,000 for fiscal year 2014, and $4,660,274 for the period beginning on October 1, 2014, and ending on May 31, 2015".

(d) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—Section 5338(d) of title 49, United States Code, is amended by striking "and $7,000,000 for fiscal year 2014" and inserting ", $7,000,000 for fiscal year 2014, and $4,660,274 for the period beginning on October 1, 2014, and ending on May 31, 2015".

(e) HUMAN RESOURCES AND TRAINING.—Section 5338(e) of title 49, United States Code, is amended by striking "and $5,000,000 for fiscal year 2014" and inserting ", $5,000,000 for fiscal year

2014, and $3,328,767 for the period beginning on October 1, 2014, and ending on May 31, 2015".

(f) CAPITAL INVESTMENT GRANTS.—Section 5338(g) of title 49, United States Code, is amended by striking "and $1,907,000,000 for fiscal year 2014" and inserting ", $1,907,000,000 for fiscal year 2014, and $1,269,591,781 for the period beginning on October 1, 2014, and ending on May 31, 2015".

(g) ADMINISTRATION.—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking "and $104,000,000 for fiscal year 2014" and inserting ", $104,000,000 for fiscal year 2014, and $69,238,356 for the period beginning on October 1, 2014, and ending on May 31, 2015";

(2) in paragraph (2) by inserting "for each of fiscal years 2013 and 2014 and not less than $3,328,767 for the period beginning on October 1, 2014, and ending on May 31, 2015," before "shall be available"; and

(3) in paragraph (3) by inserting "for each of fiscal years 2013 and 2014 and not less than $665,753 for the period beginning on October 1, 2014, and ending on May 31, 2015," before "shall be available".

SEC. 1204. BUS AND BUS FACILITIES FORMULA GRANTS.

Section 5339(d)(1) of title 49, United States Code, is amended—

(1) by inserting "for each of fiscal years 2013 and 2014 and $43,606,849 for the period beginning on October 1, 2014, and ending on May 31, 2015," after "$65,500,000";

(2) by inserting "for each such fiscal year and $832,192 for such period" after "$1,250,000"; and

(3) by inserting "for each such fiscal year and $332,877 for such period" after "$500,000".

Subtitle D—Hazardous Materials

SEC. 1301. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 5128(a) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking "and" at the end;

(2) in paragraph (2) by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(3) $28,468,948 for the period beginning on October 1, 2014, and ending on May 31, 2015.".

(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—Section 5128(b) of title 49, United States Code, is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and by adjusting the margins accordingly;

(2) by striking "From the" and inserting the following:

"(1) FISCAL YEARS 2013 AND 2014.—From the"; and

(3) by adding at the end the following:

"(2) FISCAL YEAR 2015.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend for the period beginning on October 1, 2014, and ending on May 31, 2015—

"(A) $125,162 to carry out section 5115;

"(B) $14,513,425 to carry out subsections (a) and (b) of section 5116, of which not less than $9,087,534 shall be available to carry out section 5116(b);

"(C) $99,863 to carry out section 5116(f);

"(D) $416,096 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

"(E) $665,753 to carry out section 5116(j).".

(c) HAZARDOUS MATERIALS TRAINING GRANTS.—Section 5128(c) of title 49, United States Code, is amended by inserting "and $2,663,014 for the period beginning on October 1, 2014, and ending on May 31, 2015," after "2014".

TITLE II—REVENUE PROVISIONS

SEC. 2001. EXTENSION OF HIGHWAY TRUST FUND EXPENDITURE AUTHORITY.

26 USC 9503.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking "October 1, 2014" in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting "June 1, 2015", and

(2) by striking "MAP–21" in subsections (c)(1) and (e)(3) and inserting "Highway and Transportation Funding Act of 2014".

26 USC 9504.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986 is amended—

(1) by striking "MAP–21" each place it appears in subsection (b)(2) and inserting "Highway and Transportation Funding Act of 2014", and

(2) by striking "October 1, 2014" in subsection (d)(2) and inserting "June 1, 2015".

26 USC 9508.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986 is amended by striking "October 1, 2014" and inserting "June 1, 2015".

SEC. 2002. FUNDING OF HIGHWAY TRUST FUND.

(a) IN GENERAL.—Subsection (f) of section 9503 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (5) as paragraph (7) and by inserting after paragraph (4) the following new paragraphs:

"(5) ADDITIONAL SUMS.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

"(A) $7,765,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund; and

"(B) $2,000,000,000 to the Mass Transit Account in the Highway Trust Fund.

"(6) ADDITIONAL INCREASE IN FUND BALANCE.—There is hereby transferred to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund amounts appropriated from the Leaking Underground Storage Tank Trust Fund under section 9508(c)(3).".

(b) APPROPRIATION FROM LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—

(1) IN GENERAL.—Subsection (c) of section 9508 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

"(3) ADDITIONAL TRANSFER TO HIGHWAY TRUST FUND.—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated $1,000,000,000 to be transferred under section 9503(f)(6) to the Highway Account (as defined in section 9503(e)(5)(B)) in the Highway Trust Fund.".

(2) CONFORMING AMENDMENT.—Section 9508(c)(1) of the Internal Revenue Code of 1986 is amended by striking "paragraph (2)" and inserting "paragraphs (2) and (3)". 26 USC 9508.

SEC. 2003. FUNDING STABILIZATION.

(a) FUNDING STABILIZATION UNDER THE INTERNAL REVENUE CODE OF 1986.—The table in subclause (II) of section 430(h)(2)(C)(iv) of the Internal Revenue Code of 1986 is amended to read as follows: 26 USC 430.

"If the calendar year is:	The applicable minimum percentage is:	The applicable maximum percentage is:
2012, 2013, 2014, 2015, 2016, or 2017.	90%	110%
2018	85%	115%
2019	80%	120%
2020	75%	125%
After 2020	70%	130%".

(b) FUNDING STABILIZATION UNDER EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) IN GENERAL.—The table in subclause (II) of section 303(h)(2)(C)(iv) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(h)(2)(C)(iv)) is amended to read as follows:

"If the calendar year is:	The applicable minimum percentage is:	The applicable maximum percentage is:
2012, 2013, 2014, 2015, 2016, or 2017.	90%	110%
2018	85%	115%
2019	80%	120%
2020	75%	125%
After 2020	70%	130%".

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—Section 101(f)(2)(D) of such Act (29 U.S.C. 1021(f)(2)(D)) is amended—

(i) in clause (i) by inserting "and the Highway and Transportation Funding Act of 2014" after "MAP–21" both places it appears, and

(ii) in clause (ii) by striking "2015" and inserting "2020".

(B) STATEMENTS.—The Secretary of Labor shall modify the statements required under subclauses (I) and (II) of 29 USC 1021 note.

section 101(f)(2)(D)(i) of such Act to conform to the amendments made by this section.

(c) STABILIZATION NOT TO APPLY FOR PURPOSES OF CERTAIN ACCELERATED BENEFIT DISTRIBUTION RULES.—

(1) INTERNAL REVENUE CODE OF 1986.—The second sentence of paragraph (2) of section 436(d) of the Internal Revenue Code of 1986 is amended by striking "of such plan" and inserting "of such plan (determined by not taking into account any adjustment of segment rates under section 430(h)(2)(C)(iv))".

26 USC 436.

(2) EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—The second sentence of subparagraph (B) of section 206(g)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056(g)(3)(B)) is amended by striking "of such plan" and inserting "of such plan (determined by not taking into account any adjustment of segment rates under section 303(h)(2)(C)(iv))".

Applicability.
26 USC 436 note.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by this subsection shall apply to plan years beginning after December 31, 2014.

(B) COLLECTIVELY BARGAINED PLANS.—In the case of a plan maintained pursuant to 1 or more collective bargaining agreements, the amendments made by this subsection shall apply to plan years beginning after December 31, 2015.

Contracts.
26 USC 436 note.

(4) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(A) IN GENERAL.—If this paragraph applies to any amendment to any plan or annuity contract, such plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in subparagraph (B)(ii).

(B) AMENDMENTS TO WHICH PARAGRAPH APPLIES.—

(i) IN GENERAL.—This paragraph shall apply to any amendment to any plan or annuity contract which is made—

Regulations.

(I) pursuant to the amendments made by this subsection, or pursuant to any regulation issued by the Secretary of the Treasury or the Secretary of Labor under any provision as so amended, and

Time period.

(II) on or before the last day of the first plan year beginning on or after January 1, 2016, or such later date as the Secretary of the Treasury may prescribe.

Time period.

(ii) CONDITIONS.—This subsection shall not apply to any amendment unless, during the period—

(I) beginning on the date that the amendments made by this subsection or the regulation described in clause (i)(I) takes effect (or in the case of a plan or contract amendment not required by such amendments or such regulation, the effective date specified by the plan), and

Applicability.

(II) ending on the date described in clause (i)(II) (or, if earlier, the date the plan or contract amendment is adopted),

the plan or contract is operated as if such plan or contract amendment were in effect, and such plan or

contract amendment applies retroactively for such period.

(C) ANTI-CUTBACK RELIEF.—A plan shall not be treated as failing to meet the requirements of section 204(g) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(g)) and section 411(d)(6) of the Internal Revenue Code of 1986 solely by reason of a plan amendment to which this paragraph applies.

(d) MODIFICATION OF FUNDING TARGET DETERMINATION PERIODS.—

(1) INTERNAL REVENUE CODE OF 1986.—Clause (i) of section 430(h)(2)(B) of the Internal Revenue Code of 1986 is amended by striking "the first day of the plan year" and inserting "the valuation date for the plan year". 26 USC 430.

(2) EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Clause (i) of section 303(h)(2)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(h)(2)(B)(i)) is amended by striking "the first day of the plan year" and inserting "the valuation date for the plan year".

(e) EFFECTIVE DATE.— Applicability. 26 USC 430 note.

(1) IN GENERAL.—The amendments made by subsections (a), (b), and (d) shall apply with respect to plan years beginning after December 31, 2012.

(2) ELECTIONS.—A plan sponsor may elect not to have the amendments made by subsections (a), (b), and (d) apply to any plan year beginning before January 1, 2014, either (as specified in the election)—

(A) for all purposes for which such amendments apply, or

(B) solely for purposes of determining the adjusted funding target attainment percentage under sections 436 of the Internal Revenue Code of 1986 and 206(g) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054(g)) for such plan year.

A plan shall not be treated as failing to meet the requirements of section 204(g) of such Act and section 411(d)(6) of such Code solely by reason of an election under this paragraph.

SEC. 2004. EXTENSION OF CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking "September 30, 2023" and inserting "September 30, 2024"; and

(2) in subparagraph (B)(i), by striking "September 30, 2023" and inserting "September 30, 2024".

TITLE III—TREATMENT FOR PAYGO PURPOSES

SEC. 3001. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act and the amendments made by this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act and the amendments made by this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 5021:

HOUSE REPORTS: No. 113–520, Pt. 1 (Comm. on Ways and Means).
CONGRESSIONAL RECORD, Vol. 160 (2014):
July 15, considered and passed House.
July 29, considered and passed Senate, amended.
July 31, House rejected Senate amendment. Senate receded from its amendment.

Public Law 113–160
113th Congress

An Act

To provide additional visas for the Afghan Special Immigrant Visa Program, and for other purposes.

Aug. 8, 2014
[H.R. 5195]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AFGHAN SPECIAL IMMIGRANT PROGRAM.

Section 602(b)(3) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by adding at the end the following:

"(E) SPECIAL RULE FOR END OF CALENDAR YEAR 2014.—

"(i) IN GENERAL.—During the period beginning on the date of the enactment of this subparagraph and ending on December 31, 2014, an additional 1,000 principal aliens may be provided special immigrant status under this section. For purposes of status provided under this subparagraph— Time period. Termination dates.

"(I) the period during which an alien must have been employed in accordance with paragraph (2)(A)(ii) must terminate on or before December 31, 2014;

"(II) the principal alien seeking special immigrant status under this subparagraph shall apply to the Chief of Mission in accordance with paragraph (2)(D) not later than December 31, 2014; and Deadline.

"(III) the authority to provide such status shall terminate on December 31, 2014.

"(ii) CONSTRUCTION.—Clause (i) shall not be construed to affect the authority, numerical limitations, or terms for provision of status, under subparagraph (D).".

SEC. 2. TEMPORARY FEE INCREASE FOR CERTAIN CONSULAR SERVICES. 8 USC 1351 note.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of State, not later than January 1, 2015, shall increase the fee or surcharge authorized under section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 8 U.S.C. 1351 note) by $1.00 for processing machine-readable nonimmigrant visas and machine-readable combined border crossing identification cards and nonimmigrant visas. Deadline.

(b) DEPOSIT OF AMOUNTS.—Notwithstanding section 140(a)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 8 U.S.C. 1351 note), the additional

amount collected pursuant the fee increase authorized under subsection (a) shall be deposited in the general fund of the Treasury.

(c) SUNSET PROVISION.—The fee increase authorized under subsection (a) shall terminate on the date that is 5.5 years after the first date on which such increased fee is collected.

Approved August 8, 2014.

LEGISLATIVE HISTORY—H.R. 5195:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 30, considered and passed House.
Aug. 1, considered and passed Senate.

Public Law 113–161
113th Congress

An Act

To provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

Aug. 8, 2014
[S. 653]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

Near East and South Central Asia Religious Freedom Act of 2014.
22 USC 6411 note.

This Act may be cited as the "Near East and South Central Asia Religious Freedom Act of 2014".

SEC. 2. SPECIAL ENVOY TO PROMOTE RELIGIOUS FREEDOM OF RELIGIOUS MINORITIES IN THE NEAR EAST AND SOUTH CENTRAL ASIA.

President.

(a) APPOINTMENT.—The President may appoint a Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia (in this Act referred to as the "Special Envoy") within the Department of State. The Special Envoy shall have the rank of ambassador and shall hold the office at the pleasure of the President.

(b) QUALIFICATIONS.—The Special Envoy should be a person of recognized distinction in the field of human rights and religious freedom and with expertise in the Near East and South Central Asia.

SEC. 3. DUTIES.

(a) IN GENERAL.—The Special Envoy shall carry out the following duties:

(1) Promote the right of religious freedom of religious minorities in the countries of the Near East and the countries of South Central Asia, denounce the violation of such right, and recommend appropriate responses by the United States Government when such right is violated.

(2) Monitor and combat acts of religious intolerance and incitement targeted against religious minorities in the countries of the Near East and the countries of South Central Asia.

(3) Work to ensure that the unique needs of religious minority communities in the countries of the Near East and the countries of South Central Asia are addressed, including the economic and security needs of such communities.

(4) Work with foreign governments of the countries of the Near East and the countries of South Central Asia to address laws that are discriminatory toward religious minority communities in such countries.

(5) Coordinate and assist in the preparation of that portion of the report required by sections 116(d) and 502B(b) of the

Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) relating to the nature and extent of religious freedom of religious minorities in the countries of the Near East and the countries of South Central Asia.

(6) Coordinate and assist in the preparation of that portion of the report required by section 102(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)) relating to the nature and extent of religious freedom of religious minorities in the countries of the Near East and the countries of South Central Asia.

(b) COORDINATION.—In carrying out the duties under subsection (a), the Special Envoy shall, to the maximum extent practicable, coordinate with the Assistant Secretary of State for Population, Refugees and Migration, the Ambassador at Large for International Religious Freedom, the United States Commission on International Religious Freedom, and other relevant Federal agencies and officials.

SEC. 4. DIPLOMATIC REPRESENTATION.

Subject to the direction of the President and the Secretary of State, the Special Envoy is authorized to represent the United States in matters and cases relevant to religious freedom in the countries of the Near East and the countries of South Central Asia in—

(1) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Organization of Security and Cooperation in Europe, and other international organizations of which the United States is a member; and

(2) multilateral conferences and meetings relevant to religious freedom in the countries of the Near East and the countries of South Central Asia.

SEC. 5. CONSULTATIONS.

The Special Envoy shall consult with domestic and international nongovernmental organizations and multilateral organizations and institutions, as the Special Envoy considers appropriate to fulfill the purposes of this Act.

SEC. 6. SUNSET.

This Act shall cease to be effective beginning on October 1, 2019.

SEC. 7. FUNDING.

Of the amounts appropriated or otherwise made available to the Secretary of State for "Diplomatic and Consular Programs" for fiscal years 2015 through 2019, the Secretary of State is authorized to provide to the Special Envoy $1,000,000 for each such

fiscal year for the hiring of staff, the conduct of investigations, and necessary travel to carry out the provisions of this Act.

Approved August 8, 2014.

LEGISLATIVE HISTORY—S. 653:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 10, considered and passed Senate.
July 25, considered and passed House.

Public Law 113–162
113th Congress

An Act

Aug. 8, 2014
[S. 1104]

To measure the progress of recovery and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Assessing Progress in Haiti Act of 2014.
22 USC 2151 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Assessing Progress in Haiti Act of 2014".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) On January 12, 2010, a massive earthquake struck near the Haitian capital city of Port-au-Prince, leaving an estimated 220,000 people dead, including 103 United States citizens, 101 United Nations personnel, and nearly 18 percent of the nation's civil service, as well as 300,000 injured, 115,000 homes destroyed, and 1,500,000 people displaced.

(2) According to the Post Disaster Needs Assessment conducted by the Government of Haiti, with technical assistance from the United Nations, the World Bank, the Inter-American Development Bank, the Economic Commission for Latin America and the Caribbean, and the European Commission, an estimated 15 percent of the population was directly affected by the disaster and related damages and economic losses totaled $7,804,000,000.

(3) Even before the earthquake, Haiti had some of the lowest socioeconomic indicators and the second highest rate of income disparity in the world, conditions that have further complicated post-earthquake recovery efforts and, according to the World Bank, have significantly reduced the prospects of addressing poverty reduction through economic growth.

(4) According to the World Food Programme, more than 6,700,000 people in Haiti (out of a population of about 10,000,000) are considered food insecure.

(5) In October 2010, an unprecedented outbreak of cholera in Haiti resulted in over 500,000 reported cases and over 8,000 deaths to date, further straining the capacity of Haiti's public health sector and increasing the urgency of resettlement and water, sanitation, and hygiene (WASH) efforts.

(6) The international community, led by the United States and the United Nations, mounted an unprecedented humanitarian response in Haiti, with donors pledging approximately $10,400,000,000 for humanitarian relief and recovery efforts, including debt relief, supplemented by $3,100,000,000 in private

charitable contributions, of which approximately $6,400,000,000 has been disbursed and an additional $3,800,000,000 has been committed as of September 30, 2013.

(7) The emergency response of the men and women of the United States Government, led by the United States Agency for International Development (USAID) and the United States Southern Command, as well as of cities, towns, individuals, businesses, and philanthropic organizations across the United States, was particularly swift and resolute.

(8) Since 2010, a total of $1,300,000,000 in United States assistance has been allocated for humanitarian relief and $2,300,000,000 has been allocated for recovery, reconstruction, and development assistance in Haiti, including $1,140,000,000 in emergency appropriations and $95,000,000 that has been obligated specifically to respond to the cholera epidemic.

(9) Of the $3,600,000,000 in United States assistance allocated for Haiti, $651,000,000 was apportioned to USAID to support an ambitious recovery plan, including the construction of a power plant to provide electricity for the new Caracol Industrial Park (CIP) in northern Haiti, a new port near the CIP, and permanent housing in new settlements in the Port-au-Prince, St-Marc, and Cap-Haïtien areas.

(10) According to a recent report of the Government Accountability Office, as of June 30, 2013, USAID had disbursed 31 percent of its reconstruction funds in Haiti, the port project was 2 years behind schedule and USAID funding will be insufficient to cover a majority of the projected costs, the housing project has been reduced by 80 percent, and the sustainability of the power plant, the port, and the housing projects were all at risk.

(11) GAO further found that Congress has not been provided with sufficient information to ensure that it is able to conduct effective oversight at a time when most funding remains to be disbursed, and specifically recommends that a periodic reporting mechanism be instituted to fill this information gap.

(12) Donors have encountered significant challenges in implementing recovery programs, and nearly 4 years after the earthquake, an estimated 171,974 people remain displaced in camps, unemployment remains high, corruption is rampant, land rights remain elusive, allegations of wage violations are widespread, the business climate is unfavorable, and government capacity remains weak.

(13) For Haiti to achieve stability and long term economic growth, donor assistance will have to be carefully coordinated with a commitment by the Government of Haiti to transparency, a market economy, rule of law, and democracy.

(14) The legal environment in Haiti remains a challenge to achieving the goals supported by the international community.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to support the sustainable rebuilding and development of Haiti in a manner that—

(1) promotes efforts that are led by and support the people and Government of Haiti at all levels so that Haitians lead the course of reconstruction and development of Haiti;

(2) builds the long term capacity of the Government of Haiti and civil society in Haiti;

(3) reflects the priorities and particular needs of both women and men so they may participate equally and to their maximum capacity;

(4) respects and helps restore Haiti's natural resources, as well as builds community-level resilience to environmental and weather-related impacts;

(5) provides timely and comprehensive reporting on goals and progress, as well as transparent post program evaluations and contracting data;

(6) prioritizes the local procurement of goods and services in Haiti where appropriate; and

(7) promotes the holding of free, fair, and timely elections in accordance with democratic principles and the Haitian Constitution.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that transparency, accountability, democracy, and good governance are integral factors in any congressional decision regarding United States assistance, including assistance to Haiti.

SEC. 5. REPORT.

(a) IN GENERAL.—Not later than December 31, 2014, and annually thereafter through December 31, 2017, the Secretary of State shall submit to Congress a report on the status of post-earthquake recovery and development efforts in Haiti.

(b) CONTENTS.—The report required by subsection (a) shall include—

Summary.

(1) a summary of "Post-Earthquake USG Haiti Strategy: Toward Renewal and Economic Opportunity", including any significant changes to the strategy over the reporting period and an explanation thereof;

(2) a breakdown of the work that the United States Government agencies other than USAID and the Department of State are conducting in the Haiti recovery effort, and the cost of that assistance;

Assessments.

(3) an assessment of the progress of United States efforts to advance the objectives of the "Post-Earthquake USG Haiti Strategy: Toward Renewal and Economic Opportunity" produced by the Department of State, compared to what remains to be achieved to meet specific goals, including—

(A) a description of any significant changes to the Strategy over the reporting period and an explanation thereof;

(B) an assessment of progress, or lack thereof, over the reporting period toward meeting the goals and objectives, benchmarks, and timeframes specified in the Strategy, including—

(i) a description of progress toward designing and implementing a coordinated and sustainable housing reconstruction strategy that addresses land ownership, secure land tenure, water and sanitation, and the unique concerns of vulnerable populations such as women and children, as well as neighborhood and community revitalization, housing finance, and

capacity building for the Government of Haiti to implement an effective housing policy;

(ii) a description of United States Government efforts to construct and sustain the proposed port, as well as an assessment of the current projected timeline and cost for completion; and

(iii) a description of United States Government efforts to attract and leverage the investments of private sector partners to the CIP, including by addressing any policy impediments;

(C) a description of the quantitative and qualitative indicators used to evaluate the progress toward meeting the goals and objectives, benchmarks, and timeframes specified in the Strategy at the program level;

(D) the amounts committed, obligated, and expended on programs and activities to implement the Strategy, by sector and by implementing partner at the prime and subprime levels (in amounts of not less than $25,000); and

(E) a description of the risk mitigation measures put in place to limit the exposure of United States assistance provided under the Strategy to waste, fraud, and abuse;

(4) a description of measures taken to strengthen, and United States Government efforts to improve, Haitian governmental and nongovernmental organizational capacity to undertake and sustain United States-supported recovery programs;

(5) as appropriate, a description of United States efforts to consult and engage with Government of Haiti ministries and local authorities on the establishment of goals and timeframes, and on the design and implementation of new programs under the Post-Earthquake USG Haiti Strategy: Toward Renewal and Economic Opportunity;

(6) a description of efforts by Haiti's legislative and executive branches to consult and engage with Haitian civil society and grassroots organizations on the establishment of goals and timeframes, and on the design and implementation of new donor-financed programs, as well as efforts to coordinate with and engage the Haitian diaspora;

(7) consistent with the Government of Haiti's ratification of the United Nations Convention Against Corruption, a description of efforts of the Governments of the United States and Haiti to strengthen Government of Haiti institutions established to address corruption, as well as related efforts to promote public accountability, meet public outreach and disclosure obligations, and support civil society participation in anti-corruption efforts;

(8) a description of efforts to leverage public-private partnerships and increase the involvement of the private sector in Haiti in recovery and development activities and coordinate programs with the private sector and other donors;

(9) a description of efforts to address the particular needs of vulnerable populations, including internally displaced persons, women, children, orphans, and persons with disabilities, in the design and implementation of new programs and infrastructure;

(10) a description of the impact that agriculture and infrastructure programs are having on the food security, livelihoods,

and land tenure security of smallholder farmers, particularly women;

(11) a description of mechanisms for communicating the progress of recovery and development efforts to the people of Haiti, including a description of efforts to provide documentation, reporting and procurement information in Haitian Creole;

(12) a description of the steps the Government of Haiti is taking to strengthen its capacity to receive individuals who are removed, excluded, or deported from the United States; and

Assessment.

(13) an assessment of actions necessary to be taken by the Government of Haiti to assist in fulfilling the objectives of the Strategy.

SEC. 6. STRATEGY.

Deadline. Coordination. Assessments.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, acting through the Assistant Secretary of State for Western Hemisphere Affairs, shall coordinate and transmit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a three-year Haiti strategy based on rigorous assessments that—

(1) identifies and addresses constraints to sustainable, broad-based economic growth and to the consolidation of responsive, democratic government institutions;

Action plan.

(2) includes an action plan that outlines policy tools, technical assistance, and anticipated resources for addressing the highest-priority constraints to economic growth and the consolidation of democracy, as well as a specific description of mechanisms for monitoring and evaluating progress; and

(3) identifies specific steps and verifiable benchmarks appropriate to provide direct bilateral assistance to the Government of Haiti.

(b) ELEMENTS.—The strategy required under subsection (a) should address the following elements:

(1) A plan to engage the Government of Haiti on shared priorities to build long-term capacity, including the development of a professional civil service, to assume increasing responsibility for governance and budgetary sustainment of governmental institutions.

(2) A plan to assist the Government of Haiti in holding free, fair and timely elections in accordance with democratic principles.

(3) Specific goals for future United States support for efforts to build the capacity of the Government of Haiti, including to–

(A) reduce corruption;

(B) consolidate the rule of law and an independent judiciary;

(C) strengthen the civilian police force;

(D) develop sustainable housing, including ensuring appropriate titling and land ownership rights;

(E) expand port capacity to support economic growth;

(F) attract and leverage the investments of private sector partners, including to the Caracol Industrial Park;

(G) promote large and small scale agricultural development in a manner that reduces food insecurity and contributes to economic growth;

(H) improve access to potable water, expand public sanitation services, reduce the spread of infectious diseases, and address public health crises;

(I) restore the natural resources of Haiti, including enhancing reforestation efforts throughout the country; and

(J) gain access to safe, secure, and affordable supplies of energy in order to strengthen economic growth and energy security.

(c) CONSULTATION.—In devising the strategy required under subsection (a), the Secretary should—

(1) coordinate with all United States Government departments and agencies carrying out work in Haiti;

(2) consult with the Government of Haiti, including the National Assembly of Haiti, and representatives of private and nongovernmental sectors in Haiti; and

(3) consult with relevant multilateral organizations, multilateral development banks, private sector institutions, nongovernmental organizations, and foreign governments present in Haiti.

(d) BRIEFINGS.—The Secretary of State, at the request of the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, shall provide a quarterly briefing that reviews progress of the implementation of the strategy required under subsection (a).

Approved August 8, 2014.

LEGISLATIVE HISTORY—S. 1104:

SENATE REPORTS: No. 113–201 (Comm. on Foreign Relations).
CONGRESSIONAL RECORD, Vol. 160 (2014):
July 10, considered and passed Senate.
July 25, considered and passed House.

Public Law 113–163
113th Congress

An Act

Aug. 8, 2014
[S. 1799]

To reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Victims of Child Abuse Act Reauthorization Act of 2013.
42 USC 130001 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Victims of Child Abuse Act Reauthorization Act of 2013".

SEC. 2. IMPROVING INVESTIGATION AND PROSECUTION OF CHILD ABUSE CASES.

(a) REAUTHORIZATION.—Section 214B of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13004) is amended—

(1) in subsection (a), by striking "fiscal years 2004 and 2005" and inserting "fiscal years 2014, 2015, 2016, 2017, and 2018"; and

(2) in subsection (b), by striking "fiscal years 2004 and 2005" and inserting "fiscal years 2014, 2015, 2016, 2017, and 2018".

(b) ACCOUNTABILITY.—Subtitle A of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) is amended by adding at the end the following:

42 USC 130005.

"SEC. 214C. ACCOUNTABILITY.

Grants.

"All grants awarded by the Administrator under this subtitle shall be subject to the following accountability provisions:

"(1) AUDIT REQUIREMENT.—

"(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued and any appeal has been completed.

"(B) AUDIT.—The Inspector General of the Department of Justice shall conduct audits of recipients of grants under this subtitle to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

Determination.

Time period.

"(C) MANDATORY EXCLUSION.—A recipient of grant funds under this subtitle that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this subtitle during the following 2 fiscal years.

"(D) PRIORITY.—In awarding grants under this subtitle, the Administrator shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this subtitle. Time period.

"(E) REIMBURSEMENT.—If an entity is awarded grant funds under this subtitle during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Administrator shall—

"(i) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

"(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

"(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

"(A) DEFINITION.—For purposes of this paragraph, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

"(B) PROHIBITION.—The Administrator may not award a grant under any grant program described in this subtitle to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

"(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this subtitle and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Administrator, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Administrator shall make the information disclosed under this subparagraph available for public inspection. Public information.

"(3) CONFERENCE EXPENDITURES.—

"(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this subtitle may be used by the Administrator, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, including the Administrator, provides prior written authorization through an award process or subsequent application that the funds may be expended to host a conference.

"(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost Cost estimate.

of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

"(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.".

SEC. 3. CRIME VICTIMS FUND.

Section 1402(d)(3) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)) is amended—

(1) by inserting "(A)" before "Of the sums"; and

(2) by striking "available for the United States Attorneys Offices" and all that follows and inserting the following: "available only for—

"(i) the United States Attorneys Offices and the Federal Bureau of Investigation to provide and improve services for the benefit of crime victims in the Federal criminal justice system (as described in 3771 of title 18, United States Code, and section 503 of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607)) through victim coordinators, victims' specialists, and advocates, including for the administrative support of victim coordinators and advocates providing such services; and

"(ii) a Victim Notification System.

"(B) Amounts made available under subparagraph (A) may not be used for any purpose that is not specified in clause (i) or (ii) of subparagraph (A).".

Approved August 8, 2014.

LEGISLATIVE HISTORY—S. 1799:

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 26, considered and passed Senate.
July 28, considered and passed House.

Public Law 113–164
113th Congress

Joint Resolution

Making continuing appropriations for fiscal year 2015, and for other purposes.

Sept. 19, 2014
[H.J. Res. 124]

Continuing Appropriations Resolution, 2015.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2015, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2014 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this joint resolution, that were conducted in fiscal year 2014, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2014 (division A of Public Law 113–76).

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2014 (division B of Public Law 113–76).

(3) The Department of Defense Appropriations Act, 2014 (division C of Public Law 113–76).

(4) The Energy and Water Development and Related Agencies Appropriations Act, 2014 (division D of Public Law 113–76).

(5) The Financial Services and General Government Appropriations Act, 2014 (division E of Public Law 113–76).

(6) The Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76).

(7) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2014 (division G of Public Law 113–76).

(8) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2014 (division H of Public Law 113–76).

(9) The Legislative Branch Appropriations Act, 2014 (division I of Public Law 113–76).

(10) The Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2014 (division J of Public Law 113–76).

(11) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(12) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014 (division L of Public Law 113–76).

Rate reduction.

(b) The rate for operations provided by subsection (a) is hereby reduced by 0.0554 percent.

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for: (1) the new production of items not funded for production in fiscal year 2014 or prior years; (2) the increase in production rates above those sustained with fiscal year 2014 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2014.

Contracts.

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

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

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2014.

SEC. 105. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

Expiration date.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act for fiscal year 2015, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this joint resolution; (2) the enactment into law of the applicable appropriations Act for fiscal year 2015 without any provision for such project or activity; or (3) December 11, 2014.

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

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United

States Code, but nothing in this joint resolution may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this joint resolution, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2015 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this joint resolution that would impinge on final funding prerogatives.

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

Extension.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2014, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2014, to be continued through the date specified in section 106(3).

Deadline.

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2014 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

Furloughs.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2014, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this joint resolution may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

SEC. 114. (a) Each amount incorporated by reference in this joint resolution that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

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

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

(2) amounts made available by section 101(a) by reference to the second paragraph under the heading "Social Security Administration—Limitation on Administrative Expenses" in division H of Public Law 113–76.

Applicability.

(c) Section 6 of Public Law 113–76 shall apply to amounts designated in subsection (a) for Overseas Contingency Operations/Global War on Terrorism.

SEC. 115. During the period covered by this joint resolution, discretionary amounts appropriated for fiscal year 2015 that were provided in advance by appropriations Acts shall be available in the amounts provided in such Acts, reduced by the percentage in section 101(b).

SEC. 116. Notwithstanding section 101, amounts are provided for "Department of Agriculture—Domestic Food Programs—Food and Nutrition Service—Commodity Assistance Program" at a rate for operations of $275,701,000, of which $208,682,000 shall be for the Commodity Supplemental Food Program.

SEC. 117. For "Department of Health and Human Services—Food and Drug Administration—Salaries and Expenses", amounts shall be made available by this joint resolution as if "outsourcing facility fees authorized by 21 U.S.C. 379j–62," were included after "21 U.S.C. 381," in the second paragraph under such heading in division A of Public Law 113–76.

SEC. 118. Amounts made available by section 101 for "Department of Commerce—National Oceanic and Atmospheric Administration—Procurement, Acquisition and Construction" may be apportioned up to the rate for operations necessary to maintain the planned launch schedules for the Joint Polar Satellite System and the Geostationary Operational Environmental Satellite system.

SEC. 119. Notwithstanding any other provision of law, except sections 106 and 107 of this joint resolution, for "Department of Defense—Overseas Contingency Operations—Operation and Maintenance—Operation and Maintenance, Army", up to $50,000,000, to be derived by reducing the amount otherwise made available by section 101 for such account, may be used to conduct surface and subsurface clearance of unexploded ordnance at closed training ranges used by the Armed Forces of the United States in Afghanistan: *Provided*, That such funds may only be used if the training ranges are not transferred to the Islamic Republic of Afghanistan for use by its armed forces: *Provided further*, That the authority provided by this section shall continue in effect through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2015 for military activities of the Department of Defense: *Provided further*, That such amount is designated as provided under section 114 for such account.

Afghanistan.

Extension.

Extension.

SEC. 120. The following authorities shall continue in effect through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2015 for military activities of the Department of Defense:

(1) Section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 374 note).

(2) Section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 113 note).

(3) Section 127b of title 10, United States Code, notwithstanding subsection (c)(3)(C) of such section.

(4) Subsection (b) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b(b)), notwithstanding paragraph (4) of such subsection.

SEC. 121. (a) Funds made available by section 101 for "Department of Energy—Energy Programs—Uranium Enrichment Decontamination and Decommissioning Fund" may be apportioned up to the rate for operations necessary to avoid disruption of continuing projects or activities funded in this appropriation.

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

SEC. 122. (a) Funds made available by section 101 for "Department of Energy—Environmental and Other Defense Activities—Defense Environmental Cleanup" for the Waste Isolation Pilot Plant may be obligated at a rate for operations necessary to assure timely execution of activities necessary to restore and upgrade the repository.

(b) The Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the spending rate authority provided in this section that exceeds customary apportionment allocations. Notification.

SEC. 123. Notwithstanding any other provision of this joint resolution, except section 106, the District of Columbia may expend local funds under the heading "District of Columbia Funds" for such programs and activities under title IV of H.R. 5016 (113th Congress), as passed by the House of Representatives on July 16, 2014, at the rate set forth under "District of Columbia Funds—Summary of Expenses" as included in the Fiscal Year 2015 Budget Request Act of 2014 (D.C. Act 20–370), as modified as of the date of the enactment of this joint resolution.

SEC. 124. Notwithstanding section 101, amounts are provided for "Office of Special Counsel—Salaries and Expenses" at a rate for operations of $22,939,000.

SEC. 125. The third proviso under the heading "Small Business Administration—Business Loans Program Account" in division E of Public Law 113–76 is amended by striking "$17,500,000,000" and inserting "$18,500,000,000": *Provided*, That amounts made available by section 101 for such proviso under such heading may be apportioned up to the rate for operations necessary to accommodate increased demand for commitments to general business loans under section 7(a) of the Small Business Act: *Provided further*, That this section shall become effective upon enactment of this joint resolution. *Ante*, p. 223. Effective date.

SEC. 126. Sections 1101(a) and 1104(a)(2)(A) of the Internet Tax Freedom Act (title XI of division C of Public Law 105–277; 47 U.S.C. 151 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for "November 1, 2014". Applicability.

SEC. 127. Section 550(b) of Public Law 109–295 (6 U.S.C. 121 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for "October 4, 2014". Applicability.

SEC. 128. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall continue in effect through the date specified in section 106(3) of this joint resolution. Extension.

SEC. 129. (a) Amounts made available by section 101 for the Department of Homeland Security for "U.S. Customs and Border Protection—Salaries and Expenses", "U.S. Customs and Border Protection—Border Security Fencing, Infrastructure, and Technology", "U.S. Customs and Border Protection—Air and Marine Operations", "U.S. Customs and Border Protection—Construction and Facilities Management", and "U.S. Immigration and Customs Enforcement—Salaries and Expenses" shall be obligated at a rate for operations as necessary to respectively—

(1) sustain the staffing levels of U.S. Customs and Border Protection officers and Border Patrol agents in accordance with the provisos under the heading "U.S. Customs and Border Protection—Salaries and Expenses" in division F of Public Law 113–76;

(2) sustain border security and immigration enforcement operations;

(3) sustain necessary Air and Marine operations; and

Compliance.

(4) sustain the staffing levels of U.S. Immigration and Customs Enforcement agents, equivalent to the staffing levels achieved on September 30, 2014, and comply with the fifth proviso under the heading "U.S. Immigration and Customs Enforcement—Salaries and Expenses" in division F of Public Law 113–76.

Notification.

(b) The Secretary of Homeland Security shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

Applicability.

SEC. 130. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting "on the date that is 1 year after the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015" for "10 years after the date of the enactment of this Act".

Extension.

SEC. 131. (a) The authority provided by subsection (m)(3) of section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79) shall continue in effect through the date specified in section 106(3) of this joint resolution.

(b) For the period covered by this joint resolution, the authority provided by the provisos under the heading "Dwight D. Eisenhower Memorial Commission—Capital Construction" in division E of Public Law 112–74 shall not be in effect.

Extension.

SEC. 132. Activities authorized under part A of title IV and section 1108(b) of the Social Security Act (other than under section 413(h) of such Act) shall continue through the date specified in section 106(3) of this joint resolution, in the manner authorized for fiscal year 2014 (except that the amount appropriated for section 403(b) of such Act shall be $598,000,000, and the requirement to reserve funds provided for in section 403(b)(2) of such Act shall not apply with respect to this section), and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through the applicable portion of the first quarter of fiscal year 2015 at the pro rata portion of the level provided for such activities through the first quarter of fiscal year 2014.

SEC. 133. Amounts allocated to Head Start grantees from amounts identified in the seventh proviso under the heading "Department of Health and Human Services—Administration for

Children and Families—Children and Families Services Programs" in Public Law 113–76 shall not be included in the calculation of the "base grant" in fiscal year 2015, as such term is used in section 640(a)(7)(A) of the Head Start Act (42 U.S.C. 9835(a)(7)(A)).

Applicability.

SEC. 134. The first proviso under the heading "Department of Health and Human Services—Administration for Children and Families—Low Income Home Energy Assistance" in division H of Public Law 113–76 shall be applied to amounts made available by this joint resolution by substituting "2015" for "2014".

SEC. 135. Amounts provided by this joint resolution for "Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance" may be apportioned up to the rate for operations necessary to maintain program operations at the level provided in fiscal year 2014.

Ebola virus.

SEC. 136. In addition to the amount otherwise provided by this joint resolution for "Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund", there is appropriated $58,000,000 for an additional amount for fiscal year 2015, to remain available until September 30, 2015, for expenses necessary to support acceleration of countermeasure and product advanced research and development pursuant to section 319L of the Public Health Service Act for addressing Ebola.

Ebola virus.
Africa.

SEC. 137. In addition to the amount otherwise provided by this joint resolution for "Department of Health and Human Services—Centers for Disease Control and Prevention—Global Health", there is appropriated $30,000,000 for an additional amount for fiscal year 2015, to remain available until September 30, 2015, for expenses necessary to support the responses of the Centers for Disease Control and Prevention (referred to in this section as the "CDC") to the outbreak of Ebola virus in Africa: *Provided*, That such funds shall be available for transfer by the Director of the CDC to other accounts of the CDC for such support: *Provided further*, That the Director of the CDC shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after the date of any transfer under the preceding proviso.

Notification.
Deadline.

SEC. 138. Amounts made available by this joint resolution for "Department of Education—Rehabilitation Services and Disability Research", "Department of Education—Departmental Management—Program Administration", and "Department of Health and Human Services—Administration for Community Living—Aging and Disability Services Programs" may be obligated in the account and budget structure set forth in section 491 of the Workforce Innovation and Opportunity Act (42 U.S.C. 3515e).

Rescission.

SEC. 139. Of the unobligated balance of amounts provided by section 108 of Public Law 111–3, $4,549,000,000 is rescinded.

Applicability.

SEC. 140. Section 113 of division H of Public Law 113–76 shall be applied by substituting the date specified in section 106(3) for "September 30, 2014".

SEC. 141. (a) Notwithstanding section 101, amounts are made available for accounts in title I of division J of Public Law 113–76 at an aggregate rate for operations of $6,558,223,500.

Deadline.
Reports.

(b) Not later than 30 days after the date of enactment of this joint resolution, the Secretary of Defense shall submit to the Committees on Appropriations of the House of Representatives and

the Senate a report delineating the allocation of budget authority in subsection (a) by account and project.

SEC. 142. Notwithstanding section 101, amounts are provided for "Department of Veterans Affairs—Departmental Administration—General Operating Expenses, Veterans Benefits Administration" at a rate for operations of $2,524,254,000.

SEC. 143. Notwithstanding section 101, amounts are provided for "Department of Veterans Affairs—Departmental Administration—Office of Inspector General" at a rate for operations of $126,411,000.

Applicability.

SEC. 144. Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) shall be applied by substituting the date specified in section 106(3) of this joint resolution for "September 30, 2014".

SEC. 145. Amounts made available by section 101 for "Broadcasting Board of Governors—International Broadcasting Operations", "Bilateral Economic Assistance—Funds Appropriated to the President—Economic Support Fund", "International Security Assistance—Department of State—International Narcotics Control and Law Enforcement", "International Security Assistance—Department of State—Nonproliferation, Anti-terrorism, Demining and Related Programs", and "International Security Assistance—Funds Appropriated to the President—Foreign Military Financing Program" shall be obligated at a rate for operations as necessary to sustain assistance for Ukraine and independent states of the Former Soviet Union and Central and Eastern Europe to counter external, regional aggression and influence.

Applicability.

SEC. 146. Section 7081(4) of division K of Public Law 113–76 shall be applied to amounts made available by this joint resolution by substituting the date specified in section 106(3) of this joint resolution for "September 30, 2014".

Applicability.

SEC. 147. The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) shall be applied through June 30, 2015, by substituting such date for "September 30, 2014" in section 7 of such Act.

SEC. 148. (a) Section 44302(f) of title 49, United States Code, is amended by striking "September 30, 2014" and inserting "the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015".

(b) Section 44303(b) of title 49, United States Code, is amended by striking "September 30, 2014" and inserting "the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015".

(c) Section 44310(a) of title 49, United States Code, is amended by striking "September 30, 2014" and inserting "the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015".

Syria.

SEC. 149. (a) The Secretary of Defense is authorized, in coordination with the Secretary of State, to provide assistance, including training, equipment, supplies, and sustainment, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups and individuals for the following purposes:

(1) Defending the Syrian people from attacks by the Islamic State of Iraq and the Levant (ISIL), and securing territory controlled by the Syrian opposition.

(2) Protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria.

(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.

(b) Not later than 15 days prior to providing assistance authorized under subsection (a) to vetted recipients for the first time— Deadline. Reports.

(1) the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees and leadership of the House of Representatives and Senate a report, in unclassified form with a classified annex as appropriate, that contains a description of— Coordination. Reports.

(A) the plan for providing such assistance; Plan.

(B) the requirements and process used to determine appropriately vetted recipients; and Determination.

(C) the mechanisms and procedures that will be used to monitor and report to the appropriate congressional committees and leadership of the House of Representatives and Senate on unauthorized end-use of provided training and equipment and other violations of relevant law by recipients; and

(2) the President shall submit to the appropriate congressional committees and leadership of the House of Representatives and Senate a report, in unclassified form with a classified annex as appropriate, that contains a description of how such assistance fits within a larger regional strategy. President.

(c) The plan required in subsection (b)(1) shall include a description of—

(1) the goals and objectives of assistance authorized under subsection (a);

(2) the concept of operations, timelines, and types of training, equipment, and supplies to be provided;

(3) the roles and contributions of partner nations;

(4) the number of United States Armed Forces personnel involved;

(5) any additional military support and sustainment activities; and

(6) any other relevant details.

(d) Not later than 90 days after the Secretary of Defense submits the report required in subsection (b)(1), and every 90 days thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall provide the appropriate congressional committees and leadership of the House of Representatives and the Senate with a progress report. Such progress report shall include a description of— Deadlines. Reports.

(1) any updates to or changes in the plan, strategy, vetting requirements and process, and end-use monitoring mechanisms and procedures, as required in subsection (b)(1);

(2) statistics on green-on-blue attacks and how such attacks are being mitigated;

(3) the groups receiving assistance authorized under subsection (a);

(4) the recruitment, throughput, and retention rates of recipients and equipment;

(5) any misuse or loss of provided training and equipment and how such misuse or loss is being mitigated; and

Assessment.

(6) an assessment of the effectiveness of the assistance authorized under subsection (a) as measured against subsections (b) and (c).

Definitions.
Applicability.

(e) For purposes of this section, the following definitions shall apply:

(1) The term "appropriately vetted" means, with respect to elements of the Syrian opposition and other Syrian groups and individuals, at a minimum, assessments of such elements, groups, and individuals for associations with terrorist groups, Shia militias aligned with or supporting the Government of Syria, and groups associated with the Government of Iran. Such groups include, but are not limited to, the Islamic State of Iraq and the Levant (ISIL), Jabhat al Nusrah, Ahrar al Sham, other al-Qaeda related groups, and Hezbollah.

(2) The term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

(f) The Department of Defense may submit a reprogramming or transfer request to the congressional defense committees for funds made available by section 101(a)(3) of this joint resolution and designated in section 114 of this joint resolution to carry out activities authorized under this section notwithstanding sections 102 and 104 of this joint resolution.

(g) The Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments to carry out activities as authorized by this section which shall be credited to appropriations made available by this joint resolution for the appropriate operation and maintenance accounts, except that any funds so accepted by the Secretary shall not be available for obligation until a reprogramming action is submitted to the congressional defense committees: *Provided*, That amounts made available by this subsection are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amounts shall be available only if the President so designates such amounts and transmits such designations to the Congress.

President.

Extension.

(h) The authority provided in this section shall continue in effect through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2015 for military activities of the Department of Defense.

(i) Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(j) Nothing in this section supersedes or alters the continuing obligations of the President to report to Congress pursuant to section 4 of the War Powers Resolution (50 U.S.C. 1543) regarding the use of United States Armed Forces abroad.

This joint resolution may be cited as the "Continuing Appropriations Resolution, 2015".

Approved September 19, 2014.

LEGISLATIVE HISTORY—H.J. Res. 124:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 16, 17, considered and passed House.
Sept. 18, considered and passed Senate.

Public Law 113–165
113th Congress

An Act

Sept. 19, 2014
[S. 231]

To reauthorize the Multinational Species Conservation Funds Semipostal Stamp.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Multinational Species Conservation Funds Semipostal Stamp Reauthorization Act of 2013.
39 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Multinational Species Conservation Funds Semipostal Stamp Reauthorization Act of 2013".

SEC. 2. REAUTHORIZATION.

Section 2(c)(2) of the Multinational Species Conservation Funds Semipostal Stamp Act of 2010 (39 U.S.C. 416 note) is amended by striking "2 years" and inserting "6 years".

Approved September 19, 2014.

LEGISLATIVE HISTORY—S. 231:

SENATE REPORTS: No. 113–235 (Comm. on Homeland Security and Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 31, considered and passed Senate.
Sept. 8, considered and passed House.

Public Law 113–166
113th Congress

An Act

To amend the Public Health Service Act relating to Federal research on muscular dystrophy, and for other purposes.

Sept. 26, 2014
[H.R. 594]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Paul D. Wellstone Muscular Dystrophy Community Assistance, Research and Education Amendments of 2014.
42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Paul D. Wellstone Muscular Dystrophy Community Assistance, Research and Education Amendments of 2014".

SEC. 2. INITIATIVE THROUGH THE DIRECTOR OF THE NATIONAL INSTITUTES OF HEALTH.

Section 404E of the Public Health Service Act (42 U.S.C. 283g) is amended—

(1) in subsection (a)(1)—

(A) by striking "Muscoskeletal" and inserting "Musculoskeletal"; and

(B) by inserting "Becker, congenital muscular dystrophy, limb-girdle muscular dystrophy," after "Duchenne,";

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by striking "genetics," at the second place it appears; and

(ii) by inserting "cardiac and pulmonary function, and" after "imaging,"; and

(B) in paragraph (3), by inserting "and sharing of data" after "regular communication";

(3) in subsection (d)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking "15" and inserting "18"; and

(ii) in subparagraph (A)—

(I) by striking "and the Food and Drug Administration" and inserting ", the Food and Drug Administration, and the Administration for Community Living";

(II) by inserting "and adults" after "children"; and

(III) by striking "such as the Department of Education" and inserting "including the Department of Education and the Social Security Administration"; and

(B) in paragraph (4)(B), by inserting ", but shall meet no fewer than two times per calendar year" before the period; and

(4) in subsection (e)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "through the national research institutes" and inserting "through the agencies represented on the Coordinating Committee pursuant to subsection (d)(2)(A)"; and

(ii) in subparagraph (A)—

(I) by inserting "public services," before "and rehabilitative issues"; and

(II) by inserting ", studies to demonstrate the cost-effectiveness of providing independent living resources and support to patients with various forms of muscular dystrophy, and studies to determine optimal clinical care interventions for adults with various forms of muscular dystrophy" after "including studies of the impact of such diseases in rural and underserved communities"; and

(B) in paragraph (2)(D), by inserting after "including new biological agents" the following: "and new clinical interventions to improve the health of those with muscular dystrophy".

SEC. 3. SURVEILLANCE AND RESEARCH REGARDING MUSCULAR DYSTROPHY.

The second sentence of section 317Q(b) of the Public Health Service Act (42 U.S.C. 247b–18(b)) is amended by inserting before the period the following: "and, to the extent possible, ensure that data be representative of all affected populations and shared in a timely manner".

SEC. 4. INFORMATION AND EDUCATION.

Section 5(c) of the Muscular Dystrophy Community Assistance, Research and Education Amendments of 2001 (42 U.S.C. 247b–19(c)) is amended—

(1) in paragraph (2)—

(A) by inserting "for pediatric and adult patients, including acute care considerations," after "issuance of care considerations";

(B) by inserting "various" before "other forms of muscular dystrophy"; and

(C) by striking "and" at the end;

(2) by redesignating paragraph (3) as paragraph (4);

(3) by inserting after paragraph (2) the following:

"(3) in developing and updating care considerations under paragraph (2), incorporate strategies specifically responding to the findings of the national transitions survey of minority, young adult, and adult communities of muscular dystrophy patients; and"; and

(4) in paragraph (4), as redesignated, by inserting "various" before "other forms of muscular dystrophy".

Approved September 26, 2014.

LEGISLATIVE HISTORY—H.R. 594 (S. 315):

HOUSE REPORTS: No. 113–556 (Comm. on Energy and Commerce).
CONGRESSIONAL RECORD, Vol. 160 (2014):
July 28, considered and passed House.
Sept. 18, considered and passed Senate.

Public Law 113–167
113th Congress

An Act

Sept. 26, 2014
[H.R. 2600]

To amend the Interstate Land Sales Full Disclosure Act to clarify how the Act applies to condominiums.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXEMPTION FOR RESIDENTIAL CONDOMINIUM UNITS.

(a) EXEMPTION.—Section 1403 of the Interstate Land Sales Full Disclosure Act (15 U.S.C. 1702) is amended—

(1) in subsection (b)—

(A) in paragraph (7)(C), by striking "or" at the end;

(B) in paragraph (8)(G), by striking the period at the end and inserting "; or"; and

(C) by adding at the end the following:

"(9) the sale or lease of a condominium unit that is not exempt under subsection (a)."; and

(2) by adding at the end the following:

Definition.

"(d) For purposes of subsection (b), the term 'condominium unit' means a unit of residential or commercial property to be designated for separate ownership pursuant to a condominium plan or declaration provided that upon conveyance—

"(1) the owner of such unit will have sole ownership of the unit and an undivided interest in the common elements appurtenant to the unit; and

"(2) the unit will be an improved lot.".

15 USC 1702 note.

SEC. 2. EFFECTIVE DATE.

The amendments made by this Act shall take effect 180 days after the date of the enactment of this Act.

Approved September 26, 2014.

LEGISLATIVE HISTORY—H.R. 2600:

CONGRESSIONAL RECORD:
Vol. 159 (2013): Sept. 25, 26, considered and passed House.
Vol. 160 (2014): Sept. 18, considered and passed Senate.

Public Law 113–168
113th Congress

An Act

To amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes.

Sept. 26, 2014
[H.R. 3043]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Tribal General Welfare Exclusion Act of 2014.
26 USC 1 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Tribal General Welfare Exclusion Act of 2014".

SEC. 2. INDIAN GENERAL WELFARE BENEFITS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting before section 140 the following new section:

"SEC. 139E. INDIAN GENERAL WELFARE BENEFITS.

26 USC 139E.

"(a) IN GENERAL.—Gross income does not include the value of any Indian general welfare benefit.

"(b) INDIAN GENERAL WELFARE BENEFIT.—For purposes of this section, the term 'Indian general welfare benefit' includes any payment made or services provided to or on behalf of a member of an Indian tribe (or any spouse or dependent of such a member) pursuant to an Indian tribal government program, but only if—

Definition.

"(1) the program is administered under specified guidelines and does not discriminate in favor of members of the governing body of the tribe, and

"(2) the benefits provided under such program—

"(A) are available to any tribal member who meets such guidelines,

"(B) are for the promotion of general welfare,

"(C) are not lavish or extravagant, and

"(D) are not compensation for services.

"(c) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

"(1) INDIAN TRIBAL GOVERNMENT.—For purposes of this section, the term 'Indian tribal government' includes any agencies or instrumentalities of an Indian tribal government and any Alaska Native regional or village corporation, as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601, et seq.).

"(2) DEPENDENT.—The term 'dependent' has the meaning given such term by section 152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B).

"(3) LAVISH OR EXTRAVAGANT.—The Secretary shall, in consultation with the Tribal Advisory Committee (as established

Consultation.
Guidelines.

under section 3(a) of the Tribal General Welfare Exclusion Act of 2013), establish guidelines for what constitutes lavish or extravagant benefits with respect to Indian tribal government programs.

"(4) ESTABLISHMENT OF TRIBAL GOVERNMENT PROGRAM.—A program shall not fail to be treated as an Indian tribal government program solely by reason of the program being established by tribal custom or government practice.

"(5) CEREMONIAL ACTIVITIES.—Any items of cultural significance, reimbursement of costs, or cash honorarium for participation in cultural or ceremonial activities for the transmission of tribal culture shall not be treated as compensation for services.".

(b) CONFORMING AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting before the item relating to section 140 the following new item:

"Sec. 139E. Indian general welfare benefits.".

26 USC 139E note.

(c) STATUTORY CONSTRUCTION.—Ambiguities in section 139E of such Code, as added by this Act, shall be resolved in favor of Indian tribal governments and deference shall be given to Indian tribal governments for the programs administered and authorized by the tribe to benefit the general welfare of the tribal community.

26 USC 139E note. Applicability.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years for which the period of limitation on refund or credit under section 6511 of the Internal Revenue Code of 1986 has not expired.

Time period.

(2) ONE-YEAR WAIVER OF STATUTE OF LIMITATIONS.—If the period of limitation on a credit or refund resulting from the amendments made by subsection (a) expires before the end of the 1-year period beginning on the date of the enactment of this Act, refund or credit of such overpayment (to the extent attributable to such amendments) may, nevertheless, be made or allowed if claim therefor is filed before the close of such 1-year period.

26 USC 139E note.

SEC. 3. TRIBAL ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Secretary of the Treasury shall establish a Tribal Advisory Committee (hereinafter in this subsection referred to as the "Committee").

(b) DUTIES.—

(1) IMPLEMENTATION.—The Committee shall advise the Secretary on matters relating to the taxation of Indians.

Consultation.

(2) EDUCATION AND TRAINING.—The Secretary shall, in consultation with the Committee, establish and require—

(A) training and education for internal revenue field agents who administer and enforce internal revenue laws with respect to Indian tribes on Federal Indian law and the Federal Government's unique legal treaty and trust relationship with Indian tribal governments, and

(B) training of such internal revenue field agents, and provision of training and technical assistance to tribal financial officers, about implementation of this Act and the amendments made thereby.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of 7 members appointed as follows:

(A) Three members appointed by the Secretary of the Treasury.

(B) One member appointed by the Chairman, and one member appointed by the Ranking Member, of the Committee on Ways and Means of the House of Representatives.

(C) One member appointed by the Chairman, and one member appointed by the Ranking Member, of the Committee on Finance of the Senate.

(2) TERM.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each member's term shall be 4 years.

(B) INITIAL STAGGERING.—The first appointments made by the Secretary under paragraph (1)(A) shall be for a term of 2 years.

SEC. 4. OTHER RELIEF FOR INDIAN TRIBES.

26 USC 139E note.
Audits.

(a) TEMPORARY SUSPENSION OF EXAMINATIONS.—The Secretary of the Treasury shall suspend all audits and examinations of Indian tribal governments and members of Indian tribes (or any spouse or dependent of such a member), to the extent such an audit or examination relates to the exclusion of a payment or benefit from an Indian tribal government under the general welfare exclusion, until the education and training prescribed by section 3(b)(2) of this Act is completed. The running of any period of limitations under section 6501 of the Internal Revenue Code of 1986 with respect to Indian tribal governments and members of Indian tribes shall be suspended during the period during which audits and examinations are suspended under the preceding sentence.

(b) WAIVER OF PENALTIES AND INTEREST.—The Secretary of the Treasury may waive any interest and penalties imposed under such Code on any Indian tribal government or member of an Indian tribe (or any spouse or dependent of such a member) to the extent such interest and penalties relate to excluding a payment or benefit from gross income under the general welfare exclusion.

(c) DEFINITIONS.—For purposes of this subsection—

(1) INDIAN TRIBAL GOVERNMENT.—The term "Indian tribal government" shall have the meaning given such term by section 139E of such Code, as added by this Act.

(2) INDIAN TRIBE.—The term "Indian tribe" shall have the meaning given such term by section 45A(c)(6) of such Code.

Approved September 26, 2014.

LEGISLATIVE HISTORY—H.R. 3043:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 16, considered and passed House.
Sept. 18, considered and passed Senate.

Public Law 113–169
113th Congress

An Act

To ratify a water settlement agreement affecting the Pyramid Lake Paiute Tribe, and for other purposes.

Sept. 26, 2014
[H.R. 3716]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Pyramid Lake Paiute Tribe - Fish Springs Ranch Settlement Act. Nevada.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Pyramid Lake Paiute Tribe - Fish Springs Ranch Settlement Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) ORIGINAL AGREEMENT.—The term "Original Agreement" means the "Pyramid Lake Paiute Tribe Fish Springs Ranch Settlement Agreement" dated May 30, 2007, entered into by the Tribe and Fish Springs (including all exhibits to that agreement).

(2) AGREEMENT.—The term "Agreement" means the Pyramid Lake Paiute Tribe-Fish Springs Ranch 2013 Supplement to the 2007 Settlement Agreement dated November 20, 2013, entered into by the Tribe and Fish Springs, and all exhibits to that Agreement.

(3) ENVIRONMENTAL IMPACT STATEMENT.—The term "environmental impact statement" means the final environmental impact statement for the North Valleys Rights-of-Way Projects prepared by the Bureau of Land Management (70 Fed. Reg. 68473).

(4) FINAL PAYMENT DATE.—The term "final payment date" means 30 days after the date on which the Tribe executes the waivers, as authorized in section 4, on or before which Fish Springs shall pay to the Tribe the $3,600,000 and accumulated interest pursuant to subparagraph 4.2 of the Agreement.

(5) FISH SPRINGS.—The term "Fish Springs" means the Fish Springs Ranch, LLC, a Nevada limited liability company (or a successor in interest).

(6) FISH SPRINGS WATER RIGHTS.—The term "Fish Springs water rights" means the 14,108 acre feet of water available to Fish Springs pursuant to certificates of water rights issued to Fish Springs or its predecessors in interest by the State Engineer for the State of Nevada, copies of which are attached as Exhibit "G" to the Original Agreement.

(7) ADDITIONAL FISH SPRINGS WATER RIGHTS.—The term "additional Fish Springs water rights" means the rights to pump and transfer up to 5,000 acre feet per year of Fish Springs water rights in excess of 8,000 acre feet per year, up to a total of 13,000 acre feet per year, pursuant to Ruling No. 3787 signed by the State Engineer for the State of Nevada on March 1, 1991, and Supplemental Ruling on Remand No. 3787A signed by the State Engineer for the State of Nevada on October 9, 1992.

(8) HONEY LAKE VALLEY BASIN.—The term "Honey Lake Valley Basin" means the Honey Lake Valley Hydrographic Basin described as Nevada Hydrographic Water Basin 97.

(9) PROJECT.—The term "Project" means the project for pumping within Honey Lake Valley Basin and transfer outside of the basin by Fish Springs of not more than 13,000 acre feet per year of Fish Springs water rights, including—

(A) not more than 8,000 acre feet as described in the environmental impact statement (but not the Intermountain Water Supply, Ltd., Project described in the environmental impact statement) and the record of decision;

(B) up to the 5,000 acre feet of additional Fish Springs water rights; and

(C) the rights and approvals for Fish Springs to pump and transfer up to said 13,000 acre feet of groundwater per year.

(10) RECORD OF DECISION.—The term "record of decision" means the public record of the decision of the District Manager of the United States Bureau of Land Management's Carson City District in the State of Nevada issued on May 31, 2006, regarding the environmental impact statement and the Project.

(11) SECRETARY.—The term "Secretary" means the Secretary of the Interior (or a designee of the Secretary).

(12) TRIBE.—The term "Tribe" means the Pyramid Lake Paiute Tribe of Indians organized under section 16 of the Act of June 18, 1934 (commonly known as the "Indian Reorganization Act"; 25 U.S.C. 476).

(13) TRUCKEE RIVER OPERATING AGREEMENT.—The term "Truckee River Operating Agreement" means—

(A) the September 6, 2008, Truckee River Operating Agreement negotiated for the purpose of carrying out the terms of the Truckee-Carson-Pyramid Lake Water Rights Settlement Act (Public Law 101–618); and

(B) any final, signed version of the Truckee River Operating Agreement that becomes effective under the terms of the Truckee-Carson-Pyramid Lake Water Rights Settlement Act.

SEC. 3. RATIFICATION OF AGREEMENT.

(a) IN GENERAL.—Except to the extent that a provision of the Agreement conflicts with this Act, the Agreement is authorized and ratified.

(b) WAIVER AND RETENTION OF CLAIMS.—Notwithstanding any provision of the Agreement, any waiver or retention of a claim by the Tribe relating to the Agreement shall be carried out in accordance with section 4.

(c) COMPLIANCE WITH APPLICABLE LAW.—This section, the Original Agreement, and the Agreement satisfy all applicable requirements of section 2116 of the Revised Statutes (25 U.S.C. 177).

SEC. 4. WAIVER AND RELEASES OF CLAIMS.

(a) WAIVER AND RELEASE OF CLAIMS BY TRIBE AGAINST FISH SPRINGS.—In return for benefits to the Tribe as set forth in the Original Agreement, the Agreement, and this Act, the Tribe, on behalf of itself and the members of the Tribe, is authorized to execute a waiver and release against Fish Springs of the following:

(1) All rights under Federal, State, and other law to challenge the validity, characteristics, or exercise of the Project or use of Fish Springs water rights (including additional Fish Springs water rights), including the right to assert a senior priority against or to place a call for water on the Project or Fish Springs water rights (including additional Fish Springs water rights) regardless of the extent to which the Tribe has a water right or in the future establishes a water right that is senior to the Project or Fish Springs water rights (including additional Fish Springs water rights).

(2) All claims for damages, losses, or injuries to the Tribe's water rights or claims of interference with, diversion of, or taking of the Tribe's water rights, including—

(A) claims for injury to lands or resources resulting from such damages, losses, injuries, or interference with, diversion of, or taking of tribal water rights under the Agreement or Original Agreement; and

(B) claims relating to the quality of water underlying the Pyramid Lake Indian Reservation that are related to use of Fish Springs water rights (including additional Fish Springs water rights) by the Project or the implementation or operation of the Project in accordance with the Agreement or Original Agreement.

(3) All claims that would impair, prevent, or interfere with one or more of the following:

(A) Implementation of the Project pursuant to the terms of the Agreement or Original Agreement.

(B) Deliveries of water by the Project pursuant to the terms of—

(i) the Agreement;

(ii) the Original Agreement; or

(iii) the February 28, 2006, Water Banking Trust Agreement between Washoe County and Fish Springs.

(C) Assignments of water rights credits pursuant to the terms of the February 28, 2006, Water Banking Trust Agreement between Washoe County and Fish Springs.

(4) All claims against Fish Springs relating in any manner to the negotiation or adoption of the Agreement or the Original Agreement.

(b) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS BY TRIBE AGAINST FISH SPRINGS.—The Tribe, on its own behalf and on behalf of the members of the Tribe, shall retain against Fish Springs the following:

(1) All claims for enforcement of the Agreement, the Original Agreement or this Act through such remedies as are available in the U.S. District Court for the District of Nevada.

(2) Subject to the right of Fish Springs to carry out the Project, and subject to the waiver and release by the Tribe in subsection (a)—

(A) the right to assert and protect any right of the Tribe to surface or groundwater and any other trust resource, including the right to assert a senior priority against or to place a call for water on any water right other than against the Project or Fish Springs water rights;

(B) all rights to establish, claim or acquire a water right in accordance with applicable law and to use and protect any water right acquired after the date of the enactment of this Act that is not in conflict with the Agreement, the Original Agreement or this Act; and

(C) all other rights, remedies, privileges, immunities, powers, and claims not specifically waived and released pursuant to this Act and the Agreement.

(3) The right to enforce—

(A) the Tribe's rights against any party to the Truckee River Operating Agreement;

(B) the Tribe's rights against any party to the Truckee River Water Quality Settlement Agreement; and

(C) whatever rights exist to seek compliance with any permit issued to any wastewater treatment or reclamation facility treating wastewater generated by users of Project water.

(4) The right to seek to have enforced the terms of any permit or right-of-way across Federal lands issued to Fish Springs for the Project and Project water.

(c) WAIVER AND RELEASE OF CLAIMS BY THE TRIBE AGAINST THE UNITED STATES.—In return for the benefits to the Tribe as set forth in the Agreement, the Original Agreement, and this Act, the Tribe, on behalf of itself and the members of the Tribe, is authorized to execute a waiver and release of all claims against the United States, including the agencies and employees of the United States, related to the Project and Fish Springs water rights (including additional Fish Springs water rights) that accrued at any time before and on the date that Fish Springs makes the payment to the Tribe as provided in Paragraph 4 of the Agreement for damages, losses or injuries that are related to—

(1) the Project, Fish Springs water rights (including additional Fish Springs water rights), and the implementation, operation, or approval of the Project, including claims related to—

(A) loss of water, water rights, land, or natural resources due to loss of water or water rights (including

damages, losses, or injuries to hunting, fishing, and gathering rights due to loss of water, water rights or subordination of water rights) resulting from the Project or Fish Springs water rights (including additional Fish Springs water rights);

(B) interference with, diversion, or taking of water resulting from the Project; or

(C) failure to protect, acquire, replace, or develop water, water rights, or water infrastructure as a result of the Project or Fish Springs water rights (including additional Fish Springs water rights);

(2) the record of decision, the environmental impact statement, the Agreement or the Original Agreement;

(3) claims the United States, acting as trustee for the Tribe or otherwise, asserted, or could have asserted in any past proceeding related to the Project;

(4) the negotiation, execution, or adoption of the Agreement, the Original Agreement, or this Act;

(5) the Tribe's use and expenditure of funds paid to the Tribe under the Agreement or the Original Agreement;

(6) the Tribe's acquisition and use of land under the Original Agreement; and

(7) the extinguishment of claims, if any, and satisfaction of the obligations of the United States on behalf of the Tribe as set forth in subsection (e).

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS BY TRIBE AGAINST THE UNITED STATES.—Notwithstanding the waivers and releases authorized in this Act, the Tribe, on behalf of itself and the members of the Tribe, shall retain against the United States the following:

(1) All claims for enforcement of this Act through such legal and equitable remedies as are available in the U.S. District Court for the District of Nevada.

(2) The right to seek to have enforced the terms of any permit or right-of-way across Federal lands issued to Fish Springs for the Project and Project water.

(3) Subject to the right of Fish Springs to carry out the Project, all other rights, remedies, privileges, immunities, powers, and claims not specifically waived and released pursuant to this Act and the Agreement.

(e) EXTINGUISHMENT OF WAIVED AND RELEASED CLAIMS.—Upon execution of the waiver and releases by the Tribe pursuant to subsections (a) and (c) and upon final payment by Fish Springs pursuant to the terms of the Agreement, the United States acting on behalf of the Tribe shall have no right or obligation to bring or assert any claims waived and released by the Tribe as set forth in subsection (a). Upon the effective date of the waivers and releases of claims authorized, the waived and released claims as set forth in subsection (a) are extinguished.

(f) NO UNITED STATES LIABILITY FOR WAIVED CLAIMS.—The United States shall bear no liability for claims waived and released by the Tribe pursuant to this Act.

(g) UNITED STATES RESERVATION OF RIGHTS.—Nothing in this Act shall affect any rights, remedies, privileges, immunities, or powers of the United States, including the right to enforce the terms of the right-of-way across Federal lands for the Project granted by the Secretary to Fish Springs pursuant to the Federal

Lands Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), with the exception that the United States may not assert any claim on the Tribe's behalf that is extinguished pursuant to subsection (e).

(h) EFFECTIVE DATE OF WAIVERS AND RELEASES OF CLAIMS.—The waivers and releases authorized under subsections (a) and (c) shall take effect on the day Fish Springs makes the payment to the Tribe as provided in subparagraph 4.2 of the Agreement.

SEC. 5. SATISFACTION OF CLAIMS.

(a) IN GENERAL.—The benefits provided to the Tribe under the Agreement, the Original Agreement, and this Act shall be considered to be full satisfaction of all claims of the Tribe waived and released pursuant to section 4 and pursuant to the Original Agreement and any claims the United States might make on behalf of the Tribe that are extinguished pursuant to section 4.

Deadline.

(b) EFFECT OF FAILURE TO EXECUTE WAIVERS AND RELEASES.—If the Tribe fails to execute the waivers and releases as authorized by this Act within 60 days after the date of the enactment of this Act, this Act and the Agreement shall be null and void.

SEC. 6. BENEFICIARIES TO AGREEMENT.

(a) REQUIREMENT.—The beneficiaries to the Agreement shall be limited to—

(1) the parties to the Agreement;

(2) any municipal water purveyor that provides Project water for wholesale or retail water service to the area serviced by the Project;

(3) any water purveyor that obtains the right to use Project water for purposes other than serving retail or wholesale customers; and

(4) any assignee of Water Rights Credits for Project water pursuant to the terms of the February 28, 2006, Water Banking Trust Agreement between Washoe County and Fish Springs.

(b) PROHIBITION.—Except as provided in subsection (a), nothing in the Agreement or this Act provides to any individual or entity third-party beneficiary status relating to the Agreement.

SEC. 7. JURISDICTION.

Jurisdiction over any civil action relating to the enforcement of the Agreement, the Original Agreement, or this Act shall be vested in the United States District Court for the District of Nevada.

SEC. 8. ENVIRONMENTAL COMPLIANCE.

Nothing in this Act precludes the United States or the Tribe, when delegated regulatory authority, from enforcing Federal environmental laws, including—

(1) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) including claims for damages for harm to natural resources;

(2) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(3) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(4) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); and

(5) any regulation implementing one or more of the Acts listed in paragraphs (1) through (4).

SEC. 9. MISCELLANEOUS PROVISIONS.

(a) NO ESTABLISHMENT OF STANDARD.—Nothing in this Act establishes a standard for the quantification of a Federal reserved water right or any other claim of an Indian tribe other than the Tribe in any other judicial or administrative proceeding.

(b) OTHER CLAIMS.—Nothing in the Agreement, the Original Agreement, or this Act quantifies or otherwise adversely affects any water right, claim, or entitlement to water, or any other right of any Indian tribe, band, or community other than the Tribe.

Approved September 26, 2014.

LEGISLATIVE HISTORY—H.R. 3716 (S. 1818):

HOUSE REPORTS: No. 113–532 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–220 (Comm. on Indian Affairs) accompanying S. 1818.
CONGRESSIONAL RECORD, Vol. 160 (2014):
July 22, considered and passed House.
Sept. 18, considered and passed Senate.

Public Law 113–170
113th Congress

An Act

Sept. 26, 2014
[H.R. 4197]

To amend title 5, United States Code, to extend the period of certain authority with respect to judicial review of Merit Systems Protection Board decisions relating to whistleblowers, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

All Circuit Review Extension Act.
5 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "All Circuit Review Extension Act".

SEC. 2. JUDICIAL REVIEW OF MERIT SYSTEMS PROTECTION BOARD DECISIONS RELATING TO WHISTLEBLOWERS.

(a) IN GENERAL.—Section 7703(b)(1)(B) of title 5, United States Code, is amended by striking "2-year" and inserting "5-year".

(b) DIRECTOR REVIEW.—Section 7703(d)(2) of such title is amended by striking "2-year" and inserting "5-year".

Approved September 26, 2014.

LEGISLATIVE HISTORY—H.R. 4197:

HOUSE REPORTS: No. 113–519, Pt. 1 (Comm. on Oversight and Government Reform).

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 14, considered and passed House.
Sept. 11, considered and passed Senate.

Public Law 113–171
113th Congress

An Act

To make technical corrections to Public Law 110–229 to reflect the renaming of the Bainbridge Island Japanese American Exclusion Memorial, and for other purposes.

Sept. 26, 2014
[H.R. 4751]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BAINBRIDGE ISLAND JAPANESE AMERICAN EXCLUSION MEMORIAL.

Section 313 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229) is amended as follows:

16 USC 431 and 461 notes.

(1) In the heading of subsection (b), by striking "JAPANESE AMERICAN MEMORIAL" and inserting "JAPANESE AMERICAN EXCLUSION MEMORIAL".

(2) In the heading of subsection (c)(5)(C), by striking "JAPANESE AMERICAN MEMORIAL" and inserting "JAPANESE AMERICAN EXCLUSION MEMORIAL".

(3) In subsection (c)(5)(C), by striking "Japanese American Memorial" and inserting "Japanese American Exclusion Memorial".

Approved September 26, 2014.

LEGISLATIVE HISTORY—H.R. 4751:

HOUSE REPORTS: No. 113–579 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 8, 10, considered and passed House.
Sept. 17, considered and passed Senate.

Public Law 113–172
113th Congress

An Act

Sept. 26, 2014
[H.R. 4809]

To reauthorize the Defense Production Act, to improve the Defense Production Act Committee, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REAUTHORIZATION.

Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended—

(1) by striking "2014" and inserting "2019"; and

(2) by striking "on or after the date of enactment of the Defense Production Act Reauthorization of 2009".

SEC. 2. DEFENSE PRODUCTION ACT COMMITTEE IMPROVEMENTS.

Section 722 of the Defense Production Act of 1950 (50 U.S.C. App. 2171) is amended—

(1) in subsection (a)—

(A) by striking "advise the President" and inserting "coordinate and plan for"; and

(B) by striking "the authority" and inserting "the priorities and allocations authorities";

(2) in subsection (b), by amending paragraph (2) to read as follows:

"(2) The Chairperson of the Committee shall be the head of the agency to which the President has delegated primary responsibility for government-wide coordination of the authorities in this Act.";

(3) by amending subsection (c) to read as follows:

"(c) COORDINATION OF COMMITTEE ACTIVITIES.—The Chairperson shall appoint one person to coordinate all of the activities of the Committee, and such person shall—

"(1) be a full-time employee of the Federal Government;

"(2) report to the Chairperson; and

"(3) carry out such activities relating to the Committee as the Chairperson may determine appropriate."; and

(4) in subsection (d)—

(A) by striking "Not later than" and all that follows through "Committee shall submit" and inserting the following: "The Committee shall issue a report each year by March 31";

Reports.

(B) by striking "each member of the Committee" and inserting "the Chairperson";

(C) in paragraph (1)—

(i) by striking "a review of the authority under this Act of" and inserting "a description of the contingency planning by"; and

(ii) by inserting before the semicolon the following: "for events that might require the use of the priorities and allocations authorities";

(D) in paragraph (2), by striking "authority described in paragraph (1)" and inserting "priorities and allocations authorities in this Act";

(E) by amending paragraph (3) to read as follows:

"(3) recommendations for legislation actions, as appropriate, to support the effective use of the priorities and allocations authorities in this Act;";

(F) in paragraph (4), by striking "all aspects of" and all that follows through the end of the paragraph and inserting "the use of the priorities and allocations authorities in this Act;"; and

(G) by adding at the end the following:

"(5) up-to-date copies of the rules described under section 101(d)(1); and

"(6) short attestations signed by each member of the Committee stating their concurrence in the report.".

SEC. 3. UPDATED RULEMAKING.

Section 101(d)(1) of the Defense Production Act of 1950 (50 U.S.C. App. 2071(d)(1)) is amended by striking "not later than" and all that follows through "rules" and inserting the following: "issue, and annually review and update whenever appropriate, final rules".

SEC. 4. PRESIDENTIAL DETERMINATION.

(a) IN GENERAL.—Section 303(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2093(a)) is amended—

(1) in paragraph (5)—

(A) by striking "determines" and inserting the following: ", on a non-delegable basis, determines, with appropriate explanatory material and in writing,";

(B) in subparagraph (A), by striking "and" at the end;

(C) in subparagraph (B), by striking the period and inserting "; and"; and

(D) by adding at the end the following:

"(C) purchases, purchase commitments, or other action pursuant to this section are the most cost effective, expedient, and practical alternative method for meeting the need."; and

(2) in paragraph (6), by adding at the end the following:

"(C) LIMITATION.—If the taking of any action or actions under this section to correct an industrial resource shortfall would cause the aggregate outstanding amount of all such actions for such industrial resource shortfall to exceed $50,000,000, no such action or actions may be taken, unless such action or actions are authorized to exceed such amount by an Act of Congress.".

(b) EXCEPTION.—Section 303(a)(6)(C) of the Defense Production Act of 1950, as added by subsection (a)(2), shall not apply to a project undertaken pursuant to a determination made before the date of the enactment of this Act. 50 USC app. 2093 note.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 711 of the Defense Production Act of 1950 (50 U.S.C. App. 2161) is amended—

(1) by striking "are hereby authorized to be appropriated such sums as may be necessary and appropriate" and inserting " is authorized to be appropriated $133,000,000 for fiscal year 2015 and each fiscal year thereafter"; and

(2) by striking the second and third sentences.

Approved September 26, 2014.

LEGISLATIVE HISTORY—H.R. 4809:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 29, considered and passed House.
Sept. 17, considered and passed Senate.

Public Law 113–173
113th Congress

An Act

To amend the Consumer Financial Protection Act of 2010 to specify that privilege and confidentiality are maintained when information is shared by certain non-depository covered persons with Federal and State financial regulators, and for other purposes.

Sept. 26, 2014
[H.R. 5062]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Examination and Supervisory Privilege Parity Act of 2014.
12 USC 5301 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Examination and Supervisory Privilege Parity Act of 2014".

SEC. 2. PRIVILEGE OF INFORMATION SHARED BY CERTAIN NON-DEPOSITORY COVERED PERSONS.

Section 1024(b)(3) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5514(b)(3)) is amended—

(1) by striking "regulators and the State bank regulatory authorities" and inserting "regulators, the State bank regulatory authorities, and the State agencies that licence, supervise, or examine the offering of consumer financial products or services"; and

(2) by adding at the end the following: "The sharing of information with such regulators, authorities, and agencies shall not be construed as waiving, destroying, or otherwise affecting any privilege or confidentiality such person may claim with respect to such information under Federal or State law as to any person or entity other than such Bureau, agency, supervisor, or authority.".

Approved September 26, 2014.

LEGISLATIVE HISTORY—H.R. 5062:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 29, considered and passed House.
Sept. 18, considered and passed Senate.

Public Law 113–174
113th Congress

An Act

Sept. 26, 2014
[H.R. 5134]

To extend the National Advisory Committee on Institutional Quality and Integrity and the Advisory Committee on Student Financial Assistance for one year.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL QUALITY AND INTEGRITY.

Section 114(f) of the Higher Education Act of 1965 (20 U.S.C. 1011c(f)) is amended by striking "2014" and inserting "2015".

SEC. 2. EXTENSION OF ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE.

Section 491(k) of the Higher Education Act of 1965 (20 U.S.C. 1098(k)) is amended by striking "2014" and inserting "2015".

Approved September 26, 2014.

LEGISLATIVE HISTORY—H.R. 5134:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 23, considered and passed House.
Sept. 15, considered and passed Senate.

Public Law 113–175
113th Congress

An Act

To amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

Sept. 26, 2014
[H.R. 5404]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Department of Veterans Affairs Expiring Authorities Act of 2014.
38 USC 101 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Department of Veterans Affairs Expiring Authorities Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

TITLE I—EXTENSIONS OF AUTHORITY RELATING TO HEALTH CARE

SEC. 101. EXTENSION OF REQUIREMENT TO PROVIDE NURSING HOME CARE TO CERTAIN VETERANS WITH SERVICE-CONNECTED DISABILITIES.

38 USC 1710A.

Section 1710A(d) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

SEC. 102. EXTENSION OF AUTHORITY FOR PILOT PROGRAM ON COUNSELING IN RETREAT SETTINGS FOR WOMEN VETERANS NEWLY SEPARATED FROM SERVICE IN THE ARMED FORCES.

(a) EXTENSION OF AUTHORITY.—Subsection (d) of section 203 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1143; 38 U.S.C. 1712A note) is amended to read as follows:

"(d) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on December 31, 2015.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (f) of such section is amended by striking "fiscal years 2010 and 2011" and inserting "fiscal years 2010, 2011, and 2015".

SEC. 103. EXTENSION OF AUTHORITY FOR PILOT PROGRAM ON ASSISTANCE FOR CHILD CARE FOR CERTAIN VETERANS RECEIVING HEALTH CARE.

(a) EXTENSION OF AUTHORITY.—Subsection (e) of section 205 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1144; 38 U.S.C. 1710 note) is amended to read as follows:

"(e) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on December 31, 2015.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (h) of such section is amended by striking "2014" and inserting "2015".

SEC. 104. EXTENSION OF AUTHORITY TO MAKE GRANTS TO VETERANS SERVICE ORGANIZATIONS FOR TRANSPORTATION OF HIGHLY RURAL VETERANS.

Section 307(d) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1154; 38 U.S.C. 1710 note) is amended by striking "2014" and inserting "2015".

SEC. 105. EXTENSION OF REQUIREMENT FOR REPORT ON ACTIVITIES OF DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS INTERAGENCY PROGRAM OFFICE.

Section 1635(h)(1) of the Wounded Warrior Act (title XVI of Public Law 110–181; 122 Stat. 460; 10 U.S.C. 1071 note) is amended by striking "2014" and inserting "2015".

SEC. 106. EXTENSION OF AUTHORITY FOR THE PERFORMANCE OF MEDICAL DISABILITIES EXAMINATIONS BY CONTRACT PHYSICIANS.

Section 704(c) of the Veterans Benefits Act of 2003 (Public Law 108–183; 38 U.S.C. 5101 note) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

SEC. 107. EXTENSION OF AUTHORITY FOR COLLECTION OF COPAYMENTS FOR HOSPITAL CARE AND NURSING HOME CARE.

Section 1710(f)(2)(B) is amended by striking "September 30, 2014" and inserting "September 30, 2015". 38 USC 1710.

SEC. 108. EXTENSION OF AUTHORITY FOR RECOVERY FROM THIRD PARTIES OF COST OF CARE AND SERVICES FURNISHED TO VETERANS WITH HEALTH-PLAN CONTRACTS FOR NON-SERVICE-CONNECTED DISABILITY.

Section 1729(a)(2)(E) is amended by striking "October 1, 2014" and inserting "October 1, 2015".

TITLE II—EXTENSIONS OF AUTHORITY RELATING TO HOMELESSNESS

SEC. 201. EXTENSION OF CURRENT FUNDING LEVEL FOR COMPREHENSIVE SERVICE PROGRAMS FOR HOMELESS VETERANS.

Section 2013(7) is amended by striking "$150,000,000" and inserting "$250,000,000".

SEC. 202. EXTENSION OF AUTHORITY FOR HOMELESS VETERANS REINTEGRATION PROGRAMS.

38 USC 2021.

Section 2021(e)(1)(F) is amended by striking "2014" and inserting "2015".

SEC. 203. EXTENSION OF AUTHORITY TO PROVIDE REFERRAL AND COUNSELING SERVICES FOR CERTAIN VETERANS AT RISK OF HOMELESSNESS.

(a) EXTENSION OF AUTHORITY.—Subsection (d) of section 2023 is amended by striking "September 30, 2014" and inserting "September 30, 2015".

(b) TECHNICAL AMENDMENT.—Subsection (c)(3) of such section is amended by striking "enter into contracts" and inserting "make grants".

SEC. 204. EXTENSION OF AUTHORITY FOR TREATMENT AND REHABILITATION SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.

(a) GENERAL TREATMENT.—Section 2031(b) is amended by striking "December 31, 2014" and inserting "September 30, 2015".

(b) ADDITIONAL SERVICES AT CERTAIN LOCATIONS.—Section 2033(d) is amended by striking "December 31, 2014" and inserting "September 30, 2015".

SEC. 205. EXTENSION OF AUTHORITY TO PROVIDE HOUSING ASSISTANCE FOR HOMELESS VETERANS.

Section 2041(c) is amended by striking "December 31, 2014" and inserting "September 30, 2015".

SEC. 206. EXTENSION OF AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE FOR SUPPORTIVE SERVICES FOR VERY LOW-INCOME VETERAN FAMILIES IN PERMANENT HOUSING.

Section 2044(e)(1)(E) is amended by striking "fiscal years 2013 and 2014" and inserting "fiscal years 2013 through 2015".

SEC. 207. EXTENSION OF AUTHORITY FOR GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS.

Section 2061(d)(1) is amended by striking "2014" and inserting "2015".

SEC. 208. EXTENSION OF AUTHORITY FOR THE ADVISORY COMMITTEE ON HOMELESS VETERANS.

Section 2066(d) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

TITLE III—EXTENSIONS OF AUTHORITY RELATING TO BENEFITS

SEC. 301. EXTENSION OF AUTHORITY FOR THE VETERANS' ADVISORY COMMITTEE ON EDUCATION.

Section 3692(c) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

SEC. 302. EXTENSION OF AUTHORITY FOR CALCULATING NET VALUE OF REAL PROPERTY AT TIME OF FORECLOSURE.

Section 3732(c)(11) is amended by striking "October 1, 2014" and inserting "October 1, 2015".

SEC. 303. EXTENSION OF AUTHORITY RELATING TO VENDEE LOANS.

38 USC 3733.

Section 3733(a)(7) is amended—

(1) in the matter preceding subparagraph (A), by striking "September 30, 2014" and inserting "September 30, 2015"; and

(2) in subparagraph (C), by striking "September 30, 2014," and inserting "September 30, 2015,".

TITLE IV—OTHER EXTENSIONS OF AUTHORITY AND OTHER MATTERS

SEC. 401. EXTENSION OF AUTHORITY TO TRANSPORT CERTAIN INDIVIDUALS TO AND FROM DEPARTMENT OF VETERANS AFFAIRS FACILITIES.

Section 111A(a)(2) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

SEC. 402. EXTENSION OF AUTHORITY FOR OPERATION OF THE DEPARTMENT OF VETERANS AFFAIRS REGIONAL OFFICE IN MANILA, THE REPUBLIC OF THE PHILIPPINES.

Section 315(b) is amended by striking "December 31, 2014" and inserting "September 30, 2015".

SEC. 403. EXTENSION OF REQUIREMENT TO PROVIDE REPORTS TO CONGRESS REGARDING EQUITABLE RELIEF IN THE CASE OF ADMINISTRATIVE ERROR.

Section 503(c) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

SEC. 404. EXTENSION OF AUTHORITY FOR ADVISORY COMMITTEE ON MINORITY VETERANS.

Section 544(e) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

SEC. 405. EXTENSION OF AUTHORITY FOR TEMPORARY EXPANSION OF ELIGIBILITY FOR SPECIALLY ADAPTED HOUSING ASSISTANCE FOR CERTAIN VETERANS WITH DISABILITIES CAUSING DIFFICULTY AMBULATING.

Section 2101(a)(4) is amended—

(1) in subparagraph (A), by striking "September 30, 2014" and inserting "September 30, 2015"; and

(2) in subparagraph (B), by striking "fiscal year 2014" and inserting "each of fiscal years 2014 and 2015".

SEC. 406. RESTORATION OF PRIOR REPORTING FEE MULTIPLIERS.

38 USC 3684 note.
Time period.
Applicability.

During the one-year period beginning on the date of the enactment of this Act, the second sentence of section 3684(c) shall be applied—

(1) by substituting "$9" for "$12"; and

(2) by substituting "$13" for "$15".

SEC. 407. EXTENSION OF AUTHORITY FOR AGREEMENT WITH NATIONAL ACADEMY OF SCIENCES.

Section 3(i) of the Agent Orange Act of 1991 (Public Law 102–4; 105 Stat. 13; 38 U.S.C. 1116 note) is amended by striking "October 1, 2014" and inserting "December 31, 2015".

SEC. 408. HEALTH PROFESSIONALS EDUCATION DEBT REDUCTION.

38 USC 7683.

Section 7683 is amended—

(1) by striking subsection (a) and inserting the following new subsection:

"(a) IN GENERAL.—Education debt reduction payments under the Education Debt Reduction Program shall consist of—

"(1) payments to individuals selected to participate in the program of principal and interest on loans described in section 7682(a)(2) of this title; or

"(2) payments for the principal and interest on such loans of such individuals to the holders of such loans.";

(2) in subsections (b) and (c), by striking "payments to" both places it appears and inserting "payments to or for"; and

(3) in subsection (d)—

(A) in paragraph (1), by striking "made to" and inserting "made to or for"; and

(B) in paragraph (2)(A), by striking "payable to that" and inserting "payable to or for that".

SEC. 409. AMENDMENTS TO VETERANS ACCESS, CHOICE, AND ACCOUNTABILITY ACT OF 2014.

(a) EXPANDED AVAILABILITY OF HOSPITAL CARE AND MEDICAL SERVICES.—Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in subsection (c)—

(A) in paragraph (1)(A), by inserting "provide the veteran an appointment that exceeds the wait-time goals described in such subsection or" before "place such"; and

(B) in paragraph (2), by inserting "(or other digital channel)" after "website";

Contracts.

(2) in subsection (d)(1)(A), by adding at the end the following new sentences: "An agreement entered into pursuant to this subparagraph may not be treated as a Federal contract for the acquisition of goods or services and is not subject to any provision of law governing Federal contracts for the acquisition of goods or services. Before entering into an agreement pursuant to this subparagraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to such veterans under this section with such entities pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.";

(3) in subsection (l)(1), by inserting "a copy of" before "any medical record"; and

(4) by adding at the end the following new subsection:

"(t) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44, United States Code, shall not apply in carrying out this section.".

(b) COLLABORATION BETWEEN VA AND INDIAN HEALTH SERVICE.—Section 102 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in subsection (b), by striking "The Secretary of Veterans Affairs shall establish" and inserting the following: "The Secretary of Veterans Affairs and the Director of the Indian Health Service shall jointly establish and implement";

(2) in subsection (c), by adding at the end the following new paragraph:

"(3) Entering into an agreement between the Department and the Indian Health Service described in paragraph (2)(A) with respect to the effect of such agreement on the priority access of any Indian to health care services provided through the Indian Health Service, the eligibility of any Indian to receive health services through the Indian Health Service, and the quality of health care services provided to any Indian through the Indian Health Service."; and Contracts.

(3) by striking subsection (d).

(c) PROMPT PAYMENT.—Section 105 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in subsection (a), by striking "section 1315" and inserting "part 1315";

(2) in subsection (b)(2), by striking "chapter 39" and inserting "chapter 39 of title 31"; and

(3) in subsection (d), by striking "required by subsection (b)" and inserting "required by subsection (c)".

(d) IMPROVEMENT OF ACCESS TO MOBILE VET CENTERS.—Section 204 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting "and readjustment counseling services" after "other health care"; and

(B) in paragraph (2)—

(i) in subparagraph (B), by inserting "and events" after "locations"; and

(ii) in subparagraph (C), by inserting "and outreach contacts" after "appointments"; and

(2) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by inserting "and readjustment counseling" after "telemedicine services"; and

(ii) in clause (iii), by inserting "and outreach contacts" after "appointments";

(B) in subparagraph (B), by inserting "and readjustment counseling" after "health care services"; and

(C) in subparagraph (E), by striking "mobile vet centers and".

(e) IMPROVED TRANSPARENCY.—Section 206(b) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended—

(1) in paragraph (1), by striking "comprehensive database" and inserting "comprehensive, machine-readable data set";

(2) in paragraph (3), by striking "notice in the database of the reason" and inserting "notice of the reason"; and

(3) in paragraphs (2), (3), and (4), by striking "database" each place it appears and inserting "data".

(f) INFORMATION ON CREDENTIALS.—Section 207 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–

146; 38 U.S.C. 1701 note) is amended by striking "successor database" each place it appears and inserting "successor data set".

(g) REPORT ON STAFFING SHORTAGES.—Section 301(b)(3) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146) is amended— 128 Stat. 1785.

Time period.

(1) in subparagraph (A), by striking "Not later" and all that follows through "2019" and inserting the following: "On October 1 of each year beginning in 2015 and ending in 2019"; and

(2) in subparagraph (B)—

(A) in clause (iii), by striking "at each" and all that follows through the period at the end and inserting the following: "or guidelines of the Department with respect to determining the ratio of residents to staff supervising residents."; and

(B) by striking clause (v) and inserting the following new clause:

"(v) Efforts of the Department, as of the date of the submittal of the report, to recruit and retain medical residents to work for the Veterans Health Administration as full-time employees.".

(h) PROJECT ARCH.—Section 403(j) of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) is amended—

(1) by striking "In carrying out" and inserting "Notwithstanding any provision of law relating to the use of competitive procedures in entering into contracts, in carrying out"; and

(2) by inserting "under this section" after "make use of contracts entered into".

(i) CLARIFICATION OF APPROVAL OF COURSES OF EDUCATION PROVIDED BY PUBLIC INSTITUTIONS OF HIGHER LEARNING AND IN-STATE TUITION RATE FOR VETERANS.—Paragraph (1) of section 3679(c) is amended to read as follows:

"(1) Notwithstanding any other provision of this chapter and subject to paragraphs (3) through (6), the Secretary shall disapprove a course of education provided by a public institution of higher learning if the institution charges tuition and fees for that course for covered individuals who are pursuing the course with educational assistance under chapter 30 or 33 of this title while living in the State in which the institution is located at a rate that is higher than the rate the institution charges for tuition and

fees for that course for residents of the State in which the institution is located, regardless of the covered individual's State of residence.".

Approved September 26, 2014.

LEGISLATIVE HISTORY—H.R. 5404:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 16, considered and passed House.
Sept. 18, considered and passed Senate.

Public Law 113–176
113th Congress

Joint Resolution

Sept. 26, 2014
[H.J. Res. 120]

Approving the location of a memorial to commemorate the more than 5,000 slaves and free Black persons who fought for independence in the American Revolution.

Whereas section 8908(b)(1) of title 40, United States Code, provides that the location of a commemorative work in Area I, as depicted on the map entitled "Commemorative Areas Washington, DC and Environs", numbered 869/86501 B, and dated June 24, 2003, shall be deemed to be authorized only if a recommendation for that location is approved by law not later than 150 calendar days after Congress is notified of the recommendation;

Whereas section 2860 of Public Law 112–239 (40 U.S.C. 8903 note) authorized the National Mall Liberty Fund D.C. to establish a memorial on Federal land in Area I or Area II, as depicted on such map, to honor the more than 5,000 slaves and free Black persons who fought for American independence in the Revolutionary War; and

Whereas the Administrator of General Services has notified Congress of the Administrator's determination that such memorial should be located in Area I: Now, therefore, be it

40 USC 8903 note.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the location of a commemorative work to honor the more than 5,000 slaves and free Black persons who fought in the American Revolution, authorized by section 2860 of division B of Public Law 112–239 (40 U.S.C. 8903 note), within Area I as described on the map entitled "Commemorative Areas Washington, DC and Environs", numbered 869/86501 B and dated June 24, 2003, is approved.

Approved September 26, 2014.

LEGISLATIVE HISTORY—H.J. Res. 120:

HOUSE REPORTS: No. 113–577 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 8, considered and passed House.
Sept. 10, considered and passed Senate.

Public Law 113–177
113th Congress

An Act

To reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir.

Sept. 26, 2014
[S. 276]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING AMERICAN FALLS RESERVOIR.

Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12423, the Federal Energy Regulatory Commission shall, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, reinstate the license and extend the time period during which the licensee is required to commence the construction of project works to the end of the 3-year period beginning on the date of enactment of this Act.

Approved September 26, 2014.

LEGISLATIVE HISTORY—S. 276:

SENATE REPORTS: No. 113–24 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): June 19, considered and passed Senate.
Vol. 160 (2014): Sept. 10, 11, considered and passed House.

Public Law 113–178
113th Congress

An Act

Sept. 26, 2014
[S. 476]

To amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Termination date.
16 USC 410y–4 note.

SECTION 1. CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK COMMISSION.

The Chesapeake and Ohio Canal National Historical Park Commission (referred to in this Act as the "Commission") is authorized in accordance with the provisions of section 6 of the Chesapeake and Ohio Canal Development Act (16 U.S.C. 410y–4), except that the Commission shall terminate 10 years after the date of enactment of this Act.

Approved September 26, 2014.

LEGISLATIVE HISTORY—S. 476:

HOUSE REPORTS: No. 113–589 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–64 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 160 (2014):
July 9, considered and passed Senate.
Sept. 15, 17, considered and passed House.

Public Law 113–179
113th Congress

An Act

To reaffirm that certain land has been taken into trust for the benefit of the Match-E-Be-Nash-She-Wish Band of Pottawatami Indians, and for other purposes.

Sept. 26, 2014
[S. 1603]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Gun Lake Trust Land Reaffirmation Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Gun Lake Trust Land Reaffirmation Act".

SEC. 2. REAFFIRMATION OF INDIAN TRUST LAND.

(a) IN GENERAL.—The land taken into trust by the United States for the benefit of the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians and described in the final Notice of Determination of the Department of the Interior (70 Fed. Reg. 25596 (May 13, 2005)) is reaffirmed as trust land, and the actions of the Secretary of the Interior in taking that land into trust are ratified and confirmed.

(b) NO CLAIMS.—Notwithstanding any other provision of law, an action (including an action pending in a Federal court as of the date of enactment of this Act) relating to the land described in subsection (a) shall not be filed or maintained in a Federal court and shall be promptly dismissed.

(c) RETENTION OF FUTURE RIGHTS.—Nothing in this Act alters or diminishes the right of the Match-E-Be-Nash-She-Wish Band

of Pottawatomi Indians from seeking to have any additional land taken into trust by the United States for the benefit of the Band.

Approved September 26, 2014.

LEGISLATIVE HISTORY—S. 1603:

HOUSE REPORTS: No. 113–590 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–194 (Comm. on Indian Affairs).
CONGRESSIONAL RECORD, Vol. 160 (2014):
June 19, considered and passed Senate.
Sept. 15, 16, considered and passed House.

Public Law 113–180
113th Congress

An Act

To amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program.

Sept. 26, 2014
[S. 2154]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Emergency Medical Services for Children Reauthorization Act of 2014.
42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Emergency Medical Services for Children Reauthorization Act of 2014".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 1910(d) of the Public Health Service Act (42 U.S.C. 300w–9(d)) is amended—

(1) by striking "and $30,387,656" and inserting "$30,387,656"; and

(2) by inserting before the period ", and $20,213,000 for each of fiscal years 2015 through 2019".

Approved September 26, 2014.

LEGISLATIVE HISTORY—S. 2154:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 10, considered and passed Senate.
Sept. 15, 16, considered and passed House.

Public Law 113–181
113th Congress

An Act

To provide for an increase, effective December 1, 2014, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

Sept. 26, 2014
[S. 2258]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Veterans' Compensation Cost-of-Living Adjustment Act of 2014.
38 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 2014".

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

38 USC 1114 note.

(a) RATE ADJUSTMENT.—Effective on December 1, 2014, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2014, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under section 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—Each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2014, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

38 USC 1114 note.

(d) SPECIAL RULE.—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85–857 (72 Stat. 1263) who

have not received compensation under chapter 11 of title 38, United States Code.

(e) PUBLICATION OF ADJUSTED RATES.—The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b), as increased under subsection (a), not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2015.

Federal Register, publication. 38 USC 1114 note.

Approved September 26, 2014.

LEGISLATIVE HISTORY—S. 2258:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 11, considered and passed Senate.
Sept. 16, considered and passed House.

Public Law 113–182
113th Congress

An Act

Sept. 29, 2014
[H.R. 4323]

To reauthorize programs authorized under the Debbie Smith Act of 2004, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Debbie Smith Reauthorization Act of 2014.
42 USC 13701 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Debbie Smith Reauthorization Act of 2014".

SEC. 2. GENERAL REAUTHORIZATION.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (c)(3)—

(A) in subparagraph (B), by striking "2010 through 2018" and inserting "2014 through 2019"; and

(B) in subparagraph (C), by striking "2018" and inserting "2019"; and

(2) in subsection (j), by striking "2009 through 2014" and inserting "2015 through 2019".

SEC. 3. TRAINING AND EDUCATION.

Section 303(b) of the DNA Sexual Assault Justice Act of 2004 (42 U.S.C. 14136(b)) is amended by striking "2009 through 2014" and inserting "2015 through 2019".

SEC. 4. SEXUAL ASSAULT FORENSIC EXAM GRANTS.

Section 304(c) of the DNA Sexual Assault Justice Act of 2004 (42 U.S.C. 14136a(c)) is amended by striking "2009 through 2014" and inserting "2015 through 2019".

Approved September 29, 2014.

LEGISLATIVE HISTORY—H.R. 4323:

HOUSE REPORTS: No. 113–404 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Apr. 7, considered and passed House.
Sept. 18, considered and passed Senate.

Public Law 113–183
113th Congress

An Act

To prevent and address sex trafficking of children in foster care, to extend and improve adoption incentives, and to improve international child support recovery.

Sept. 29, 2014
[H.R. 4980]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Preventing Sex Trafficking and Strengthening Families Act. 42 USC 1305 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Preventing Sex Trafficking and Strengthening Families Act".

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

SEC. 3. REFERENCES.

Except as otherwise expressly provided in this Act, wherever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the amendment shall be considered to be made to a section or other provision of the Social Security Act.

TITLE I—PROTECTING CHILDREN AND YOUTH AT RISK OF SEX TRAFFICKING

Subtitle A—Identifying and Protecting Children and Youth at Risk of Sex Trafficking

SEC. 101. IDENTIFYING, DOCUMENTING, AND DETERMINING SERVICES FOR CHILDREN AND YOUTH AT RISK OF SEX TRAFFICKING.

(a) IN GENERAL.—Section 471(a)(9) (42 U.S.C. 671(a)(9)) is amended—

(1) in subparagraph (A), by striking "and";

(2) in subparagraph (B), by inserting "and" after the semicolon; and

(3) by adding at the end the following:

Deadlines.
Consultation.

"(C) not later than—

"(i) 1 year after the date of enactment of this subparagraph, demonstrate to the Secretary that the State agency has developed, in consultation with State and local law enforcement, juvenile justice systems, health care providers, education agencies, and organizations with experience in dealing with at-risk

children and youth, policies and procedures (including relevant training for caseworkers) for identifying, documenting in agency records, and determining appropriate services with respect to—

"(I) any child or youth over whom the State agency has responsibility for placement, care, or supervision and who the State has reasonable cause to believe is, or is at risk of being, a sex trafficking victim (including children for whom a State child welfare agency has an open case file but who have not been removed from the home, children who have run away from foster care and who have not attained 18 years of age or such older age as the State has elected under section 475(8) of this Act, and youth who are not in foster care but are receiving services under section 477 of this Act); and

"(II) at the option of the State, any individual who has not attained 26 years of age, without regard to whether the individual is or was in foster care under the responsibility of the State; and

"(ii) 2 years after such date of enactment, demonstrate to the Secretary that the State agency is implementing the policies and procedures referred to in clause (i).".

(b) DEFINITION OF SEX TRAFFICKING VICTIM.—Section 475 (42 U.S.C. 675) is amended by adding at the end the following:

"(9) The term 'sex trafficking victim' means a victim of—

"(A) sex trafficking (as defined in section 103(10) of the Trafficking Victims Protection Act of 2000); or

"(B) a severe form of trafficking in persons described in section 103(9)(A) of such Act.".

SEC. 102. REPORTING INSTANCES OF SEX TRAFFICKING.

(a) STATE PLAN REQUIREMENTS.—Section 471(a) (42 U.S.C. 671(a)) is amended—

(1) by striking "and" at the end of paragraph (32);

(2) by striking the period at the end of paragraph (33) and inserting a semicolon; and

(3) by adding at the end the following:

"(34) provides that, for each child or youth described in paragraph (9)(C)(i)(I), the State agency shall—

"(A) not later than 2 years after the date of the enactment of this paragraph, report immediately, and in no case later than 24 hours after receiving information on children or youth who have been identified as being a sex trafficking victim, to the law enforcement authorities; and

"(B) not later than 3 years after such date of enactment and annually thereafter, report to the Secretary the total number of children and youth who are sex trafficking victims.".

(b) DUTIES OF THE SECRETARY.—Section 471 (42 U.S.C. 671) is amended by adding at the end the following:

"(d) ANNUAL REPORTS BY THE SECRETARY ON NUMBER OF CHILDREN AND YOUTH REPORTED BY STATES TO BE SEX TRAFFICKING VICTIMS.—Not later than 4 years after the date of the enactment

Public information. Web posting.

of this subsection and annually thereafter, the Secretary shall report to the Congress and make available to the public on the Internet website of the Department of Health and Human Services the number of children and youth reported in accordance with subsection (a)(34)(B) of this section to be sex trafficking victims (as defined in section 475(9)(A)).".

SEC. 103. INCLUDING SEX TRAFFICKING DATA IN THE ADOPTION AND FOSTER CARE ANALYSIS AND REPORTING SYSTEM.

Section 479(c)(3) (42 U.S.C. 679(c)(3)) is amended—

(1) in subparagraph (C)(iii), by striking "and" after the comma; and

(2) by adding at the end the following:

"(E) the annual number of children in foster care who are identified as sex trafficking victims—

"(i) who were such victims before entering foster care; and

"(ii) who were such victims while in foster care; and".

SEC. 104. LOCATING AND RESPONDING TO CHILDREN WHO RUN AWAY FROM FOSTER CARE.

Section 471(a) (42 U.S.C. 671(a)), as amended by section 102(a) of this Act, is amended—

(1) by striking the period at the end of paragraph (34) and inserting "; and"; and

(2) by adding at the end the following:

Deadlines. Protocols.

"(35) provides that—

"(A) not later than 1 year after the date of the enactment of this paragraph, the State shall develop and implement specific protocols for—

"(i) expeditiously locating any child missing from foster care;

"(ii) determining the primary factors that contributed to the child's running away or otherwise being absent from care, and to the extent possible and appropriate, responding to those factors in current and subsequent placements;

"(iii) determining the child's experiences while absent from care, including screening the child to determine if the child is a possible sex trafficking victim (as defined in section 475(9)(A)); and

"(iv) reporting such related information as required by the Secretary; and

Reports.

"(B) not later than 2 years after such date of enactment, for each child and youth described in paragraph (9)(C)(i)(I) of this subsection, the State agency shall report immediately, and in no case later than 24 hours after receiving, information on missing or abducted children or youth to the law enforcement authorities for entry into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation, established pursuant to section 534 of title 28, United States Code, and to the National Center for Missing and Exploited Children.".

SEC. 105. INCREASING INFORMATION ON CHILDREN IN FOSTER CARE TO PREVENT SEX TRAFFICKING.

Deadline. Reports.

Not later than 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the Congress a written report which summarizes the following:

(1) Information on children who run away from foster care and their risk of becoming sex trafficking victims, using data reported by States under section 479 of the Social Security Act and information collected by States related to section 471(a)(35) of such Act, including—

(A) characteristics of children who run away from foster care;

(B) potential factors associated with children running away from foster care (such as reason for entry into care, length of stay in care, type of placement, and other factors that contributed to the child's running away);

(C) information on children's experiences while absent from care; and

(D) trends in the number of children reported as runaways in each fiscal year (including factors that may have contributed to changes in such trends).

(2) Information on State efforts to provide specialized services, foster family homes, child care institutions, or other forms of placement for children who are sex trafficking victims.

(3) Information on State efforts to ensure children in foster care form and maintain long-lasting connections to caring adults, even when a child in foster care must move to another foster family home or when the child is placed under the supervision of a new caseworker.

Subtitle B—Improving Opportunities for Children in Foster Care and Supporting Permanency

SEC. 111. SUPPORTING NORMALCY FOR CHILDREN IN FOSTER CARE.

(a) REASONABLE AND PRUDENT PARENT STANDARD.—

(1) DEFINITIONS RELATING TO THE STANDARD.—Section 475 (42 U.S.C. 675), as amended by section 101(b) of this Act, is amended by adding at the end the following:

"(10)(A) The term 'reasonable and prudent parent standard' means the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the State to participate in extracurricular, enrichment, cultural, and social activities.

"(B) For purposes of subparagraph (A), the term 'caregiver' means a foster parent with whom a child in foster care has been placed or a designated official for a child care institution in which a child in foster care has been placed.

"(11)(A) The term 'age or developmentally-appropriate' means—

"(i) activities or items that are generally accepted as suitable for children of the same chronological age or level

of maturity or that are determined to be developmentally-appropriate for a child, based on the development of cognitive, emotional, physical, and behavioral capacities that are typical for an age or age group; and

"(ii) in the case of a specific child, activities or items that are suitable for the child based on the developmental stages attained by the child with respect to the cognitive, emotional, physical, and behavioral capacities of the child.

"(B) In the event that any age-related activities have implications relative to the academic curriculum of a child, nothing in this part or part B shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State or local educational agency, or the specific instructional content, academic achievement standards and assessments, curriculum, or program of instruction of a school.".

(2) STATE PLAN REQUIREMENT.—Section 471(a)(24) (42 U.S.C. 671(a)(24)) is amended—

(A) by striking "include" and inserting "includes";

(B) by striking "and that such preparation" and inserting "that the preparation"; and

(C) by inserting ", and that the preparation shall include knowledge and skills relating to the reasonable and prudent parent standard for the participation of the child in age or developmentally-appropriate activities, including knowledge and skills relating to the developmental stages of the cognitive, emotional, physical, and behavioral capacities of a child, and knowledge and skills relating to applying the standard to decisions such as whether to allow the child to engage in social, extracurricular, enrichment, cultural, and social activities, including sports, field trips, and overnight activities lasting 1 or more days, and to decisions involving the signing of permission slips and arranging of transportation for the child to and from extracurricular, enrichment, and social activities" before the semicolon.

42 USC 671 note.

(3) TECHNICAL ASSISTANCE.—The Secretary of Health and Human Services shall provide assistance to the States on best practices for devising strategies to assist foster parents in applying a reasonable and prudent parent standard in a manner that protects child safety, while also allowing children to experience normal and beneficial activities, including methods for appropriately considering the concerns of the biological parents of a child in decisions related to participation of the child in activities (with the understanding that those concerns should not necessarily determine the participation of the child in any activity).

(b) NORMALCY FOR CHILDREN IN CHILD CARE INSTITUTIONS.—Section 471(a)(10) (42 U.S.C. 671(a)(10)) is amended to read as follows:

"(10) provides—

"(A) for the establishment or designation of a State authority or authorities that shall be responsible for establishing and maintaining standards for foster family homes and child care institutions which are reasonably in accord with recommended standards of national organizations concerned with standards for the institutions or homes,

including standards related to admission policies, safety, sanitation, and protection of civil rights, and which shall permit use of the reasonable and prudent parenting standard;

"(B) that the standards established pursuant to subparagraph (A) shall be applied by the State to any foster family home or child care institution receiving funds under this part or part B and shall require, as a condition of each contract entered into by a child care institution to provide foster care, the presence on-site of at least 1 official who, with respect to any child placed at the child care institution, is designated to be the caregiver who is authorized to apply the reasonable and prudent parent standard to decisions involving the participation of the child in age or developmentally-appropriate activities, and who is provided with training in how to use and apply the reasonable and prudent parent standard in the same manner as prospective foster parents are provided the training pursuant to paragraph (24); Applicability.

"(C) that the standards established pursuant to subparagraph (A) shall include policies related to the liability of foster parents and private entities under contract by the State involving the application of the reasonable and prudent parent standard, to ensure appropriate liability for caregivers when a child participates in an approved activity and the caregiver approving the activity acts in accordance with the reasonable and prudent parent standard; and

"(D) that a waiver of any standards established pursuant to subparagraph (A) may be made only on a case-by-case basis for nonsafety standards (as determined by the State) in relative foster family homes for specific children in care;".

(c) SUPPORTING PARTICIPATION IN AGE-APPROPRIATE ACTIVITIES.—

(1) Section 477(a) (42 U.S.C. 677(a)) is amended—

(A) by striking "and" at the end of paragraph (6);

(B) by striking the period at the end of paragraph (7) and inserting "; and"; and

(C) by adding at the end the following:

"(8) to ensure children who are likely to remain in foster care until 18 years of age have regular, ongoing opportunities to engage in age or developmentally-appropriate activities as defined in section 475(11).".

(2) Section 477(h)(1) (42 U.S.C. 677(h)(1)) is amended by inserting "or, beginning in fiscal year 2020, $143,000,000" after "$140,000,000".

(d) EFFECTIVE DATE.— 42 USC 671 note.

(1) IN GENERAL.—The amendments made by this section shall take effect on the date that is 1 year after the date of the enactment of this Act.

(2) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.— Determination.
If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan developed pursuant to part E of title IV of the Social Security Act to meet the additional requirements imposed by the amendments made by

this section, the plan shall not be regarded as failing to meet any of the additional requirements before the 1st day of the 1st calendar quarter beginning after the 1st regular session of the State legislature that begins after the date of the enactment of this Act. If the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

SEC. 112. IMPROVING ANOTHER PLANNED PERMANENT LIVING ARRANGEMENT AS A PERMANENCY OPTION.

(a) ELIMINATION OF ANOTHER PLANNED PERMANENT LIVING ARRANGEMENT FOR CHILDREN UNDER AGE 16.—

(1) IN GENERAL.—Section 475(5)(C)(i) (42 U.S.C. 675(5)(C)(i)) is amended by inserting "only in the case of a child who has attained 16 years of age" before "(in cases where".

(2) CONFORMING AMENDMENT.—Section 422(b)(8)(A)(iii)(II) (42 U.S.C. 622(b)(8)(A)(iii)(II)) is amended by inserting ", subject to the requirements of sections 475(5)(C) and 475A(a)" after "arrangement".

42 USC 622 note.

(3) DELAYED APPLICABILITY WITH RESPECT TO CERTAIN CHILDREN.—In the case of children in foster care under the responsibility of an Indian tribe, tribal organization, or tribal consortium (either directly or under supervision of a State), the amendments made by this subsection shall not apply until the date that is 3 years after the date of the enactment of this Act.

(b) ADDITIONAL REQUIREMENTS.—

(1) IN GENERAL.—Part E of title IV (42 U.S.C. 670 et seq.) is amended by inserting after section 475 the following:

42 USC 675a.

"SEC. 475A. ADDITIONAL CASE PLAN AND CASE REVIEW SYSTEM REQUIREMENTS.

"(a) REQUIREMENTS FOR ANOTHER PLANNED PERMANENT LIVING ARRANGEMENT.—In the case of any child for whom another planned permanent living arrangement is the permanency plan determined for the child under section 475(5)(C), the following requirements shall apply for purposes of approving the case plan for the child and the case system review procedure for the child:

Applicability.

"(1) DOCUMENTATION OF INTENSIVE, ONGOING, UNSUCCESSFUL EFFORTS FOR FAMILY PLACEMENT.—At each permanency hearing held with respect to the child, the State agency documents the intensive, ongoing, and, as of the date of the hearing, unsuccessful efforts made by the State agency to return the child home or secure a placement for the child with a fit and willing relative (including adult siblings), a legal guardian, or an adoptive parent, including through efforts that utilize search technology (including social media) to find biological family members for the children.

"(2) REDETERMINATION OF APPROPRIATENESS OF PLACEMENT AT EACH PERMANENCY HEARING.—The State agency shall implement procedures to ensure that, at each permanency hearing held with respect to the child, the court or administrative body appointed or approved by the court conducting the hearing on the permanency plan for the child does the following:

Procedures.

"(A) Ask the child about the desired permanency outcome for the child.

"(B) Make a judicial determination explaining why, as of the date of the hearing, another planned permanent living arrangement is the best permanency plan for the

child and provide compelling reasons why it continues to not be in the best interests of the child to—

"(i) return home;

"(ii) be placed for adoption;

"(iii) be placed with a legal guardian; or

"(iv) be placed with a fit and willing relative.

"(3) DEMONSTRATION OF SUPPORT FOR ENGAGING IN AGE OR DEVELOPMENTALLY-APPROPRIATE ACTIVITIES AND SOCIAL EVENTS.—At each permanency hearing held with respect to the child, the State agency shall document the steps the State agency is taking to ensure that—

"(A) the child's foster family home or child care institution is following the reasonable and prudent parent standard; and

"(B) the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities (including by consulting with the child in an age-appropriate manner about the opportunities of the child to participate in the activities).".

(2) CONFORMING AMENDMENTS.—

(A) STATE PLAN REQUIREMENTS.—

(i) PART B.—Section 422(b)(8)(A)(ii) (42 U.S.C. 622(b)(8)(A)(ii)) is amended by inserting "and in accordance with the requirements of section 475A" after "section 475(5)".

(ii) PART E.—Section 471(a)(16) (42 U.S.C. 671(a)(16)) is amended—

(I) by inserting "and in accordance with the requirements of section 475A" after "section 475(1)"; and

(II) by striking "section 475(5)(B)" and inserting "sections 475(5) and 475A".

(B) DEFINITIONS.—Section 475 (42 U.S.C. 675) is amended—

(i) in paragraph (1), in the matter preceding subparagraph (A), by inserting "meets the requirements of section 475A and" after "written document which"; and

(ii) in paragraph (5)—

(I) in subparagraph (B), by adding at the end the following "and, for a child for whom another planned permanent living arrangement has been determined as the permanency plan, the steps the State agency is taking to ensure the child's foster family home or child care institution is following the reasonable and prudent parent standard and to ascertain whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities (including by consulting with the child in an age-appropriate manner about the opportunities of the child to participate in the activities);"; and

(II) in subparagraph (C)—

(aa) by inserting ", as of the date of the hearing," after "compelling reason for determining"; and

(bb) by inserting "subject to section 475A(a)," after "another planned permanent living arrangement,".

42 USC 622 note.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date that is 1 year after the date of the enactment of this Act.

Determination.

(2) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan developed pursuant to part E of title IV of the Social Security Act to meet the additional requirements imposed by the amendments made by this section, the plan shall not be regarded as failing to meet any of the additional requirements before the 1st day of the 1st calendar quarter beginning after the 1st regular session of the State legislature that begins after the date of the enactment of this Act. If the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

SEC. 113. EMPOWERING FOSTER CHILDREN AGE 14 AND OLDER IN THE DEVELOPMENT OF THEIR OWN CASE PLAN AND TRANSITION PLANNING FOR A SUCCESSFUL ADULTHOOD.

(a) IN GENERAL.—Section 475(1)(B) (42 U.S.C. 675(1)(B)) is amended by adding at the end the following: "With respect to a child who has attained 14 years of age, the plan developed for the child in accordance with this paragraph, and any revision or addition to the plan, shall be developed in consultation with the child and, at the option of the child, with up to 2 members of the case planning team who are chosen by the child and who are not a foster parent of, or caseworker for, the child. A State may reject an individual selected by a child to be a member of the case planning team at any time if the State has good cause to believe that the individual would not act in the best interests of the child. One individual selected by a child to be a member of the child's case planning team may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child.".

(b) CONFORMING AMENDMENTS TO INCLUDE CHILDREN 14 AND OLDER IN TRANSITION PLANNING.—Section 475 (42 U.S.C. 675) is amended—

(1) in paragraph (1)(D), by striking "Where appropriate, for a child age 16" and inserting "For a child who has attained 14 years of age"; and

(2) in paragraph (5)—

(A) in subparagraph (C)—

(i) in clause (i), by striking "16" and inserting "14";

(ii) by striking "and" at the end of clause (ii); and

(iii) by adding at the end the following: "and (iv) if a child has attained 14 years of age, the permanency plan developed for the child, and any revision or addition to the plan, shall be developed in consultation with the child and, at the option of the child, with

not more than 2 members of the permanency planning team who are selected by the child and who are not a foster parent of, or caseworker for, the child, except that the State may reject an individual so selected by the child if the State has good cause to believe that the individual would not act in the best interests of the child, and 1 individual so selected by the child may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent standard to the child;"; and

(B) in subparagraph (I), by striking "16" and inserting "14".

(c) TRANSITION PLANNING FOR A SUCCESSFUL ADULTHOOD.—Paragraphs (1)(D), (5)(C)(i), and (5)(C)(iii) of section 475 (42 U.S.C. 675) are each amended by striking "independent living" and inserting "a successful adulthood".

(d) LIST OF RIGHTS.—Section 475A, as added by section 112(b)(1) of this Act, is amended by adding at the end the following: *Ante*, p. 1926.

"(b) LIST OF RIGHTS.—The case plan for any child in foster care under the responsibility of the State who has attained 14 years of age shall include—

"(1) a document that describes the rights of the child with respect to education, health, visitation, and court participation, the right to be provided with the documents specified in section 475(5)(I) in accordance with that section, and the right to stay safe and avoid exploitation; and

"(2) a signed acknowledgment by the child that the child has been provided with a copy of the document and that the rights contained in the document have been explained to the child in an age-appropriate way.".

(e) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit a report to Congress regarding the implementation of the amendments made by this section. The report shall include—

(1) an analysis of how States are administering the requirements of paragraphs (1)(B) and (5)(C) of section 475 of the Social Security Act, as amended by subsections (a) and (b) of this section, that a child in foster care who has attained 14 years of age be permitted to select up to 2 members of the case planning team or permanency planning team for the child from individuals who are not a foster parent of, or caseworker for, the child; and Analysis.

(2) a description of best practices of States with respect to the administration of the requirements.

(f) EFFECTIVE DATE.— 42 USC 675 note.

(1) IN GENERAL.—The amendments made by this section shall take effect on the date that is 1 year after the date of the enactment of this Act.

(2) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.— Determination. If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan developed pursuant to part E of title IV of the Social Security Act to meet the additional requirements imposed by the amendments made by this section, the plan shall not be regarded as failing to meet any of the additional requirements before the 1st day of the

1st calendar quarter beginning after the 1st regular session of the State legislature that begins after the date of the enactment of this Act. If the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

SEC. 114. ENSURING FOSTER CHILDREN HAVE A BIRTH CERTIFICATE, SOCIAL SECURITY CARD, HEALTH INSURANCE INFORMATION, MEDICAL RECORDS, AND A DRIVER'S LICENSE OR EQUIVALENT STATE-ISSUED IDENTIFICATION CARD.

(a) CASE REVIEW SYSTEM REQUIREMENT.—Section 475(5)(I) (42 U.S.C. 675(5)(I)) is amended—

(1) by striking "and receives assistance" and inserting "receives assistance"; and

(2) by inserting ", and, if the child is leaving foster care by reason of having attained 18 years of age or such greater age as the State has elected under paragraph (8), unless the child has been in foster care for less than 6 months, is not discharged from care without being provided with (if the child is eligible to receive such document) an official or certified copy of the United States birth certificate of the child, a social security card issued by the Commissioner of Social Security, health insurance information, a copy of the child's medical records, and a driver's license or identification card issued by a State in accordance with the requirements of section 202 of the REAL ID Act of 2005" before the period.

42 USC 675 note.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect 1 year after the date of enactment of this Act.

Determination.

(2) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan developed pursuant to part E of title IV of the Social Security Act to meet the additional requirements imposed by the amendments made by this section, the plan shall not be regarded as failing to meet any of the additional requirements before the 1st day of the 1st calendar quarter beginning after the 1st regular session of the State legislature that begins after the date of the enactment of this Act. If the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

SEC. 115. INFORMATION ON CHILDREN IN FOSTER CARE IN ANNUAL REPORTS USING AFCARS DATA; CONSULTATION.

Section 479A (42 U.S.C. 679b) is amended—

(1) by striking "The Secretary" and inserting the following: "(a) IN GENERAL.—The Secretary";

(2) in paragraph (5), by striking "and" after the semicolon;

(3) in paragraph (6)(C), by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following:

"(7) include in the report submitted pursuant to paragraph (5) for fiscal year 2016 or any succeeding fiscal year, State-by-State data on—

"(A) children in foster care who have been placed in a child care institution or other setting that is not a foster family home, including—

"(i) the number of children in the placements and their ages, including separately, the number and ages of children who have a permanency plan of another planned permanent living arrangement;

"(ii) the duration of the placement in the settings (including for children who have a permanency plan of another planned permanent living arrangement);

"(iii) the types of child care institutions used (including group homes, residential treatment, shelters, or other congregate care settings);

"(iv) with respect to each child care institution or other setting that is not a foster family home, the number of children in foster care residing in each such institution or non-foster family home;

"(v) any clinically diagnosed special need of such children; and

"(vi) the extent of any specialized education, treatment, counseling, or other services provided in the settings; and

"(B) children in foster care who are pregnant or parenting.

"(b) CONSULTATION ON OTHER ISSUES.—The Secretary shall consult with States and organizations with an interest in child welfare, including organizations that provide adoption and foster care services, and shall take into account requests from Members of Congress, in selecting other issues to be analyzed and reported on under this section using data available to the Secretary, including data reported by States through the Adoption and Foster Care Analysis and Reporting System and to the National Youth in Transition Database.".

Subtitle C—National Advisory Committee

SEC. 121. ESTABLISHMENT OF A NATIONAL ADVISORY COMMITTEE ON THE SEX TRAFFICKING OF CHILDREN AND YOUTH IN THE UNITED STATES.

Title XI (42 U.S.C. 1301 et seq.) is amended by inserting after section 1114 the following:

"NATIONAL ADVISORY COMMITTEE ON THE SEX TRAFFICKING OF CHIILDREN AND YOUTH IN THE UNITED STATES

"SEC. 1114A. (a) OFFICIAL DESIGNATION.—This section relates to the National Advisory Committee on the Sex Trafficking of Children and Youth in the United States (in this section referred to as the 'Committee'). 42 USC 1314b.

"(b) AUTHORITY.—Not later than 2 years after the date of enactment of this section, the Secretary shall establish and appoint all members of the Committee. Deadline.

"(c) MEMBERSHIP.—

"(1) COMPOSITION.—The Committee shall be composed of not more than 21 members whose diverse experience and background enable them to provide balanced points of view with regard to carrying out the duties of the Committee.

Consultation.

"(2) SELECTION.—The Secretary, in consultation with the Attorney General and National Governors Association, shall appoint the members to the Committee. At least 1 Committee member shall be a former sex trafficking victim. 2 Committee members shall be a Governor of a State, 1 of whom shall be a member of the Democratic Party and 1 of whom shall be a member of the Republican Party.

"(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Committee. A vacancy in the Committee shall be filled in the manner in which the original appointment was made and shall not affect the powers or duties of the Committee.

"(4) COMPENSATION.—Committee members shall serve without compensation or per diem in lieu of subsistence.

"(d) DUTIES.—

"(1) NATIONAL RESPONSE.—The Committee shall advise the Secretary and the Attorney General on practical and general policies concerning improvements to the Nation's response to the sex trafficking of children and youth in the United States.

"(2) POLICIES FOR COOPERATION.—The Committee shall advise the Secretary and the Attorney General on practical and general policies concerning the cooperation of Federal, State, local, and tribal governments, child welfare agencies, social service providers, physical health and mental health providers, victim service providers, State or local courts with responsibility for conducting or supervising proceedings relating to child welfare or social services for children and their families, Federal, State, and local police, juvenile detention centers, and runaway and homeless youth programs, schools, the gaming and entertainment industry, and businesses and organizations that provide services to youth, on responding to sex trafficking, including the development and implementation of—

"(A) successful interventions with children and youth who are exposed to conditions that make them vulnerable to, or victims of, sex trafficking; and

Recommendations.

"(B) recommendations for administrative or legislative changes necessary to use programs, properties, or other resources owned, operated, or funded by the Federal Government to provide safe housing for children and youth who are sex trafficking victims and provide support to entities that provide housing or other assistance to the victims.

"(3) BEST PRACTICES AND RECOMMENDATIONS FOR STATES.—

Deadline.

"(A) IN GENERAL.—Within 2 years after the establishment of the Committee, the Committee shall develop 2 tiers (referred to in this subparagraph as 'Tier I' and 'Tier II') of recommended best practices for States to follow in combating the sex trafficking of children and youth. Tier I shall provide States that have not yet substantively addressed the sex trafficking of children and youth with an idea of where to begin and what steps to take. Tier II shall provide States that are already working to address the sex trafficking of children and youth with examples of policies that are already being used effectively by other States to address sex trafficking.

"(B) DEVELOPMENT.—The best practices shall be based on multidisciplinary research and promising, evidence-

based models and programs as reflected in State efforts to meet the requirements of sections 101 and 102 of the Preventing Sex Trafficking and Strengthening Families Act.

"(C) CONTENT.—The best practices shall be user-friendly, incorporate the most up-to-date technology, and include the following:

"(i) Sample training materials, protocols, and screening tools that, to the extent possible, accommodate for regional differences among the States, to prepare individuals who administer social services to identify and serve children and youth who are sex trafficking victims or at-risk of sex trafficking.

"(ii) Multidisciplinary strategies to identify victims, manage cases, and improve services for all children and youth who are at risk of sex trafficking, or are sex trafficking victims, in the United States.

"(iii) Sample protocols and recommendations based on current States' efforts, accounting for regional differences between States that provide for effective, cross-system collaboration between Federal, State, local, and tribal governments, child welfare agencies, social service providers, physical health and mental health providers, victim service providers, State or local courts with responsibility for conducting or supervising proceedings relating to child welfare or social services for children and their families, the gaming and entertainment industry, Federal, State, and local police, juvenile detention centers and runaway and homeless youth programs, housing resources that are appropriate for housing child and youth victims of trafficking, schools, and businesses and organizations that provide services to children and youth. These protocols and recommendations should include strategies to identify victims and collect, document, and share data across systems and agencies, and should be designed to help agencies better understand the type of sex trafficking involved, the scope of the problem, the needs of the population to be served, ways to address the demand for trafficked children and youth and increase prosecutions of traffickers and purchasers of children and youth, and the degree of victim interaction with multiple systems.

"(iv) Developing the criteria and guidelines necessary for establishing safe residential placements for foster children who have been sex trafficked as well as victims of trafficking identified through interaction with law enforcement.

"(v) Developing training guidelines for caregivers that serve children and youth being cared for outside the home.

"(D) INFORMING STATES OF BEST PRACTICES.—The Committee, in coordination with the National Governors Association, Secretary and Attorney General, shall ensure that State Governors and child welfare agencies are notified and informed on a quarterly basis of the best practices and recommendations for States, and notified 6 months

Notifications. Deadlines.

in advance that the Committee will be evaluating the extent to which States adopt the Committee's recommendations.

Public information. Web posting.

"(E) REPORT ON STATE IMPLEMENTATION.—Within 3 years after the establishment of the Committee, the Committee shall submit to the Secretary and the Attorney General, as part of its final report as well as for online and publicly available publication, a description of what each State has done to implement the recommendations of the Committee.

"(e) REPORTS.—

"(1) IN GENERAL.—The Committee shall submit an interim and a final report on the work of the Committee to—

"(A) the Secretary;

"(B) the Attorney General;

"(C) the Committee on Finance of the Senate; and

"(D) the Committee on Ways and Means of the House of Representatives.

"(2) REPORTING DATES.—The interim report shall be submitted not later than 3 years after the establishment of the Committee. The final report shall be submitted not later than 4 years after the establishment of the Committee.

"(f) ADMINISTRATION.—

"(1) AGENCY SUPPORT.—The Secretary shall direct the head of the Administration for Children and Families of the Department of Health and Human Services to provide all necessary support for the Committee.

"(2) MEETINGS.—

"(A) IN GENERAL.—The Committee will meet at the call of the Secretary at least twice each year to carry out this section, and more often as otherwise required.

"(B) ACCOMMODATION FOR COMMITTEE MEMBERS UNABLE TO ATTEND IN PERSON.—The Secretary shall create a process through which Committee members who are unable to travel to a Committee meeting in person may participate remotely through the use of video conference, teleconference, online, or other means.

"(3) SUBCOMMITTEES.—The Committee may establish subcommittees or working groups, as necessary and consistent with the mission of the Committee. The subcommittees or working groups shall have no authority to make decisions on behalf of the Committee, nor shall they report directly to any official or entity listed in subsection (d).

"(4) RECORDKEEPING.—The records of the Committee and any subcommittees and working groups shall be maintained in accordance with appropriate Department of Health and Human Services policies and procedures and shall be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. 552).

Website.

"(g) TERMINATION.—The Committee shall terminate 5 years after the date of its establishment, but the Secretary shall continue to operate and update, as necessary, an Internet website displaying the State best practices, recommendations, and evaluation of State-by-State implementation of the Secretary's recommendations.

"(h) DEFINITION.—For the purpose of this section, the term 'sex trafficking' includes the definition set forth in section 103(10) of the Trafficking Victims Protection Act of 2000 (22 U.S.C.

7102(10)) and 'severe form of trafficking in persons' described in section 103(9)(A) of such Act.".

TITLE II—IMPROVING ADOPTION INCENTIVES AND EXTENDING FAMILY CONNECTION GRANTS

Subtitle A—Improving Adoption Incentive Payments

SEC. 201. EXTENSION OF PROGRAM THROUGH FISCAL YEAR 2016.

Section 473A (42 U.S.C. 673b) is amended—

(1) in subsection (b)(5), by striking "2008 through 2012" and inserting "2013 through 2015"; and

(2) in each of paragraphs (1)(D) and (2) of subsection (h), by striking "2013" and inserting "2016".

SEC. 202. IMPROVEMENTS TO AWARD STRUCTURE.

(a) ELIGIBILITY FOR AWARD.—Section 473A(b) (42 U.S.C. 673b(b)) is amended by striking paragraph (2) and redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively.

(b) DATA REQUIREMENTS.—Section 473A(c)(2) (42 U.S.C. 673b(c)(2)) is amended—

(1) in the paragraph heading, by striking "NUMBERS OF ADOPTIONS" and inserting "RATES OF ADOPTIONS AND GUARDIANSHIPS";

(2) by striking "the numbers" and all that follows through "section," and inserting "each of the rates required to be determined under this section with respect to a State and a fiscal year,"; and

(3) by inserting before the period the following: ", and, with respect to the determination of the rates related to foster child guardianships, on the basis of information reported to the Secretary under paragraph (12) of subsection (g)".

(c) AWARD AMOUNT.—Section 473A(d) (42 U.S.C. 673b(d)) is amended—

(1) in paragraph (1), by striking subparagraphs (A) through (C) and inserting the following:

"(A) $5,000, multiplied by the amount (if any) by which—

"(i) the number of foster child adoptions in the State during the fiscal year; exceeds

"(ii) the product (rounded to the nearest whole number) of—

"(I) the base rate of foster child adoptions for the State for the fiscal year; and

"(II) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year;

"(B) $7,500, multiplied by the amount (if any) by which—

"(i) the number of pre-adolescent child adoptions and pre-adolescent foster child guardianships in the State during the fiscal year; exceeds

"(ii) the product (rounded to the nearest whole number) of—

"(I) the base rate of pre-adolescent child adoptions and pre-adolescent foster child guardianships for the State for the fiscal year; and

"(II) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year who have attained 9 years of age but not 14 years of age; and

"(C) $10,000, multiplied by the amount (if any) by which—

"(i) the number of older child adoptions and older foster child guardianships in the State during the fiscal year; exceeds

"(ii) the product (rounded to the nearest whole number) of—

"(I) the base rate of older child adoptions and older foster child guardianships for the State for the fiscal year; and

"(II) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year who have attained 14 years of age; and

"(D) $4,000, multiplied by the amount (if any) by which—

"(i) the number of foster child guardianships in the State during the fiscal year; exceeds

"(ii) the product (rounded to the nearest whole number) of—

"(I) the base rate of foster child guardianships for the State for the fiscal year; and

"(II) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year."; and

(2) by striking paragraph (3) and inserting the following:

Determinations.

"(3) INCREASED ADOPTION AND LEGAL GUARDIANSHIP INCENTIVE PAYMENT FOR TIMELY ADOPTIONS.—

"(A) IN GENERAL.—If for any of fiscal years 2013 through 2015, the total amount of adoption and legal guardianship incentive payments payable under paragraph (1) of this subsection are less than the amount appropriated under subsection (h) for the fiscal year, then, from the remainder of the amount appropriated for the fiscal year that is not required for such payments (in this paragraph referred to as the 'timely adoption award pool'), the Secretary shall increase the adoption incentive payment determined under paragraph (1) for each State that the Secretary determines is a timely adoption award State for the fiscal year by the award amount determined for the fiscal year under subparagraph (C).

"(B) TIMELY ADOPTION AWARD STATE DEFINED.—A State is a timely adoption award State for a fiscal year if the Secretary determines that, for children who were in foster care under the supervision of the State at the time of

adoptive placement, the average number of months from removal of children from their home to the placement of children in finalized adoptions is less than 24 months.

"(C) AWARD AMOUNT.—For purposes of subparagraph (A), the award amount determined under this subparagraph with respect to a fiscal year is the amount equal to the timely adoption award pool for the fiscal year divided by the number of timely adoption award States for the fiscal year.".

(d) DEFINITIONS.—Section 473A(g) (42 U.S.C. 673b(g)) is amended by striking paragraphs (1) through (8) and inserting the following:

"(1) FOSTER CHILD ADOPTION RATE.—The term 'foster child adoption rate' means, with respect to a State and a fiscal year, the percentage determined by dividing—

"(A) the number of foster child adoptions finalized in the State during the fiscal year; by

"(B) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year.

"(2) BASE RATE OF FOSTER CHILD ADOPTIONS.—The term 'base rate of foster child adoptions' means, with respect to a State and a fiscal year, the lesser of—

"(A) the foster child adoption rate for the State for the then immediately preceding fiscal year; or

"(B) the foster child adoption rate for the State for the average of the then immediately preceding 3 fiscal years.

"(3) FOSTER CHILD ADOPTION.—The term 'foster child adoption' means the final adoption of a child who, at the time of adoptive placement, was in foster care under the supervision of the State.

"(4) PRE-ADOLESCENT CHILD ADOPTION AND PRE-ADOLESCENT FOSTER CHILD GUARDIANSHIP RATE.—The term 'pre-adolescent child adoption and pre-adolescent foster child guardianship rate' means, with respect to a State and a fiscal year, the percentage determined by dividing—

"(A) the number of pre-adolescent child adoptions and pre-adolescent foster child guardianships finalized in the State during the fiscal year; by

"(B) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year, who have attained 9 years of age but not 14 years of age.

"(5) BASE RATE OF PRE-ADOLESCENT CHILD ADOPTIONS AND PRE-ADOLESCENT FOSTER CHILD GUARDIANSHIPS.—The term 'base rate of pre-adolescent child adoptions and pre-adolescent foster child guardianships' means, with respect to a State and a fiscal year, the lesser of—

"(A) the pre-adolescent child adoption and pre-adolescent foster child guardianship rate for the State for the then immediately preceding fiscal year; or

"(B) the pre-adolescent child adoption and pre-adolescent foster child guardianship rate for the State for the average of the then immediately preceding 3 fiscal years.

"(6) PRE-ADOLESCENT CHILD ADOPTION AND PRE-ADOLESCENT FOSTER CHILD GUARDIANSHIP.—The term 'pre-adolescent

child adoption and pre-adolescent foster child guardianship' means the final adoption, or the placement into foster child guardianship (as defined in paragraph (12)) of a child who has attained 9 years of age but not 14 years of age if—

"(A) at the time of the adoptive or foster child guardianship placement, the child was in foster care under the supervision of the State; or

"(B) an adoption assistance agreement was in effect under section 473(a) with respect to the child.

"(7) OLDER CHILD ADOPTION AND OLDER FOSTER CHILD GUARDIANSHIP RATE.—The term 'older child adoption and older foster child guardianship rate' means, with respect to a State and a fiscal year, the percentage determined by dividing—

"(A) the number of older child adoptions and older foster child guardianships finalized in the State during the fiscal year; by

"(B) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year, who have attained 14 years of age.

"(8) BASE RATE OF OLDER CHILD ADOPTIONS AND OLDER FOSTER CHILD GUARDIANSHIPS.—The term 'base rate of older child adoptions and older foster child guardianships' means, with respect to a State and a fiscal year, the lesser of—

"(A) the older child adoption and older foster child guardianship rate for the State for the then immediately preceding fiscal year; or

"(B) the older child adoption and older foster child guardianship rate for the State for the average of the then immediately preceding 3 fiscal years.

"(9) OLDER CHILD ADOPTION AND OLDER FOSTER CHILD GUARDIANSHIP.—The term 'older child adoption and older foster child guardianship' means the final adoption, or the placement into foster child guardianship (as defined in paragraph (12)) of a child who has attained 14 years of age if—

"(A) at the time of the adoptive or foster child guardianship placement, the child was in foster care under the supervision of the State; or

"(B) an adoption assistance agreement was in effect under section 473(a) with respect to the child.

"(10) FOSTER CHILD GUARDIANSHIP RATE.—The term 'foster child guardianship rate' means, with respect to a State and a fiscal year, the percentage determined by dividing—

"(A) the number of foster child guardianships occurring in the State during the fiscal year; by

"(B) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year.

"(11) BASE RATE OF FOSTER CHILD GUARDIANSHIPS.—The term 'base rate of foster child guardianships' means, with respect to a State and a fiscal year, the lesser of—

"(A) the foster child guardianship rate for the State for the then immediately preceding fiscal year; or

"(B) the foster child guardianship rate for the State for the average of the then immediately preceding 3 fiscal years.

"(12) FOSTER CHILD GUARDIANSHIP.—The term 'foster child guardianship' means, with respect to a State, the exit of a

child from foster care under the responsibility of the State to live with a legal guardian, if the State has reported to the Secretary—

"(A) that the State agency has determined that—

"(i) the child has been removed from his or her home pursuant to a voluntary placement agreement or as a result of a judicial determination to the effect that continuation in the home would be contrary to the welfare of the child;

"(ii) being returned home or adopted are not appropriate permanency options for the child;

"(iii) the child demonstrates a strong attachment to the prospective legal guardian, and the prospective legal guardian has a strong commitment to caring permanently for the child; and

"(iv) if the child has attained 14 years of age, the child has been consulted regarding the legal guardianship arrangement; or

"(B) the alternative procedures used by the State to determine that legal guardianship is the appropriate option for the child.".

SEC. 203. RENAMING OF PROGRAM.

(a) IN GENERAL.—The section heading of section 473A (42 U.S.C. 673b) is amended to read as follows:

"SEC. 473A. ADOPTION AND LEGAL GUARDIANSHIP INCENTIVE PAYMENTS.".

(b) CONFORMING AMENDMENTS.—

(1) Section 473A is amended in each of subsections (a), (d)(1), (d)(2)(A), and (d)(2)(B) (42 U.S.C. 673b(a), (d)(1), (d)(2)(A), and (d)(2)(B)) by inserting "and legal guardianship" after "adoption" each place it appears.

(2) The heading of section 473A(d) (42 U.S.C. 673b(d)) is amended by inserting "AND LEGAL GUARDIANSHIP" after "ADOPTION".

SEC. 204. LIMITATION ON USE OF INCENTIVE PAYMENTS.

Section 473A(f) (42 U.S.C. 673b(f)) is amended in the 1st sentence by inserting ", and shall use the amount to supplement, and not supplant, any Federal or non-Federal funds used to provide any service under part B or E" before the period.

SEC. 205. INCREASE IN PERIOD FOR WHICH INCENTIVE PAYMENTS ARE AVAILABLE FOR EXPENDITURE.

Section 473A(e) (42 U.S.C. 673b(e)) is amended—

(1) in the subsection heading, by striking "24-MONTH" and inserting "36-MONTH"; and

(2) by striking "24-month" and inserting "36-month".

SEC. 206. STATE REPORT ON CALCULATION AND USE OF SAVINGS RESULTING FROM THE PHASE-OUT OF ELIGIBILITY REQUIREMENTS FOR ADOPTION ASSISTANCE; REQUIREMENT TO SPEND 30 PERCENT OF SAVINGS ON CERTAIN SERVICES.

Section 473(a)(8) (42 U.S.C. 673(a)(8)) is amended to read as follows:

"(8)(A) A State shall calculate the savings (if any) resulting from the application of paragraph (2)(A)(ii) to all applicable children for a fiscal year, using a methodology specified by the Secretary or an alternate methodology proposed by the State and approved by the Secretary.

"(B) A State shall annually report to the Secretary—

"(i) the methodology used to make the calculation described in subparagraph (A), without regard to whether any savings are found;

"(ii) the amount of any savings referred to in subparagraph (A); and

"(iii) how any such savings are spent, accounting for and reporting the spending separately from any other spending reported to the Secretary under part B or this part.

Public information. Web posting.

"(C) The Secretary shall make all information reported pursuant to subparagraph (B) available on the website of the Department of Health and Human Services in a location easily accessible to the public.

"(D)(i) A State shall spend an amount equal to the amount of the savings (if any) in State expenditures under this part resulting from the application of paragraph (2)(A)(ii) to all applicable children for a fiscal year, to provide to children of families any service that may be provided under part B or this part. A State shall spend not less than 30 percent of any such savings on post-adoption services, post-guardianship services, and services to support and sustain positive permanent outcomes for children who otherwise might enter into foster care under the responsibility of the State, with at least ⅔ of the spending by the State to comply with such 30 percent requirement being spent on post-adoption and post-guardianship services.

"(ii) Any State spending required under clause (i) shall be used to supplement, and not supplant, any Federal or non-Federal funds used to provide any service under part B or this part.".

SEC. 207. PRESERVATION OF ELIGIBILITY FOR KINSHIP GUARDIANSHIP ASSISTANCE PAYMENTS WITH A SUCCESSOR GUARDIAN.

Section 473(d)(3) (42 U.S.C. 673(d)(3)) is amended by adding at the end the following:

"(C) ELIGIBILITY NOT AFFECTED BY REPLACEMENT OF GUARDIAN WITH A SUCCESSOR GUARDIAN.—In the event of the death or incapacity of the relative guardian, the eligibility of a child for a kinship guardianship assistance payment under this subsection shall not be affected by reason of the replacement of the relative guardian with a successor legal guardian named in the kinship guardianship assistance agreement referred to in paragraph (1) (including in any amendment to the agreement), notwithstanding subparagraph (A) of this paragraph and section 471(a)(28).".

SEC. 208. DATA COLLECTION ON ADOPTION AND LEGAL GUARDIANSHIP DISRUPTION AND DISSOLUTION.

Section 479 (42 U.S.C. 679) is amended by adding at the end the following:

"(d) To promote improved knowledge on how best to ensure strong, permanent families for children, the Secretary shall promulgate regulations providing for the collection and analysis of information regarding children who enter into foster care under the supervision of a State after prior finalization of an adoption or legal guardianship. The regulations shall require each State with a State plan approved under this part to collect and report as part of such data collection system the number of children who enter foster care under supervision of the State after finalization of an adoption or legal guardianship and may include information concerning the length of the prior adoption or guardianship, the age of the child at the time of the prior adoption or guardianship, the age at which the child subsequently entered foster care under supervision of the State, the type of agency involved in making the prior adoptive or guardianship placement, and any other factors determined necessary to better understand factors associated with the child's post-adoption or post-guardianship entry to foster care.". Regulations. Reports.

SEC. 209. ENCOURAGING THE PLACEMENT OF CHILDREN IN FOSTER CARE WITH SIBLINGS.

(a) STATE PLAN AMENDMENT.—

(1) NOTIFICATION OF PARENTS OF SIBLINGS.—Section 471(a)(29) (42 U.S.C. 671(a)(29)) is amended by striking "all adult grandparents" and inserting "the following relatives: all adult grandparents, all parents of a sibling of the child, where such parent has legal custody of such sibling,".

(2) SIBLING DEFINED.—Section 475 (42 U.S.C. 675), as amended by sections 101(b) and 111(a)(1) of this Act, is amended by adding at the end the following:

"(12) The term 'sibling' means an individual who satisfies at least one of the following conditions with respect to a child:

"(A) The individual is considered by State law to be a sibling of the child.

"(B) The individual would have been considered a sibling of the child under State law but for a termination or other disruption of parental rights, such as the death of a parent.".

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as subordinating the rights of foster or adoptive parents of a child to the rights of the parents of a sibling of that child. 42 USC 671 note.

SEC. 210. EFFECTIVE DATES. 42 USC 671 note.

(a) IN GENERAL.—Except as otherwise provided in this section, the amendments made by this subtitle shall take effect as if enacted on October 1, 2013.

(b) RESTRUCTURING AND RENAMING OF PROGRAM.—

(1) IN GENERAL.—The amendments made by sections 202 and 203 shall take effect on October 1, 2014, subject to paragraph (2).

(2) TRANSITION RULE.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the total amount payable to a State under section 473A of the Social Security Act for fiscal year 2014 shall be an amount equal to ½ of the sum of—

(i) the total amount that would be payable to the State under such section for fiscal year 2014 if the amendments made by section 202 of this Act had not taken effect; and

(ii) the total amount that would be payable to the State under such section for fiscal year 2014 in the absence of this paragraph.

(B) PRO RATA ADJUSTMENT IF INSUFFICIENT FUNDS AVAILABLE.—If the total amount otherwise payable under subparagraph (A) for fiscal year 2014 exceeds the amount appropriated pursuant to section 473A(h) of the Social Security Act (42 U.S.C. 673b(h)) for that fiscal year, the amount payable to each State under subparagraph (A) for fiscal year 2014 shall be—

(i) the amount that would otherwise be payable to the State under subparagraph (A) for fiscal year 2014; multiplied by

(ii) the percentage represented by the amount so appropriated for fiscal year 2014, divided by the total amount otherwise payable under subparagraph (A) to all States for that fiscal year.

(c) USE OF INCENTIVE PAYMENTS; ELIGIBILITY FOR KINSHIP GUARDIANSHIP ASSISTANCE PAYMENTS WITH A SUCCESSOR GUARDIAN; DATA COLLECTION.—The amendments made by sections 204, 207, and 208 shall take effect on the date of enactment of this Act.

(d) CALCULATION AND USE OF SAVINGS RESULTING FROM THE PHASE-OUT OF ELIGIBILITY REQUIREMENTS FOR ADOPTION ASSISTANCE.—The amendment made by section 206 shall take effect on October 1, 2014.

(e) NOTIFICATION OF PARENTS OF SIBLINGS.—

(1) IN GENERAL.—The amendments made by section 209 shall take effect on the date of enactment of this Act, subject to paragraph (2).

Determination.

(2) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.—In the case of a State plan approved under part E of title IV of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by section 209, the State plan shall not be regarded as failing to comply with the requirements of such part solely on the basis of the failure of the plan to meet such additional requirements before the 1st day of the 1st calendar quarter beginning after the close of the 1st regular session of the State legislature that ends after the 1-year period beginning with the date of enactment of this Act. For purposes of the preceding sentence, in the case of a State that has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

Subtitle B—Extending the Family Connection Grant Program

SEC. 221. EXTENSION OF FAMILY CONNECTION GRANT PROGRAM.

(a) IN GENERAL.—Section 427(h) (42 U.S.C. 627(h)) is amended by striking "2013" and inserting "2014".

(b) ELIGIBILITY OF UNIVERSITIES FOR MATCHING GRANTS.—Section 427(a) (42 U.S.C. 627(a)) is amended, in the matter preceding paragraph (1)—

(1) by striking "and" before "private"; and

(2) by inserting "and institutions of higher education (as defined under section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001))," after "arrangements,".

(c) FINDING FAMILIES FOR FOSTER CHILDREN WHO ARE PARENTS.—Section 427(a)(1)(E) (42 U.S.C. 627(a)(1)(E)) is amended by inserting "and other individuals who are willing and able to be foster parents for children in foster care under the responsibility of the State who are themselves parents" after "kinship care families".

(d) RESERVATION OF FUNDS.—Section 427(g) (42 U.S.C. 627(g)) is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect as if enacted on October 1, 2013. 42 USC 627 note.

TITLE III—IMPROVING INTERNATIONAL CHILD SUPPORT RECOVERY

SEC. 301. AMENDMENTS TO ENSURE ACCESS TO CHILD SUPPORT SERVICES FOR INTERNATIONAL CHILD SUPPORT CASES.

(a) AUTHORITY OF THE SECRETARY OF HHS TO ENSURE COMPLIANCE WITH MULTILATERAL CHILD SUPPORT CONVENTIONS.—

(1) IN GENERAL.—Section 452 (42 U.S.C. 652) is amended—

(A) by redesignating the second subsection (l) (as added by section 7306 of the Deficit Reduction Act of 2005) as subsection (m); and

(B) by adding at the end the following:

"(n) The Secretary shall use the authorities otherwise provided by law to ensure the compliance of the United States with any multilateral child support convention to which the United States is a party.".

(2) CONFORMING AMENDMENT.—Section 453(k)(3) (42 U.S.C. 653(k)(3)) is amended by striking "452(l)" and inserting "452(m)".

(b) ACCESS TO THE FEDERAL PARENT LOCATOR SERVICE.—Section 453(c) (42 U.S.C. 653(c)) is amended—

(1) by striking "and" at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting "; and"; and

(3) by adding at the end the following:

"(5) an entity designated as a Central Authority for child support enforcement in a foreign reciprocating country or a foreign treaty country for purposes specified in section 459A(c)(2).".

(c) STATE OPTION TO REQUIRE INDIVIDUALS IN FOREIGN COUNTRIES TO APPLY THROUGH THEIR COUNTRY'S APPROPRIATE CENTRAL AUTHORITY.—Section 454 (42 U.S.C. 654) is amended—

(1) in paragraph (4)(A)(ii), by inserting before the semicolon "(except that, if the individual applying for the services resides in a foreign reciprocating country or foreign treaty country, the State may opt to require the individual to request the services through the Central Authority for child support enforcement in the foreign reciprocating country or the foreign

treaty country, and if the individual resides in a foreign country that is not a foreign reciprocating country or a foreign treaty country, a State may accept or reject the application)"; and

(2) in paragraph (32)—

(A) in subparagraph (A), by inserting ", a foreign treaty country," after "a foreign reciprocating country"; and

(B) in subparagraph (C), by striking "or foreign obligee" and inserting ", foreign treaty country, or foreign individual".

(d) AMENDMENTS TO INTERNATIONAL SUPPORT ENFORCEMENT PROVISIONS.—Section 459A (42 U.S.C. 659a) is amended—

(1) by adding at the end the following:

"(e) REFERENCES.—In this part:

"(1) FOREIGN RECIPROCATING COUNTRY.—The term 'foreign reciprocating country' means a foreign country (or political subdivision thereof) with respect to which the Secretary has made a declaration pursuant to subsection (a).

"(2) FOREIGN TREATY COUNTRY.—The term 'foreign treaty country' means a foreign country for which the 2007 Family Maintenance Convention is in force.

"(3) 2007 FAMILY MAINTENANCE CONVENTION.—The term '2007 Family Maintenance Convention' means the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance.";

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking "foreign countries that are the subject of a declaration under this section" and inserting "foreign reciprocating countries or foreign treaty countries"; and

(B) in paragraph (2), by inserting "and foreign treaty countries" after "foreign reciprocating countries"; and

(3) in subsection (d), by striking "the subject of a declaration pursuant to subsection (a)" and inserting "foreign reciprocating countries or foreign treaty countries".

(e) COLLECTION OF PAST-DUE SUPPORT FROM FEDERAL TAX REFUNDS.—Section 464(a)(2)(A) (42 U.S.C. 664(a)(2)(A)) is amended by striking "under section 454(4)(A)(ii)" and inserting "under paragraph (4)(A)(ii) or (32) of section 454".

(f) STATE LAW REQUIREMENT CONCERNING THE UNIFORM INTERSTATE FAMILY SUPPORT ACT (UIFSA).—

(1) IN GENERAL.—Section 466(f) (42 U.S.C. 666(f)) is amended—

(A) by striking "on and after January 1, 1998,";

(B) by striking "and as in effect on August 22, 1996,"; and

(C) by striking "adopted as of such date" and inserting "adopted as of September 30, 2008".

(2) CONFORMING AMENDMENTS TO TITLE 28, UNITED STATES CODE.—Section 1738B of title 28, United States Code, is amended—

(A) in subsection (d), by striking "individual contestant" and inserting "individual contestant or the parties have consented in a record or open court that the tribunal of the State may continue to exercise jurisdiction to modify its order,";

(B) in subsection (e)(2)(A), by striking "individual contestant" and inserting "individual contestant and the

parties have not consented in a record or open court that the tribunal of the other State may continue to exercise jurisdiction to modify its order"; and

(C) in subsection (b)—

(i) by striking "'child' means" and inserting "(1) The term 'child' means";

(ii) by striking "'child's State' means" and inserting "(2) The term 'child's State' means";

(iii) by striking "'child's home State' means" and inserting "(3) The term 'child's home State' means";

(iv) by striking "'child support' means" and inserting "(4) The term 'child support' means";

(v) by striking "'child support order'" and inserting "(5) The term 'child support order'";

(vi) by striking "'contestant' means" and inserting "(6) The term 'contestant' means";

(vii) by striking "'court' means" and inserting "(7) The term 'court' means";

(viii) by striking "'modification' means" and inserting "(8) The term 'modification' means"; and

(ix) by striking "'State' means" and inserting "(9) The term 'State' means".

(3) EFFECTIVE DATE; GRACE PERIOD FOR STATE LAW CHANGES.—

(A) PARAGRAPH (1).—(i) The amendments made by paragraph (1) shall take effect with respect to a State no later than the effective date of laws enacted by the legislature of the State implementing such paragraph, but in no event later than the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. 42 USC 666 note.

(ii) For purposes of clause (i), in the case of a State that has a 2-year legislative session, each year of the session shall be deemed to be a separate regular session of the State legislature.

(B) PARAGRAPH (2).—(i) The amendments made by subparagraphs (A) and (B) of paragraph (2) shall take effect on the date on which the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance enters into force for the United States. 28 USC 1738B note.

(ii) The amendments made by subparagraph (C) of paragraph (2) shall take effect on the date of the enactment of this Act.

SEC. 302. CHILD SUPPORT ENFORCEMENT PROGRAMS FOR INDIAN TRIBES.

(a) TRIBAL ACCESS TO THE FEDERAL PARENT LOCATOR SERVICE.—Section 453(c)(1) (42 U.S.C. 653(c)(1)) is amended by inserting "or Indian tribe or tribal organization (as defined in subsections (e) and (l) of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b))," after "any State".

(b) WAIVER AUTHORITY FOR INDIAN TRIBES OR TRIBAL ORGANIZATIONS OPERATING CHILD SUPPORT ENFORCEMENT PROGRAMS.—Section 1115(b) (42 U.S.C. 1315(b)) is amended—

(1) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and realigning the left margin of subparagraph (C) so as to align with subparagraphs (A) and (B) (as so redesignated);

(2) by inserting "(1)" after "(b)"; and

(3) by adding at the end the following:

"(2) An Indian tribe or tribal organization operating a program under section 455(f) shall be considered a State for purposes of authority to conduct an experimental, pilot, or demonstration project under subsection (a) to assist in promoting the objectives of part D of title IV and receiving payments under the second sentence of that subsection. The Secretary may waive compliance with any requirements of section 455(f) or regulations promulgated under that section to the extent and for the period the Secretary finds necessary for an Indian tribe or tribal organization to carry out such project. Costs of the project which would not otherwise be included as expenditures of a program operating under section 455(f) and which are not included as part of the costs of projects under section 1110, shall, to the extent and for the period prescribed by the Secretary, be regarded as expenditures under a tribal plan or plans approved under such section, or for the administration of such tribal plan or plans, as may be appropriate. An Indian tribe or tribal organization applying for or receiving start-up program development funding pursuant to section 309.16 of title 45, Code of Federal Regulations, shall not be considered to be an Indian tribe or tribal organization operating a program under section 455(f) for purposes of this paragraph.".

Waiver authority.

(c) CONFORMING AMENDMENTS.—Section 453(f) (42 U.S.C. 653(f)) is amended by inserting "and tribal" after "State" each place it appears.

SEC. 303. SENSE OF THE CONGRESS REGARDING OFFERING OF VOLUNTARY PARENTING TIME ARRANGEMENTS.

(a) FINDINGS.—The Congress finds as follows:

(1) The separation of a child from a parent does not end the financial or other responsibilities of the parent toward the child.

(2) Increased parental access and visitation not only improve parent-child relationships and outcomes for children, but also have been demonstrated to result in improved child support collections, which creates a double win for children—a more engaged parent and improved financial security.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) establishing parenting time arrangements when obtaining child support orders is an important goal which should be accompanied by strong family violence safeguards; and

(2) States should use existing funding sources to support the establishment of parenting time arrangements, including child support incentives, Access and Visitation Grants, and Healthy Marriage Promotion and Responsible Fatherhood Grants.

SEC. 304. DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.

(a) IN GENERAL.—Section 452 (42 U.S.C. 652), as amended by section 301(a)(1) of this Act, is amended by adding at the end the following:

"(o) DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.—

"(1) DESIGNATION.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget and considering State government perspectives, by rule, designate data exchange standards to govern, under this part— Consultation.

"(A) necessary categories of information that State agencies operating programs under State plans approved under this part are required under applicable Federal law to electronically exchange with another State agency; and

"(B) Federal reporting and data exchange required under applicable Federal law.

"(2) REQUIREMENTS.—The data exchange standards required by paragraph (1) shall, to the extent practicable—

"(A) incorporate a widely accepted, non-proprietary, searchable, computer-readable format, such as the eXtensible Markup Language;

"(B) contain interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model;

"(C) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

"(D) be consistent with and implement applicable accounting principles;

"(E) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

"(F) be capable of being continually upgraded as necessary.

"(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a change to existing data exchange standards found to be effective and efficient.".

(b) EFFECTIVE DATE.—The Secretary of Health and Human Services shall issue a proposed rule within 24 months after the date of the enactment of this section. The rule shall identify federally required data exchanges, include specification and timing of exchanges to be standardized, and address the factors used in determining whether and when to standardize data exchanges. It should also specify State implementation options and describe future milestones. Regulations. Deadline. 42 USC 652 note.

SEC. 305. REPORT TO CONGRESS.

The Secretary of Health and Human Services shall—

(1) in conjunction with the strategic plan, review and provide recommendations for cost-effective improvements to the child support enforcement program under part D of title IV of the Social Security Act, and ensure that the plan addresses the effectiveness and performance of the program, analyzes program practices, identifies possible new collection tools and approaches, and identifies strategies for holding parents accountable for supporting their children and for building the Review. Recommendations.

capacity of parents to pay child support, with specific attention given to matters including front-end services, on-going case management, collections, Tribal-State partnerships, interstate and intergovernmental interactions, program performance, data analytics, and information technology;

Consultation.

(2) in carrying out paragraph (1), consult with and include input from—

(A) State, tribal, and county child support directors;

(B) judges who preside over family courts or other State or local courts with responsibility for conducting or supervising proceedings relating to child support enforcement, child welfare, or social services for children and their families, and organizations that represent the judges;

(C) custodial parents and organizations that represent them;

(D) noncustodial parents and organizations that represent them; and

(E) organizations that represent fiduciary entities that are affected by child support enforcement policies; and

(3) in developing the report required by paragraph (4), solicit public comment;

(4) not later than June 30, 2015, submit to the Congress a report that sets forth policy options for improvements in child support enforcement, which report shall include the following:

(A) A review of the effectiveness of State child support enforcement programs, and the collection practices employed by State agencies administering programs under such part, and an analysis of the extent to which the practices result in unintended consequences or performance issues associated with the programs and practices.

(B) Recommendations for methods to enhance the effectiveness of child support enforcement programs and collection practices.

(C) A review of State best practices in regards to establishing and operating State and multistate lien registries.

(D) A compilation of State recovery and distribution policies.

(E) Options, with analysis, for methods to engage noncustodial parents in the lives of their children through consideration of parental time and visitation with children.

(F) An analysis of the role of alternative dispute resolution in making child support determinations.

(G) Identification of best practices for—

(i) determining which services and support programs available to custodial and noncustodial parents are non-duplicative, evidence-based, and produce quality outcomes, and connecting custodial and noncustodial parents to those services and support programs;

(ii) providing employment support, job training, and job placement for custodial and noncustodial parents; and

(iii) establishing services, supports, and child support payment tracking for noncustodial parents,

including options for the prevention of, and intervention on, uncollectible arrearages, such as retroactive obligations.

(H) Options, with analysis, for methods for States to use to collect child support payments from individuals who owe excessive arrearages as determined under section 454(31) of such Act.

(I) A review of State practices under 454(31) of such Act used to determine which individuals are excluded from the requirements of section 452(k) of such Act, including the extent to which individuals are able to successfully contest or appeal decisions.

(J) Options, with analysis, for actions as are determined to be appropriate for improvement in child support enforcement.

SEC. 306. REQUIRED ELECTRONIC PROCESSING OF INCOME WITHHOLDING.

(a) IN GENERAL.—Section 454A(g)(1) (42 U.S.C. 654a(g)(1)(A)) is amended—

(1) by striking ", to the maximum extent feasible,"; and

(2) in subparagraph (A)—

(A) by striking "and" at the end of clause (i);

(B) by adding "and" at the end of clause (ii); and

(C) by adding at the end the following:

"(iii) at the option of the employer, using the electronic transmission methods prescribed by the Secretary;".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2015. 42 USC 654a note.

TITLE IV—BUDGETARY EFFECTS

SEC. 401. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the

Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Approved September 29, 2014.

LEGISLATIVE HISTORY—H.R. 4980:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 23, considered and passed House.
Sept. 18, considered and passed Senate.

Public Law 113–184
113th Congress

Joint Resolution

Providing for the appointment of Michael Lynton as a citizen regent of the Board of Regents of the Smithsonian Institution.

Sept. 29, 2014
[S.J. Res. 40]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the resignation of France A. Córdova of Indiana on March 13, 2014, is filled by the appointment of Michael Lynton of California. The appointment is for a term of 6 years, beginning on the date of enactment of this joint resolution.

Effective date.

Approved September 29, 2014.

LEGISLATIVE HISTORY—S.J. Res. 40:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 23, considered and passed Senate.
Sept. 18, considered and passed House.

Public Law 113–185
113th Congress

An Act

Oct. 6, 2014
[H.R. 4994]

To amend title XVIII of the Social Security Act to provide for standardized post-acute care assessment data for quality, payment, and discharge planning, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Improving Medicare Post-Acute Care Transformation Act of 2014.
42 USC 1305 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Improving Medicare Post-Acute Care Transformation Act of 2014" or the "IMPACT Act of 2014".

SEC. 2. STANDARDIZATION OF POST-ACUTE CARE DATA.

(a) IN GENERAL.—Title XVIII of the Social Security Act is amended by adding at the end the following new section:

42 USC 1395*lll*.

"SEC. 1899B. STANDARDIZED POST-ACUTE CARE (PAC) ASSESSMENT DATA FOR QUALITY, PAYMENT, AND DISCHARGE PLANNING.

"(a) REQUIREMENT FOR STANDARDIZED ASSESSMENT DATA.—

"(1) IN GENERAL.—The Secretary shall—

"(A) require under the applicable reporting provisions post-acute care providers (as defined in paragraph (2)(A)) to report—

"(i) standardized patient assessment data in accordance with subsection (b);

"(ii) data on quality measures under subsection (c)(1); and

"(iii) data on resource use and other measures under subsection (d)(1);

"(B) require data described in subparagraph (A) to be standardized and interoperable so as to allow for the exchange of such data among such post-acute care providers and other providers and the use by such providers of such data that has been so exchanged, including by using common standards and definitions, in order to provide access to longitudinal information for such providers to facilitate coordinated care and improved Medicare beneficiary outcomes; and

"(C) in accordance with subsections (b)(1) and (c)(2), modify PAC assessment instruments (as defined in paragraph (2)(B)) applicable to post-acute care providers to—

"(i) provide for the submission of standardized patient assessment data under this title with respect to such providers; and

"(ii) enable comparison of such assessment data across all such providers to whom such data are applicable.

"(2) DEFINITIONS.—For purposes of this section:

"(A) POST-ACUTE CARE (PAC) PROVIDER.—The terms 'post-acute care provider' and 'PAC provider' mean—

"(i) a home health agency;

"(ii) a skilled nursing facility;

"(iii) an inpatient rehabilitation facility; and

"(iv) a long-term care hospital (other than a hospital classified under section 1886(d)(1)(B)(iv)(II)).

"(B) PAC ASSESSMENT INSTRUMENT.—The term 'PAC assessment instrument' means—

"(i) in the case of home health agencies, the instrument used for purposes of reporting and assessment with respect to the Outcome and Assessment Information Set (OASIS), as described in sections 484.55 and 484.250 of title 42, the Code of Federal Regulations, or any successor regulation, or any other instrument used with respect to home health agencies for such purposes;

"(ii) in the case of skilled nursing facilities, the resident's assessment under section 1819(b)(3);

"(iii) in the case of inpatient rehabilitation facilities, any Medicare beneficiary assessment instrument established by the Secretary for purposes of section 1886(j); and

"(iv) in the case of long-term care hospitals, the Medicare beneficiary assessment instrument used with respect to such hospitals for the collection of data elements necessary to calculate quality measures as described in the August 18, 2011, Federal Register (76 Fed. Reg. 51754–51755), including for purposes of section 1886(m)(5)(C), or any other instrument used with respect to such hospitals for assessment purposes.

"(C) APPLICABLE REPORTING PROVISION.—The term 'applicable reporting provision' means—

"(i) for home health agencies, section 1895(b)(3)(B)(v);

"(ii) for skilled nursing facilities, section 1888(e)(6);

"(iii) for inpatient rehabilitation facilities, section 1886(j)(7); and

"(iv) for long-term care hospitals, section 1886(m)(5).

"(D) PAC PAYMENT SYSTEM.—The term 'PAC payment system' means—

"(i) with respect to a home health agency, the prospective payment system under section 1895;

"(ii) with respect to a skilled nursing facility, the prospective payment system under section 1888(e);

"(iii) with respect to an inpatient rehabilitation facility, the prospective payment system under section 1886(j); and

"(iv) with respect to a long-term care hospital, the prospective payment system under section 1886(m).

"(E) SPECIFIED APPLICATION DATE.—The term 'specified application date' means the following:

"(i) QUALITY MEASURES.—In the case of quality measures under subsection (c)(1)—

"(I) with respect to the domain described in subsection (c)(1)(A) (relating to functional status, cognitive function, and changes in function and cognitive function)—

"(aa) for PAC providers described in clauses (ii) and (iii) of paragraph (2)(A), October 1, 2016;

"(bb) for PAC providers described in clause (iv) of such paragraph, October 1, 2018; and

"(cc) for PAC providers described in clause (i) of such paragraph, January 1, 2019;

"(II) with respect to the domain described in subsection (c)(1)(B) (relating to skin integrity and changes in skin integrity)—

"(aa) for PAC providers described in clauses (ii), (iii), and (iv) of paragraph (2)(A), October 1, 2016; and

"(bb) for PAC providers described in clause (i) of such paragraph, January 1, 2017;

"(III) with respect to the domain described in subsection (c)(1)(C) (relating to medication reconciliation)—

"(aa) for PAC providers described in clause (i) of such paragraph, January 1, 2017; and

"(bb) for PAC providers described in clauses (ii), (iii), and (iv) of such paragraph, October 1, 2018;

"(IV) with respect to the domain described in subsection (c)(1)(D) (relating to incidence of major falls)—

"(aa) for PAC providers described in clauses (ii), (iii), and (iv) of paragraph (2)(A), October 1, 2016; and

"(bb) for PAC providers described in clause (i) of such paragraph, January 1, 2019; and

"(V) with respect to the domain described in subsection (c)(1)(E) (relating to accurately communicating the existence of and providing for the transfer of health information and care preferences)—

"(aa) for PAC providers described in clauses (ii), (iii), and (iv) of paragraph (2)(A), October 1, 2018; and

"(bb) for PAC providers described in clause (i) of such paragraph, January 1, 2019.

"(ii) RESOURCE USE AND OTHER MEASURES.—In the case of resource use and other measures under subsection (d)(1)—

"(I) for PAC providers described in clauses (ii), (iii), and (iv) of paragraph (2)(A), October 1, 2016; and

"(II) for PAC providers described in clause (i) of such paragraph, January 1, 2017.

"(F) MEDICARE BENEFICIARY.—The term 'Medicare beneficiary' means an individual entitled to benefits under

part A or, as appropriate, enrolled for benefits under part B.

"(b) STANDARDIZED PATIENT ASSESSMENT DATA.—

"(1) REQUIREMENT FOR REPORTING ASSESSMENT DATA.—

"(A) IN GENERAL.—Beginning not later than October 1, 2018, for PAC providers described in clauses (ii), (iii), and (iv) of subsection (a)(2)(A) and January 1, 2019, for PAC providers described in clause (i) of such subsection, the Secretary shall require PAC providers to submit to the Secretary, under the applicable reporting provisions and through the use of PAC assessment instruments, the standardized patient assessment data described in subparagraph (B). The Secretary shall require such data be submitted with respect to admission and discharge of an individual (and may be submitted more frequently as the Secretary deems appropriate). Deadlines.

"(B) STANDARDIZED PATIENT ASSESSMENT DATA DESCRIBED.—For purposes of subparagraph (A), the standardized patient assessment data described in this subparagraph is data required for at least the quality measures described in subsection (c)(1) and that is with respect to the following categories:

"(i) Functional status, such as mobility and self care at admission to a PAC provider and before discharge from a PAC provider.

"(ii) Cognitive function, such as ability to express ideas and to understand, and mental status, such as depression and dementia.

"(iii) Special services, treatments, and interventions, such as need for ventilator use, dialysis, chemotherapy, central line placement, and total parenteral nutrition.

"(iv) Medical conditions and co-morbidities, such as diabetes, congestive heart failure, and pressure ulcers.

"(v) Impairments, such as incontinence and an impaired ability to hear, see, or swallow.

"(vi) Other categories deemed necessary and appropriate by the Secretary.

"(2) ALIGNMENT OF CLAIMS DATA WITH STANDARDIZED PATIENT ASSESSMENT DATA.—To the extent practicable, not later than October 1, 2018, for PAC providers described in clauses (ii), (iii), and (iv) of subsection (a)(2)(A), and January 1, 2019, for PAC providers described in clause (i) of such subsection, the Secretary shall match claims data with assessment data pursuant to this section for purposes of assessing prior service use and concurrent service use, such as antecedent hospital or PAC provider use, and may use such matched data for such other uses as the Secretary determines appropriate. Deadlines.

"(3) REPLACEMENT OF CERTAIN EXISTING DATA.—In the case of patient assessment data being used with respect to a PAC assessment instrument that duplicates or overlaps with standardized patient assessment data within a category described in paragraph (1), the Secretary shall, as soon as practicable, revise or replace such existing data with the standardized data.

"(4) CLARIFICATION.—Standardized patient assessment data submitted pursuant to this subsection shall not be used to require individuals to be provided post-acute care by a specific type of PAC provider in order for such care to be eligible for payment under this title.

"(c) QUALITY MEASURES.—

Deadline. Applicability.

"(1) REQUIREMENT FOR REPORTING QUALITY MEASURES.—Not later than the specified application date, as applicable to measures and PAC providers, the Secretary shall specify quality measures on which PAC providers are required under the applicable reporting provisions to submit standardized patient assessment data described in subsection (b)(1) and other necessary data specified by the Secretary. Such measures shall be with respect to at least the following domains:

"(A) Functional status, cognitive function, and changes in function and cognitive function.

"(B) Skin integrity and changes in skin integrity.

"(C) Medication reconciliation.

"(D) Incidence of major falls.

"(E) Accurately communicating the existence of and providing for the transfer of health information and care preferences of an individual to the individual, family caregiver of the individual, and providers of services furnishing items and services to the individual, when the individual transitions—

"(i) from a hospital or critical access hospital to another applicable setting, including a PAC provider or the home of the individual; or

"(ii) from a PAC provider to another applicable setting, including a different PAC provider, a hospital, a critical access hospital, or the home of the individual.

"(2) REPORTING THROUGH PAC ASSESSMENT INSTRUMENTS.—

Modification.

"(A) IN GENERAL.—To the extent possible, the Secretary shall require such reporting by a PAC provider of quality measures under paragraph (1) through the use of a PAC assessment instrument and shall modify such PAC assessment instrument as necessary to enable the use of such instrument with respect to such quality measures.

Federal Register, publication.

"(B) LIMITATION.—The Secretary may not make significant modifications to a PAC assessment instrument more than once per calendar year or fiscal year, as applicable, unless the Secretary publishes in the Federal Register a justification for such significant modification.

"(3) ADJUSTMENTS.—

"(A) IN GENERAL.—The Secretary shall consider applying adjustments to the quality measures under this subsection taking into consideration the studies under section 2(d) of the IMPACT Act of 2014.

"(B) RISK ADJUSTMENT.—Such quality measures shall be risk adjusted, as determined appropriate by the Secretary.

"(d) RESOURCE USE AND OTHER MEASURES.—

Deadline. Applicability.

"(1) REQUIREMENT FOR RESOURCE USE AND OTHER MEASURES.—Not later than the specified application date, as applicable to measures and PAC providers, the Secretary shall specify resource use and other measures on which PAC providers are required under the applicable reporting provisions

to submit any necessary data specified by the Secretary, which may include standardized assessment data in addition to claims data. Such measures shall be with respect to at least the following domains:

"(A) Resource use measures, including total estimated Medicare spending per beneficiary.

"(B) Discharge to community.

"(C) Measures to reflect all-condition risk-adjusted potentially preventable hospital readmission rates.

"(2) ALIGNING METHODOLOGY ADJUSTMENTS FOR RESOURCE USE MEASURES.—

"(A) PERIOD OF TIME.—With respect to the period of time used for calculating measures under paragraph (1)(A), the Secretary shall, to the extent the Secretary determines appropriate, align resource use with the methodology used for purposes of section 1886(o)(2)(B)(ii).

"(B) GEOGRAPHIC AND OTHER ADJUSTMENTS.—The Secretary shall standardize measures with respect to the domain described in paragraph (1)(A) for geographic payment rate differences and payment differentials (and other adjustments, as applicable) consistent with the methodology published in the Federal Register on August 18, 2011 (76 Fed. Reg. 51624 through 51626), or any subsequent modifications made to the methodology.

"(C) MEDICARE SPENDING PER BENEFICIARY.—The Secretary shall adjust, as appropriate, measures with respect to the domain described in paragraph (1)(A) for the factors applied under section 1886(o)(2)(B)(ii).

"(3) ADJUSTMENTS.—

"(A) IN GENERAL.—The Secretary shall consider applying adjustments to the resource use and other measures specified under this subsection with respect to the domain described in paragraph (1)(A), taking into consideration the studies under section 2(d) of the IMPACT Act of 2014.

"(B) RISK ADJUSTMENT.—Such resource use and other measures shall be risk adjusted, as determined appropriate by the Secretary.

"(e) MEASUREMENT IMPLEMENTATION PHASES; SELECTION OF QUALITY MEASURES AND RESOURCE USE AND OTHER MEASURES.—

"(1) MEASUREMENT IMPLEMENTATION PHASES.—In the case of quality measures specified under subsection (c)(1) and resource use and other measures specified under subsection (d)(1), the provisions of this section shall be implemented in accordance with the following phases:

"(A) INITIAL IMPLEMENTATION PHASE.—The initial implementation phase, with respect to such a measure, shall, in accordance with subsections (c) and (d), as applicable, consist of—

"(i) measure specification, including informing the public of the measure's numerator, denominator, exclusions, and any other aspects the Secretary determines necessary; Public information.

"(ii) data collection, including, in the case of quality measures, requiring PAC providers to report data elements needed to calculate such a measure; and Reports.

"(iii) data analysis, including, in the case of resource use and other measures, the use of claims data to calculate such a measure.

Reports.

"(B) SECOND IMPLEMENTATION PHASE.—The second implementation phase, with respect to such a measure, shall consist of the provision of feedback reports to PAC providers, in accordance with subsection (f).

Public information.

"(C) THIRD IMPLEMENTATION PHASE.—The third implementation phase, with respect to such a measure, shall consist of public reporting of PAC providers' performance on such measure in accordance with subsection (g).

"(2) CONSENSUS-BASED ENTITY.—

Contracts.

"(A) IN GENERAL.—Subject to subparagraph (B), each measure specified by the Secretary under this section shall be endorsed by the entity with a contract under section 1890(a).

"(B) EXCEPTION.—In the case of a specified area or medical topic determined appropriate by the Secretary for which a feasible and practical measure has not been endorsed by the entity with a contract under section 1890(a), the Secretary may specify a measure that is not so endorsed as long as due consideration is given to measures that have been endorsed or adopted by a consensus organization identified by the Secretary.

"(3) TREATMENT OF APPLICATION OF PRE-RULEMAKING PROCESS (MEASURE APPLICATIONS PARTNERSHIP PROCESS).—

"(A) IN GENERAL.—Subject to subparagraph (B), the provisions of section 1890A shall apply in the case of a quality measure specified under subsection (c) or a resource use or other measure specified under subsection (d).

"(B) EXCEPTIONS.—

"(i) EXPEDITED PROCEDURES.—For purposes of satisfying subparagraph (A), the Secretary may use expedited procedures, such as ad-hoc reviews, as necessary, in the case of a quality measure specified under subsection (c) or a resource use or other measure specified in subsection (d) required with respect to data submissions under the applicable reporting provisions during the 1-year period before the specified application date applicable to such a measure and provider involved.

"(ii) OPTION TO WAIVE PROVISIONS.—The Secretary may waive the application of the provisions of section 1890A in the case of a quality measure or resource use or other measure described in clause (i), if the application of such provisions (including through the use of an expedited procedure described in such clause) would result in the inability of the Secretary to satisfy any deadline specified in this section with respect to such measure.

"(f) FEEDBACK REPORTS TO PAC PROVIDERS.—

Effective date.

"(1) IN GENERAL.—Beginning one year after the specified application date, as applicable to PAC providers and quality measures and resource use and other measures under this section, the Secretary shall provide confidential feedback reports to such PAC providers on the performance of such

providers with respect to such measures required under the applicable provisions.

"(2) FREQUENCY.—To the extent feasible, the Secretary shall provide feedback reports described in paragraph (1) not less frequently than on a quarterly basis. Notwithstanding the previous sentence, with respect to measures described in such paragraph that are reported on an annual basis, the Secretary may provide such feedback reports on an annual basis.

"(g) PUBLIC REPORTING OF PAC PROVIDER PERFORMANCE.—

"(1) IN GENERAL.—Subject to the succeeding paragraphs of this subsection, the Secretary shall provide for public reporting of PAC provider performance on quality measures under subsection (c)(1) and the resource use and other measures under subsection (d)(1), including by establishing procedures for making available to the public information regarding the performance of individual PAC providers with respect to such measures. Procedures.

"(2) OPPORTUNITY TO REVIEW.—The procedures under paragraph (1) shall ensure, including through a process consistent with the process applied under section 1886(b)(3)(B)(viii)(VII) for similar purposes, that a PAC provider has the opportunity to review and submit corrections to the data and information that is to be made public with respect to the provider prior to such data being made public.

"(3) TIMING.—Such procedures shall provide that the data and information described in paragraph (1), with respect to a measure and PAC provider, is made publicly available beginning not later than two years after the specified application date applicable to such a measure and provider.

"(4) COORDINATION WITH EXISTING PROGRAMS.—Such procedures shall provide that data and information described in paragraph (1) with respect to quality measures and resource use and other measures under subsections (c)(1) and (d)(1) shall be made publicly available consistent with the following provisions:

"(A) In the case of home health agencies, section 1895(b)(3)(B)(v)(III).

"(B) In the case of skilled nursing facilities, sections 1819(i) and 1919(i).

"(C) In the case of inpatient rehabilitation facilities, section 1886(j)(7)(E).

"(D) In the case of long-term care hospitals, section 1886(m)(5)(E).

"(h) REMOVING, SUSPENDING, OR ADDING MEASURES.—

"(1) IN GENERAL.—The Secretary may remove, suspend, or add a quality measure or resource use or other measure described in subsection (c)(1) or (d)(1), so long as, subject to paragraph (2), the Secretary publishes in the Federal Register (with a notice and comment period) a justification for such removal, suspension, or addition. Federal Register, publication.

"(2) EXCEPTION.—In the case of such a quality measure or resource use or other measure for which there is a reason to believe that the continued collection of such measure raises potential safety concerns or would cause other unintended consequences, the Secretary may promptly suspend or remove such measure and satisfy paragraph (1) by publishing in the

Federal Register a justification for such suspension or removal in the next rulemaking cycle following such suspension or removal.

"(i) USE OF STANDARDIZED ASSESSMENT DATA, QUALITY MEASURES, AND RESOURCE USE AND OTHER MEASURES TO INFORM DISCHARGE PLANNING AND INCORPORATE PATIENT PREFERENCE.—

Deadlines. Regulations.

"(1) IN GENERAL.—Not later than January 1, 2016, and periodically thereafter (but not less frequently than once every 5 years), the Secretary shall promulgate regulations to modify conditions of participation and subsequent interpretive guidance applicable to PAC providers, hospitals, and critical access hospitals. Such regulations and interpretive guidance shall require such providers to take into account quality, resource use, and other measures under the applicable reporting provisions (which, as available, shall include measures specified under subsections (c) and (d), and other relevant measures) in the discharge planning process. Specifically, such regulations and interpretive guidance shall address the settings to which a patient may be discharged in order to assist subsection (d) hospitals, critical access hospitals, hospitals described in section 1886(d)(1)(B)(v), PAC providers, patients, and families of such patients with discharge planning from inpatient settings, including such hospitals, and from PAC provider settings. In addition, such regulations and interpretive guidance shall include procedures to address—

Procedures.

"(A) treatment preferences of patients; and

"(B) goals of care of patients.

"(2) DISCHARGE PLANNING.—All requirements applied pursuant to paragraph (1) shall be used to help inform and mandate the discharge planning process.

"(3) CLARIFICATION.—Such regulations shall not require an individual to be provided post-acute care by a specific type of PAC provider in order for such care to be eligible for payment under this title.

"(j) STAKEHOLDER INPUT.—Before the initial rulemaking process to implement this section, the Secretary shall allow for stakeholder input, such as through town halls, open door forums, and mailbox submissions.

"(k) FUNDING.—For purposes of carrying out this section, the Secretary shall provide for the transfer to the Centers for Medicare & Medicaid Services Program Management Account, from the Federal Hospital Insurance Trust Fund under section 1817 and the Federal Supplementary Medical Insurance Trust Fund under section 1841, in such proportion as the Secretary determines appropriate, of $130,000,000. Fifty percent of such amount shall be available on the date of the enactment of this section and fifty percent of such amount shall be equally proportioned for each of fiscal years 2015 through 2019. Such sums shall remain available until expended.

"(l) LIMITATION.—There shall be no administrative or judicial review under sections 1869 and 1878 or otherwise of the specification of standardized patient assessment data required, the determination of measures, and the systems to report such standardized data under this section.

"(m) NON-APPLICATION OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly referred to as the 'Paperwork Reduction Act of 1995') shall not apply to

this section and the sections referenced in subsection (a)(2)(B) that require modification in order to achieve the standardization of patient assessment data.".

(b) STUDIES OF ALTERNATIVE PAC PAYMENT MODELS.—

(1) MEDPAC.—Using data from the Post-Acute Payment Reform Demonstration authorized under section 5008 of the Deficit Reduction Act of 2005 (Public Law 109–171) or other data, as available, not later than June 30, 2016, the Medicare Payment Advisory Commission shall submit to Congress a report that evaluates and recommends features of PAC payment systems (as defined in section 1899B(a)(2)(D) of the Social Security Act, as added by subsection (a)) that establish, or a unified post-acute care payment system under title XVIII of the Social Security Act that establishes, payment rates according to characteristics of individuals (such as cognitive ability, functional status, and impairments) instead of according to the post-acute care setting where the Medicare beneficiary involved is treated. To the extent feasible, such report shall consider the impacts of moving from PAC payment systems (as defined in subsection (a)(2)(D) of such section 1899B) in existence as of the date of the enactment of this Act to new post-acute care payment systems under title XVIII of the Social Security Act. Deadline. Reports.

(2) RECOMMENDATIONS FOR PAC PROSPECTIVE PAYMENT.—

(A) REPORT BY SECRETARY.—Not later than 2 years after the date by which the Secretary of Health and Human Services has collected 2 years of data on quality measures under subsection (c) of section 1899B, as added by subsection (a), the Secretary shall, in consultation with the Medicare Payment Advisory Commission and appropriate stakeholders, submit to Congress a report, including— Consultation.

(i) recommendations and a technical prototype, on a post-acute care prospective payment system under title XVIII of the Social Security Act that would—

(I) in lieu of the rates that would otherwise apply under PAC payment systems (as defined in subsection (a)(2)(D) of such section 1899B), base payments under such title, with respect to items and services furnished to an individual by a PAC provider (as defined in subsection (a)(2)(A) of such section), according to individual characteristics (such as cognitive ability, functional status, and impairments) of such individual instead of the post-acute care setting in which the individual is furnished such items and services;

(II) account for the clinical appropriateness of items and services so furnished and Medicare beneficiary outcomes;

(III) be designed to incorporate (or otherwise account for) standardized patient assessment data under section 1899B; and

(IV) further clinical integration, such as by motivating greater coordination around a single condition or procedure to integrate hospital systems with PAC providers (as so defined).

(ii) recommendations on which Medicare fee-for-service regulations for post-acute care payment systems under title XVIII of the Social Security Act should be altered (such as the skilled nursing facility 3-day stay and inpatient rehabilitation facility 60 percent rule);

(iii) an analysis of the impact of the recommended payment system described in clause (i) on Medicare beneficiary cost-sharing, access to care, and choice of setting;

(iv) a projection of any potential reduction in expenditures under title XVIII of the Social Security Act that may be attributable to the application of the recommended payment system described in clause (i); and

(v) a review of the value of subsection (d) hospitals (as defined in section 1886(d)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)), hospitals described in section 1886(d)(1)(B)(v) of such Act (42 U.S.C. 1395ww(d)(1)(B)(v)), and critical access hospitals described in section 1820(c)(2)(B) of such Act (42 U.S.C. 1395i–4(c)(2)(B)) collecting and reporting to the Secretary standardized patient assessment data with respect to inpatient hospital services furnished by such a hospital or critical access hospital to individuals who are entitled to benefits under part A of title XVIII of such Act or, as appropriate, enrolled for benefits under part B of such title.

Recommendations.

(B) REPORT BY MEDPAC.—Not later than the first June 30th following the date on which the report is required under subparagraph (A), the Medicare Payment Advisory Commission shall submit to Congress a report, including recommendations and a technical prototype, on a post-acute care prospective payment system under title XVIII of the Social Security Act that would satisfy the criteria described in subparagraph (A).

(3) MEDICARE BENEFICIARY DEFINED.—For purposes of this subsection, the term "Medicare beneficiary" has the meaning given such term in section 1899B(a)(2) of the Social Security Act, as added by subsection (a).

(c) PAYMENT CONSEQUENCES UNDER THE APPLICABLE REPORTING PROVISIONS.—

(1) HOME HEALTH AGENCIES.—Section 1895(b)(3)(B)(v) of the Social Security Act (42 U.S.C. 1395fff(b)(3)(B)(v)) is amended—

(A) in subclause (I), by striking "subclause (II)" and inserting "subclauses (II) and (IV)";

(B) in subclause (II), by striking "For 2007" and inserting "Subject to subclause (V), for 2007";

(C) in subclause (III), by inserting "and subclause (IV)(aa)" after "subclause (II)"; and

(D) by adding at the end the following new subclauses:

"(IV) SUBMISSION OF ADDITIONAL DATA.—

"(aa) IN GENERAL.—For the year beginning on the specified application date (as defined in subsection (a)(2)(E) of section 1899B), as

applicable with respect to home health agencies and quality measures under subsection (c)(1) of such section and measures under subsection (d)(1) of such section, and each subsequent year, in addition to the data described in subclause (II), each home health agency shall submit to the Secretary data on such quality measures and any necessary data specified by the Secretary under such subsection (d)(1).

"(bb) STANDARDIZED PATIENT ASSESSMENT DATA.—For 2019 and each subsequent year, in addition to such data described in item (aa), each home health agency shall submit to the Secretary standardized patient assessment data required under subsection (b)(1) of section 1899B.

"(cc) SUBMISSION.—Data shall be submitted under items (aa) and (bb) in the form and manner, and at the time, specified by the Secretary for purposes of this clause.

"(V) NON-DUPLICATION.—To the extent data submitted under subclause (IV) duplicates other data required to be submitted under subclause (II), the submission of such data under subclause (IV) shall be in lieu of the submission of such data under subclause (II). The previous sentence shall not apply insofar as the Secretary determines it is necessary to avoid a delay in the implementation of section 1899B, taking into account the different specified application dates under subsection (a)(2)(E) of such section.".

(2) INPATIENT REHABILITATION FACILITIES.—Section 1886(j)(7) of the Social Security Act (42 U.S.C. 1395ww(j)(7)) is amended—

(A) in subparagraph (A)(i), by striking "subparagraph (C)" and inserting "subparagraphs (C) and (F)";

(B) in subparagraph (C), by striking "For fiscal year 2014 and each subsequent rate year" and inserting "Subject to subparagraph (G), for fiscal year 2014 and each subsequent fiscal year";

(C) in subparagraph (E), by inserting "and subparagraph (F)(i)" after "subparagraph (C)"; and

(D) by adding at the end the following new subparagraphs:

"(F) SUBMISSION OF ADDITIONAL DATA.—

"(i) IN GENERAL.—For the fiscal year beginning on the specified application date (as defined in subsection (a)(2)(E) of section 1899B), as applicable with respect to inpatient rehabilitation facilities and quality measures under subsection (c)(1) of such section and measures under subsection (d)(1) of such section, and each subsequent fiscal year, in addition to such data on the quality measures described in subparagraph (C), each rehabilitation facility shall submit to the Secretary data on the quality measures under such

Effective date.

subsection (c)(1) and any necessary data specified by the Secretary under such subsection (d)(1).

"(ii) STANDARDIZED PATIENT ASSESSMENT DATA.—For fiscal year 2019 and each subsequent fiscal year, in addition to such data described in clause (i), each rehabilitation facility shall submit to the Secretary standardized patient assessment data required under subsection (b)(1) of section 1899B.

"(iii) SUBMISSION.—Such data shall be submitted in the form and manner, and at the time, specified by the Secretary for purposes of this subparagraph.

"(G) NON-DUPLICATION.—To the extent data submitted under subparagraph (F) duplicates other data required to be submitted under subparagraph (C), the submission of such data under subparagraph (F) shall be in lieu of the submission of such data under subparagraph (C). The previous sentence shall not apply insofar as the Secretary determines it is necessary to avoid a delay in the implementation of section 1899B, taking into account the different specified application dates under subsection (a)(2)(E) of such section.".

(3) LONG-TERM CARE HOSPITALS.—Section 1886(m)(5) of the Social Security Act (42 U.S.C. 1395ww(m)(5)) is amended—

(A) in subparagraph (A)(i), by striking "subparagraph (C)" and inserting "subparagraphs (C) and (F)";

(B) in subparagraph (C), by striking "For rate year" and inserting "Subject to subparagraph (G), for rate year";

(C) in subparagraph (E), by inserting "and subparagraph (F)(i)" after "subparagraph (C)"; and

(D) by adding at the end the following new subparagraphs:

"(F) SUBMISSION OF ADDITIONAL DATA.—

Effective date.

"(i) IN GENERAL.—For the rate year beginning on the specified application date (as defined in subsection (a)(2)(E) of section 1899B), as applicable with respect to long-term care hospitals and quality measures under subsection (c)(1) of such section and measures under subsection (d)(1) of such section, and each subsequent rate year, in addition to the data on the quality measures described in subparagraph (C), each long-term care hospital (other than a hospital classified under subsection (d)(1)(B)(iv)(II)) shall submit to the Secretary data on the quality measures under such subsection (c)(1) and any necessary data specified by the Secretary under such subsection (d)(1).

"(ii) STANDARDIZED PATIENT ASSESSMENT DATA.—For rate year 2019 and each subsequent rate year, in addition to such data described in clause (i), each long-term care hospital (other than a hospital classified under subsection (d)(1)(B)(iv)(II)) shall submit to the Secretary standardized patient assessment data required under subsection (b)(1) of section 1899B.

"(iii) SUBMISSION.—Such data shall be submitted in the form and manner, and at the time, specified by the Secretary for purposes of this subparagraph.

"(G) NON-DUPLICATION.—To the extent data submitted under subparagraph (F) duplicates other data required to

be submitted under subparagraph (C), the submission of such data under subparagraph (F) shall be in lieu of the submission of such data under subparagraph (C). The previous sentence shall not apply insofar as the Secretary determines it is necessary to avoid a delay in the implementation of section 1899B, taking into account the different specified application dates under subsection (a)(2)(E) of such section.".

(4) SKILLED NURSING FACILITIES.—

(A) IN GENERAL.—Paragraph (6) of section 1888(e) of the Social Security Act (42 U.S.C. 1395yy(e)) is amended to read as follows:

"(6) REPORTING OF ASSESSMENT AND QUALITY DATA.—

"(A) REDUCTION IN UPDATE FOR FAILURE TO REPORT.—

"(i) IN GENERAL.—For fiscal years beginning with fiscal year 2018, in the case of a skilled nursing facility that does not submit data, as applicable, in accordance with subclauses (II) and (III) of subparagraph (B)(i) with respect to such a fiscal year, after determining the percentage described in paragraph (5)(B)(i), and after application of paragraph (5)(B)(ii), the Secretary shall reduce such percentage for payment rates during such fiscal year by 2 percentage points. Effective date.

"(ii) SPECIAL RULE.—The application of this subparagraph may result in the percentage described in paragraph (5)(B)(i), after application of paragraph (5)(B)(ii), being less than 0.0 for a fiscal year, and may result in payment rates under this subsection for a fiscal year being less than such payment rates for the preceding fiscal year.

"(iii) NONCUMULATIVE APPLICATION.—Any reduction under clause (i) shall apply only with respect to the fiscal year involved and the Secretary shall not take into account such reduction in computing the payment amount under this subsection for a subsequent fiscal year.

"(B) ASSESSMENT AND MEASURE DATA.—

"(i) IN GENERAL.—A skilled nursing facility, or a facility (other than a critical access hospital) described in paragraph (7)(B), shall submit to the Secretary, in a manner and within the timeframes prescribed by the Secretary—

"(I) subject to clause (iii), the resident assessment data necessary to develop and implement the rates under this subsection;

"(II) for fiscal years beginning on or after the specified application date (as defined in subsection (a)(2)(E) of section 1899B), as applicable with respect to skilled nursing facilities and quality measures under subsection (c)(1) of such section and measures under subsection (d)(1) of such section, data on such quality measures under such subsection (c)(1) and any necessary data specified by the Secretary under such subsection (d)(1); and

"(III) for fiscal years beginning on or after October 1, 2018, standardized patient assessment Effective date.

data required under subsection (b)(1) of section 1899B.

"(ii) USE OF STANDARD INSTRUMENT.—For purposes of meeting the requirement under clause (i), a skilled nursing facility, or a facility (other than a critical access hospital) described in paragraph (7)(B), may submit the resident assessment data required under section 1819(b)(3), using the standard instrument designated by the State under section 1819(e)(5).

"(iii) NON-DUPLICATION.—To the extent data submitted under subclause (II) or (III) of clause (i) duplicates other data required to be submitted under clause (i)(I), the submission of such data under such a subclause shall be in lieu of the submission of such data under clause (i)(I). The previous sentence shall not apply insofar as the Secretary determines it is necessary to avoid a delay in the implementation of section 1899B, taking into account the different specified application dates under subsection (a)(2)(E) of such section.".

(B) FUNDING FOR NURSING HOME COMPARE WEBSITE.—Section 1819(i) of the Social Security Act (42 U.S.C. 1395i–3(i)) is amended by adding at the end the following new paragraph:

"(3) FUNDING.—The Secretary shall transfer to the Centers for Medicare & Medicaid Services Program Management Account, from the Federal Hospital Insurance Trust Fund under section 1817 a one-time allocation of $11,000,000. The amount shall be available on the date of the enactment of this paragraph. Such sums shall remain available until expended. Such sums shall be used to implement section 1128I(g).".

Availability date.

42 USC 1395*lll* note.

(d) IMPROVING PAYMENT ACCURACY UNDER THE PAC PAYMENT SYSTEMS AND OTHER MEDICARE PAYMENT SYSTEMS.—

(1) STUDIES AND REPORTS OF EFFECT OF CERTAIN INFORMATION ON QUALITY AND RESOURCE USE.—

(A) STUDY USING EXISTING MEDICARE DATA.—

(i) STUDY.—The Secretary of Health and Human Services (in this subsection referred to as the "Secretary") shall conduct a study that examines the effect of individuals' socioeconomic status on quality measures and resource use and other measures for individuals under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) (such as to recognize that less healthy individuals may require more intensive interventions). The study shall use information collected on such individuals in carrying out such program, such as urban and rural location, eligibility for Medicaid under title XIX of such Act (42 U.S.C. 1396 et seq.) (recognizing and accounting for varying Medicaid eligibility across States), and eligibility for benefits under the supplemental security income (SSI) program. The Secretary shall carry out this paragraph acting through the Assistant Secretary for Planning and Evaluation.

(ii) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit

to Congress a report on the study conducted under clause (i).

(B) STUDY USING OTHER DATA.—

(i) STUDY.—The Secretary shall conduct a study that examines the impact of risk factors, such as those described in section 1848(p)(3) of the Social Security Act (42 U.S.C. 1395w–4(p)(3)), race, health literacy, limited English proficiency (LEP), and Medicare beneficiary activation, on quality measures and resource use and other measures under the Medicare program (such as to recognize that less healthy individuals may require more intensive interventions). In conducting such study the Secretary may use existing Federal data and collect such additional data as may be necessary to complete the study.

(ii) REPORT.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the study conducted under clause (i).

(C) EXAMINATION OF DATA IN CONDUCTING STUDIES.—In conducting the studies under subparagraphs (A) and (B), the Secretary shall examine what non-Medicare data sets, such as data from the American Community Survey (ACS), can be useful in conducting the types of studies under such paragraphs and how such data sets that are identified as useful can be coordinated with Medicare administrative data in order to improve the overall data set available to do such studies and for the administration of the Medicare program.

(D) RECOMMENDATIONS TO ACCOUNT FOR INFORMATION IN PAYMENT ADJUSTMENT MECHANISMS.—If the studies conducted under subparagraphs (A) and (B) find a relationship between the factors examined in the studies and quality measures and resource use and other measures, then the Secretary shall also provide recommendations for how the Centers for Medicare & Medicaid Services should—

(i) obtain access to the necessary data (if such data is not already being collected) on such factors, including recommendations on how to address barriers to the Centers in accessing such data; and

(ii) account for such factors—

(I) in quality measures, resource use measures, and other measures under title XVIII of the Social Security Act (including such measures specified under subsections (c) and (d) of section 1899B of such Act, as added by subsection (a)); and

(II) in determining payment adjustments based on such measures in other applicable provisions of such title.

(E) FUNDING.—There are hereby appropriated to the Secretary from the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) and the Federal Supplementary Medical Insurance Trust Fund under section 1841 of such Act (42 U.S.C. 1395t) (in proportions determined appropriate by the Secretary) to carry out this paragraph $6,000,000, to remain available until expended.

(2) CMS ACTIVITIES.—

(A) IN GENERAL.—Taking into account the relevant studies conducted and recommendations made in reports under paragraph (1) and, as appropriate, other information, including information collected before completion of such studies and recommendations, the Secretary, on an ongoing basis, shall, as the Secretary determines appropriate and based on an individual's health status and other factors—

(i) assess appropriate adjustments to quality measures, resource use measures, and other measures under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) (including measures specified in subsections (c) and (d) of section 1899B of such Act, as added by subsection (a)); and

(ii) assess and implement appropriate adjustments to payments under such title based on measures described in clause (i).

(B) ACCESSING DATA.—The Secretary shall collect or otherwise obtain access to the data necessary to carry out this paragraph through existing and new data sources.

(C) PERIODIC ANALYSES.—The Secretary shall carry out periodic analyses, at least every 3 years, based on the factors referred to in subparagraph (A) so as to monitor changes in possible relationships.

(D) FUNDING.—There are hereby appropriated to the Secretary from the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) and the Federal Supplementary Medical Insurance Trust Fund under section 1841 of such Act (42 U.S.C. 1395t) (in proportions determined appropriate by the Secretary) to carry out this paragraph $10,000,000, to remain available until expended.

Deadline.

(3) STRATEGIC PLAN FOR ACCESSING RACE AND ETHNICITY DATA.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall develop and report to Congress on a strategic plan for collecting or otherwise accessing data on race and ethnicity for purposes of specifying quality measures and resource use and other measures under subsections (c) and (d) of section 1899B of the Social Security Act, as added by subsection (a), and, as the Secretary determines appropriate, other similar provisions of, including payment adjustments under, title XVIII of such Act (42 U.S.C. 1395 et seq.).

SEC. 3. HOSPICE CARE.

(a) HOSPICE SURVEY REQUIREMENT.—

(1) IN GENERAL.—Section 1861(dd)(4) of the Social Security Act (42 U.S.C. 1395x(dd)(4)) is amended by adding at the end the following new subparagraph:

Effective date.
Time period.

"(C) Any entity that is certified as a hospice program shall be subject to a standard survey by an appropriate State or local survey agency, or an approved accreditation agency, as determined by the Secretary, not less frequently than once every 36 months beginning 6 months after the date of the enactment of this subparagraph and ending September 30, 2025.".

(2) FUNDING.—For purposes of carrying out subparagraph (C) of section 1861(dd)(4) of the Social Security Act (42 U.S.C.

1395x(dd)(4)), as added by paragraph (1), there shall be transferred from the Federal Hospital Insurance Trust Fund under section 1817 of such Act (42 U.S.C. 1395i) to the Centers for Medicare & Medicaid Services Program Management Account—

(A) $25,000,000 for fiscal years 2015 through 2017, to be made available for such purposes in equal parts for each such fiscal year; and

(B) $45,000,000 for fiscal years 2018 through 2025, to be made available for such purposes in equal parts for each such fiscal year.

(b) HOSPICE PROGRAM ELIGIBILITY RECERTIFICATION TECHNICAL CORRECTION TO APPLY LIMITATION ON LIABILITY OF BENEFICIARY RULES.—Section 1879 of the Social Security Act (42 U.S.C. 1395pp) is amended by adding at the end the following new subsection:

"(i) The provisions of this section shall apply with respect to a denial of a payment under this title by reason of section 1814(a)(7)(E) in the same manner as such provisions apply with respect to a denial of a payment under this title by reason of section 1862(a)(1).".

(c) REVISION TO REQUIREMENT FOR MEDICAL REVIEW OF CERTAIN HOSPICE CARE.—Section 1814(a)(7) of the Social Security Act (42 U.S.C. 1395f(a)(7)) is amended—

(1) in subparagraph (C), by striking "and" at the end;

(2) in subparagraph (D), in the matter preceding clause (i), by inserting "(and, in the case of clause (ii), before the date of enactment of subparagraph (E))" after "2011"; and

(3) by adding at the end the following new subparagraph:

"(E) on and after the date of enactment of this subparagraph, in the case of hospice care provided an individual for more than 180 days by a hospice program for which the number of such cases for such program comprises more than a percent (specified by the Secretary) of the total number of all cases of individuals provided hospice care by the program under this title, the hospice care provided to such individual is medically reviewed (in accordance with procedures established by the Secretary); and".

(d) UPDATE OF HOSPICE AGGREGATE PAYMENT CAP.—Section 1814(i)(2)(B) of the Social Security Act (42 U.S.C. 1395f(i)(2)(B)) is amended—

(1) by striking "(B) For purposes" and inserting "(B)(i) Except as provided in clause (ii), for purposes"; and

(2) by adding at the end the following:

"(ii) For purposes of subparagraph (A) for accounting years that end after September 30, 2016, and before October 1, 2025, the 'cap amount' is the cap amount under this subparagraph for the preceding accounting year updated by the percentage update to payment rates for hospice care under paragraph (1)(C) for services furnished during the fiscal year beginning on the October 1 preceding the beginning of the accounting year (including the application of any productivity or other adjustment under clause (iv) of that paragraph). Time period.

"(iii) For accounting years that end after September 30, 2025, the cap amount shall be computed under clause (i) as if clause (ii) had never applied.".

(e) MEDICARE IMPROVEMENT FUND.—Section 1898 of the Social Security Act (42 U.S.C. 1395iii) is amended—

(1) by amending the heading to read as follows: "**MEDICARE IMPROVEMENT FUND**";

(2) by amending subsection (a) to read as follows:

"(a) ESTABLISHMENT.—The Secretary shall establish under this title a Medicare Improvement Fund (in this section referred to as the 'Fund') which shall be available to the Secretary to make improvements under the original Medicare fee-for-service program under parts A and B for individuals entitled to, or enrolled for, benefits under part or enrolled under part B including adjustments to payments for items and services furnished by providers of services and suppliers under such original Medicare fee-for-service program.";

(3) in subsection (b)(1), by striking "during" and all that follows and inserting "during and after fiscal year 2020, $195,000,000."; and

(4) in subsection (b)(2), by striking "from the Federal" and all that follows and inserting "from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund in such proportion as the Secretary determines appropriate.".

Approved October 6, 2014.

LEGISLATIVE HISTORY—H.R. 4994:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 16, considered and passed House.
Sept. 18, considered and passed Senate.

Public Law 113–186
113th Congress

An Act

To reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

Nov. 19, 2014
[S. 1086]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Child Care and Development Block Grant Act of 2014.
42 USC 9801 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Care and Development Block Grant Act of 2014".

42 USC 9858 note.

SEC. 2. SHORT TITLE AND PURPOSES.

Section 658A of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9801 note) is amended to read as follows:

"SEC. 658A. SHORT TITLE AND PURPOSES.

"(a) SHORT TITLE.—This subchapter may be cited as the 'Child Care and Development Block Grant Act of 1990'.

"(b) PURPOSES.—The purposes of this subchapter are—

"(1) to allow each State maximum flexibility in developing child care programs and policies that best suit the needs of children and parents within that State;

"(2) to promote parental choice to empower working parents to make their own decisions regarding the child care services that best suit their family's needs;

"(3) to encourage States to provide consumer education information to help parents make informed choices about child care services and to promote involvement by parents and family members in the development of their children in child care settings;

"(4) to assist States in delivering high-quality, coordinated early childhood care and education services to maximize parents' options and support parents trying to achieve independence from public assistance;

"(5) to assist States in improving the overall quality of child care services and programs by implementing the health, safety, licensing, training, and oversight standards established in this subchapter and in State law (including State regulations);

"(6) to improve child care and development of participating children; and

"(7) to increase the number and percentage of low-income children in high-quality child care settings.".

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 658B of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858) is amended by striking "subchapter"

and all that follows through the period at the end, and inserting "subchapter $2,360,000,000 for fiscal year 2015, $2,478,000,000 for fiscal year 2016, $2,539,950,000 for fiscal year 2017, $2,603,448,750 for fiscal year 2018, $2,668,534,969 for fiscal year 2019, and $2,748,591,018 for fiscal year 2020.".

SEC. 4. LEAD AGENCY.

(a) DESIGNATION.—Section 658D(a) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858b(a)) is amended—

(1) by striking "chief executive officer" and inserting "Governor"; and

(2) by striking "designate" and all that follows and inserting "designate an agency (which may be an appropriate collaborative agency), or establish a joint interagency office, that complies with the requirements of subsection (b) to serve as the lead agency for the State under this subchapter.".

(b) COLLABORATION WITH TRIBES.—Section 658D(b)(1) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858b(b)(1)) is amended—

(1) in subparagraph (C), by striking "and" at the end;

(2) in subparagraph (D), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(E) at the option of an Indian tribe or tribal organization in the State, collaborate and coordinate with such Indian tribe or tribal organization in the development of the State plan in a timely manner.".

SEC. 5. APPLICATION AND PLAN.

(a) PERIOD.—Section 658E(b) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(b)) is amended by striking "2-year" and inserting "3-year".

(b) POLICIES AND PROCEDURES.—Section 658E(c) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)) is amended—

(1) in paragraph (1), by inserting "or established" after "designated";

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting a comma after "care of such providers";

(B) by striking subparagraphs (D) through (H); and

(C) by adding at the end the following:

Certification. Deadline. Public information.

"(D) MONITORING AND INSPECTION REPORTS.—The plan shall include a certification that the State, not later than 1 year after the State has in effect the policies and practices described in subparagraph (K)(i), will make public by electronic means, in a consumer-friendly and easily accessible format, organized by provider, the results of monitoring and inspection reports, including those due to major substantiated complaints about failure to comply with this subchapter and State child care policies, as well as the number of deaths, serious injuries, and instances of substantiated child abuse that occurred in child care settings each year, for eligible child care providers within the State. The results shall also include information on the date of such an inspection, and, where applicable, information on corrective action taken.

"(E) CONSUMER AND PROVIDER EDUCATION INFORMATION.—The plan shall include a certification that the State will collect and disseminate (which dissemination may be done, except as otherwise specified in this subparagraph, through resource and referral organizations or other means as determined by the State) to parents of eligible children, the general public, and, where applicable, providers— Certification.

"(i) information about the availability of the full diversity of child care services that will promote informed child care choices and that concerns—

"(I) the availability of child care services provided through programs authorized by this subchapter and, if feasible, other child care services and other programs provided in the State for which the family may be eligible, as well as the availability of financial assistance to obtain child care services in the State;

"(II) if available, information about the quality of providers, as determined by the State, that can be provided through a Quality Rating and Improvement System;

"(III) information, made available through a State Web site, describing the State process for licensing child care providers, the State processes for conducting background checks, and monitoring and inspections, of child care providers, and the offenses that prevent individuals and entities from serving as child care providers in the State;

"(IV) other programs for which families that receive child care services for which financial assistance is provided under this subchapter may be eligible, including the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), Head Start and Early Head Start programs carried out under the Head Start Act (42 U.S.C. 9831 et seq.), the program carried out under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the special supplemental nutrition program for women, infants, and children established under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), the child and adult care food program established under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766), and the Medicaid and State children's health insurance programs under titles XIX and XXI of the Social Security Act (42 U.S.C. 1396 et seq., 1397aa et seq.);

"(V) programs carried out under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.);

"(VI) research and best practices concerning children's development, including social and emotional development, early childhood development,

and meaningful parent and family engagement, and physical health and development (particularly healthy eating and physical activity); and

"(VII) the State policies regarding the social-emotional behavioral health of young children, which may include positive behavioral intervention and support models, and policies on expulsion of preschool-aged children, in early childhood programs receiving assistance under this subchapter; and

"(ii) information on developmental screenings, including—

"(I) information on existing (as of the date of submission of the application containing the plan) resources and services the State can deploy, including the coordinated use of the Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program carried out under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and developmental screening services available under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.), in conducting developmental screenings and providing referrals to services, when appropriate, for children who receive assistance under this subchapter; and

"(II) a description of how a family or eligible child care provider may utilize the resources and services described in subclause (I) to obtain developmental screenings for children who receive assistance under this subchapter who may be at risk for cognitive or other developmental delays, which may include social, emotional, physical, or linguistic delays.

"(F) COMPLIANCE WITH STATE LICENSING REQUIREMENTS.—

Certification.

"(i) IN GENERAL.—The plan shall include a certification that the State involved has in effect licensing requirements applicable to child care services provided within the State, and provide a detailed description of such requirements and of how such requirements are effectively enforced.

"(ii) LICENSE EXEMPTION.—If the State uses funds received under this subchapter to support a child care provider that is exempt from the corresponding licensing requirements described in clause (i), the plan shall include a description stating why such licensing exemption does not endanger the health, safety, or development of children who receive services from child care providers who are exempt from such requirements.

"(G) TRAINING AND PROFESSIONAL DEVELOPMENT REQUIREMENTS.—

"(i) IN GENERAL.—The plan shall describe the training and professional development requirements that are in effect within the State designed to enable child care providers to promote the social, emotional, physical, and cognitive development of children and

to improve the knowledge and skills of the child care workforce. Such requirements shall be applicable to child care providers that provide services for which assistance is provided in accordance with this subchapter.

"(ii) REQUIREMENTS.—The plan shall provide an assurance that such training and professional development—

"(I) shall be conducted on an ongoing basis, provide for a progression of professional development (which may include encouraging the pursuit of postsecondary education), reflect current research and best practices relating to the skills necessary for the child care workforce to meet the developmental needs of participating children, and improve the quality of, and stability within, the child care workforce;

Consultation.

"(II) shall be developed in consultation with the State Advisory Council on Early Childhood Education and Care (designated or established pursuant to section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i))), and may engage training providers in aligning training opportunities with the State's training framework;

"(III) incorporates knowledge and application of the State's early learning and developmental guidelines (where applicable), the State's health and safety standards, and incorporates social-emotional behavior intervention models, which may include positive behavior intervention and support models;

"(IV) shall be accessible to providers supported through Indian tribes or tribal organizations that receive assistance under this subchapter; and

"(V) to the extent practicable, are appropriate for a population of children that includes—

"(aa) different age groups;

"(bb) English learners;

"(cc) children with disabilities; and

"(dd) Native Americans, including Indians, as the term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) (including Alaska Natives within the meaning of that term), and Native Hawaiians (as defined in section 7207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)).

"(iii) INFORMATION.—The plan shall include the number of hours of training required for eligible providers and caregivers to engage in annually, as determined by the State.

"(iv) CONSTRUCTION.—The Secretary shall not require an individual or entity that provides child care services for which assistance is provided in accordance with this subchapter to acquire a credential to provide such services. Nothing in this section shall be construed to prohibit a State from requiring a credential.

"(H) CHILD-TO-PROVIDER RATIO STANDARDS.—

"(i) STANDARDS.—The plan shall describe child care standards for child care services for which assistance is made available in accordance with this subchapter, appropriate to the type of child care setting involved, to provide for the safety and developmental needs of the children served, that address—

"(I) group size limits for specific age populations, as determined by the State;

"(II) the appropriate ratio between the number of children and the number of providers, in terms of the age of the children in child care, as determined by the State; and

"(III) required qualifications for such providers, as determined by the State.

"(ii) CONSTRUCTION.—The Secretary may offer guidance to States on child-to-provider ratios described in clause (i) according to setting and age group, but shall not require that the State maintain specific group size limits for specific age populations or child-to-provider ratios for providers who receive assistance in accordance with subchapter.

Certification.

"(I) HEALTH AND SAFETY REQUIREMENTS.—The plan shall include a certification that there are in effect within the State, under State or local law, requirements designed to protect the health and safety of children that are applicable to child care providers that provide services for which assistance is made available in accordance with this subchapter. Such requirements—

"(i) shall relate to matters including health and safety topics consisting of—

"(I) the prevention and control of infectious diseases (including immunization) and the establishment of a grace period that allows homeless children and children in foster care to receive services under this subchapter while their families (including foster families) are taking any necessary action to comply with immunization and other health and safety requirements;

"(II) prevention of sudden infant death syndrome and use of safe sleeping practices;

"(III) the administration of medication, consistent with standards for parental consent;

"(IV) the prevention of and response to emergencies due to food and allergic reactions;

"(V) building and physical premises safety, including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic;

"(VI) prevention of shaken baby syndrome and abusive head trauma;

"(VII) emergency preparedness and response planning for emergencies resulting from a natural disaster, or a man-caused event (such as violence at a child care facility), within the meaning of those terms under section 602(a)(1) of the Robert

T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195a(a)(1));

"(VIII) the handling and storage of hazardous materials and the appropriate disposal of biocontaminants;

"(IX) for providers that offer transportation, if applicable, appropriate precautions in transporting children;

"(X) first aid and cardiopulmonary resuscitation; and

"(XI) minimum health and safety training, to be completed pre-service or during an orientation period in addition to ongoing training, appropriate to the provider setting involved that addresses each of the requirements relating to matters described in subclauses (I) through (X); and

"(ii) may include requirements relating to nutrition, access to physical activity, or any other subject area determined by the State to be necessary to promote child development or to protect children's health and safety.

"(J) COMPLIANCE WITH STATE AND LOCAL HEALTH AND SAFETY REQUIREMENTS.—The plan shall include a certification that procedures are in effect to ensure that child care providers within the State, that provide services for which assistance is made available in accordance with this subchapter, comply with all applicable State and local health and safety requirements as described in subparagraph (I).

"(K) ENFORCEMENT OF LICENSING AND OTHER REGULATORY REQUIREMENTS.—

"(i) CERTIFICATION.—The plan shall include a certification that the State, not later than 2 years after the date of enactment of the Child Care and Development Block Grant Act of 2014, shall have in effect policies and practices, applicable to licensing or regulating child care providers that provide services for which assistance is made available in accordance with this subchapter and the facilities of those providers, that— Deadline.

"(I) ensure that individuals who are hired as licensing inspectors in the State are qualified to inspect those child care providers and facilities and have received training in related health and safety requirements, and are trained in all aspects of the State's licensure requirements;

"(II) require licensing inspectors (or qualified inspectors designated by the lead agency) of those child care providers and facilities to perform inspections, with—

"(aa) not less than 1 prelicensure inspection, for compliance with health, safety, and fire standards, of each such child care provider and facility in the State; and

"(bb) not less than annually, an inspection (which shall be unannounced) of each such child care provider and facility in the State

for compliance with all child care licensing standards, which shall include an inspection for compliance with health, safety, and fire standards (inspectors may inspect for compliance with all 3 standards at the same time);

"(III) require the ratio of licensing inspectors to such child care providers and facilities in the State to be maintained at a level sufficient to enable the State to conduct inspections of such child care providers and facilities on a timely basis in accordance with Federal, State, and local law; and

"(IV) require licensing inspectors (or qualified inspectors designated by the lead agency) of child care providers and facilities to perform an annual inspection of each license-exempt provider in the State receiving funds under this subchapter (unless the provider is an eligible child care provider as described in section 658P(6)(B)) for compliance with health, safety, and fire standards, at a time to be determined by the State.

"(ii) CONSTRUCTION.—The Secretary may offer guidance to a State, if requested by the State, on a research-based minimum standard regarding ratios described in clause (i)(III) and provide technical assistance to the State on meeting the minimum standard within a reasonable time period, but shall not prescribe a particular ratio.

Certification.

"(L) COMPLIANCE WITH CHILD ABUSE REPORTING REQUIREMENTS.—The plan shall include a certification that child care providers within the State will comply with the child abuse reporting requirements of section 106(b)(2)(B)(i) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(i)).

"(M) MEETING THE NEEDS OF CERTAIN POPULATIONS.—The plan shall describe how the State will develop and implement strategies (which may include alternative reimbursement rates to child care providers, the provision of direct contracts or grants to community-based organizations, offering child care certificates to parents, or other means determined by the State) to increase the supply and improve the quality of child care services for—

"(i) children in underserved areas;

"(ii) infants and toddlers;

"(iii) children with disabilities, as defined by the State; and

"(iv) children who receive care during nontraditional hours.

"(N) PROTECTION FOR WORKING PARENTS.—

"(i) MINIMUM PERIOD.—

"(I) 12-MONTH PERIOD.—The plan shall demonstrate that each child who receives assistance under this subchapter in the State will be considered to meet all eligibility requirements for such assistance and will receive such assistance, for not less than 12 months before the State or designated local entity redetermines the eligibility of

the child under this subchapter, regardless of a temporary change in the ongoing status of the child's parent as working or attending a job training or educational program or a change in family income for the child's family, if that family income does not exceed 85 percent of the State median income for a family of the same size.

"(II) FLUCTUATIONS IN EARNINGS.—The plan shall demonstrate how the State's or designated local entity's processes for initial determination and redetermination of such eligibility take into account irregular fluctuations in earnings.

"(ii) REDETERMINATION PROCESS.—The plan shall describe the procedures and policies that are in place to ensure that working parents (especially parents in families receiving assistance under the program of block grants to States for temporary assistance for needy families under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)) are not required to unduly disrupt their employment in order to comply with the State's or designated local entity's requirements for redetermination of eligibility for assistance provided in accordance with this subchapter. Procedures.

"(iii) PERIOD BEFORE TERMINATION.—At the option of the State, the plan shall demonstrate that the State will not terminate assistance provided to carry out this subchapter based on a factor consisting of a parent's loss of work or cessation of attendance at a job training or educational program for which the family was receiving the assistance, without continuing the assistance for a reasonable period of time, of not less than 3 months, after such loss or cessation in order for the parent to engage in a job search and resume work, or resume attendance at a job training or educational program, as soon as possible.

"(iv) GRADUATED PHASEOUT OF CARE.—The plan shall describe the policies and procedures that are in place to allow for provision of continued assistance to carry out this subchapter, at the beginning of a new eligibility period under clause (i)(I), for children of parents who are working or attending a job training or educational program and whose family income exceeds the State's income limit to initially qualify for such assistance, if the family income for the family involved does not exceed 85 percent of the State median income for a family of the same size. Procedures.

"(O) COORDINATION WITH OTHER PROGRAMS.—

"(i) IN GENERAL.—The plan shall describe how the State, in order to expand accessibility and continuity of care, and assist children enrolled in early childhood programs to receive full-day services, will efficiently, and to the extent practicable, coordinate the services supported to carry out this subchapter with programs operating at the Federal, State, and local levels for children in preschool programs, tribal early childhood programs, and other early childhood programs, including those serving infants and toddlers with

disabilities, homeless children, and children in foster care.

"(ii) OPTIONAL USE OF COMBINED FUNDS.—If the State elects to combine funding for the services supported to carry out this subchapter with funding for any program described in clause (i), the plan shall describe how the State will combine the multiple sets of funding and use the combined funding.

"(iii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to affect the priority of children described in clause (i) to receive full-day prekindergarten or Head Start program services.

"(P) PUBLIC-PRIVATE PARTNERSHIPS.—The plan shall demonstrate how the State encourages partnerships among State agencies, other public agencies, Indian tribes and tribal organizations, and private entities, including faith-based and community-based organizations, to leverage existing service delivery systems (as of the date of the submission of the application containing the plan) for child care and development services and to increase the supply and quality of child care services for children who are less than 13 years of age, such as by implementing voluntary shared services alliance models.

"(Q) PRIORITY FOR LOW-INCOME POPULATIONS.—The plan shall describe the process the State proposes to use, with respect to investments made to increase access to programs providing high-quality child care and development services, to give priority for those investments to children of families in areas that have significant concentrations of poverty and unemployment and that do not have such programs.

Certification.

"(R) CONSULTATION.—The plan shall include a certification that the State has developed the plan in consultation with the State Advisory Council on Early Childhood Education and Care designated or established pursuant to section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)).

Certification.

"(S) PAYMENT PRACTICES.—The plan shall include—

"(i) a certification that the payment practices of child care providers in the State that serve children who receive assistance under this subchapter reflect generally accepted payment practices of child care providers in the State that serve children who do not receive assistance under this subchapter, so as to provide stability of funding and encourage more child care providers to serve children who receive assistance under this subchapter; and

"(ii) an assurance that the State will, to the extent practicable, implement enrollment and eligibility policies that support the fixed costs of providing child care services by delinking provider reimbursement rates from an eligible child's occasional absences due to holidays or unforseen circumstances such as illness.

"(T) EARLY LEARNING AND DEVELOPMENTAL GUIDELINES.—

"(i) IN GENERAL.—The plan shall include an assurance that the State will maintain or implement early

learning and developmental guidelines (or develop such guidelines if the State does not have such guidelines as of the date of enactment of the Child Care and Development Block Grant Act of 2014) that are appropriate for children from birth to kindergarten entry, describing what such children should know and be able to do, and covering the essential domains of early childhood development for use statewide by child care providers. Such guidelines shall—

"(I) be research-based, developmentally appropriate, and aligned with entry to kindergarten;

"(II) be implemented in consultation with the state educational agency and the State Advisory Council on Early Childhood Education and Care (designated or established pursuant to section 642B(b)(I)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)); and

"(III) be updated as determined by the State.

"(ii) PROHIBITION ON USE OF FUNDS.—The plan shall include an assurance that funds received by the State to carry out this subchapter will not be used to develop or implement an assessment for children that—

"(I) will be the sole basis for a child care provider being determined to be ineligible to participate in the program carried out under this subchapter;

"(II) will be used as the primary or sole basis to provide a reward or sanction for an individual provider;

"(III) will be used as the primary or sole method for assessing program effectiveness; or

"(IV) will be used to deny children eligibility to participate in the program carried out under this subchapter.

"(iii) EXCEPTIONS.—Nothing in this subchapter shall preclude the State from using a single assessment as determined by the State for children for—

"(I) supporting learning or improving a classroom environment;

"(II) targeting professional development to a provider;

"(III) determining the need for health, mental health, disability, developmental delay, or family support services;

"(IV) obtaining information for the quality improvement process at the State level; or

"(V) conducting a program evaluation for the purposes of providing program improvement and parent information.

"(iv) NO FEDERAL CONTROL.—Nothing in this section shall be construed to authorize an officer or employee of the Federal Government to—

"(I) mandate, direct, control, or place conditions (outside of what is required by this subchapter) around adopting a State's early learning

and developmental guidelines developed in accordance with this section;

"(II) establish any criterion that specifies, defines, prescribes, or places conditions (outside of what is required by this subchapter) on a State adopting standards or measures that a State uses to establish, implement, or improve such guidelines, related accountability systems, or alignment of such guidelines with education standards; or

"(III) require a State to submit such guidelines for review.

"(U) DISASTER PREPAREDNESS.—

"(i) IN GENERAL.—The plan shall demonstrate the manner in which the State will address the needs of children in child care services provided through programs authorized under this subchapter, including the need for safe child care, for the period before, during, and after a state of emergency declared by the Governor or a major disaster or emergency (as such terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)).

"(ii) STATEWIDE CHILD CARE DISASTER PLAN.—Such plan shall include a statewide child care disaster plan for coordination of activities and collaboration, in the event of an emergency or disaster described in clause (i), among the State agency with jurisdiction over human services, the agency with jurisdiction over State emergency planning, the State lead agency, the State agency with jurisdiction over licensing of child care providers, the local resource and referral organizations, the State resource and referral system, and the State Advisory Council on Early Childhood Education and Care as provided for under section 642B(b) of the Head Start Act (42 U.S.C. 9837b(b)).

"(iii) DISASTER PLAN COMPONENTS.—The components of the disaster plan, for such an emergency or disaster, shall include—

"(I) evacuation, relocation, shelter-in-place, and lock-down procedures, and procedures for communication and reunification with families, continuity of operations, and accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions;

"(II) guidelines for the continuation of child care services in the period following the emergency or disaster, which may include the provision of emergency and temporary child care services, and temporary operating standards for child care providers during that period; and

"(III) procedures for staff and volunteer emergency preparedness training and practice drills.

"(V) BUSINESS TECHNICAL ASSISTANCE.—The plan shall describe how the State will develop and implement strategies to strengthen the business practices of child care providers to expand the supply, and improve the quality of, child care services.";

(3) in paragraph (3)—

(A) in subparagraph (A), by striking "as required under" and inserting "in accordance with";

(B) in subparagraph (B)—

(i) by striking "The State" and inserting the following:

"(i) IN GENERAL.—The State";

(ii) by striking "and any other activity that the State deems appropriate to realize any of the goals specified in paragraphs (2) through (5) of section 658A(b)" and inserting "activities that improve access to child care services, including the use of procedures to permit enrollment (after an initial eligibility determination) of homeless children while required documentation is obtained, training and technical assistance on identifying and serving homeless children and their families, and specific outreach to homeless families, and any other activity that the State determines to be appropriate to meet the purposes of this subchapter (which may include an activity described in clause (ii))"; and

(iii) by adding at the end the following:

"(ii) REPORT BY THE ASSISTANT SECRETARY FOR CHILDREN AND FAMILIES.—

Determination.

"(I) IN GENERAL.—Not later than September 30 of the first full fiscal year after the date of enactment of the Child Care and Development Block Grant Act of 2014, and September 30 of each fiscal year thereafter, the Secretary (acting through the Assistant Secretary for Children and Families of the Department of Health and Human Services) shall prepare a report that contains a determination about whether each State uses amounts provided to such State for the fiscal year involved under this subchapter in accordance with the priority for services described in clause (i).

"(II) PENALTY FOR NONCOMPLIANCE.—For any fiscal year that the report of the Secretary described in subclause (I) indicates that a State has failed to give priority for services in accordance with clause (i), the Secretary shall—

Notification.

"(aa) inform the State that the State has until the date that is 6 months after the Secretary has issued such report to fully comply with clause (i);

"(bb) provide the State an opportunity to modify the State plan of such State, to make the plan consistent with the requirements of clause (i), and resubmit such State plan to the Secretary not later than the date described in item (aa); and

"(cc) if the State does not fully comply with clause (i) and item (bb), by the date described in item (aa), withhold 5 percent of the funds that would otherwise be allocated

to that State in accordance with this subchapter for the first full fiscal year after that date.

Determination.

"(III) WAIVER FOR EXTRAORDINARY CIRCUMSTANCES.—Notwithstanding subclause (II) the Secretary may grant a waiver to a State for one year to the penalty applied in subclause (II) if the Secretary determines there are extraordinary circumstances, such as a natural disaster, that prevent the State from complying with clause (i). If the Secretary does grant a waiver to a State under this section, the Secretary shall, within 30 days of granting such waiver, submit a report to the appropriate congressional committees on the circumstances of the waiver including the stated reason from the State on the need for a waiver, the expected impact of the waiver on children served under this program, and any such other relevant information the Secretary deems necessary.

"(iii) CHILD CARE RESOURCE AND REFERRAL SYSTEM.—

"(I) IN GENERAL.—A State may use amounts described in clause (i) to establish or support a system of local or regional child care resource and referral organizations that is coordinated, to the extent determined appropriate by the State, by a statewide public or private nonprofit, community-based or regionally based, lead child care resource and referral organization.

"(II) LOCAL OR REGIONAL ORGANIZATIONS.—The local or regional child care resource and referral organizations supported as described in subclause (I) shall—

"(aa) provide parents in the State with consumer education information referred to in paragraph (2)(E) (except as otherwise provided in that paragraph), concerning the full range of child care options (including faith-based and community-based child care providers), analyzed by provider, including child care provided during nontraditional hours and through emergency child care centers, in their political subdivisions or regions;

"(bb) to the extent practicable, work directly with families who receive assistance under this subchapter to offer the families support and assistance, using information described in item (aa), to make an informed decision about which child care providers they will use, in an effort to ensure that the families are enrolling their children in the most appropriate child care setting to suit their needs and one that is of high quality (as determined by the State);

"(cc) collect data and provide information on the coordination of services and supports,

including services under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431, et seq.), for children with disabilities (as defined in section 602 of such Act (20 U.S.C. 1401));

"(dd) collect data and provide information on the supply of and demand for child care services in political subdivisions or regions within the State and submit such information to the State;

"(ee) work to establish partnerships with public agencies and private entities, including faith-based and community-based child care providers, to increase the supply and quality of child care services in the State; and

"(ff) as appropriate, coordinate their activities with the activities of the State lead agency and local agencies that administer funds made available in accordance with this subchapter.";

(C) in subparagraph (D)—

(i) by striking "1997 through 2002)" and inserting "2015 through 2020"; and

(ii) by striking "other than families described in paragraph (2)(H)" and inserting "including or in addition to families with children described in clause (i), (ii), (iii), or (iv) of paragraph (2)(M)"; and

(D) by adding at the end the following:

"(E) DIRECT SERVICES.—From amounts provided to a State for a fiscal year to carry out this subchapter, the State shall—

"(i) reserve the minimum amount required to be reserved under section 658G, and the funds for costs described in subparagraph (C); and

"(ii) from the remainder, use not less than 70 percent to fund direct services (provided by the State) in accordance with paragraph (2)(A).";

(4) by striking paragraph (4) and inserting the following:

"(4) PAYMENT RATES.—

"(A) IN GENERAL.—The State plan shall certify that payment rates for the provision of child care services for which assistance is provided in accordance with this subchapter are sufficient to ensure equal access for eligible children to child care services that are comparable to child care services in the State or substate area involved that are provided to children whose parents are not eligible to receive assistance under this subchapter or to receive child care assistance under any other Federal or State program, and shall provide a summary of the facts relied on by the State to determine that such rates are sufficient to ensure such access. Certification.

"(B) SURVEY.—The State plan shall—

"(i) demonstrate that the State has, after consulting with the State Advisory Council on Early Childhood Education and Care designated or established in section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)), local child care program

administrators, local child care resource and referral agencies, and other appropriate entities, developed and conducted (not earlier than 2 years before the date of the submission of the application containing the State plan) a statistically valid and reliable survey of the market rates for child care services in the State (that reflects variations in the cost of child care services by geographic area, type of provider, and age of child) or an alternative methodology, such as a cost estimation model, that has been developed by the State lead agency;

Reports.
Deadline.
Web posting.

"(ii) demonstrate that the State prepared a detailed report containing the results of the State market rates survey or alternative methodology conducted pursuant to clause (i), and made the results of the survey or alternative methodology widely available (not later than 30 days after the completion of such survey or alternative methodology) through periodic means, including posting the results on the Internet;

"(iii) describe how the State will set payment rates for child care services, for which assistance is provided in accordance with this subchapter—

"(I) in accordance with the results of the market rates survey or alternative methodology conducted pursuant to clause (i);

"(II) taking into consideration the cost of providing higher quality child care services than were provided under this subchapter before the date of enactment of the Child Care and Development Block Grant Act of 2014; and

"(III) without, to the extent practicable, reducing the number of families in the State receiving such assistance to carry out this subchapter, relative to the number of such families on the date of enactment of that Act; and

"(iv) describe how the State will provide for timely payment for child care services provided under this subchapter.

"(C) CONSTRUCTION.—

"(i) NO PRIVATE RIGHT OF ACTION.—Nothing in this paragraph shall be construed to create a private right of action if the State acted in accordance with this paragraph.

"(ii) NO PROHIBITION OF CERTAIN DIFFERENT RATES.—Nothing in this subchapter shall be construed to prevent a State from differentiating the payment rates described in subparagraph (B)(iii) on the basis of such factors as—

"(I) geographic location of child care providers (such as location in an urban or rural area);

"(II) the age or particular needs of children (such as the needs of children with disabilities and children served by child protective services);

"(III) whether the providers provide child care services during weekend and other nontraditional hours; or

"(IV) the State's determination that such differentiated payment rates may enable a parent to choose high-quality child care that best fits the parent's needs."; and

(5) in paragraph (5), by inserting "(that is not a barrier to families receiving assistance under this subchapter)" after "cost sharing".

(c) TECHNICAL AMENDMENT.—Section 658F(b)(2) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858d(b)(2)) is amended by striking "section 658E(c)(2)(F)" and inserting "section 658E(c)(2)(I)".

SEC. 6. ACTIVITIES TO IMPROVE THE QUALITY OF CHILD CARE.

Section 658G of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858e) is amended to read as follows:

"SEC. 658G. ACTIVITIES TO IMPROVE THE QUALITY OF CHILD CARE.

"(a) RESERVATION.—

"(1) RESERVATION FOR ACTIVITIES RELATING TO THE QUALITY OF CHILD CARE SERVICES.—A State that receives funds to carry out this subchapter for a fiscal year referred to in paragraph (2) shall reserve and use a portion of such funds, in accordance with paragraph (2), for activities provided directly, or through grants or contracts with local child care resource and referral organizations or other appropriate entities, that are designed to improve the quality of child care services and increase parental options for, and access to, high-quality child care, and is in alignment with a Statewide assessment of the State's needs to carry out such services and care, provided in accordance with this subchapter.

"(2) AMOUNT OF RESERVATIONS.—Such State shall reserve and use—

"(A) to carry out the activities described in paragraph (1), not less than—

"(i) 7 percent of the funds described in paragraph (1), for the first and second full fiscal years after the date of enactment of the Child Care and Development Block Grant Act of 2014;

"(ii) 8 percent of such funds for the third and fourth full fiscal years after the date of enactment; and

"(iii) 9 percent of such funds for the fifth and each succeeding full fiscal year after the date of enactment; and

"(B) in addition to the funds reserved under subparagraph (A), 3 percent of the funds described in paragraph (1) received not later than the second full fiscal year after the date of enactment and received for each succeeding full fiscal year, to carry out the activities described in paragraph (1) and subsection (b)(4), as such activities relate to the quality of care for infants and toddlers.

Deadline.
Time period.

"(3) STATE RESERVATION AMOUNT.—Nothing in this subsection shall preclude the State from reserving a larger percentage of funds to carry out the activities described in paragraph (1) and subsection (b).

"(b) ACTIVITIES.—Funds reserved under subsection (a) shall be used to carry out no fewer than one of the following activities

that will improve the quality of child care services provided in the State:

"(1) Supporting the training and professional development of the child care workforce through activities such as those included under section 658E(c)(2)(G), in addition to—

"(A) offering training and professional development opportunities for child care providers that relate to the use of scientifically-based, developmentally-appropriate and age-appropriate strategies to promote the social, emotional, physical, and cognitive development of children, including those related to nutrition and physical activity, and offering specialized training for child care providers caring for those populations prioritized in section 658E(c)(2)(Q), and children with disabilities;

"(B) incorporating the effective use of data to guide program improvement;

"(C) including effective behavior management strategies and training, including positive behavior interventions and support models, that promote positive social and emotional development and reduce challenging behaviors, including reducing expulsions of preschool-aged children for such behaviors;

"(E) providing training and outreach on engaging parents and families in culturally and linguistically appropriate ways to expand their knowledge, skills, and capacity to become meaningful partners in supporting their children's positive development;

"(F) providing training corresponding to the nutritional and physical activity needs of children to promote healthy development;

"(G) providing training or professional development for child care providers regarding the early neurological development of children; and

"(H) connecting child care staff members of child care providers with available Federal and State financial aid, or other resources, that would assist child care staff members in pursuing relevant postsecondary training.

"(2) Improving upon the development or implementation of the early learning and developmental guidelines described in section 658E(c)(2)(T) by providing technical assistance to eligible child care providers that enhances the cognitive, physical, social and emotional development, including early childhood development, of participating preschool and school-aged children and supports their overall well-being.

"(3) Developing, implementing, or enhancing a tiered quality rating system for child care providers and services, which may—

"(A) support and assess the quality of child care providers in the State;

"(B) build on State licensing standards and other State regulatory standards for such providers;

"(C) be designed to improve the quality of different types of child care providers and services;

"(D) describe the safety of child care facilities;

"(E) build the capacity of State early childhood programs and communities to promote parents' and families'

understanding of the State's early childhood system and the ratings of the programs in which the child is enrolled;

"(F) provide, to the maximum extent practicable, financial incentives and other supports designed to expand the full diversity of child care options and help child care providers improve the quality of services; and

"(G) accommodate a variety of distinctive approaches to early childhood education and care, including but not limited to, those practiced in faith-based settings, community-based settings, child-centered settings, or similar settings that offer a distinctive approach to early childhood development.

"(4) Improving the supply and quality of child care programs and services for infants and toddlers through activities, which may include—

"(A) establishing or expanding high-quality community or neighborhood-based family and child development centers, which may serve as resources to child care providers in order to improve the quality of early childhood services provided to infants and toddlers from low-income families and to help eligible child care providers improve their capacity to offer high-quality, age-appropriate care to infants and toddlers from low-income families;

"(B) establishing or expanding the operation of community or neighborhood-based family child care networks;

"(C) promoting and expanding child care providers' ability to provide developmentally appropriate services for infants and toddlers through training and professional development; coaching and technical assistance on this age group's unique needs from statewide networks of qualified infant-toddler specialists; and improved coordination with early intervention specialists who provide services for infants and toddlers with disabilities under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.);

"(D) if applicable, developing infant and toddler components within the State's quality rating system described in paragraph (3) for child care providers for infants and toddlers, or the development of infant and toddler components in a State's child care licensing regulations or early learning and development guidelines;

"(E) improving the ability of parents to access transparent and easy to understand consumer information about high-quality infant and toddler care; and

"(F) carrying out other activities determined by the State to improve the quality of infant and toddler care provided in the State, and for which there is evidence that the activities will lead to improved infant and toddler health and safety, infant and toddler cognitive and physical development, or infant and toddler well-being, including providing health and safety training (including training in safe sleep practices, first aid, and cardiopulmonary resuscitation) for providers and caregivers.

"(5) Establishing or expanding a statewide system of child care resource and referral services.

"(6) Facilitating compliance with State requirements for inspection, monitoring, training, and health and safety, and with State licensing standards.

"(7) Evaluating and assessing the quality and effectiveness of child care programs and services offered in the State, including evaluating how such programs positively impact children.

"(8) Supporting child care providers in the voluntary pursuit of accreditation by a national accrediting body with demonstrated, valid, and reliable program standards of high quality.

"(9) Supporting State or local efforts to develop or adopt high-quality program standards relating to health, mental health, nutrition, physical activity, and physical development.

"(10) Carrying out other activities determined by the State to improve the quality of child care services provided in the State, and for which measurement of outcomes relating to improved provider preparedness, child safety, child well-being, or entry to kindergarten is possible.

Effective date. Deadline.

"(c) CERTIFICATION.—Beginning with fiscal year 2016, at the beginning of each fiscal year, the State shall annually submit to the Secretary a certification containing an assurance that the State was in compliance with subsection (a) during the preceding fiscal year and a description of how the State used funds received under this subchapter to comply with subsection (a) during that preceding fiscal year.

"(d) REPORTING REQUIREMENTS.—Each State receiving funds under this subchapter shall prepare and submit an annual report to the Secretary, which shall include information about—

"(1) the amount of funds that are reserved under subsection (a);

"(2) the activities carried out under this section; and

"(3) the measures that the State will use to evaluate the State's progress in improving the quality of child care programs and services in the State.

"(e) TECHNICAL ASSISTANCE.—The Secretary shall offer technical assistance, in accordance with section 658I(a)(3), which may include technical assistance through the use of grants or cooperative agreements, to States for the activities described in subsection (b) at the request of the State.

"(f) CONSTRUCTION.—Nothing in this section shall be construed as providing the Secretary the authority to regulate, direct, dictate, or place conditions (outside of what is required by this subchapter) on a State adopting specific State child care quality activities or progress in implementing those activities.".

SEC. 7. CRIMINAL BACKGROUND CHECKS.

The Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) is amended by inserting after section 658G the following:

42 USC 9858f.

"SEC. 658H. CRIMINAL BACKGROUND CHECKS.

"(a) IN GENERAL.—A State that receives funds to carry out this subchapter shall have in effect—

Procedures.

"(1) requirements, policies, and procedures to require and conduct criminal background checks for child care staff members (including prospective child care staff members) of child care providers described in subsection (c)(1); and

"(2) licensing, regulation, and registration requirements, as applicable, that prohibit the employment of child care staff members as described in subsection (c).

"(b) REQUIREMENTS.—A criminal background check for a child care staff member under subsection (a) shall include—

"(1) a search of the State criminal and sex offender registry or repository in the State where the child care staff member resides, and each State where such staff member resided during the preceding 5 years;

"(2) a search of State-based child abuse and neglect registries and databases in the State where the child care staff member resides, and each State where such staff member resided during the preceding 5 years;

"(3) a search of the National Crime Information Center;

"(4) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

"(5) a search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.).

"(c) PROHIBITIONS.—

"(1) CHILD CARE STAFF MEMBERS.—A child care staff member shall be ineligible for employment by a child care provider that is receiving assistance under this subchapter if such individual—

"(A) refuses to consent to the criminal background check described in subsection (b);

"(B) knowingly makes a materially false statement in connection with such criminal background check;

"(C) is registered, or is required to be registered, on a State sex offender registry or repository or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

"(D) has been convicted of a felony consisting of—

"(i) murder, as described in section 1111 of title 18, United States Code;

"(ii) child abuse or neglect;

"(iii) a crime against children, including child pornography;

"(iv) spousal abuse;

"(v) a crime involving rape or sexual assault;

"(vi) kidnapping;

"(vii) arson;

"(viii) physical assault or battery; or

"(ix) subject to subsection (e)(4), a drug-related offense committed during the preceding 5 years; or

"(E) has been convicted of a violent misdemeanor committed as an adult against a child, including the following crimes: child abuse, child endangerment, sexual assault, or of a misdemeanor involving child pornography.

"(2) CHILD CARE PROVIDERS.—A child care provider described in subsection (i)(1) shall be ineligible for assistance provided in accordance with this subchapter if the provider employs a staff member who is ineligible for employment under paragraph (1).

"(d) SUBMISSION OF REQUESTS FOR BACKGROUND CHECKS.—

"(1) IN GENERAL.—A child care provider covered by subsection (c) shall submit a request, to the appropriate State agency designated by a State, for a criminal background check described in subsection (b), for each child care staff member (including prospective child care staff members) of the provider.

"(2) STAFF MEMBERS.—Subject to paragraph (4), in the case of an individual who became a child care staff member before the date of enactment of the Child Care and Development Block Grant Act of 2014, the provider shall submit such a request—

"(A) prior to the last day described in subsection (j)(1); and

Time period.

"(B) not less often than once during each 5-year period following the first submission date under this paragraph for that staff member.

"(3) PROSPECTIVE STAFF MEMBERS.—Subject to paragraph (4), in the case of an individual who is a prospective child care staff member on or after that date of enactment, the provider shall submit such a request—

"(A) prior to the date the individual becomes a child care staff member of the provider; and

Time period.

"(B) not less than once during each 5-year period following the first submission date under this paragraph for that staff member.

"(4) BACKGROUND CHECK FOR ANOTHER CHILD CARE PROVIDER.—A child care provider shall not be required to submit a request under paragraph (2) or (3) for a child care staff member if—

"(A) the staff member received a background check described in subsection (b)—

Time period.

"(i) within 5 years before the latest date on which such a submission may be made; and

"(ii) while employed by or seeking employment by another child care provider within the State;

"(B) the State provided to the first provider a qualifying background check result, consistent with this subchapter, for the staff member; and

Time period.

"(C) the staff member is employed by a child care provider within the State, or has been separated from employment from a child care provider within the State for a period of not more than 180 consecutive days.

"(e) BACKGROUND CHECK RESULTS AND APPEALS.—

Time period.

"(1) BACKGROUND CHECK RESULTS.—The State shall carry out the request of a child care provider for a criminal background check as expeditiously as possible, but not to exceed 45 days after the date on which such request was submitted, and shall provide the results of the criminal background check to such provider and to the current or prospective staff member.

"(2) PRIVACY.—

"(A) IN GENERAL.—The State shall provide the results of the criminal background check to the provider in a statement that indicates whether a child care staff member (including a prospective child care staff member) is eligible or ineligible for employment described in subsection (c), without revealing any disqualifying crime or other related information regarding the individual.

"(B) INELIGIBLE STAFF MEMBER.—If the child care staff member is ineligible for such employment due to the background check, the State will, when providing the results of the background check, include information related to each disqualifying crime, in a report to the staff member or prospective staff member.

"(C) PUBLIC RELEASE OF RESULTS.—No State shall publicly release or share the results of individual background checks, except States may release aggregated data by crime as listed under subsection (c)(1)(D) from background check results, as long as such data is not personally identifiable information.

"(3) APPEALS.—

"(A) IN GENERAL.—The State shall provide for a process by which a child care staff member (including a prospective child care staff member) may appeal the results of a criminal background check conducted under this section to challenge the accuracy or completeness of the information contained in such member's criminal background report.

"(B) APPEALS PROCESS.—The State shall ensure that—

"(i) each child care staff member shall be given notice of the opportunity to appeal;

"(ii) a child care staff member will receive instructions about how to complete the appeals process if the child care staff member wishes to challenge the accuracy or completeness of the information contained in such member's criminal background report; and

"(iii) the appeals process is completed in a timely manner for each child care staff member.

"(4) REVIEW.—The State may allow for a review process through which the State may determine that a child care staff member (including a prospective child care staff member) disqualified for a crime specified in subsection (c)(1)(D)(ix) is eligible for employment described in subsection (c)(1), notwithstanding subsection (c). The review process shall be consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).

"(5) NO PRIVATE RIGHT OF ACTION.—Nothing in this section shall be construed to create a private right of action if a provider has acted in accordance with this section.

"(f) FEES FOR BACKGROUND CHECKS.—Fees that a State may charge for the costs of processing applications and administering a criminal background check as required by this section shall not exceed the actual costs to the State for the processing and administration.

"(g) TRANSPARENCY.—The State must ensure that the policies and procedures under section 658H are published on the Web site (or otherwise publicly available venue in the absence of a Web site) of the State and the Web sites of local lead agencies.

Web posting. Public information.

"(h) CONSTRUCTION.—

"(1) DISQUALIFICATION FOR OTHER CRIMES.—Nothing in this section shall be construed to prevent a State from disqualifying individuals as child care staff members based on their conviction for crimes not specifically listed in this section that bear upon the fitness of an individual to provide care for and have responsibility for the safety and well-being of children.

"(2) RIGHTS AND REMEDIES.—Nothing in this section shall be construed to alter or otherwise affect the rights and remedies provided for child care staff members residing in a State that disqualifies individuals as child care staff members for crimes not specifically provided for under this section.

"(i) DEFINITIONS.—In this section—

"(1) the term 'child care provider' means a center-based child care provider, a family child care provider, or another provider of child care services for compensation and on a regular basis that—

"(A) is not an individual who is related to all children for whom child care services are provided; and

"(B) is licensed, regulated, or registered under State law or receives assistance provided under this subchapter; and

"(2) the term 'child care staff member' means an individual (other than an individual who is related to all children for whom child care services are provided)—

"(A) who is employed by a child care provider for compensation; or

"(B) whose activities involve the care or supervision of children for a child care provider or unsupervised access to children who are cared for or supervised by a child care provider.

"(j) EFFECTIVE DATE.—

Deadline.
Time period.

"(1) IN GENERAL.—A State that receives funds under this subchapter shall meet the requirements of this section for the provision of criminal background checks for child care staff members described in subsection (d)(1) not later than the last day of the second full fiscal year after the date of enactment of the Child Care and Development Block Grant Act of 2014.

"(2) EXTENSION.—The Secretary may grant a State an extension of time, of not more than 1 fiscal year, to meet the requirements of this section if the State demonstrates a good faith effort to comply with the requirements of this section.

"(3) PENALTY FOR NONCOMPLIANCE.—Except as provided in paragraphs (1) and (2), for any fiscal year that a State fails to comply substantially with the requirements of this section, the Secretary shall withhold 5 percent of the funds that would otherwise be allocated to that State in accordance with this subchapter for the following fiscal year.".

SEC. 8. REPORTS AND INFORMATION.

(a) ADMINISTRATION.—Section 658I(a) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858g(a)) is amended—

(1) in paragraph (2)—

(A) by inserting a comma after "publish"; and

(B) by striking "and" at the end;

(2) by striking paragraph (3) and inserting the following:

"(3) provide technical assistance, such as business technical assistance, as described in section 658E(c)(2)(V), to States (which may include providing assistance on a reimbursable basis) which shall be provided by qualified experts on practices grounded in scientifically valid research, where appropriate, to carry out this subchapter;"; and

(3) by adding at the end the following:

"(4) disseminate, for voluntary informational purposes, information on practices that scientifically valid research indicates are most successful in improving the quality of programs that receive assistance with this subchapter; and

"(5) after consultation with the heads of any other Federal agencies involved, issue guidance and disseminate information on best practices regarding the use of funding combined by States as described in section 658E(c)(2)(O)(ii), consistent with laws other than this subchapter.".

(b) REQUEST FOR RELIEF.—Section 658I of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858g), as amended by subsection (a), is further amended by adding at the end of the following:

"(c) REQUEST FOR RELIEF.—

"(1) IN GENERAL.—The Secretary may waive for a period of not more than three years any provision under this subchapter or sanctions imposed upon a State in accordance with subsection (b)(2) upon the State's request for such a waiver if the Secretary finds that— Waiver authority. Time period.

"(A) the request describes one or more conflicting or duplicative requirements preventing the effective delivery of child care services to justify a waiver, extraordinary circumstances, such as natural disaster or financial crisis, or an extended period of time for a State legislature to enact legislation to implement the provisions of this subchapter;

"(B) such circumstances included in the request prevent the State from complying with any statutory or regulatory requirements of this subchapter;

"(C) the waiver will, by itself, contribute to or enhance the State's ability to carry out the purposes of this subchapter; and,

"(D) the waiver will not contribute to inconsistency with the objectives of this law.

"(2) CONTENTS.—Such request shall be provided to the Secretary in writing and will—

"(A) detail each sanction or provision within this subchapter that the State seeks relief from;

"(B) describe how a waiver from that sanction or provision of this subchapter will, by itself, improve delivery of child care services for children in the State; and

"(C) certify that the health, safety, and well-being of children served through assistance received under this subchapter will not be compromised as a result of the waiver. Certification.

"(3) APPROVAL.—Within 90 days after the receipt of a State's request under this subsection, the Secretary shall inform the State of approval or disapproval of the request. If the plan is disapproved, the Secretary shall, at this time, inform the State, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate of the reasons for the disapproval and give the State the opportunity to amend the request. In the case of approval, the Secretary shall, within 30 days of granting such waiver, notify and submit a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate on the circumstances of Deadlines. Notifications. Reports.

the waiver including each specific sanction or provision waived, the reason as given by the State of the need for a waiver, and the expected impact of the waiver on children served under this program.

"(4) EXTERNAL CONDITIONS.—The Secretary shall not require or impose any new or additional requirements in exchange for receipt of a waiver if such requirements are not specified in this subchapter.

"(5) DURATION.—The Secretary may approve a request under this subsection for a period not to exceed three years, unless a renewal is granted under paragraph (7).

Determination.

"(6) TERMINATION.—The Secretary shall terminate approval of a request for a waiver authorized under this subsection if the Secretary determines, after notice and opportunity for a hearing, that the performance of a State granted relief under this subsection has been inadequate, or if such relief is no longer necessary to achieve its original purposes.

Time period.

"(7) RENEWAL.—The Secretary may approve or disapprove a request from a State for renewal of an existing waiver under this subchapter for a period no longer than one year. A State seeking to renew their waiver approval must inform the Secretary of this intent no later than 30 days prior to the expiration date of the waiver. The State shall re-certify in its extension request the provisions in paragraph (2) of this subchapter, and shall also explain the need for additional time of relief from such sanction(s) or provisions approved under this law as provided in this subchapter.

Notification. Deadline.

Certification.

"(8) RESTRICTIONS.—Nothing in this subchapter shall be construed as providing the Secretary the authority to permit States to alter the eligibility requirements for eligible children, including work requirements, job training, or educational program participation, that apply to the parents of eligible children under this subchapter. Nothing in this subsection shall be construed to allow the Secretary to waive anything related to his or her authority under this subchapter.".

(c) REPORTS.—Section 658K(a) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858i(a)) is amended—

(1) in paragraph (1)(B)—

(A) in clause (ix), by striking "and" at the end;

(B) in clause (x), by striking the semicolon at the end and inserting "; and"; and

(C) by adding at the end the following:

"(xi) whether the children receiving assistance under this subchapter are homeless children;"; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking "December 31, 1997" and all that follows through "thereafter", and inserting "1 year after the date of the enactment of the Child Care and Development Block Grant Act of 2014, and annually thereafter,";

(B) in subparagraph (A), by striking "section 658P(5)" and inserting "section 658P(6)";

(C) in subparagraph (E) by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(F) the number of child fatalities occurring among children while in the care and facility of child care providers

receiving assistance under this subchapter, listed by type of child care provider and indicating whether the providers (excluding child care providers described in section 658P(6)(B)) are licensed or license-exempt.".

(d) REPORT BY SECRETARY.—Section 658L of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858j) is amended—

(1) by striking the section heading and inserting the following:

"SEC. 658L. REPORTS, HOTLINE, AND WEB SITE.";

(2) by striking "Not later" and inserting the following: "(a) REPORT BY SECRETARY.—Not later";

(3) by striking "1998" and inserting "2016";

(4) by striking "to the Committee" and all that follows through "of the Senate" and inserting "to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate";

(5) by inserting after "States." the following:

"Such report shall contain a determination around whether each State that uses amounts provided under this subchapter has complied with the priority for services described in sections 658E(c)(2)(Q) and 658E(c)(3)(B)."; and

(6) by adding at the end the following:

"(b) NATIONAL TOLL-FREE HOTLINE AND WEB SITE.—

"(1) IN GENERAL.—The Secretary shall operate, directly or through the use of grants or contracts, a national toll-free hotline and Web site, to—

"(A) develop and disseminate publicly available child care consumer education information for parents and help parents access safe and quality child care services in their community, with a range of price options, that best suits their family's needs; and

"(B) to allow persons to report (anonymously if desired) suspected child abuse or neglect, or violations of health and safety requirements, by an eligible child care provider that receives assistance under this subchapter or a member of the provider's staff.

"(2) REQUIREMENTS.—The Secretary shall ensure that the hotline and Web site meet the following requirements:

"(A) REFERRAL TO LOCAL CHILD CARE PROVIDERS.—The Web site shall be hosted by 'childcare.gov'. The Web site shall enable a child care consumer to enter a zip code and obtain a referral to local child care providers described in subparagraph (B) within a specified search radius.

"(B) INFORMATION.—The Web site shall provide to consumers, directly or through linkages to State databases, at a minimum—

"(i) a localized list of all eligible child care providers, differentiating between licensed and license-exempt providers;

"(ii) any provider-specific information from a Quality Rating and Improvement System or information about other quality indicators, to the extent the information is publicly available and to the extent practicable;

Public information.

"(iii) any other provider-specific information about compliance with licensing, and health and safety requirements to the extent the information is publicly available and to the extent practicable;

"(iv) referrals to local resource and referral organizations from which consumers can find more information about child care providers; and

"(v) State information about child care subsidy programs and other financial supports available to families.

"(C) NATIONWIDE CAPACITY.—The Web site and hotline shall have the capacity to help families in every State and community in the Nation.

"(D) INFORMATION AT ALL HOURS.—The Web site shall provide, to parents and families, access to information about child care services 24 hours a day.

"(E) SERVICES IN DIFFERENT LANGUAGES.—The Web site and hotline shall ensure the widest possible access to services for families who speak languages other than English.

"(F) HIGH-QUALITY CONSUMER EDUCATION AND REFERRAL.—The Web site and hotline shall ensure that families have access to easy-to-understand child care consumer education and referral services.

Time period.

"(3) PROHIBITION.—Nothing in this subsection shall be construed to allow the Secretary to compel States to provide additional data and information that is currently (as of the date of enactment of the Child Care and Development Block Grant Act of 2014) not publicly available, or is not required by this subchapter, unless such additional data are related to the purposes and scope of this subchapter, and are subject to a notice and comment period of no less than 90 days.".

(e) PROTECTION OF INFORMATION.—Section 658K(a)(1) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858i(a)(1)) is amended by adding at the end the following:

"(E) PROHIBITION.—Reports submitted to the Secretary under subparagraph (C) shall not contain personally identifiable information.".

SEC. 9. RESERVATION FOR TOLL-FREE HOTLINE AND WEB SITE; PAYMENTS TO BENEFIT INDIAN CHILDREN; TECHNICAL ASSISTANCE AND EVALUATION.

Section 658O of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by striking "The Secretary" and inserting the following:

"(A) IN GENERAL.—The Secretary";

(ii) by striking "1 percent, and not more than 2 percent," and inserting "2 percent"; and

(iii) by adding at the end the following:

"(B) LIMITATIONS.—Notwithstanding subparagraph (A), the Secretary shall only reserve an amount that is greater than 2 percent of the amount appropriated under section 658B, for payments described in subparagraph (A), for a fiscal year (referred to in this subparagraph as the 'reservation year') if —

"(i) the amount appropriated under section 658B for the reservation year is greater than the amount appropriated under section 658B for fiscal year 2014; and

"(ii) the Secretary ensures that the amount allotted to States under subsection (b) for the reservation year is not less than the amount allotted to States under subsection (b) for fiscal year 2014."; and

(B) by adding at the end the following:

"(3) NATIONAL TOLL-FREE HOTLINE AND WEB SITE.—The Secretary shall reserve up to $1,500,000 of the amount appropriated under this subchapter for each fiscal year for the operation of a national toll-free hotline and Web site, under section 658L(b).

"(4) TECHNICAL ASSISTANCE.—The Secretary shall reserve up to ½ of 1 percent of the amount appropriated under this subchapter for each fiscal year to support technical assistance and dissemination activities under paragraphs (3) and (4) of section 658I(a).

"(5) RESEARCH, DEMONSTRATION, AND EVALUATION.—The Secretary may reserve ½ of 1 percent of the amount appropriated under this subchapter for each fiscal year to conduct research and demonstration activities, as well as periodic external, independent evaluations of the impact of the program described by this subchapter on increasing access to child care services and improving the safety and quality of child care services, using scientifically valid research methodologies, and to disseminate the key findings of those evaluations widely and on a timely basis."; and

(2) in subsection (c)—

(A) in paragraph (2), by adding at the end the following:

"(D) LICENSING AND STANDARDS.—In lieu of any licensing and regulatory requirements applicable under State or local law, the Secretary, in consultation with Indian tribes and tribal organizations, shall develop minimum child care standards that shall be applicable to Indian tribes and tribal organizations receiving assistance under this subchapter. Such standards shall appropriately reflect Indian tribe and tribal organization needs and available resources, and shall include standards requiring a publicly available application, health and safety standards, and standards requiring a reservation of funds for activities to improve the quality of child care services provided to Indian children."; and Consultation.

(B) in paragraph (6), by striking subparagraph (C) and inserting the following:

"(C) LIMITATION.—

"(i) IN GENERAL.—Except as provided in clause (ii), the Secretary may not permit an Indian tribe or tribal organization to use amounts provided under this subsection for construction or renovation if the use will result in a decrease in the level of child care services provided by the Indian tribe or tribal organization as compared to the level of child care services provided by the Indian tribe or tribal organization in the fiscal year preceding the year for which the determination under subparagraph (B) is being made.

"(ii) WAIVER.—The Secretary shall waive the limitation described in clause (i) if—

Determination.

"(I) the Secretary determines that the decrease in the level of child care services provided by the Indian tribe or tribal organization is temporary; and

Plan.

"(II) the Indian tribe or tribal organization submits to the Secretary a plan that demonstrates that after the date on which the construction or renovation is completed—

"(aa) the level of child care services will increase; or

"(bb) the quality of child care services will improve.".

SEC. 10. DEFINITIONS.

Section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n) is amended—

(1) by striking paragraph (4) and inserting the following:

"(3) CHILD WITH A DISABILITY.—The term 'child with a disability' means—

"(A) a child with a disability, as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401);

"(B) a child who is eligible for early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.);

"(C) a child who is less than 13 years of age and who is eligible for services under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and

"(D) a child with a disability, as defined by the State involved.

"(4) ELIGIBLE CHILD.—The term 'eligible child' means an individual—

"(A) who is less than 13 years of age;

"(B) whose family income does not exceed 85 percent of the State median income for a family of the same size, and whose family assets do not exceed $1,000,000 (as certified by a member of such family); and

"(C) who—

"(i) resides with a parent or parents who are working or attending a job training or educational program; or

"(ii) is receiving, or needs to receive, protective services and resides with a parent or parents not described in clause (i).";

(2) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively;

(3) by inserting after paragraph (4), the following:

"(5) ENGLISH LEARNER.—The term 'English learner' means an individual who is limited English proficient, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) or section 637 of the Head Start Act (42 U.S.C. 9832).";

(4) in paragraph (6)(A), as redesignated by paragraph (2)—

(A) in clause (i), by striking "section 658E(c)(2)(E)" and inserting "section 658E(c)(2)(F)"; and

(B) in clause (ii), by striking "section 658E(c)(2)(F)" and inserting "section 658E(c)(2)(I)";

(5) in paragraph (9), as redesignated by paragraph (2), by striking "designated" and all that follows and inserting "designated or established under section 658D(a).";

(6) in paragraph (10), as redesignated by paragraph (2), by inserting ", foster parent," after "guardian";

(7) by redesignating paragraphs (11) through (14) as paragraphs (12) through (15), respectively; and

(8) by inserting after paragraph (10), as redesignated by paragraph (2), the following:

"(11) SCIENTIFICALLY VALID RESEARCH.—The term 'scientifically valid research' includes applied research, basic research, and field-initiated research, for which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research.".

SEC. 11. PARENTAL RIGHTS AND RESPONSIBILITIES.

Section 658Q of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858o) is amended—

(1) by inserting before "Nothing" the following:

"(a) IN GENERAL.—"; and

(2) by adding at the end the following:

"(b) PARENTAL RIGHTS TO USE CHILD CARE CERTIFICATES.—Nothing in this subchapter shall be construed in a manner—

"(1) to favor or promote the use of grants and contracts for the receipt of child care services under this subchapter over the use of child care certificates; or

"(2) to disfavor or discourage the use of such certificates for the purchase of child care services, including those services provided by private or nonprofit entities, such as faith-based providers.".

SEC. 12. STUDIES ON WAITING LISTS. 42 USC 9858r.

(a) STUDY.—The Comptroller General of the United States shall conduct studies to determine, for each State, the number of families that—

(1) are eligible to receive assistance under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.);

(2) have applied for the assistance, identified by the type of assistance requested; and

(3) have been placed on a waiting list for the assistance.

(b) REPORT.—The Comptroller General shall prepare a report containing the results of each study and shall submit the report to the Committee on Health, Education, Labor and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives—

(1) not later than 2 years after the date of enactment of this Act; and

(2) every 2 years thereafter.

(c) DEFINITION.—In this section, the term "State" has the meaning given the term in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n).

SEC. 13. REVIEW OF FEDERAL EARLY LEARNING AND CARE PROGRAMS.

(a) IN GENERAL.—The Secretary of Health and Human Services, in conjunction with the Secretary of Education, shall conduct an interdepartmental review of all early learning and care programs for children less than 6 years of age in order to—

Plan.

(1) develop a plan for the elimination of overlapping programs, as identified by the Government Accountability Office's 2012 annual report (GAO–12–342SP); and

Recommendations.

(2) make recommendations to Congress for streamlining all such programs.

Consultation.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Secretary of Education and the heads of all Federal agencies that administer Federal early learning and care programs, shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives, a detailed report that outlines the efficiencies that can be achieved by, as well as specific recommendations for, eliminating overlap and fragmentation among all Federal early learning and care programs.

Approved November 19, 2014.

LEGISLATIVE HISTORY—S. 1086:

SENATE REPORTS: No. 113–138 (Comm. on Health, Education, Labor, and Pensions).

CONGRESSIONAL RECORD, Vol. 160 (2014):

Mar. 12, 13, considered and passed Senate.

Sept. 15, considered and passed House, amended.

Sept. 18, Nov. 13, 17, Senate considered and concurred in House amendment.

DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):

Nov. 19, Presidential remarks.

Public Law 113–187
113th Congress

An Act

To amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records, and for other purposes.

Nov. 26, 2014
[H.R. 1233]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

Presidential and Federal Records Act Amendments of 2014.
44 USC 101 note.

(a) SHORT TITLE.—This Act may be cited as the "Presidential and Federal Records Act Amendments of 2014".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. PRESIDENTIAL RECORDS.

(a) PROCEDURES FOR CONSIDERATION OF CLAIMS OF CONSTITUTIONALLY BASED PRIVILEGE AGAINST DISCLOSURE.—

(1) AMENDMENT.—Chapter 22 of title 44, United States Code, is amended by adding at the end the following:

"§ 2208. Claims of constitutionally based privilege against disclosure

Determinations.
Public information.
Notifications.
Time periods.
44 USC 2208.

"(a)(1) When the Archivist determines under this chapter to make available to the public any Presidential record that has not previously been made available to the public, the Archivist shall—

"(A) promptly provide notice of such determination to—

"(i) the former President during whose term of office the record was created; and

"(ii) the incumbent President; and

"(B) make the notice available to the public.

"(2) The notice under paragraph (1)—

"(A) shall be in writing; and

"(B) shall include such information as may be prescribed in regulations issued by the Archivist.

Regulations.

"(3)(A) Upon the expiration of the 60-day period (excepting Saturdays, Sundays, and legal public holidays) beginning on the date the Archivist provides notice under paragraph (1)(A), the Archivist shall make available to the public the Presidential record covered by the notice, except any record (or reasonably segregable part of a record) with respect to which the Archivist receives from a former President or the incumbent President notification of a claim of constitutionally based privilege against disclosure under subsection (b).

Extension.

"(B) A former President or the incumbent President may extend the period under subparagraph (A) once for not more than 30 additional days (excepting Saturdays, Sundays, and legal public holidays) by filing with the Archivist a statement that such an extension is necessary to allow an adequate review of the record.

Expiration.

"(C) Notwithstanding subparagraphs (A) and (B), if the 60-day period under subparagraph (A), or any extension of that period under subparagraph (B), would otherwise expire during the 6-month period after the incumbent President first takes office, then that 60-day period or extension, respectively, shall expire at the end of that 6-month period.

"(b)(1) For purposes of this section, the decision to assert any claim of constitutionally based privilege against disclosure of a Presidential record (or reasonably segregable part of a record) must be made personally by a former President or the incumbent President, as applicable.

"(2) A former President or the incumbent President shall notify the Archivist, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate of a privilege claim under paragraph (1) on the same day that the claim is asserted under such paragraph.

Consultation.

"(c)(1) If a claim of constitutionally based privilege against disclosure of a Presidential record (or reasonably segregable part of a record) is asserted under subsection (b) by a former President, the Archivist shall consult with the incumbent President, as soon as practicable during the period specified in paragraph (2)(A), to determine whether the incumbent President will uphold the claim asserted by the former President.

Deadline.

"(2)(A) Not later than the end of the 30-day period beginning on the date on which the Archivist receives notification from a former President of the assertion of a claim of constitutionally based privilege against disclosure, the Archivist shall provide notice to the former President and the public of the decision of the incumbent President under paragraph (1) regarding the claim.

Courts.

"(B) If the incumbent President upholds the claim of privilege asserted by the former President, the Archivist shall not make the Presidential record (or reasonably segregable part of a record) subject to the claim publicly available unless—

"(i) the incumbent President withdraws the decision upholding the claim of privilege asserted by the former President; or

"(ii) the Archivist is otherwise directed by a final court order that is not subject to appeal.

Courts.

"(C) If the incumbent President determines not to uphold the claim of privilege asserted by the former President, or fails to make the determination under paragraph (1) before the end of the period specified in subparagraph (A), the Archivist shall release

the Presidential record subject to the claim at the end of the 90-day period beginning on the date on which the Archivist received notification of the claim, unless otherwise directed by a court order in an action initiated by the former President under section 2204(e) of this title or by a court order in another action in any Federal court.

"(d) The Archivist shall not make publicly available a Presidential record (or reasonably segregable part of a record) that is subject to a privilege claim asserted by the incumbent President unless— Courts.

"(1) the incumbent President withdraws the privilege claim; or

"(2) the Archivist is otherwise directed by a final court order that is not subject to appeal.

"(e) The Archivist shall adjust any otherwise applicable time period under this section as necessary to comply with the return date of any congressional subpoena, judicial subpoena, or judicial process.".

(2) CONFORMING AMENDMENTS.—(A) Section 2204(d) of title 44, United States Code, is amended by inserting ", except section 2208," after "chapter".

(B) Section 2205 of title 44, United States Code, is amended—

(i) in the matter preceding paragraph (1), by striking "section 2204" and inserting "sections 2204 and 2208 of this title"; and

(ii) in paragraph (2)(A), by striking "subpena" and inserting "subpoena".

(C) Section 2207 of title 44, United States Code, is amended in the second sentence by inserting ", except section 2208," after "chapter".

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 22 of title 44, United States Code, is amended by adding at the end the following: 44 USC prec. 2201.

"2208. Claims of constitutionally based privilege against disclosure.".

(4) RULE OF CONSTRUCTION.—Nothing in the amendment made by paragraph (2)(C) shall be construed to— 44 USC 2207 note.

(A) affect the requirement of section 2207 of title 44, United States Code, that Vice Presidential records shall be subject to chapter 22 of that title in the same manner as Presidential records; or

(B) affect any claim of constitutionally based privilege by a President or former President with respect to a Vice Presidential record.

(b) DEFINITIONS.—Section 2201 of title 44, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "memorandums" and inserting "memoranda";

(B) by striking "audio, audiovisual" and inserting "audio and visual records"; and

(C) by inserting ", whether in analog, digital, or any other form" after "mechanical recordations"; and

(2) in paragraph (2), by striking "advise and assist" and inserting "advise or assist".

(c) MANAGEMENT AND CUSTODY OF PRESIDENTIAL RECORDS.—Section 2203 of title 44, United States Code, is amended—

(1) in subsection (a), by striking "maintained" and inserting "preserved and maintained";

(2) in subsection (b), by striking "advise and assist" and inserting "advise or assist";

(3) by redesignating subsection (f) as subsection (g);

(4) by inserting after subsection (e) the following new subsection:

"(f) During a President's term of office, the Archivist may maintain and preserve Presidential records on behalf of the President, including records in digital or electronic form. The President shall remain exclusively responsible for custody, control, and access to such Presidential records. The Archivist may not disclose any such records, except under direction of the President, until the conclusion of a President's term of office, if a President serves consecutive terms upon the conclusion of the last term, or such other period provided for under section 2204 of this title."; and

(5) in subsection (g)(1), as so redesignated, by striking "Act" and inserting "chapter".

(d) RESTRICTIONS ON ACCESS TO PRESIDENTIAL RECORDS.—Section 2204 of title 44, United States Code, is amended by adding at the end the following new subsection:

"(f) The Archivist shall not make available any original Presidential records to any individual claiming access to any Presidential record as a designated representative under section 2205(3) of this title if that individual has been convicted of a crime relating to the review, retention, removal, or destruction of records of the Archives.".

(e) DISCLOSURE REQUIREMENT FOR OFFICIAL BUSINESS CONDUCTED USING NON-OFFICIAL ELECTRONIC MESSAGING ACCOUNT.—

(1) AMENDMENT.—Chapter 22 of title 44, United States Code, as amended by subsection (a)(1), is further amended by adding at the end the following new section:

44 USC 2209.

"§ 2209. Disclosure requirement for official business conducted using non-official electronic messaging accounts

"(a) IN GENERAL.—The President, the Vice President, or a covered employee may not create or send a Presidential or Vice Presidential record using a non-official electronic message account unless the President, Vice President, or covered employee—

"(1) copies an official electronic messaging account of the President, Vice President, or covered employee in the original creation or transmission of the Presidential record or Vice Presidential record; or

Deadline.

"(2) forwards a complete copy of the Presidential or Vice Presidential record to an official electronic messaging account of the President, Vice President, or covered employee not later than 20 days after the original creation or transmission of the Presidential or Vice Presidential record.

"(b) ADVERSE ACTIONS.—The intentional violation of subsection (a) by a covered employee (including any rules, regulations, or other implementing guidelines), as determined by the appropriate supervisor, shall be a basis for disciplinary action in accordance with subchapter I, II, or V of chapter 75 of title 5, as the case may be.

"(c) DEFINITIONS.—In this section:

"(1) COVERED EMPLOYEE.—The term 'covered employee' means—

"(A) the immediate staff of the President;

"(B) the immediate staff of the Vice President;

"(C) a unit or individual of the Executive Office of the President whose function is to advise and assist the President; and

"(D) a unit or individual of the Office of the Vice President whose function is to advise and assist the Vice President.

"(2) ELECTRONIC MESSAGES.—The term 'electronic messages' means electronic mail and other electronic messaging systems that are used for purposes of communicating between individuals.

"(3) ELECTRONIC MESSAGING ACCOUNT.—The term 'electronic messaging account' means any account that sends electronic messages.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 22 of title 44, United States Code, as amended by subsection (a)(3), is further amended by adding at the end the following new item:

44 USC prec. 2201.

"2209. Disclosure requirement for official business conducted using non-official electronic messaging accounts.".

SEC. 3. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.

(a) ACCEPTANCE OF RECORDS FOR HISTORICAL PRESERVATION.—Section 2107 of title 44, United States Code, is amended to read as follows:

"§ 2107. Acceptance of records for historical preservation

"(a) IN GENERAL.—When it appears to the Archivist to be in the public interest, the Archivist may—

"(1) accept for deposit with the National Archives of the United States the records of a Federal agency, the Congress, the Architect of the Capitol, or the Supreme Court determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government;

"(2) direct and effect the transfer of records of a Federal agency determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government to the National Archives of the United States, as soon as practicable, and at a time mutually agreed upon by the Archivist and the head of that Federal agency not later than thirty years after such records were created or received by that agency, unless the head of such agency has certified in writing to the Archivist that such records must be retained in the custody of such agency for use in the conduct of the regular business of the agency;

Determination. Deadline. Time period. Certification.

"(3) direct and effect, with the approval of the head of the originating Federal agency, or if the existence of the agency has been terminated, with the approval of the head of that agency's successor in function, if any, the transfer of records, deposited or approved for deposit with the National Archives of the United States to public or educational institutions or

associations; title to the records to remain vested in the United States unless otherwise authorized by Congress; and

"(4) transfer materials from private sources authorized to be received by the Archivist by section 2111 of this title.

"(b) EARLY TRANSFER OF RECORDS.—The Archivist—

Consultation. Time period.

"(1) in consultation with the head of the originating Federal agency, is authorized to accept a copy of the records described in subsection (a)(2) that have been in existence for less than thirty years; and

"(2) may not disclose any such records until the expiration of—

"(A) the thirty-year period described in paragraph (1);

"(B) any longer period established by the Archivist by order; or

"(C) any shorter period agreed to by the originating Federal agency.".

(b) MATERIAL ACCEPTED FOR DEPOSIT.—Section 2111 of title 44, United States Code, is amended to read as follows:

"§ 2111. Material accepted for deposit

"(a) IN GENERAL.—When the Archivist considers it to be in the public interest the Archivist may accept for deposit—

"(1) the papers and other historical materials of a President or former President of the United States, or other official or former official of the Government, and other papers relating to and contemporary with a President or former President of the United States, subject to restrictions agreeable to the Archivist as to their use; and

"(2) recorded information (as such term is defined in section 3301(a)(2) of this title) from private sources that are appropriate for preservation by the Government as evidence of its organization, functions, policies, decisions, procedures, and transactions.

"(b) EXCEPTION.—This section shall not apply in the case of any Presidential records which are subject to the provisions of chapter 22 of this title.".

(c) PRESERVATION OF AUDIO AND VISUAL RECORDS.—

(1) IN GENERAL.—Section 2114 of title 44, United States Code, is amended to read as follows:

"§ 2114. Preservation of audio and visual records

"The Archivist may make and preserve audio and visual records, including motion-picture films, still photographs, and sound recordings, in analog, digital, or any other form, pertaining to and illustrative of the historical development of the United States Government and its activities, and provide for preparing, editing, titling, scoring, processing, duplicating, reproducing, exhibiting, and releasing for non-profit educational purposes, motion-picture films, still photographs, and sound recordings in the Archivist's custody.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 21 of title 44, United States Code, is amended by striking the item for section 2114 and inserting the following:

44 USC prec. 2101.

"2114. Preservation of audio and visual records.".

(d) LEGAL STATUS OF REPRODUCTIONS; OFFICIAL SEAL; FEES FOR COPIES AND REPRODUCTIONS.—Section 2116(a) of title 44,

United States Code, is amended by inserting "digital," after "microphotographic,", each place it appears.

SEC. 4. RECORDS MANAGEMENT BY FEDERAL AGENCIES.

Section 3106 of title 44, United States Code, is amended to read as follows:

"§ 3106. Unlawful removal, destruction of records

"(a) FEDERAL AGENCY NOTIFICATION.—The head of each Federal agency shall notify the Archivist of any actual, impending, or threatened unlawful removal, defacing, alteration, corruption, deletion, erasure, or other destruction of records in the custody of the agency, and with the assistance of the Archivist shall initiate action through the Attorney General for the recovery of records the head of the Federal agency knows or has reason to believe have been unlawfully removed from that agency, or from another Federal agency whose records have been transferred to the legal custody of that Federal agency.

"(b) ARCHIVIST NOTIFICATION.—In any case in which the head of a Federal agency does not initiate an action for such recovery or other redress within a reasonable period of time after being notified of any such unlawful action described in subsection (a), or is participating in, or believed to be participating in any such unlawful action, the Archivist shall request the Attorney General to initiate such an action, and shall notify the Congress when such a request has been made.".

SEC. 5. DISPOSAL OF RECORDS.

(a) DEFINITION OF RECORDS.—Section 3301 of title 44, United States Code, is amended to read as follows:

"§ 3301. Definition of records

"(a) RECORDS DEFINED.—

"(1) IN GENERAL.—As used in this chapter, the term 'records'—

"(A) includes all recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the United States Government or because of the informational value of data in them; and

"(B) does not include—

"(i) library and museum material made or acquired and preserved solely for reference or exhibition purposes; or

"(ii) duplicate copies of records preserved only for convenience.

"(2) RECORDED INFORMATION DEFINED.—For purposes of paragraph (1), the term 'recorded information' includes all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form.

"(b) DETERMINATION OF DEFINITION.—The Archivist's determination whether recorded information, regardless of whether it

exists in physical, digital, or electronic form, is a record as defined in subsection (a) shall be binding on all Federal agencies.".

(b) REGULATIONS COVERING LISTS OF RECORDS FOR DISPOSAL, PROCEDURE FOR DISPOSAL, AND STANDARDS FOR REPRODUCTION.—Section 3302(3) of title 44, United States Code, is amended by striking "photographic or microphotographic processes" and inserting "photographic, microphotographic, or digital processes".

(c) LISTS AND SCHEDULES OF RECORDS TO BE SUBMITTED TO THE ARCHIVIST BY HEAD OF EACH GOVERNMENT AGENCY.—Section 3303(1) of title 44, United States Code, is amended by striking "photographed or microphotographed" and inserting "photographed, microphotographed, or digitized".

(d) EXAMINATION BY ARCHIVIST OF LISTS AND SCHEDULES OF RECORDS LACKING PRESERVATION VALUE; DISPOSAL OF RECORDS.—Section 3303a(c) of title 44, United States Code, is amended by striking "the Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives" and inserting "the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate".

(e) PHOTOGRAPHS OR MICROPHOTOGRAPHS OF RECORDS CONSIDERED AS ORIGINALS; CERTIFIED REPRODUCTIONS ADMISSIBLE IN EVIDENCE.—Section 3312 of title 44, United States Code, is amended—

(1) in the first sentence, by striking "Photographs or microphotographs of records" and inserting "Photographs, microphotographs of records, or digitized records"; and

(2) in the second sentence, by striking "photographs or microphotographs" and inserting "photographs, microphotographs, or digitized records", each place it appears.

44 USC 2108 note.

SEC. 6. PROCEDURES TO PREVENT UNAUTHORIZED REMOVAL OF CLASSIFIED RECORDS FROM NATIONAL ARCHIVES.

Deadline.

(a) CLASSIFIED RECORDS.—Not later than 90 days after the date of the enactment of this Act, the Archivist shall prescribe internal procedures to prevent the unauthorized removal of classified records from the National Archives and Records Administration or the destruction or damage of such records, including when such records are accessed or searched electronically. Such procedures shall include, at a minimum, the following prohibitions:

(1) An individual, other than covered personnel, may not view classified records in any room that is not secure, except in the presence of National Archives and Records Administration personnel or under video surveillance.

(2) An individual, other than covered personnel, may not be left alone with classified records, unless that individual is under video surveillance.

(3) An individual, other than covered personnel, may not review classified records while possessing any cellular phone, electronic personal communication device, or any other devices capable of photographing, recording, or transferring images or content.

(4) An individual seeking access to review classified records, as a precondition to such access, must consent to a search of their belongings upon conclusion of their records review.

(5) All notes and other writings prepared by an individual, other than covered personnel, during the course of a review of classified records shall be retained by the National Archives

and Records Administration in a secure facility until such notes and other writings are determined to be unclassified, are declassified, or are securely transferred to another secure facility.

(b) DEFINITIONS.—In this section:

(1) COVERED PERSONNEL.—The term "covered personnel" means any individual—

(A) who has an appropriate and necessary reason for accessing classified records, as determined by the Archivist; and

(B) who is either—

(i) an officer or employee of the United States Government with appropriate security clearances; or

(ii) any personnel with appropriate security clearances of a Federal contractor authorized in writing to act for purposes of this section by an officer or employee of the United States Government.

(2) RECORDS.—The term "records" has the meaning given that term under section 3301 of title 44, United States Code.

SEC. 7. REPEAL OF PROVISIONS RELATED TO THE NATIONAL STUDY COMMISSION ON RECORDS AND DOCUMENTS OF FEDERAL OFFICIALS.

(a) IN GENERAL.—Sections 3315 through 3324 of title 44, United States Code, are repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 33 of title 44, United States Code, is amended by striking the items relating to sections 3315 through 3324.

44 USC prec. 3301.

SEC. 8. PRONOUN AMENDMENTS.

Title 44, United States Code, is amended—

(1) in section 2116(c), by striking "his" and inserting "the Archivist's";

(2) in section 2201(2), by striking "his" and inserting "the President's", each place it appears;

(3) in section 2203—

(A) in subsection (a), by striking "his" and inserting "the President's";

(B) in subsection (b), by striking "his" and inserting "the President's";

(C) in subsection (c)—

(i) in the matter preceding paragraph (1)—

(I) by striking "his" and inserting "the President's"; and

(II) by striking "those of his Presidential records" and inserting "those Presidential records of such President"; and

(ii) in paragraph (2), by striking "he" and inserting "the Archivist";

(D) in subsection (d), by striking "he" and inserting "the Archivist";

(E) in subsection (e), by striking "he" and inserting "the Archivist"; and

(F) in subsection (g), as so redesignated, by striking "he" and inserting "the Archivist";

(4) in section 2204—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking "his" and inserting "a President's"; and

(ii) in paragraph (5), by striking "his" and inserting "the President's"; and

(B) in subsection (b)—

(i) in paragraph (1)(B), by striking "his" and inserting "the President's"; and

(ii) in paragraph (3)—

(I) by striking "his" the first place it appears and inserting "the Archivist's"; and

(II) by striking "his designee" and inserting "the Archivist's designee";

(5) in section 2205—

(A) in paragraph (2)(B), by striking "his" and inserting "the incumbent President's"; and

(B) in paragraph (3), by striking "his" and inserting "the former President's";

(6) in section 2901(11), by striking "his" and inserting "the Archivist's";

(7) in section 2904(c)(6), by striking "his" and inserting "the Archivist's";

(8) in section 2905(a)—

(A) by striking "He" and inserting "The Archivist"; and

(B) by striking "his" and inserting "the Archivist's";

(9) in section 3103, by striking "he" and inserting "the head of such agency";

(10) in section 3104—

(A) by striking "his" the first place it appears and inserting "such official's"; and

(B) by striking "him or his" and inserting "such official or such official's";

(11) in section 3105, by striking "he" and inserting "the head of such agency";

(12) in section 3302(1), by striking "him" and inserting "the Archivist"; and

(13) in section 3303a—

(A) in subsection (a)—

(i) by striking "him" and inserting "the Archivist", each place it appears; and

(ii) by striking "he" and inserting "the Archivist";

(B) in subsection (c), by striking "he" and inserting "the Archivist";

(C) in subsection (e), by striking "his" and inserting "the Archivist's"; and

(D) in subsection (f), by striking "he" and inserting "the Archivist".

SEC. 9. RECORDS MANAGEMENT BY THE ARCHIVIST.

(a) OBJECTIVES OF RECORDS MANAGEMENT.—Section 2902 of title 44, United States Code, is amended—

(1) in paragraph (4), by striking "creation and of records maintenance and use" and inserting "creation, maintenance, transfer, and use";

(2) in paragraph (6), by inserting after "Federal paperwork" the following: "and the transfer of records from Federal agencies to the National Archives of the United States in digital or electronic form to the greatest extent possible"; and

(3) in paragraph (7), by striking "the Administrator or".

(b) RECORDS CENTERS AND CENTRALIZED MICROFILMING SERVICES.—

(1) AMENDMENT.—Section 2907 of title 44, United States Code, is amended—

(A) in the section heading by inserting "**or digitization**" after "**microfilming**"; and

(B) by inserting "or digitization" after "microfilming".

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 29 of title 44, United States Code, is amended in the item relating to section 2907 by inserting "or digitization" after "microfilming".

44 USC prec. 2901.

(c) GENERAL RESPONSIBILITIES FOR RECORDS MANAGEMENT.—Section 2904 of title 44, United States Code, is amended—

(1) in subsection (b), by striking "The Administrator" and inserting "The Archivist";

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking "their" and inserting "the";

(ii) by striking "subsection (a) or (b), respectively" and inserting "subsections (a) and (b)";

(iii) by striking "and the Administrator"; and

(iv) by striking "each"; and

(B) in paragraph (8), by striking "or the Administrator (as the case may be)"; and

(3) subsection (d) is amended to read as follows:

"(d) The Archivist shall promulgate regulations requiring all Federal agencies to transfer all digital or electronic records to the National Archives of the United States in digital or electronic form to the greatest extent possible.".

Regulations.

(d) INSPECTION OF AGENCY RECORDS.—Section 2906 of title 44, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "their respective" and inserting "the";

(ii) by striking "the Administrator of General Services and";

(iii) by striking "designee of either" and inserting "the Archivist's designee";

(iv) by striking "solely"; and

(v) by inserting after "for the improvement of records management practices and programs" the following: "and for determining whether the records of Federal agencies have sufficient value to warrant continued preservation or lack sufficient value to justify continued preservation";

(B) in paragraph (2)—

(i) by striking "the Administrator and"; and

(ii) by striking the second sentence; and

(C) in paragraph (3)—

(i) in the matter preceding subparagraph (A)—

(I) by striking "the Administrator or"; and

(II) by striking "designee of either" and inserting "Archivist's designee"; and

(ii) in subparagraph (A), by striking "the Administrator, the Archivist," and inserting "the Archivist"; and

(2) in subsection (b)—

(A) by striking "the Administrator and"; and

(B) by striking "designee of either" and inserting "Archivist's designee".

(e) REPORTS; CORRECTION OF VIOLATIONS.—Section 2115 of title 44, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "their respective" and inserting "the";

(B) by striking "and the Administrator"; and

(C) by striking "each"; and

(2) in subsection (b)—

(A) by striking "either";

(B) by striking "or the Administrator", each place it appears; and

(C) by striking "inaugurated" and inserting "demonstrably commenced".

(f) RECORDS MANAGEMENT BY THE ARCHIVIST.—

(1) AMENDMENT.—The heading for chapter 29 of title 44, United States Code, is amended by striking "**AND BY THE ADMINISTRATOR OF GENERAL SERVICES**".

44 USC prec. 2901.

(2) CONFORMING AMENDMENT.—The table of chapters at the beginning of title 44, United States Code, is amended in the item related to chapter 29 by striking "and by the Administrator of General Services".

44 USC prec. 101.

(g) ESTABLISHMENT OF PROGRAM OF MANAGEMENT.—Section 3102(2) of title 44, United States Code, is amended by striking "the Administrator of General Services and".

SEC. 10. DISCLOSURE REQUIREMENT FOR OFFICIAL BUSINESS CONDUCTED USING NON-OFFICIAL ELECTRONIC MESSAGING ACCOUNT.

(a) AMENDMENT.—Chapter 29 of title 44, United States Code, is amended by adding at the end the following new section:

44 USC 2911.

"§ 2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts

"(a) IN GENERAL.—An officer or employee of an executive agency may not create or send a record using a non-official electronic messaging account unless such officer or employee—

"(1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the record; or

Deadline.

"(2) forwards a complete copy of the record to an official electronic messaging account of the officer or employee not later than 20 days after the original creation or transmission of the record.

"(b) ADVERSE ACTIONS.—The intentional violation of subsection (a) (including any rules, regulations, or other implementing guidelines), as determined by the appropriate supervisor, shall be a basis for disciplinary action in accordance with subchapter I, II, or V of chapter 75 of title 5, as the case may be.

"(c) DEFINITIONS.—In this section:

"(1) ELECTRONIC MESSAGES.—The term 'electronic messages' means electronic mail and other electronic messaging systems that are used for purposes of communicating between individuals.

"(2) ELECTRONIC MESSAGING ACCOUNT.—The term 'electronic messaging account' means any account that sends electronic messages.

"(3) EXECUTIVE AGENCY.—The term 'executive agency' has the meaning given that term in section 105 of title 5.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 29 of title 44, United States Code, is amended by adding at the end the following new item:

44 USC prec. 2901.

"2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts.".

Approved November 26, 2014.

LEGISLATIVE HISTORY—H.R. 1233:

HOUSE REPORTS: No. 113–127 (Comm. on Oversight and Government Reform).
SENATE REPORTS: No. 113–218 (Comm. on Homeland Security and Governmental Affairs).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Jan. 14, considered and passed House.
Sept. 10, considered and passed Senate, amended.
Nov. 12, House concurred in Senate amendments.

Public Law 113–188
113th Congress

An Act

Nov. 26, 2014
[H.R. 4194]

To provide for the elimination or modification of Federal reporting requirements.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Government Reports Elimination Act of 2014.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Government Reports Elimination Act of 2014".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

TITLE I—DEPARTMENT OF AGRICULTURE

SEC. 101. REPORTS ELIMINATED.

(a) PEANUT BASE ACRES DATA COLLECTION AND PUBLICATION.—Section 1302(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8752(d)) is amended—

(1) by striking paragraph (3);

(2) in paragraph (4), by striking "Paragraphs (1) through (3)" and inserting "Paragraphs (1) and (2)"; and

(3) by redesignating paragraph (4) as paragraph (3).

(b) REPORT ON EXPORT CREDIT GUARANTEES TO EMERGING MARKETS.—Section 1542(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 7 U.S.C. 5622 note) is amended—

(1) by striking "(1) EFFECT OF CREDITS.—"; and

(2) by striking paragraph (2).

(c) EVALUATION OF THE RURAL DEVELOPMENT, BUSINESS AND INDUSTRY GUARANTEED LOAN PROGRAM FINANCING OF LOCALLY OR REGIONALLY PRODUCED FOOD PRODUCTS.—Section 310B(g)(9)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(9)(B)) is amended—

(1) by striking clause (iv); and

(2) by redesignating clause (v) as clause (iv).

(d) QUARTERLY EXPORT ASSISTANCE REPORTS.—Section 603 of the Agricultural Trade Act of 1978 (7 U.S.C. 5713) is repealed. Repeal.

(e) RURAL COLLABORATIVE INVESTMENT PROGRAM.—

(1) SECRETARIAL REPORT ON REGIONAL RURAL INVESTMENT BOARDS.—Section 385C(b)(7) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009dd–2(b)(7)) is amended—

(A) in subparagraph (B), by adding "and" at the end;

(B) in subparagraph (C), by striking "; and" and inserting a period; and

(C) by striking subparagraph (D).

(2) REPORT BY REGIONAL RURAL INVESTMENT BOARD TO NATIONAL RURAL INVESTMENT BOARD AND THE SECRETARY.—Section 385D(a)(7) of Consolidated Farm and Rural Development Act (7 U.S.C. 2009dd–3(a)(7)) is amended—

(A) in subparagraph (C), by adding "and" at the end;

(B) by striking subparagraph (D); and

(C) by redesignating subparagraph (E) as subparagraph (D).

(f) STATUS REPORT FOR FOREIGN MARKET DEVELOPMENT.—Section 702 of the Agricultural Trade Act of 1978 (7 U.S.C. 5722) is amended by striking subsection (c).

TITLE II—DEPARTMENT OF COMMERCE

SEC. 201. REPORTS ELIMINATED.

(a) EFFORTS AND PROGRESS IN BECOMING DESIGNATED AS SEA GRANT COLLEGE OR INSTITUTE.—Section 207 of the National Sea Grant Program Act (33 U.S.C. 1126) is amended by striking subsection (e).

(b) ENTERPRISE INTEGRATION STANDARDIZATION AND IMPLEMENTATION.—Section 3 of the Enterprise Integration Act of 2002 (15 U.S.C. 278g–5) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(c) ENSURING EQUAL ACCESS TO SEA GRANT FELLOWSHIP PROGRAM.—Section 208(a) of the National Sea Grant Program Act (33 U.S.C. 1127(a)) is amended by striking the fourth sentence.

(d) TECHNOLOGY INNOVATION PROGRAM ACTIVITIES.—Section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n) is amended—

(1) by striking subsection (g);

(2) by redesignating subsections (h) through (l) as subsections (g) through (k), respectively; and

(3) in subsection (k)(5), as redesignated, by striking "under subsection (k)" and inserting "under subsection (j)".

(e) TIP ADVISORY BOARD ANNUAL REPORT.—Section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n) is further amended in subsection (j), as redesignated by subsection (d), by striking paragraph (5).

Repeal.

(f) NORTHWEST ATLANTIC FISHERIES ACTIVITIES.—Section 212 of the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5611) is repealed.

TITLE III—CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

SEC. 301. REPORTS ELIMINATED.

Repeal.

(a) SERVICE-LEARNING IMPACT STUDY.—The National and Community Service Act of 1990 is amended by repealing part IV of subtitle B of title I (42 U.S.C. 12565).

(b) REPORTS BY OTHER FEDERAL AGENCIES TO THE CORPORATION.—Section 182 of the National and Community Service Act of 1990 (42 U.S.C. 12642) is amended—

(1) by striking the following:

"(a) DESIGN OF PROGRAMS.—"; and

(2) by striking subsection (b).

TITLE IV—DEPARTMENT OF DEFENSE

SEC. 401. REPORTS ELIMINATED.

(a) DISPLAY OF ANNUAL BUDGET REQUIREMENTS FOR AIR SOVEREIGNTY ALERT MISSION.—Section 354 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 221 note) is hereby repealed. Repeal.

(b) ANNUAL REPORT ON RELIABILITY OF DEPARTMENT OF DEFENSE FINANCIAL STATEMENTS.—Section 1008 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 10 U.S.C. 113 note) is amended—

(1) by striking subsections (a) and (b); and

(2) in subsection (d)(1), by striking "(b) or".

TITLE V—DEPARTMENT OF EDUCATION

SEC. 501. REPORT ON IMPACT AID CONSTRUCTION JUSTIFYING DISCRETIONARY GRANT AWARDS ELIMINATED.

Section 8007(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(b)) is amended by striking paragraph (7).

TITLE VI—DEPARTMENT OF ENERGY

SEC. 601. REPORTS ELIMINATED.

(a) SCIENCE AND ENGINEERING EDUCATION PILOT PROGRAM.—Section 983 of the Energy Policy Act of 2005 (42 U.S.C. 16323) is amended by striking subsection (d).

(b) STRATEGIC UNCONVENTIONAL FUELS DEVELOPMENT PROGRAM.—Section 369(i) of Energy Policy Act of 2005 (42 U.S.C. 15927(i)) is amended by striking paragraph (3).

(c) ENERGY EFFICIENCY STANDARDS FOR INDUSTRIAL EQUIPMENT.—Section 342(a)(6)(C) of Energy Policy and Conservation Act (42 U.S.C. 6313(a)(6)(C)) is amended—

(1) by striking clause (v); and

(2) by redesignating clause (vi) (as added by section 310(a)(4) of Public Law 112–110; 126 Stat. 1524) as clause (v).

TITLE VII—ENVIRONMENTAL PROTECTION AGENCY

SEC. 701. GREAT LAKES MANAGEMENT COMPREHENSIVE REPORT ELIMINATED.

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended—

(1) by striking paragraph (10); and

(2) by redesignating paragraphs (11) through (13) as paragraphs (10) through (12), respectively.

TITLE VIII—EXECUTIVE OFFICE OF THE PRESIDENT

SEC. 801. REPORT RELATING TO WAIVER OF CERTAIN SANCTIONS AGAINST NORTH KOREA ELIMINATED.

Section 1405 of the Supplemental Appropriations Act, 2008 (22 U.S.C. 2799aa–1 note) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

TITLE IX—GOVERNMENT ACCOUNTABILITY OFFICE

SEC. 901. REPORTS ELIMINATED.

Repeal.

(a) EXPENDITURES OF LOCAL EDUCATIONAL AGENCIES.—Section 1904 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6574) is repealed.

(b) USE OF RECOVERY ACT FUNDS BY STATES AND LOCALITIES REPORT.—Section 901 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 191) is repealed.

50 USC 21142.

(c) HELP AMERICA VOTE ACT FUNDS AUDIT.—

(1) ELIMINATION OF AUDIT.—Section 902(b) of the Help America Vote Act of 2002 (42 U.S.C. 15542(b)) is amended—

(A) in paragraph (1), by striking "paragraph (5)" and inserting "paragraph (4)";

(B) by striking paragraph (3); and

(C) by redesignating paragraphs (4) through (6) as paragraphs (3) through (5).

(2) PRESERVATION OF AUTHORITY TO RECOUP FUNDS RESULTING FROM PRIOR AUDITS.—Section 902(c) of such Act (42 U.S.C. 15542(c)) is amended by inserting after "subsection (b)" the following: "prior to the date of the enactment of the Government Reports Elimination Act of 2014".

(d) STATE SMALL BUSINESS CREDIT INITIATIVE AUDIT AND REPORT.—Section 3011 of the Small Business Jobs Act of 2010 (12 U.S.C. 5710) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(e) SMALL BUSINESS LENDING FUND PROGRAM AUDIT AND REPORT.—Section 4107 of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(f) HOUSING ASSISTANCE COUNCIL FINANCIAL STATEMENT AUDIT REPORT.—Section 6303(a) of the Food, Conservation, and Energy Act of 2008 (42 U.S.C. 1490e note) is amended by striking paragraph (3).

SEC. 902. REPORTS MODIFIED.

(a) NATIONAL PREVENTION, HEALTH PROMOTION AND PUBLIC HEALTH COUNCIL.—Subsection (i) of section 4001 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–10) is amended

by striking "The Secretary and the Comptroller General of the United States shall jointly conduct periodic reviews" and inserting "The Secretary shall conduct periodic reviews". Reviews.

(b) POSTCARD MANDATE.—Section 719(g)(2) of title 31, United States Code is amended—

(1) by striking the first sentence and inserting the following: "The Comptroller General shall make each list available through the public website of the Government Accountability Office."; and Lists. Web posting.

(2) in the second sentence, by inserting "of Congress" after "committee or member".

(c) ANNUAL AUDIT OF THE CONGRESSIONAL AWARD FOUNDATION.—

(1) USE OF PRIVATE INDEPENDENT PUBLIC ACCOUNTANT.—Section 107 of the Congressional Award Act (2 U.S.C. 807) is amended to read as follows:

"AUDITS

"SEC. 107. (a) CONTRACTS WITH INDEPENDENT PUBLIC ACCOUNTANT.—The Board shall enter into a contract with an independent public accountant to conduct an annual audit in accordance with generally accepted government auditing standards, of the financial records of the Board and of any corporation established under section 106(i), and shall ensure that the independent public accountant has access for the purpose of the audit to any books, documents, papers, and records of the Board or such corporation (or any agent of the Board or such corporation) which the independent public accountant reasonably determines to be pertinent to the Congressional Award Program.

"(b) ANNUAL REPORT TO CONGRESS ON AUDIT RESULTS.—Not later than May 15 of each calendar year, the Board shall submit to appropriate officers, committees, and subcommittees of Congress and to the Comptroller General of the United States a report on the results of the most recent audit conducted pursuant to this section, and shall include in the report information on any such additional areas as the independent public accountant who conducted the audit determines deserve or require evaluation.

"(c) REVIEW BY THE COMPTROLLER GENERAL OF ANNUAL AUDIT.—

"(1) The Comptroller General of the United States shall review each annual audit conducted under subsection (a).

"(2) For purposes of a review under paragraph (1), the Comptroller General, or any duly authorized representative of the Comptroller General, shall have access to any books, documents, papers, and records of the Board or such corporation, or any agent of the Board or such corporation, including the independent external auditor designated under subsection (a), which, in the opinion of the Comptroller General, may be pertinent.

"(3) Not later than 180 days after the date on which the Comptroller General receives a report under subsection (b), the Comptroller General shall submit to Congress a report containing the results of the review conducted under paragraph (1) with respect to the preceding year.". Deadline.

(2) AMENDMENTS RELATING TO COMPLIANCE WITH FISCAL CONTROL AND ACCOUNTING POLICIES AND PROCEDURES.—Section

104(c) of the Congressional Award Act (2 U.S.C. 804(c)) is amended—

(A) in paragraph (1), in the first sentence, by—

(i) inserting "policies and" before "procedures"; and

(ii) striking "fund"; and

(B) in paragraph (2)(A)—

(i) in the first sentence, by striking "The Comptroller General of the United States" and inserting "The independent public accountant conducting the annual audit of the financial records of the Board pursuant to section 107(a)"; and

(ii) in the second sentence, by striking "the Comptroller General" and inserting "the independent public accountant".

2 USC 804 note.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on October 1, 2014.

(d) ANNUAL GAO REVIEW OF PROPOSED HHS RECOVERY THRESHOLD.—The third sentence of section 1862(b)(9)(B)(i) of the Social Security Act (42 U.S.C. 1395y(b)(9)(B)(i)) is amended by striking "for a year" and inserting "for 2014".

TITLE X—DEPARTMENT OF HOMELAND SECURITY

SEC. 1001. REPORTS ELIMINATED.

(a) PROHIBITION ON IMPORTATION OF PRODUCTS MADE WITH DOG OR CAT FUR.—Section 308 of the Tariff Act of 1930 (19 U.S.C. 1308) is amended by striking subsection (e).

(b) PORT OF ENTRY INFRASTRUCTURE ASSESSMENT STUDY AND NATIONAL LAND BORDER SECURITY PLAN.—The Border Infrastructure and Technology Modernization Act of 2007 (title VI of division E of Public Law 110–161; 6 U.S.C. 1401 et seq.) is amended by striking sections 603 and 604.

6 USC 1402, 1403.

(c) FEES FOR CERTAIN CUSTOMS SERVICES.—

(1) REPEAL.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (Public Law 99–272; 19 U.S.C. 58c) is amended—

(A) in subsection (a)(9), by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C); and

(B) in subsection (f)—

(i) in paragraph (3)—

(I) by striking subparagraph (D); and

(II) by redesignating subparagraph (E) as subparagraph (D);

(ii) by striking paragraph (4); and

(iii) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively.

(2) CONFORMING AMENDMENTS.—Subsection (f) of such section is further amended—

(A) in paragraph (1)(B), by striking "paragraph (5)" and inserting "paragraph (4)"; and

(B) in paragraph (3)(A), by striking "paragraph (5)" and inserting "paragraph (4)".

(d) MODERNIZATION OF NATIONAL DISTRESS AND RESPONSE SYSTEM.—

(1) REPEAL.—Section 346 of the Maritime Transportation Security Act of 2002 (Public Law 107–295; 14 U.S.C. 88 note) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 346.

TITLE XI—DEPARTMENT OF THE INTERIOR

SEC. 1101. ROYALTIES IN-KIND REPORT ELIMINATED.

Section 342 of the Energy Policy Act of 2005 (42 U.S.C. 15902) is amended—

(1) by striking subsection (e); and

(2) by redesignating subsections (f) through (j) as subsections (e) through (i), respectively.

TITLE XII—DEPARTMENT OF LABOR

SEC. 1201. REPORT ELIMINATED. Repeal.

Section 207 of the Andean Trade Preference Act (19 U.S.C. 3205) is repealed.

TITLE XIII—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

SEC. 1301. REPORT ELIMINATED. Repeal.

Section 2(5)(E) of the Senate resolution advising and consenting to ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe (CFE) of November 19, 1990, adopted at Vienna May 31, 1996 (Treaty Doc. 105–5) (commonly referred to as the "CFE Flank Document"), 105th Congress, agreed to May 14, 1997, is repealed.

TITLE XIV—DEPARTMENT OF STATE

SEC. 1401. REPORT ELIMINATED.

Section 620F of the Foreign Assistance Act of 1961 (22 U.S.C. 2376) is amended by striking subsection (c).

TITLE XV—DEPARTMENT OF TRANSPORTATION

SEC. 1501. REPORTS ELIMINATED.

(a) REPORTS OF AIR TRAFFIC SERVICES COMMITTEE.—Section 106(p)(7) of title 49, United States Code, is amended—

(1) by striking subparagraph (H); and

(2) by redesignating subparagraph (I) as subparagraph (H).

(b) ANNUAL SUMMARIES OF AIRPORT FINANCIAL REPORTS.—

(1) IN GENERAL.—Section 47107 of title 49, United States Code, is amended by striking subsection (k).

(2) CONFORMING AMENDMENTS.—

(A) Section 47107 of title 49, United States Code, as amended by paragraph (1), is further amended—

(i) by redesignating subsections (*l*) through (t) as subsections (k) through (s), respectively;

(ii) in paragraph (5) of subsection (k), as redesignated by clause (i)—

(I) in the matter preceding subparagraph (A), by striking "subsection (n)(7)" and inserting "subsection (m)(7)"; and

(II) in subparagraph (B), by striking "subsection (n)" and inserting "subsection (m)";

(iii) in subsection (m), as so redesignated—

(I) by striking "subsections (b) and (l)" each place it appears and inserting "subsections (b) and (k)"; and

(II) by striking "subsection (o)" each place it appears and inserting "subsection (n)";

(iv) in subsection (n), as so redesignated, by striking "subsection (n)" each place it appears and inserting "subsection (m)";

(v) in subsection (o), as so redesignated, by striking "subsection (o)" and inserting "subsection (n)";

(vi) in subsection (p), as so redesignated, by striking "subsections (a) through (p)" and inserting "subsections (a) through (o)"; and

(vii) in subsection (q), as so redesignated, by striking "subsections (q)(1) through (3)" and inserting "paragraphs (1) through (3) of subsection (p)".

(B) Section 46301(d)(2) of such title is amended by striking "section 47107(l)" and inserting "section 47107(k)".

(C) Section 47111(e) of such title is amended by striking "section 47107(l)" and inserting "section 47107(k)".

26 USC 9502.

(D) Section 9502 of the Internal Revenue Code of 1986 is amended by striking "section 47107(n)" each place it appears and inserting "section 47107(m)".

(c) ANNUAL REPORT ON PIPELINE SAFETY INFORMATION GRANTS TO COMMUNITIES.—Section 60130 of title 49, United States Code, is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(d) ANNUAL REPORT ON PILOT PROGRAM FOR INNOVATIVE FINANCING OF AIR TRAFFIC CONTROL EQUIPMENT.—Section 182 of the Vision 100—Century of Aviation Reauthorization Act (117 Stat. 2515; 49 U.S.C. 44502 note) is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

Repeal.

(e) REPORTS ON JUSTIFICATIONS FOR AIR DEFENSE IDENTIFICATION ZONES.—Section 602 of the Vision 100—Century of Aviation Reauthorization Act (117 Stat. 2563), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

(f) ANNUAL REPORT ON STANDARDS FOR AIRCRAFT AND AIRCRAFT ENGINES TO REDUCE NOISE LEVELS.—Section 726 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (114 Stat. 167; 49 U.S.C. 47508 note) is amended by striking subsection (c).

SEC. 1502. REPORT MODIFIED.

Section 1138(a) of title 49, United States Code, is amended by striking "at least annually, but may be conducted".

TITLE XVI—DEPARTMENT OF THE TREASURY

SEC. 1601. REPORTS ELIMINATED.

(a) ANNUAL REPORT ON THE NORTH AMERICAN DEVELOPMENT BANK.—Section 2 of Public Law 108–215 (22 U.S.C. 290m–6) is repealed. Repeal.

(b) REPORT ON VOTING ON INTERNATIONAL FINANCIAL INSTITUTIONS LOAN PROPOSALS.—Section 701 of the International Financial Institutions Act (22 U.S.C. 262d) is amended by striking subsection (c) and redesignating subsection (d) through subsection (g) (as added by section 501(g) of Public Law 96–259) as subsections (c) through (f), respectively.

(c) REPORT ON NEW IMF ARRANGEMENTS REGARDING RATES AND MATURITIES.—Section 605 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (112 Stat. 2681–222), as enacted into law by section 101(d) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), is amended by striking subsection (d).

(d) REPORT ON SIGNIFICANT MODIFICATIONS.—The Government Securities Act Amendments of 1993 (Public Law 103–202; 31 U.S.C. 3121 note) is amended—

(1) by striking section 203; and

(2) in the table of contents for such Act, by striking the item relating to section 203.

TITLE XVII—DEPARTMENT OF VETERANS AFFAIRS

SEC. 1701. REPORT ELIMINATED.

Section 8125 of title 38, United States Code, is amended—
(1) by striking subsection (d); and
(2) by redesignating subsection (e) as subsection (d).

Approved November 26, 2014.

LEGISLATIVE HISTORY—H.R. 4194:

HOUSE REPORTS: No. 113–419 (Comm. on Oversight and Government Reform).
SENATE REPORTS: No. 113–232 (Comm. on Homeland Security and Governmental Affairs).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Apr. 28, considered and passed House.
Sept. 16, considered and passed Senate, amended.
Nov. 12, House concurred in Senate amendment.

Public Law 113–189
113th Congress

An Act

To designate the facility of the United States Postal Service located at 35 Park Street in Danville, Vermont, as the "Thaddeus Stevens Post Office".

Nov. 26, 2014
[S. 885]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. THADDEUS STEVENS POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 35 Park Street in Danville, Vermont, shall be known and designated as the "Thaddeus Stevens Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Thaddeus Stevens Post Office".

Approved November 26, 2014.

LEGISLATIVE HISTORY—S. 885 (H.R. 1865):

CONGRESSIONAL RECORD:
Vol. 159 (2013): Aug. 1, considered and passed Senate.
Vol. 160 (2014): Nov. 17, considered and passed House.

Public Law 113–190
113th Congress

An Act

Nov. 26, 2014
[S. 898]

To authorize the Administrator of General Services to convey a parcel of real property in Albuquerque, New Mexico, to the Amy Biehl High School Foundation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Albuquerque, New Mexico, Federal Land Conveyance Act of 2013.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Albuquerque, New Mexico, Federal Land Conveyance Act of 2013".

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of General Services.

(2) FEDERAL LAND.—The term "Federal land" means the real property located in Albuquerque, New Mexico, that, as determined by the Administrator, subject to survey, generally consists of lots 12 through 19, and for the westerly boundary, the portion of either lot 19 or 20 which is the outside west wall of the basement level of the Old Post Office building, and which has a municipal address of 123 Fourth Street, SW, in Block 18, New Mexico Town Company's Original Townsite, Albuquerque, New Mexico.

(3) FOUNDATION.—The term "Foundation" means the Amy Biehl High School Foundation.

SEC. 3. CONVEYANCE OF REAL PROPERTY IN ALBUQUERQUE, NEW MEXICO, TO THE AMY BIEHL HIGH SCHOOL FOUNDATION.

Deadline.

(a) CONVEYANCE.—Notwithstanding any other provision of law, not later than 90 days after the date of enactment of this Act, the Administrator shall offer to convey to the Foundation, by quitclaim deed, all right, title, and interest of the United States in and to the Federal land.

(b) CONSIDERATION.—As consideration for conveyance of the Federal land under subsection (a), the Administrator shall require the Foundation to pay to the Administrator consideration in an amount equal to the fair market value of the Federal land, as determined based on an appraisal that is acceptable to the Administrator.

(c) COSTS OF CONVEYANCE.—The Foundation shall be responsible for paying—

(1) the costs of an appraisal conducted under subsection (b); and

(2) any other costs relating to the conveyance of the Federal land under this Act.

(d) PROCEEDS.—

(1) DEPOSIT.—Net proceeds received under subsection (b) shall be paid into the Federal Buildings Fund established under section 592 of title 40, United States Code.

(2) EXPENDITURE.—Amounts paid into the Federal Buildings Fund under paragraph (1) shall be available to the Administrator, in amounts specified in appropriations Acts, for expenditure for any lawful purpose consistent with existing authorities granted to the Administrator, except that the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate 30 days advance written notice of any expenditure of the proceeds.

Notification. Deadline.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require that any conveyance under subsection (a) be subject to such additional terms and conditions as the Administrator considers appropriate to protect the interests of the United States.

(f) DEADLINE.—The conveyance of the Federal land under this Act shall occur not later than 3 years after the date of enactment of this Act.

Approved November 26, 2014.

LEGISLATIVE HISTORY—S. 898 (H.R. 3998):

HOUSE REPORTS: No. 113–408 (Comm. on Transportation and Infrastructure) accompanying H.R. 3998.

CONGRESSIONAL RECORD, Vol. 160 (2014):

Sept. 9, considered and passed Senate.

Nov. 12, considered and passed House.

Public Law 113–191
113th Congress

An Act

Nov. 26, 2014
[S. 1093]

To designate the facility of the United States Postal Service located at 130 Caldwell Drive in Hazlehurst, Mississippi, as the "First Lieutenant Alvin Chester Cockrell, Jr. Post Office Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FIRST LIEUTENANT ALVIN CHESTER COCKRELL, JR. POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 130 Caldwell Drive in Hazlehurst, Mississippi, shall be known and designated as the "First Lieutenant Alvin Chester Cockrell, Jr. Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "First Lieutenant Alvin Chester Cockrell, Jr. Post Office Building".

Approved November 26, 2014.

LEGISLATIVE HISTORY—S. 1093:

CONGRESSIONAL RECORD:
Vol. 159 (2013): Aug. 1, considered and passed Senate.
Vol. 160 (2014): Nov. 17, considered and passed House.

Public Law 113–192
113th Congress

An Act

To designate the facility of the United States Postal Service located at 278 Main Street in Chadron, Nebraska, as the "Sergeant Cory Mracek Memorial Post Office".

Nov. 26, 2014
[S. 1499]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SERGEANT CORY MRACEK MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 278 Main Street in Chadron, Nebraska, shall be known and designated as the "Sergeant Cory Mracek Memorial Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Sergeant Cory Mracek Memorial Post Office".

Approved November 26, 2014.

LEGISLATIVE HISTORY—S. 1499:

CONGRESSIONAL RECORD:
Vol. 159 (2013): Nov. 12, considered and passed Senate.
Vol. 160 (2014): Nov. 17, considered and passed House.

Public Law 113–193
113th Congress

An Act

Nov. 26, 2014
[S. 1512]

To designate the facility of the United States Postal Service located at 1335 Jefferson Road in Rochester, New York, as the "Specialist Theodore Matthew Glende Post Office".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPECIALIST THEODORE MATTHEW GLENDE POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1335 Jefferson Road in Rochester, New York, shall be known and designated as the "Specialist Theodore Matthew Glende Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Specialist Theodore Matthew Glende Post Office".

Approved November 26, 2014.

LEGISLATIVE HISTORY—S. 1512 (H.R. 5019):

CONGRESSIONAL RECORD:
Vol. 159 (2013): Nov. 12, considered and passed Senate.
Vol. 160 (2014): Nov. 17, considered and passed House.

Public Law 113–194
113th Congress

An Act

To direct the Administrator of General Services to convey the Clifford P. Hansen Federal Courthouse to Teton County, Wyoming.

Nov. 26, 2014
[S. 1934]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Clifford P. Hansen Federal Courthouse Conveyance Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Clifford P. Hansen Federal Courthouse Conveyance Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of General Services.

(2) COUNTY.—The term "County" means Teton County, Wyoming.

(3) COURTHOUSE.—The term "Courthouse" means—

(A) the parcel of land located at 145 East Simpson Street, Jackson, Wyoming; and

(B) the building located on the land described in subparagraph (A), which is known as the "Clifford P. Hansen Federal Courthouse".

SEC. 3. CONVEYANCE OF FEDERAL COURTHOUSE TO TETON COUNTY, WYOMING.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator shall offer to convey to the County all right, title, and interest of the United States in and to the Courthouse.

(b) CONSIDERATION.—In exchange for the conveyance of the Courthouse to the County under this Act, the Administrator shall require the County to pay to the Administrator—

(1) nominal consideration for the parcel of land described in section 2(3)(A); and

(2) subject to subsection (c), consideration in an amount equal to the fair market value of the building described in section 2(3)(B), as determined based on an appraisal of the building that is acceptable to the Administrator.

(c) CREDITS.—In lieu of all or a portion of the amount of consideration for the building described in section 2(3)(B), the Administrator may accept as consideration for the conveyance of the building under subsection (b)(2) any credits or waivers against lease payments, amounts expended by the County under facility maintenance agreements, or other charges for the continued occupancy or use by the Federal Government of the building.

(d) RESTRICTIONS ON USE.—The deed for the conveyance of the Courthouse to the County under this Act shall include a covenant that provides that the Courthouse will be used for public use purposes.

(e) COSTS OF CONVEYANCE.—The County shall be responsible for paying—

(1) the costs of an appraisal conducted under subsection (b)(2); and

(2) any other costs relating to the conveyance of the Courthouse under this Act.

(f) PROCEEDS.—

(1) DEPOSIT.—Any net proceeds received by the Administrator as a result of the conveyance under this Act, as applicable, shall be paid into the Federal Buildings Fund established under section 592 of title 40, United States Code.

(2) EXPENDITURE.—Amounts paid into the Federal Buildings Fund under paragraph (1) shall be available to the Administrator, in amounts specified in appropriations Acts, for expenditure for any lawful purpose consistent with existing authorities granted to the Administrator.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may establish such additional terms and conditions with respect to the conveyance under this Act as the Administrator considers to be appropriate to protect the interests of the United States.

Approved November 26, 2014.

LEGISLATIVE HISTORY—S. 1934:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 9, considered and passed Senate.
Nov. 12, considered and passed House.

Public Law 113–195
113th Congress

An Act

To amend the Federal Food, Drug, and Cosmetic Act to provide an alternative process for review of safety and effectiveness of nonprescription sunscreen active ingredients and for other purposes.

Nov. 26, 2014
[S. 2141]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Sunscreen Innovation Act.
21 USC 301 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sunscreen Innovation Act".

SEC. 2. REGULATION OF NONPRESCRIPTION SUNSCREEN ACTIVE INGREDIENTS.

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by adding at the end the following:

"Subchapter I—Nonprescription Sunscreen and Other Active Ingredients

"SEC. 586. DEFINITIONS.

21 USC 360fff.

"In this subchapter—

"(1) the term 'Advisory Committee' means the Nonprescription Drug Advisory Committee of the Food and Drug Administration or any successor to such Committee;

"(2) the term 'final sunscreen order' means an order published by the Secretary in the Federal Register containing information stating that a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients—

"(A) is GRASE and is not misbranded if marketed in accordance with such order; or

"(B) is not GRASE and is misbranded;

"(3) the term 'GRASE' means generally recognized, among experts qualified by scientific training and experience to evaluate the safety and effectiveness of drugs, as safe and effective for use under the conditions prescribed, recommended, or suggested in the labeling of a drug as described in section 201(p);

"(4) the term 'GRASE determination' means, with respect to a nonprescription active ingredient or a combination of nonprescription active ingredients, a determination of whether such ingredient or combination of ingredients is GRASE;

"(5) the term 'nonprescription' means not subject to section 503(b)(1);

"(6) the term 'pending request' means each request with respect to a nonprescription sunscreen active ingredient submitted under section 330.14 of title 21, Code of Federal Regulations (as in effect on the date of enactment of the Sunscreen Innovation Act) for consideration for inclusion in the over-the-counter drug monograph system—

"(A) that was determined to be eligible for such review by publication of a notice of eligibility in the Federal Register prior to the date of enactment of such Act; and

"(B) for which safety and effectiveness data have been submitted to the Secretary prior to such date of enactment;

"(7) the term 'proposed sunscreen order' means an order containing a tentative determination published by the Secretary in the Federal Register containing information proposing that a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients—

"(A) is GRASE and is not misbranded if marketed in accordance with such order;

"(B) is not GRASE and is misbranded; or

"(C) is not GRASE and is misbranded because the data are insufficient to classify such ingredient or combination of ingredients as GRASE and not misbranded and additional information is necessary to allow the Secretary to determine otherwise;

"(8) the term 'sponsor' means the person that submitted—

"(A) a request under section 586A;

"(B) a pending request; or

"(C) any other application subject to this subchapter;

"(9) the term 'sunscreen' means a drug containing one or more sunscreen active ingredients; and

"(10) the term 'sunscreen active ingredient' means an active ingredient that is intended for application to the skin of humans for purposes of absorbing, reflecting, or scattering ultraviolet radiation.

21 USC 360fff–1.

"SEC. 586A. SUBMISSION OF REQUESTS.

"Any person may submit a request to the Secretary for a determination of whether a nonprescription sunscreen active ingredient or a combination of nonprescription sunscreen active ingredients, for use under specified conditions, to be prescribed, recommended, or suggested in the labeling thereof (including dosage form, dosage strength, and route of administration) is GRASE and should be included in part 352 of title 21, Code of Federal Regulations (or any successor regulations) concerning nonprescription sunscreen.

21 USC 360fff–2.

"SEC. 586B. ELIGIBILITY DETERMINATIONS; DATA SUBMISSION; FILING.

"(a) ELIGIBILITY DETERMINATIONS.—

Deadline.

"(1) IN GENERAL.—Not later than 60 calendar days after the date of receipt of a request under section 586A, the Secretary shall—

"(A) determine, in accordance with paragraph (2), whether the request is eligible for further review under subsection (b) and section 586C;

Notification.

"(B) notify the sponsor of the determination of the Secretary; and

"(C) make such determination publicly available in accordance with paragraph (3) and subsection (b)(1). Public information.

"(2) CRITERIA FOR ELIGIBILITY.—

"(A) IN GENERAL.—To be eligible for review under subsection (b) and section 586C, a request shall be for a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients, for use under specified conditions, to be prescribed, recommended, or suggested in the labeling thereof, that—

"(i) is not included in part 352 of title 21, Code of Federal Regulations (or any successor regulations) concerning nonprescription sunscreen; and

"(ii) has been used to a material extent and for a material time under such conditions, as described in section 201(p)(2).

"(B) ESTABLISHMENT OF TIME AND EXTENT.—A sponsor shall include in a request under section 586A the information required under section 330.14 of title 21, Code of Federal Regulations (or any successor regulations) to meet the standard described in subparagraph (A)(ii).

"(3) PUBLIC AVAILABILITY.—

"(A) REDACTIONS FOR CONFIDENTIAL INFORMATION.—If a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients is determined under paragraph (1)(A) to be eligible for further review, the Secretary shall make the request publicly available, with redactions for information that is treated as confidential under section 552(b) of title 5, United States Code, section 1905 of title 18, United States Code, or section 301(j) of this Act.

"(B) IDENTIFICATION OF CONFIDENTIAL INFORMATION BY SPONSOR.—At the time that a request is made under section 586A, the sponsor of such request shall identify any information that such sponsor considers to be confidential information described in subparagraph (A).

"(C) CONFIDENTIALITY DURING ELIGIBILITY REVIEW.—The information contained in a request under section 586A shall remain confidential during the Secretary's consideration under this section of whether the request is eligible for further review consistent with section 330.14 of title 21, Code of Federal Regulations (or any successor regulations).

"(b) DATA SUBMISSION AND FILING OF REQUESTS.—

"(1) IN GENERAL.—In the case of a request under section 586A that is determined to be eligible under subsection (a) for further review under this section and section 586C, the Secretary shall, in notifying the public under subsection (a)(1)(C) of such eligibility determination, post the eligibility determination on the Internet website of the Food and Drug Administration, invite the sponsor of such request and any other interested party to submit comments, and provide a period of not less than 45 calendar days for comments in support of or otherwise relating to a GRASE determination, including published and unpublished data and other information related to the safety and efficacy of such request. Web posting. Deadline.

"(2) FILING DETERMINATION.—Not later than 60 calendar days after the submission of data and other information Deadlines.

described in paragraph (1) by the sponsor, the Secretary shall determine whether the data and other information submitted by the sponsor under this section are sufficiently complete, including being formatted in a manner that enables the Secretary to determine the completeness of such data and information, to enable the Secretary to conduct a substantive review under section 586C with respect to such request. Not later than 60 calendar days after the submission of data and other information described in paragraph (1) by the sponsor, if the Secretary determines—

Notification. Public information.

"(A) that such data and other information are sufficiently complete, the Secretary shall—

"(i) issue a written notification to the sponsor of the determination to file such request, and make such notification publicly available; and

"(ii) file such request made under section 586A; or

"(B) that such data and other information are not sufficiently complete, the Secretary shall issue a written notification to the sponsor of the determination to refuse to file the request, which shall include the reasons for the refusal, including why such data and other information are not sufficiently complete, and make such notification publicly available.

Deadlines.

"(3) REFUSAL TO FILE A REQUEST.—

"(A) REQUEST FOR MEETINGS; SUBMISSION OF ADDITIONAL DATA OR OTHER INFORMATION.—If the Secretary refuses to file a request made under section 586A, the sponsor may—

Notification.

"(i) within 30 calendar days of receipt of written notification of such refusal, request, in writing, a meeting with the Secretary regarding the filing determination; and

"(ii) submit additional data or other information.

"(B) MEETINGS.—

"(i) IN GENERAL.—If a sponsor seeks a meeting under subparagraph (A)(i), the Secretary shall convene the meeting within 30 calendar days of the request for such meeting.

"(ii) ACTIONS AFTER MEETING.—Following any meeting held under clause (i)—

"(I) the Secretary may file the request within 60 calendar days;

"(II) the sponsor may submit additional data or other information; or

"(III) if the sponsor elects, within 120 calendar days, to have the Secretary file the request (with or without amendments to correct any purported deficiencies to the request)—

"(aa) the Secretary shall file the request over protest, not later than 30 calendar days after the sponsor makes such election;

Notification.

"(bb) at the time of filing, the Secretary shall provide written notification of such filing to the sponsor; and

Public information.

"(cc) the Secretary shall make such notification publicly available.

"(iii) REQUESTS FILED OVER PROTEST.—The Secretary shall not require the sponsor to resubmit a copy of the request for purposes of filing a request filed over protest, as described in clause (ii)(III).

"(C) SUBMISSIONS OF ADDITIONAL DATA OR OTHER INFORMATION.—Within 60 calendar days of any submission of additional data or other information under subparagraph (A)(ii) or (B)(ii)(II), the Secretary shall reconsider the previous determination made under paragraph (2) with respect to the applicable request and make a new determination in accordance with paragraph (2).

"(4) PUBLIC AVAILABILITY.—

"(A) REDACTIONS FOR CONFIDENTIAL INFORMATION.—After the period of confidentiality described in subsection (a)(3)(C), the Secretary shall make data and other information submitted in connection with a request under section 586A publicly available, with redactions for information that is treated as confidential under section 552(b) of title 5, United States Code, section 1905 of title 18, United States Code, or section 301(j) of this Act.

"(B) IDENTIFICATION OF CONFIDENTIAL INFORMATION BY SPONSOR.—A person submitting information under this section shall identify at the time of such submission the portions of such information that the person considers to be confidential information described in subparagraph (A).

"SEC. 586C. GRASE DETERMINATION.

21 USC 360fff–3.

"(a) REVIEW OF NEW REQUEST.—

Deadlines.

"(1) PROPOSED SUNSCREEN ORDER.—In the case of a request under section 586A, not later than 300 calendar days after the date on which such request is filed under subsection (b)(2)(A) or (b)(3)(B)(ii)(III) of section 586B, the Secretary—

"(A) may convene a meeting of the Advisory Committee to review such request; and

"(B) shall complete the review of such request and issue a proposed sunscreen order with respect to such request.

"(2) PROPOSED SUNSCREEN ORDER BY COMMISSIONER.—If the Secretary does not issue a proposed sunscreen order under paragraph (1)(B) within such 300-day period, the sponsor of such request may notify the Office of the Commissioner of such request and request review by the Office of the Commissioner. If such sponsor so notifies the Office of the Commissioner, the Commissioner shall, not later than 60 calendar days after the date of notification under this paragraph, issue a proposed sunscreen order with respect to such request.

"(3) PUBLIC COMMENT PERIOD.—A proposed sunscreen order issued under paragraph (1)(B) or (2) with respect to a request shall provide for a period of 45 calendar days for public comment.

"(4) MEETING.—A sponsor may request, in writing, a meeting with respect to a proposed sunscreen order issued under this subsection and described in subparagraph (B) or (C) of section 586(7), not later than 30 calendar days after the Secretary issues such order. The Secretary shall convene a meeting with such sponsor not later than 45 calendar days after such request for a meeting.

"(5) FINAL SUNSCREEN ORDER.—With respect to a proposed sunscreen order under paragraph (1)(B) or (2)—

"(A) the Secretary shall issue a final sunscreen order—

"(i) in the case of a proposed sunscreen order described in subparagraph (A) or (B) of section 586(7), not later than 90 calendar days after the end of the public comment period under paragraph (3); or

"(ii) in the case of a proposed sunscreen order described in subparagraph (C) of section 586(7), not later than 210 calendar days after the date on which the sponsor submits the additional information requested pursuant to such proposed sunscreen order; or

"(B) if the Secretary does not issue such final sunscreen order within such 90- or 210-calendar-day period, as applicable, the sponsor of such request may notify the Office of the Commissioner of such request and request review by the Office of the Commissioner.

"(6) FINAL SUNSCREEN ORDER BY COMMISSIONER.—The Commissioner shall issue a final sunscreen order with respect to a proposed sunscreen order subject to paragraph (5)(B) not later than 60 calendar days after the date of notification under such paragraph.

Deadlines.

"(b) REVIEW OF PENDING REQUESTS.—

"(1) IN GENERAL.—The review of a pending request shall be carried out by the Secretary in accordance with this subsection.

"(2) INAPPLICABILITY OF SECTIONS 586A AND 586B.—Sections 586A and 586B shall not apply with respect to any pending request.

Web posting.

"(3) FEEDBACK LETTERS AS PROPOSED SUNSCREEN ORDER.—Notwithstanding the requirements of section 586(7), a letter issued pursuant to section 330.14(g) of title 21, Code of Federal Regulations before the date of enactment of the Sunscreen Innovation Act, with respect to a pending request, shall be deemed to be a proposed sunscreen order and displayed on the Internet website of the Food and Drug Administration. Notification of the availability of such letter shall be published in the Federal Register not later than 45 calendar days after the date of enactment of such Act.

Notification.
Federal Register, publication.

"(4) PROPOSED SUNSCREEN ORDER.—In the case of a pending request for which the Secretary has not issued a letter pursuant to section 330.14(g) of title 21, Code of Federal Regulations before the date of enactment of the Sunscreen Innovation Act, the Secretary shall complete review of such request and, not later than 90 calendar days after the date of enactment of such Act, issue a proposed sunscreen order with respect to such request.

"(5) PROPOSED SUNSCREEN ORDER BY COMMISSIONER.—If the Secretary does not issue a proposed sunscreen order under paragraph (4), or the Secretary does not publish a notification of the availability of a letter under paragraph (3), as applicable, the sponsor of such request may notify the Office of the Commissioner of such request and request review by the Office of the Commissioner. The Commissioner shall, not later than 60 calendar days after the date of notification under this paragraph, issue a proposed order with respect to such request.

"(6) PUBLIC COMMENT PERIOD.—A proposed sunscreen order issued under paragraph (4) or (5), or a notification of the availability of a letter under paragraph (3), with respect to a pending request shall provide for a period of 45 calendar days for public comment.

"(7) MEETING.—A sponsor may request, in writing, a meeting with respect to a proposed sunscreen order issued under this subsection, including a letter deemed to be a proposed sunscreen order under paragraph (3), not later than 30 calendar days after the Secretary issues such order or the date upon which such feedback letter is deemed to be a proposed sunscreen order, as applicable. The Secretary shall convene a meeting with such sponsor not later than 45 calendar days after the date of such request for a meeting.

"(8) ADVISORY COMMITTEE.—In the case of a proposed sunscreen order under paragraph (3), (4), or (5), an Advisory Committee meeting may be convened for the purpose of reviewing and providing recommendations regarding the pending request.

"(9) FINAL SUNSCREEN ORDER.—In the case of a proposed sunscreen order under paragraph (3), (4), or (5)—

"(A) the Secretary shall issue a final sunscreen order with respect to the request—

"(i) in the case of a proposed sunscreen order described in subparagraph (A) or (B) of section 586(7), not later than 90 calendar days after the end of the public comment period under paragraph (6); or

"(ii) in the case of a proposed sunscreen order described in subparagraph (C) of section 586(7)—

"(I) if the Advisory Committee is not convened under paragraph (8), not later than 210 calendar days after the date on which the sponsor submits the additional information requested pursuant to such proposed sunscreen order, which shall include a rationale for not convening such Advisory Committee; or

"(II) if the Advisory Committee is convened under paragraph (8), not later than 270 calendar days after the date on which the sponsor submits such additional information; or

"(B) if the Secretary does not issue such final sunscreen order within such 90-, 210-, or 270-calendar-day period, as applicable, the sponsor of such request may notify the Office of the Commissioner about such request and request review by the Office of the Commissioner. Notification.

"(10) FINAL SUNSCREEN ORDER BY COMMISSIONER.—The Commissioner shall issue a final sunscreen order with respect to a proposed sunscreen order subject to paragraph (9)(B) not later than 60 calendar days after the date of notification under such paragraph.

"(c) ADVISORY COMMITTEE.—The Secretary shall not be required to—

"(1) convene the Advisory Committee—

"(A) more than once with respect to any request under section 586A or any pending request; or

"(B) more than twice in any calendar year with respect to the review under this section; or

"(2) submit more than a total of 3 requests under section 586A or pending requests to the Advisory Committee per meeting.

"(d) NO DELEGATION.—Any responsibility vested in the Commissioner by subsection (a)(2), (a)(6), (b)(5), or (b)(10) shall not be delegated.

"(e) EFFECT OF FINAL SUNSCREEN ORDER.—

"(1) IN GENERAL.—

"(A) SUNSCREEN ACTIVE INGREDIENTS DETERMINED TO BE GRASE.—Upon issuance of a final sunscreen order determining that a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients is GRASE and is not misbranded, a sunscreen containing such ingredient or combination of ingredients shall be permitted to be introduced or delivered into interstate commerce for use under the conditions described in such final sunscreen order, in accordance with all requirements applicable to drugs not subject to section 503(b)(1), for so long as such final sunscreen order remains in effect.

"(B) SUNSCREEN ACTIVE INGREDIENTS DETERMINED NOT TO BE GRASE.—Upon issuance of a final sunscreen order determining that a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients is not GRASE and is misbranded, a sunscreen containing such ingredient or combination of ingredients shall not be introduced or delivered into interstate commerce, for use under the conditions described in such final sunscreen order, unless an application is approved pursuant to section 505 with respect to a sunscreen containing such ingredient or combination of ingredients, or unless conditions are later established under which such ingredient or combination of ingredients is later determined to be GRASE and not misbranded under the over-the-counter drug monograph system.

"(2) AMENDMENTS TO FINAL SUNSCREEN ORDERS.—

"(A) AMENDMENTS AT INITIATIVE OF SECRETARY.—In the event that information relevant to a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients becomes available to the Secretary after issuance of a final sunscreen order, the Secretary may amend such final sunscreen order by issuing a new proposed sunscreen order under subsection (a)(1) and following the procedures set forth in this section.

"(B) PETITION TO AMEND FINAL ORDER.—Any interested person may petition the Secretary to amend a final sunscreen order under section 10.30, title 21 Code of Federal Regulations (or any successor regulations). If the Secretary grants any petition under such section, the Secretary shall initiate the process for amending a final sunscreen order by issuing a new proposed sunscreen order under subsection (a)(1) and following the procedures set forth in this section.

"(C) APPLICABILITY OF FINAL ORDERS.—Once the Secretary issues a new proposed sunscreen order to amend a final sunscreen order under subparagraph (A) or (B), such final sunscreen order shall remain in effect and paragraph (3) shall not apply to such final sunscreen order

until the Secretary has issued a new final sunscreen order or has determined not to amend the final sunscreen order.

"(3) INCLUSION OF INGREDIENTS THAT ARE SUBJECTS OF FINAL ORDERS IN THE SUNSCREEN MONOGRAPH.—

"(A) AMENDING REGULATIONS.—

"(i) REQUIREMENT.—At any time that the Secretary proposes to amend part 352 of title 21, Code of Federal Regulations (or any successor regulations) concerning nonprescription sunscreen, including pursuant to section 586E, except as provided in clause (iv), the Secretary shall include in such part 352 (or any successor regulations) any nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients that is the subject of an effective final sunscreen order of the type described in section 586(2)(A) and issued since the time that the Secretary last amended such regulations. Such regulation shall set forth conditions of use under which each such ingredient or combination of ingredients is GRASE and not misbranded. If these conditions differ from, or are in addition to, those previously set forth in the applicable final sunscreen order, the Secretary shall provide notice and opportunity for comment on such conditions in the rulemaking, and the applicable final sunscreen order shall continue in effect until the effective date of a final regulation, as set forth in clause (iii).

Notification. Public comments. Extension.

"(ii) INCLUSION OF ORDERS.—In proposing to amend the regulations as described in clause (i), the Secretary shall include in the proposed regulations a list of final sunscreen orders that shall cease to be effective on the effective date of a resulting final regulation. Such list shall include all final sunscreen orders of the type described in section 586(2)(A) that are in effect on the date that such regulations are proposed, with the exception that such list shall not include any final sunscreen orders that, on the date that the regulations are proposed, the Secretary is in the process of amending under paragraph (2).

Lists. Termination date.

"(iii) ORDERS NO LONGER EFFECTIVE.—Any final sunscreen order included by the Secretary in a list described in clause (ii) and in a list included in resulting final regulations shall cease to be effective on the date that such final regulations including such order in such list become effective.

"(iv) INGREDIENTS NOT GRASE.—If, notwithstanding a final sunscreen order stating that a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients is GRASE and is not misbranded if marketed in accordance with such order, while amending the regulations as described in clause (i), the Secretary concludes that such ingredient or combination of ingredients is no longer GRASE for use in nonprescription sunscreen, the Secretary shall, at the discretion of the Secretary,

either initiate the process for amending the final sunscreen order set forth in paragraph (2) of this subsection or include in a proposed regulation an explanation and information supporting the determination of the Secretary that such ingredient or combination of ingredients is no longer GRASE for use in nonprescription sunscreen.

"(B) PROCEDURE FOR UPDATING REGULATIONS.—After the Secretary amends and finalizes the regulations under part 352 of title 21, Code of Federal Regulations under section 586E and such regulations become effective, the Secretary may use direct final rulemaking to include in such regulations any nonprescription sunscreen active ingredients that are the subject of effective final sunscreen orders.

21 USC 360fff–4.

"SEC. 586D. GUIDANCE; OTHER PROVISIONS.

"(a) GUIDANCE.—

"(1) IN GENERAL.—

Deadline.

"(A) DRAFT GUIDANCE.—Not later than 1 year after the date of enactment of the Sunscreen Innovation Act, the Secretary shall issue draft guidance on the implementation of, and compliance with, the requirements with respect to sunscreen under this subchapter, including guidance on—

"(i) the format and content of information submitted by a sponsor in support of a request under section 586A or a pending request;

"(ii) the data required to meet the safety and efficacy standard for determining whether a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients is GRASE and is not misbranded;

"(iii) the process by which a request under section 586A or a pending request is withdrawn; and

"(iv) the process by which the Secretary will carry out section 586C(c), including with respect to how the Secretary will address the total number of requests received under section 586A and pending requests.

Deadline.

"(B) FINAL GUIDANCE.—The Secretary shall finalize the guidance described in subparagraph (A) not later than 2 years after the date of enactment of the Sunscreen Innovation Act.

"(C) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code shall not apply to collections of information made for purposes of guidance under this subsection.

"(2) SUBMISSIONS PENDING ISSUANCE OF FINAL GUIDANCE.—Irrespective of whether final guidance under paragraph (1) has been issued—

"(A) persons may, beginning on the date of enactment of the Sunscreen Innovation Act, make submissions under this subchapter; and

Review.

"(B) the Secretary shall review and act upon such submissions in accordance with this subchapter.

"(b) RULES OF CONSTRUCTION.—

"(1) CURRENTLY MARKETED SUNSCREENS.—Nothing in this subchapter shall be construed to affect the marketing of sunscreens that are marketed in interstate commerce on or before the date of enactment of this subchapter, except as otherwise provided in this subchapter.

"(2) ENSURING SAFETY AND EFFECTIVENESS.—Nothing in this subchapter shall be construed to alter the authority of the Secretary with respect to prohibiting the marketing of a sunscreen that is not safe and effective or is misbranded, or with respect to imposing restrictions on the marketing of a sunscreen to ensure safety and effectiveness, except as otherwise provided in this subchapter, including section 586C(e).

"(3) OTHER DRUGS.—Except as otherwise provided in section 586F, nothing in this subchapter shall be construed to affect the authority of the Secretary under this Act or the Public Health Service Act (42 U.S.C. 201 et seq.) with respect to a drug other than a nonprescription sunscreen.

"(4) EFFECT ON DRUGS OTHERWISE APPROVED.—Nothing in this subchapter shall affect the marketing of a drug approved under section 505 of this Act or section 351 of the Public Health Service Act.

"(c) TIMELINES.—The timelines for the processes and procedures under paragraphs (1), (2), (5), and (6) of section 586C(a) shall not apply to any requests submitted to the Secretary under section 586A after the date that is 6 years after the date of enactment of the Sunscreen Innovation Act.

"SEC. 586E. SUNSCREEN MONOGRAPH.

21 USC 360fff–5.

"(a) IN GENERAL.—Not later than 5 years after the date of enactment of the Sunscreen Innovation Act, the Secretary shall amend and finalize regulations under part 352 of title 21, Code of Federal Regulations concerning nonprescription sunscreen that are effective not later than 5 years after such date of enactment. The Secretary shall publish such regulations not less than 30 calendar days before the effective date of such regulations.

Deadlines. Regulations.

Publication.

"(b) REPORTS.—If the regulations promulgated under subsection (a) do not include provisions related to the effectiveness of various sun protection factor levels, and do not address all dosage forms known to the Secretary to be used in sunscreens marketed in the United States without a new drug approval under section 505, the Secretary shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives on the rationale for such provisions not being included in such regulations, and a plan and timeline to compile any information necessary to address such provisions through final regulations.".

(b) RULES OF CONSTRUCTION.—Nothing in the amendment made by this section shall be construed to—

21 USC 360 note.

(1) limit the right of a sponsor (as defined in section 586(8) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a)) to request that the Secretary of Health and Human Services convene an advisory committee; or

(2) limit the authority of the Secretary of Health and Human Services to meet with a sponsor (as defined in section 586(8) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a)).

SEC. 3. NON-SUNSCREEN TIME AND EXTENT APPLICATIONS.

Subchapter I of chapter V of the Federal Food, Drug, and Cosmetic Act, as added by section 2, is amended by adding at the end the following:

21 USC 360fff–6.

"SEC. 586F. NON-SUNSCREEN TIME AND EXTENT APPLICATIONS.

Deadlines.

"(a) PENDING TIME AND EXTENT APPLICATIONS.—

"(1) IN GENERAL.—

"(A) REQUEST FOR FRAMEWORK FOR REVIEW.—If, prior to the date of enactment of the Sunscreen Innovation Act, an application was submitted pursuant to section 330.14 of title 21, Code of Federal Regulations for a GRASE determination for a drug other than a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients and such drug was found to be eligible to be considered for inclusion in the over-the-counter drug monograph system pursuant to section 330.14 of title 21, Code of Federal Regulations, the sponsor of such application may request that the Secretary provide a framework under paragraph (2) for the review of such application.

"(B) REQUEST REQUIREMENTS.—A request for a framework for review of an application made under subparagraph (A) shall be made within 180 calendar days of the date of enactment of the Sunscreen Innovation Act and shall include the preference of such sponsor as to whether such application is reviewed by the Secretary in accordance with—

"(i) the processes and procedures set forth for pending requests under section 586C(b), except that specific timelines shall be determined in accordance with other applicable requirements under this section;

"(ii) the processes and procedures set forth under part 330 of title 21, Code of Federal Regulations (or any successor regulations);

"(iii) an initial filing determination under the processes and procedures described in section 586B(b) and the processes and procedures set forth for pending requests under section 586C(b), except that specific timelines shall be determined in accordance with other applicable requirements under this section; or

"(iv) an initial filing determination under the processes and procedures described in section 586B(b) and the processes and procedures set forth under part 330 of title 21, Code of Federal Regulations (or any successor regulations).

"(C) NO REQUEST.—If a sponsor described in subparagraph (A) does not make such request within 180 calendar days of the date of enactment of the Sunscreen Innovation Act, such application shall be reviewed by the Secretary in accordance with the timelines of the applicable regulations when such regulations are finalized under subsection (b).

Deadline. Notification.

"(2) FRAMEWORK.—Not later than 1 year after the date of enactment of the Sunscreen Innovation Act, the Secretary shall provide, in writing, a framework to each sponsor that submitted a request under paragraph (1). Such framework shall

set forth the various timelines, in calendar days, with respect to the processes and procedures for review under clauses (i), (ii), (iii), and (iv) of paragraph (1)(B) and—

"(A) such timelines shall account for the considerations under paragraph (5); and

"(B) the timelines for the various processes and procedures shall not be shorter than the timelines set forth for pending requests under sections 586B(b) and 586C(b), as applicable.

"(3) GOVERNING PROCESSES AND PROCEDURES FOR REVIEW.—

"(A) ELECTION.—Not later than 60 calendar days after the Secretary provides a framework to a sponsor under paragraph (2), such sponsor may provide an election to the Secretary regarding the processes and procedures for review under clause (i), (ii), (iii), or (iv) of paragraph (1)(B). If such sponsor makes such election, the Secretary shall review the application that is the subject of such election pursuant to the processes and procedures elected by such sponsor and the applicable timelines in calendar days set forth under such framework, which the Secretary shall confirm in writing to the sponsor not later than the date upon which the Secretary provides a report under paragraph (4). If such sponsor does not make such election, such application shall be reviewed by the Secretary in accordance with the timelines of the applicable regulations when such regulations are finalized under subsection (b).

"(B) DIFFERENT PROCESSES AND PROCEDURES.—At any time during review of an application, the Secretary may review such application under different processes and procedures under clause (i), (ii), (iii), or (iv) of paragraph (1)(B) than the processes and procedures the sponsor elected in accordance with subparagraph (A), so long as the Secretary proposes, in writing, the change and the sponsor agrees, in writing, to such change.

"(C) INCLUSION OF INGREDIENTS IN MONOGRAPHS.—If the sponsor elects to use the processes and procedures for review in accordance with clause (i) or (iii) of paragraph (1)(B), the Secretary may incorporate any resulting final order into a regulation addressing the conditions under which other drugs in the same therapeutic category are GRASE and not misbranded, including through direct final rulemaking, and the final order so incorporated shall cease to be effective on the effective date of the final regulation that addresses such drug.

"(4) LETTER REGARDING PENDING APPLICATIONS.—Not later than 18 months after the date of enactment of the Sunscreen Innovation Act, the Secretary shall report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, in writing, regarding all pending applications subject to paragraph (1). In such letter, the Secretary shall provide a report on the review of such applications, including the timelines, in calendar days, for the review and GRASE determination for each application. Such timelines shall account for the considerations under paragraph (5).

"(5) TIMELINES.—The timelines in calendar days established by the Secretary pursuant to this subsection—

"(A) may vary based on the content, complexity, and format of the application submitted to the Secretary; and

"(B) shall—

"(i) reflect the public health priorities of the Food and Drug Administration, including the potential public health benefits posed by the inclusion of additional drugs in the over-the-counter drug monograph system;

"(ii) take into consideration the resources available to the Secretary for carrying out such priorities and the processes and procedures described in paragraphs (1)(B) and (2); and

"(iii) be reasonable, taking into consideration the requirements described in clauses (i) and (ii).

"(b) NEW TIME AND EXTENT APPLICATIONS.—

Deadline. Regulations. Drugs and drug abuse.

"(1) IN GENERAL.—Not later than 18 months after the date of enactment of the Sunscreen Innovation Act, the Secretary shall issue proposed regulations establishing timelines for the review of applications for GRASE determinations for drugs other than nonprescription sunscreen active ingredients or combinations of nonprescription sunscreen active ingredients that are submitted to the Secretary after the date of enactment of the Sunscreen Innovation Act, under section 330.14 of title 21, Code of Federal Regulations (or any successor regulations), and that are found to be eligible to be considered for inclusion in the over-the-counter drug monograph system pursuant to section 330.14 of title 21, Code of Federal Regulations (or any successor regulations), or that are subject to this subsection pursuant to paragraph (1) or (3) of subsection (a), as applicable, providing—

"(A) timely and efficient completion of evaluations of applications under section 330.14 of title 21, Code of Federal Regulations (or any successor regulations) for drugs other than sunscreens; and

"(B) timely and efficient completion of the review of the safety and effectiveness submissions pursuant to such applications, including establishing—

"(i) reasonable timelines, in calendar days, for the applicable proposed and final regulations for applications of various content, complexity, and format, and timelines for internal procedures related to such processes; and

"(ii) measurable metrics for tracking the extent to which the timelines set forth in the regulations are met.

"(2) TIMELINES.—The timelines in calendar days established in the regulations under paragraph (1)—

"(A) may vary based on the content, complexity, and format of the application submitted to the Secretary; and

"(B) shall—

"(i) reflect the public health priorities of the Food and Drug Administration, including the potential public health benefits posed by the inclusion of additional drugs in the over-the-counter drug monograph system;

"(ii) take into consideration the resources available to the Secretary for carrying out such priorities and

the processes and procedures described in paragraph (1); and

"(iii) be reasonable, taking into consideration the requirements described in clauses (i) and (ii).

"(3) PROCEDURE.—In promulgating regulations under this subsection, the Secretary shall issue a notice of proposed rulemaking that includes a copy of the proposed regulation, provide a period of not less than 60 calendar days for comments on the proposed regulation, and publish the final regulation not less than 30 calendar days before the effective date of the regulation. Notice. Records. Time periods.

"(4) RESTRICTIONS.—Notwithstanding any other provision of law, the Secretary shall promulgate regulations implementing this section only as described in paragraphs (1), (2), and (3). Regulations.

"(5) FINAL REGULATIONS.—The Secretary shall finalize the regulations under this section not later than 27 months after the date of enactment of the Sunscreen Innovation Act.". Deadline.

SEC. 4. REPORTS.

(a) INITIAL GAO REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report reviewing the overall progress of the Secretary of Health and Human Services in carrying out subchapter I of chapter V of the Federal Food, Drug, and Cosmetic Act (as added by section 2 and amended by section 3 and subsection (c)), including findings on and recommendations with respect to—

(1) the progress made in completing the review of requests under subchapter I of chapter V of the Federal Food, Drug, and Cosmetic Act, including pending requests, and the feasibility of the timelines associated with such subchapter;

(2) the role of the Office of the Commissioner of Food and Drugs in issuing determinations with respect to requests reviewed under such subchapter, including the number of requests transferred to the Office of the Commissioner under section 586C of such Act;

(3) the extent to which advisory committees were convened by the Secretary regarding requests under subchapter I of chapter V of the Federal Food, Drug, and Cosmetic Act, including pending requests; and

(4) the types of metrics that have been, or should be, established for the review of time and extent applications.

(b) SUBSEQUENT GAO REPORT.—Not later than 5½ years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report reviewing the overall progress of the Secretary of Health and Human Services in carrying out subchapter I of chapter V of the Federal Food, Drug, and Cosmetic Act (as added by section 2 and amended by section 3 and subsection (c)) and the regulation of over-the-counter drug products, including findings on and recommendations with respect to—

(1) updates on the matters reported on by the Comptroller General under subsection (a);

(2) significant factors impacting the ability of the Food and Drug Administration to fulfill the mission of the agency with regard to the regulation of over-the-counter drug products, including finalizing outstanding monographs and responding to emerging and novel safety issues;

(3) the performance of the Secretary in carrying out section 586E of the Federal Food, Drug, and Cosmetic Act;

(4) the types of metrics that have been, or should be, established for the review and regulation of over-the-counter drug products; and

(5) timeliness, efficiency, and accountability in reviewing time and extent applications and safety and effectiveness reviews for over-the-counter drug products.

(c) FDA REPORT.—Subchapter I of chapter V of the Federal Food, Drug, and Cosmetic Act, as amended by section 3, is further amended by adding at the end the following:

21 USC 360fff–7.

"SEC. 586G. REPORT.

"(a) IN GENERAL.—

"(1) IN GENERAL.—Not later than 18 months after the date of enactment of the Sunscreen Innovation Act, and on the dates that are 2 and 4 years thereafter, the Secretary shall issue a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives describing actions taken under this subchapter.

"(2) CONTENTS.—The reports under this subsection shall include—

"(A) a review of the progress made in issuing GRASE determinations for pending requests, including the number of pending requests—

"(i) reviewed and the decision times for each request, measured from the date of the original request for an eligibility determination submitted by the sponsor;

"(ii) resulting in a determination that the nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients is GRASE and is not misbranded;

"(iii) resulting in a determination that the nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients is not GRASE and is misbranded and the reasons for such determinations; and

"(iv) for which a determination has not been made, and an explanation for the delay, a description of the current status of each such request, and the length of time each such request has been pending, measured from the date of original request for an eligibility determination by the sponsor;

"(B) a review of the progress made in issuing GRASE determinations for requests not included in the reporting under subparagraph (A), including the number of such requests—

"(i) reviewed and the decision times for each request;

"(ii) resulting in a determination that the nonprescription sunscreen active ingredient, combination of nonprescription sunscreen active ingredients, or other ingredient is GRASE and is not misbranded;

"(iii) resulting in a determination that the nonprescription sunscreen active ingredient, combination of nonprescription sunscreen active ingredients, or other ingredient is not GRASE and is misbranded and the reasons for such determinations; and

"(iv) for which a determination has not been made, and an explanation for the delay, a description of the current status of each such request, and the length of time each such request has been pending, measured from the date of original request for an eligibility determination by the sponsor;

"(C) an annual accounting (including information from years prior to the date of enactment of the Sunscreen Innovation Act where such information is available) of the total number of requests submitted, pending, or completed under this subchapter, including whether such requests were the subject of an advisory committee convened by the Secretary;

"(D) a description of the staffing and resources relating to the costs associated with the review and decisionmaking pertaining to requests under this subchapter;

"(E) a review of the progress made in meeting the deadlines with respect to processing requests under this subchapter; and

"(F) to the extent the Secretary determines appropriate, recommendations for process improvements in the handling of requests under this subchapter, including the advisory committee review process.

"(b) METHOD.—The Secretary shall publish the reports under subsection (a) in the manner the Secretary determines to be the most effective for efficiently disseminating the report, including publication of the report on the Internet website of the Food and Drug Administration.". Publication. Web posting.

Approved November 26, 2014.

LEGISLATIVE HISTORY—S. 2141 (H.R. 4250):

HOUSE REPORTS: No. 113–558 (Comm. on Energy and Commerce) accompanying H.R. 4250.

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 17, considered and passed Senate.
Nov. 13, considered and passed House.

Public Law 113–196
113th Congress

An Act

Nov. 26, 2014
[S. 2539]

To amend the Public Health Service Act to reauthorize certain programs relating to traumatic brain injury and to trauma research.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Traumatic Brain Injury Reauthorization Act of 2014.
42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Traumatic Brain Injury Reauthorization Act of 2014".

SEC. 2. CDC PROGRAMS FOR PREVENTION AND SURVEILLANCE OF TRAUMATIC BRAIN INJURY.

(a) PREVENTION OF TRAUMATIC BRAIN INJURY.—Section 393B(b)(3) of the Public Health Service Act (42 U.S.C. 280b–1c(b)(3)) is amended by striking "2010, commonly referred to as Healthy People 2010" and inserting "2020, commonly referred to as Healthy People 2020".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 394A of the Public Health Service Act (42 U.S.C. 280b–3) is amended—

(1) by striking the section heading and all that follows through "For the purpose" and inserting the following:

"SEC. 394A. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.—For the purpose";

(2) by striking the second period; and

(3) by adding at the end the following:

"(b) TRAUMATIC BRAIN INJURY.—To carry out sections 393B and 393C, there are authorized to be appropriated $6,564,000 for each of fiscal years 2015 through 2019.".

SEC. 3. STATE GRANTS FOR PROJECTS REGARDING TRAUMATIC BRAIN INJURY.

Section 1252 of the Public Health Service Act (42 U.S.C. 300d–52) is amended—

(1) in subsection (a), by striking ", acting through the Administrator of the Health Resources and Services Administration,";

(2) in paragraphs (1)(A)(i) and (3)(E) of subsection (f), by striking "brain injury" and inserting "traumatic brain injury";

(3) in subsection (h), by striking "under this section, and section 1253 including" and inserting "under this section and section 1253, including"; and

(4) in subsection (j), by striking "such sums as may be necessary for each of the fiscal years 2001 through 2005, and such sums as may be necessary for each of the fiscal years

2009 through 2012" and inserting "$5,500,000 for each of the fiscal years 2015 through 2019".

SEC. 4. STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES.

Section 1253 of the Public Health Service Act (42 U.S.C. 300d–53) is amended—

(1) in subsection (a), by striking ", acting through the Administrator of the Health Resources and Services Administration (referred to in this section as the 'Administrator'),";

(2) in subsections (c), (d)(1), (e)(1), (e)(4), (g), (h), and (j)(1), by striking "Administrator" each place it appears and inserting "Secretary";

(3) in subsection (h)—

(A) by striking the subsection heading and inserting "**REPORTING**";

(B) by striking "Each protection and advocacy system" and inserting the following:

"(1) REPORTS BY SYSTEMS.—Each protection and advocacy system"; and

(C) by adding at the end the following:

"(2) REPORT BY SECRETARY.—Not later than 1 year after the date of enactment of the Traumatic Brain Injury Reauthorization Act of 2014, the Secretary shall prepare and submit to the appropriate committees of Congress a report describing the services and activities carried out under this section during the period for which the report is being prepared.";

(4) in subsection (i), by striking "The Administrator of the Health Resources" and all that follows through "regarding" and inserting "The Secretary shall facilitate agreements to coordinate the collection of data by agencies within the Department of Health and Human Services regarding";

(5) in subsection (k), by striking "subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000" and inserting "subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.)";

(6) in subsection (l), by striking "$5,000,000 for fiscal year 2001, and such sums as may be necessary for each the fiscal years 2009 through 2012" and inserting "$3,100,000 for each of the fiscal years 2015 through 2019"; and

(7) in subsection (m)—

(A) in paragraph (1), by striking "part C of the Developmental Disabilities Assistance Bill of Rights Act (42 U.S.C. 6042 et seq.)" and inserting "subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.)"; and

(B) in paragraph (2), by striking "part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6042 et seq.)" and inserting "subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.)".

SEC. 5. TRAUMATIC BRAIN INJURY COORDINATION PLAN.

(a) DEVELOPMENT OF PLAN.—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services shall develop a plan for improved coordination of Federal activities with respect to traumatic brain injury. Such plan shall— Deadline.

Review.

(1) review existing interagency coordination efforts with respect to Federal activities related to traumatic brain injury, including services for individuals with traumatic brain injury;

(2) identify areas for improved coordination between relevant Federal agencies and programs, including agencies and programs with a focus on serving individuals with disabilities;

(3) identify each recommendation in the report required by section 393C(b) of the Public Health Service Act (42 U.S.C. 280b–1d(b)) that has been adopted and each such recommendation that has not been adopted, and describe any planned activities to address each such recommendation that has not been adopted; and

(4) incorporate, as appropriate, stakeholder feedback, including feedback from individuals with traumatic brain injury and their caregivers.

(b) SUBMISSION TO CONGRESS.—The Secretary of Health and Human Services shall submit the plan developed under subsection (a) to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives.

SEC. 6. REVIEW OF BRAIN INJURY MANAGEMENT IN CHILDREN.

Consultation.

The Director of the Centers for Disease Control and Prevention, in consultation with the Director of the National Institutes of Health, shall conduct a review of the scientific evidence related to brain injury management in children, such as the restriction or prohibition of children from attending school or participating in athletic activities following a head injury, and identify ongoing and potential further opportunities for research. Not later than 2 years after the date of enactment of this Act, the Director of the Centers for Disease Control and Prevention shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives the results of such review.

Deadline.
Reports.

Approved November 26, 2014.

LEGISLATIVE HISTORY—S. 2539:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 16, considered and passed Senate.
Nov. 13, considered and passed House.

Public Law 113–197
113th Congress

An Act

To promote the non-exclusive use of electronic labeling for devices licensed by the Federal Communications Commission.

Nov. 26, 2014
[S. 2583]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Enhance Labeling, Accessing, and Branding of Electronic Licenses Act of 2014.
47 USC 609 note.
47 USC 622 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Enhance Labeling, Accessing, and Branding of Electronic Licenses Act of 2014" or the "E–LABEL Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Federal Communications Commission (referred to in this section as the "Commission") first standardized physical labels for licensed products such as computers, phones, and other electronic devices in 1973, and the Commission has continually refined physical label requirements over time.

(2) As devices become smaller, compliance with physical label requirements can become more difficult and costly.

(3) Many manufacturers and consumers of licensed devices in the United States would prefer to have the option to provide or receive important Commission labeling information digitally on the screen of the device, at the discretion of the user.

(4) An electronic labeling option would give flexibility to manufacturers in meeting labeling requirements.

SEC. 3. AUTHORIZATION FOR FEDERAL COMMUNICATIONS COMMISSION TO ALLOW ELECTRONIC LABELING.

Title VII of the Communications Act of 1934 (47 U.S.C. 601 et seq.) is amended by adding at the end the following:

"SEC. 720. OPTIONAL ELECTRONIC LABELING OF COMMUNICATIONS EQUIPMENT. 47 USC 621.

"(a) DEFINITIONS.—In this section—

"(1) the term 'electronic labeling' means displaying required labeling and regulatory information electronically; and

"(2) the term 'radiofrequency device with display' means any equipment or device that—

"(A) is required under regulations of the Commission to be authorized by the Commission before the equipment or device may be marketed or sold within the United States; and

"(B) has the capability to digitally display required labeling and regulatory information.

47 USC 622. Deadline.

"(b) REQUIREMENT TO PROMULGATE REGULATIONS FOR ELECTRONIC LABELING.—Not later than 9 months after the date of enactment of the Enhance Labeling, Accessing, and Branding of Electronic Licenses Act of 2014, the Commission shall promulgate regulations or take other appropriate action, as necessary, to allow manufacturers of radiofrequency devices with display the option to use electronic labeling for the equipment in place of affixing physical labels to the equipment.".

47 USC 622 note.

SEC. 4. SAVINGS CLAUSE.

The amendment made by section 3 shall not be construed to affect the authority of the Federal Communications Commission under section 302 of the Communications Act of 1934 (47 U.S.C. 302a) to provide for electronic labeling of devices.

Approved November 26, 2014.

LEGISLATIVE HISTORY—S. 2583 (H.R. 5161):

HOUSE REPORTS: No. 113–575 (Comm. on Energy and Commerce) accompanying H.R. 5161.

SENATE REPORTS: No. 113–280 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 18, considered and passed Senate.
Nov. 13, considered and passed House.

Public Law 113–198
113th Congress

An Act

To provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2014.

Dec. 4, 2014
[H.R. 4067]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF ENFORCEMENT INSTRUCTION ON SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS THROUGH 2014.

Applicability.

The Secretary of Health and Human Services shall continue to apply through calendar year 2014 the enforcement instruction described in the notice of the Centers for Medicare & Medicaid Services entitled "Enforcement Instruction on Supervision Requirements for Outpatient Therapeutic Services in Critical Access and Small Rural Hospitals for CY 2013", dated November 1, 2012 (providing for an exception to the restatement and clarification under the final rulemaking changes to the Medicare hospital outpatient prospective payment system and calendar year 2009 payment rates (published in the Federal Register on November 18, 2008, 73 Fed. Reg. 68702 through 68704) with respect to requirements for direct supervision by physicians for therapeutic hospital outpatient services).

Approved December 4, 2014.

LEGISLATIVE HISTORY—H.R. 4067 (S. 1954):

HOUSE REPORTS: No. 113–582, Pt. 1 (Comm. on Energy and Commerce).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 9, considered and passed House.
Nov. 20, considered and passed Senate.

Public Law 113–199
113th Congress

Dec. 4, 2014
[H.R. 5441]

An Act

To amend the Federal charter of the Veterans of Foreign Wars of the United States to reflect the service of women in the Armed Forces of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REFLECTION OF SERVICE OF WOMEN IN THE ARMED FORCES IN THE FEDERAL CHARTER OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES.

(a) ORGANIZATION.—Section 230101(a) of title 36, United States Code, is amended by striking "men" and inserting "veterans".

(b) PURPOSES.—Section 230102(3) of such title is amended by striking "widows" and inserting "surviving spouses".

Approved December 4, 2014.

LEGISLATIVE HISTORY—H.R. 5441:

HOUSE REPORTS: No. 113–620 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Nov. 17, considered and passed House.
Nov. 20, considered and passed Senate.

Public Law 113–200
113th Congress

An Act

Dec. 4, 2014
[H.R. 5728]

To amend the Communications Act of 1934 and title 17, United States Code, to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

STELA Reauthorization Act of 2014.
47 USC 609 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "STELA Reauthorization Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. NO ADDITIONAL APPROPRIATIONS AUTHORIZED.

No additional funds are authorized to carry out this Act, or the amendments made by this Act. This Act, and the amendments made by this Act, shall be carried out using amounts otherwise authorized or appropriated.

TITLE I—COMMUNICATIONS PROVISIONS

SEC. 101. EXTENSION OF AUTHORITY.

Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended—

(1) in paragraph (2)(C), by striking "December 31, 2014" and inserting "December 31, 2019"; and

(2) in paragraph (3)(C), by striking "January 1, 2015" each place it appears and inserting "January 1, 2020".

SEC. 102. MODIFICATION OF TELEVISION MARKETS TO FURTHER CONSUMER ACCESS TO RELEVANT TELEVISION PROGRAMMING.

(a) IN GENERAL.—Section 338 of the Communications Act of 1934 (47 U.S.C. 338) is amended by adding at the end the following:

"(l) MARKET DETERMINATIONS.—

Notification.

"(1) IN GENERAL.—Following a written request, the Commission may, with respect to a particular commercial television broadcast station, include additional communities within its local market or exclude communities from such station's local market to better effectuate the purposes of this section.

"(2) CONSIDERATIONS.—In considering requests filed under paragraph (1), the Commission—

"(A) may determine that particular communities are part of more than one local market; and

"(B) shall afford particular attention to the value of localism by taking into account such factors as—

"(i) whether the station, or other stations located in the same area—

"(I) have been historically carried on the cable system or systems within such community; or

"(II) have been historically carried on the satellite carrier or carriers serving such community;

"(ii) whether the television station provides coverage or other local service to such community;

"(iii) whether modifying the local market of the television station would promote consumers' access to television broadcast station signals that originate in their State of residence;

"(iv) whether any other television station that is eligible to be carried by a satellite carrier in such community in fulfillment of the requirements of this section provides news coverage of issues of concern to such community or provides carriage or coverage of sporting and other events of interest to the community; and

"(v) evidence of viewing patterns in households that subscribe and do not subscribe to the services offered by multichannel video programming distributors within the areas served by such multichannel video programming distributors in such community.

"(3) CARRIAGE OF SIGNALS.—

"(A) CARRIAGE OBLIGATION.—A market determination under this subsection shall not create additional carriage obligations for a satellite carrier if it is not technically

and economically feasible for such carrier to accomplish such carriage by means of its satellites in operation at the time of the determination.

"(B) DELETION OF SIGNALS.—A satellite carrier shall not delete from carriage the signal of a commercial television broadcast station during the pendency of any proceeding under this subsection.

"(4) DETERMINATIONS.—Not later than 120 days after the date that a written request is filed under paragraph (1), the Commission shall grant or deny the request. Deadline.

"(5) NO EFFECT ON ELIGIBILITY TO RECEIVE DISTANT SIGNALS.—No modification of a commercial television broadcast station's local market pursuant to this subsection shall have any effect on the eligibility of households in the community affected by such modification to receive distant signals pursuant to section 339, notwithstanding subsection (h)(1) of this section.".

(b) CONFORMING AMENDMENTS.—Section 614(h)(1)(C) of the Communications Act of 1934 (47 U.S.C. 534(h)(1)(C)) is amended—

(1) in clause (ii)—

(A) in subclause (I), by striking "community" and inserting "community or on the satellite carrier or carriers serving such community";

(B) by redesignating subclauses (III) and (IV) as subclauses (IV) and (V), respectively;

(C) by inserting after subclause (II) the following:

"(III) whether modifying the market of the television station would promote consumers' access to television broadcast station signals that originate in their State of residence;"; and

(D) by amending subclause (V), as redesignated, to read as follows:

"(V) evidence of viewing patterns in households that subscribe and do not subscribe to the services offered by multichannel video programming distributors within the areas served by such multichannel video programming distributors in such community."; and

(2) by moving the margin of clause (iv) 2 ems to the left.

(c) MARKET MODIFICATION PROCESS.—The Commission shall make information available to consumers on its website that explains the market modification process, including— Public information. Web posting. 47 USC 338 note.

(1) who may petition to include additional communities within, or exclude communities from, a—

(A) local market (as defined in section 122(j) of title 17, United States Code); or

(B) television market (as determined under section 614(h)(1)(C) of the Communications Act of 1934 (47 U.S.C. 534(h)(1)(C))); and

(2) the factors that the Commission takes into account when responding to a petition described in paragraph (1).

(d) IMPLEMENTATION.— 47 USC 338 note.

(1) DEADLINE FOR REGULATIONS.—Not later than 9 months after the date of the enactment of this Act, the Commission shall promulgate regulations to implement this section and the amendments made by this section.

(2) MATTERS FOR CONSIDERATION.—As part of the rulemaking required by paragraph (1), the Commission shall ensure that procedures for the filing and consideration of a written request under sections 338(l) and 614(h)(1)(C) of the Communications Act of 1934 (47 U.S.C. 338(l); 534(h)(1)(C)) fully effectuate the purposes of the amendments made by this section, and update what it considers to be a community for purposes of a modification of a market under section 338(l) or 614(h)(1)(C) of the Communications Act of 1934.

SEC. 103. CONSUMER PROTECTIONS IN RETRANSMISSION CONSENT.

(a) JOINT RETRANSMISSION CONSENT NEGOTIATIONS.—Section 325(b)(3)(C) of the Communications Act of 1934 (47 U.S.C. 325(b)(3)(C)) is amended—

(1) in clause (ii), by striking "and" at the end;

(2) in clause (iii), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(iv) prohibit a television broadcast station from coordinating negotiations or negotiating on a joint basis with another television broadcast station in the same local market (as defined in section 122(j) of title 17, United States Code) to grant retransmission consent under this section to a multichannel video programming distributor, unless such stations are directly or indirectly under common de jure control permitted under the regulations of the Commission; and".

(b) PROTECTIONS FOR SIGNIFICANTLY VIEWED AND OTHER TELEVISION SIGNALS.—Section 325(b)(3)(C) of the Communications Act of 1934 (47 U.S.C. 325(b)(3)(C)) is further amended by adding at the end the following:

"(v) prohibit a television broadcast station from limiting the ability of a multichannel video programming distributor to carry into the local market (as defined in section 122(j) of title 17, United States Code) of such station a television signal that has been deemed significantly viewed, within the meaning of section 76.54 of title 47, Code of Federal Regulations, or any successor regulation, or any other television broadcast signal such distributor is authorized to carry under section 338, 339, 340, or 614 of this Act, unless such stations are directly or indirectly under common de jure control permitted by the Commission.".

Deadline. Regulations. Review. 47 USC 325 note.

(c) GOOD FAITH.—Not later than 9 months after the date of the enactment of this Act, the Commission shall commence a rulemaking to review its totality of the circumstances test for good faith negotiations under clauses (ii) and (iii) of section 325(b)(3)(C) of the Communications Act of 1934 (47 U.S.C. 325(b)(3)(C)).

(d) MARGIN CORRECTIONS.—Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is further amended—

(1) in paragraph (3)(C), by moving the margin of clause (iii) 4 ems to the left; and

(2) by moving the margin of paragraph (7) 2 ems to the left.

47 USC 325 note.

(e) DEADLINE FOR REGULATIONS.—Not later than 9 months after the date of the enactment of this Act, the Commission shall promulgate regulations to implement the amendments made by this section.

SEC. 104. DELAYED APPLICATION OF JSA ATTRIBUTION RULE.

A party to a joint sales agreement (as defined in Note 2(k) to section 73.3555 of title 47, Code of Federal Regulations) that is in effect on the effective date of the amendment to Note 2(k)(2) to such section made by the Further Notice of Proposed Rulemaking and Report and Order adopted by the Commission on March 31, 2014 (FCC 14–28), shall not be considered to be in violation of the ownership limitations of such section by reason of the application of the rule in such Note 2(k)(2) (as so amended) to such agreement before the date that is 6 months after the end of the period specified by the Commission in such Report and Order for such a party to come into compliance with such ownership limitations.

SEC. 105. DELETION OR REPOSITIONING OF STATIONS DURING CERTAIN PERIODS.

(a) IN GENERAL.—Section 614(b)(9) of the Communications Act of 1934 (47 U.S.C. 534(b)(9)) is amended by striking the second sentence.

(b) REVISION OF RULES.—Not later than 90 days after the date of the enactment of this Act, the Commission shall revise section 76.1601 of its rules (47 CFR 76.1601) and any note to such section by removing the prohibition against deletion or repositioning of a local commercial television station during a period in which major television ratings services measure the size of audiences of local television stations.

Deadline.
47 USC 534 note.

SEC. 106. REPEAL OF INTEGRATION BAN.

(a) TERMINATION OF EFFECTIVENESS.—The second sentence of section 76.1204(a)(1) of title 47, Code of Federal Regulations, terminates effective on the date that is 1 year after the date of the enactment of this Act.

(b) REMOVAL FROM RULES.—Not later than 545 days after the date of the enactment of this Act, the Commission shall complete all actions necessary to remove the sentence described in subsection (a) from its rules.

(c) PRESERVATION OF WAIVERS.—Any waiver of section 76.1204(a)(1) of title 47, Code of Federal Regulations, in effect as of the date of the enactment of this Act or granted after such date shall be extended through December 31, 2015.

(d) WORKING GROUP.—

Establishment.
Deadline.

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Chairman of the Commission shall establish a working group of technical experts representing a wide range of stakeholders, to identify, report, and recommend performance objectives, technical capabilities, and technical standards of a not unduly burdensome, uniform, and technology- and platform-neutral software-based downloadable security system designed to promote the competitive availability of navigation devices in furtherance of section 629 of the Communications Act of 1934 (47 U.S.C. 549).

(2) REPORT.—Not later than 9 months after the date of the enactment of this Act, the working group shall file a report with the Commission on its work under paragraph (1).

(3) COMMISSION ASSISTANCE.—The Chairman of the Commission may appoint a member of the Commission's staff—

(A) to moderate and direct the work of the working group under this subsection; and

(B) to provide technical assistance to members of the working group, as appropriate.

Deadline.

(4) INITIAL MEETING.—The initial meeting of the working group shall take place not later than 90 days after the date of the enactment of this Act.

SEC. 107. REPORT ON COMMUNICATIONS IMPLICATIONS OF STATUTORY LICENSING MODIFICATIONS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study that analyzes and evaluates the changes to the carriage requirements currently imposed on multichannel video programming distributors under the Communications Act of 1934 (47 U.S.C. 151 et seq.) and the regulations promulgated by the Commission that would be required or beneficial to consumers, and such other matters as the Comptroller General considers appropriate, if Congress implemented a phase-out of the current statutory licensing requirements set forth under sections 111, 119, and 122 of title 17, United States Code. Among other things, the study shall consider the impact such a phase-out and related changes to carriage requirements would have on consumer prices and access to programming.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate congressional committees a report on the results of the study conducted under subsection (a), including any recommendations for legislative or administrative actions. Such report shall also include a discussion of any differences between such results and the results of the study conducted under section 303 of the Satellite Television Extension and Localism Act of 2010 (124 Stat. 1255).

Recommendations.

47 USC 338 note.

SEC. 108. LOCAL NETWORK CHANNEL BROADCAST REPORTS.

(a) REQUIREMENT.—

(1) IN GENERAL.—On the 270th day after the date of the enactment of this Act, and on each succeeding anniversary of such 270th day, each satellite carrier shall submit an annual report to the Commission setting forth—

Time period.

(A) each local market in which it—

(i) retransmits signals of 1 or more television broadcast stations with a community of license in that market;

(ii) has commenced providing such signals in the preceding 1-year period; and

(iii) has ceased to provide such signals in the preceding 1-year period; and

(B) detailed information regarding the use and potential use of satellite capacity for the retransmission of local signals in each local market.

(2) TERMINATION.—The requirement under paragraph (1) shall cease after each satellite carrier has submitted 5 reports under such paragraph.

(b) DEFINITIONS.—In this section—

(1) the terms "local market" and "satellite carrier" have the meaning given such terms in section 339(d) of the Communications Act of 1934 (47 U.S.C. 339(d)); and

(2) the term "television broadcast station" has the meaning given such term in section 325(b)(7) of the Communications Act of 1934 (47 U.S.C. 325(b)(7)).

SEC. 109. REPORT ON DESIGNATED MARKET AREAS.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Commission shall submit to the appropriate congressional committees a report that contains—

(1) an analysis of—

(A) the extent to which consumers in each local market have access to broadcast programming from television broadcast stations located outside their local market, including through carriage by cable operators and satellite carriers of signals that are significantly viewed (within the meaning of section 340 of the Communications Act of 1934 (47 U.S.C. 340)); and

(B) whether there are technologically and economically feasible alternatives to the use of designated market areas to define markets that would provide consumers with more programming options and the potential impact such alternatives could have on localism and on broadcast television locally, regionally, and nationally; and

(2) recommendations on how to foster increased localism in counties served by out-of-State designated market areas. Recommendations.

(b) CONSIDERATIONS FOR FOSTERING INCREASED LOCALISM.—In making recommendations under subsection (a)(2), the Commission shall consider—

(1) the impact that designated market areas that cross State lines have on access to local programming;

(2) the impact that designated market areas have on local programming in rural areas; and

(3) the state of local programming in States served exclusively by out-of-State designated market areas.

SEC. 110. UPDATE TO CABLE RATES REPORT.

Section 623(k) of the Communications Act of 1934 (47 U.S.C. 543(k)) is amended to read as follows:

"(k) REPORTS ON AVERAGE PRICES.—

"(1) IN GENERAL.—The Commission shall annually publish statistical reports on the average rates for basic cable service and other cable programming, and for converter boxes, remote control units, and other equipment of cable systems that the Commission has found are subject to effective competition under subsection (a)(2) compared with cable systems that the Commission has found are not subject to such effective competition.

"(2) INCLUSION IN ANNUAL REPORT.—

"(A) IN GENERAL.—The Commission shall include in its report under paragraph (1) the aggregate average total amount paid by cable systems in compensation under section 325.

"(B) FORM.—The Commission shall publish information under this paragraph in a manner substantially similar to the way other comparable information is published in such report.".

SEC. 111. ADMINISTRATIVE REFORMS TO EFFECTIVE COMPETITION PETITIONS.

Section 623 of the Communications Act of 1934 (47 U.S.C. 543) is amended by adding at the end the following:

"(o) STREAMLINED PETITION PROCESS FOR SMALL CABLE OPERATORS.—

Deadline. Regulations. Urban and rural areas.

"(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the Commission shall complete a rulemaking to establish a streamlined process for filing of an effective competition petition pursuant to this section for small cable operators, particularly those who serve primarily rural areas.

"(2) CONSTRUCTION.—Nothing in this subsection shall be construed to have any effect on the duty of a small cable operator to prove the existence of effective competition under this section.

"(3) DEFINITION OF SMALL CABLE OPERATOR.—In this subsection, the term 'small cable operator' has the meaning given the term in subsection (m)(2).".

47 USC 153 note.

SEC. 112. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Energy and Commerce and the Committee on the Judiciary of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on the Judiciary of the Senate.

(2) COMMISSION.—The term "Commission" means the Federal Communications Commission.

TITLE II—COPYRIGHT PROVISIONS

SEC. 201. REAUTHORIZATION.

Chapter 1 of title 17, United States Code, is amended—

(1) in section 111(d)(3)—

(A) in the matter preceding subparagraph (A), by striking "clause" and inserting "paragraph"; and

(B) in subparagraph (B), by striking "clause" and inserting "paragraph"; and

(2) in section 119—

(A) in subsection (c)(1)(E), by striking "2014" and inserting "2019"; and

(B) in subsection (e), by striking "2014" and inserting "2019".

SEC. 202. TERMINATION OF LICENSE.

(a) IN GENERAL.—Section 119 of title 17, United States Code, as amended in section 201, is amended by adding at the end the following:

"(h) TERMINATION OF LICENSE.—This section shall cease to be effective on December 31, 2019.".

Repeal.

(b) CONFORMING AMENDMENT.—Section 107(a) of the Satellite Television Extension and Localism Act of 2010 (17 U.S.C. 119 note) is repealed.

SEC. 203. LOCAL SERVICE AREA OF A PRIMARY TRANSMITTER.

Section 111(f)(4) of title 17, United States Code, is amended, in the second sentence—

(1) by inserting "as defined by the rules and regulations of the Federal Communications Commission," after "television station,";

(2) by striking "comprises the area within 35 miles of the transmitter site, except that" and inserting "comprises the designated market area, as defined in section 122(j)(2)(C), that encompasses the community of license of such station and any community that is located outside such designated market area that is either wholly or partially within 35 miles of the transmitter site or,"; and

(3) by striking "the number of miles shall be 20 miles" and inserting "wholly or partially within 20 miles of such transmitter site".

SEC. 204. MARKET DETERMINATIONS.

Section 122(j)(2) of title 17, United States Code, is amended—

(1) by moving the margins of subparagraphs (B), (C), and (D) 2 ems to the left; and

(2) by adding at the end the following:

"(E) MARKET DETERMINATIONS.—The local market of a commercial television broadcast station may be modified by the Federal Communications Commission in accordance with section 338(l) of the Communications Act of 1934 (47 U.S.C. 338).".

TITLE III—SEVERABILITY

SEC. 301. SEVERABILITY.

47 USC 111 note.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of such provision or amendment to any person or circumstance shall not be affected thereby.

Approved December 4, 2014.

LEGISLATIVE HISTORY—H.R. 5728:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Nov. 19, considered and passed House.
Nov. 20, considered and passed Senate.

Public Law 113–201
113th Congress

Joint Resolution

Dec. 4, 2014
[H.J. Res. 129]

Appointing the day for the convening of the first session of the One Hundred Fourteenth Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first regular session of the One Hundred Fourteenth Congress shall begin at noon on Tuesday, January 6, 2015.

Approved December 4, 2014.

LEGISLATIVE HISTORY—H.J. Res. 129:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Nov. 14, considered and passed House.
Nov. 20, considered and passed Senate.

Public Law 113–202
113th Congress

Joint Resolution

Making further continuing appropriations for fiscal year 2015, and for other purposes.

Dec. 12, 2014
[H.J. Res. 130]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Continuing Appropriations Resolution, 2015 (Public Law 113–164) is amended by striking the date specified in section 106(3) and inserting "December 13, 2014".

Ante, p. 1868.

Approved December 12, 2014.

LEGISLATIVE HISTORY—H.J. Res. 130:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 11, considered and passed House and Senate.

Public Law 113–203
113th Congress

Joint Resolution

Dec. 13, 2014
[H.J. Res. 131]

Making further continuing appropriations for fiscal year 2015, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Continuing Appropriations Resolution, 2015 (Public Law 113–164) is further amended by striking the date specified in section 106(3) and inserting "December 17, 2014".

Ante, p. 2069.

Approved December 13, 2014.

LEGISLATIVE HISTORY—H.J. Res. 131:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 12, considered and passed House.
Dec. 13, considered and passed Senate.

Public Law 113–204
113th Congress

An Act

To designate the facility of the United States Postal Service located at 14 Red River Avenue North in Cold Spring, Minnesota, as the "Officer Tommy Decker Memorial Post Office".

Dec. 16, 2014
[H.R. 43]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. OFFICER TOMMY DECKER MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 14 Red River Avenue North in Cold Spring, Minnesota, shall be known and designated as the "Officer Tommy Decker Memorial Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Officer Tommy Decker Memorial Post Office".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 43:

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 17, considered and passed House.
Dec. 3, considered and passed Senate.

Public Law 113–205
113th Congress

An Act

Dec. 16, 2014
[H.R. 78]

To designate the facility of the United States Postal Service located at 4110 Almeda Road in Houston, Texas, as the "George Thomas 'Mickey' Leland Post Office Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GEORGE THOMAS "MICKEY" LELAND POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 4110 Almeda Road in Houston, Texas, shall be known and designated as the "George Thomas 'Mickey' Leland Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "George Thomas 'Mickey' Leland Post Office Building".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 78:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 8, considered and passed House.
Dec. 8, considered and passed Senate.

Public Law 113–206
113th Congress

An Act

To designate the facility of the United States Postal Service located at 500 North Brevard Avenue in Cocoa Beach, Florida, as the "Richard K. Salick Post Office".

Dec. 16, 2014
[H.R. 451]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RICHARD K. SALICK POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 500 North Brevard Avenue in Cocoa Beach, Florida, shall be known and designated as the "Richard K. Salick Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Richard K. Salick Post Office".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 451:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 14, considered and passed House.
Dec. 3, considered and passed Senate.

Public Law 113–207
113th Congress

An Act

Dec. 16, 2014
[H.R. 1391]

Designate the facility of the United States Postal Service located at 25 South Oak Street in London, Ohio, as the "London Fallen Veterans Memorial Post Office".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LONDON FALLEN VETERANS MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 25 South Oak Street in London, Ohio, shall be known and designated as the "London Fallen Veterans Memorial Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "London Fallen Veterans Memorial Post Office".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 1391:

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 17, considered and passed House.
Dec. 3, considered and passed Senate.

Public Law 113–208
113th Congress

An Act

To designate the facility of the United States Postal Service located at 302 East Green Street in Champaign, Illinois, as the "James R. Burgess Jr. Post Office Building".

Dec. 16, 2014
[H.R. 1707]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JAMES R. BURGESS JR. POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 302 East Green Street in Champaign, Illinois, shall be known and designated as the "James R. Burgess Jr. Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "James R. Burgess Jr. Post Office Building".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 1707 (S. 796):

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 17, considered and passed House.
Dec. 8, considered and passed Senate.

Public Law 113–209
113th Congress

An Act

Dec. 16, 2014
[H.R. 2112]

To designate the facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, as the "National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NATIONAL CLANDESTINE SERVICE OF THE CENTRAL INTELLIGENCE AGENCY NCS OFFICER GREGG DAVID WENZEL MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, shall be known and designated as the "National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 2112:

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 17, considered and passed House.
Dec. 8, considered and passed Senate.

Public Law 113–210
113th Congress

An Act

To provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy.

Dec. 16, 2014
[H.R. 2203]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

31 USC 5111 note.

SECTION 1. FINDINGS.

Congress finds the following:

(1) Jack Nicklaus is a world-famous golf professional, a highly successful business executive, a prominent advertising spokesman, a passionate and dedicated philanthropist, a devoted husband, father, and grandfather, and a man with a common touch that has made him one of the most popular and accessible public figures in history.

(2) Jack Nicklaus amassed 120 victories in professional competition of national or international stature, 73 of which came on the Professional Golf Association (in this Act referred to as the "PGA") Tour, and professional major-championship titles. His record 18 professional majors, the first of which he won 50 years ago with his win at the 1962 U.S. Open as a 22-year-old rookie, remains the standard by which all golfers are measured. He is the only player in golf history to have won each major championship at least three times, and is the only player to complete a career "Grand Slam" on both the regular and senior tours. He also owns the record for most major championships as a senior, with eight.

(3) Jack Nicklaus' magnetic personality and unfailing sense of kindness and thoughtfulness have endeared him to millions throughout the world.

(4) Jack Nicklaus has been the recipient of countless athletic honors, including being named Individual Male Athlete of the Century by Sports Illustrated, one of the 10 Greatest Athletes of the Century by ESPN, and Golfer of the Century or Golfer of the Millennium by every major national and international media outlet. He received the Muhammad Ali Sports Legend Award and the first-ever ESPY Lifetime Achievement Award. He became the first golfer and only the third athlete to receive the Vince Lombardi Award of Excellence, and is also a five-time winner of the PGA Player of the Year Award. He was inducted into the World Golf Hall of Fame at the age of 34.

(5) Jack Nicklaus has received numerous honors outside of the world of sports, including several golf industry awards for his work and contributions as a golf course designer, such

as the Old Tom Morris Award, which is the highest honor given by the Golf Course Superintendents Association of America, and both the Donald Ross Award given by the American Society of Golf Course Architects and the Don A. Rossi Award given by the Golf Course Builders Association of America. Golf Inc. Magazine named him the Most Powerful Person in Golf for a record six consecutive years, due to his impact on various aspects of the industry through his course design work, marketing and licensing business, his ambassadorial role in promoting and growing the game of golf worldwide, and his involvement on a national and global level with various charitable causes.

(6) Jack Nicklaus has been involved in the design of more than 290 golf courses worldwide, and his business, Nicklaus Design, has close to 380 courses open for play in 36 countries and 39 States.

(7) Jack Nicklaus served as the Global Ambassador for a campaign to include golf in the Olympic Games, which was achieved and will begin in the 2016 Olympic program.

(8) Jack Nicklaus was honored by President George W. Bush in 2005 by receiving the Presidential Medal of Freedom, the highest honor given to any United States civilian.

(9) Jack Nicklaus has a long-standing commitment to numerous charitable causes, such as his founding, along with wife Barbara, of the Nicklaus Children's Health Care Foundation, which provides pediatric health care services throughout South Florida and in other parts of the country. The Foundation has raised close to $24,000,000 since it was formed in 2004, and has provided health assistance and services to more than 4,000 children and their families through—

(A) Child Life programs (supporting therapeutic interventions for children with chronic and acute conditions during hospitalization);

(B) Miami Children's Hospital Nicklaus Care Centers (to offer a new option to Palm Beach County-area families with children who require pediatric specialty care); and

(C) Safe Kids Program (aimed at keeping children injury-free and offering safety education in an effort to decrease accidental injuries in children).

(10) In October 2012, the Miami Children's Hospital Nicklaus Outpatient Center was opened to provide pediatric urgent care, diagnostic services, and rehabilitation services in Palm Beach County.

(11) Jack Nicklaus also established an annual pro-am golf tournament called "The Jake" to honor his 17-month-old grandson who passed away in 2005, and it serves as a primary fundraiser for the Nicklaus Children's Health Care Foundation. The event alone has raised well over $43,000,000 over the last several years.

(12) Nicklaus has been a tireless supporter of numerous junior golf initiatives, working with the PGA of America Junior Golf Foundation over the course of four decades, including the establishment of the Barbara and Jack Nicklaus Junior Golf Endowment Fund and the PGA-Nicklaus First Tee Teaching Grants. He also is a spokesperson for several PGA

of America and USGA growth-of-the-game initiatives. He continues to support several scholarship foundations, other children's hospitals, and other causes, including spinal-cord research, pancreatic cancer issues, and Florida Everglades restoration.

(13) In 2013, Jack Nicklaus, with the support of the National Park and Recreation Association (NRPA), launched the Jack Nicklaus Learning Leagues, taking team-concept golf to our parks system for children, ages 5 to 12. A non-profit foundation called Global Outreach for Learning Foundation (GOLF) was created to underwrite the program. By the end of 2013, they hope to have the program in more than 100 locations and reach close to 25,000 children.

(14) Jack Nicklaus continues to manage the Memorial Tournament in his home State of Ohio, in which contributions generated through the aid of over 2,600 volunteers are given to support Nationwide Children's Hospital and close to 75 other Central Ohio charities. This has garnered more than $5,700,000 for programs and services at Nationwide Children's Hospital since 1976, so that Central Ohio will continue to have one of the best children's hospitals in the United States.

(15) Jack Nicklaus serves as an honorary chairs of the American Lake Veterans Golf Course in Tacoma, Washington, which neighbors a Veterans Administration hospital and is designed for the rehabilitation of wounded and disabled veterans. Nicklaus has donated his design services for the improvement of the course, and raised contributions for the addition of nine new holes (the "Nicklaus Nine"), the construction of the Rehabilitation and Learning Center, and the upgrade of the maintenance facilities. The course is considered the only one in the United States designed solely for the use of disabled veterans. It served over 30,000 veterans and their families in 2011 to use the healing powers of golf to help them rehabilitate and recreate. The hope is that American Lake will serve as a pilot program for the more than 150 Veterans Administration hospitals nationwide.

(16) Jack Nicklaus serves as a spokesperson and Trustee for the First Tee program, which brings golf to children who would not otherwise be exposed to it, and teaches them valuable, character-building life lessons through the game of golf, and is a national co-chair of the organization's More Than a Game campaign.

(17) Jack Nicklaus remains active in tournament golf, although he retired from major championship competition in 2005, when he played his final British Open and his final Masters Tournament, and led the United States to a thrilling victory in the President's Cup. He consults often with the PGA Tour, and no fewer than 95 Nicklaus courses have hosted a combined total of almost 700 professional tournaments. In 2013 alone, Nicklaus courses will host 17 PGA Tour-sanctioned events. His Muirfield Village Golf Club in Ohio will be hosting the Presidents Cup in October 2013, making it the only club in history to have hosted all three of the game's most prominent international team competitions—the Ryder Cup, Solheim Cup and Presidents Cup. It is also expected that his course at the Jack Nicklaus Golf Club Korea in New Songdo City, South Korea, will be named the host venue for the 2015 Presidents

Cup—the first time that country has hosted an international team competition of this stature.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AUTHORIZATION.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of Congress, of a gold medal of appropriate design to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship.

(b) DESIGN AND STRIKING.—For the purpose of the presentation referred to in subsection (a), the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary of the Treasury may prescribe, the Secretary may strike duplicate medals in bronze of the gold medal struck pursuant to section 2 and sell such duplicate medals at a price sufficient to cover the costs of the duplicate medals (including labor, materials, dies, use of machinery, overhead expenses) and the cost of the gold medal.

SEC. 4. NATIONAL MEDALS.

The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 2203:

CONGRESSIONAL RECORD, Vol. 160 (2014):
May 19, considered and passed House.
Dec. 1, considered and passed Senate.

Public Law 113–211
113th Congress

An Act

To designate the facility of the United States Postal Service located at 220 Elm Avenue in Munising, Michigan, as the "Elizabeth L. Kinnunen Post Office Building".

Dec. 16, 2014
[H.R. 2223]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ELIZABETH L. KINNUNEN POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 220 Elm Avenue in Munising, Michigan, shall be known and designated as the "Elizabeth L. Kinnunen Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Elizabeth L. Kinnunen Post Office Building".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 2223:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 14, considered and passed House.
Dec. 8, considered and passed Senate.

Public Law 113–212
113th Congress

An Act

Dec. 16, 2014
[H.R. 2366]

To require the Secretary of the Treasury to mint coins in commemoration of the centennial of World War I.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

World War I American Veterans Centennial Commemorative Coin Act.
31 USC 5112 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "World War I American Veterans Centennial Commemorative Coin Act".

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The year 2018 is the 100th anniversary of the signing of the armistice with Germany ending World War I battlefield hostilities.

(2) On the 6th of April 1917, the United States of America entered World War I by declaring war against Germany.

(3) Two million American soldiers served overseas during World War I.

(4) More than four million men and women from the United States served in uniform during World War I.

(5) The events of 1914 through 1918 shaped the world and the lives of millions of people for decades.

(6) Over 9 million soldiers worldwide lost their lives between 1914 and 1918.

(7) The centennial of America's involvement in World War I offers an opportunity for people in the United States to commemorate the commitment of their predecessors.

(8) Frank Buckles, the last American veteran from World War I died on February 27, 2011.

(9) He was our last direct American link to the "war to end all wars".

(10) While other great conflicts, including the Civil War, World War II, the Korean War, and the Vietnam War, have all been memorialized on United States commemorative coins, there currently exists no coin to honor the brave veterans of World War I.

(11) The 112th Congress established the World War I Centennial Commission to plan, develop, and execute programs, projects, and activities to commemorate the centennial of World War I.

(b) PURPOSE.—The purpose of this Act is to—

(1) commemorate the centennial of America's involvement in World War I; and

(2) honor the over 4 million men and women from the United States who served during World War I.

SEC. 3. COIN SPECIFICATIONS.

(a) $1 SILVER COINS.—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue not more than 350,000 $1 coins in commemoration of the centennial of America's involvement in World War I, each of which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches (38.1 millimeters); and

(3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the centennial of America's involvement in World War I.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act, there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year "2018"; and

(C) inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(b) SELECTION.—The design for the coins minted under this Act shall be selected by the Secretary based on the winning design from a juried, compensated design competition described under subsection (c).

(c) DESIGN COMPETITION.—The Secretary shall hold a competition and provide compensation for its winner to design the obverse and reverse of the coins minted under this Act. The competition shall be held in the following manner:

(1) The competition shall be judged by an expert jury chaired by the Secretary and consisting of 3 members from the Citizens Coinage Advisory Committee who shall be elected by such Committee and 3 members from the Commission of Fine Arts who shall be elected by such Commission.

(2) The Secretary shall determine compensation for the winning design, which shall be not less than $5,000.

(3) The Secretary may not accept a design for the competition unless a plaster model accompanies the design.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only one facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins under this Act only during the calendar year beginning on January 1, 2018.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in section 7 with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins issued under this Act shall include a surcharge of $10 per coin.

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be paid by the Secretary to the United States Foundation for the Commemoration of the World Wars, to assist the World War I Centennial Commission in commemorating the centenary of World War I.

(c) AUDITS.—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the United States Foundation for the Commemoration of the World Wars as may be related to the expenditures of amounts paid under subsection (b).

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code. The Secretary may issue guidance to carry out this subsection.

SEC. 8. FINANCIAL ASSURANCES.

The Secretary shall take such actions as may be necessary to ensure that—

(1) minting and issuing coins under this Act will not result in any net cost to the United States Government; and

(2) no funds, including applicable surcharges, shall be disbursed to any recipient designated in section 7 until the total cost of designing and issuing all of the coins authorized by this Act (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping) is recovered by

the United States Treasury, consistent with sections 5112(m) and 5134(f) of title 31, United States Code.

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 2366:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 2, considered and passed House.
Dec. 4, considered and passed Senate.

Public Law 113–213
113th Congress

An Act

Dec. 16, 2014
[H.R. 2678]

To designate the facility of the United States Postal Service located at 10360 Southwest 186th Street in Miami, Florida, as the "Larcenia J. Bullard Post Office Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LARCENIA J. BULLARD POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 10360 Southwest 186th Street in Miami, Florida, shall be known and designated as the "Larcenia J. Bullard Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Larcenia J. Bullard Post Office Building".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 2678:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 8, 10, considered and passed House.
Dec. 8, considered and passed Senate.

Public Law 113–214
113th Congress

An Act

To designate the facility of the United States Postal Service located at 3349 West 111th Street in Chicago, Illinois, as the "Captain Herbert Johnson Memorial Post Office Building".

Dec. 16, 2014
[H.R. 3085]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CAPTAIN HERBERT JOHNSON MEMORIAL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 3349 West 111th Street in Chicago, Illinois, shall be known and designated as the "Captain Herbert Johnson Memorial Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Captain Herbert Johnson Memorial Post Office Building".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 3085:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 14, considered and passed House.
Dec. 3, considered and passed Senate.

Public Law 113–215
113th Congress

An Act

Dec. 16, 2014
[H.R. 3375]

To designate the community-based outpatient clinic of the Department of Veterans Affairs to be constructed at 3141 Centennial Boulevard, Colorado Springs, Colorado, as the "PFC Floyd K. Lindstrom Department of Veterans Affairs Clinic".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PFC FLOYD K. LINDSTROM DEPARTMENT OF VETERANS AFFAIRS CLINIC.

(a) DESIGNATION.—The community-based outpatient clinic of the Department of Veterans Affairs to be constructed at 3141 Centennial Boulevard, Colorado Springs, Colorado, shall be known and designated as the "PFC Floyd K. Lindstrom Department of Veterans Affairs Clinic".

(b) REFERENCES.—Any reference in a law, regulation, map, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the "PFC Floyd K. Lindstrom Department of Veterans Affairs Clinic".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 3375:

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 17, considered and passed House.
Dec. 3, considered and passed Senate.

Public Law 113–216
113th Congress

An Act

To designate the facility of the United States Postal Service located at 113 West Michigan Avenue in Jackson, Michigan, as the "Officer James Bonneau Memorial Post Office".

Dec. 16, 2014
[H.R. 3534]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. OFFICER JAMES BONNEAU MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 113 West Michigan Avenue in Jackson, Michigan, shall be known and designated as the "Officer James Bonneau Memorial Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Officer James Bonneau Memorial Post Office".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 3534:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 14, considered and passed House.
Dec. 8, considered and passed Senate.

Public Law 113–217
113th Congress

An Act

Dec. 16, 2014
[H.R. 3682]

To designate the community based outpatient clinic of the Department of Veterans Affairs located at 1961 Premier Drive in Mankato, Minnesota, as the "Lyle C. Pearson Community Based Outpatient Clinic".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LYLE C. PEARSON COMMUNITY BASED OUTPATIENT CLINIC.

(a) DESIGNATION.—The community based outpatient clinic of the Department of Veterans Affairs located at 1961 Premier Drive in Mankato, Minnesota, shall be known and designated as the "Lyle C. Pearson Community Based Outpatient Clinic".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the clinic referred to in subsection (a) shall be deemed to be a reference to the "Lyle C. Pearson Community Based Outpatient Clinic".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 3682:

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 17, considered and passed House.
Dec. 3, considered and passed Senate.

Public Law 113–218
113th Congress

An Act

To designate the facility of the United States Postal Service located at 218–10 Merrick Boulevard in Springfield Gardens, New York, as the "Cynthia Jenkins Post Office Building".

Dec. 16, 2014
[H.R. 3957]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CYNTHIA JENKINS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 218–10 Merrick Boulevard in Springfield Gardens, New York, shall be known and designated as the "Cynthia Jenkins Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Cynthia Jenkins Post Office Building".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 3957:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 8, considered and passed House.
Dec. 3, considered and passed Senate.

Public Law 113–219
113th Congress

An Act

Dec. 16, 2014
[H.R. 4189]

To designate the facility of the United States Postal Service located at 4000 Leap Road in Hilliard, Ohio, as the "Master Sergeant Shawn T. Hannon, Master Sergeant Jeffrey J. Rieck and Veterans Memorial Post Office Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MASTER SERGEANT SHAWN T. HANNON, MASTER SERGEANT JEFFREY J. RIECK AND VETERANS MEMORIAL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 4000 Leap Road in Hilliard, Ohio, shall be known and designated as the "Master Sergeant Shawn T. Hannon, Master Sergeant Jeffrey J. Rieck and Veterans Memorial Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Master Sergeant Shawn T. Hannon, Master Sergeant Jeffrey J. Rieck and Veterans Memorial Post Office Building".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 4189:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 8, considered and passed House.
Dec. 3, considered and passed Senate.

Public Law 113–220
113th Congress

An Act

To designate the facility of the United States Postal Service located at 90 Vermilyea Avenue, in New York, New York, as the "Corporal Juan Mariel Alcantara Post Office Building".

Dec. 16, 2014
[H.R. 4443]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CORPORAL JUAN MARIEL ALCANTARA POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 90 Vermilyea Avenue, in New York, New York, shall be known and designated as the "Corporal Juan Mariel Alcantara Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Corporal Juan Mariel Alcantara Post Office Building".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 4443:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 8, considered and passed House.
Dec. 3, considered and passed Senate.

Public Law 113–221
113th Congress

An Act

To amend title 49, United States Code, to require the Administrator of the Transportation Security Administration to establish a process for providing expedited and dignified passenger screening services for veterans traveling to visit war memorials built and dedicated to honor their service, and for other purposes.

Dec. 16, 2014
[H.R. 4812]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Honor Flight Act.

49 USC 40101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Honor Flight Act".

SEC. 2. HONOR FLIGHT PROGRAM.

(a) IN GENERAL.—Title 49, United States Code, is amended by adding after section 44927 the following new section:

49 USC 44928.

"§ 44928. Honor Flight program

"The Administrator of the Transportation Security Administration shall establish, in collaboration with the Honor Flight Network or other not-for-profit organization that honors veterans, a process for providing expedited and dignified passenger screening services for veterans traveling on an Honor Flight Network private charter, or such other not-for-profit organization that honors veterans, to visit war memorials built and dedicated to honor the service of such veterans.".

(b) CLERICAL AMENDMENT.—The table of contents of title 49, United States Code, is amended by inserting after the item relating to section 44927 the following new item:

"44928. Honor Flight program.".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 4812:

HOUSE REPORTS: No. 113–516 (Comm. on Homeland Security).
CONGRESSIONAL RECORD, Vol. 160 (2014):
July 22, considered and passed House.
Dec. 4, considered and passed Senate.

Public Law 113–222
113th Congress

An Act

To designate the facility of the United States Postal Service located at 715 Shawan Falls Drive in Dublin, Ohio, as the "Lance Corporal Wesley G. Davids and Captain Nicholas J. Rozanski Memorial Post Office".

Dec. 16, 2014
[H.R. 4919]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LANCE CORPORAL WESLEY G. DAVIDS AND CAPTAIN NICHOLAS J. ROZANSKI MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 715 Shawan Falls Drive in Dublin, Ohio, shall be known and designated as the "Lance Corporal Wesley G. Davids and Captain Nicholas J. Rozanski Memorial Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Lance Corporal Wesley G. Davids and Captain Nicholas J. Rozanski Memorial Post Office".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 4919:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 28, considered and passed House.
Dec. 3, considered and passed Senate.

Public Law 113–223
113th Congress

An Act

To direct the Secretary of the Interior to enter into the Big Sandy River-Planet Ranch Water Rights Settlement Agreement and the Hualapai Tribe Bill Williams River Water Rights Settlement Agreement, to provide for the lease of certain land located within Planet Ranch on the Bill Williams River in the State of Arizona to benefit the Lower Colorado River Multi-Species Conservation Program, and to provide for the settlement of specific water rights claims in the Bill Williams River watershed in the State of Arizona.

Dec. 16, 2014
[H.R. 4924]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Bill Williams River Water Rights Settlement Act of 2014.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bill Williams River Water Rights Settlement Act of 2014".

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to achieve a fair, equitable, and final settlement of certain claims among certain parties to water rights in the Bill Williams River watershed in the State of Arizona for—

(A) the Hualapai Tribe (acting on behalf of the Tribe and members of the Tribe); and

(B) the Department of the Interior, acting on behalf of the Department and, as specified, the United States as trustee for the Hualapai Tribe, the members of the Tribe, and the allottees;

(2) to approve, ratify, and confirm—

(A) the Big Sandy River-Planet Ranch Water Rights Settlement Agreement entered into among the Hualapai Tribe, the United States as trustee for the Tribe, the members of the Tribe and allottees, the Secretary of the Interior, the Arizona department of water resources, Freeport Minerals Corporation, and the Arizona Game and Fish Commission, to the extent the Big Sandy River-Planet Ranch Agreement is consistent with this Act; and

(B) the Hualapai Tribe Bill Williams River Water Rights Settlement Agreement entered into among the Tribe, the United States as trustee for the Tribe, members of the Tribe, the allottees, and the Freeport Minerals Corporation, to the extent the Hualapai Tribe Agreement is consistent with this Act;

(3) to authorize and direct the Secretary—

(A) to execute the duties and obligations of the Secretary under the Big Sandy River-Planet Ranch Agreement, the Hualapai Tribe Agreement, and this Act;

(B)(i) to remove objections to the applications for the severance and transfer of certain water rights, in partial consideration of the agreement of the parties to impose certain limits on the extent of the use and transferability of the severed and transferred water right and other water rights; and

(ii) to provide confirmation of those water rights; and

(C) to carry out any other activity necessary to implement the Big Sandy River-Planet Ranch Agreement and the Hualapai Tribe Agreement in accordance with this Act;

(4) to advance the purposes of the Lower Colorado River Multi-Species Conservation Program;

(5) to secure a long-term lease for a portion of Planet Ranch, along with appurtenant water rights primarily along the Bill Williams River corridor, for use in the Conservation Program;

(6) to bring the leased portion of Planet Ranch into public ownership for the long-term benefit of the Conservation Program; and

(7) to secure from the Freeport Minerals Corporation non-Federal contributions—

(A) to support a tribal water supply study necessary for the advancement of a settlement of the claims of the Tribe for rights to Colorado River water; and

(B) to enable the Tribe to secure Colorado River water rights and appurtenant land, increase security of the water rights of the Tribe, and facilitate a settlement of the claims of the Tribe for rights to Colorado River water.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADWR.—The term "ADWR" means the Arizona department of water resources, established pursuant to title 45 of the Arizona Revised Statutes (or a successor agency or entity).

(2) ALLOTMENT.—The term "allotment" means the 4 off-reservation parcels held in trust by the United States for individual Indians in the Big Sandy River basin in Mohave County, Arizona, under the patents numbered 1039995, 1039996, 1039997, and 1019494.

(3) ALLOTTEE.—The term "allottee" means any Indian owner of an allotment under a patent numbered 1039995, 1039996, 1039997, or 1019494.

(4) ARIZONA GAME AND FISH COMMISSION.—The term "Arizona Game and Fish Commission" means the entity established pursuant to title 17 of the Arizona Revised Statutes to control the Arizona game and fish department (or a successor agency or entity).

(5) BAGDAD MINE COMPLEX AND BAGDAD TOWNSITE.—The term "Bagdad Mine Complex and Bagdad Townsite" means the geographical area depicted on the map attached as exhibit 2.9 to the Big Sandy River-Planet Ranch Agreement.

(6) BIG SANDY RIVER-PLANET RANCH AGREEMENT.—The term "Big Sandy River-Planet Ranch Agreement" means the Big Sandy River-Planet Ranch Water Rights Settlement Agreement dated July 2, 2014, and any amendment or exhibit (including exhibit amendments) to that Agreement that is—

(A) made in accordance with this Act; or

(B) otherwise approved by the Secretary and the parties to the Big Sandy River-Planet Ranch Agreement.

(7) BILL WILLIAMS RIVER WATERSHED.—The term "Bill Williams River watershed" means the watershed drained by the Bill Williams River and the tributaries of that river, including the Big Sandy and Santa Maria Rivers.

(8) CONSERVATION PROGRAM.—The term "Conservation Program" has the meaning given the term "Lower Colorado River Multi-Species Conservation Program" in section 9401 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1327).

(9) CORPORATION.—

(A) IN GENERAL.—The term "Corporation" means the Freeport Minerals Corporation, incorporated in the State of Delaware.

(B) INCLUSIONS.—The term "Corporation" includes all subsidiaries, affiliates, successors, and assigns of the Freeport Minerals Corporation (such as Byner Cattle Company, incorporated in the State of Nevada).

(10) DEPARTMENT.—The term "Department" means the Department of the Interior and all constituent bureaus of that Department.

(11) ENFORCEABILITY DATE.—The term "enforceability date" means the date described in section 9.

(12) FREEPORT GROUNDWATER WELLS.—

(A) IN GENERAL.—The term "Freeport Groundwater Wells" means the 5 wells identified by ADWR well registration numbers—

(i) 55–592824;

(ii) 55–595808;

(iii) 55–595810;

(iv) 55–200964; and

(v) 55–908273.

(B) INCLUSIONS.—The term "Freeport Groundwater Wells" includes any replacement of a well referred to in subparagraph (A) drilled by or for the Corporation to supply water to the Bagdad Mine Complex and Bagdad Townsite.

(C) EXCLUSIONS.—The term "Freeport Groundwater Wells" does not include any other well owned by the Corporation at any other location.

(13) HUALAPAI TRIBE AGREEMENT.—The term "Hualapai Tribe Agreement" means the Hualapai Tribe Bill Williams River Water Rights Settlement Agreement dated July 2, 2014, including any amendment or exhibit (including exhibit amendments) to that Agreement that is—

(A) made in accordance with this Act; or

(B) otherwise approved by the Secretary and the parties to the Agreement.

(14) HUALAPAI TRIBE WATER RIGHTS SETTLEMENT AGREEMENT.—The term "Hualapai Tribe Water Rights Settlement Agreement" means the comprehensive settlement agreement in the process of negotiation as of the date of enactment of this Act to resolve the claims of the Tribe for rights to Colorado River water and Verde River water with finality.

(15) INJURY.—

(A) IN GENERAL.—The term "injury", with respect to a water right, means any interference with, diminution of, or deprivation of the water right under Federal, State, or other law.

(B) EXCLUSION.—The term "injury" does not include any injury to water quality.

(16) LINCOLN RANCH.—The term "Lincoln Ranch" means the property owned by the Corporation described in the special warranty deed recorded on December 4, 1995, at Book 1995 and Page 05874 in the official records of La Paz County, Arizona.

(17) PARCEL 1.—The term "Parcel 1" means the parcel of land that—

(A) is depicted as 3 contiguous allotments identified as 1A, 1B, and 1C on the map attached to the Big Sandy River-Planet Ranch Agreement as exhibit 2.10; and

(B) is held in trust for certain allottees.

(18) PARCEL 2.—The term "Parcel 2" means the parcel of land that—

(A) is depicted on the map attached to the Big Sandy River-Planet Ranch Agreement as exhibit 2.10; and

(B) is held in trust for certain allottees.

(19) PARCEL 3.—The term "Parcel 3" means the parcel of land that—

(A) is depicted on the map attached to the Big Sandy River-Planet Ranch Agreement as exhibit 2.10;

(B) is held in trust for the Tribe; and

(C) is part of the Hualapai Reservation pursuant to Executive Order No. 1368 of June 2, 1911.

(20) PARTY.—The term "party" means an individual or entity that is a signatory to—

(A) the Big Sandy River-Planet Ranch Agreement; or

(B) the Hualapai Tribe Agreement.

(21) PLANET RANCH.—The term "Planet Ranch" means the property owned by the Corporation described—

(A) in the special warranty deed recorded on December 14, 2011, at Book 2011 and Page 05267 in the official records of La Paz County, Arizona; and

(B) as Instrument No. 2011–062804 in the official records of Mohave County, Arizona.

(22) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(23) SEVER AND TRANSFER APPLICATIONS.—The term "sever and transfer applications" means the applications filed or amended by the Corporation and pending on the date of enactment of this Act to sever and transfer certain water rights—

(A) from Lincoln Ranch and from Planet Ranch to the Wikieup Wellfield for use at the Bagdad Mine Complex and Bagdad Townsite; and

(B) from portions of Planet Ranch (as determined on the date on which the applications were filed or amended) to new locations within Planet Ranch.

(24) TRIBE.—The term "Tribe" means the Hualapai Tribe, organized under section 16 of the Act of June 18, 1934 (25 U.S.C. 476) (commonly known as the "Indian Reorganization Act"), and recognized by the Secretary.

(25) WATER RIGHT.—The term "water right" means—

(A) any right in or to groundwater, surface water, or effluent under Federal, State, or other law; and

(B) for purposes of subsections (d) and (e) of section 5, any right to Colorado River water.

(26) WIKIEUP WELLFIELD.—The term "Wikieup Wellfield" means the geographical area depicted on the map attached as exhibit 2.10 to the Big Sandy River-Planet Ranch Agreement.

SEC. 4. BIG SANDY RIVER-PLANET RANCH AGREEMENT.

(a) IN GENERAL.—Except to the extent that any provision of, or amendment to, the Big Sandy River-Planet Ranch Agreement conflicts with this Act—

(1) the Big Sandy River-Planet Ranch Agreement is authorized, ratified, and confirmed; and

(2) any amendment to the Big Sandy River-Planet Ranch Agreement executed to make the Big Sandy River-Planet Ranch Agreement consistent with this Act is authorized, ratified, and confirmed.

(b) EXECUTION.—To the extent that the Big Sandy River-Planet Ranch Agreement does not conflict with this Act, and in support of the purposes of this Act, the Secretary shall execute—

(1) the Big Sandy River-Planet Ranch Agreement (including all exhibits to the Big Sandy River-Planet Ranch Agreement requiring the signature of the Secretary);

(2) any amendment to the Big Sandy River-Planet Ranch Agreement (including any amendment to an exhibit of the Big Sandy River-Planet Ranch Agreement requiring the signature of the Secretary) that is necessary to make the Big Sandy River-Planet Ranch Agreement consistent with this Act; and

(3) a conditional withdrawal of each objection filed by the Bureau of Indian Affairs, the Bureau of Land Management, and the United States Fish and Wildlife Service to the sever and transfer applications in the form set forth in exhibit 4.2.1(ii)(b) to the Big Sandy River-Planet Ranch Agreement.

(c) MODIFICATIONS AND CORRECTIONS.—The Secretary may execute any other amendment to the Big Sandy River Planet-Ranch Agreement (including any amendment to an exhibit to the Big Sandy River-Planet Ranch Agreement requiring the signature of the Secretary) that is not inconsistent with this Act, if the amendment—

(1) is approved by the Secretary and the parties to the Big Sandy River-Planet Ranch Agreement; and

(2) does not require approval by Congress.

(d) PROHIBITION.—The Secretary shall not file an objection to any amendment to the sever and transfer applications or any new sever or transfer application filed by the Corporation to accomplish the sever and transfer of 10,055 acre-feet per year of water rights from Planet Ranch and Lincoln Ranch to the Wikieup Wellfield, subject to the condition that the form of such an amendment or new application shall be substantially similar to a form attached to the Big Sandy River-Planet Ranch Agreement as exhibit 4.2.1(ii)(a)(1) or 4.2.1(ii)(a)(2).

SEC. 5. HUALAPAI TRIBE AGREEMENT.

(a) IN GENERAL.—Except to the extent that any provision of, or amendment to, the Hualapai Tribe Agreement conflicts with this Act—

(1) the Hualapai Tribe Agreement is authorized, ratified, and confirmed; and

(2) any amendment to the Hualapai Tribe Agreement executed to make the Hualapai Tribe Agreement consistent with this Act is authorized, ratified, and confirmed.

(b) EXECUTION.—To the extent that the Hualapai Tribe Agreement does not conflict with this Act, and in support of the purposes of this Act, the Secretary shall execute—

(1) the Hualapai Tribe Agreement (including all exhibits to the Hualapai Tribe Agreement requiring the signature of the Secretary); and

(2) any amendment to the Hualapai Tribe Agreement (including any amendment to an exhibit of the Hualapai Tribe Agreement requiring the signature of the Secretary) that is necessary to make the Hualapai Tribe Agreement consistent with this Act.

(c) MODIFICATIONS AND CORRECTIONS.—The Secretary may execute any other amendment to the Hualapai Tribe Agreement (including any amendment to an exhibit to the Hualapai Tribe Agreement requiring the signature of the Secretary) that is not inconsistent with this Act, if the amendment—

(1) is approved by the Secretary and the parties to the Hualapai Tribe Agreement; and

(2) does not require approval by Congress.

(d) CONTRIBUTION OF CORPORATION TO ECONOMIC DEVELOPMENT FUND.—

(1) IN GENERAL.—The contribution of the Corporation to the economic development fund of the Tribe, as provided in section 8.1 of the Hualapai Tribe Agreement—

(A) may be used by the Tribe for the limited purpose of facilitating settlement of the claims of the Tribe for rights to Colorado River water by enabling the Tribe—

(i) to acquire Colorado River water rights with the intent to increase the security of the water rights of the Tribe; and

(ii) to otherwise facilitate the use of water on the Hualapai Reservation;

(B) shall be considered to be a non-Federal contribution that counts toward any non-Federal contribution associated with a settlement of the claims of the Tribe for rights to Colorado River water; and

(C) shall not be—

(i) considered to be trust funds; or

(ii) subject to responsibility or management by the United States as trustee for the Tribe, members of the Tribe, and the allottees.

(2) LIMITATION ON TRANSFER OF WATER RIGHTS.—The Colorado River water rights acquired by the Tribe may be used off the Hualapai Reservation only for irrigation of acquired appurtenant land, or for storage in accordance with Federal and State law in a permitted recharge facility in the State of Arizona, subject to the conditions that—

(A) the Tribe shall not seek to transfer or sell accumulated long-term storage credits generated from the storage of the acquired Colorado River water rights; and

(B) the Tribe shall not seek approval to change the place of use of the acquired Colorado River water rights,

except for the purposes of storing the water in accordance with this paragraph.

(3) EXPIRATION.—The limitation provided under paragraph (2) expires on the earlier of—

(A) the date on which the Hualapai Tribe Water Rights Settlement Agreement becomes enforceable; and

(B) December 31, 2039.

(4) COLORADO RIVER WATER RIGHTS COUNTED AGAINST CLAIMS OF TRIBE.—

(A) IN GENERAL.—If the Hualapai Tribe Water Rights Settlement Agreement does not become enforceable by December 31, 2039, any Colorado River water rights acquired by the Tribe with the contribution of the Corporation to the economic development fund of the Tribe shall be counted, on an acre-foot per acre-foot basis, toward the claims of the Tribe for rights to Colorado River water.

(B) EFFECT OF PARAGRAPH.—Nothing in this paragraph restricts any claim for rights of the Tribe to Colorado River water.

(e) FUTURE LIMITATIONS ON LAND TAKEN INTO TRUST.—As provided in section 10.11 of the Hualapai Tribe Agreement, the parties to the Hualapai Tribe Agreement shall negotiate in good faith with other parties the terms under which any land within the State of Arizona held or acquired in fee by the Tribe may be taken into trust by the United States for the benefit of the Tribe, with any applicable terms to be incorporated into the Hualapai Tribe Water Rights Settlement Agreement, subject to approval by Congress.

SEC. 6. WAIVERS, RELEASES, AND RETENTION OF CLAIMS.

(a) CLAIMS BY DEPARTMENT UNDER BIG SANDY RIVER-PLANET RANCH AGREEMENT.—

(1) IN GENERAL.—Except as provided in paragraph (3), the Secretary is authorized to execute a waiver and release of all claims of the Department, acting in its own capacity, against the Corporation under Federal, State, or any other law for—

(A) all past and present claims for injury to water rights resulting from the diversion of water by the Corporation from the Wikieup Wellfield or the Freeport Groundwater Wells arising prior to the enforceability date;

(B) all claims for injury to water rights arising after the enforceability date resulting from the diversion of water by the Corporation from the Wikieup Wellfield or the Freeport Groundwater Wells in a manner not in violation of the Big Sandy River-Planet Ranch Agreement; and

(C) all past, present, and future claims arising out of, or relating in any manner to, the negotiation or execution of the Big Sandy River-Planet Ranch Agreement.

(2) EFFECTIVE DATE.—The waivers and releases of claims under paragraph (1) shall—

(A) be in the form set forth in exhibit 7.2(ii) to the Big Sandy River-Planet Ranch Agreement; and

(B) take effect on the enforceability date.

(3) RETENTION OF RIGHTS.—The Department shall retain all rights not expressly waived under paragraph (1), including the right—

(A) to assert any claim for breach of, or to seek enforcement of, the Big Sandy River-Planet Ranch Agreement or this Act in any court of competent jurisdiction (but not a tribal court); and

(B) to assert any past, present, or future claim to a water right that is not inconsistent with the Big Sandy River-Planet Ranch Agreement or this Act.

(b) CLAIMS BY TRIBE AND UNITED STATES AS TRUSTEE UNDER BIG SANDY RIVER-PLANET RANCH AGREEMENT.—

(1) IN GENERAL.—Except as provided in paragraph (3), the Tribe and the United States, acting as trustee for the Tribe and members of the Tribe, are authorized to execute a waiver and release of all claims against the Corporation for—

(A) any water rights of the Tribe or the United States as trustee for the Tribe and members of the Tribe with respect to Parcel 3 in excess of 300 acre-feet per year;

(B) all past and present claims for injury to water rights arising before the enforceability date resulting from the diversion of water by the Corporation from the Wikieup Wellfield or the Freeport Groundwater Wells; and

(C) all claims for injury to water rights arising after the enforceability date resulting from the diversion of water by the Corporation from the Wikieup Wellfield or the Freeport Groundwater Wells in a manner not in violation of the Big Sandy River-Planet Ranch Agreement or the Hualapai Tribe Agreement.

(2) EFFECTIVE DATE.—The waivers and releases of claims under paragraph (1) shall—

(A) be in the form set forth in exhibit 7.1(ii) to the Hualapai Tribe Agreement; and

(B) take effect on the enforceability date.

(3) RETENTION OF RIGHTS.—The Tribe and the United States, acting as trustee for the Tribe and members of the Tribe, shall retain all rights not expressly waived under paragraph (1), including the right—

(A) to assert any claim for breach of, or to seek enforcement of, the Big Sandy River-Planet Ranch Agreement or this Act in any court of competent jurisdiction (but not a tribal court); and

(B) to assert any past, present, or future claim to a water right that is not inconsistent with the Big Sandy River-Planet Ranch Agreement or this Act.

(c) CLAIMS BY UNITED STATES AS TRUSTEE FOR ALLOTTEES UNDER BIG SANDY RIVER-PLANET RANCH AGREEMENT.—

(1) IN GENERAL.—Except as provided in paragraph (3), the United States, acting as trustee for the allottees, is authorized to execute a waiver and release of all claims against the Corporation for—

(A) any water rights of the allottees or the United States as trustee for the allottees with respect to—

(i) Parcel 1 in excess of 82 acre-feet per year; or

(ii) Parcel 2 in excess of 312 acre-feet per year;

(B) all past and present claims for injury to water rights arising before the enforceability date resulting from the diversion of water by the Corporation from the Wikieup Wellfield or the Freeport Groundwater Wells; and

(C) all claims for injury to water rights arising after the enforceability date resulting from the diversion of water by the Corporation from the Wikieup Wellfield or the Freeport Groundwater Wells in a manner not in violation of the Big Sandy River-Planet Ranch Agreement.

(2) EFFECTIVE DATE.—The waivers and releases of claims under paragraph (1) shall—

(A) be in the form set forth in exhibit 7.1(ii) to the Hualapai Tribe Agreement; and

(B) take effect on the enforceability date.

(3) RETENTION OF RIGHTS.—The United States, acting as trustee for the allottees, shall retain all rights not expressly waived under paragraph (1), including the right—

(A) to assert any claim for breach of, or to seek enforcement of, the Big Sandy River-Planet Ranch Agreement or this Act in any court of competent jurisdiction (but not a tribal court); and

(B) to assert any past, present, or future claim to a water right that is not inconsistent with the Big Sandy River-Planet Ranch Agreement or this Act.

(d) CLAIMS BY TRIBE AND UNITED STATES AS TRUSTEE UNDER HUALAPAI TRIBE AGREEMENT.—

(1) IN GENERAL.—Except as provided in paragraph (3), the Tribe and the United States, acting as trustee for the Tribe, members of the Tribe, and the allottees, as part of the performance of obligations under the Hualapai Tribe Agreement, are authorized to execute a waiver and release of all claims that the Tribe or the United States as trustee for the Tribe, members of the Tribe, or the allottees may have against the Corporation under Federal, State, or any other law, for—

(A) all past and present claims for injury to water rights resulting from the diversion of water by the Corporation from the Bill Williams River watershed arising prior to the enforceability date;

(B) all claims for injury to water rights arising after the enforceability date resulting from the diversion of water by the Corporation from the Bill Williams River watershed in a manner not in violation of the Hualapai Tribe Agreement or the Big Sandy River-Planet Ranch Agreement; and

(C) all past, present, and future claims arising out of, or relating in any manner to, the negotiation or execution of the Hualapai Tribe Agreement.

(2) EFFECTIVE DATE.—The waivers and releases of claims under paragraph (1) shall—

(A) be in the form set forth in exhibit 7.1(ii) to the Hualapai Tribe Agreement; and

(B) take effect on the enforceability date.

(3) RETENTION OF RIGHTS.—The Tribe and the United States, acting as trustee for the Tribe, the members of the Tribe, and the allottees, shall retain all rights not expressly waived under paragraph (1), including the right to assert—

(A) subject to paragraph 10.5 of the Hualapai Tribe Agreement, a claim for breach of, or to seek enforcement of, the Hualapai Tribe Agreement or this Act in any court of competent jurisdiction (but not a tribal court);

(B) any claim for injury to, or to seek enforcement of, the rights of the Tribe under any applicable judgment or decree approving or incorporating the Hualapai Tribe Agreement; and

(C) any past, present, or future claim to water rights that is not inconsistent with the Hualapai Tribe Agreement or this Act.

(e) CLAIMS BY TRIBE AGAINST UNITED STATES UNDER BIG SANDY RIVER-PLANET RANCH AGREEMENT AND HUALAPAI TRIBE AGREEMENT.—

(1) IN GENERAL.—In consideration for the benefits to the Tribe, as set forth in the Big Sandy River-Planet Ranch Agreement, the Hualapai Tribe Agreement, and this Act, except as provided in paragraph (3), the Tribe, on behalf of the Tribe and the members of the Tribe, is authorized to execute a waiver and release of all claims against the United States and the agents and employees of the United States for—

(A) all past, present, and future claims relating to claims for water rights for Parcel 3 in excess of 300 acre-feet per year that the United States, acting as trustee for the Tribe, asserted or could have asserted against any party to the Big Sandy River-Planet Ranch Agreement or the Hualapai Tribe Agreement, including the Corporation, including claims relating to—

(i) loss of water, water rights, land, or natural resources due to loss of water or water rights on Parcel 3 (including damages, losses, or injuries to hunting, fishing, and gathering rights due to loss of water, water rights, or subordination of water rights); or

(ii) failure to protect, acquire, replace, or develop water, water rights, or water infrastructure on Parcel 3;

(B) all past, present, and future claims relating to injury to water rights associated with Parcel 3 arising from withdrawal of a protest to the sever and transfer applications referenced in the Big Sandy River-Planet Ranch Agreement;

(C) all claims relating to injury to water rights arising after the enforceability date associated with Parcel 3, resulting from the diversion of water by the Corporation from the Bill Williams River watershed in a manner not in violation of the Hualapai Tribe Agreement; and

(D) all past, present, and future claims relating to any potential injury arising out of, or relating in any manner to, the negotiation or execution of the Big Sandy River-Planet Ranch Agreement or the Hualapai Tribe Agreement.

(2) EFFECTIVE DATE.—The waivers and releases of claims under paragraph (1) shall—

(A) be in the form set forth in, as applicable—

(i) exhibit 7.6(ii) to the Big Sandy River-Planet Ranch Agreement; or

(ii) exhibit 7.3(ii) to the Hualapai Tribe Agreement; and

(B) take effect on the enforceability date.

(3) RETENTION OF RIGHTS.—The Tribe shall retain all rights not expressly waived under paragraph (1), including the right—

(A) to assert any claim for breach of, or to seek enforcement of, the Big Sandy River-Planet Ranch Agreement, the Hualapai Tribe Agreement, or this Act in any court of competent jurisdiction (but not a tribal court); and

(B) to assert any past, present, or future claim to a water right that is not inconsistent with the Big Sandy River-Planet Ranch Agreement, the Hualapai Tribe Agreement, or this Act.

SEC. 7. ADMINISTRATION.

(a) AMENDMENTS.—

(1) DEFINITIONS.—Section 9401 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1327) is amended—

(A) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and

(B) by inserting before paragraph (2) (as so redesignated) the following:

"(1) BIG SANDY RIVER-PLANET RANCH AGREEMENT.—The term 'Big Sandy River-Planet Ranch Agreement' has the meaning given the term in section 3 of the Bill Williams River Water Rights Settlement Act of 2014.".

(2) ENFORCEABILITY.—Section 9403 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1328) is amended—

(A) by striking the section designation and heading and all that follows through "Due to" in subsection (a) and inserting the following:

"SEC. 9403. ENFORCEABILITY.

"(a) CIVIL ACTIONS.—

"(1) COLORADO RIVER CIVIL ACTIONS.—

"(A) DESCRIPTION OF CIVIL ACTION.—Due to"; and

(B) in subsection (a) (as amended by subparagraph (A))—

(i) in paragraph (1) (as so amended), by adding at the end the following:

"(B) VENUE.—Any civil action under this paragraph may be brought in any United States district court in the State in which any non-Federal party to the civil action is situated."; and

(ii) by adding at the end the following:

"(2) BILL WILLIAMS CIVIL ACTIONS.—

"(A) DESCRIPTION OF CIVIL ACTION.—Due to the unique role of the Lower Colorado River Multi-Species Conservation Program in resolving competing water rights claims in the Bill Williams River watershed (as defined in section 3 of the Bill Williams River Water Rights Settlement Act of 2014) and other claims among the parties to the Big Sandy-River Planet Ranch Agreement, any party to the Big Sandy River-Planet Ranch Agreement may commence a civil action in a court described in subparagraph (B) relating only and directly to the interpretation or enforcement of—

"(i) the Bill Williams River Water Rights Settlement Act of 2014; or

"(ii) the Big Sandy River-Planet Ranch Agreement.

"(B) VENUE.—A civil action under this paragraph may be brought in—

"(i) the United States District Court for the District of Arizona; or

"(ii) a State court of competent jurisdiction where a pending action has been brought to adjudicate the water rights associated with the Bill Williams River system and source, in accordance with the authority provided by section 208 of the Act of July 10, 1952 (commonly known as the 'McCarran Amendment') (43 U.S.C. 666).";

(3) in subsection (b)—

(A) by striking "The district" and inserting the following:

"(1) IN GENERAL.—The district";

(B) in paragraph (1) (as so designated), by striking "such actions" and inserting "civil actions described in subsection (a)(1)"; and

(C) by adding at the end the following:

"(2) STATE COURTS AND DISTRICT COURTS.—A State court or United States district court—

"(A) shall have jurisdiction over civil actions described in subsection (a)(2); and

"(B) may issue such orders, judgments, and decrees as are consistent with the exercise of jurisdiction by the court pursuant to—

"(i) this section; or

"(ii) section 7 of the Bill Williams River Water Rights Settlement Act of 2014.

"(3) EFFECT OF SUBSECTION.—Nothing in this subsection affects the jurisdiction that would otherwise be available in accordance with the authority provided by section 208 of the Act of July 10, 1952 (commonly known as the 'McCarran Amendment') (43 U.S.C. 666).";

(4) in subsection (d)(2), by striking the paragraph designation and heading and all that follows through subparagraph (A) and inserting the following:

"(2) APPLICABILITY.—This section—

"(A) applies only to—

"(i) the Lower Colorado River Multi-Species Conservation Program;

"(ii) the Bill Williams River Water Rights Settlement Act of 2014; and

"(iii) the Big Sandy River-Planet Ranch Agreement; and"; and

(5) by striking subsection (e).

(b) LIMITED WAIVER OF SOVEREIGN IMMUNITY.—

(1) IN GENERAL.—If any party to the Big Sandy River-Planet Ranch Agreement or the Hualapai Tribe Agreement brings a civil action in a court described in paragraph (2) relating only and directly to the interpretation or enforcement of this Act (or an amendment made by this Act), the Big Sandy River-Planet Ranch Agreement, or the Hualapai Tribe Agreement—

(A) the Tribe and the United States, acting as trustee for the Tribe, members of the Tribe, or the allottees, may be named as a party or joined in the civil action; and

(B) any claim by the Tribe or the United States, acting as trustee for the Tribe, members of the Tribe, or the allottees, to sovereign immunity from the civil action is waived, but only for the limited and sole purpose of the interpretation or enforcement of this Act (or an amendment made by this Act), the Big Sandy River-Planet Ranch Agreement, or the Hualapai Tribe Agreement.

(2) VENUE.—A court referred to in paragraph (1) is—

(A) the United States District Court for the District of Arizona; or

(B) a State court of competent jurisdiction where a pending action has been brought to adjudicate the water rights associated with the Bill Williams River system and source, in accordance with the authority provided by section 208 of the Act of July 10, 1952 (commonly known as the "McCarran Amendment") (43 U.S.C. 666).

(3) JURISDICTION.—A State court or a United States district court—

(A) shall have jurisdiction over civil actions described in paragraph (1); and

(B) may issue such orders, judgments, and decrees as are consistent with the exercise of jurisdiction by the court pursuant to—

(i) this section; or

(ii) section 9403(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1328).

(4) NONWAIVER FOR CERTAIN CLAIMS.—Nothing in this subsection waives the sovereign immunity of the Tribe or the United States, acting as trustee for the Tribe, members of the Tribe, or the allottees, to claims for monetary damages, costs, or attorneys' fees.

(c) ANTIDEFICIENCY.—

(1) IN GENERAL.—Notwithstanding any authorization of appropriations to carry out this Act, the expenditure or advance of any funds, and the performance of any obligation by the Department in any capacity, pursuant to this Act shall be contingent on the appropriation of funds for that expenditure, advance, or performance.

(2) LIABILITY.—The Department shall not be liable for the failure to carry out any obligation or activity authorized by this Act if adequate appropriations are not provided to carry out this Act.

(d) PUBLIC ACCESS.—Nothing in this Act prohibits reasonable public access to the Conservation Program land at Planet Ranch or Lincoln Ranch in a manner that is consistent with all applicable Federal and State laws and any applicable conservation management plan implemented under the Conservation Program.

(e) EFFECT.—Nothing in the Big Sandy River-Planet Ranch Agreement, the Hualapai Tribe Agreement, or this Act—

(1) affects the ability of the United States to carry out any action in the capacity of the United States as trustee for any other Indian tribe or allottee;

(2) except as provided in subsections (a) and (b), confers jurisdiction on any State court—

(A) to interpret Federal law or determine the duties of the United States or any other party pursuant to Federal law; or

(B) to conduct judicial review of a Federal agency action; or

(3) limits the right of any member of the Tribe (acting in an individual capacity) to assert or acquire any water right based on State law.

SEC. 8. ENVIRONMENTAL COMPLIANCE.

(a) IN GENERAL.—In implementing the Big Sandy River-Planet Ranch Agreement, the Hualapai Tribe Agreement, and this Act, the Secretary shall comply with all applicable Federal environmental laws (including regulations), including—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(2) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(b) EXECUTION OF AGREEMENTS.—The execution by the Secretary of the Big Sandy River-Planet Ranch Agreement and the Hualapai Tribe Agreement in accordance with this Act shall not constitute a major Federal action for purposes of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(c) UNITED STATES ENFORCEMENT AUTHORITY.—Nothing in this Act, the Big Sandy River-Planet Ranch Agreement, or the Hualapai Tribe Agreement affects any right of the United States to take any action (including any environmental action) under any law (including regulations and common law) relating to human health, safety, or the environment.

SEC. 9. ENFORCEABILITY DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that— Federal Register, publication.

(1)(A) to the extent that the Big Sandy River-Planet Ranch Agreement or the Hualapai Tribe Agreement conflict with this Act, the applicable agreement has been revised by amendment to eliminate the conflict; and

(B) the Big Sandy River-Planet Ranch Agreement and the Hualapai Tribe Agreement have been executed by all parties to those agreements;

(2) the Corporation has submitted to ADWR a conditional amendment of the sever and transfer applications for the Lincoln Ranch water right and amendments to the sever and transfer applications for Planet Ranch and Lincoln Ranch water rights consistent with section 4.2.1(ii)(a) of the Big Sandy River-Planet Ranch Agreement;

(3) the Secretary and the Arizona Game and Fish Commission have executed and filed with ADWR a conditional withdrawal of each objection described in section 4(b)(3);

(4)(A) ADWR has issued a conditional order approving the sever and transfer applications of the Corporation; and

(B) all objections to the sever and transfer applications have been—

(i) conditionally withdrawn; or

(ii) resolved in a decision issued by ADWR that is final and nonappealable;

Notification.

(5) the Secretary has provided a notice to the parties to the Big Sandy River-Planet Ranch Agreement and the Hualapai Tribe Agreement that the Department has completed the legally required environmental compliance described in section 8;

Contracts.

(6) the steering committee for the Conservation Program has approved and authorized the manager of the Conservation Program to execute the lease in the form as set forth in exhibit 2.33 to the Big Sandy River-Planet Ranch Agreement; and

(7) the waivers and releases authorized by section 6 have been executed by the Tribe and the Secretary.

(b) RATIFICATION AND EXECUTION OF AGREEMENTS.—Notwithstanding subsection (a), for purposes of sections 4, 5, and 8, the Secretary shall carry out the requirements of this Act as promptly as practicable after the date of enactment of this Act.

Deadline.
Notification.

(c) FAILURE OF ENFORCEABILITY DATE TO OCCUR.—If the Secretary does not publish a statement of findings under subsection (a) by December 15, 2015, or an extended date agreed to by the Tribe, the Secretary, and the Corporation, after providing reasonable notice to the State of Arizona—

Repeal.

(1) this Act is repealed effective beginning on the later of—

(A) December 31, 2015; and

(B) the date that is 14 days after the extended date agreed to by the Tribe, the Secretary, and the Corporation, after providing reasonable notice to the State of Arizona;

(2) any action taken by the Secretary to carry out this Act shall cease, and any agreement executed pursuant to this Act, shall be void; and

(3) the Tribe, members of the Tribe, the allottees, and the United States, acting as trustee for the Tribe, members of the Tribe, and the allottees, shall retain the right to assert past, present, and future claims to water rights and claims for injury to water rights in the Bill Williams River watershed.

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 4924:

HOUSE REPORTS: No. 113–638 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 1, considered and passed House.
Dec. 2, considered and passed Senate.

Public Law 113–224
113th Congress

An Act

To designate the facility of the United States Postal Service located at 2551 Galena Avenue in Simi Valley, California, as the "Neil Havens Post Office".

Dec. 16, 2014
[H.R. 4939]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NEIL HAVENS POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2551 Galena Avenue in Simi Valley, California, shall be known and designated as the "Neil Havens Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Neil Havens Post Office".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 4939:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 8, considered and passed House.
Dec. 8, considered and passed Senate.

Public Law 113–225
113th Congress

An Act

Dec. 16, 2014
[H.R. 5030]

To designate the facility of the United States Postal Service located at 13500 SW 250 Street in Princeton, Florida, as the "Corporal Christian A. Guzman Rivera Post Office Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CORPORAL CHRISTIAN A. GUZMAN RIVERA POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 13500 SW 250 Street in Princeton, Florida, shall be known and designated as the "Corporal Christian A. Guzman Rivera Post Office Building".

(b) REFERENCES.—Any references in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Corporal Christian A. Guzman Rivera Post Office Building".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 5030:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 8, considered and passed House.
Dec. 8, considered and passed Senate.

Public Law 113–226
113th Congress

An Act

To designate the facility of the United States Postal Service located at 100 Admiral Callaghan Lane in Vallejo, California, as the "Philmore Graham Post Office Building".

Dec. 16, 2014
[H.R. 5106]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PHILMORE GRAHAM POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 100 Admiral Callaghan Lane in Vallejo, California, shall be known and designated as the "Philmore Graham Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Philmore Graham Post Office Building".

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 5106:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 8, considered and passed House.
Dec. 3, considered and passed Senate.

Public Law 113–227
113th Congress

An Act

Dec. 16, 2014
[H.R. 5108]

To establish the Law School Clinic Certification Program of the United States Patent and Trademark Office, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

35 USC 2 note.

SECTION 1. USPTO LAW SCHOOL CLINIC CERTIFICATION PROGRAM.

(a) ESTABLISHMENT.—The Law School Clinic Certification Program of the United States Patent and Trademark Office, as implemented by the Office, is established as a program entitled the "Law School Clinic Certification Program". The Program shall allow students enrolled in a participating law school's clinic to practice patent and trademark law before the Office by drafting, filing, and prosecuting patent or trademark applications, or both, on a pro-bono basis for clients that qualify for assistance from the law school's clinic. The Director shall establish regulations and procedures for application to and participation in the Program. All law schools accredited by the American Bar Association are eligible for participation in the Program, and shall be examined for acceptance using identical criteria established by the Director. The Program shall be in effect for the 10-year period beginning on the date of the enactment of this Act.

Regulations.
Procedures.

Effective date.
Time period.

(b) REPORT ON THE PROGRAM.—The Director shall, not later than the last day of the 2-year period beginning on the date of the enactment of this Act, submit to the Committees on the Judiciary of the House of Representatives and the Senate a report on the Program, describing the number of law schools and law students participating in the Program, the work done through the Program, the benefits of the Program, and any recommendations of the Director for modifications to the Program.

(c) DEFINITIONS.—In this section:

(1) OFFICE.—The term "Office" means the United States Patent and Trademark Office.

(2) PROGRAM.—The term "Program" means the Law School Clinic Certification Program established in subsection (a).

(3) DIRECTOR.—The term "Director" means the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 5108:

HOUSE REPORTS: No. 113–588 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 15, considered and passed House.
Dec. 4, considered and passed Senate.

Public Law 113–228
113th Congress

An Act

Dec. 16, 2014
[H.R. 5681]

To provide for the approval of the Amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. APPROVAL OF THE AMENDMENT TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES.

(a) IN GENERAL.—Notwithstanding the provisions for congressional consideration of a proposed agreement for cooperation in subsection d. of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), the amendments to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, done at Washington, July 22, 2014, and transmitted to Congress on July 24, 2014, including all portions thereof (hereinafter in this section referred to as the "Amendment"), may be brought into effect on or after the date of the enactment of this Act as if all the requirements in such section 123 for consideration of the Amendment had been satisfied, subject to subsection (b) of this section.

(b) APPLICABILITY OF ATOMIC ENERGY ACT OF 1954 AND OTHER PROVISIONS OF LAW.—Upon coming into effect, the Amendment shall be subject to the provisions of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and any other applicable United States law as if the Amendment had come into effect in accordance with the requirements of section 123 of the Atomic Energy Act of 1954.

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 5681:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Nov. 19, considered and passed House.
Dec. 3, considered and passed Senate.

Public Law 113–229
113th Congress

Joint Resolution

Conferring honorary citizenship of the United States on Bernardo de Gálvez y Madrid, Viscount of Galveston and Count of Gálvez.

Dec. 16, 2014
[H.J. Res. 105]

Whereas the United States has conferred honorary citizenship on 7 other occasions during its history, and honorary citizenship is and should remain an extraordinary honor not lightly conferred nor frequently granted;

Whereas Bernardo de Gálvez y Madrid, Viscount of Galveston and Count of Gálvez, was a hero of the Revolutionary War who risked his life for the freedom of the United States people and provided supplies, intelligence, and strong military support to the war effort;

Whereas Bernardo de Gálvez recruited an army of 7,500 men made up of Spanish, French, African-American, Mexican, Cuban, and Anglo-American forces and led the effort of Spain to aid the United States' colonists against Great Britain;

Whereas during the Revolutionary War, Bernardo de Gálvez and his troops seized the Port of New Orleans and successfully defeated the British at battles in Baton Rouge, Louisiana, Natchez, Mississippi, and Mobile, Alabama;

Whereas Bernardo de Gálvez led the successful 2-month Siege of Pensacola, Florida, where his troops captured the capital of British West Florida and left the British with no naval bases in the Gulf of Mexico;

Whereas Bernardo de Gálvez was wounded during the Siege of Pensacola, demonstrating bravery that forever endeared him to the United States soldiers;

Whereas Bernardo de Gálvez's victories against the British were recognized by George Washington as a deciding factor in the outcome of the Revolutionary War;

Whereas Bernardo de Gálvez helped draft the terms of treaty that ended the Revolutionary War;

Whereas the United States Continental Congress declared, on October 31, 1778, their gratitude and favorable sentiments to Bernardo de Gálvez for his conduct towards the United States;

Whereas after the war, Bernardo de Gálvez served as viceroy of New Spain and led the effort to chart the Gulf of Mexico, including Galveston Bay, the largest bay on the Texas coast;

Whereas several geographic locations, including Galveston Bay, Galveston, Texas, Galveston County, Texas, Galvez, Louisiana, and

St. Bernard Parish, Louisiana, are named after Bernardo de Gálvez;

Whereas the State of Florida has honored Bernardo de Gálvez with the designation of Great Floridian; and

Whereas Bernardo de Gálvez played an integral role in the Revolutionary War and helped secure the independence of the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Bernardo de Gálvez y Madrid, Viscount of Galveston and Count of Gálvez, is proclaimed posthumously to be an honorary citizen of the United States.

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.J. Res. 105:

HOUSE REPORTS: No. 113–548 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 160 (2014):
July 28, considered and passed House.
Dec. 4, considered and passed Senate.

Public Law 113–230
113th Congress

An Act

To designate the medical center of the Department of Veterans Affairs located at 3900 Woodland Avenue in Philadelphia, Pennsylvania, as the "Corporal Michael J. Crescenz Department of Veterans Affairs Medical Center".

Dec. 16, 2014
[S. 229]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Corporal Michael J. Crescenz Act of 2013.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Corporal Michael J. Crescenz Act of 2013".

SEC. 2. CORPORAL MICHAEL J. CRESCENZ DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER.

(a) DESIGNATION.—The medical center of the Department of Veterans Affairs located at 3900 Woodland Avenue in Philadelphia, Pennsylvania, shall after the date of the enactment of this Act be known and designated as the "Corporal Michael J. Crescenz Department of Veterans Affairs Medical Center".

(b) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the medical center referred to in subsection (a) shall be considered to be a reference to the Corporal Michael J. Crescenz Department of Veterans Affairs Medical Center.

Approved December 16, 2014.

LEGISLATIVE HISTORY—S. 229:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 3, considered and passed Senate.
Dec. 8, considered and passed House.

Public Law 113–231
113th Congress

An Act

Dec. 16, 2014
[S. 1434]

To designate the Junction City Community-Based Outpatient Clinic located at 715 Southwind Drive, Junction City, Kansas, as the Lieutenant General Richard J. Seitz Community-Based Outpatient Clinic.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LIEUTENANT GENERAL RICHARD J. SEITZ COMMUNITY-BASED OUTPATIENT CLINIC.

(a) FINDINGS.—Congress finds that—

(1) Lieutenant General Richard J. Seitz served as the cadet commander of a unit of the Reserve Officers' Training Corps at Leavenworth High School in Leavenworth, Kansas, where he earned the American Legion Cup as an outstanding cadet;

(2) while attending Kansas State University, Lieutenant General Seitz accepted a commission as a second lieutenant in the Army and was called into active duty in 1940;

(3) Lieutenant General Seitz volunteered to be one of the first paratroopers in the United States;

(4) at age 25, Lieutenant General Seitz as a major, was given command of the 2nd Battalion of the 517th Parachute Infantry Regimental Combat Team, becoming the youngest battalion commander in the Army;

(5) along with the 7th Armored Division, the battalion commanded by Lieutenant General Seitz formed what became known as Task Force Seitz at the Battle of the Bulge with the mission to plug the gaps on the north slope of the Bulge when the Germans attempted to break out;

(6) the service of Lieutenant General Seitz earned him the Silver Star, 2 Bronze Stars, the Purple Heart, and many other acknowledgments during his 37-year career in the Army;

(7) after victory in Europe, Lieutenant General Seitz remained in the Army, commanding the 2nd Airborne Battle Group, 503rd Infantry Regiment, and the 82nd Airborne Division;

(8) on retiring in 1978, Lieutenant General Seitz settled in Junction City, Kansas, near Ft. Riley, where he would greet deploying and returning units from Iraq and Afghanistan at all times of the day;

(9) Lieutenant General Seitz remained active in the wider community, working with the Coronado Area Council of the Boy Scouts of America, the Fort Riley National Bank, Rotary International, and the Association of the United States Army and serving on the board of the Eisenhower Presidential Library and Museum;

(10) Lieutenant General Seitz had a passion for mentoring young officers and noncommissioned officers at Fort Riley, never ceasing to be a soldier, according to his son, Richard M. Seitz;

(11) Lieutenant General Seitz was named an Outstanding Citizen of Kansas;

(12) in 2012 an elementary school at Fort Riley was named in honor of Lieutenant General Seitz, which is meaningful because he believed the fate of the United States relied on young children and the teachers who inspire them;

(13) during visits to the elementary school, Lieutenant General Seitz would talk with the students about what it meant to be a "proud and great American" and his message was always to "respect the teachers and be a learner";

(14) the family and friends of Lieutenant General Seitz have described him as a gentleman, compassionate, respected, full of integrity, gracious, giving, and a remarkable individual; and

(15) Lieutenant General Seitz lived each day to its fullest and his commitment to his fellow man serves as an inspiration to all the people of the United States.

(b) DESIGNATION.—The Junction City Community-Based Outpatient Clinic located at 715 Southwind Drive, Junction City, Kansas, shall be known and designated as the "Lieutenant General Richard J. Seitz Community-Based Outpatient Clinic".

(c) REFERENCES.—Any reference in any law, map, regulation, document, paper, or other record of the United States to the Junction City Community-Based Outpatient Clinic referred to in subsection (b) shall be deemed to be a reference to the "Lieutenant General Richard J. Seitz Community-Based Outpatient Clinic".

Approved December 16, 2014.

LEGISLATIVE HISTORY—S. 1434:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Jan. 14, considered and passed Senate.
Dec. 8, considered and passed House.

Public Law 113–232
113th Congress

An Act

Dec. 16, 2014
[S. 2040]

To exchange trust and fee land to resolve land disputes created by the realignment of the Blackfoot River along the boundary of the Fort Hall Indian Reservation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Blackfoot River Land Exchange Act of 2014.
Idaho.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Blackfoot River Land Exchange Act of 2014".

SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Shoshone-Bannock Tribes, a federally recognized Indian tribe with tribal headquarters at Fort Hall, Idaho—

(A) adopted a tribal constitution and bylaws on March 31, 1936, that were approved by the Secretary of the Interior on April 30, 1936, pursuant to the Act of June 18, 1934 (25 U.S.C. 461 et seq.) (commonly known as the "Indian Reorganization Act");

(B) has entered into various treaties with the United States, including the Second Treaty of Fort Bridger, executed on July 3, 1868; and

(C) has maintained a continuous government-to-government relationship with the United States since the earliest years of the Union;

(2)(A) in 1867, President Andrew Johnson designated by Executive order the Fort Hall Reservation for various bands of Shoshone and Bannock Indians;

(B) the Reservation is located near the cities of Blackfoot and Pocatello in southeastern Idaho; and

(C) article 4 of the Second Treaty of Fort Bridger secured the Reservation as a "permanent home" for the Shoshone-Bannock Tribes;

(3)(A) according to the Executive order referred to in paragraph (2)(A), the Blackfoot River, as the river existed in its natural state—

(i) is the northern boundary of the Reservation; and

(ii) flows in a westerly direction along that northern boundary; and

(B) within the Reservation, land use in the River watershed is dominated by—

(i) rangeland;

(ii) dry and irrigated farming; and

(iii) residential development;

(4)(A) in 1964, the Corps of Engineers completed a local flood protection project on the River—

(i) authorized by section 204 of the Flood Control Act of 1950 (64 Stat. 170); and

(ii) sponsored by the Blackfoot River Flood Control District No. 7;

(B) the project consisted of building levees, replacing irrigation diversion structures, replacing bridges, and channel realignment; and

(C) the channel realignment portion of the project severed various parcels of land located contiguous to the River along the boundary of the Reservation, resulting in Indian land being located north of the Realigned River and non-Indian land being located south of the Realigned River;

(5) beginning in 1999, the Cadastral Survey Office of the Bureau of Land Management conducted surveys of—

(A) 25 parcels of Indian land; and

(B) 19 parcels of non-Indian land; and

(6) the enactment of this Act and separate agreements of the parties would represent a resolution of the disputes described in subsection (b)(1) among—

(A) the Tribes;

(B) the allottees; and

(C) the non-Indian landowners.

(b) PURPOSES.—The purposes of this Act are—

(1) to resolve the land ownership and land use disputes resulting from realignment of the River by the Corps of Engineers during calendar year 1964 pursuant to the project described in subsection (a)(4)(A); and

(2) to achieve a final and fair solution to resolve those disputes.

SEC. 3. DEFINITIONS.

In this Act:

(1) ALLOTTEE.—The term "allottee" means an heir of an original allottee of the Reservation who owns an interest in a parcel of land that is—

(A) held in trust by the United States for the benefit of the allottee; and

(B) located north of the Realigned River within the exterior boundaries of the Reservation.

(2) BLACKFOOT RIVER FLOOD CONTROL DISTRICT NO. 7.—The term "Blackfoot River Flood Control District No. 7" means the governmental subdivision in the State of Idaho, located at 75 East Judicial, Blackfoot, Idaho, that—

(A) is responsible for maintenance and repair of the Realigned River; and

(B) represents the non-Indian landowners relating to the resolution of the disputes described in section 2(b)(1) in accordance with this Act.

(3) INDIAN LAND.—The term "Indian land" means any parcel of land that is—

(A) held in trust by the United States for the benefit of the Tribes or the allottees;

(B) located north of the Realigned River; and

(C) identified in exhibit A of the survey of the Bureau of Land Management entitled "Survey of the Blackfoot River of 2002 to 2005", which is located at—

(i) the Fort Hall Indian Agency office of the Bureau of Indian Affairs; and

(ii) the Blackfoot River Flood Control District No. 7.

(4) NON-INDIAN LAND.—The term "non-Indian land" means any parcel of fee land that is—

(A) located south of the Realigned River; and

(B) identified in exhibit B, which is located at the areas described in clauses (i) and (ii) of paragraph (3)(C).

(5) NON-INDIAN LANDOWNER.—The term "non-Indian landowner" means any individual who holds fee title to non-Indian land and is represented by the Blackfoot River Flood Control District No. 7 for purposes of this Act.

(6) REALIGNED RIVER.—The term "Realigned River" means that portion of the River that was realigned by the Corps of Engineers during calendar year 1964 pursuant to the project described in section 2(a)(4)(A).

(7) RESERVATION.—The term "Reservation" means the Fort Hall Reservation established by Executive order during calendar year 1867 and confirmed by treaty during calendar year 1868.

(8) RIVER.—The term "River" means the Blackfoot River located in the State of Idaho.

(9) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(10) TRIBES.—The term "Tribes" means the Shoshone-Bannock Tribes.

SEC. 4. RELEASE OF CLAIMS TO CERTAIN INDIAN AND NON-INDIAN OWNED LANDS.

Effective date.

(a) RELEASE OF CLAIMS.—Effective on the date of enactment of this Act—

(1) all existing and future claims with respect to the Indian land and the non-Indian land and all right, title, and interest that the Tribes, allottees, non-Indian landowners, and the Blackfoot River Flood Control District No. 7 may have had to that land shall be extinguished;

(2) any interest of the Tribes, the allottees, or the United States, acting as trustee for the Tribes or allottees, in the Indian land shall be extinguished under section 2116 of the Revised Statutes (commonly known as the "Indian Trade and Intercourse Act") (25 U.S.C. 177); and

(3) to the extent any interest in non-Indian land transferred into trust pursuant to section 5 violates section 2116 of the Revised Statutes (commonly known as the "Indian Trade and Intercourse Act") (25 U.S.C. 177), that transfer shall be valid, subject to the condition that the transfer is consistent with all other applicable Federal laws (including regulations).

(b) DOCUMENTATION.—The Secretary may execute and file any appropriate documents (including a plat or map of the transferred Indian land) that are suitable for filing with the Bingham County clerk or other appropriate county official, as the Secretary determines necessary to carry out this Act.

SEC. 5. NON-INDIAN LAND TO BE PLACED INTO TRUST FOR TRIBES.

Effective date.

Effective on the date of enactment of this Act, the non-Indian land shall be considered to be held in trust by the United States for the benefit of the Tribes.

SEC. 6. TRUST LAND TO BE CONVERTED TO FEE LAND.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall transfer the Indian land to the Blackfoot River Flood Control District No. 7 for use or sale in accordance with subsection (b).

(b) USE OF LAND.—

(1) IN GENERAL.—The Blackfoot River Flood Control District No. 7 shall use any proceeds from the sale of land described in subsection (a) according to the following priorities:

(A) To compensate, at fair market value, each non-Indian landowner for the net loss of land to that non-Indian landowner resulting from the implementation of this Act.

(B) To compensate the Blackfoot River Flood Control District No. 7 for any administrative or other expenses relating to carrying out this Act.

(2) REMAINING LAND.—If any land remains to be conveyed or proceeds remain after the sale of the land, the Blackfoot River Flood Control District No. 7 may dispose of that remaining land or proceeds as the Blackfoot River Flood Control District No. 7 determines to be appropriate.

SEC. 7. EFFECT ON ORIGINAL RESERVATION BOUNDARY.

Nothing in this Act affects the original boundary of the Reservation, as established by Executive order during calendar year 1867 and confirmed by treaty during calendar year 1868.

SEC. 8. EFFECT ON TRIBAL WATER RIGHTS.

Nothing in this Act extinguishes or conveys any water right of the Tribes, as established in the agreement entitled "1990 Fort Hall Indian Water Rights Agreement" and ratified by section 4 of the Fort Hall Indian Water Rights Act of 1990 (Public Law 101–602; 104 Stat. 3060).

SEC. 9. EFFECT ON CERTAIN OBLIGATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), nothing in this Act affects the obligation of Blackfoot River Flood Control District No. 7 to maintain adequate rights-of-way for the operation and maintenance of the local flood protection projects described in section 2(a)(4) pursuant to agreements between the Blackfoot River Flood Control District No. 7 and the Corps of Engineers.

(b) RESTRICTION ON FEES.—Any land conveyed to the Tribes pursuant to this Act shall not be subject to fees assessed by Blackfoot River Flood Control District No. 7.

SEC. 10. DISCLAIMERS REGARDING CLAIMS.

Nothing in this Act—

(1) affects in any manner the sovereign claim of the State of Idaho to title in and to the beds and banks of the River under the equal footing doctrine of the Constitution of the United States;

(2) affects any action by the State of Idaho to establish the title described in paragraph (1) under section 2409a of

title 28, United States Code (commonly known as the "Quiet Title Act");

(3) affects the ability of the Tribes or the United States to claim ownership of the beds and banks of the River; or

(4) extinguishes or conveys any water rights of non-Indian landowners or the claims of those landowners to water rights in the Snake River Basin Adjudication.

Approved December 16, 2014.

LEGISLATIVE HISTORY—S. 2040 (H.R. 5049):

HOUSE REPORTS: No. 113–639 (Comm. on Natural Resources) accompanying H.R. 5049.
SENATE REPORTS: No. 113–242 (Comm. on Indian Affairs).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 18, considered and passed Senate.
Dec. 1, 2, considered and passed House.

Public Law 113–233
113th Congress

An Act

To expand the program of priority review to encourage treatments for tropical diseases.

Dec. 16, 2014
[S. 2917]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Adding Ebola to the FDA Priority Review Voucher Program Act.
21 USC 301 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Adding Ebola to the FDA Priority Review Voucher Program Act".

SEC. 2. PRIORITY REVIEW TO ENCOURAGE TREATMENTS FOR TROPICAL DISEASES.

Section 524 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360n) is amended—

(1) in subsection (a)(3)—

(A) by redesignating subparagraph (Q) as subparagraph (R);

(B) by inserting after subparagraph (P) the following: "(Q) Filoviruses."; and

(C) in subparagraph (R), as so redesignated, by striking "regulation by" and inserting "order of"; and

(2) in subsection (b)—

(A) in paragraph (2), by adding "There is no limit on the number of times a priority review voucher may be transferred before such voucher is used." after the period at the end; and

(B) in paragraph (4), by striking "365 days" and inserting "90 days".

Approved December 16, 2014.

LEGISLATIVE HISTORY—S. 2917:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 2, considered and passed Senate.
Dec. 3, considered and passed House.

Public Law 113–234
113th Congress

An Act

To designate the community based outpatient clinic of the Department of Veterans Affairs located at 310 Home Boulevard in Galesburg, Illinois, as the "Lane A. Evans VA Community Based Outpatient Clinic".

Dec. 16, 2014
[S. 2921]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LANE A. EVANS VA COMMUNITY BASED OUTPATIENT CLINIC.

(a) DESIGNATION.—The community based outpatient clinic of the Department of Veterans Affairs located at 310 Home Boulevard in Galesburg, Illinois, shall be known and designated as the "Lane A. Evans VA Community Based Outpatient Clinic".

(b) REFERENCES.—Any reference in any law, map, regulation, document, paper, or other record of the United States to the community based outpatient clinic referred to in subsection (a) shall be deemed to be a reference to the "Lane A. Evans VA Community Based Outpatient Clinic".

Approved December 16, 2014.

LEGISLATIVE HISTORY—S. 2921:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 3, considered and passed Senate.
Dec. 8, considered and passed House.

Public Law 113–235
113th Congress

An Act

Dec. 16, 2014
[H.R. 83]

Making consolidated appropriations for the fiscal year ending September 30, 2015, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Consolidated and Further Continuing Appropriations Act, 2015.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Consolidated and Further Continuing Appropriations Act, 2015".

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

1 USC 1 note.

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act, printed in the House of Representatives section of the Congressional Record on or about December 11, 2014 by the Chairman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of divisions A through K of this Act as if it were a joint explanatory statement of a committee of conference.

SEC. 5. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2015.

SEC. 6. AVAILABILITY OF FUNDS.

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

(b) Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 7. TECHNICAL ALLOWANCE FOR ESTIMATING DIFFERENCES.

If, for fiscal year 2015, new budget authority provided in appropriations Acts exceeds the discretionary spending limit for any category set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 due to estimating differences with the Congressional Budget Office, an adjustment to the discretionary spending limit in such category for fiscal year 2015 shall be made by the Director of the Office of Management and Budget in the amount of the excess but the total of all such adjustments shall not exceed 0.2 percent of the sum of the adjusted discretionary spending limits for all categories for that fiscal year.

SEC. 8. ADJUSTMENTS TO COMPENSATION. 2 USC 4501 note.

Notwithstanding any other provision of law, no adjustment shall be made under section 610(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to cost of living adjustments for Members of Congress) during fiscal year 2015.

SEC. 9. STUDY OF ELECTRIC RATES IN THE INSULAR AREAS. 48 USC 1492a.

(a) DEFINITIONS.—In this section:

(1) COMPREHENSIVE ENERGY PLAN.—The term "comprehensive energy plan" means a comprehensive energy plan prepared and updated under subsections (c) and (e) of section 604 of the Act entitled "An Act to authorize appropriations for certain insular areas of the United States, and for other purposes", approved December 24, 1980 (48 U.S.C. 1492).

(2) ENERGY ACTION PLAN.—The term "energy action plan" means the plan required by subsection (d).

(3) FREELY ASSOCIATED STATES.—The term "Freely Associated States" means the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

(4) INSULAR AREAS.—The term "insular areas" means American Samoa, the Commonwealth of the Northern Mariana Islands, Puerto Rico, Guam, and the Virgin Islands.

(5) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(6) TEAM.—The term "team" means the team established by the Secretary under subsection (b).

(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall, within the Empowering

Insular Communities activity, establish a team of technical, policy, and financial experts—

(1) to develop an energy action plan addressing the energy needs of each of the insular areas and Freely Associated States; and

(2) to assist each of the insular areas and Freely Associated States in implementing such plan.

(c) PARTICIPATION OF REGIONAL UTILITY ORGANIZATIONS.—In establishing the team, the Secretary shall consider including regional utility organizations.

(d) ENERGY ACTION PLAN.—In accordance with subsection (b), the energy action plan shall include—

(1) recommendations, based on the comprehensive energy plan where applicable, to—

(A) reduce reliance and expenditures on fuel shipped to the insular areas and Freely Associated States from ports outside the United States;

(B) develop and utilize domestic fuel energy sources; and

(C) improve performance of energy infrastructure and overall energy efficiency;

(2) a schedule for implementation of such recommendations and identification and prioritization of specific projects;

(3) a financial and engineering plan for implementing and sustaining projects; and

(4) benchmarks for measuring progress toward implementation.

(e) REPORTS TO SECRETARY.—Not later than 1 year after the date on which the Secretary establishes the team and annually thereafter, the team shall submit to the Secretary a report detailing progress made in fulfilling its charge and in implementing the energy action plan.

(f) ANNUAL REPORTS TO CONGRESS.—Not later than 30 days after the date on which the Secretary receives a report submitted by the team under subsection (e), the Secretary shall submit to the appropriate committees of Congress a summary of the report of the team.

(g) APPROVAL OF SECRETARY REQUIRED.—The energy action plan shall not be implemented until the Secretary approves the energy action plan.

SEC. 10. AMENDMENTS TO THE CONSOLIDATED NATURAL RESOURCES ACT.

48 USC 1806.

Section 6 of Public Law 94–241 (90 Stat. 263; 122 Stat. 854) is amended—

(1) in subsection (a)(2), by striking "December 31, 2014, except as provided in subsections (b) and (d)" and inserting "December 31, 2019"; and

(2) in subsection (d)—

(A) in the third sentence of paragraph (2), by striking "not to extend beyond December 31, 2014, unless extended pursuant to paragraph 5 of this subsection" and inserting "'ending on December 31, 2019'";

(B) by striking paragraph (5); and

(C) by redesignating paragraph (6) as paragraph (5).

SEC. 11. PAYMENTS IN LIEU OF TAXES.

(a) For payments in lieu of taxes under chapter 69 of title 31, United States Code, for fiscal year 2015, $372,000,000 shall be available to the Secretary of the Interior.

(b) The amount made available in subsection (a) shall be in addition to amounts made available for payments in lieu of taxes by the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2015.

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $45,805,000, of which not to exceed $5,051,000 shall be available for the immediate Office of the Secretary; not to exceed $502,000 shall be available for the Office of Tribal Relations; not to exceed $1,496,000 shall be available for the Office of Homeland Security and Emergency Coordination; not to exceed $1,209,000 shall be available for the Office of Advocacy and Outreach; not to exceed $25,928,000 shall be available for the Office of the Assistant Secretary for Administration, of which $25,124,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department; not to exceed $3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $7,750,000 shall be available for the Office of Communications: *Provided*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent: *Provided further*, That not to exceed $11,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That funds made available under this heading for the Office of

the Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $17,377,000, of which $4,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $13,317,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $9,392,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $45,045,000, of which not less than $28,000,000 is for cybersecurity requirements of the Department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $6,028,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $898,000.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $24,070,000.

AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department

and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $55,866,000, to remain available until expended, for buildings operations and maintenance expenses: *Provided*, That the Secretary may use unobligated prior year balances of an agency or office that are no longer available for new obligation to cover shortfalls incurred in prior or current year rental payments for such agency or office.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $3,600,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978, $95,026,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $44,383,000.

OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, $3,654,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION, AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, $898,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, $85,373,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, $172,408,000, of which up to $47,842,000 shall be available until expended for the Census of Agriculture: *Provided*, That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,132,625,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further,* That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law: *Provided further*, That subject to such terms and conditions as the Secretary of Agriculture considers appropriate to protect the interest of the United States, the Secretary may enter into a lease of Agricultural Research Service land in order to allow for the drilling of not more than three irrigation wells; the term of the lease may not exceed 20 years, but the Secretary may renew the lease for one or more additional 20-year periods.

7 USC 2254.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $45,000,000 to remain available until expended.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $786,874,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Research and Education Activities" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: *Provided further,* That each institution eligible to receive funds under the Evans-Allen program receives no less than $1,000,000: *Provided further,* That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further,* That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: *Provided further*, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $11,880,000, to remain available until expended.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $471,691,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Extension Activities" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That funds for facility improvements at 1890 institutions shall remain available until expended: *Provided further,* That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than

$1,000,000: *Provided further*, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $30,900,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Integrated Activities" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2016.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $898,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $871,315,000, of which $470,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds ("contingency fund") to the extent necessary to meet emergency conditions; of which $11,520,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $35,339,000, to remain available until expended, shall be for Animal Health Technical Services; of which $697,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $52,340,000, to remain available until expended, shall be used to support avian health; of which $4,251,000, to remain available until expended, shall be for information technology infrastructure; of which $156,000,000, to remain available until expended, shall be for specialty crop pests; of which, $8,826,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $54,000,000, to remain available until expended, shall be for tree and wood pests; of which $3,973,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to $1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which $1,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, $1,000,000 shall remain available until

expended: *Provided further*, That of amounts available under this heading for the screwworm program, $4,990,000 shall remain available until expended: *Provided further,* That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2015, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $81,192,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $60,709,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $20,186,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,235,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Grain Inspection, Packers and Stockyards Administration, $43,048,000: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $50,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, $816,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,016,474,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2015 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act: *Provided further*, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110–246 as further clarified by the amendments made in section 12106 of Public Law 113–79: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services, $898,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,200,180,000: *Provided*, That not more than 50 percent of the $132,364,000 made available under this heading for information technology related to farm program delivery, including the Modernize and Innovate the Delivery of Agricultural Systems (MIDAS) and other farm program delivery systems, may be obligated until the Secretary submits to the Committees on Appropriations a plan for expenditure that (1) identifies for each project/investment over $25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is, (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department's capital planning and investment control requirements; and (3) has been submitted to the Government Accountability Office: *Provided further*, That the agency shall submit a report by the end of the

fourth quarter of fiscal year 2015 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: *Provided further*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That funds made available to county committees shall remain available until expended: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $3,404,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $5,526,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll

weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows: $2,000,000,000 for guaranteed farm ownership loans and $1,500,000,000 for farm ownership direct loans; $1,393,443,000 for unsubsidized guaranteed operating loans and $1,252,004,000 for direct operating loans; emergency loans, $34,667,000; Indian tribe land acquisition loans, $2,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $60,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm operating loans, $63,101,000 for direct operating loans, $14,770,000 for unsubsidized guaranteed operating loans, and emergency loans, $856,000, to remain available until expended.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $314,918,000, of which $306,998,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Risk Management Agency, $74,829,000: *Provided*, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Resource Conservation and Recovery Act (42 U.S.C. 6961).

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $898,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $846,428,000,

to remain available until September 30, 2016: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That of the amounts made available under this heading, $5,600,000, shall remain available until expended for the authorities under 16 U.S.C. 1001–1005 and 1007–1009 for authorized ongoing watershed projects with a primary purpose of providing water to rural communities.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, $12,000,000 is provided.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, $898,000.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $224,201,000: *Provided*, That no less than $15,000,000 shall be for the Comprehensive Loan Accounting System: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the Rural Development mission area: *Provided further*, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business–Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $900,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $26,279,000 for section 504 housing repair loans; $28,398,000 for

section 515 rental housing; $150,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; $5,000,000 for section 523 self-help housing land development loans; and $5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $66,420,000 shall be for direct loans; section 504 housing repair loans, $3,687,000; and repair, rehabilitation, and new construction of section 515 rental housing, $9,800,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than $5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2015.

In addition, for the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $15,936,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $415,100,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $1,088,500,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a 1-year period: *Provided further*, That rental assistance contracts will not be renewed within the 12-month contract period: *Provided further,* That any unexpended balances remaining at the end of such 1-year agreements may be transferred and used for the purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2015 for a farm

labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, $24,000,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $7,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, $17,000,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a multi-

family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than $1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $27,500,000, to remain available until expended.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $32,239,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $2,200,000,000 for direct loans and $73,222,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $3,500,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $26,778,000, to remain available until expended: *Provided*, That $4,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That $5,778,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: *Provided further*, That $4,000,000

of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, $74,000,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $3,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That for purposes of determining eligibility or level of program assistance the Secretary shall not include incarcerated prison populations: *Provided further,* That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), $18,889,000.

For the cost of direct loans, $5,818,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which $531,000 shall be available through June 30, 2015, for Federally Recognized Native American Tribes; and of which $1,021,000 shall be available through June 30, 2015, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan programs, $4,439,000 shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $33,077,000.

Of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, $179,000,000 shall not be obligated and $179,000,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $22,050,000, of which $2,500,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which $10,750,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a).

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $1,350,000: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $464,857,000, to remain available until expended, of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $993,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That $66,500,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by 306C(a)(2)(B) and 306D of the Consolidated Farm and Rural Development Act, Federally Recognized

Native American Tribes authorized by 306C(a)(1), and the Department of Hawaiian Home Lands (of the State of Hawaii): *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: *Provided further*, That not to exceed $19,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $6,000,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed $15,919,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed $4,000,000 shall be for solid waste management grants: *Provided further,* That $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further*, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305 and 306 of the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936) shall be made as follows: loans made pursuant to section 306 of that Act, rural electric, $5,000,000,000; guaranteed underwriting loans pursuant to section 313A, $500,000,000; 5 percent rural telecommunications loans, cost of money rural telecommunications loans, and for loans made pursuant to section 306 of that Act, rural telecommunications loans,

$690,000,000: *Provided*, That up to $2,000,000,000 shall be used for the construction, acquisition, or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon sequestration systems.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $34,478,000, which shall be transferred to and merged with the appropriation for "Rural Development, Salaries and Expenses".

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $24,077,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $22,000,000, to remain available until expended: *Provided*, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $4,500,000, to remain available until expended: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $10,372,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION, AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, $816,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $21,300,170,000 to remain available through September 30, 2016, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, $17,004,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*

further, That of the total amount available, $25,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: *Provided further*, That of the total amount available, $16,000,000 shall remain available until expended to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Public Law 111–80).

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $6,623,000,000, to remain available through September 30, 2016: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than $60,000,000 shall be used for breastfeeding peer counselors and other related activities, $14,000,000 shall be used for infrastructure, $30,000,000 shall be used for management information systems, and $25,000,000 shall be used for WIC electronic benefit transfer systems and activities: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: *Provided further*, That upon termination of a federally mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $81,837,570,000, of which $3,000,000,000, to remain available through September 30, 2016, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, $998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available through September 30, 2016: *Provided further*, That funds made available under this heading for a study on Indian tribal administration of nutrition programs, as provided in title IV of the Agricultural Act of 2014 (Public Law 113–79), and a study of the removal of cash benefits in Puerto Rico, as provided in title IV of the Agricultural Act of 2014 (Public Law 113–79) shall be available

until expended: *Provided further*, That funds made available under this heading for section 28(d)(1) and section 27(a) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2016: *Provided further*, That funds made available under this heading for employment and training pilot projects, as provided in title IV of the Agricultural Act of 2014 (Public Law 113–79), shall remain available through September 30, 2018: *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $278,501,000, to remain available through September 30, 2016, of which $2,800,000 shall be to begin service in seven additional States that have plans approved by the Department for the commodity supplemental food program but are not currently participating: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2015 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2016: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 10 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $150,824,000: *Provided*, That of the funds provided herein, $2,000,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $181,423,000: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $2,528,000, shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses": *Provided*, That of the unobligated balances provided pursuant to title I of the Food for Peace Act, $13,000,000 are rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Food for Peace Act (Public Law 83–480), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,466,000,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, amounts made available under this heading shall be used to provide not less than the minimum level of funding required by section 412(e)(2) of the Food for Peace Act (7 U.S.C. 1736f(e)(2)) to carry out nonemergency food assistance programs under title II of such Act.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $191,626,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein.

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's Export Guarantee Program, GSM 102 and GSM 103, $6,748,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,394,000 shall be transferred to and merged with the appropriation for "Foreign Agricultural Service, Salaries and Expenses", and of which $354,000 shall be transferred to and merged with the appropriation for "Farm Service Agency, Salaries and Expenses".

TITLE VI

RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $4,443,356,000: *Provided*, That of the amount provided under this heading, $798,000,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; $128,282,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $312,116,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j–42, and shall be credited to this account and remain available until expended; $21,014,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; $22,464,000 shall be derived from animal drug

user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; $6,944,000 shall be derived from animal generic drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $566,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: *Provided further*, That in addition and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and animal generic drug user fees that exceed the respective fiscal year 2015 limitations are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological product, animal drug, and animal generic drug assessments for fiscal year 2015, including any such fees collected prior to fiscal year 2015 but credited for fiscal year 2015, shall be subject to the fiscal year 2015 limitations: *Provided further*, That the Secretary may accept payment during fiscal year 2015 of user fees specified under this heading and authorized for fiscal year 2016, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2016 for which the Secretary accepts payment in fiscal year 2015 shall not be included in amounts under this heading: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $903,403,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $1,337,948,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $344,267,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $173,976,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $420,548,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $63,331,000 shall be for the National Center for Toxicological Research; (7) $531,527,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed $163,079,000 shall be for Rent and Related activities, of which $47,116,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed $227,674,000 shall be for payments to the General Services Administration for rent; and (10) $277,603,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from

amounts made available under this heading for other activities: *Provided further*, That of the amounts that are made available under this heading for "other activities", and that are not derived from user fees, $1,500,000 shall be transferred to and merged with the appropriation for "Department of Health and Human Services—Office of Inspector General" for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, priority review user fees authorized by 21 U.S.C. 360n and 360ff, food and feed recall fees, food reinspection fees, and voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31, outsourcing facility fees authorized by 21 U.S.C. 379j–62, prescription drug wholesale distributor licensing and inspection fees authorized by 21 U.S.C. 353(e)(3), and third-party logistics provider licensing and inspection fees authorized by 21 U.S.C. 360eee–3(c)(1), shall be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $8,788,000, to remain available until expended.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $60,500,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships: *Provided further*, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the current fiscal year under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 71 passenger motor vehicles of which 68 shall be for replacement only, and for the hire of such vehicles: *Provided*, That

notwithstanding this section, the only purchase of new passenger vehicles shall be for those determined by the Secretary to be necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 719 of this Act: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture allocated for the National Finance Center, the Secretary may reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement and implementation of a financial management plan, information technology, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the limitation on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate

payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds available to the Department of Agriculture for information technology shall be obligated for projects over $25,000 prior to receipt of written approval by the Chief Information Officer: *Provided further*, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for projects up to $250,000 based upon the performance of an agency measured against the performance plan requirements described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

SEC. 707. Funds made available under section 1240I and section 1241(a) of the Food Security Act of 1985 and section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 708. Notwithstanding any other provision of law, any former RUS borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313(b)(2)(B) of such Act in the same manner as a borrower under such Act.

SEC. 709. Of the unobligated balances provided pursuant to section 12033 and section 15101 of the Food, Conservation, and Energy Act of 2008, $125,000,000 are rescinded.

SEC. 710. Except as otherwise specifically provided by law, not more than $20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2016, for information technology expenses: *Provided*, That except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2016, for information technology expenses.

SEC. 711. The Secretary of Agriculture may authorize a State agency to use funds provided in this Act to exceed the maximum

amount of liquid infant formula specified in 7 CFR 246.10 when issuing liquid infant formula to participants.

SEC. 712. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 713. In the case of each program established or amended by the Agricultural Act of 2014 (Public Law 113–79), other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 714. Of the funds made available by this Act, not more than $2,000,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 715. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that exceed 30 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 716. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the following:

(1) The Watershed Rehabilitation program authorized by section 14(h)(1) of the Watershed and Flood Protection Act (16 U.S.C. 1012(h)(1)) in excess of $73,000,000.

(2) The Environmental Quality Incentives Program as authorized by sections 1240–1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–3839aa–8) in excess of $1,347,000,000: *Provided*, That this limitation shall apply only to funds provided by section 1241(a)(5)(B) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(5)(B)).

(3) The Conservation Stewardship Program as authorized by sections 1238D–1238G of the Food Security Act of 1985 (16 U.S.C. 3838d–3838g) in excess of 7,741,000 acres.

(4) The Biomass Crop Assistance Program authorized by section 9011 of the Farm Security and Rural Investment Act

of 2002 (7 U.S.C. 8111) in excess of $23,000,000 in new obligational authority.

(5) The Biorefinery, Renewable Chemical and Biobased Product Manufacturing Assistance program as authorized by section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) in excess of $30,000,000.

SEC. 717. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under subsection (b)(2)(A)(vii) of section 14222 of Public Law 110–246 in excess of $959,000,000, as follows: Child Nutrition Programs Entitlement Commodities—$465,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000: *Provided*, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, except in an amount that excludes the transfer of $122,000,000 of the funds to be transferred under subsection (c) of section 14222 of Public Law 110–246, until October 1, 2015: *Provided further*, That $122,000,000 made available on October 1, 2015, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, shall be excluded from the limitation described in subsection (b)(2)(A)(viii) of section 14222 of Public Law 110–246: *Provided further*, That none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture or officer of the Commodity Credit Corporation to carry out clause 3 of section 32 of the Agricultural Adjustment Act of 1935 (Public Law 74–320, 7 U.S.C. 612c, as amended), or for any surplus removal activities or price support activities under section 5 of the Commodity Credit Corporation Charter Act: *Provided further*, That of the available unobligated balances under (b)(2)(A)(vii) of section 14222 of Public Law 110–246, $203,000,000 are rescinded.

SEC. 718. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2016 appropriations Act.

SEC. 719. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b)

of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes offices, programs, or activities; or

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Secretary of Agriculture or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Secretary of Agriculture or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture or the Secretary of Health and Human Services shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for—

(1) modifying major capital investments funding levels, including information technology systems, that involves increasing or decreasing funds in the current fiscal year for the individual investment in excess of $500,000 or 10 percent of the total cost, whichever is less;

(2) realigning or reorganizing new, current, or vacant positions or agency activities or functions to establish a center,

office, branch, or similar entity with five or more personnel; or

(3) carrying out activities or functions that were not described in the budget request;

unless the agencies funded by this Act notify, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of using the funds for these purposes.

(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture or the Secretary of Health and Human Services receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 720. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 721. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, or the Farm Credit Administration shall be used to transmit or otherwise make available to any non-Department of Agriculture, non-Department of Health and Human Services, or non-Farm Credit Administration employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 722. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 723. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 724. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel who provide nonrecourse marketing assistance loans for mohair under section 1201 of the Agricultural Act of 2014 (Public Law 113–79).

SEC. 725. There is hereby appropriated $1,996,000 to carry out section 1621 of Public Law 110–246.

SEC. 726. There is hereby appropriated $600,000 for the purposes of section 727 of division A of Public Law 112–55.

SEC. 727. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

SEC. 728. Funds made available under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator of the U.S. Agency for International Development, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 729. The Secretary shall continue the pilot program in effect for fiscal year 2013 for packaging and reviewing section 502 single family direct loans. The Secretary shall continue agreements with current intermediary organizations and not later than 90 days after enactment of this Act enter into additional agreements that increase the number of participating intermediary organizations to not less than 10. The Secretary shall work with these organizations to increase the effectiveness of the section 502 single family direct loan program in rural communities and shall set aside and make available from the national reserve section 502 loans an amount necessary to support the work of such intermediaries and provide a priority for review of such loans.

SEC. 730. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: *Provided*, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 731. None of the funds made available by this or any other Act may be used to write, prepare, or publish a final rule or an interim final rule in furtherance of, or otherwise to implement or enforce the proposed rule entitled "Implementation of Regulations Required Under Title XI, of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act" published by the Department of Agriculture in the Federal Register on June 22, 2010 (75 Fed. Reg. 35338 et seq.) unless the combined annual cost to the economy of such rules does not exceed $100,000,000: *Provided*, That none of the funds made available by this or any other Act may be used to publish a final or interim final rule in furtherance of, or otherwise to implement, sections 201.2(l), 201.2(t), 201.2(u), 201.3(c), 201.210, 201.211, 201.213, or 201.214, as proposed to be added to title 9 of the Code of Federal Regulations, by such proposed rule: *Provided further*, That none of the funds made available by this or any other Act may be used to implement, enforce, or to take regulatory action other than rescission or repeal based on, or in furtherance of, 201.2(o), 201.3(a), or 201.215(a), of title 9 of the Code of Federal Regulations (as in effect on the date of the enactment of this Act), or to write, prepare, or publish a final or interim final rule in furtherance of, or otherwise to implement, the definitions or criteria specified in such sections: *Provided further*, That sections 201.2(o), 201.3(a), and 201.215(a), of title 9 of the Code of Federal Regulations (as in effect on the date of enactment of this Act) are hereby indefinitely declared null and void and shall have no force under the laws, and the Secretary of Agriculture shall, within 60 days after the date of enactment of this Act, rescind sections 201.2(o), 201.3(a), and

201.215(a), of title 9 of the Code of Federal Regulations (as in effect on such date).

SEC. 732. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107–76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: *Provided*, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture.

7 USC 1508 note.

SEC. 733. For the 2014 fiscal year and each fiscal year thereafter, losses under section 1501 of Public Law 113–79 shall not be considered the same loss for the purposes of 7 U.S.C. 7333(i)(3) and 7 U.S.C. 1508(n).

SEC. 734. Of the funds made available to the Food and Drug Administration, Salaries and Expenses, Office of the Commissioner, $20,000,000 shall not be available for obligation until the Food and Drug Administration finalizes the draft guidance of January 2013 entitled "Guidance for Industry: Abuse-Deterrent Opioids-Evaluation and Labeling": *Provided*, That if the Food and Drug Administration fails to finalize such guidance by June 30, 2015, such funds shall be made available for obligation to the Food and Drug Administration's Office of Criminal Investigation for the purpose of assisting Federal, state, and local agencies to combat the diversion and illegal sales of controlled substances.

SEC. 735. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out section 307(b) of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–640) in excess of $4,000,000.

SEC. 736. None of the funds made available by this Act may be used to procure processed poultry products imported into the United States from the People's Republic of China for use in the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child and Adult Food Care Program under section 17 of such Act (42 U.S.C. 1766), the Summer Food Service Program for Children under section 13 of such Act (42 U.S.C. 1761), or the school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

SEC. 737. In addition to amounts otherwise made available by this Act and notwithstanding the last sentence of 16 U.S.C. 1310, there is appropriated $4,000,000, to remain available until expended, to implement non-renewable agreements on eligible lands, including flooded agricultural lands, as determined by the Secretary, under the Water Bank Act (16 U.S.C. 1301–1311).

SEC. 738. (a) IN GENERAL.—The Secretary of Health and Human Services, on behalf of the United States may hereafter, whenever the Secretary deems desirable, relinquish to the State of Arkansas all or part of the jurisdiction of the United States over the lands and properties encompassing the Jefferson Labs campus in the State of Arkansas that are under the supervision or control of the Secretary.

(b) TERMS.—Relinquishment of jurisdiction under this section may be accomplished, under terms and conditions that the Secretary deems advisable—

(1) by filing with the Governor of the State of Arkansas a notice of relinquishment to take effect upon acceptance thereof; or

(2) as the laws of such State may otherwise provide.

(c) DEFINITION.—In this section, the term "Jefferson Labs campus" means the lands and properties of the National Center for Toxicological Research and the Arkansas Regional Laboratory.

(d) AGREEMENT REGARDING JEFFERSON COUNTY TECHNOLOGY RESEARCH AND COMMERCIALIZATION CENTER.—

(1) IN GENERAL.—The Secretary may hereafter enter into an agreement with the State of Arkansas or an agency of such State or a public or private entity with respect to the establishment or operation of a technology research and commercialization center in Jefferson County, Arkansas, proximate to the Jefferson Labs campus.

(2) RECEIPT AND EXPENDITURE OF FUNDS.—Pursuant to such agreement, the Secretary may hereafter receive and retain funds from such entity and use such funds, in addition to such other funds as are made available by this act or future acts for the operation of the National Center for Toxicological Research, for the purposes listed in paragraph (3). Funds received from such entity shall be deemed to be appropriated for such purposes and shall remain available until expended.

(3) PURPOSES.—

(A) IN GENERAL.—Funds described by paragraph (2) shall be available to defray—

(i) the costs of creating, upgrading, and maintaining connections between such center and roads, communications facilities, and utilities that are on the Jefferson Labs campus; and

(ii) the costs of upgrades, relocation, repair, and new constructions of roads, communications facilities, and utilities on such campus as may be necessary for such agreement.

(B) OTHER ACTS.—For purposes of this and any subsequent Act, the operation of the National Center for Toxicological Research shall be deemed to include the purposes listed in subparagraph (A).

SEC. 739. The Secretary shall set aside for Rural Economic Area Partnership (REAP) Zones, until August 15, 2015, an amount of funds made available in title III as follows: (a) with respect to funds under the headings of Rural Housing Insurance Fund Program Account, Mutual and Self-Help Housing Grants, Rural Community Facilities Program Account, Rural Development Loan Fund Program Account, and Rural Water and Waste Disposal Program Account the set aside shall equal the amount obligated in REAP Zones with respect to funds provided under such headings during the 2008 fiscal year; and (b) with respect to funds under the headings of Rural Business Program Account, and Rural Housing Assistance Grants the set aside shall equal the amount obligated in REAP Zones with respect to funds provided under such headings in the most recent fiscal year funds were obligated under the heading.

SEC. 740. In response to an eligible community where the drinking water supplies are inadequate due to a natural disaster, as determined by the Secretary, including drought or severe weather, the Secretary may provide potable water through the Emergency Community Water Assistance Grant Program for an additional period of time not to exceed 120 days beyond the established period provided under the Program in order to protect public health.

21 USC 471 note.

SEC. 741. Hereafter, none of the funds appropriated by this or any other Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 742. There is hereby established in the Treasury of the United States a fund to be known as the "Nonrecurring expenses fund" (the Fund): *Provided*, That unobligated balances of expired discretionary funds appropriated in this or any succeeding fiscal year from the General Fund of the Treasury to the Department of Agriculture (except the Forest Service) by this or any other Act may be transferred (not later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated) into the Fund: *Provided further*, That amounts deposited in the Fund shall be available until expended, and in addition to such other funds as may be available for such purposes, for facilities infrastructure capital acquisition necessary for the operation of the Department of Agriculture, subject to approval by the Office of Management and Budget: *Provided further*, That amounts in the Fund may be obligated only after the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of the planned use of funds.

7 USC 2250b.

SEC. 743. There is hereby appropriated for the "Emergency Watershed Protection Program", $78,581,000, to remain available until expended; for the "Emergency Forestry Restoration Program", $3,203,000, to remain available until expended; and for the "Emergency Conservation Program", $9,216,000, to remain available until expended: *Provided*, That funds under this section are for necessary expenses resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), and are designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 744. Of the funding provided in section 743 of division A of Public Law 113–76, not more than $75,000 may be used for administrative purposes, including a modification to an existing contract to allow reimbursement for travel and other administrative purposes.

SEC. 745. Of the unobligated balances identified by Treasury Appropriation Fund Symbol 12X1401, $1,530,000 are rescinded.

SEC. 746. The unobligated balances identified by Treasury Appropriation Fund Symbol 12X2271 are rescinded.

SEC. 747. Section 501(f)(1)(C)(ii)(II) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401(f)(1)(C)(ii)(II)) is amended by striking "section 514" and inserting "a commodity promotion law".

SEC. 748. Of the unobligated balances provided pursuant to section 9004(d)(1) of the Farm Security and Rural Investment Act

of 2002, as amended, (7 U.S.C. 8104(d)(1)), $8,000,000 are hereby rescinded.

SEC. 749. Funds provided by this or any prior Appropriations Act for the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) shall be made available without regard to section 7128 of the Agricultural Act of 2014 (7 U.S.C. 3371 note), under the matching requirements in laws in effect on the date before the date of enactment of such section: *Provided*, That the requirements of 7 U.S.C. 450i(b)(9) shall continue to apply.

SEC. 750. None of the funds made available in this Act may be used to pay the salaries or expenses of personnel—

(1) to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) to inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

(3) to implement or enforce section 352.19 of title 9, Code of Federal Regulations (or a successor regulation).

SEC. 751. For the period beginning on the date of enactment of this Act through school year 2015–2016, with respect to the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the school breakfast program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) and final regulations published by the Department of Agriculture in the Federal Register on January 26, 2012 (77 Fed. Reg. 4088 et seq.), the Secretary shall allow States to grant an exemption from the whole grain requirements that took effect on or after July 1, 2014, and the States shall establish a process for evaluating and responding, in a reasonable amount of time, to requests for an exemption: *Provided*, That school food authorities demonstrate hardship, including financial hardship, in procuring specific whole grain products which are acceptable to the students and compliant with the whole grain-rich requirements: *Provided further*, That school food authorities shall comply with the applicable grain component or standard with respect to the school lunch or school breakfast program that was in effect prior to July 1, 2014.

SEC. 752. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to implement any regulations under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111–296), or any other law that would require a reduction in the quantity of sodium contained in federally reimbursed meals, foods, and snacks sold in schools below Target 1 (as described in section 220.8(f)(3) of title 7, Code of Federal Regulations (or successor regulations)) until the latest scientific research establishes the reduction is beneficial for children.

SEC. 753. (a) None of the funds made available by this Act or any other Act may be used to exclude or restrict, or to pay the salaries and expenses of personnel to exclude or restrict, the eligibility of any variety of fresh, whole, or cut vegetables (except for vegetables with added sugars, fats, or oils) from being provided under the Special Supplemental Nutrition Program for Women, Infants, and Children under section 17 of the Child Nutrition Act

of 1966 (42 U.S.C. 1786) (in this section referred to as the "program").

(b) Not later than 15 days after the date of enactment of this Act, each State agency shall carry out the program in a manner consistent with subsection (a).

(c) Not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture shall commence under section 17(f)(11)(C) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f)(11)(C)) the next regular review of the supplemental foods available under this program, including a review of the nutrient value of all vegetables.

(d) If, upon completing the review under subsection (c), the Secretary of Agriculture recommends that a vegetable be eligible for purchase under the program, none of the funds made available under this Act or any other Act may be used to exclude or restrict the eligibility of that variety of vegetable (except if that vegetable has added sugars, fats, or oils) from being purchased under the program, and subsection (a) shall continue to be effective.

(e) If the review in subsection (c) recommends that any vegetable shall not be available for purchase under the program, based upon the nutritional content of the vegetable and the nutrition needs of WIC participants, subsection (a) shall expire upon the publication of the regularly scheduled review.

(f) Not later than 90 days after completing the review under subsection (c), the Secretary of Agriculture shall make publicly available all scientific research and data used to make the final recommendations and explain the results of the review by submitting a report containing such information to the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Education and Workforce of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives.

(g) Upon completion of the review under subsection (c) by the Secretary of Agriculture, the Comptroller General of the United States shall conduct an audit of the review which shall include an audit of the scientific research and data used to conduct the review.

TITLE VIII

EBOLA RESPONSE AND PREPAREDNESS

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", to prevent, prepare for, and respond to the Ebola virus domestically and internationally, and to develop necessary medical countermeasures and vaccines, including the review, regulations, post market surveillance of vaccines and therapies, and administrative activities, $25,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That of the amounts provided, $4,800,000 is for

the Center for Biologics Evaluation and Research; $2,400,000 is for the Center for Devices and Radiological Health; $400,000 is for the Office of the Commissioner; $1,900,000 is for the Center for Drug Evaluation and Research; $500,000 is for the Office of Regulatory Affairs; and $15,000,000 is for the Medical Countermeasures Initiative.

This division may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2015".

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

Commerce, Justice, Science, and Related Agencies Appropriations Act, 2015.

TITLE I

DEPARTMENT OF COMMERCE

Department of Commerce Appropriations Act, 2015.

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $472,000,000, to remain available until September 30, 2016, of which $10,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than $16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $102,500,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, for the cost of loan guarantees authorized by section 26 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3721), for grants authorized by section 27 (15 U.S.C. 3722) of such Act, and for grants, $213,000,000, to remain available until expended; of which $5,000,000 shall be for projects to facilitate the relocation, to the United States, of a source of employment located outside the United States; of which $4,000,000 shall be for loan guarantees under such section 26; and of which $10,000,000 shall be for grants under such section 27: *Provided*, That the costs for loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds for loan guarantees under such section 26 are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $70,000,000.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $37,000,000:

Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $30,000,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $100,000,000, to remain available until September 30, 2016.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, $248,000,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That the Bureau of the Census shall collect data for the Annual Social and Economic Supplement to the Current Population Survey using the same health insurance questions included in previous years, in addition to the revised questions implemented in the Current Population Survey beginning in February 2014.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs provided for by law, $840,000,000, to remain available until September 30, 2016: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated, $1,551,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the Bureau of the Census.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $38,200,000, to remain available until September 30, 2016: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and

such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, $3,458,000,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2015, so as to result in a fiscal year 2015 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2015, should the total amount of such offsetting collections be less than $3,458,000,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of $3,458,000,000 in fiscal year 2015 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That any amounts reprogrammed in accordance with the preceding proviso shall be transferred to the United States Patent and Trademark Office Salaries and Expenses account: *Provided further*, That from amounts provided herein, not to exceed $900 shall be made available in fiscal year 2015 for official reception and representation expenses: *Provided further*, That in fiscal year 2015 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management

(OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112–29): *Provided further*, That within the amounts appropriated, $2,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology (NIST), $675,500,000, to remain available until expended, of which not to exceed $9,000,000 may be transferred to the "Working Capital Fund": *Provided*, That not to exceed $5,000 shall be for official reception and representation expenses: *Provided further*, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, $138,100,000, to remain available until expended, of which $130,000,000 shall be for the Hollings Manufacturing Extension Partnership, and of which $8,100,000 shall be for the Advanced Manufacturing Technology Consortia.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), $50,300,000, to remain available until expended: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having

15 USC 1513b note.

a total multi-year program cost of more than $5,000,000, and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,202,398,000, to remain available until September 30, 2016, except that funds provided for cooperative enforcement shall remain available until September 30, 2017: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That in addition, $116,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries", which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program, Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: *Provided further*, That of the $3,333,398,000 provided for in direct obligations under this heading $3,202,398,000 is appropriated from the general fund, $116,000,000 is provided by transfer, and $15,000,000 is derived from recoveries of prior year obligations: *Provided further*, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $220,300,000: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $2,179,225,000, to remain available until September 30, 2017, except that funds provided for construction of facilities shall remain available until expended: *Provided*, That of the $2,192,225,000 provided for in direct obligations under this heading, $2,179,225,000 is appropriated from the general

fund and $13,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: *Provided further*, That, within the amounts appropriated, $1,302,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

15 USC 1513a note.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $65,000,000, to remain available until September 30, 2016: *Provided*, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2015, obligations of direct loans may not exceed $24,000,000 for Individual Fishing Quota loans and not to exceed $100,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed $4,500 for official reception and representation, $56,000,000: *Provided*, That the Secretary of Commerce shall maintain a task force on job repatriation and manufacturing growth and shall produce an annual report on related incentive strategies, implementation plans and program results: *Provided further*, That within amounts provided, the Secretary of Commerce may use up to $2,500,000 to engage in activities to provide businesses and communities with information about and referrals to relevant Federal, State, and local government programs.

15 USC 1543.

RENOVATION AND MODERNIZATION

For necessary expenses for the renovation and modernization of Department of Commerce facilities, $4,500,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $30,596,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by section 105 of title I of division B of Public Law 113–6, are hereby adopted by reference and made applicable with respect to fiscal year 2015: *Provided*, That the life cycle cost for the Joint Polar Satellite System is $11,323,400,000 and the life cycle cost for the Geostationary Operational Environmental Satellite R-Series Program is $10,829,500,000.

SEC. 105. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to $200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 106. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 107. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 108. The Department of Commerce shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of the U.S. Department of Commerce, including the purpose of such travel.

SEC. 109. The National Technical Information Service shall not charge any customer for a copy of any report or document generated by the Legislative Branch unless the Service has provided information to the customer on how an electronic copy of such report or document may be accessed and downloaded for free online. Should a customer still require the Service to provide a printed or digital copy of the report or document, the charge shall be limited to recovering the Service's cost of processing, reproducing, and delivering such report or document.

SEC. 110. To carry out the responsibilities of the National Oceanic and Atmospheric Administration (NOAA), the Administrator of NOAA is authorized to: (1) enter into grants and cooperative agreements with; (2) use on a non-reimbursable basis land, services, equipment, personnel, and facilities provided by; and (3)

receive and expend funds made available on a consensual basis from: a Federal agency, State or subdivision thereof, local government, tribal government, territory, or possession or any subdivisions thereof: *Provided*, That funds received for permitting and related regulatory activities pursuant to this section shall be deposited under the heading "National Oceanic and Atmospheric Administration—Operations, Research, and Facilities" and shall remain available until September 30, 2016 for such purposes: *Provided further*, That all funds within this section and their corresponding uses are subject to section 505 of this Act.

SEC. 111. The Secretary of Commerce may waive the requirement for bonds under 40 U.S.C. 3131 with respect to contracts for the construction, alteration, or repair of vessels, regardless of the terms of the contracts as to payment or title, when the contract is made under the Coast and Geodetic Survey Act of 1947 (33 U.S.C. 883a et seq.).

This title may be cited as the "Department of Commerce Appropriations Act, 2015".

Department of Justice Appropriations Act, 2015.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $111,500,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, $25,842,000, to remain available until expended: *Provided*, That the Attorney General may transfer up to $35,400,000 to this account, from funds available to the Department of Justice for information technology, for enterprise-wide information technology initiatives: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act.

ADMINISTRATIVE REVIEW AND APPEALS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $351,072,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $88,577,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $13,308,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $885,000,000, of which not to exceed $15,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the amount provided for INTERPOL Washington dues payments, not to exceed $685,000 shall remain available until expended: *Provided further*, That of the total amount appropriated, not to exceed $9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to the Civil Rights Division for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (52 U.S.C. 10305) and to reimburse the Office of Personnel Management for such salaries and expenses: *Provided further*, That of the amounts provided under this heading for the election monitoring program, $3,390,000 shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $162,246,000, to remain available until expended:

Provided, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be $100,000,000 in fiscal year 2015), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2015, so as to result in a final fiscal year 2015 appropriation from the general fund estimated at $62,246,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $1,960,000,000: *Provided*, That of the total amount appropriated, not to exceed $7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a United States Attorney-led task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $225,908,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, $225,908,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2015, so as to result in a final fiscal year 2015 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, $2,326,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $270,000,000, to remain available until expended, of which not to exceed $16,000,000 is for construction of buildings for protected witness safesites; not to exceed $3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $11,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network

to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, $12,250,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, $20,514,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,195,000,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and not to exceed $15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, $9,800,000, to remain available until expended.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, $495,307,000, to remain available until expended: *Provided*, That section 524(c)(8)(E) of title 28, United States Code, shall be applied for fiscal year 2015 as if the following were inserted after the final period: "The Attorney General shall use $1,100,000,000 of the excess unobligated balances available in fiscal year 2015 for necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code.": *Provided further*, That any use of such unobligated balances shall be treated as a reprogramming of funds under section 505 of this Act: *Provided further*, That not to exceed $20,000,000

shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: *Provided further*, That any unobligated balances available from funds appropriated under the heading "General Administration, Detention Trustee" shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, $93,000,000, of which not to exceed $5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $507,194,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, $8,326,569,000, of which not less than $8,500,000 shall be for the National Gang Intelligence Center, and of which not to exceed $216,900,000 shall remain available until expended: *Provided*, That not to exceed $184,500 shall be available for official reception and representation expenses: *Provided further*, That up to $1,000,000 shall be for a comprehensive review of the implementation of the recommendations related to the Federal Bureau of Investigation that were proposed in the report issued

by the National Commission on Terrorist Attacks Upon the United States.

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; $110,000,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,033,320,000; of which not to exceed $75,000,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $1,201,000,000, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $20,000,000 shall remain available until expended: *Provided*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $6,815,000,000: *Provided*, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed $5,400 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2016: *Provided further*, That, of the amounts provided for contract confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past, notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.

42 USC 250a.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $106,000,000, to remain available until expended, of which $25,000,000 shall be available only for costs related to construction of new facilities, and of which not less than $81,000,000 shall be available only for modernization, maintenance and repair: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United

States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,700,000 of the funds of the Federal Prison Industries, Incorporated, shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) ("the 1974 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) ("the 2000 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); and the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); and for related victims services, $430,000,000, to remain available until expended: *Provided*, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided—

(1) $195,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) $26,000,000 is for transitional housing assistance grants for victims of domestic violence, dating violence, stalking, or sexual assault as authorized by section 40299 of the 1994 Act;

(3) $3,000,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence

Against Women, which shall be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;

(4) $10,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303 and 41305 of the 1994 Act, prior to its amendment by the 2013 Act, shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) $50,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which $4,000,000 is for a homicide reduction initiative;

(6) $30,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) $33,000,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) $12,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) $42,500,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) $4,500,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) $16,000,000 is for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: *Provided*, That unobligated balances available for the programs authorized by section 1301 of the 2000 Act and section 41002 of the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program;

(12) $6,000,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) $500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) $1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act: *Provided*, That such funds may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs; and

(15) $500,000 is for a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Second Chance Act of 2007 (Public Law 110–199); the Victims of Crime Act of 1984 (Public Law 98–473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110–401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) ("the 2002 Act"); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); and other programs, $111,000,000, to remain available until expended, of which—

(1) $41,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act: *Provided*, That beginning not later than 2 years after the date of enactment of this Act, as part of each National Crime Victimization Survey, the Attorney General shall include statistics relating to honor violence; 42 USC 3732 note.

(2) $36,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act;

(3) $30,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act; and

(4) $4,000,000 is for activities to strengthen and enhance the practice of forensic sciences, of which $3,000,000 is for transfer to the National Institute of Standards and Technology to support Scientific Area Committees.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) ("the 2002 Act"); the Second Chance Act of 2007 (Public Law 110–199); the Prioritizing Resources

and Organization for Intellectual Property Act of 2008 (Public Law 110–403); the Victims of Crime Act of 1984 (Public Law 98–473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); and other programs, $1,241,000,000, to remain available until expended as follows—

(1) $376,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, $15,000,000 is for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR), $4,000,000 is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention, $5,000,000 is for an initiative to support evidence-based policing, $2,500,000 is for an initiative to enhance prosecutorial decision-making, $3,000,000 is for competitive grants to distribute firearm safety materials and gun locks, $750,000 is for the purposes described in the Missing Alzheimer's Disease Patient Alert Program (section 240001 of the 1994 Act), $10,500,000 is for an Edward Byrne Memorial criminal justice innovation program, and $2,500,000 is for a program to improve juvenile indigent defense;

(2) $185,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) $42,250,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386, for programs authorized under Public Law 109–164, or programs authorized under Public Law 113–4;

(4) $41,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(5) $8,500,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416);

(6) $10,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(7) $2,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–405, and for grants for wrongful conviction review;

(8) $13,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110–403;

(9) $2,000,000 for a student loan repayment assistance program pursuant to section 952 of Public Law 110–315;

(10) $20,000,000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related activities;

(11) $8,000,000 for an initiative relating to children exposed to violence;

(12) $22,250,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: *Provided*, That $1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(13) $1,000,000 for the National Sex Offender Public Website;

(14) $5,000,000 for competitive and evidence-based programs to reduce gun crime and gang violence;

(15) $73,000,000 for grants to States to upgrade criminal and mental health records for the National Instant Criminal Background Check System, of which no less than $25,000,000 shall be for grants made under the authorities of the NICS Improvement Amendments Act of 2007 (Public Law 110–180);

(16) $12,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(17) $125,000,000 for DNA-related and forensic programs and activities, of which—

(A) $117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546) (the Debbie Smith DNA Backlog Grant Program): *Provided*, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108–405, section 303);

(B) $4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108–405, section 412); and

(C) $4,000,000 is for Sexual Assault Forensic Exam Program grants, including as authorized by section 304 of Public Law 108–405;

(18) $41,000,000 for a grant program for community-based sexual assault response reform;

(19) $6,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(20) $30,000,000 for assistance to Indian tribes;

(21) $68,000,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–199), without regard to the time limitations specified at section 6(1) of such Act, of which not to exceed $6,000,000 is for a program to improve State, local, and tribal probation or parole supervision efforts and strategies, and $5,000,000 is for Children of Incarcerated Parents Demonstrations to enhance and maintain parental and family relationships for incarcerated parents as a reentry or recidivism reduction strategy: *Provided*, That up to $7,500,000 of funds made available in this paragraph may be used for performance-based

awards for Pay for Success projects, of which up to $5,000,000 shall be for Pay for Success programs implementing the Permanent Supportive Housing Model;

(22) $5,000,000 for a veterans treatment courts program;

(23) $11,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(24) $13,000,000 for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79);

(25) $2,000,000 to operate a National Center for Campus Public Safety;

(26) $27,500,000 for a justice reinvestment initiative, for activities related to criminal justice reform and recidivism reduction, of which not less than $750,000 is for a task force on Federal corrections;

(27) $4,000,000 for additional replication sites employing the Project HOPE Opportunity Probation with Enforcement model implementing swift and certain sanctions in probation, and for a research project on the effectiveness of the model;

(28) $12,500,000 for the Office of Victims of Crime for supplemental victims' services and other victim-related programs and initiatives, including research and statistics, and for tribal assistance for victims of violence; and

(29) $75,000,000 for the Comprehensive School Safety Initiative, described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That section 213 of this Act shall not apply with respect to the amount made available in this paragraph: *Provided*, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110–401); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); and other juvenile justice programs, $251,500,000, to remain available until expended as follows—

(1) $55,500,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, nonprofit organizations with the Federal grants process: *Provided*, That of the amounts provided under this

paragraph, $500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities;

(2) $90,000,000 for youth mentoring grants;

(3) $15,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) $5,000,000 shall be for the Tribal Youth Program;

(B) $3,000,000 shall be for gang and youth violence education, prevention and intervention, and related activities;

(C) $6,000,000 shall be for community-based violence prevention initiatives, including for public health approaches to reducing shootings and violence; and

(D) $1,000,000 shall be for grants and technical assistance in support of the National Forum on Youth Violence Prevention;

(4) $19,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) $68,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110–401) shall not apply for purposes of this Act);

(6) $1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act;

(7) $500,000 for an Internet site providing information and resources on children of incarcerated parents; and

(8) $2,000,000 for competitive grants focusing on girls in the juvenile justice system:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of the amounts designated under paragraphs (1) through (4) and (6) may be used for training and technical assistance: *Provided further*, That the two preceding provisos shall not apply to grants and projects authorized by sections 261 and 262 of the 1974 Act and to missing and exploited children programs.

PUBLIC SAFETY OFFICER BENEFITS

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and $16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to "Public Safety Officer Benefits" from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated

as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"), $208,000,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: *Provided further*, That of the amount provided under this heading—

(1) $7,000,000 is for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) $180,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: *Provided*, That, notwithstanding section 1704(c) of such title (42 U.S.C. 3796dd–3(c)), funding for hiring or rehiring a career law enforcement officer may not exceed $125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: *Provided further*, That within the amounts appropriated under this paragraph, $33,000,000 is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities: *Provided further*, That of the amounts appropriated under this paragraph, $7,500,000 is for community policing development activities in furtherance of the purposes in section 1701: *Provided further*, That within the amounts appropriated under this paragraph, $5,000,000 is for the collaborative reform model of technical assistance in furtherance of the purposes in section 1701;

(3) $7,000,000 is for competitive grants to State law enforcement agencies in States with high seizures of precursor chemicals, finished methamphetamine, laboratories, and laboratory dump seizures: *Provided*, That funds appropriated under this paragraph shall be utilized for investigative purposes to locate or investigate illicit activities, including precursor diversion, laboratories, or methamphetamine traffickers;

(4) $7,000,000 is for competitive grants to statewide law enforcement agencies in States with high rates of primary treatment admissions for heroin and other opioids: *Provided*, That these funds shall be utilized for investigative purposes to locate or investigate illicit activities, including activities related to the distribution of heroin or unlawful distribution of prescription opioids, or unlawful heroin and prescription opioid traffickers through statewide collaboration; and

(5) $7,000,000 is for competitive grants to support regional anti-gang task forces.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2015, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002 (Public Law 107–296; 28 U.S.C. 599B) without limitation on the number of employees or the positions covered. 5 USC 3104 note.

SEC. 207. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 208. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 209. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of $100,000,000, unless the Deputy Attorney General and

the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 210. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 211. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 212. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 213. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs"—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs.

SEC. 214. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated in this or any other Act making appropriations for fiscal years 2012 through 2015 for the following programs, waive the following requirements:

(1) For the adult and juvenile offender State and local reentry demonstration projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)), the requirements under section 2976(g)(1) of such part.

(2) For State, Tribal, and local reentry courts under part FF of title I of such Act of 1968 (42 U.S.C. 3797w–2(e)(1)

and (2)), the requirements under section 2978(e)(1) and (2) of such part.

(3) For the prosecution drug treatment alternatives to prison program under part CC of title I of such Act of 1968 (42 U.S.C. 3797q–3), the requirements under section 2904 of such part.

(4) For grants to protect inmates and safeguard communities as authorized by section 6 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)), the requirements of section 6(c)(3) of such Act.

SEC. 215. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 216. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 217. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2015, except up to $40,000,000 may be obligated for implementation of a unified Department of Justice financial management system.

(b) Not to exceed $30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2015, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) In addition to the amount otherwise provided by this Act in the first proviso under the heading "United States Marshals Service—Federal Prisoner Detention", not to exceed $10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2015, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(d) Of amounts available in the Assets Forfeiture Fund in fiscal year 2015, $154,700,000 shall be for payments associated with joint law enforcement operations as authorized by section 524(c)(1)(I) of title 28, United States Code.

(e) The Attorney General shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after the date of enactment of this Act detailing the planned distribution of Assets Forfeiture Fund joint law enforcement operations funding during fiscal year 2015.

(f) Subsections (a) through (d) of this section shall sunset on September 30, 2015.

SEC. 218. No funds provided in this Act shall be used to deny the Inspector General of the Department of Justice timely access to all records, documents, and other materials in the custody or possession of the Department or to prevent or impede the Inspector General's access to such records, documents and other materials, unless in accordance with an express limitation of section 6(a) of the Inspector General Act, as amended, consistent with the plain language of the Inspector General Act, as amended. The Inspector General of the Department of Justice shall report to the Committees on Appropriations within five calendar days any failures to comply with this requirement.

SEC. 219. Discretionary funds that are made available in this Act for the Office of Justice Programs may be used to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76.

This title may be cited as the "Department of Justice Appropriations Act, 2015".

Science Appropriations Act, 2015.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,555,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $5,244,700,000, to remain available until September 30, 2016: *Provided*, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed $8,000,000,000: *Provided further*, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost of the program is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104: *Provided further*, That

$100,000,000 shall be for pre-formulation and/or formulation activities for a mission that meets the science goals outlined for the Jupiter Europa mission in the most recent planetary science decadal survey.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $651,000,000, to remain available until September 30, 2016.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space research and technology development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $596,000,000, to remain available until September 30, 2016.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $4,356,700,000, to remain available until September 30, 2016: *Provided*, That not less than $1,194,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than $2,051,300,000 shall be for the Space Launch System, which shall have a lift capability not less than 130 metric tons and which shall have an upper stage and other core elements developed simultaneously: *Provided further*, That of the funds made available for the Space Launch System, $1,700,000,000 shall be for launch vehicle development and $351,300,000 shall be for exploration ground systems: *Provided further*, That the National Aeronautics and Space Administration (NASA) shall provide to the Committees on Appropriations of the House of Representatives and the Senate, concurrent with the annual budget submission, a 5 year budget

profile and funding projection that adheres to a 70 percent Joint Confidence Level (JCL) and is consistent with the Key Decision Point C (KDP–C) for the Space Launch System and with the future KDP–C for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That in complying with the preceding proviso NASA shall include budget profiles and funding projections that conform to the KDP–C management agreement for development completion of the Space Launch System by December 2017, and the management agreement for the Orion Multi-Purpose Crew Vehicle upon completing KDP–C: *Provided further*, That in no case shall the JCL of the Space Launch System or the Orion Multi-Purpose Crew Vehicle be less than the guidance outlined in NASA Procedural Requirements 7120.5E: *Provided further*, That funds made available for the Orion Multi-Purpose Crew Vehicle and Space Launch System are in addition to funds provided for these programs under the "Construction and Environmental Compliance and Restoration" heading: *Provided further*, That $805,000,000 shall be for commercial spaceflight activities: *Provided further*, That $306,400,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $3,827,800,000, to remain available until September 30, 2016.

EDUCATION

For necessary expenses, not otherwise provided for, in the conduct and support of aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $119,000,000, to remain available until September 30, 2016, of which $18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and $40,000,000 shall be for the National Space Grant College program.

SAFETY, SECURITY AND MISSION SERVICES

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, space technology, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design;

space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $2,758,900,000, to remain available until September 30, 2016.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, $419,100,000, to remain available until September 30, 2020: *Provided*, That of the $429,100,000 provided for in direct obligations under this heading, $419,100,000 is appropriated from the general fund and $10,000,000 is provided from recoveries of prior year obligations: *Provided further*, That proceeds from leases deposited into this account shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: *Provided further*, That such proceeds referred to in the preceding proviso shall be available for obligation for fiscal year 2015 in an amount not to exceed $9,584,100: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 20145 of title 51, United States Code.

51 USC 20145 note.

51 USC 30103 note.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $37,000,000, of which $500,000 shall remain available until September 30, 2016.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Funds for any announced prize otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount

established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(TRANSFER OF FUNDS)

The unexpired balances of a previous account, for activities for which funds are provided in this Act, may be transferred to the new account established in this Act that provides such activities. Balances so transferred shall be merged with the funds in the newly established account, but shall be available under the same terms, conditions and period of time as previously appropriated.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $5,933,645,000, to remain available until September 30, 2016, of which not to exceed $520,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That not less than $159,690,000 shall be available for activities authorized by section 7002(c)(2)(A)(iv) of Public Law 110–69.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, $200,760,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, $866,000,000, to remain available until September 30, 2016: *Provided*, That not less than $60,890,000 shall be available for activities authorized by section 7030 of Public Law 110–69.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; $325,000,000: *Provided*, That not to exceed $8,280 is for official reception and representation expenses: *Provided further*, That contracts may be entered into under this heading in fiscal year 2015 for maintenance and operation of facilities and for other services to be provided during the next fiscal year: *Provided further*, That of the amount provided for costs associated with the acquisition, occupancy, and related costs of new headquarters space, not more than $27,370,000 shall remain available until expended.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,370,000: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, $14,430,000, of which $400,000 shall remain available until September 30, 2016.

ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers. Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

This title may be cited as the "Science Appropriations Act, 2015".

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,200,000: *Provided*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, section 501 of the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to $30,000,000 for payments to State and local enforcement agencies for authorized services to the Commission, $364,500,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,250 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: *Provided further*, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to

exceed $2,250 for official reception and representation expenses, $84,500,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $375,000,000, of which $343,150,000 is for basic field programs and required independent audits; $4,350,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $18,500,000 is for management and grants oversight; $4,000,000 is for client self-help and information technology; $4,000,000 is for a Pro Bono Innovation Fund; and $1,000,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): *Provided further*, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of section 505 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2014 and 2015, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), $3,340,000.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $54,250,000, of which $1,000,000 shall remain available until expended: *Provided*, That not to exceed $124,000 shall be available for official reception and representation expenses.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) $5,121,000, of which $500,000 shall remain available until September 30, 2016: *Provided*, That not to exceed $2,250 shall be available for official reception and representation expenses: *Provided further*, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

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

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days

in advance of such reprogramming of funds by agencies (excluding agencies of the Department of Justice) funded by this Act and 45 days in advance of such reprogramming of funds by agencies of the Department of Justice funded by this Act.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories or possessions.

(2) The term "promotional items" has the meaning given the term in OMB Circular A–87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of each quarter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That for the Department of Commerce, this section shall also apply to actions taken for the care and protection of loan collateral or grant property.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products,

except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (42 U.S.C. 10601) in any fiscal year in excess of $2,361,000,000 shall not be available for obligation until the following fiscal year: *Provided*, That notwithstanding section 1402(d) of such Act, of the amounts available from the Fund for obligation $10,000,000 shall remain available until expended to the Department of Justice Office of Inspector General for oversight and auditing purposes.

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(d) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that

a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 515. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, "Standards for Security Categorization of Federal Information and Information Systems" unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the Federal Bureau of Investigation and other appropriate agencies; and

(3) in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate-impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—

(1) developed, in consultation with NIST and supply chain risk management experts, a mitigation strategy for any identified risks;

(2) determined that the acquisition of such system is in the national interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 516. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 517. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale

in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 518. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.

SEC. 519. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 520. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to

Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

SEC. 521. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent or more, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 522. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2015 until the enactment of the Intelligence Authorization Act for fiscal year 2015.

SEC. 523. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSIONS)

SEC. 524. (a) Of the unobligated balances available to the Department of Commerce, the following funds are hereby rescinded, not later than September 30, 2015, from the following accounts in the specified amounts—

(1) "Departmental Management, Franchise Fund", $2,906,000; and

(2) "Economic Development Administration, Economic Development Assistance Programs", $5,000,000.

(b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than

September 30, 2015, from the following accounts in the specified amounts—

(1) "Working Capital Fund", $99,000,000;

(2) "Tactical Law Enforcement Wireless Communications", $2,000,000;

(3) "Detention Trustee", $23,000,000;

(4) "Legal Activities, Assets Forfeiture Fund", $193,000,000;

(5) "Legal Activities, Salaries and Expenses, General Legal Activities", $10,000,000;

(6) "Legal Activities, Salaries and Expenses, Antitrust Division", $6,000,000;

(7) "Salaries and Expenses, United States Attorneys", $9,000,000;

(8) "United States Marshals Service, Federal Prisoner Detention", $188,000,000;

(9) "Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses", $3,200,000;

(10) "State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs", $16,000,000;

(11) "State and Local Law Enforcement Activities, Office of Justice Programs", $82,500,000; and

(12) "State and Local Law Enforcement Activities, Community Oriented Policing Services", $40,000,000.

(c) The Departments of Commerce and Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2015, specifying the amount of each rescission made pursuant to subsections (a) and (b).

SEC. 525. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 526. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 527. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—

(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

SEC. 528. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 529. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 530. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are "Energy Star" qualified or have the "Federal Energy Management Program" designation.

SEC. 531. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 532. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

(b) None of the funds made available by this Act may be used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP has certified—

(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and

(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.

(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.

SEC. 533. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 534. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 535. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 536. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 537. None of the funds made available by this Act under the heading "Pacific Coastal Salmon Recovery" may be used for

grant guidelines or requirements to establish minimum riparian buffers.

SEC. 538. None of the funds made available in this Act to the Department of Justice may be used, with respect to the States of Alabama, Alaska, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, Oregon, Rhode Island, South Carolina, Tennessee, Utah, Vermont, Washington, and Wisconsin, to prevent such States from implementing their own State laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

SEC. 539. None of the funds made available by this Act may be used in contravention of section 7606 ("Legitimacy of Industrial Hemp Research") of the Agricultural Act of 2014 (Public Law 113–79) by the Department of Justice or the Drug Enforcement Administration.

SEC. 540. (a) None of the funds made available by this Act may be used to relinquish the responsibility of the National Telecommunications and Information Administration during fiscal year 2015 with respect to Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the Internet Assigned Numbers Authority functions.

(b) Subsection (a) of this section shall expire on September 30, 2015.

SEC. 541. (a) IN GENERAL.—During the period beginning on January 1, 2015, and ending on December 31, 2015, the provisions of chapter 3 of title II of the Trade Act of 1974 (19 U.S.C. 2341 et seq.), as in effect on December 31, 2014, shall apply, except that in applying and administering such provisions, section 256(b) of that Act shall be applied and administered by substituting "$16,000,000 for the period beginning on January 1, 2015, and ending December 31, 2015" for "$16,000,000 for each of fiscal years 2003 through 2007, and $4,000,000 for the 3-month period beginning on October 1, 2007". 19 USC prec. 2271 note.

(b) TERMINATION.—During the period beginning on January 1, 2015, and ending on December 31, 2015, section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note), as in effect on December 31, 2014, shall apply, except that in applying and administering that section, subsection (b) of that section shall be applied and administered as if paragraph (1) read as follows:

"(1) ASSISTANCE FOR FIRMS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 3 after December 31, 2015.

"(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 3 on or before December 31, 2015, may be provided—

"(i) to the extent funds are available pursuant to such chapter for such purpose; and

"(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.".

Travel Promotion, Enhancement, and Modernization Act of 2014.

TITLE VI—TRAVEL PROMOTION, ENHANCEMENT, AND MODERNIZATION ACT OF 2014

22 USC 2121 note.

SEC. 601. SHORT TITLE.

This title may be cited as the "Travel Promotion, Enhancement, and Modernization Act of 2014".

SEC. 602. BOARD OF DIRECTORS.

Subsection (b)(2)(A) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(b)(2)(A)) is amended—

(1) in the matter preceding clause (i)—

(A) in the first sentence, by striking "promotion and marketing" and inserting "promotion or marketing"; and

(B) by inserting after the first sentence the following: "At least 5 members of the board shall have experience working in United States multinational entities with marketing budgets. At least 2 members of the board shall be audit committee financial experts (as defined by the Securities and Exchange Commission in accordance with section 407 of Public Law 107–204 (15 U.S.C. 7265)). All members of the board shall be a current or former chief executive officer, chief financial officer, or chief marketing officer, or have held an equivalent management position."; and

(2) in clause (x), by striking "intercity passenger railroad business" and inserting "land or sea passenger transportation sector".

SEC. 603. ANNUAL REPORT TO CONGRESS.

Subsection (c)(3) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(c)(3)) is amended—

(1) in subparagraph (F), by striking "and" at the end;

(2) by redesignating subparagraph (G) as subparagraph (I); and

(3) by inserting after subparagraph (F) the following:

"(G) a description of, and rationales for, the Corporation's efforts to focus on specific countries and populations;

"(H)(i) a description of, and rationales for, the Corporation's combination of media channels employed in meeting the promotional objectives of its marketing campaign;

"(ii) the ratio in which such channels are used; and

"(iii) a justification for the use and ratio of such channels; and".

SEC. 604. BIANNUAL REVIEW OF PROCEDURES TO DETERMINE FAIR MARKET VALUE OF GOODS AND SERVICES.

Subsection (d)(3) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(d)(3)) is amended—

(1) in subparagraph (B)(ii), by striking "80 percent" and inserting "70 percent"; and

(2) by adding at the end the following:

"(E) MAINTENANCE OF AN IN-KIND CONTRIBUTIONS POLICY.—The Corporation shall maintain an in-kind contributions policy.

"(F) FORMALIZED PROCEDURES FOR IN-KIND CONTRIBUTIONS POLICY.—Not later than 90 days after the date of enactment of the Travel Promotion, Enhancement, and Modernization Act of 2014, the Secretary of Commerce, in coordination with the Corporation, shall establish formal, publicly available procedures specifying time frames and conditions for—

"(i) making and agreeing to revisions of the Corporation's in-kind contributions policy; and

"(ii) addressing and resolving disagreements between the Corporation and its partners, including the Secretary of Commerce, regarding the in-kind contributions policy.

"(G) BIANNUAL REVIEW OF PROCEDURES TO DETERMINE FAIR MARKET VALUE OF GOODS AND SERVICES.—The Corporation and the Secretary of Commerce (or their designees) shall meet on a biannual basis to review the procedures to determine the fair market value of goods and services received from non-Federal sources by the Corporation under subparagraph (B).".

SEC. 605. EXTENSION OF TRAVEL PROMOTION ACT OF 2009.

(a) IN GENERAL.—The Travel Promotion Act of 2009 (22 U.S.C. 2131) is amended—

(1) in subsection (b)(5)(A)(iv), by striking "all States and the District of Columbia" and inserting "all States and territories of the United States and the District of Columbia,"; and

(2) in subsection (d)—

(A) in paragraph (2)(B), by striking "2015" and inserting "2020"; and

(B) in paragraph (4)(B), by striking "fiscal year 2011, 2012, 2013, 2014, or 2015" and inserting "each of the fiscal years 2011 through 2020".

(b) SUNSET OF TRAVEL PROMOTION FUND FEE.—Section 217(h)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)(iii)) is amended by striking "September 30, 2015" and inserting "September 30, 2020".

SEC. 606. ACCOUNTABILITY; PROCUREMENT REQUIREMENTS.

The Travel Promotion Act of 2009 (22 U.S.C. 2131), as amended by this Act, is further amended—

(1) by redesignating subsections (e), (f), (g), and (h) as subsections (h), (e), (i), and (j), respectively;

(2) by moving subsection (e) (as so redesignated) so that it follows subsection (d);

(3) in paragraph (2) of subsection (c), by striking "$5,000,000" and inserting "$500,000"; and

(4) by inserting after subsection (e), as redesignated, the following:

"(f) ACCOUNTABILITY.—

"(1) PERFORMANCE PLANS AND MEASURES.—Not later than 90 days after the date of the enactment of the Travel Promotion, Enhancement, and Modernization Act of 2014, the Corporation shall—

"(A) establish performance metrics including, time frames, evaluation methodologies, and data sources for measuring—

"(i) the effectiveness of marketing efforts by the Corporation, including its progress in achieving the long-term goals of increased traveler visits to and spending in the United States;

"(ii) whether increases in visitation and spending have occurred in response to external influences, such as economic conditions or exchange rates, rather than in response to the efforts of the Corporation; and

"(iii) any cost or benefit to the economy of the United States; and

"(B) conduct periodic program evaluations in response to the data resulting from measurements under subparagraph (A).

"(2) GAO ACCOUNTABILITY.—Not later than 60 days after the date on which the Corporation receives a report from the Government Accountability Office with recommendations for the Corporation, the Corporation shall submit a report to Congress that describes the actions taken by the Corporation in response to the recommendations in such report.

"(g) PROCUREMENT REQUIREMENTS.—The Corporation shall—

"(1) establish a competitive procurement process; and

"(2) certify in its annual report to Congress under subsection (c)(3) that any contracts entered into were in compliance with the established competitive procurement process.".

SEC. 607. REPEAL OF ASSESSMENT AUTHORITY.

The Travel Promotion Act of 2009 (22 U.S.C. 2131), as amended by this Act, is further amended by striking subsection (e) (as redesignated by section 606(1) of this Act).

Revitalize American Manufacturing and Innovation Act of 2014.

TITLE VII—REVITALIZE AMERICAN MANUFACTURING AND INNOVATION ACT OF 2014

15 USC 271 note.

SEC. 701. SHORT TITLE.

This title may be cited as the "Revitalize American Manufacturing and Innovation Act of 2014".

15 USC 2785.

SEC. 702. FINDINGS.

Congress finds the following:

(1) In 2012, manufacturers contributed $2.03 trillion to the economy, or ⅛ of United States Gross Domestic Product.

(2) For every $1.00 spent in manufacturing, another $1.32 is added to the economy, the highest multiplier effect of any economic sector.

(3) Manufacturing supports an estimated 17,400,000 jobs in the United States—about 1 in 6 private-sector jobs. More than 12,000,000 Americans (or 9 percent of the workforce) are employed directly in manufacturing.

(4) In 2012, the average manufacturing worker in the United States earned $77,505 annually, including pay and benefits. The average worker in all industries earned $62,063.

(5) Taken alone, manufacturing in the United States would be the 8th largest economy in the world.

(6) Manufacturers in the United States perform two-thirds of all private-sector research and development in the United States, driving more innovation than any other sector.

SEC. 703. ESTABLISHMENT OF NETWORK FOR MANUFACTURING INNOVATION.

The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.) is amended—

(1) by redesignating section 34 as section 35; and 15 USC 271 note.

(2) by inserting after section 33 (15 U.S.C. 278r) the following:

"SEC. 34. NETWORK FOR MANUFACTURING INNOVATION. 15 USC 278s.

"(a) ESTABLISHMENT OF NETWORK FOR MANUFACTURING INNOVATION PROGRAM.—

"(1) IN GENERAL.—The Secretary shall establish within the Institute a program to be known as the 'Network for Manufacturing Innovation Program' (referred to in this section as the 'Program').

"(2) PURPOSES OF PROGRAM.—The purposes of the Program are—

"(A) to improve the competitiveness of United States manufacturing and to increase the production of goods manufactured predominantly within the United States;

"(B) to stimulate United States leadership in advanced manufacturing research, innovation, and technology;

"(C) to facilitate the transition of innovative technologies into scalable, cost-effective, and high-performing manufacturing capabilities;

"(D) to facilitate access by manufacturing enterprises to capital-intensive infrastructure, including high-performance electronics and computing, and the supply chains that enable these technologies;

"(E) to accelerate the development of an advanced manufacturing workforce;

"(F) to facilitate peer exchange of and the documentation of best practices in addressing advanced manufacturing challenges;

"(G) to leverage non-Federal sources of support to promote a stable and sustainable business model without the need for long-term Federal funding; and

"(H) to create and preserve jobs.

"(3) SUPPORT.—The Secretary, acting through the Director, shall carry out the purposes set forth in paragraph (2) by supporting—

"(A) the Network for Manufacturing Innovation established under subsection (b); and

"(B) the establishment of centers for manufacturing innovation.

"(4) DIRECTOR.—The Secretary shall carry out the Program through the Director.

"(b) ESTABLISHMENT OF NETWORK FOR MANUFACTURING INNOVATION.—

"(1) IN GENERAL.—As part of the Program, the Secretary shall establish a network of centers for manufacturing innovation.

"(2) DESIGNATION.—The network established under paragraph (1) shall be known as the 'Network for Manufacturing Innovation' (referred to in this section as the 'Network').

"(c) CENTERS FOR MANUFACTURING INNOVATION.—

"(1) IN GENERAL.—For purposes of this section, a 'center for manufacturing innovation' is a center that—

"(A) has been established by a person or group of persons to address challenges in advanced manufacturing and to assist manufacturers in retaining or expanding industrial production and jobs in the United States;

"(B) has a predominant focus on a manufacturing process, novel material, enabling technology, supply chain integration methodology, or another relevant aspect of advanced manufacturing, such as nanotechnology applications, advanced ceramics, photonics and optics, composites, biobased and advanced materials, flexible hybrid technologies, and tool development for microelectronics;

"(C) as determined by the Secretary, has the potential—

"(i) to improve the competitiveness of United States manufacturing, including key advanced manufacturing technologies such as nanotechnology, advanced ceramics, photonics and optics, composites, biobased and advanced materials, flexible hybrid technologies, and tool development for microelectronics;

"(ii) to accelerate non-Federal investment in advanced manufacturing production capacity in the United States; or

"(iii) to enable the commercial application of new technologies or industry-wide manufacturing processes; and

"(D) includes active participation among representatives from multiple industrial entities, research universities, community colleges, and such other entities as the Secretary considers appropriate, which may include industry-led consortia, career and technical education schools, Federal laboratories, State, local, and tribal governments, businesses, educational institutions, and nonprofit organizations.

"(2) ACTIVITIES.—Activities of a center for manufacturing innovation may include the following:

"(A) Research, development, and demonstration projects, including proof-of-concept development and prototyping, to reduce the cost, time, and risk of commercializing new technologies and improvements in existing technologies, processes, products, and research and development of materials to solve precompetitive industrial problems with economic or national security implications.

"(B) Development and implementation of education, training, and workforce recruitment courses, materials, and programs.

"(C) Development of innovative methodologies and practices for supply chain integration and introduction of new technologies into supply chains.

"(D) Outreach and engagement with small and medium-sized manufacturing enterprises, including women

and minority owned manufacturing enterprises, in addition to large manufacturing enterprises.

"(E) Such other activities as the Secretary, in consultation with Federal departments and agencies whose missions contribute to or are affected by advanced manufacturing, considers consistent with the purposes described in subsection (a)(2).

"(3) ADDITIONAL CENTERS FOR MANUFACTURING INNOVATION.—

"(A) IN GENERAL.—The National Additive Manufacturing Innovation Institute and other manufacturing centers formally recognized as manufacturing innovation centers pursuant to Federal law or executive actions, or under pending interagency review for such recognition as of the date of enactment of the Revitalize American Manufacturing and Innovation Act of 2014, shall be considered centers for manufacturing innovation, but such centers shall not receive any financial assistance under subsection (d).

"(B) NETWORK PARTICIPATION.—A manufacturing center that is substantially similar to those established under this subsection but that does not receive financial assistance under subsection (d) may, upon request of the center, be recognized as a center for manufacturing innovation by the Secretary for purposes of participation in the Network.

"(d) FINANCIAL ASSISTANCE TO ESTABLISH AND SUPPORT CENTERS FOR MANUFACTURING INNOVATION.—

"(1) IN GENERAL.—In carrying out the Program, the Secretary shall award financial assistance to a person or group of persons to assist the organization in planning, establishing, or supporting a center for manufacturing innovation.

"(2) APPLICATION.—A person or group of persons seeking financial assistance under paragraph (1) shall submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may require. The application shall, at a minimum, describe the specific sources and amounts of non-Federal financial support for the center on the date financial assistance is sought, as well as the anticipated sources and amounts of non-Federal financial support during the period for which the center could be eligible for continued Federal financial assistance under this section.

"(3) OPEN PROCESS.—In soliciting applications for financial assistance under paragraph (1), the Secretary shall ensure an open process that will allow for the consideration of all applications relevant to advanced manufacturing regardless of technology area.

"(4) SELECTION.—

"(A) COMPETITIVE, MERIT REVIEW.—In awarding financial assistance under paragraph (1), the Secretary shall use a competitive, merit review process that includes peer review by a diverse group of individuals with relevant expertise from both the private and public sectors.

"(B) PARTICIPATION IN PROCESS.—

"(i) IN GENERAL.—No political appointee may participate on a peer review panel. The Secretary shall implement a conflict of interest policy that ensures

public transparency and accountability, and requires full disclosure of any real or potential conflicts of interest on the parts of individuals that participate in the merit selection process.

"(ii) DEFINITION.—For purposes of this subparagraph, the term 'political appointee' means any individual who—

"(I) is employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

"(II) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; or

"(III) is employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.

"(C) PERFORMANCE MEASUREMENT, TRANSPARENCY, AND ACCOUNTABILITY.—For each award of financial assistance under paragraph (1), the Secretary shall—

"(i) make publicly available at the time of the award a description of the bases for the award, including an explanation of the relative merits of the winning applicant as compared to other applications received, if applicable; and

"(ii) develop and implement metrics-based performance measures to assess the effectiveness of the activities funded.

"(D) COLLABORATION.—In awarding financial assistance under paragraph (1), the Secretary shall, acting through the National Program Office established under subsection (f)(1), collaborate with Federal departments and agencies whose missions contribute to or are affected by advanced manufacturing.

"(E) CONSIDERATIONS.—In selecting a person who submitted an application under paragraph (2) for an award of financial assistance under paragraph (1), the Secretary shall consider, at a minimum, the following:

"(i) The potential of the center for manufacturing innovation to advance domestic manufacturing and the likelihood of economic impact, including the creation or preservation of jobs, in the predominant focus areas of the center for manufacturing innovation.

"(ii) The commitment of continued financial support, advice, participation, and other contributions from non-Federal sources, to provide leverage and resources to promote a stable and sustainable business model without the need for long-term Federal funding.

"(iii) Whether the financial support provided to the center for manufacturing innovation from non-Federal sources significantly exceeds the requested Federal financial assistance.

"(iv) How the center for manufacturing innovation will increase the non-Federal investment in advanced manufacturing research in the United States.

"(v) How the center for manufacturing innovation will engage with small and medium-sized manufacturing enterprises, to improve the capacity of such enterprises to commercialize new processes and technologies.

"(vi) How the center for manufacturing innovation will carry out educational and workforce activities that meet industrial needs related to the predominant focus areas of the center.

"(vii) How the center for manufacturing innovation will advance economic competitiveness and generate substantial benefits to the Nation that extend beyond the direct return to participants in the Program.

"(viii) Whether the predominant focus of the center for manufacturing innovation is a manufacturing process, novel material, enabling technology, supply chain integration methodology, or other relevant aspect of advanced manufacturing that has not already been commercialized, marketed, distributed, or sold by another entity.

"(ix) How the center for manufacturing innovation will strengthen and leverage the assets of a region.

"(x) How the center for manufacturing will encourage the education and training of veterans and individuals with disabilities.

"(5) LIMITATIONS ON AWARDS.—

"(A) IN GENERAL.—No award of financial assistance may be made under paragraph (1) to a center of manufacturing innovation after the 7-year period beginning on the date on which the Secretary first awards financial assistance to that center under that paragraph.

"(B) MATCHING FUNDS AND PREFERENCES.—The total Federal financial assistance awarded to a center of manufacturing innovation, including the financial assistance under paragraph (1), in a given year shall not exceed 50 percent of the total funding of the center in that year, except that the Secretary may make an exception in the case of large capital facilities or equipment purchases. The Secretary shall give weighted preference to applicants seeking less than the maximum Federal share of funds allowed under this paragraph.

"(C) FUNDING DECREASE.—The amount of financial assistance provided to a center of manufacturing innovation under paragraph (1) shall decrease after the second year of funding for the center, and shall continue to decrease thereafter in each year in which financial assistance is provided, unless the Secretary determines that—

"(i) the center is otherwise meeting its stated goals and metrics under this section;

"(ii) unforeseen circumstances have altered the center's anticipated funding; and

"(iii) the center can identify future non-Federal funding sources that would warrant a temporary

exemption from the limitations established in this subparagraph.

"(e) FUNDING.—

"(1) GENERAL RULE.—Except as provided in paragraph (2), no funds are authorized to be appropriated by the Revitalize American Manufacturing and Innovation Act of 2014 for carrying out this section.

"(2) AUTHORITY.—

"(A) NIST INDUSTRIAL TECHNICAL SERVICES ACCOUNT.—To the extent provided for in advance by appropriations Acts, the Secretary may use not to exceed $5,000,000 for each of the fiscal years 2015 through 2024 to carry out this section from amounts appropriated to the Institute for Industrial Technical Services.

"(B) ENERGY EFFICIENCY AND RENEWABLE ENERGY ACCOUNT.—To the extent provided for in advance by appropriations Acts, the Secretary of Energy may transfer to the Institute not to exceed $250,000,000 for the period encompassing fiscal years 2015 through 2024 for the Secretary to carry out this section from amounts appropriated for advanced manufacturing research and development within the Energy Efficiency and Renewable Energy account for the Department of Energy.

"(f) NATIONAL PROGRAM OFFICE.—

"(1) ESTABLISHMENT.—The Secretary shall establish, within the Institute, the National Office of the Network for Manufacturing Innovation Program (referred to in this section as the 'National Program Office'), which shall oversee and carry out the Program.

"(2) FUNCTIONS.—The functions of the National Program Office are—

"(A) to oversee the planning, management, and coordination of the Program;

"(B) to enter into memorandums of understanding with Federal departments and agencies whose missions contribute to or are affected by advanced manufacturing, to carry out the purposes described in subsection (a)(2);

"(C) to develop, not later than 1 year after the date of enactment of the Revitalize American Manufacturing and Innovation Act of 2014, and update not less frequently than once every 3 years thereafter, a strategic plan to guide the Program;

"(D) to establish such procedures, processes, and criteria as may be necessary and appropriate to maximize cooperation and coordinate the activities of the Program with programs and activities of other Federal departments and agencies whose missions contribute to or are affected by advanced manufacturing;

"(E) to establish a clearinghouse of public information related to the activities of the Program; and

"(F) to act as a convener of the Network.

"(3) RECOMMENDATIONS.—In developing and updating the strategic plan under paragraph (2)(C), the Secretary shall solicit recommendations and advice from a wide range of stakeholders, including industry, small and medium-sized manufacturing enterprises, research universities, community colleges, and

other relevant organizations and institutions on an ongoing basis.

"(4) REPORT TO CONGRESS.—Upon completion, the Secretary shall transmit the strategic plan required under paragraph (2)(C) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

"(5) HOLLINGS MANUFACTURING EXTENSION PARTNERSHIP.—The Secretary shall ensure that the National Program Office incorporates the Hollings Manufacturing Extension Partnership into Program planning to ensure that the results of the Program reach small and medium-sized entities.

"(6) DETAILEES.—Any Federal Government employee may be detailed to the National Program Office without reimbursement. Such detail shall be without interruption or loss of civil service status or privilege.

"(g) REPORTING AND AUDITING.—

"(1) ANNUAL REPORTS TO THE SECRETARY.—

"(A) IN GENERAL.—The Secretary shall require each recipient of financial assistance under subsection (d)(1) to annually submit a report to the Secretary that describes the finances and performance of the center for manufacturing innovation for which such assistance was awarded.

"(B) ELEMENTS.—Each report submitted under subparagraph (A) shall include—

"(i) an accounting of expenditures of amounts awarded to the recipient under subsection (d)(1); and

"(ii) consistent with the metrics-based performance measures developed and implemented by the Secretary under this section, a description of the performance of the center for manufacturing innovation with respect to—

"(I) its goals, plans, financial support, and accomplishments; and

"(II) how the center for manufacturing innovation has furthered the purposes described in subsection (a)(2).

"(2) ANNUAL REPORTS TO CONGRESS.—

"(A) IN GENERAL.—Not less frequently than once each year until December 31, 2024, the Secretary shall submit a report to Congress that describes the performance of the Program during the most recent 1-year period.

"(B) ELEMENTS.—Each report submitted under subparagraph (A) shall include, for the period covered by the report—

"(i) a summary and assessment of the reports received by the Secretary under paragraph (1);

"(ii) an accounting of the funds expended by the Secretary under the Program, including any temporary exemptions granted from the requirements of subsection (d)(5)(C);

"(iii) an assessment of the participation in, and contributions to, the Network by any centers for manufacturing innovation not receiving financial assistance under subsection (d)(1); and

"(iv) an assessment of the Program with respect to meeting the purposes described in subsection (a)(2).

"(3) ASSESSMENTS BY GAO.—

"(A) ASSESSMENTS.—Not less frequently than once every 2 years, the Comptroller General shall submit to Congress an assessment of the operation of the Program during the most recent 2-year period.

"(B) FINAL ASSESSMENT.—Not later than December 31, 2024, the Comptroller General shall submit to Congress a final report regarding the overall success of the Program.

"(C) ELEMENTS.—Each assessment submitted under subparagraph (A) or (B) shall include, for the period covered by the report—

"(i) a review of the management, coordination, and industry utility of the Program;

"(ii) an assessment of the extent to which the Program has furthered the purposes described in subsection (a)(2);

"(iii) such recommendations for legislative and administrative action as the Comptroller General considers appropriate to improve the Program; and

"(iv) an assessment as to whether any prior recommendations for improvement made by the Comptroller General have been implemented or adopted.

"(h) ADDITIONAL AUTHORITIES.—

"(1) APPOINTMENT OF PERSONNEL AND CONTRACTS.—The Secretary may appoint such personnel and enter into such contracts, financial assistance agreements, and other agreements as the Secretary considers necessary or appropriate to carry out the Program, including support for research and development activities involving a center for manufacturing innovation.

"(2) TRANSFER OF FUNDS.—Of amounts available under the authority provided by subsection (e), the Secretary may transfer to other Federal agencies such sums as the Secretary considers necessary or appropriate to carry out the Program. No funds so transferred may be used to reimburse or otherwise pay for the costs of financial assistance incurred or commitments of financial assistance made prior to the date of enactment of the Revitalize American Manufacturing and Innovation Act of 2014.

"(3) AUTHORITY OF OTHER AGENCIES.—In the event that the Secretary exercises the authority to transfer funds to another agency under paragraph (2), such agency may accept such funds to award and administer, under the same conditions and constraints applicable to the Secretary, all aspects of financial assistance awards under this section.

"(4) USE OF RESOURCES.—In furtherance of the purposes of the Program, the Secretary may use, with the consent of a covered entity and with or without reimbursement, the land, services, equipment, personnel, and facilities of such covered entity.

"(5) ACCEPTANCE OF RESOURCES.—In addition to amounts appropriated to carry out the Program, the Secretary may accept funds, services, equipment, personnel, and facilities from any covered entity to carry out the Program, subject to the same conditions and constraints otherwise applicable to the

Secretary under this section and such funds may only be obligated to the extent provided for in advance by appropriations Acts.

"(6) COVERED ENTITY.—For purposes of this subsection, a covered entity is any Federal department, Federal agency, instrumentality of the United States, State, local government, tribal government, territory, or possession of the United States, or of any political subdivision thereof, or international organization, or any public or private entity or individual.

"(i) PATENTS.—Chapter 18 of title 35, United States Code, shall apply to any funding agreement (as defined in section 201 of that title) awarded to new or existing centers for manufacturing innovation.".

SEC. 704. NATIONAL STRATEGIC PLAN FOR ADVANCED MANUFACTURING.

Section 102 of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6622) is amended—

(1) in subsection (a), by adding at the end the following: "In furtherance of the Committee's work, the Committee shall consult with the National Economic Council.";

(2) in subsection (b), by striking paragraph (7) and inserting the following:

"(7) develop and update a national strategic plan for advanced manufacturing in accordance with subsection (c).";

and

(3) by striking subsection (c) and inserting the following:

"(c) NATIONAL STRATEGIC PLAN FOR ADVANCED MANUFACTURING.—

"(1) IN GENERAL.—The President shall submit to Congress, and publish on an Internet website that is accessible to the public, the strategic plan developed under paragraph (2).

"(2) DEVELOPMENT.—The Committee shall develop, and update as required under paragraph (4), in coordination with the National Economic Council, a strategic plan to improve Government coordination and provide long-term guidance for Federal programs and activities in support of United States manufacturing competitiveness, including advanced manufacturing research and development.

"(3) CONTENTS.—The strategic plan described in paragraph (2) shall—

"(A) specify and prioritize near-term and long-term objectives, including research and development objectives, the anticipated time frame for achieving the objectives, and the metrics for use in assessing progress toward the objectives;

"(B) describe the progress made in achieving the objectives from prior strategic plans, including a discussion of why specific objectives were not met;

"(C) specify the role, including the programs and activities, of each relevant Federal agency in meeting the objectives of the strategic plan;

"(D) describe how the Federal agencies and Federally funded research and development centers supporting advanced manufacturing research and development will foster the transfer of research and development results into new manufacturing technologies and United States-

based manufacturing of new products and processes for the benefit of society to ensure national, energy, and economic security;

"(E) describe how such Federal agencies and centers will strengthen all levels of manufacturing education and training programs to ensure an adequate, well-trained workforce;

"(F) describe how such Federal agencies and centers will assist small and medium-sized manufacturers in developing and implementing new products and processes;

"(G) analyze factors that impact innovation and competitiveness for United States advanced manufacturing, including—

"(i) technology transfer and commercialization activities;

"(ii) the adequacy of the national security industrial base;

"(iii) the capabilities of the domestic manufacturing workforce;

"(iv) export opportunities and trade policies;

"(v) financing, investment, and taxation policies and practices;

"(vi) emerging technologies and markets;

"(vii) advanced manufacturing research and development undertaken by competing nations; and

"(viii) the capabilities of the manufacturing workforce of competing nations; and

"(H) elicit and consider the recommendations of a wide range of stakeholders, including representatives from diverse manufacturing companies, academia, and other relevant organizations and institutions.

"(4) UPDATES.—Not later than May 1, 2018, and not less frequently than once every 4 years thereafter, the President shall submit to Congress, and publish on an Internet website that is accessible to the public, an update of the strategic plan submitted under paragraph (1). Such updates shall be developed in accordance with the procedures set forth under this subsection.

"(5) REQUIREMENT TO CONSIDER STRATEGY IN THE BUDGET.—In preparing the budget for a fiscal year under section 1105(a) of title 31, United States Code, the President shall include information regarding the consistency of the budget with the goals and recommendations included in the strategic plan developed under this subsection applying to that fiscal year.

"(6) AMP STEERING COMMITTEE INPUT.—The Advanced Manufacturing Partnership Steering Committee of the President's Council of Advisors on Science and Technology shall provide input, perspective, and recommendations to assist in the development and updates of the strategic plan under this subsection.".

SEC. 705. REGIONAL INNOVATION PROGRAM.

Section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722) is amended to read as follows:

"SEC. 27. REGIONAL INNOVATION PROGRAM.

"(a) ESTABLISHMENT.—The Secretary shall establish a regional innovation program to encourage and support the development of regional innovation strategies, including regional innovation clusters.

"(b) CLUSTER GRANTS.—

"(1) IN GENERAL.—As part of the program established under subsection (a), the Secretary may award grants on a competitive basis to eligible recipients for activities relating to the formation and development of regional innovation clusters.

"(2) PERMISSIBLE ACTIVITIES.—Grants awarded under this subsection may be used for activities determined appropriate by the Secretary, including the following:

"(A) Feasibility studies.

"(B) Planning activities.

"(C) Technical assistance.

"(D) Developing or strengthening communication and collaboration between and among participants of a regional innovation cluster.

"(E) Attracting additional participants to a regional innovation cluster.

"(F) Facilitating market development of products and services developed by a regional innovation cluster, including through demonstration, deployment, technology transfer, and commercialization activities.

"(G) Developing relationships between a regional innovation cluster and entities or clusters in other regions.

"(H) Interacting with the public and State and local governments to meet the goals of the cluster.

"(3) ELIGIBLE RECIPIENT DEFINED.—In this subsection, the term 'eligible recipient' means—

"(A) a State;

"(B) an Indian tribe;

"(C) a city or other political subdivision of a State;

"(D) an entity that—

"(i) is a nonprofit organization, an institution of higher education, a public-private partnership, a science or research park, a Federal laboratory, or an economic development organization or similar entity; and

"(ii) has an application that is supported by a State or a political subdivision of a State; or

"(E) a consortium of any of the entities described in subparagraphs (A) through (D).

"(4) APPLICATION.—

"(A) IN GENERAL.—An eligible recipient shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

"(B) COMPONENTS.—The application shall include, at a minimum, a description of the regional innovation cluster supported by the proposed activity, including a description of—

"(i) whether the regional innovation cluster is supported by the private sector, State and local governments, and other relevant stakeholders;

"(ii) how the existing participants in the regional innovation cluster will encourage and solicit participation by all types of entities that might benefit from participation, including newly formed entities and those rival existing participants;

"(iii) the extent to which the regional innovation cluster is likely to stimulate innovation and have a positive impact on regional economic growth and development;

"(iv) whether the participants in the regional innovation cluster have access to, or contribute to, a well-trained workforce;

"(v) whether the participants in the regional innovation cluster are capable of attracting additional funds from non-Federal sources; and

"(vi) the likelihood that the participants in the regional innovation cluster will be able to sustain activities once grant funds under this subsection have been expended.

"(C) SPECIAL CONSIDERATION.—The Secretary shall give special consideration to applications from regions that contain communities negatively impacted by trade.

"(5) SPECIAL CONSIDERATION.—The Secretary shall give special consideration to an eligible recipient who agrees to collaborate with local workforce investment area boards.

"(6) COST SHARE.—The Secretary may not provide more than 50 percent of the total cost of any activity funded under this subsection.

"(7) OUTREACH TO RURAL COMMUNITIES.—The Secretary shall conduct outreach to public and private sector entities in rural communities to encourage those entities to participate in regional innovation cluster activities under this subsection.

"(8) FUNDING.—The Secretary may accept funds from other Federal agencies to support grants and activities under this subsection.

"(c) REGIONAL INNOVATION RESEARCH AND INFORMATION PROGRAM.—

"(1) IN GENERAL.—As part of the program established under subsection (a), the Secretary shall establish a regional innovation research and information program—

"(A) to gather, analyze, and disseminate information on best practices for regional innovation strategies (including regional innovation clusters), including information relating to how innovation, productivity, and economic development can be maximized through such strategies;

"(B) to provide technical assistance, including through the development of technical assistance guides, for the development and implementation of regional innovation strategies (including regional innovation clusters);

"(C) to support the development of relevant metrics and measurement standards to evaluate regional innovation strategies (including regional innovation clusters), including the extent to which such strategies stimulate innovation, productivity, and economic development; and

"(D) to collect and make available data on regional innovation cluster activity in the United States, including data on—

"(i) the size, specialization, and competitiveness of regional innovation clusters;

"(ii) the regional domestic product contribution, total jobs and earnings by key occupations, establishment size, nature of specialization, patents, Federal research and development spending, and other relevant information for regional innovation clusters; and

"(iii) supply chain product and service flows within and between regional innovation clusters.

"(2) RESEARCH GRANTS.—The Secretary may award research grants on a competitive basis to support and further the goals of the program established under this subsection.

"(3) DISSEMINATION OF INFORMATION.—Data and analysis compiled by the Secretary under the program established in this subsection shall be made available to other Federal agencies, State and local governments, and nonprofit and for-profit entities.

"(4) REGIONAL INNOVATION GRANT PROGRAM.—The Secretary shall incorporate data and analysis relating to any grant under subsection (b) into the program established under this subsection.

"(d) INTERAGENCY COORDINATION.—

"(1) IN GENERAL.—To the maximum extent practicable, the Secretary shall ensure that the activities carried out under this section are coordinated with, and do not duplicate the efforts of, other programs at the Department of Commerce or other Federal agencies.

"(2) COLLABORATION.—

"(A) IN GENERAL.—The Secretary shall explore and pursue collaboration with other Federal agencies, including through multiagency funding opportunities, on regional innovation strategies.

"(B) SMALL BUSINESSES.—The Secretary shall ensure that such collaboration with Federal agencies prioritizes the needs and challenges of small businesses.

"(e) EVALUATION.—

"(1) IN GENERAL.—Not later than 3 years after the date of enactment of the Revitalize American Manufacturing and Innovation Act of 2014, the Secretary shall enter into a contract with an independent entity, such as the National Academy of Sciences, to conduct an evaluation of the program established under subsection (a).

"(2) REQUIREMENTS.—The evaluation shall include—

"(A) whether the program is achieving its goals;

"(B) any recommendations for how the program may be improved; and

"(C) a recommendation as to whether the program should be continued or terminated.

"(f) DEFINITIONS.—In this section:

"(1) REGIONAL INNOVATION CLUSTER.—The term 'regional innovation cluster' means a geographically bounded network of similar, synergistic, or complementary entities that—

"(A) are engaged in or with a particular industry sector and its related sectors;

"(B) have active channels for business transactions and communication;

"(C) share specialized infrastructure, labor markets, and services; and

"(D) leverage the region's unique competitive strengths to stimulate innovation and create jobs.

"(2) STATE.—The term 'State' means one of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States.

"(g) FUNDING.—

"(1) GENERAL RULE.—Except as provided in paragraph (2), no funds are authorized to be appropriated by the Revitalize American Manufacturing and Innovation Act of 2014 for carrying out this section.

"(2) AUTHORITY.—To the extent provided for in advance by appropriations Acts, the Secretary may use not to exceed $10,000,000 for each of the fiscal years 2015 through 2019 to carry out this section from amounts appropriated for economic development assistance programs.".

This division may be cited as the "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2015".

Department of Defense Appropriations Act, 2015.

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2015

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $41,116,129,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $27,453,200,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,828,931,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $27,376,462,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,317,859,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,835,924,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified

in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $660,424,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,653,148,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $7,643,832,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,118,709,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law, $31,961,920,000: *Provided*, That not to exceed $12,478,000 can be

used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law, $37,590,854,000: *Provided*, That not to exceed $15,055,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,610,063,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law, $34,539,965,000: *Provided*, That not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $30,824,752,000: *Provided*, That not more than $15,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $35,045,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $8,881,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may

be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,513,393,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,021,200,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $270,846,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,026,342,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in

compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $6,175,951,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $6,408,558,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $13,723,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $201,560,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $277,294,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste,

removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $408,716,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $8,547,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $250,853,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $103,000,000, to remain available until September 30, 2016.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components, and weapons technology and expertise, and for defense and military contacts, $365,108,000, to remain available until September 30, 2017.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $83,034,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $5,216,225,000, to remain available for obligation until September 30, 2017.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,208,692,000, to remain available for obligation until September 30, 2017.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,722,136,000, to remain available for obligation until September 30, 2017.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired,

and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,015,477,000, to remain available for obligation until September 30, 2017.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $4,747,523,000, to remain available for obligation until September 30, 2017.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $14,758,035,000, to remain available for obligation until September 30, 2017.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,137,257,000, to remain available for obligation until September 30, 2017.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United

States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $674,100,000, to remain available for obligation until September 30, 2017.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $1,219,425,000;
Virginia Class Submarine, $3,530,254,000;
Virginia Class Submarine (AP), $2,301,825,000;
CVN Refueling Overhauls (AP), $483,600,000;
DDG–1000 Program, $419,532,000;
DDG–51 Destroyer, $2,661,907,000;
DDG–51 Destroyer (AP), $134,039,000;
Littoral Combat Ship, $1,507,049,000;
LPD–17, $1,000,000,000;
LHA Replacement, $29,093,000;
Joint High Speed Vessel, $200,000,000;
Moored Training Ship, $737,268,000;
Moored Training Ship (AP), $64,388,000;
Ship to Shore Connector, $159,600,000;
LCAC Service Life Extension Program, $40,485,000; and
For outfitting, post delivery, conversions, and first destination transportation, $474,629,000.
Completion of Prior Year Shipbuilding Programs, $991,285,000.

In all: $15,954,379,000, to remain available for obligation until September 30, 2019: *Provided*, That additional obligations may be incurred after September 30, 2019, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for

replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $5,846,558,000, to remain available for obligation until September 30, 2017.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $935,209,000, to remain available for obligation until September 30, 2017.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $12,067,703,000, to remain available for obligation until September 30, 2017.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $4,629,662,000, to remain available for obligation until September 30, 2017.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and

training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $659,909,000, to remain available for obligation until September 30, 2017.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $16,781,266,000, to remain available for obligation until September 30, 2017.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,429,303,000, to remain available for obligation until September 30, 2017.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $51,638,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment,

$6,675,565,000, to remain available for obligation until September 30, 2016.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $15,958,460,000, to remain available for obligation until September 30, 2016: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $23,643,983,000, to remain available for obligation until September 30, 2016.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $17,225,889,000, to remain available for obligation until September 30, 2016: *Provided*, That of the funds made available in this paragraph, $225,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: *Provided further,* That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in

connection therewith, $209,378,000, to remain available for obligation until September 30, 2016.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,649,468,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $485,012,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That none of the funds provided in this paragraph shall be used to award a new contract for the construction, acquisition, or conversion of vessels, including procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $32,069,772,000; of which $30,030,650,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available for obligation until September 30, 2016, and of which up to $14,718,018,000 may be available for contracts entered into under the TRICARE program; of which $308,413,000, to remain available for obligation until September 30, 2017, shall be for procurement; and of which $1,730,709,000, to remain available for

obligation until September 30, 2016, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: *Provided further*, That of the funds provided under this heading for operation and maintenance, procurement, and research, development, test and evaluation for the Interagency Program Office, the Defense Healthcare Management Systems Modernization (DHMSM) program, and the Defense Medical Information Exchange, not more than 25 percent may be obligated until the Secretary of Defense submits to the Government Accountability Office and the Committees on Appropriations of the House of Representatives and the Senate, and such Committees approve, a plan for expenditure that describes: (1) the status of the final request for proposal for DHMSM and how the program office used comments received from industry from draft requests for proposal to refine the final request for proposal; (2) any changes to the deployment timeline, including benchmarks, for full operating capability; (3) any refinements to the cost estimate for full operating capability and the total life cycle cost of the project; (4) an assurance that the acquisition strategy will comply with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (5) the status of the effort to achieve interoperability between the electronic health record systems of the Department of Defense and the Department of Veterans Affairs, including the scope, cost, schedule, mapping to health data standards, and performance benchmarks of the interoperable record; and (6) the progress toward developing, implementing, and fielding the interoperable electronic health record throughout the two Departments' medical facilities.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $802,268,000, of which $196,128,000 shall be for operation and maintenance, of which no less than $52,102,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $21,016,000 for activities on military installations and $31,086,000, to remain available until September 30, 2016, to assist State and local governments; $10,227,000 shall be for procurement, to remain available until September 30, 2017, of which $3,225,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $595,913,000, to remain available until September 30, 2016, shall be for research, development, test and evaluation, of which $575,808,000 shall only be for the Assembled Chemical Weapons Alternatives program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $950,687,000, of which $669,631,000 shall be for counter-narcotics support; $105,591,000 shall be for the drug demand reduction program; and $175,465,000 shall be for the National Guard counter-drug program: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $311,830,000, of which $309,430,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; of which $1,000,000, to remain available until September 30, 2017, shall be for procurement; and of which $1,400,000, to remain available until September 30, 2016, shall be for research, development, test and evaluation.

SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS

For logistical and security support for international sporting competitions (including pay and non-travel related allowances only for members of the Reserve Components of the Armed Forces of the United States called or ordered to active duty in connection with providing such support), $10,000,000, to remain available until expended.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $507,600,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further,* That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey. 10 USC 1584 note.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,500,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this

Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2015: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2015: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*,

That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

10 USC 2306b note.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 30-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2015, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2016 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2016 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2016.

(c) As required by section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2358 note) civilian personnel at the Department of Army Science and Technology Reinvention Laboratories may not be managed on the basis of the Table of Distribution and Allowances, and the management of the workforce strength shall be done in a manner consistent with the budget available with respect to such Laboratories.

(d) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment:

Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term "manufactured" shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8017. In addition to amounts provided elsewhere in this Act, there is appropriated $175,000,000, for an additional amount for "Operation and Maintenance, Defense-Wide", to remain available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: *Provided further*, That a matching share, as outlined by the Department of Defense in the guidelines published in the September 9, 2011,

Federal Register (76 Fed. Reg. 55883), is required to be provided by the local education authority or the State in which the school is located: *Provided further*, That these provisions apply to funds provided under this section, and to funds previously provided by Congress to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools to the extent such funds remain unobligated on the date of enactment of this section.

SEC. 8018. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable, unsuitable, or unsafe for further use.

SEC. 8019. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8020. Of the funds made available in this Act, $15,000,000 shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8021. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8022. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of

Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8023. (a) Of the funds made available in this Act, not less than $39,500,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $27,400,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities, and drug demand reduction activities involving youth programs;

(2) $10,400,000 shall be available from "Aircraft Procurement, Air Force"; and

(3) $1,700,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8024. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2015 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2015, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2016 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $40,000,000.

SEC. 8025. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

10 USC 2731 note.

SEC. 8026. For the purposes of this Act, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8027. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

41 USC 8304 note.

SEC. 8028. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2015. Such report shall separately indicate the dollar value of items for which the Buy American

Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 8029. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8030. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8031. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8032. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2016 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2016 Department of Defense budget

shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2016 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8033. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2016: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947 (50 U.S.C. 3093) shall remain available until September 30, 2016.

50 USC 3521 note.

SEC. 8034. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8035. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8036. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8037. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8038. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and the Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats;

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense; or

(4) an Air Force field operating agency established to administer the Air Force Mortuary Affairs Program and Mortuary Operations for the Department of Defense and authorized Federal entities.

SEC. 8039. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

"Aircraft Procurement, Army", 2013/2015, $18,242,000;

"Weapons and Tracked Combat Vehicles, Army", 2013/2015, $5,000,000;

"Other Procurement, Army", 2013/2015, $97,000,000;

"Aircraft Procurement, Navy", 2013/2015, $47,200,000;

"Procurement, Marine Corps", 2013/2015, $40,217,000;

"Aircraft Procurement, Air Force", 2013/2015, $64,600,000;

"Missile Procurement, Air Force", 2013/2015, $13,800,000;

"Aircraft Procurement, Army", 2014/2016, $30,000,000;

"Other Procurement, Army", 2014/2016, $213,998,000;

"Aircraft Procurement, Navy", 2014/2016, $196,622,000;

"Weapons Procurement, Navy", 2014/2016, $63,400,000;

"Other Procurement, Navy", 2014/2016, $1,505,000;

"Aircraft Procurement, Air Force", 2014/2016, $83,400,000;

"Missile Procurement, Air Force", 2014/2016, $157,209,000;

"Procurement, Defense-Wide", 2014/2016, $12,100,000;

"Research, Development, Test and Evaluation Army", 2014/2015, $5,000,000;

"Research, Development, Test and Evaluation, Air Force", 2014/2015, $37,000,000; and

"Research, Development, Test and Evaluation, Navy", 2014/2015, $141,727,000.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. Of the amounts appropriated for "Working Capital Fund, Army", $225,000,000 shall be available to maintain competitive rates at the arsenals.

10 USC 374 note.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

50 USC 3506 note.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of "commercial items", as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $44,000,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, the Secretary shall make grants in the amounts specified as follows: $20,000,000 to the United Service Organizations and $24,000,000 to the Red Cross.

SEC. 8048. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8049. Notwithstanding any other provision in this Act, the Small Business Innovation Research program and the Small Business Technology Transfer program set-asides shall be taken proportionally from all programs, projects, or activities to the extent they contribute to the extramural budget.

22 USC 2323.

SEC. 8050. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year and hereafter may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8051. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8052. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8053. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8054. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8055. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8056. Of the funds appropriated in this Act under the heading "Operation and Maintenance, Defense-wide", $25,000,000 shall be for continued implementation and expansion of the Sexual Assault Special Victims' Counsel Program, and $5,709,000 shall be for support of high priority Sexual Assault Prevention and Response Program requirements and activities, including the training and funding of personnel: *Provided*, That the funds are made available for transfer to the Department of the Army, the Department of the Navy, and the Department of the Air Force: *Provided further*, That funds transferred shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority provided in this Act.

SEC. 8057. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military

forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8058. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8059. (a) IN GENERAL.—(1) None of the funds made available by this Act may be used for any training, equipment, or other assistance for a unit of a foreign security force if the Secretary of Defense has credible information that the unit has committed a gross violation of human rights.

(2) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to provide any training, equipment, or other assistance to a unit of a foreign security force full consideration is given to any credible information available to the Department of State relating to human rights violations by such unit.

(b) EXCEPTION.—The prohibition in subsection (a)(1) shall not apply if the Secretary of Defense, after consultation with the Secretary of State, determines that the government of such country has taken all necessary corrective steps, or if the equipment or other assistance is necessary to assist in disaster relief operations or other humanitarian or national security emergencies.

(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a)(1) if the Secretary of Defense determines that such waiver is required by extraordinary circumstances.

(d) PROCEDURES.—The Secretary of Defense shall establish, and periodically update, procedures to ensure that any information in the possession of the Department of Defense about gross violations of human rights by units of foreign security forces is shared on a timely basis with the Department of State.

(e) REPORT.—Not more than 15 days after the application of any exception under subsection (b) or the exercise of any waiver under subsection (c), the Secretary of Defense shall submit to the appropriate congressional committees a report—

(1) in the case of an exception under subsection (b), providing notice of the use of the exception and stating the grounds for the exception; and

(2) in the case of a waiver under subsection (c), describing the information relating to the gross violation of human rights; the extraordinary circumstances that necessitate the waiver; the purpose and duration of the training, equipment, or other assistance; and the United States forces and the foreign security force unit involved.

(f) DEFINITION.—For purposes of this section the term "appropriate congressional committees" means the congressional defense committees and the Committees on Appropriations.

SEC. 8060. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8061. Notwithstanding any other provision of law, funds appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8062. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

10 USC 2241 note.

SEC. 8063. During the current fiscal year and hereafter, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on

Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8064. Notwithstanding section 12310(b) of title 10, United States Code, a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8065. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary tracer (API–T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8066. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8067. In specifying the amounts requested for the Department of the Army for Arlington National Cemetery, Virginia, the budget of the President submitted to Congress shall request such amounts in the Cemeterial Expenses, Army appropriation, and shall not request such amounts in the Operation and Maintenance, Army appropriation.

SEC. 8068. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", $106,189,900 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8070. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

(1) the appropriations account structure for the National Intelligence Program budget, including through the creation of a new appropriation or new appropriation account;

(2) how the National Intelligence Program budget request is presented in the unclassified P–1, R–1, and O–1 documents supporting the Department of Defense budget request;

(3) the process by which the National Intelligence Program appropriations are apportioned to the executing agencies; or

(4) the process by which the National Intelligence Program appropriations are allotted, obligated and disbursed.

(b) Nothing in section (a) shall be construed to prohibit the merger of programs or changes to the National Intelligence Program budget at or below the Expenditure Center level, provided such change is otherwise in accordance with paragraphs (a)(1)–(3).

(c) The Director of National Intelligence and the Secretary of Defense may jointly, only for the purposes of achieving auditable financial statements and improving fiscal reporting, study and develop detailed proposals for alternative financial management processes. Such study shall include a comprehensive counterintelligence risk assessment to ensure that none of the alternative processes will adversely affect counterintelligence.

(d) Upon development of the detailed proposals defined under subsection (c), the Director of National Intelligence and the Secretary of Defense shall—

(1) provide the proposed alternatives to all affected agencies;

(2) receive certification from all affected agencies attesting that the proposed alternatives will help achieve auditability, improve fiscal reporting, and will not adversely affect counterintelligence; and

(3) not later than 30 days after receiving all necessary certifications under paragraph (2), present the proposed alternatives and certifications to the congressional defense and intelligence committees.

(e) This section shall not be construed to alter or affect the application of section 1627 of the National Defense Authorization Act for Fiscal Year 2015 to the amounts made available by this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. During the current fiscal year, not to exceed $200,000,000 from funds available under "Operation and Maintenance, Defense-Wide" may be transferred to the Department of State "Global Security Contingency Fund": *Provided,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of Defense shall, not fewer than 30 days prior to making transfers to the Department of State "Global Security Contingency Fund", notify the congressional defense committees in writing with the source of funds and a detailed justification, execution plan, and timeline for each proposed project.

SEC. 8072. In addition to amounts provided elsewhere in this Act, $4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

10 USC 2484 note.

SEC. 8073. The Secretary of Defense shall issue regulations to prohibit the sale of any tobacco or tobacco-related products in military resale outlets in the United States, its territories and possessions at a price below the most competitive price in the local community: *Provided,* That such regulations shall direct that the prices of tobacco or tobacco-related products in overseas military retail outlets shall be within the range of prices established for military retail system stores located in the United States.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8074. Of the amounts appropriated in this Act under the headings "Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide", $619,814,000 shall be for the Israeli Cooperative Programs: *Provided,* That of this amount, $350,972,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, subject to the U.S.-Israel Iron Dome Procurement Agreement, as amended; $137,934,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which $15,000,000 shall be for production activities of SRBMD missiles in the United States and in Israel to meet Israel's defense requirements consistent with each nation's laws, regulations, and procedures; $74,707,000 shall be for an upper-tier component to the Israeli Missile Defense Architecture; and $56,201,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: *Provided further,* That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further,* That

the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8075. Of the amounts appropriated in this Act under the heading "Shipbuilding and Conversion, Navy", $991,285,000 shall be available until September 30, 2015, to fund prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading "Shipbuilding and Conversion, Navy", 2008/2015: Carrier Replacement Program $663,000,000;

(2) Under the heading "Shipbuilding and Conversion, Navy", 2009/2015: LPD–17 Amphibious Transport Dock Program $54,096,000;

(3) Under the heading "Shipbuilding and Conversion, Navy", 2010/2015: DDG–51 Destroyer $65,771,000;

(4) Under the heading "Shipbuilding and Conversion, Navy", 2010/2015: Littoral Combat Ship $35,345,000;

(5) Under the heading "Shipbuilding and Conversion, Navy", 2011/2015: DDG–51 Destroyer $63,373,000;

(6) Under the heading "Shipbuilding and Conversion, Navy", 2011/2015: Littoral Combat Ship $41,700,000;

(7) Under the heading "Shipbuilding and Conversion, Navy", 2011/2015: Joint High Speed Vessel $9,340,000;

(8) Under the heading "Shipbuilding and Conversion, Navy", 2012/2015: CVN Refueling Overhauls Program $54,000,000;

(9) Under the heading "Shipbuilding and Conversion, Navy", 2012/2015: Joint High Speed Vessel $2,620,000; and

(10) Under the heading "Shipbuilding and Conversion, Navy", 2013/2015: Joint High Speed Vessel $2,040,000.

SEC. 8076. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2015 until the enactment of the Intelligence Authorization Act for Fiscal Year 2015.

SEC. 8077. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

10 USC 221 note.

SEC. 8078. The budget of the President for fiscal year 2016 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, the Procurement accounts, and the Research, Development, Test and Evaluation accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military

service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8079. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8080. Notwithstanding any other provision of this Act, to reflect savings due to favorable foreign exchange rates, the total amount appropriated in this Act is hereby reduced by $386,268,000.

SEC. 8081. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8082. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8083. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

SEC. 8084. Of the amounts appropriated for "Missile Procurement, Air Force", $125,000,000 shall be available for the acceleration of a competitively awarded Evolved Expendable Launch Vehicle mission: *Provided*, That competitions shall be open to all certified providers of Evolved Expendable Launch Vehicle-class systems: *Provided further*, That competitions shall consider bids from two or more certified providers: *Provided further*, That notwithstanding any other provision of law, such providers may compete any certified launch vehicle in their inventory.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8085. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed $16,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further,* That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8086. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8087. Up to $15,000,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8088. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2016.

SEC. 8089. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8090. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2015: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8091. None of the funds made available by this Act may be used to eliminate, restructure or realign Army Contracting Command–New Jersey or make disproportionate personnel reductions at any Army Contracting Command–New Jersey sites without 30-day prior notification to the congressional defense committees.

SEC. 8092. None of the funds made available by this Act for excess defense articles, assistance under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), or peacekeeping operations for the countries designated annually to be in violation of the standards of the Child Soldiers Prevention Act of 2008 may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1), unless such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8093. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $20,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8094. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of $10,000,000 or more;

(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations,

unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) or the National Security Act of 1947 (50 U.S.C. 3024(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

50 USC 3103 note.

SEC. 8095. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8096. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

10 USC 127a note.

SEC. 8097. The Department of Defense shall continue to report incremental contingency operations costs for Operation Inherent Resolve, Operation Enduring Freedom, and any named successor operations, on a monthly basis and any other operation designated and identified by the Secretary of Defense for the purposes of section 127a of title 10, United States Code, on a semi-annual basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8099. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances and transfer to the Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 8100. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8101. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security

interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8102. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to $146,857,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided,* That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: *Provided further,* That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8103. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex.

10 USC 2241 note.

SEC. 8104. None of the funds appropriated or otherwise made available by this Act and hereafter may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8105. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 8106. None of the funds appropriated or otherwise made available by this Act or any other Act may be used by the Department of Defense or a component thereof in contravention of section 1243 of the National Defense Authorization Act for Fiscal Year 2015, relating to limitations on providing certain missile defense information to the Russian Federation.

SEC. 8107. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 3,000 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: *Provided*, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway

Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

SEC. 8108. The Secretary of Defense shall report quarterly the numbers of civilian personnel end strength by appropriation account for each and every appropriation account used to finance Federal civilian personnel salaries to the congressional defense committees within 15 days after the end of each fiscal quarter.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8109. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed $2,000,000,000 of the funds made available in this Act for the National Intelligence Program: *Provided,* That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further,* That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2015.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8110. There is appropriated $540,000,000 for the "Ship Modernization, Operations and Sustainment Fund", to remain available until September 30, 2021: *Provided*, That the Secretary of the Navy shall transfer funds from the "Ship Modernization, Operations and Sustainment Fund" to appropriations for operation and maintenance; research, development, test and evaluation; and procurement, only for the purposes of operating, sustaining, equipping and modernizing the Ticonderoga-class guided missile cruisers CG–63, CG–64, CG–65, CG–66, CG–67, CG–68, CG–69, CG–70, CG–71, CG–72, CG–73, and the Whidbey Island-class dock landing ships LSD–41, LSD–42, and LSD–46: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred: *Provided further*, That the transfer authority provided herein shall be in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Navy shall, not less than 30 days prior to making any transfer from the "Ship Modernization, Operations and Sustainment Fund", notify the congressional defense committees in writing of the details of such transfer: *Provided further*, That the Secretary of the Navy shall transfer and obligate funds from the "Ship Modernization, Operations and Sustainment Fund" for modernization of not more than two Ticonderoga-class guided missile cruisers as detailed above in fiscal year 2015: *Provided further*, That no more than six Ticonderoga-class guided missile cruisers shall be in a phased modernization at any time: *Provided further*, That the Secretary of the Navy shall contract for the

required modernization equipment in the year prior to inducting a Ticonderoga-class cruiser for modernization: *Provided further*, That the prohibition in section 2244a(a) of title 10, United States Code, shall not apply to the use of any funds transferred pursuant to this section.

SEC. 8111. None of the funds appropriated in this Act may be obligated or expended by the Secretary of a military department in contravention of the provisions of section 352 of the National Defense Authorization Act for Fiscal Year 2014 to adopt any new camouflage pattern design or uniform fabric for any combat or camouflage utility uniform or family of uniforms for use by an Armed Force.

SEC. 8112. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantánamo Bay, Cuba, by the Department of Defense.

SEC. 8113. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8114. None of the funds appropriated or otherwise made available in this Act may be used to transfer any individual detained at United States Naval Station Guantánamo Bay, Cuba, to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity except in accordance with section 1035 of the National Defense Authorization Act for Fiscal Year 2014.

SEC. 8115. None of the funds made available by this Act may be used in contravention of section 1590 or 1591 of title 18, United States Code, or in contravention of the requirements of section 106(g) or (h) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g) or (h)).

SEC. 8116. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8117. None of the funds made available by this Act may be used by the Department of Defense or any other Federal agency to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

SEC. 8118. (a) None of the funds appropriated or otherwise made available by this or any other Act may be used by the Secretary of Defense, or any other official or officer of the Department of Defense, to enter into a contract, memorandum of understanding, or cooperative agreement with, or make a grant to, or provide a loan or loan guarantee to Rosoboronexport or any subsidiary of Rosoboronexport.

(b) The Secretary of Defense may waive the limitation in subsection (a) if the Secretary, in consultation with the Secretary of State and the Director of National Intelligence, determines that it is in the vital national security interest of the United States to do so, and certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge:

(1) Rosoboronexport has ceased the transfer of lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic;

(2) The armed forces of the Russian Federation have withdrawn from Crimea, other than armed forces present on military bases subject to agreements in force between the Government of the Russian Federation and the Government of Ukraine; and

(3) Agents of the Russian Federation have ceased taking active measures to destabilize the control of the Government of Ukraine over eastern Ukraine.

(c) The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronexport with respect to a waiver issued by the Secretary of Defense pursuant to subsection (b), and not later than 90 days after the date on which such a waiver is issued by the Secretary of Defense, the Inspector General shall submit to the congressional defense committees a report containing the results of the review conducted with respect to such waiver.

SEC. 8119. None of the funds made available in this Act may be used for the purchase or manufacture of a flag of the United States unless such flags are treated as covered items under section 2533a(b) of title 10, United States Code.

SEC. 8120. None of the funds appropriated in this or any other Act may be obligated or expended by the United States Government for the direct personal benefit of the President of Afghanistan.

SEC. 8121. (a) Of the funds appropriated in this Act for the Department of Defense, amounts may be made available, under such regulations as the Secretary may prescribe, to local military commanders appointed by the Secretary of Defense, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) of this section for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

10 USC 2731 note.

(b) An ex gratia payment under this section may be provided only if—

(1) the prospective foreign civilian recipient is determined by the local military commander to be friendly to the United States;

(2) a claim for damages would not be compensable under chapter 163 of title 10, United States Code (commonly known as the "Foreign Claims Act"); and

(3) the property damage, personal injury, or death was not caused by action by an enemy.

(c) NATURE OF PAYMENTS.—Any payments provided under a program under subsection (a) shall not be considered an admission or acknowledgement of any legal obligation to compensate for any damage, personal injury, or death.

(d) AMOUNT OF PAYMENTS.—If the Secretary of Defense determines a program under subsection (a) to be appropriate in a particular setting, the amounts of payments, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment, which should include such factors as cultural appropriateness and prevailing economic conditions.

(e) LEGAL ADVICE.—Local military commanders shall receive legal advice before making ex gratia payments under this subsection. The legal advisor, under regulations of the Department of Defense, shall advise on whether an ex gratia payment is proper under this section and applicable Department of Defense regulations.

(f) WRITTEN RECORD.—A written record of any ex gratia payment offered or denied shall be kept by the local commander and on a timely basis submitted to the appropriate office in the Department of Defense as determined by the Secretary of Defense.

(g) REPORT.—The Secretary of Defense shall report to the congressional defense committees on an annual basis the efficacy of the ex gratia payment program including the number of types of cases considered, amounts offered, the response from ex gratia payment recipients, and any recommended modifications to the program.

(h) LIMITATION.—Nothing in this section shall be deemed to provide any new authority to the Secretary of Defense.

SEC. 8122. None of the funds available in this Act to the Department of Defense, other than appropriations made for necessary or routine refurbishments, upgrades or maintenance activities, shall be used to reduce or to prepare to reduce the number of deployed and non-deployed strategic delivery vehicles and launchers below the levels set forth in the report submitted to Congress in accordance with section 1042 of the National Defense Authorization Act for Fiscal Year 2012.

SEC. 8123. The Secretary of Defense shall post grant awards on a public Web site in a searchable format.

SEC. 8124. None of the funds made available by this Act may be used to cancel the avionics modernization program of record for C–130 aircraft: *Provided*, That the Secretary of the Air Force may proceed with a reduced scope program to address safety and airspace compliance requirements, using funds provided in this bill and previous funds appropriated for the avionics modernization

program of record, consistent with the National Defense Authorization Act for Fiscal Year 2015.

SEC. 8125. None of the funds made available by this Act may be used by the Secretary of the Air Force to reduce the force structure at Lajes Field, Azores, Portugal, below the force structure at such Air Force Base as of October 1, 2013, except in accordance with section 1063 of the National Defense Authorization Act for Fiscal Year 2015.

SEC. 8126. None of the Operation and Maintenance funds made available in this Act may be used in contravention of section 41106 of title 49, United States Code.

SEC. 8127. None of the funds made available by this Act may be used to fund the performance of a flight demonstration team at a location outside of the United States: *Provided*, That this prohibition applies only if a performance of a flight demonstration team at a location within the United States was canceled during the current fiscal year due to insufficient funding.

SEC. 8128. None of the funds made available by this Act may be used by the National Security Agency to—

(1) conduct an acquisition pursuant to section 702 of the Foreign Intelligence Surveillance Act of 1978 for the purpose of targeting a United States person; or

(2) acquire, monitor, or store the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication of a United States person from a provider of electronic communication services to the public pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8129. Of the amounts appropriated for "Operation and Maintenance, Navy", up to $1,000,000 shall be available for transfer to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105).

(INCLUDING TRANSFER OF FUNDS)

SEC. 8130. In addition to amounts provided elsewhere in this Act for basic allowance for housing for military personnel, including active duty, reserve and National Guard personnel, $88,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to military personnel accounts: *Provided*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

SEC. 8131. None of the funds made available by this Act may be obligated or expended to divest E–3 airborne warning and control system aircraft, or disestablish any units of the active or reserve component associated with such aircraft: *Provided*, That not later than 90 days following the date of enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report providing a detailed explanation of how the Secretary will meet the priority requirements of the commanders of the combatant commands related to airborne warning and control with a fleet of fewer than 31 E–3 aircraft.

SEC. 8132. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 8133. None of the funds made available by this Act may be used to transfer or divest AH–64 Apache helicopters from the Army National Guard to the active Army in fiscal year 2015: *Provided*, That the Secretary of the Army shall ensure the continuing readiness of the AH–64 Apache aircraft and ensure the training of the crews of such aircraft during fiscal year 2015, including the allocation of funds for operation and maintenance and personnel connected with such aircraft: *Provided further*, That this section shall continue in effect through the date of enactment of the National Defense Authorization Act for Fiscal Year 2015.

SEC. 8134. None of the funds made available in this Act may be obligated for activities authorized under section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 112–81; 125 Stat. 1621) to initiate support for, or expand support to, foreign forces, irregular forces, groups, or individuals unless the congressional defense committees are notified in accordance with the direction contained in the classified annex accompanying this Act, not less than 15 days before initiating such support: *Provided*, That none of the funds made available in this Act may be used under such section 1208 for any activity that is not in support of an ongoing military operation being conducted by United States Special Operations Forces to combat terrorism: *Provided further*, That the Secretary of Defense may waive the prohibitions in this section if the Secretary determines that such waiver is required by extraordinary circumstances and, by not later than 72 hours after making such waiver, notifies the congressional defense committees of such waiver.

SEC. 8135. (a) Within 90 days of enactment of this Act, the Secretary of Defense shall submit a report to the congressional defense committees to assess whether the justification and approval requirements under section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2405) have, inconsistent with the intent of Congress—

(1) negatively impacted the ability of covered entities to be awarded sole-source contracts with the Department of Defense greater than $20,000,000;

(2) discouraged agencies from awarding contracts greater than $20,000,000 to covered entities; and

(3) been misconstrued and/or inconsistently implemented.

(b) The Comptroller General shall analyze and report to the congressional defense committees on the sufficiency of the Department's report in addressing the requirements; review the extent to which section 811 has negatively impacted the ability of covered entities to be awarded sole-source contracts with the Department, discouraged agencies from awarding contracts, or been misconstrued and/or inconsistently implemented.

SEC. 8136. The Secretary of the Air Force shall designate a facility located on Scott Air Force Base, Illinois, to be named after Senator Alan J. Dixon in recognition of his significant public service achievements.

SEC. 8137. None of the funds in this Act may be used to require that seafood procured for the Department of Defense from sustainably managed fisheries in the United States, as determined

by the National Marine Fisheries Service, be required to additionally meet sustainability certification criteria prescribed by third-party nongovernmental organizations.

SEC. 8138. None of the funds made available by this Act may be used to—

(1) disestablish, or prepare to disestablish, a Senior Reserve Officers' Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or

(2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled "Army Senior Reserve Officers' Training Corps (SROTC) Program Review and Criteria", dated January 27, 2014.

SEC. 8139. None of the funds appropriated or otherwise made available by this Act may be used to retire, divest, or transfer, or to prepare or plan for the retirement, divestment, or transfer of, the entire KC–10 fleet during fiscal year 2015.

SEC. 8140. None of the funds made available by this Act may be used with respect to Iraq in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed forces into hostilities in Iraq, into situations in Iraq where imminent involvement in hostilities is clearly indicated by the circumstances, or into Iraqi territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).

SEC. 8141. None of the funds made available by this Act may be used to divest, retire, transfer, or place in storage, or prepare to divest, retire, transfer, or place in storage, any A–10 aircraft, or to disestablish any units of the active or reserve component associated with such aircraft.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", $3,259,970,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", $332,166,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", $403,311,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", $728,334,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", $24,990,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", $13,953,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", $5,069,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", $19,175,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", $174,778,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", $4,894,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", $18,108,656,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", $6,253,819,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", $1,850,984,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", $10,076,383,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", $6,211,025,000: *Provided*, That of the funds provided under this heading, not to exceed $1,260,000,000, to remain available until September 30, 2016, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military and stability operations in Afghanistan and Iraq: *Provided further*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees:

Provided further, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military and stability operations in Afghanistan and Iraq, and 15 days following notification to the appropriate congressional committees: *Provided further*, That these funds may be used to reimburse the government of Jordan, in such amounts as the Secretary of Defense may determine, to maintain the ability of the Jordanian armed forces to maintain security along the border between Jordan and Syria, upon 15 days prior written notification to the congressional defense committees outlining the amounts reimbursed and the nature of the expenses to be reimbursed: *Provided further*, That not to exceed $15,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That the authority in the preceding proviso may only be used for emergency and extraordinary expenses associated with activities to counter the Islamic State of Iraq and the Levant: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", $41,532,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", $45,876,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", $10,540,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", $77,794,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/

Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", $77,661,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", $22,600,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/ Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", $4,109,333,000, to remain available until September 30, 2016: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further,* That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further,* That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States: *Provided further,* That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the security forces of Afghanistan or transferred to the security forces of Afghanistan and returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further,* That of the funds provided under this heading, not less than $25,000,000

shall be for recruitment and retention of women in the Afghanistan National Security Forces, and the recruitment and training of female security personnel for the 2015 parliamentary elections: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

IRAQ TRAIN AND EQUIP FUND

For the "Iraq Train and Equip Fund", $1,618,000,000, to remain available until September 30, 2016: *Provided*, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, pursuant to section 1236 of the National Defense Authorization Act for Fiscal Year 2015, to provide assistance, including training; equipment; logistics support, supplies, and services; stipends; infrastructure repair, renovation, and sustainment to military and other security forces of or associated with the Government of Iraq, including Kurdish and tribal security forces or other local security forces, with a national security mission, to counter the Islamic State in Iraq and the Levant: *Provided further*, That the Secretary of Defense shall ensure that prior to providing assistance to elements of any forces such elements are appropriately vetted, including at a minimum, assessing such elements for associations with terrorist groups or groups associated with the Government of Iran; and receiving commitments from such elements to promote respect for human rights and the rule of law: *Provided further*, That the Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments, including the Government of Iraq, and other entities, to carry out assistance authorized under this heading: *Provided further*, That contributions of funds for the purposes provided herein from any foreign government or other entities, may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That not more than 25 percent of the funds appropriated under this heading may be obligated or expended until not fewer than 15 days after (1) the Secretary of Defense submits a report to the appropriate congressional committees, describing the plan for the provision of such training and assistance and the forces designated to receive such assistance, and (2) the President submits a report to the appropriate congressional committees on how assistance provided under this heading supports a larger regional strategy: *Provided further*, That of the amount provided under this heading, not more than 60 percent may be obligated or expended until not fewer than 15 days after the date on which the Secretary of Defense certifies to the appropriate congressional committees that an amount equal to not less than 40 percent of the amount provided under this heading has been contributed by other countries and entities for the purposes for which funds are provided under this heading, of which at least 50 percent shall have been contributed or provided by the Government of Iraq: *Provided further*, That the limitation in the preceding proviso shall not apply if the Secretary of Defense determines, in writing, that the national security objectives of the United States will be compromised by the application of the limitation to such assistance, and notifies the appropriate congressional committees not less than 15 days in advance of the exemption taking effect,

including a justification for the Secretary's determination and a description of the assistance to be exempted from the application of such limitation: *Provided further*, That the Secretary of Defense may waive a provision of law relating to the acquisition of items and support services or sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780 and 2785) if the Secretary determines such provisions of law would prohibit, restrict, delay or otherwise limit the provision of such assistance and a notice of and justification for such waiver is submitted to the appropriate congressional committees: *Provided further*, That the term "appropriate congressional committees" under this heading means the "congressional defense committees", the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: *Provided further*, That amounts made available under this heading are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COUNTERTERRORISM PARTNERSHIPS FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Counterterrorism Partnerships Fund", $1,300,000,000, to remain available until September 30, 2016: *Provided*, That such funds shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support, or facilitate counterterrorism and crisis response activities pursuant to section 1534 of the National Defense Authorization Act for Fiscal Year 2015: *Provided further*, That the Secretary of Defense shall transfer the funds provided herein to other appropriations provided for in this Act to be merged with and to be available for the same purposes and subject to the same authorities and for the same time period as the appropriation to which transferred: *Provided further*, That the transfer authority under this heading is in addition to any other transfer authority provided elsewhere in this Act: *Provided further*, That the funds available under this heading are available for transfer only to the extent that the Secretary of Defense submits a prior approval reprogramming request to the congressional defense committees: *Provided further*, That the Secretary of Defense shall comply with the appropriate vetting standards and procedures established elsewhere in this Act for any recipient of training, equipment, or other assistance: *Provided further*, That the amount provided under this heading is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EUROPEAN REASSURANCE INITIATIVE

(INCLUDING TRANSFER OF FUNDS)

For the "European Reassurance Initiative", $175,000,000, to remain available until September 30, 2015: *Provided*, That such funds shall be available under the authority provided to the Department of Defense by any other provision of law, for programs, activities, and assistance to provide support to the Governments of Ukraine, Estonia, Lithuania and Latvia, including the provision

of training, equipment, and logistical supplies, support, and services, and the payment of incremental expenses of the Armed Forces associated with prepositioning additional equipment and undertaking additional or extended deployments in such countries and adjacent waters: *Provided further*, That the Secretary of Defense shall transfer the funds provided herein to other appropriations provided for in this Act to be merged with and to be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to transferring amounts from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That upon a determination by the Secretary of Defense that all or part of the funds transferred from this appropriation are not necessary for the purposes herein, such amounts may be transferred back to the appropriation and shall be available for the same purposes and for the same time period as originally appropriated: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", $196,200,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", $32,136,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", $5,000,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", $140,905,000, to remain available until September 30, 2017:

Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", $773,583,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", $243,359,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", $66,785,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", $154,519,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", $123,710,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", $65,589,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", $481,019,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", $136,189,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", $219,785,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", $3,607,526,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", $250,386,000, to remain available until September 30, 2017: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, $1,200,000,000, to remain available for obligation until September 30, 2017: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", $2,000,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", $36,020,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", $14,706,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", $174,647,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", $91,350,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", $300,531,000, which shall be for operation and maintenance: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", $205,000,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", $444,464,000, to remain available until September 30, 2017: *Provided,* That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further,* That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the "Office of the Inspector General", $10,623,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2015.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $3,500,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*,

That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2015.

SEC. 9003. Supervision and administration costs and costs for design during construction associated with a construction project funded with appropriations available for operation and maintenance or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs and costs for design during construction include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the U.S. Central Command area of responsibility: (a) passenger motor vehicles up to a limit of $75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $10,000,000 of the amounts appropriated in this title under the heading "Operation and Maintenance, Army" may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided,* That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $2,000,000: *Provided further,* That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further,* That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Afghanistan: *Provided further,* That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $500,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any

other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. None of the funds provided for the "Afghanistan Security Forces Fund" (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: *Provided*, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of $50,000,000 annually and any non-standard equipment requirements in excess of $100,000,000 using ASFF: *Provided further*, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding proviso and accompanying report language for the ASFF.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase

items having an investment unit cost of not more than $250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

SEC. 9011. From funds made available to the Department of Defense in this title under the heading "Operation and Maintenance, Air Force", up to $140,000,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support United States Government transition activities in Iraq by funding the operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction, and site closeout activities prior to returning sites to the Government of Iraq: *Provided*, That to the extent authorized under the National Defense Authorization Act for Fiscal Year 2015, the operations and activities that may be carried out by the Office of Security Cooperation in Iraq may, with the concurrence of the Secretary of State, include non-operational training activities in support of Iraqi Minister of Defense and Counter Terrorism Service personnel in an institutional environment to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related institutions: *Provided further,* That not later than 30 days following the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the congressional defense committees a plan for transitioning any such training activities that they determine are needed after the end of fiscal year 2015, to existing or new contracts for the sale of defense articles or defense services consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.): *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary of Defense shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for the operations and activities of the Office of Security Cooperation in Iraq at each site where such operations and activities will be conducted during fiscal year 2015.

SEC. 9012. (a) None of the funds appropriated or otherwise made available by this Act under the heading "Operation and Maintenance, Defense-Wide" for payments under section 1233 of Public Law 110–181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the congressional defense committees that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) implementing policies to protect judicial independence and due process of law;

(6) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(7) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in paragraph (a) on a case-by-case basis by certifying in writing to the congressional defense committees that it is in the national security interest to do so: *Provided*, That if the Secretary of Defense, in coordination with the Secretary of State, exercises such waiver authority, the Secretaries shall report to the congressional defense committees on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: *Provided further*, That such report may be submitted in classified form if necessary.

(RESCISSIONS)

SEC. 9013. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

"Other Procurement, Army", 2013/2015, $8,200,000;

"Aircraft Procurement, Army", 2014/2016, $464,000,000; and

"Afghanistan Security Forces Fund", 2014/2015, $764,380,000.

SEC. 9014. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed or military forces into hostilities in Syria, into situations in Syria where imminent involvement in hostilities is clearly indicated by the circumstances, or into Syrian territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of that law (50 U.S.C. 1542 and 1543).

SEC. 9015. In addition to the amounts appropriated in this Act, $250,000,000 is hereby appropriated, notwithstanding any other provision of law, to conduct surface and subsurface clearance of unexploded ordnance at closed training ranges used by the Armed Forces of the United States in Afghanistan: *Provided*, That such funds shall be available until September 30, 2016: *Provided further,* That such ranges shall not have been transferred to the Islamic Republic of Afghanistan for use by its armed forces: *Provided further,* That within 90 days of enactment of this Act, the Secretary

of Defense shall provide to the congressional defense committees a written plan to mitigate the threat of unexploded ordnance at such ranges, including a detailed spend plan: *Provided further,* That the Secretary of Defense shall provide the congressional defense committees written progress reports every 180 days after the submission of the initial plan, until such funds are fully expended: *Provided further,* That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 9016. The Secretary of Defense is authorized, in coordination with the Secretary of State, to provide assistance, including training, equipment, supplies, sustainment and stipends, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals for the following purposes: defending the Syrian people from attacks by the Islamic State of Iraq and the Levant (ISIL), and securing territory controlled by the Syrian opposition; protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria; and promoting the conditions for a negotiated settlement to end the conflict in Syria: *Provided*, That up to $500,000,000 of funds appropriated for the Counterterrorism Partnerships Fund may be used for activities authorized by this section: *Provided further*, That the Secretary may accept and retain contributions, including assistance in-kind, from foreign governments to carry out activities as authorized by this section and shall be credited to the appropriate appropriations accounts, except that any funds so accepted by the Secretary shall not be available for obligation until a reprogramming action is submitted to the congressional defense committees: *Provided further*, That the President and the Secretary of Defense shall comply with the reporting requirements in section 149(b)(1), (b)(2), (c), and (d) of the Continuing Appropriations Resolution, 2015 (Public Law 113–164): *Provided further*, That the term "appropriately vetted" as used in this section shall be construed to mean, at a minimum, assessments of possible recipients for associations with terrorist groups including the Islamic State of Iraq and the Levant (ISIL), Jabhat al Nusrah, Ahrar al Sham, other al-Qaeda related groups, Hezbollah, or Shia militias supporting the Governments of Syria or Iran; and for commitment to the rule of law and a peaceful and democratic Syria: *Provided further*, That none of the funds used pursuant to this authority shall be used for the procurement or transfer of man portable air defense systems: *Provided further*, That nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of the United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances, in accordance with section 8(a)(1) of the War Powers Resolution: *Provided further*, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the authority to provide assistance under this section shall terminate on September 30, 2015.

SEC. 9017. None of the funds in this Act may be made available for the transfer of additional C–130 cargo aircraft to the Afghanistan National Security Forces or the Afghanistan Air Force until the

Department of Defense provides a report to the congressional defense committees of the Afghanistan Air Force's medium airlift requirements. The report should identify Afghanistan's ability to utilize and maintain existing medium lift aircraft in the inventory and the best alternative platform, if necessary, to provide additional support to the Afghanistan Air Force's current medium airlift capacity.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9018. In addition to amounts appropriated in title II or otherwise made available elsewhere in this Act, $1,000,000,000 is hereby appropriated to the Department of Defense and made available for transfer to the operation and maintenance accounts of the Army, Navy, Marine Corps, and Air Force (including National Guard and reserve) for purposes of improving military readiness: *Provided*, That the transfer authority provided under this provision is in addition to any other transfer authority provided elsewhere in this Act: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE X

EBOLA RESPONSE AND PREPAREDNESS

PROCUREMENT

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", $17,000,000, to remain available until September 30, 2017, for expenses related to the Ebola outbreak: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", $95,000,000, to remain available until September 30, 2016, for expenses related to developing technologies that are relevant to the Ebola outbreak: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

This division may be cited as the "Department of Defense Appropriations Act, 2015".

DIVISION D—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

Energy and Water Development and Related Agencies Appropriations Act, 2015.

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, $122,000,000, to remain available until expended: *Provided*, That the Secretary may initiate up to, but not more than, 10 new study starts during fiscal year 2015: *Provided further*, That the new study starts will consist of seven studies where the majority of the benefits are derived from navigation transportation savings or from flood and storm damage reduction and three studies where the majority of the benefits are derived from environmental restoration: *Provided further*, That the Secretary shall not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of the House of Representatives and the Senate.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); $1,639,489,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary to cover one-half of the costs

of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: *Provided*, That the Secretary may initiate up to, but not more than, four new construction starts during fiscal year 2015: *Provided further*, That the new construction starts will consist of three projects where the majority of the benefits are derived from navigation transportation savings or from flood and storm damage reduction and one project where the majority of the benefits are derived from environmental restoration: *Provided further*, That for new construction projects, project cost sharing agreements shall be executed as soon as practicable but no later than August 31, 2015: *Provided further*, That no allocation for a new start shall be considered final and no work allowance shall be made until the Secretary provides to the Committees on Appropriations of the House of Representatives and the Senate an out-year funding scenario demonstrating the affordability of the selected new start and the impacts on other projects: *Provided further*, That the Secretary may not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of the House of Representatives and the Senate.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $302,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $2,908,511,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: *Provided*, That 1 percent

of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $200,000,000, to remain available until September 30, 2016.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, $101,500,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, $28,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, $178,000,000, to remain available until September 30, 2016, of which not to exceed $5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation provided in title I of this Act shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), $3,000,000, to remain available until September 30, 2016.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2015, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the House and Senate Committees on Appropriations;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the House and Senate Committees on Appropriations;

(5) augments or reduces existing programs, projects, or activities in excess of the amounts contained in paragraphs 6 through 10, unless prior approval is received from the House and Senate Committees on Appropriations;

(6) INVESTIGATIONS.—For a base level over $100,000, reprogramming of 25 percent of the base amount up to a limit of $150,000 per project, study or activity is allowed: *Provided*, That for a base level less than $100,000, the reprogramming limit is $25,000: *Provided further*, That up to $25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over $2,000,000, reprogramming of 15 percent of the base amount up to a limit of $3,000,000 per project, study or activity is allowed: *Provided*, That for a base level less than $2,000,000, the reprogramming limit is $300,000: *Provided further*, That up to $3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: *Provided further*, That up to $300,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted for the Corps to be able to respond to emergencies: *Provided*, That the Chief of Engineers shall notify the House and Senate Committees on Appropriations of these emergency actions as soon thereafter as practicable: *Provided further*, That for a base level over $1,000,000, reprogramming of 15 percent of the base amount up to a limit of $5,000,000 per project, study or activity is allowed: *Provided further*, That for a base level less than $1,000,000, the reprogramming limit is $150,000: *Provided further*, That $150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The reprogramming guidelines in paragraphs (6), (7), and (8) shall apply

to the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account respectively; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) DE MINIMIS REPROGRAMMINGS.—In no case should a reprogramming for less than $50,000 be submitted to the House and Senate Committees on Appropriations.

(c) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(d) Not later than 60 days after the date of enactment of this Act, the Secretary shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year which shall include:

(1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if applicable, and the fiscal year enacted level; and

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) An identification of items of special congressional interest.

SEC. 102. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 103. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to $4,700,000 of funds provided in this title under the heading "Operation and Maintenance" to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 104. Subsection (a)(6) of section 511 of the Water Resources Development Act of 1996 (16 U.S.C. 3301 note; 110 Stat. 3761–3762; 113 Stat. 375–376; 121 Stat. 1203) is amended by striking "$25,000,000" and inserting "$43,400,000". 16 USC 3301 note.

SEC. 105. The Secretary shall allocate funds made available in this Act solely in accordance with the provisions of this Act and the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), including the determination and designation of new starts.

SEC. 106. None of the funds made available by this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007 (Public Law 110–114).

SEC. 107. None of the funds made available in this Act may be used within the borders of the State of Louisiana by the Mississippi Valley Division or the Southwestern Division of the Army Corps of Engineers or any district of the Corps within such divisions to implement or enforce the mitigation methodology, referred to as the "Modified Charleston Method".

SEC. 108. (a) Of the funds made available in prior appropriations Acts for water resources efforts under the headings "Corps of Engineers—Civil, Department of the Army" that remain unobligated as of the date of enactment of this Act, including amounts specified in law for particular projects, programs, or activities, $28,000,000 is rescinded.

(b) None of the funds under subsection (a) may be rescinded from amounts that the Congress designated as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 109. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers during the fiscal year ending September 30, 2015, to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms "fill material" or "discharge of fill material" for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 110. The limited reevaluation report initiated in fiscal year 2012 for the Mobile Harbor, Alabama navigation project shall include evaluation of the full depth of the project as authorized under section 201 of Public Law 99–662 (110 Stat. 4090) at the same non-Federal share of the cost as in the design agreement executed on August 14, 2012.

SEC. 111. None of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251, et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A),(C)).

SEC. 112. The U.S. Environmental Protection Agency and the U.S. Department of the Army shall withdraw the interpretive rule, "U.S. Environmental Protection Agency and the U.S. Department of the Army Interpretive Rule Regarding the Applicability of the Clean Water Act Section 404(f)(1)(A)," signed on March 25, 2014.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $9,874,000, to remain available until expended, of which $1,000,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided*, That of the amount provided under this heading, $1,300,000 shall be available until September 30, 2016, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2015, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed $1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $978,131,000, to remain available until expended, of which $25,000 shall be available for transfer to the Upper Colorado River Basin Fund and $6,840,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $56,995,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with

plans to be approved by the Secretary of the Interior, $37,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: *Provided*, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: *Provided further*, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2016, $58,500,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

Of the unobligated balances available under this heading, $500,000 is hereby rescinded.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain available for obligation or expenditure in fiscal year 2015, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) initiates or creates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(5) transfers funds in excess of the following limits, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate:

(A) 15 percent for any program, project or activity for which $2,000,000 or more is available at the beginning of the fiscal year; or

(B) $300,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term transfer means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program—Alternative Repayment Plan" and the "SJVDP—Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. Section 9504(e) of the Secure Water Act of 2009 (42 U.S.C. 10364(e)) is amended by striking "$200,000,000" and inserting "$300,000,000".

SEC. 204. Section 301 of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2241) is amended by striking "2012" and inserting "2017".

SEC. 205. Title I of Public Law 108–361 (the Calfed Bay-Delta Authorization Act) (118 Stat. 1681), as amended by section 210 of Public Law 111–85, is amended by striking "2015" each place it appears and inserting "2016".

43 USC 620 note.

SEC. 206. (a) IN GENERAL.—The Secretary of the Interior may fund or participate in pilot projects to increase Colorado River System water in Lake Mead and the initial units of Colorado River Storage Project reservoirs, as authorized by the first section of the Act of April 11, 1956 (43 U.S.C. 620), to address the effects of historic drought conditions.

(b) ADMINISTRATION.—Pilot projects under this section are authorized to be funded through—

(1) grants by the Secretary to public entities that use water from the Colorado River Basin for municipal purposes for projects that are implemented by 1 or more non-Federal entities; or

(2) grants or other appropriate financial agreements to provide additional funds for renewing or implementing water conservation agreements that are in existence on the date of enactment of this Act.

(c) LIMITATIONS.—

(1) Funds in the Upper Colorado River Basin Fund established by section 5 of the Colorado River Storage Project Act (43 U.S.C. 620d) and the Lower Colorado River Basin Development Fund established by section 403 of the Colorado River Basin Project Act (43 U.S.C. 1543) shall not be used to carry out this section; and

(2) the authority to fund these pilot projects through grants shall terminate on September 30, 2018.

(d) REPORT AND RECOMMENDATION.—Not later than September 30, 2018, the Secretary shall submit to the Committees on Appropriations and Natural Resources of the House of Representatives and the Committees on Appropriations and Energy and Natural Resources of the Senate a report evaluating the effectiveness of the pilot projects described in subsection (a) and a recommendation to Congress whether the activities undertaken by the pilot projects should be continued.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,936,999,858, to remain available until expended: *Provided*, That $160,000,000 shall be available until September 30, 2016, for program direction: *Provided further*, That, of the amount provided under this heading,

the Secretary may transfer up to $45,000,000 to the Defense Production Act Fund for activities of the Department of Energy pursuant to the Defense Production Act of 1950 (50 U.S.C. App. 2061, et seq.): *Provided further*, That $13,064,858 from unobligated balances available from prior year appropriations provided under this heading is hereby rescinded, of which $145,204 is from Public Law 111–8 and $696,654 is from Public Law 111–85: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $147,306,000, to remain available until expended: *Provided*, That $27,606,000 shall be available until September 30, 2016, for program direction.

NUCLEAR ENERGY

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $913,500,000, to remain available until expended: *Provided*, That, of the amount made available under this heading, $80,000,000 shall be available until September 30, 2016, for program direction including official reception and representation expenses not to exceed $10,000: *Provided further*, That, of the funds made available under this heading in prior years, $80,000,000 of unobligated balances is hereby rescinded, including up to $18,000,000 from funds provided for program direction activities: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the

extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $571,000,000, to remain available until expended: *Provided*, That $119,000,000 shall be available until September 30, 2016, for program direction.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, $19,950,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

ELK HILLS SCHOOL LANDS FUND

For necessary expenses in fulfilling the final payment under the Settlement Agreement entered into by the United States and the State of California on October 11, 1996, as authorized by section 3415 of Public Law 104–106, $15,579,815, for payment to the State of California for the State Teachers' Retirement Fund, of which $15,579,815 shall be derived from the Elk Hills School Lands Fund.

STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $200,000,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $7,600,000, to remain available until expended: *Provided*, That of the unobligated balances from prior year appropriations available under this heading, $6,000,000 is hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, $117,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup

activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $246,000,000, to remain available until expended: *Provided*, That funding made available under this heading may be made available for 15–D–410 Fort St. Vrain Facility Improvements Project.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, $625,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which $10,000,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 17 passenger motor vehicles for replacement only, including two buses, $5,071,000,000, to remain available until expended: *Provided*, That $183,700,000 shall be available until September 30, 2016, for program direction: *Provided further*, That no funding may be made available for United States cash contributions to the International Thermonuclear Experimental Reactor project until its governing Council implements the recommendations of the Third Biennial International Organization Management Assessment Report: *Provided further*, That the Secretary of Energy may waive this requirement upon submission to the Committees on Appropriations of the House of Representatives and the Senate a determination that the Council is making satisfactory progress towards implementation of such recommendations.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110–69), as amended, $280,000,000, to remain available until expended: *Provided*, That $28,000,000 shall be available until September 30, 2016, for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided*, That, for necessary administrative expenses to carry out

this Loan Guarantee program, $42,000,000 is appropriated, to remain available until September 30, 2016: *Provided further*, That $25,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2015 appropriation from the general fund estimated at not more than $17,000,000: *Provided further*, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated: *Provided further*, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $4,000,000, to remain available until September 30, 2016.

CLEAN COAL TECHNOLOGY

(INCLUDING RESCISSION OF FUNDS)

Of the unobligated balances from prior year appropriations under this heading, $6,600,000 is hereby permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $245,142,000, to remain available until September 30, 2016, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $119,171,000 in fiscal year 2015 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2015 appropriation from the general fund estimated at not more than $125,971,000: *Provided further*, That $31,181,000 is for Energy Policy and Systems Analysis: *Provided further*, That of the funds made available for

Energy Policy and Systems Analysis, the Secretary may obligate only $26,000,000 until the report required under section 315(f) of this Act has been submitted to Congress.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, $40,500,000, to remain available until September 30, 2016.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed 4 passenger vehicles, $8,231,770,000, to remain available until expended: *Provided*, That $97,118,000 shall be available until September 30, 2016, for program direction: *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, $45,113,000 is hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,641,369,000, to remain available until expended: *Provided*, That funds provided by this Act for Project 99–D–143, Mixed Oxide Fuel Fabrication Facility, and by prior Acts that remain unobligated for such Project, may be made available only for construction and program support activities for such Project: *Provided further*, That of the unobligated balances from prior year appropriations available under this heading, $24,731,000 is hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NAVAL REACTORS

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,238,500,000, to remain available until expended: *Provided*, That $41,500,000 shall be available until September 30, 2016, for program direction: *Provided further*, That $4,500,000 from unobligated balances available from prior year appropriations provided under this heading is hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL SALARIES AND EXPENSES

For necessary expenses for Federal Salaries and Expenses (previously the Office of the Administrator) in the National Nuclear Security Administration, $370,000,000, to remain available until September 30, 2016, including official reception and representation expenses not to exceed $12,000.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one sport utility vehicle, one heavy duty truck, two ambulances, and one ladder fire truck for replacement only, $5,010,830,000, to remain available until expended: *Provided*, That $280,784,000 shall be available until September 30, 2016, for program direction: *Provided further*, That $10,830,000 from unobligated balances available from prior year appropriations provided under this heading is hereby rescinded: *Provided further*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

DEFENSE URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING

For an additional amount for atomic energy of defense environmental cleanup activities for Department of Energy contributions for uranium enrichment decontamination and decommissioning

activities, $463,000,000, to be deposited into the Defense Environmental Cleanup account which shall be transferred to the "Uranium Enrichment Decontamination and Decommissioning Fund".

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $754,000,000, to remain available until expended: *Provided*, That $249,378,000 shall be available until September 30, 2016, for program direction.

POWER MARKETING ADMINISTRATION

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Black Canyon Trout Hatchery and, in addition, for official reception and representation expenses in an amount not to exceed $5,000: *Provided*, That during fiscal year 2015, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $7,220,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $7,220,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2015 appropriation estimated at not more than $0: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to $73,579,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $46,240,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $34,840,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2015 appropriation estimated at not more than $11,400,000: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to $53,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That, for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, $304,402,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended, of which $296,321,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $211,030,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2015 appropriation estimated at not more than $93,372,000, of which $85,291,000 is derived from the Reclamation Fund: *Provided further*, That, notwithstanding 31 U.S.C. 3302, up to $260,510,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover

purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That, for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $4,727,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $4,499,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2015 appropriation estimated at not more than $228,000: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: *Provided further*, That for fiscal year 2015, the Administrator of the Western Area Power Administration may accept up to $802,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: *Provided further*, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses not to exceed $3,000, $304,389,000, to remain available until expended: *Provided*, That of the amount appropriated herein, not more than $5,400,000 may be made available for salaries, travel, and other support costs

42 USC 7171 note.

for the offices of the Commissioners: *Provided further*, That notwithstanding any other provision of law, not to exceed $304,389,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2015 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2015 so as to result in a final fiscal year 2015 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of the House of Representatives and the Senate at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling $1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling $1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than $1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading "Department of Energy—Energy Programs", enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of the House of Representatives and the Senate at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the "Final Bill" column in the "Department of Energy" table included under the heading "Title III—Department of Energy" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 30 days prior to the use of any proposed reprogramming which would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

SEC. 302. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2015 until the enactment of the Intelligence Authorization Act for fiscal year 2015.

SEC. 304. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard

nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Independent Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 305. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

42 USC 2297h–10.

SEC. 306. (a) SECRETARIAL DETERMINATIONS.—In this fiscal year, and in each subsequent fiscal year, any determination (including a determination made prior to the date of enactment of this Act) by the Secretary of Energy under section 3112(d)(2)(B) of the USEC Privatization Act (110 Stat. 1321–335), as amended, shall be valid for not more than 2 calendar years subsequent to such determination.

(b) CONGRESSIONAL NOTIFICATION.—In this fiscal year, and in each subsequent fiscal year, not less than 30 days prior to the provision of uranium in any form the Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate of the following—

(1) the provisions of law (including regulations) authorizing the provision of uranium;

(2) the amount of uranium to be provided;

(3) an estimate by the Secretary of Energy of the gross fair market value of the uranium on the expected date of the provision of the uranium;

(4) the expected date of the provision of the uranium;

(5) the recipient of the uranium;

(6) the value the Secretary of Energy expects to receive in exchange for the uranium, including any adjustments to the gross fair market value of the uranium; and

(7) whether the uranium to be provided is encumbered by any restriction on use under an international agreement or otherwise.

SEC. 307. Notwithstanding section 301(c) of this Act, none of the funds made available under the heading "Department of Energy—Energy Programs—Science" may be used for a multiyear contract, grant, cooperative agreement, or Other Transaction Agreement of $1,000,000 or less unless the contract, grant, cooperative agreement, or Other Transaction Agreement is funded for the full period of performance as anticipated at the time of award.

50 USC 2523c.

SEC. 308. In fiscal year 2015 and subsequent fiscal years, the Secretary of Energy shall submit to the congressional defense committees (as defined in U.S.C. 101(a)(16)) a report, on each major warhead refurbishment program that reaches the Phase 6.3 milestone, that provides an analysis of alternatives. Such report shall include—

(1) a full description of alternatives considered prior to the award of Phase 6.3;

(2) a comparison of the costs and benefits of each of those alternatives, to include an analysis of trade-offs among cost, schedule, and performance objectives against each alternative considered;

(3) identification of the cost and risk of critical technology elements associated with each alternative, including technology

maturity, integration risk, manufacturing feasibility, and demonstration needs;

(4) identification of the cost and risk of additional capital asset and infrastructure capabilities required to support production and certification of each alternative;

(5) a comparative analysis of the risks, costs, and scheduling needs for any military requirement intended to enhance warhead safety, security, or maintainability, including any requirement to consolidate and/or integrate warhead systems or mods as compared to at least one other feasible refurbishment alternative the Nuclear Weapons Council considers appropriate; and

(6) a life-cycle cost estimate for the alternative selected that details the overall cost, scope, and schedule planning assumptions.

SEC. 309. (a) Unobligated balances available from prior year appropriations are hereby rescinded from the following accounts of the Department of Energy in the specified amounts:

(1) "Energy Programs—Energy Efficiency and Renewable Energy", $9,740,000.

(2) "Energy Programs—Electricity Delivery and Energy Reliability", $331,000.

(3) "Energy Programs—Nuclear Energy", $121,000.

(4) "Energy Programs—Fossil Energy Research and Development", $10,413,000.

(5) "Energy Programs—Science", $3,262,000.

(6) "Energy Programs—Advanced Research Projects Agency—Energy", $18,000.

(7) "Energy Programs—Departmental Administration", $928,000.

(8) "Atomic Energy Defense Activities—National Nuclear Security Administration—Weapons Activities", $6,298,000.

(9) "Atomic Energy Defense Activities—National Nuclear Security Administration—Defense Nuclear Nonproliferation", $1,390,000.

(10) "Atomic Energy Defense Activities—National Nuclear Security Administration—Naval Reactors", $160,000.

(11) "Atomic Energy Defense Activities—National Nuclear Security Administration—Office of the Administrator", $413,000.

(12) "Environmental and Other Defense Activities—Defense Environmental Cleanup", $9,983,000.

(13) "Environmental and Other Defense Activities—Other Defense Activities", $551,000.

(14) "Power Marketing Administrations—Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration", $1,632,000.

(b) No amounts may be rescinded by this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 310. (a) None of the funds made available in this or any prior Act under the heading "Defense Nuclear Nonproliferation" may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Russian Federation.

(b) The Secretary of Energy may waive the prohibition in subsection (a) if the Secretary determines that such activity is in

the national security interests of the United States. This waiver authority may not be delegated.

(c) A waiver under subsection (b) shall not be effective until 15 days after the date on which the Secretary submits to the Committees on Appropriations of the House of Representatives and the Senate, in classified form if necessary, a report on the justification for the waiver.

50 USC 2791b.

SEC. 311. Of the funds authorized by the Secretary of Energy for laboratory directed research and development, no individual program, project, or activity funded by this or any subsequent Act making appropriations for Energy and Water Development for any fiscal year may be charged more than the statutory maximum authorized for such activities: *Provided*, That this section shall take effect not earlier than October 1, 2015.

SEC. 312. (a) DOMESTIC URANIUM ENRICHMENT.—None of the funds appropriated by this or any other Act or that may be available to the Department of Energy may be used for the construction of centrifuges for the production of enriched uranium for national security needs in fiscal year 2015.

(b) The Department shall provide a report to the Committees on Appropriations of the House of Representatives and the Senate not later than April 30, 2015 that includes:

(1) an accounting of the current and future availability of low-enriched uranium, highly-enriched uranium, and tritium to meet defense needs; and

(2) a cost-benefit analysis of each of the options available to supply enriched uranium for defense purposes, including a preliminary cost and schedule estimate to build a national security train.

SEC. 313. None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

SEC. 314. None of the funds made available by this Act may be used in contravention of section 3112(d)(2)(B) of the USEC Privatization Act (42 U.S.C. 2297h–10(d)(2)(B)) and all public notice and comment requirements under chapter 6 of title 5, United States Code, that are applicable to carrying out such section.

SEC. 315. (a) NOTIFICATION OF STRATEGIC PETROLEUM RESERVE DRAWDOWN.—None of the funds made available by this Act or any prior Act, or funds made available in the SPR Petroleum Account, may be used to conduct a drawdown (including a test drawdown) and sale or exchange of petroleum products from the Strategic Petroleum Reserve unless the Secretary of Energy provides notice, in accordance with subsection (b), of such exchange, or drawdown (including a test drawdown) to the Committees on Appropriations of the House of Representatives and the Senate.

(b)(1) CONTENT OF NOTIFICATION.—The notification required under subsection (a) shall include at a minimum—

(A) The justification for the drawdown or exchange, including—

(i) a specific description of any obligation under international energy agreements; and

(ii) in the case of a test drawdown, the specific aspects of the Strategic Petroleum Reserve to be tested;

(B) the provisions of law (including regulations) authorizing the drawdown or exchange;

(C) the number of barrels of petroleum products proposed to be withdrawn or exchanged;

(D) the location of the Strategic Petroleum Reserve site or sites from which the petroleum products are proposed to be withdrawn;

(E) a good faith estimate of the expected proceeds from the sale of the petroleum products;

(F) an estimate of the total inventories of petroleum products in the Strategic Petroleum Reserve after the anticipated drawdown;

(G) a detailed plan for disposition of the proceeds after deposit into the SPR Petroleum Account; and

(H) a plan for refilling the Strategic Petroleum Reserve, including whether the acquisition will be of the same or a different petroleum product.

(2) TIMING OF NOTIFICATION.—The Secretary shall provide the notification required under subsection (a)—

(A) in the case of an exchange or a drawdown, as soon as practicable after the exchange or drawdown has occurred; and

(B) in the case of a test drawdown, not later than 30 days prior to a test drawdown.

(c) POST-SALE NOTIFICATION.—In addition to reporting requirements under other provisions of law, the Secretary shall, upon the execution of all contract awards associated with a competitive sale of petroleum products, notify the Committees on Appropriations of the House of Representatives and the Senate of the actual value of the proceeds from the sale.

(d)(1) NEW REGIONAL RESERVES.—The Secretary may not establish any new regional petroleum product reserve—

(A) unless funding for the proposed regional petroleum product reserve is explicitly requested in advance in an annual budget submission and approved by the Congress in an appropriations Act; or

(B) until 90 days after notification of, and approval by, the Committees on Appropriations of the House of Representatives and the Senate.

(2) The budget request or notification shall include—

(A) the justification for the new reserve;

(B) a cost estimate for the establishment, operation, and maintenance of the reserve, including funding sources;

(C) a detailed plan for operation of the reserve, including the conditions upon which the products may be released;

(D) the location of the reserve; and

(E) the estimate of the total inventory of the reserve.

(e) REPORT ON REFINED PETROLEUM PRODUCTS.—Not later than 180 days after the enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed plan for operation of the refined

petroleum products reserve, including funding sources and the conditions upon which refined petroleum products may be released.

(f) REPORT ON STRATEGIC PETROLEUM RESERVE EXPANSION.—(1) The Secretary, through the Office of Energy Policy and Systems Analysis, shall submit to the Committees on Appropriations of the House of Representatives and the Senate not later than 180 days after enactment of this Act the report required in Public Law 111–8 (123 Stat. 617) regarding the expansion of the Strategic Petroleum Reserve.

(2) The report required in paragraph (1) shall include an analysis of the impacts of Northeast Regional Refined Petroleum Product Reserve on the domestic petroleum market.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, notwithstanding 40 U.S.C. 14704, and for necessary expenses for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $90,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $28,500,000, to remain available until September 30, 2016.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, $12,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $10,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: *Provided*, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section

701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary of the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $5,000,000, to remain available until expended: *Provided*, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For necessary expenses of the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, $1,003,233,000, including official representation expenses not to exceed $25,000, to remain available until expended: *Provided*, That of the amount appropriated herein, not more than $7,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2016, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: *Provided further*, That the Commission may reprogram, not earlier than 30 days after notification of and approval by the Committees on Appropriations of the House of Representatives and the Senate, up to an additional $2,000,000 for salaries, travel, and other support costs of the Office of the Commission: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at $885,375,000 in fiscal year 2015 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2015 so as to result in a final fiscal year 2015 appropriation estimated at not more than $117,858,000: *Provided further*, That of the amounts appropriated under this heading, $10,000,000 shall be for university research and development in areas relevant to their respective organization's mission, and $5,000,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For expenses necessary of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $12,071,000, to remain available until September 30, 2016: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $10,099,000 in fiscal year 2015 shall be retained and be available until September 30, 2016, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2015 so as to result in a final fiscal year 2015 appropriation estimated at not more than $1,972,000: *Provided further*, That, of the amounts appropriated under this heading, $850,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues: *Provided further*, That, notwithstanding any other provision of law, in this fiscal year and each fiscal year thereafter, the Inspector General of the Nuclear Regulatory Commission is authorized to exercise the same authorities with respect to the Defense Nuclear Facilities Safety Board, as determined by the Inspector General of the Nuclear Regulatory Commission, as the Inspector General exercises under the Inspector General Act of 1978 (5 U.S.C. App.) with respect to the Nuclear Regulatory Commission.

42 USC 2286*l*.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For expenses necessary of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,400,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2016.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

42 USC 5854.

SEC. 401. The Chairman of the Nuclear Regulatory Commission shall notify the other members of the Commission, the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Environment and Public Works of the Senate, not later than 1 day after the Chairman begins performing functions under the authority of section 3 of Reorganization Plan No. 1 of 1980, or after a member of the Commission who is delegated emergency functions under subsection (b) of that section begins performing those functions. Such notification shall include an explanation of the circumstances warranting the exercise of such authority. The Chairman shall report to the Committees, not less frequently than once each week, on the actions taken by the Chairman, or a delegated member of the Commission, under such authority, until the authority is relinquished. The Chairman shall notify the Committees not later than 1 day after such authority is relinquished. The Chairman shall submit the report required by section 3(d) of the Reorganization Plan No. 1 of 1980 to the Committees not later than 1 day after it was submitted to the Commission. This section shall be in effect in fiscal year 2015 and each subsequent fiscal year.

SEC. 402. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of Chapter VI of its Internal Commission Procedures when responding to Congressional requests for information.

SEC. 403. (a) SECURING RADIOLOGICAL MATERIAL.—No later than 2 years from enactment of this Act, the Nuclear Regulatory Commission (NRC) shall provide a report to the Committees on Appropriations of the House of Representatives and the Senate that evaluates the effectiveness of the requirements of 10 CFR Part 37 and determines whether such requirements are adequate to protect high-risk radiological material. Such evaluation shall consider inspection results and event reports from the first two years of implementation of the requirements in 10 CFR Part 37 for NRC licensees.

(b) No later than 2 years after the completion of the NRC evaluation required in subsection (a), the Government Accountability Office, with assistance from an independent group of security experts, shall provide a report to Congress on the effectiveness of the requirements of 10 CFR Part 37 for NRC and Agreement State licensees and recommendations to further strengthen radiological security.

SEC. 404. For this fiscal year, and each fiscal year hereafter, each independent agency receiving funding under this title shall submit to the Committees on Appropriations of the House of Representatives and the Senate a Congressional Budget Justification and a detailed annual report. 31 USC 1105 note.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of the House of Representatives and the Senate a semiannual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 503. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).

This division may be cited as the "Energy and Water Development and Related Agencies Appropriations Act, 2015".

Financial Services and General Government Appropriations Act, 2015.

DIVISION E—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2015

TITLE I

DEPARTMENT OF THE TREASURY

Department of the Treasury Appropriations Act, 2015.

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities; and Treasury-wide management policies and programs activities, $210,000,000: *Provided*, That of the amount appropriated under this heading—

(1) not to exceed $350,000 is for official reception and representation expenses;

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

(3) not to exceed $24,200,000 shall remain available until September 30, 2016, for—

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

(B) information technology modernization requirements;

(C) in an amount not less than $9,500,000, the audit, oversight, and administration of the Gulf Coast Restoration Trust Fund; and

(D) in an amount not to exceed $3,400,000, the development and implementation of programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements.

OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the necessary expenses of the Office of Terrorism and Financial Intelligence to safeguard the financial system against illicit use and to combat rogue nations, terrorist facilitators, weapons of mass destruction proliferators, money launderers, drug kingpins, and other national security threats, $112,500,000: *Provided*, That of the amount appropriated under this heading: (1) not to exceed $27,000,000 is available for administrative expenses; and (2) $1,000,000, to remain available until September 30, 2016, is available for secure space requirements: *Provided further*, That the unobligated balances of prior year appropriations made available for terrorism and financial intelligence activities under the heading "Department of the Treasury—Departmental Offices—Salaries and Expenses" shall be transferred to, and merged with, this account.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services and for repairs and renovations to buildings owned by the Department of the Treasury, $2,725,000, to remain available until September 30, 2017: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further,* That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further,* That none of the funds appropriated under this heading shall be used to support or supplement "Internal Revenue Service, Operations Support" or "Internal Revenue Service, Business Systems Modernization".

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $35,351,000, including hire of passenger motor vehicles; of which not to exceed $100,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; of which up to $2,800,000 shall be for audits and investigations conducted pursuant to section 1608 of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (33 U.S.C. 1321 note); and of which not to exceed $1,000 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; $158,210,000, of which $5,000,000 shall remain available until September 30, 2016; of which not to exceed $6,000,000 shall be available for official travel expenses; of which not to exceed $500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

For necessary expenses of the Office of the Special Inspector General in carrying out the provisions of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), $34,234,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; services authorized by 5 U.S.C. 3109; not to exceed $10,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $112,000,000, of which not to exceed $34,335,000 shall remain available until September 30, 2017.

TREASURY FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $769,000,000 are rescinded.

BUREAU OF THE FISCAL SERVICE

SALARIES AND EXPENSES

For necessary expenses of operations of the Bureau of the Fiscal Service, $348,184,000; of which not to exceed $4,210,000, to remain available until September 30, 2017, is for information systems modernization initiatives; and of which $5,000 shall be available for official reception and representation expenses.

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

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $100,000,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: *Provided*, That of the amount appropriated under this heading, $3,000,000 shall be for the costs of criminal enforcement activities and special law enforcement agents for targeting tobacco smuggling and other criminal diversion activities.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments: *Provided*, That the aggregate amount of new liabilities and obligations incurred during fiscal year 2015 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $20,000,000.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND
PROGRAM ACCOUNT

To carry out the Riegle Community Development and Regulatory Improvements Act of 1994 (subtitle A of title I of Public Law 103–325), including services authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for EX–3, $230,500,000. Of the amount appropriated under this heading—

(1) not less than $152,400,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)) with regard to Small and/or Emerging Community Development Financial Institutions Assistance awards, is available until September 30, 2016, for financial assistance and technical assistance under subparagraphs (A) and (B) of section 108(a)(1), respectively, of Public Law 103–325 (12 U.S.C. 4707(a)(1)(A) and (B)), of which up to $3,102,500 may be used for the cost of direct loans: *Provided,* That the cost of direct and guaranteed loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000;

(2) not less than $15,000,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)), is available until September 30, 2016, for financial assistance, technical assistance, training and outreach programs designed to benefit Native American, Native Hawaiian, and Alaskan Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations, and other suitable providers;

(3) not less than $18,000,000 is available until September 30, 2016, for the Bank Enterprise Award program;

(4) not less than $22,000,000, notwithstanding subsections (d) and (e) of section 108 of Public Law 103–325 (12 U.S.C. 4707(d) and (e)), is available until September 30, 2016, for a Healthy Food Financing Initiative to provide financial assistance, technical assistance, training, and outreach to community development financial institutions for the purpose of offering affordable financing and technical assistance to expand the availability of healthy food options in distressed communities;

(5) up to $23,100,000 is available until September 30, 2015, for administrative expenses, including administration of CDFI fund programs and the New Markets Tax Credit Program, of which up to $1,000,000 is for capacity building to expand CDFI investments in underserved areas, and up to $300,000 is for administrative expenses to carry out the direct loan program; and

(6) during fiscal year 2015, none of the funds available under this heading are available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of commitments to guarantee bonds and notes under section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4713a): *Provided*, That commitments to guarantee bonds and notes under such section 114A shall not exceed $750,000,000: *Provided further*, That such section 114A shall remain in effect until September 30, 2015.

12 USC 4713a note.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,156,554,000, of which not less than $7,000,000 shall be for the Tax Counseling for the Elderly Program, of which not less than $10,000,000 shall be available for low-income taxpayer clinic grants, and of which not less than $12,000,000, to remain available until September 30, 2016, shall be available for a Community Volunteer Income Tax Assistance matching grants program for tax return preparation assistance, of which not less than $206,000,000 shall be available for operating expenses of the Taxpayer Advocate Service: *Provided*, That of the amounts made available for the Taxpayer Advocate Service, not less than $5,000,000 shall be for identity theft casework.

ENFORCEMENT

For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,860,000,000, of which not less than $60,257,000 shall be for the Interagency Crime and Drug Enforcement program.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,638,446,000, of which not to exceed $315,000,000 shall remain available until September 30, 2016; of which not to exceed $1,000,000 shall remain available until September 30, 2017, for research; of which not less than $1,850,000 shall be for the Internal Revenue Service Oversight Board; of which not to exceed $25,000 shall be for official reception and representation expenses: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for its major information technology investments, including the purpose and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter: *Provided further*, That the Internal Revenue Service shall include, in its budget justification for fiscal year 2016, a summary of cost and schedule performance information for its major information technology systems.

26 USC 7801 note.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, $290,000,000, to remain available until September 30, 2017, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost

26 USC 7801 note.

and schedule performance for CADE 2 and Modernized e-File information technology investments, including the purposes and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and the strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain an employee training program, which shall include the following topics: taxpayers' rights, dealing courteously with taxpayers, cross-cultural relations, ethics, and the impartial application of tax law.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

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

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

SEC. 106. The Internal Revenue Service shall issue a notice of confirmation of any address change relating to an employer making employment tax payments, and such notice shall be sent to both the employer's former and new address and an officer or employee of the Internal Revenue Service shall give special consideration to an offer-in-compromise from a taxpayer who has been the victim of fraud by a third party payroll tax preparer.

SEC. 107. None of the funds made available under this Act may be used by the Internal Revenue Service to target citizens of the United States for exercising any right guaranteed under the First Amendment to the Constitution of the United States.

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

SEC. 109. None of funds made available by this Act to the Internal Revenue Service shall be obligated or expended on conferences that do not adhere to the procedures, verification processes, documentation requirements, and policies issued by the Chief Financial Officer, Human Capital Office, and Agency-Wide Shared Services as a result of the recommendations in the report published

on May 31, 2013, by the Treasury Inspector General for Tax Administration entitled "Review of the August 2010 Small Business/Self-Employed Division's Conference in Anaheim, California" (Reference Number 2013–10–037).

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

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 111. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 112. Not to exceed 2 percent of any appropriations in this title made available under the headings "Departmental Offices—Salaries and Expenses", "Office of Inspector General", "Special Inspector General for the Troubled Asset Relief Program", "Financial Crimes Enforcement Network", "Bureau of the Fiscal Service", and "Alcohol and Tobacco Tax and Trade Bureau" may be transferred between such appropriations upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer under this section may increase or decrease any such appropriation by more than 2 percent.

SEC. 113. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 114. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 115. The Secretary of the Treasury may transfer funds from the "Bureau of the Fiscal Service-Salaries and Expenses" to the Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 116. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial

Services, and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 117. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 118. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2015 until the enactment of the Intelligence Authorization Act for Fiscal Year 2015.

SEC. 119. Not to exceed $5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.

SEC. 120. The Secretary of the Treasury shall submit a Capital Investment Plan to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days following the submission of the annual budget submitted by the President: *Provided*, That such Capital Investment Plan shall include capital investment spending from all accounts within the Department of the Treasury, including but not limited to the Department-wide Systems and Capital Investment Programs account, Treasury Franchise Fund account, and the Treasury Forfeiture Fund account: *Provided further*, That such Capital Investment Plan shall include expenditures occurring in previous fiscal years for each capital investment project that has not been fully completed.

SEC. 121. (a) Not later than 60 days after the end of each quarter, the Office of Financial Stability and the Office of Financial Research shall submit reports on their activities to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives and the Senate Committee on Banking, Housing, and Urban Affairs.

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

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

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

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

(4) the estimated number of full-time equivalents within each office for the remainder of the fiscal year; and

(5) actions taken to achieve the goals, objectives, and performance measures of each office.

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

SEC. 122. Within 45 days after the date of enactment of this Act, the Secretary of the Treasury shall submit an itemized report to the Committees on Appropriations of the House of Representatives and the Senate on the amount of total funds charged to each office by the Franchise Fund including the amount charged for each service provided by the Franchise Fund to each office, a detailed description of the services, a detailed explanation of how each charge for each service is calculated, and a description of the role customers have in governing in the Franchise Fund.

SEC. 123. The Secretary of the Treasury, in consultation with the appropriate agencies, departments, bureaus, and commissions that have expertise in terrorism and complex financial instruments, shall provide a report to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate not later than 90 days after the date of enactment of this Act on economic warfare and financial terrorism.

This title may be cited as the "Department of the Treasury Appropriations Act, 2015".

TITLE II

Executive Office of the President Appropriations Act, 2015.

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

THE WHITE HOUSE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official reception and representation expenses, to be available for allocation within the Executive Office of the President; and for necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $55,000,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For necessary expenses of the Executive Residence at the White House, $12,700,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law,

such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under 31 U.S.C. 3717: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House pursuant to 3 U.S.C. 105(d), $625,000, to remain available until expended, for required maintenance, resolution of safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), $4,184,000.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

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

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $111,300,000, of which not to exceed $12,006,000 shall remain available until expended for continued modernization of the information technology infrastructure within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, to carry out the provisions of chapter 35 of title 44, United States Code, and to prepare and submit the budget of the United States Government, in accordance with section 1105(a) of title 31, United States Code, $91,750,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from

the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $22,647,000: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

21 USC 1702 note.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $245,000,000, to remain available until September 30, 2016, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas ("HIDTAs"), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: *Provided*, That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy, of which up to $2,700,000 may be used for auditing services and associated activities: *Provided further,* That, notwithstanding the requirements of Public Law 106–58, any unexpended funds obligated prior to fiscal year 2013 may be used for any other approved activities of that HIDTA, subject to reprogramming requirements: *Provided further*, That each HIDTA designated as of September 30, 2014, shall be funded at not less than the fiscal year 2014 base level, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate justification for changes to those levels based on clearly articulated priorities and published Office of National Drug Control Policy performance measures of effectiveness: *Provided further*, That the Director shall notify the Committees on Appropriations of the initial allocation of fiscal year 2015 funding among HIDTAs not later than 45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation with the HIDTA Directors, not later than 90 days after enactment of this Act: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein and upon notification

to the Committees on Appropriations of the House of Representatives and the Senate, such amounts may be transferred back to this appropriation.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For other drug control activities authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $107,150,000, to remain available until expended, which shall be available as follows: $93,500,000 for the Drug-Free Communities Program, of which $2,000,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469 (21 U.S.C. 1521 note); $1,400,000 for drug court training and technical assistance; $9,000,000 for anti-doping activities; $2,000,000 for the United States membership dues to the World Anti-Doping Agency; and $1,250,000 shall be made available as directed by section 1105 of Public Law 109–469: *Provided,* That amounts made available under this heading may be transferred to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $800,000, to remain available until September 30, 2016.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the furtherance of integrated, efficient, secure, and effective uses of information technology in the Federal Government, $20,000,000, to remain available until expended: *Provided*, That the Director of the Office of Management and Budget may transfer these funds to one or more other agencies to carry out projects to meet these purposes: *Provided further*, That the Director of the Office of Management and Budget shall submit quarterly reports not later than 45 days after the end of each quarter to the Committees on Appropriations of the House of Representatives and the Senate and the Government Accountability Office identifying the savings achieved by the Office of Management and Budget's government-wide information technology reform efforts: *Provided further*, That such reports shall include savings identified by fiscal year, agency, and appropriation.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106,

which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,211,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 pursuant to 3 U.S.C. 106(b)(2), $299,000: *Provided*, That advances, repayments, or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

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

(INCLUDING TRANSFERS OF FUNDS)

SEC. 201. From funds made available in this Act under the headings "The White House", "Executive Residence at the White House", "White House Repair and Restoration", "Council of Economic Advisers", "National Security Council and Homeland Security Council", "Office of Administration", "Special Assistance to the President", and "Official Residence of the Vice President", the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, with advance approval of the Committees on Appropriations of the House of Representatives and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from "Special Assistance to the President" or "Official Residence of the Vice President" without the approval of the Vice President.

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

(1) the estimated mandatory and discretionary obligations of funds through fiscal year 2017, by Federal agency and by fiscal year, including—

(A) the estimated obligations by cost inputs such as rent, information technology, contracts, and personnel;

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

(C) the specific section of such Act that requires the obligation of funds; and

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

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

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

SEC. 203. (a) During fiscal year 2015, any Executive order issued by the President shall be accompanied by a statement from the Director of the Office of Management and Budget on the budgetary impact, including costs, benefits, and revenues, of the Executive order.

(b) Any such statement shall include—

(1) a narrative summary of the budgetary impact of such order on the Federal Government;

(2) the impact on mandatory and discretionary obligations and outlays, listed by Federal agency, for each year in the 5-fiscal year period beginning in fiscal year 2015; and

(3) the impact on revenues of the Federal Government over the 5-fiscal year period beginning in fiscal year 2015.

(c) If an Executive order is issued during fiscal year 2015 due to a national emergency, the Director of the Office of Management and Budget may issue the statement required by subsection (a) not later than 15 days after the date that the Executive order is issued.

SEC. 204. The Director of the Office of National Drug Control Policy shall submit to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act, and prior to the initial obligation of more than 20 percent of the funds appropriated in any account under the heading "Office of National Drug Control Policy", a detailed narrative and financial plan on the proposed uses of all funds under the account by program, project, and activity: *Provided*, That the reports required by this section shall be updated and submitted to the Committees on Appropriations every 6 months and shall include information detailing how the estimates and assumptions contained in previous reports have changed: *Provided further*, That any new projects and changes in funding of ongoing projects shall be subject to the prior approval of the Committees on Appropriations.

SEC. 205. Not to exceed 2 percent of any appropriations in this Act made available to the Office of National Drug Control Policy may be transferred between appropriated programs upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 3 percent.

SEC. 206. Not to exceed $1,000,000 of any appropriations in this Act made available to the Office of National Drug Control Policy may be reprogrammed within a program, project, or activity upon the advance approval of the Committees on Appropriations.

SEC. 207. The first proviso under the heading "Data-Driven Innovation" in division E of Public Law 113–76 is amended by striking "shall" and inserting "may".

This title may be cited as the "Executive Office of the President Appropriations Act, 2015".

Judiciary Appropriations Act, 2015.

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $74,967,000, of which $2,000,000 shall remain available until expended.

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

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, $11,640,000, to remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, $30,212,000.

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

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $17,807,000.

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

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms for Probation and Pretrial Services Office staff, as authorized by law, $4,846,818,000 (including the purchase

of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects; and of which not to exceed $10,000,000 shall remain available until September 30, 2016, for the Integrated Workplace Initiative: *Provided*, That the amount provided for the Integrated Workplace Initiative shall not be available for obligation until the Director of the Administrative Office of the United States Courts submits a report to the Committees on Appropriations of the House of Representatives and the Senate showing that the estimated cost savings resulting from the Initiative will exceed the estimated amounts obligated for the Initiative.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of circuit and district judges (including judges of the territorial courts of the United States), bankruptcy judges, and justices and judges retired from office or from regular active service.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $5,423,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, $1,016,499,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), $52,191,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under 5 U.S.C. 5332.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $513,975,000, of which not to exceed $15,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $84,399,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $26,959,000; of which $1,800,000 shall remain available through September 30, 2016, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $16,894,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for "Courts of Appeals, District Courts, and Other Judicial Services" shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Section 3314(a) of title 40, United States Code, shall be applied by substituting "Federal" for "executive" each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended in the matter following paragraph (12)—

(1) in the second sentence (relating to the District of Kansas), by striking "23 years and 6 months" and inserting "24 years and 6 months"; and

(2) in the sixth sentence (relating to the District of Hawaii), by striking "20 years and 6 months" and inserting "21 years and 6 months".

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating to the eastern District of Missouri) by striking "21 years and 6 months" and inserting "22 years and 6 months".

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

(1) in the first sentence by striking "12 years" and inserting "13 years";

(2) in the second sentence (relating to the central District of California), by striking "11 years and 6 months" and inserting "12 years and 6 months"; and

(3) in the third sentence (relating to the western district of North Carolina), by striking "10 years" and inserting "11 years".

28 USC 846.

SEC. 307. Section 84(b) of title 28, United States Code, is amended in the second sentence by inserting "Bakersfield," after "shall be held at".

18 USC 3155.

SEC. 308. Section 3155 of title 18, United States Code, is amended—

(1) in the first sentence, by deleting the words "and the Director"; and

(2) in the first sentence, by inserting at the end "and shall ensure that case file, statistical, and other information concerning the work of pretrial services is provided to the Director".

This title may be cited as the "Judiciary Appropriations Act, 2015".

District of Columbia Appropriations Act, 2015.

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $30,000,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate

for these funds showing, by object class, the expenditures made and the purpose therefor.

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

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $12,500,000, to remain available until expended, for the costs of providing public safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $245,110,000 to be allocated as follows: for the District of Columbia Court of Appeals, $13,622,000, of which not to exceed $2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, $116,443,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $71,155,000, of which not to exceed $2,500 is for official reception and representation expenses; and $43,890,000, to remain available until September 30, 2016, for capital improvements for District of Columbia courthouse facilities: *Provided*, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condition assessment: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $6,000,000 of the funds provided under this heading among the items and entities funded under this heading: *Provided further*, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for employees of the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements

to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21–2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $49,890,000, to remain available until expended: *Provided*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $234,000,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs, of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which $173,155,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons, of which up to $9,000,000 shall remain available until September 30, 2017, for the relocation of offender supervision field offices; and of which $60,845,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That amounts under this heading may be used for programmatic incentives for offenders and defendants successfully meeting terms of supervision: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of the following: space and hospitality to support offender and defendant programs; equipment, supplies, and vocational training services necessary to sustain, educate, and train offenders and defendants, including their dependent children; and programmatic incentives for offenders and defendants meeting terms of supervision: *Provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift under the previous proviso, and shall make such records available for audit and public inspection: *Provided further*, That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the District of Columbia Government for space and services provided on a cost reimbursable basis.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $41,231,000, of which $1,150,000, to remain available until September 30, 2017, is for relocation of satellite offices: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies: *Provided further,* That, notwithstanding section 1342 of title 31, United States Code, and in addition to the authority provided by the District of Columbia Code Section 2–1607(b), upon approval of the Board of Trustees, the District of Columbia Public Defender Service may accept and use voluntary and uncompensated services for the purpose of aiding or facilitating the work of the District of Columbia Public Defender Service: *Provided further,* That, notwithstanding District of Columbia Code section 2–1603(d), for the purpose of any action brought against the Board of the Trustees of the District of Columbia Public Defender Service, the trustees shall be deemed to be employees of the Public Defender Service.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $14,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $1,900,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2016, to the Commission on Judicial Disabilities and Tenure, $295,000, and for the Judicial Nomination Commission, $270,000.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

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

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, $435,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, $5,000,000.

DISTRICT OF COLUMBIA FUNDS

Local funds are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia ("General Fund") for programs and activities set forth under the heading "District of Columbia Funds Summary of Expenses" and at the rate set forth under such heading, as included in the Fiscal Year 2015 Budget Request Act of 2014 submitted to the Congress by the District of Columbia as amended as of the date of enactment of this Act: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (section 1–204.50a, D.C. Official Code), sections 816 and 817 of the Financial Services and General Government Appropriations Act, 2009 (secs. 47–369.01 and 47–369.02, D.C. Official Code), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2015 under this heading shall not exceed the estimates included in the Fiscal Year 2015 Budget Request Act of 2014 submitted to Congress by the District of Columbia as amended as of the date of enactment of this Act or the sum of the total revenues of the District of Columbia for such fiscal year: *Provided further*, That the amount appropriated may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further*, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2015, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

This title may be cited as the "District of Columbia Appropriations Act, 2015".

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $3,100,000, to remain available until September 30, 2016, of which not to exceed $1,000 is for official reception and representation expenses.

COMMODITY FUTURES TRADING COMMISSION

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, $250,000,000, including not to exceed $3,000 for official reception and representation expenses, and not to exceed $25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than $50,000,000, to remain available until September 30, 2016, shall be for the purchase of information technology and of which not less than $2,620,000 shall be for the Office of the Inspector General: *Provided*, That not to exceed $10,000,000 of the amounts provided herein may be moved between the amount for salaries and expenses and the amount for the purchase of information technology subject to reprogramming procedures under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $4,000 for official reception and representation expenses, $123,000,000.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107–252), $10,000,000, of which $1,900,000 shall be transferred to the National Institute of Standards and

Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $339,844,000, to remain available until expended: *Provided*, That of which not less than $300,000 shall be available for consultation with federally recognized Indian tribes, Alaska Native villages, and entities related to Hawaiian Home Lands: *Provided further,* That $339,844,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2015 so as to result in a final fiscal year 2015 appropriation estimated at $0: *Provided further*, That any offsetting collections received in excess of $339,844,000 in fiscal year 2015 shall not be available for obligation: *Provided further*, That remaining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2014, shall not be available for obligation: *Provided further*, That notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $106,000,000 for fiscal year 2015: *Provided further,* That of the amount appropriated under this heading, not less than $11,090,000 shall be for the salaries and expenses of the Office of Inspector General.

ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS COMMISSION

SEC. 501. Section 302 of the Universal Service Antideficiency Temporary Suspension Act is amended by striking "December 31, 2015", each place it appears and inserting "December 31, 2016".

SEC. 502. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004 recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978,

$34,568,000, to be derived from the Deposit Insurance Fund or, only when appropriate, the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $67,500,000, of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and including official reception and representation expenses (not to exceed $1,500) and rental of conference rooms in the District of Columbia and elsewhere, $25,548,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $293,000,000, to remain available until expended: *Provided*, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed $100,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That, notwithstanding any other provision of law, not to exceed $14,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation:

Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2015, so as to result in a final fiscal year 2015 appropriation from the general fund estimated at not more than $179,000,000: *Provided further*, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFERS OF FUNDS)

Amounts in the Fund, including revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $9,238,310,000, of which—

(1) $509,670,000 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services) of additional projects at—

(A) California, Calexico, Calexico West Land Port of Entry, $98,062,000;

(B) California, San Diego, San Ysidro Land Port of Entry, $216,828,000;

(C) District of Columbia, Washington, DHS Consolidation at St. Elizabeths, $144,000,000;

(D) National Capital Region, Civilian Cyber Campus, $35,000,000; and

(E) New York, Glenville, Scotia Depot, $15,780,000:

Provided, That each of the foregoing limits of costs on new construction and acquisition projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in a transmitted prospectus,

if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount;

(2) $818,160,000 shall remain available until expended for repairs and alterations, including associated design and construction services, of which—

(A) $306,894,000 is for Major Repairs and Alterations;

(B) $390,266,000 is for Basic Repairs and Alterations; and

(C) $121,000,000 is for Special Emphasis Programs, of which—

(i) $5,000,000 is for Energy and Water Retrofit and Conservation Measures;

(ii) $26,000,000 is for Fire and Life Safety;

(iii) $20,000,000 is for Judiciary Capital Security; and

(iv) $70,000,000 is for Consolidation Activities: *Provided*, That consolidation projects result in reduced annual rent paid by the tenant agency: *Provided further*, That no consolidation project exceed $20,000,000 in costs: *Provided further*, That consolidation projects are approved by each of the committees specified in section 3307(a) of title 40, United States Code: *Provided further*, That preference is given to consolidation projects that achieve a utilization rate of 130 usable square feet or less per person for office space: *Provided further*, That the obligation of funds under this paragraph for consolidation activities may not be made until 10 days after a proposed spending plan and explanation for each project to be undertaken, including estimated savings, has been submitted to the Committees on Appropriations of the House of Representatives and the Senate:

Provided, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for "Repairs and Alterations" may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further,* That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading "Repairs and Alterations", may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading "Repairs and Alterations" or used to fund authorized increases in prospectus projects;

(3) $5,666,348,000 for rental of space to remain available until expended; and

(4) $2,244,132,000 for building operations to remain available until expended, of which $1,122,727,000 is for building services, and $1,121,405,000 is for salaries and expenses: *Provided further*, That not to exceed 5 percent of any appropriation made available under this paragraph for building operations may be transferred between and merged with such appropriations upon notification to the Committees on Appropriations of the House of Representatives and the Senate, but no such appropriation shall be increased by more than 5 percent by any such transfers: *Provided further*, That section 508 of this title shall not apply with respect to funds made available under this heading for building operations:

Provided further, That the total amount of funds made available from this Fund to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 2015, excluding reimbursements under 40 U.S.C. 592(b)(2), in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, travel, motor vehicles, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109; $58,000,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, management, and communications; the

Civilian Board of Contract Appeals; services as authorized by 5 U.S.C. 3109; $61,049,000, of which $26,328,000 is for Real and Personal Property Management and Disposal; $25,729,000 is for the Office of the Administrator, of which not to exceed $7,500 is for official reception and representation expenses; and $8,992,000 is for the Civilian Board of Contract Appeals: *Provided further*, That not to exceed 5 percent of the appropriation made available under this heading for Office of the Administrator may be transferred to the appropriation for the Real and Personal Property Management and Disposal upon notification to the Committees on Appropriations of the House of Representatives and the Senate, but the appropriation for the Real and Personal Property Management and Disposal may not be increased by more than 5 percent by any such transfer.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $65,000,000, of which $2,000,000 is available until expended: *Provided*, That not to exceed $50,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $3,250,000.

FEDERAL CITIZEN SERVICES FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of Citizen Services and Innovative Technologies, including services authorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for necessary expenses in support of interagency projects that enable the Federal Government to enhance its ability to conduct activities electronically, through the development and implementation of innovative uses of information technology; $53,294,000, of which $14,135,000 shall be available for electronic government projects, to be deposited into the Federal Citizen Services Fund: *Provided*, That the previous amount may be transferred to Federal agencies to carry out the purpose of the Federal Citizen Services Fund: *Provided further*, That the appropriations, revenues, reimbursements, and collections deposited into the Fund shall be available until expended for necessary expenses of Federal Citizen Services and other activities that enable the Federal Government to enhance its ability to conduct activities electronically in the aggregate amount not to exceed $90,000,000: *Provided further*, That appropriations, revenues, reimbursements, and collections accruing to this Fund during fiscal year 2015 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts: *Provided further*, That any appropriations provided to the

Electronic Government Fund that remain unobligated as of September 30, 2014, may be transferred to the Federal Citizen Services Fund: *Provided further*, That the transfer authorities provided herein shall be in addition to any other transfer authority provided in this Act.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 510. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 511. Funds in the Federal Buildings Fund made available for fiscal year 2015 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 512. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2016 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 513. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in consideration of the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 514. From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 515. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of the General Services Administration under 40 U.S.C. 3307, the Administrator shall ensure that the delineated area of procurement is identical to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the Committees on Appropriations of the House of Representatives

and the Senate prior to exercising any lease authority provided in the resolution.

SEC. 516. With respect to each project funded under the heading "Major Repairs and Alterations" or "Judiciary Capital Security Program", and with respect to E-Government projects funded under the heading "Federal Citizen Services Fund", the Administrator of General Services shall submit a spending plan and explanation for each project to be undertaken to the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after the date of enactment of this Act.

SEC. 517. Any consolidation of the headquarters of the Federal Bureau of Investigation must result in a full consolidation.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 10 of Public Law 93–642, $750,000, to remain available until expended.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $42,740,000, to remain available until September 30, 2016, together with not to exceed $2,345,000, to remain available until September 30, 2016, for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall and Stewart L. Udall Trust Fund, pursuant to the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.), $1,995,000, to remain available until expended, of which, notwithstanding sections 8 and 9 of such Act: (1) up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289); and (2) up to $1,000,000 shall be available to carry out the activities authorized by section 6(7) of Public Law 102–259 and section 817(a) of Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That of the total amount made available under

this heading $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Morris K. Udall and Stewart L. Udall Foundation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $3,400,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, the activities of the Public Interest Declassification Board, the operations and maintenance of the electronic records archives, the hire of passenger motor vehicles, and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning, $365,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–16 (2008), and the Inspector General Act of 1978 (5 U.S.C. App.), and for the hire of passenger motor vehicles, $4,130,000.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $7,600,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $5,000,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $2,000,000 shall be available until September 30, 2016, for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

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

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management (OPM) pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of OPM and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $96,039,000, of which $642,000 may be for strengthening the capacity and capabilities of the acquisition workforce (as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 4001 et seq.)), including the recruitment, hiring, training, and retention of such workforce and information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management; and in addition $118,425,000 for administrative expenses, to be transferred from the appropriate trust funds of OPM without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided,* That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of OPM established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2015, accept donations of money, property, and personal services: *Provided further,* That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or

reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $4,384,000, and in addition, not to exceed $21,340,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12) as amended by Public Law 107–304, the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199), and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $22,939,000.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–435), $14,700,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), $7,500,000, to remain available until September 30, 2016.

RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Recovery Accountability and Transparency Board to carry out the provisions of title XV of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), and to develop and test information technology resources and oversight mechanisms to enhance transparency of and detect and remediate waste, fraud, and abuse in Federal spending, and to develop and use information technology resources and oversight mechanisms to detect and remediate waste, fraud, and abuse in obligation and expenditure of funds as described in section 904(d) of the Disaster Relief Appropriations Act, 2013 (Public Law 113–2), which shall be administered under the terms and conditions of the accountability authorities of title XV of Public Law 111–5, $18,000,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,500 for official reception and representation expenses, $1,500,000,000, to remain available until expended; of which not less than $9,239,000 shall be for the Office of Inspector General; of which not to exceed $50,000 shall be available for a permanent secretariat for the International Organization of Securities Commissions; of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence; and of which not less than $56,613,000 shall be for the Division of Economic and Risk Analysis: *Provided*, That fees and charges authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited to this account as offsetting collections: *Provided further*, That not to exceed $1,500,000,000 of such offsetting collections shall be available until expended for necessary expenses of this account: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2015 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2015 appropriation from the general fund estimated at not more than $0.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as

authorized by 5 U.S.C. 4101–4118 for civilian employees; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $22,500,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles as authorized by sections 1343 and 1344 of title 31, United States Code, and not to exceed $3,500 for official reception and representation expenses, $257,000,000, of which not less than $12,000,000 shall be available for examinations, reviews, and other lender oversight activities: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: *Provided further,* That the Small Business Administration may accept gifts in an amount not to exceed $4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108–447, during fiscal year 2015: *Provided further,* That $6,100,000 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2016: *Provided further*, That $2,000,000 shall be for the Federal and State Technology Partnership Program under section 34 of the Small Business Act (15 U.S.C. 657d).

ENTREPRENEURIAL DEVELOPMENT PROGRAMS

For necessary expenses of programs supporting entrepreneurial and small business development, $220,000,000, to remain available until September 30, 2016: *Provided*, That $115,000,000 shall be available to fund grants for performance in fiscal year 2015 or fiscal year 2016 as authorized by section 21 of the Small Business Act: *Provided further*, That $22,300,000 shall be for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: *Provided further*, That $17,400,000 shall be available for grants to States to carry out export programs that assist small business concerns authorized under section 1207 of Public Law 111–240.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $19,400,000.

OFFICE OF ADVOCACY

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

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $2,500,000, to remain available until expended, and for the cost of guaranteed loans as authorized by section 503 of the Small Business Investment Act of 1958 (Public Law 85–699), $45,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2015 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2015 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $18,750,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: *Provided further*, That during fiscal year 2015 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 shall not exceed $4,000,000,000: *Provided further*, That during fiscal year 2015, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $147,726,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, $186,858,000, to be available until expended, of which $1,000,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be transferred to and merged with the appropriations for the Office of Inspector General; of which $176,858,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses; and of which $9,000,000 is for indirect administrative

expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 520. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 521. (a) None of the funds made available under this Act may be used to collect a guarantee fee under section 7(a)(18) of the Small Business Act (15 U.S.C. 636(a)(18)) with respect to a loan guaranteed under section 7(a)(31) of such Act that is made to a small business concern (as defined under section 3 of such Act (15 U.S.C. 632)) that is 51 percent or more owned and controlled by 1 or more individuals who is a veteran (as defined in section 101 of title 38, United States Code) or the spouse of a veteran.

(b) Nothing in this section shall be construed to limit the authority of the Administrator of the Small Business Administration to waive such a guarantee fee or any other loan fee with respect to a loan to a small business concern described in subsection (a) or any other borrower.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $70,000,000, of which $41,000,000 shall not be available for obligation until October 1, 2015: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

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

UNITED STATES TAX COURT

SALARIES AND EXPENSES

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

TITLE VI

GENERAL PROVISIONS—THIS ACT

(INCLUDING RESCISSION)

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

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

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

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

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

SEC. 606. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with chapter 83 of title 41, United States Code.

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

SEC. 608. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by the Committee on Appropriations of either the House of Representatives or the Senate for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That prior to any significant reorganization or restructuring of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That at a minimum the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2015 from appropriations made available for salaries and expenses for fiscal year 2015 in this Act, shall remain available through September 30, 2016, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further,* That these requests shall be made in compliance with reprogramming guidelines.

SEC. 610. (a) None of the funds made available in this Act may be used by the Executive Office of the President to request—

(1) any official background investigation report on any individual from the Federal Bureau of Investigation; or

(2) a determination with respect to the treatment of an organization as described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code from the Department of the Treasury or the Internal Revenue Service.

(b) Subsection (a) shall not apply—

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

(2) if such request is required due to extraordinary circumstances involving national security.

SEC. 611. The cost accounting standards promulgated under chapter 15 of title 41, United States Code shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

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

SEC. 613. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

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

SEC. 615. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in chapter 83 of title 41, United States Code (popularly known as the Buy American Act), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 103 of title 41, United States Code).

SEC. 616. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regulatory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

SEC. 617. Notwithstanding section 708 of this Act, funds made available to the Commodity Futures Trading Commission and the

Securities and Exchange Commission by this or any other Act may be used for the interagency funding and sponsorship of a joint advisory committee to advise on emerging regulatory issues.

SEC. 618. (a)(1) Notwithstanding any other provision of law, an Executive agency covered by this Act otherwise authorized to enter into contracts for either leases or the construction or alteration of real property for office, meeting, storage, or other space must consult with the General Services Administration before issuing a solicitation for offers of new leases or construction contracts, and in the case of succeeding leases, before entering into negotiations with the current lessor.

(2) Any such agency with authority to enter into an emergency lease may do so during any period declared by the President to require emergency leasing authority with respect to such agency.

(b) For purposes of this section, the term "Executive agency covered by this Act" means any Executive agency provided funds by this Act, but does not include the General Services Administration or the United States Postal Service.

SEC. 619. (a) There are appropriated for the following activities the amounts required under current law:

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

(2) Payments to—

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

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

(C) the United States Court of Federal Claims Judges' Retirement Fund (28 U.S.C. 178(l)).

(3) Payment of Government contributions—

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

(B) with respect to the life insurance benefits for employees retiring after December 31, 1989 (5 U.S.C. ch. 87).

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

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

(b) Nothing in this section may be construed to exempt any amount appropriated by this section from any otherwise applicable limitation on the use of funds contained in this Act.

SEC. 620. The Public Company Accounting Oversight Board (Board) shall have authority to obligate funds for the scholarship program established by section 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in an aggregate amount not exceeding the amount of funds collected by the Board as of December 31, 2014, including accrued interest, as a result of the assessment of monetary penalties. Funds available for obligation in fiscal year 2015 shall remain available until expended.

SEC. 621. None of the funds made available in this Act may be used by the Federal Trade Commission to complete the draft report entitled "Interagency Working Group on Food Marketed to

Children: Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts" unless the Interagency Working Group on Food Marketed to Children complies with Executive Order No. 13563.

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

(1) Director, White House Office of Health Reform.

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

(3) Senior Advisor to the Secretary of the Treasury assigned to the Presidential Task Force on the Auto Industry and Senior Counselor for Manufacturing Policy.

(4) White House Director of Urban Affairs.

SEC. 623. None of the funds in this Act may be used for the Director of the Office of Personnel Management to award a contract, enter an extension of, or exercise an option on a contract to a contractor conducting the final quality review processes for background investigation fieldwork services or background investigation support services that, as of the date of the award of the contract, are being conducted by that contractor.

SEC. 624. Sections 1101(a) and 1104(a)(2)(A) of the Internet Tax Freedom Act (title XI of division C of Public Law 105–277; 47 U.S.C. 151 note) are amended by striking "November 1, 2014" and inserting "October 1, 2015".

SEC. 625. (a) The head of each executive branch agency funded by this Act shall ensure that the Chief Information Officer of the agency has the authority to participate in decisions regarding the budget planning process related to information technology.

(b) Amounts appropriated for any executive branch agency funded by this Act that are available for information technology shall be allocated within the agency, consistent with the provisions of appropriations Acts and budget guidelines and recommendations from the Director of the Office of Management and Budget, in such manner as specified by, or approved by, the Chief Information Officer of the agency in consultation with the Chief Financial Officer of the agency and budget officials.

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

SEC. 627. None of the funds made available by this Act may be used to enter into any contract with an incorporated entity if such entity's sealed bid or competitive proposal shows that such entity is incorporated or chartered in Bermuda or the Cayman Islands, and such entity's sealed bid or competitive proposal shows that such entity was previously incorporated in the United States.

SEC. 628. None of the funds made available by this Act may be used to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011. In instances where there is not an appropriate alternative fueled vehicle commercially available for a particular light duty vehicle class, an exception is granted as to not impede agency missions.

SEC. 629. From the unobligated balances available in the Securities and Exchange Commission Reserve Fund established by section 991 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203), $25,000,000 are rescinded.

SEC. 630. Section 716 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 8305) is amended—

(1) in subsection (b)—

(A) in paragraph (2)(B), by striking "insured depository institution" and inserting "covered depository institution"; and

(B) by adding at the end the following:

"(3) COVERED DEPOSITORY INSTITUTION.—The term 'covered depository institution' means—

"(A) an insured depository institution, as that term is defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

"(B) a United States uninsured branch or agency of a foreign bank.";

(2) in subsection (c)—

(A) in the heading for such subsection, by striking "INSURED" and inserting "COVERED";

(B) by striking "an insured" and inserting "a covered";

(C) by striking "such insured" and inserting "such covered"; and

(D) by striking "or savings and loan holding company" and inserting "savings and loan holding company, or foreign banking organization (as such term is defined under Regulation K of the Board of Governors of the Federal Reserve System (12 CFR 211.21(o)))";

(3) by amending subsection (d) to read as follows:

"(d) ONLY BONA FIDE HEDGING AND TRADITIONAL BANK ACTIVITIES PERMITTED.—

"(1) IN GENERAL.—The prohibition in subsection (a) shall not apply to any covered depository institution that limits its swap and security-based swap activities to the following:

"(A) HEDGING AND OTHER SIMILAR RISK MITIGATION ACTIVITIES.—Hedging and other similar risk mitigating activities directly related to the covered depository institution's activities.

"(B) NON-STRUCTURED FINANCE SWAP ACTIVITIES.—Acting as a swaps entity for swaps or security-based swaps other than a structured finance swap.

"(C) CERTAIN STRUCTURED FINANCE SWAP ACTIVITIES.—Acting as a swaps entity for swaps or security-based swaps that are structured finance swaps, if—

"(i) such structured finance swaps are undertaken for hedging or risk management purposes; or

"(ii) each asset-backed security underlying such structured finance swaps is of a credit quality and of a type or category with respect to which the prudential regulators have jointly adopted rules authorizing swap or security-based swap activity by covered depository institutions.

"(2) DEFINITIONS.—For purposes of this subsection:

"(A) STRUCTURED FINANCE SWAP.—The term 'structured finance swap' means a swap or security-based swap based on an asset-backed security (or group or index primarily comprised of asset-backed securities).

"(B) ASSET-BACKED SECURITY.—The term 'asset-backed security' has the meaning given such term under section

3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).";

(4) in subsection (e), by striking "an insured" and inserting "a covered"; and

(5) in subsection (f)—

(A) by striking "an insured depository" and inserting "a covered depository"; and

(B) by striking "the insured depository" each place such term appears and inserting "the covered depository".

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2015 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

31 USC 1343 note.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with subsection 1343(c) of title 31, United States Code, for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement vehicles, protective vehicles, and undercover surveillance vehicles), is hereby fixed at $13,197 except station wagons for which the maximum shall be $13,631: *Provided*, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles: *Provided further*, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on emerging motor vehicle technology, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

5 USC 3101 note.

SEC. 704. Unless otherwise specified in law during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer

or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: *Provided*, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: *Provided further*, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government: *Provided further*, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: *Provided further*, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

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

(2) Other Federal agency environmental management programs, including, but not limited to, the development and

implementation of hazardous waste management and pollution prevention programs.

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

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

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

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

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by any department, agency, or other instrumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations) unless the head of the applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director

of the Office of Personnel Management that the schedule C position occupied by the individual was not created solely or primarily in order to detail the individual to the White House.

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

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

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

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

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

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

SEC. 715. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation,

distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

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

SEC. 717. None of the funds made available in this or any other Act may be used to provide any non-public information such as mailing, telephone or electronic mailing lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 718. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by Congress.

SEC. 719. (a) In this section, the term "agency"—

(1) means an Executive agency, as defined under 5 U.S.C. 105; and

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

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

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

SEC. 721. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse "General Services Administration, Government-wide Policy" with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide and other multi-agency financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency and multi-agency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human

capital initiatives, the Chief Acquisition Officers Council for procurement initiatives, and the Performance Improvement Council for performance improvement initiatives): *Provided further*, That the total funds transferred or reimbursed shall not exceed $17,000,000 for Government-Wide innovations, initiatives, and activities: *Provided further*, That the funds transferred to or for reimbursement of "General Services Administration, Government-wide Policy" during fiscal year 2015 shall remain available for obligation through September 30, 2016: *Provided further*, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations of the House of Representatives and the Senate by the Director of the Office of Management and Budget.

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

SEC. 723. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 724. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: *Provided*, That this section shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

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

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

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

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

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

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

(1) The term "regulatory" means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term "supervisory" means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 726. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

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

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

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

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

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 727. The United States is committed to ensuring the health of its Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in sport through testing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 728. Notwithstanding any other provision of law, funds appropriated for official travel to Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 729. Notwithstanding any other provision of law, none of the funds appropriated or made available under this or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 730. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be

used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 731. Unless otherwise authorized by existing law, none of the funds provided in this or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

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

SEC. 733. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

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

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

SEC. 734. During fiscal year 2015, for each employee who—

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

(2) retires under any other provision of subchapter III of chapter 83 or chapter 84 of such title 5 and receives a payment as an incentive to separate, the separating agency shall remit to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management's average unit cost of processing a retirement claim for the preceding fiscal year. Such amounts shall be available until expended to the Office of Personnel Management and shall be deemed to be an administrative expense under section 8348(a)(1)(B) of title 5, United States Code.

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

(1) Any payment consisting of a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication that is made by the entity, its officers or directors, or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee, or

that is otherwise made with respect to any election for Federal office.

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

(b) In this section, each of the terms "contribution", "expenditure", "independent expenditure", "electioneering communication", "candidate", "election", and "Federal office" has the meaning given such term in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.).

SEC. 736. None of the funds made available in this or any other Act may be used to pay for the painting of a portrait of an officer or employee of the Federal government, including the President, the Vice President, a member of Congress (including a Delegate or a Resident Commissioner to Congress), the head of an executive branch agency (as defined in section 133 of title 41, United States Code), or the head of an office of the legislative branch.

SEC. 737. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2015, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code— 5 USC 5343 note.

(A) during the period from the date of expiration of the limitation imposed by the comparable section for the previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2015, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(B) during the period consisting of the remainder of fiscal year 2015, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under subparagraph (A) by more than the sum of—

(i) the percentage adjustment taking effect in fiscal year 2015 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(ii) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2015 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(2) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which paragraph (1) is in effect at a rate that exceeds the rates that would be payable under paragraph (1) were paragraph (1) applicable to such employee.

(3) For the purposes of this subsection, the rates payable to an employee who is covered by this subsection and who is paid from a schedule not in existence on September 30, 2014, shall

be determined under regulations prescribed by the Office of Personnel Management.

(4) Notwithstanding any other provision of law, rates of premium pay for employees subject to this subsection may not be changed from the rates in effect on September 30, 2014, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this subsection.

(5) This subsection shall apply with respect to pay for service performed after September 30, 2014.

(6) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this subsection shall be treated as the rate of salary or basic pay.

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

(8) The Office of Personnel Management may provide for exceptions to the limitations imposed by this subsection if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

(b) Notwithstanding subsection (a), the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2015 under sections 5344 and 5348 of title 5, United States Code, shall be—

(1) not less than the percentage received by employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under sections 5303 and 5304 of title 5, United States Code: *Provided*, That prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located in the pay locality designated as "Rest of United States" pursuant to section 5304 of title 5, United States Code, for purposes of this subsection; and

(2) effective as of the first day of the first applicable pay period beginning after September 30, 2014.

5 USC 5303 note.

SEC. 738. (a) The Vice President may not receive a pay raise in calendar year 2015, notwithstanding the rate adjustment made under section 104 of title 3, United States Code, or any other provision of law.

(b) An employee serving in an Executive Schedule position, or in a position for which the rate of pay is fixed by statute at an Executive Schedule rate, may not receive a pay rate increase in calendar year 2015, notwithstanding schedule adjustments made under section 5318 of title 5, United States Code, or any other provision of law, except as provided in subsection (g), (h), or (i). This subsection applies only to employees who are holding a position under a political appointment.

(c) A chief of mission or ambassador at large may not receive a pay rate increase in calendar year 2015, notwithstanding section 401 of the Foreign Service Act of 1980 (Public Law 96–465) or

any other provision of law, except as provided in subsection (g), (h), or (i).

(d) Notwithstanding sections 5382 and 5383 of title 5, United States Code, a pay rate increase may not be received in calendar year 2015 (except as provided in subsection (g), (h), or (i)) by—

(1) a noncareer appointee in the Senior Executive Service paid a rate of basic pay at or above level IV of the Executive Schedule; or

(2) a limited term appointee or limited emergency appointee in the Senior Executive Service serving under a political appointment and paid a rate of basic pay at or above level IV of the Executive Schedule.

(e) Any employee paid a rate of basic pay (including any locality-based payments under section 5304 of title 5, United States Code, or similar authority) at or above level IV of the Executive Schedule who serves under a political appointment may not receive a pay rate increase in calendar year 2015, notwithstanding any other provision of law, except as provided in subsection (g), (h), or (i). This subsection does not apply to employees in the General Schedule pay system or the Foreign Service pay system, or to employees appointed under section 3161 of title 5, United States Code, or to employees in another pay system whose position would be classified at GS–15 or below if chapter 51 of title 5, United States Code, applied to them.

(f) Nothing in subsections (b) through (e) shall prevent employees who do not serve under a political appointment from receiving pay increases as otherwise provided under applicable law.

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

(h) A member of the Senior Foreign Service who receives a Presidential appointment to any position in the executive branch and who makes an election to retain Senior Foreign Service pay entitlements under section 302(b) of the Foreign Service Act of 1980 (Public Law 96–465) is not subject to this section.

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

(j) Notwithstanding any other provision of law, for an individual who is newly appointed to a covered position during the period of time subject to this section, the initial pay rate shall be based on the rates of pay and applicable pay limitations in effect on December 31, 2013.

(k) If an employee affected by subsections (b) through (e) is subject to a biweekly pay period that begins in calendar year 2015 but ends in calendar year 2016, the bar on the employee's receipt of pay rate increases shall apply through the end of that pay period.

SEC. 739. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector

General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2015 for which the cost to the United States Government was more than $100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

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

(A) the cost of any food or beverages;

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

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

(D) a discussion of the methodology used to determine which costs relate to the conference; and

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

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

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

(c) Within 15 days of the date of a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2015 for which the cost to the United States Government was more than $20,000, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending such conference.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

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

SEC. 740. None of the funds made available in this or any other appropriations Act may be used to increase, eliminate, or reduce funding for a program, project, or activity as proposed in the President's budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this or any other appropriations Act.

SEC. 741. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled "Competitive Area" published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 742. None of the funds appropriated or otherwise made available by this or any other Act may be used to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

SEC. 743. (a) None of the funds appropriated or otherwise made available by this or any other Act may be available for a contract, grant, or cooperative agreement with an entity that requires employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contactors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

(b) The limitation in subsection (a) shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

SEC. 744. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 745. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 746. Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Council of Inspectors General on Integrity and Efficiency, the Government Accountability Office, and other stakeholders shall develop—

(1) criteria for an agency that has demonstrated a stabilized, effective system of internal control over financial reporting, whereby the agency would qualify for a consolidated Department level audit for obtaining a financial statement audit opinion, rather than an agency level audit; and

(2) recommendations on how to improve current financial reporting requirements to increase government transparency,

in conjunction with the implementation of the Digital Accountability and Transparency Act of 2014 (Public Law 113–101), and better meet the needs of all stakeholders.

SEC. 747. (a) No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.": *Provided*, That notwithstanding the preceding provision of this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

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

(c) No funds appropriated in this or any other Act may be used to implement or enforce any agreement entered into during fiscal year 2014 which does not contain substantially similar language to that required in subsection (a).

SEC. 748. During fiscal year 2015, on the date that a request is made for a transfer of funds in accordance with section 1017 of Public Law 111–203, the Bureau of Consumer Financial Protection shall notify Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate of such requests.

SEC. 749. None of the funds made available by this or any other Act may be used to implement a new Federal Flood Risk Management Standard until the Administration has solicited and considered input from Governors, mayors, and other stakeholders.

5 USC 3101 note.

SEC. 750. Except as expressly provided otherwise, any reference to "this Act" contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFERS OF FUNDS)

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

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

SEC. 803. (a) None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

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

(5) re-establishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,

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

(b) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 7, 2015.

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

SEC. 805. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day;

(3) at the discretion of the Director of the Department of Corrections, an officer or employee of the District of Columbia Department of Corrections who resides in the District of Columbia and is on call 24 hours a day;

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

(5) at the discretion of the Director of the Homeland Security and Emergency Management Agency, an officer or employee of the Homeland Security and Emergency Management Agency who resides in the District of Columbia and is on call 24 hours a day;

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

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

SEC. 806. (a) None of the Federal funds contained in this Act may be used by the District of Columbia Attorney General or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Attorney General from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

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

SEC. 808. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 809. (a) None of the Federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

(b) None of the funds contained in this Act may be used to enact any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative for recreational purposes.

SEC. 810. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother

would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 811. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia, a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2015 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

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

SEC. 812. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council for the District of Columbia, a revised appropriated funds operating budget for the District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised appropriated funds budget shall be in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, Sec. 1–204.42).

SEC. 813. (a) Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

(b) The District of Columbia government is authorized to reprogram or transfer for operating expenses any local funds transferred or reprogrammed in this or the four prior fiscal years from operating funds to capital funds, and such amounts, once transferred or reprogrammed, shall retain appropriation authority consistent with the provisions of this Act.

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

SEC. 814. None of the Federal funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 815. Except as otherwise specifically provided by law or under this Act, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2015 from appropriations of Federal funds made available for salaries and expenses for fiscal year 2015 in this Act, shall remain available through September 30, 2016, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines outlined in section 803 of this Act.

SEC. 816. (a) During fiscal year 2016, during a period in which neither a District of Columbia continuing resolution or a regular District of Columbia appropriation bill is in effect, local funds are appropriated in the amount provided for any project or activity for which local funds are provided in the Fiscal Year 2016 Budget Request Act of 2015 as submitted to Congress (subject to any modifications enacted by the District of Columbia as of the beginning of the period during which this subsection is in effect) at the rate set forth by such Act.

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

(1) during any period in which a District of Columbia continuing resolution for fiscal year 2016 is in effect; or

(2) upon the enactment into law of the regular District of Columbia appropriation bill for fiscal year 2016.

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

(d) An appropriation made by subsection (a) shall cover all obligations or expenditures incurred for such project or activity during the portion of fiscal year 2016 for which this section applies to such project or activity.

(e) This section shall not apply to a project or activity during any period of fiscal year 2016 if any other provision of law (other than an authorization of appropriations)—

(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period; or

(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

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

SEC. 817. Except as expressly provided otherwise, any reference to "this Act" contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

This division may be cited as the "Financial Services and General Government Appropriations Act, 2015".

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2015.

DIVISION F—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

TITLE I

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized

by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), $970,016,000, to remain available until expended; of which $3,000,000 shall be available in fiscal year 2015 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump-sum grant without regard to when expenses are incurred.

In addition, $32,500,000 is for the processing of applications for permit to drill and related use authorizations, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation that shall be derived from a fee of $6,500 per new application for permit to drill that the Bureau shall collect upon submission of each new application, and, in addition, $39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2015 so as to result in a final appropriation estimated at not more than $970,016,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $19,746,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $113,777,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 1181(f)).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant

to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315(b), 315(m)) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: *Provided*, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: *Provided*, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

43 USC 1735 note.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion

of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $10,000: *Provided*, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That projects to be funded pursuant to a written commitment by a State government to provide an identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,207,658,000, to remain available until September 30, 2016 except as otherwise provided herein: *Provided,* That not to exceed $20,515,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed $4,605,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2012; of which not to exceed $1,501,000 shall be used for any activity regarding petitions to list species that are indigenous to the United States pursuant to subsections (b)(3)(A) and (b)(3)(B); and, of which not to exceed $1,504,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) for species that are not indigenous to the United States.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein; $15,687,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, (16 U.S.C. 460*l*–4 et seq.), including

administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $47,535,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: *Provided*, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535), $50,095,000, to remain available until expended, of which $22,695,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and of which $27,400,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $13,228,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), $34,145,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.), $3,660,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), $9,061,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $58,695,000, to remain available until expended: *Provided*, That of the amount provided herein, $4,084,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That $5,487,000 is for a competitive grant program for States, territories, and other

jurisdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting $9,571,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That any amount apportioned in 2015 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2016, shall be reapportioned, together with funds appropriated in 2017, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding 31 U.S.C. 3302, all fees collected for non-toxic shot review and approval shall be deposited

under the heading "United States Fish and Wildlife Service—Resource Management" and shall be available to the Secretary, without further appropriation, to be used for expenses of processing of such non-toxic shot type or coating applications and revising regulations as necessary, and shall remain available until expended.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,275,773,000, of which $9,923,000 for planning and interagency coordination in support of Everglades restoration and $81,961,000 for maintenance, repair, or rehabilitation projects for constructed assets shall remain available until September 30, 2016: *Provided*, That funds appropriated under this heading in this Act and previous Appropriations Acts are available for the purposes of section 5 of Public Law 95–348 and section 204 of Public Law 93–486, as amended by section 1(3) of Public Law 100–355.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, $63,117,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (16 U.S.C. 470 et seq.), $56,410,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2016.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, including modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-8), $138,339,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2015 with a future phase indicated in the National Park Service 5–Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232–18.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

16 USC 4601–10a note.

The contract authority provided for fiscal year 2015 by section 9 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–10a) is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965 (16 U.S.C. 460*l*–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $98,960,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $48,117,000 is for the State assistance program and of which $8,986,000 shall be for the American Battlefield Protection Program grants as authorized by section 7301 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11).

CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions of section 814(g) of Public Law 104–333 (16 U.S.C. 1f) relating to challenge cost share agreements, $10,000,000, to remain available until expended, for Centennial Challenge projects and programs: *Provided*, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 407(d) of Public Law 105–391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,045,000,000, to remain available until September 30, 2016; of which $53,337,189 shall remain available until expended for satellite operations; and of which $7,280,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed $100,000 in cost: *Provided*, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

43 USC 50 note.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT

OCEAN ENERGY MANAGEMENT

For expenses necessary for granting leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf and approving operations related thereto, as authorized by law; for environmental studies, as authorized by law; for implementing other laws and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $169,770,000, of which $72,422,000 is to remain available until September 30, 2016 and of which $97,348,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2015 appropriation estimated at not more than $72,422,000: *Provided further*, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $124,726,000, of which $66,147,000 is to remain available until September 30, 2016 and of which $58,579,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2015 appropriation estimated at not more than $66,147,000.

For an additional amount, $65,000,000, to remain available until expended, to be reduced by amounts collected by the Secretary and credited to this appropriation, which shall be derived from non-refundable inspection fees collected in fiscal year 2015, as provided in this Act: *Provided*, That to the extent that amounts realized from such inspection fees exceed $65,000,000, the amounts realized

in excess of $65,000,000 shall be credited to this appropriation and remain available until expended: *Provided further*, That for fiscal year 2015, not less than 50 percent of the inspection fees expended by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $14,899,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $122,713,000, to remain available until September 30, 2016: *Provided*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

30 USC 1211 note.

In addition, for costs to review, administer, and enforce permits issued by the Bureau pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257), $40,000, to remain available until expended: *Provided*, That fees assessed and collected by the Bureau pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2015 appropriation estimated at not more than $122,713,000.

30 USC 1257 note.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $27,399,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That amounts provided under this heading may be used for the travel and per

diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ADMINISTRATIVE PROVISION

In fiscal year 2015 and each fiscal year thereafter, with funds available for the Technical Innovation and Professional Services program in this or any other Act with respect to any fiscal year, the Secretary may transfer title for computer hardware, software and other technical equipment to State and tribal regulatory and reclamation programs. 30 USC 1308b.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), $2,429,236,000, to remain available until September 30, 2016, except as otherwise provided herein; of which not to exceed $8,500 may be for official reception and representation expenses; of which not to exceed $74,809,000 shall be for welfare assistance payments: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: *Provided further*, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: *Provided further*, That not to exceed $606,690,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2015, and shall remain available until September 30, 2016: *Provided further*, That not to exceed $48,553,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: *Provided further*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975 (25 U.S.C. 450f et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C. 2008), not to exceed $62,395,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2014 for the operation of Bureau-funded schools, and up to $500,000 within and only from such amounts made available for administrative cost grants shall be available for the transitional costs of initial administrative cost grants to grantees that assume operation on or after July 1, 2014, of Bureau-funded schools: *Provided further*, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2016, may be transferred during fiscal year 2017 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust

fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2017: *Provided further*, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $128,876,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2015, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): *Provided further*, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: *Provided further*, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 111–11, and 111–291, and for implementation of other land and water rights settlements, $35,655,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $7,731,000, of which $1,045,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $100,496,183.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Education, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may waive this prohibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the

Bureau of Indian Education. Appropriations made available in this or any prior Act for schools funded by the Bureau shall be available, in accordance with the Bureau's funding formula, only to the schools in the Bureau school system as of September 1, 1996, and to any school or school program that was reinstated in fiscal year 2012. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

Funds available under this Act may not be used to establish satellite locations of schools in the Bureau school system as of September 1, 1996, except that the Secretary may waive this prohibition in order for an Indian tribe to provide language and cultural immersion educational programs for non-public schools located within the jurisdictional area of the tribal government which exclusively serve tribal members, do not include grades beyond those currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of incurring extraordinary costs, such as for transportation or other impacts to students such as those caused by busing students extended distances: *Provided*, That no funds available under this Act may be used to fund operations, maintenance, rehabilitation, construction or other facilities-related costs for such assets that are not owned by the Bureau: *Provided further*, That the term "satellite school" means a school location physically separated from the existing Bureau school by more than 50 miles but that forms part of the existing school in all other respects.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

For necessary expenses for management of the Department of the Interior, including the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, $265,263,000, to remain available until September 30, 2016; of which not to exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $12,000,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $38,300,000 shall remain available until expended for the purpose of mineral revenue management activities: *Provided*, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments.

ADMINISTRATIVE PROVISIONS

For fiscal year 2015, up to $400,000 of the payments authorized by the Act of October 20, 1976 (31 U.S.C. 6901–6907) may be retained for administrative expenses of the Payments in Lieu of Taxes Program: *Provided*, That no payment shall be made pursuant to that Act to otherwise eligible units of local government if the computed amount of the payment is less than $100: *Provided further*, That the Secretary may reduce the payment authorized by 31 U.S.C. 6901–6907 for an individual county by the amount necessary to correct prior year overpayments to that county: *Provided further*, That the amount needed to correct a prior year underpayment to an individual county shall be paid from any reductions for overpayments to other counties and the amount necessary to cover any remaining underpayment is hereby appropriated and shall be paid to individual counties.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Public Law 108–188, $85,976,000, of which: (1) $76,528,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the

Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,448,000 shall be available until September 30, 2016, for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

48 USC 1469b.

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $3,318,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development

Act: *Provided further*, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $65,800,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $50,047,000.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $139,029,000, to remain available until expended, of which not to exceed $23,061,000 from this or any other Act, may be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs and Bureau of Indian Education, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Office of the Secretary, "Departmental Operations" account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2015, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of $15 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose: *Provided further*, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of less than $500 unless the Office of the Special Trustee receives proof of ownership from a Special Deposit Accounts claimant.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, hazardous fuels management activities, and rural fire assistance by the Department of the Interior, $804,779,000, to remain available until expended, of which not to exceed $6,127,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That of the funds provided $164,000,000 is for hazardous fuels management activities, of which $10,000,000 is for resilient landscapes activities: *Provided further*, That of the funds provided $18,035,000 is for burned area rehabilitation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels management and resilient landscapes activities, and for training and monitoring associated with such hazardous fuels management and resilient landscapes activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of hazardous fuels management and resilient landscapes activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to

enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: *Provided further*, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of the Interior and as a reserve fund for suppression and Federal emergency response activities, $92,000,000, to remain available until expended: *Provided*, That such amounts are only available for transfer to the "Wildland Fire Management" account following a declaration by the Secretary in accordance with section 502 of the FLAME Act of 2009 (43 U.S.C. 1748a).

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), $10,010,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and Public Law 101–337 (16 U.S.C. 19jj et seq.), $7,767,000, to remain available until expended.

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, consolidation of facilities and operations throughout the Department, $57,100,000, to remain available until expended: *Provided*, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: *Provided further*, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: *Provided further*, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: *Provided further*, That the Secretary may enter into grants and cooperative agreements to support the Office of Natural Resource Revenue's collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, aircraft which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant

to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106–224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire operations" and "FLAME Wildfire Suppression Reserve Fund" shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

SEC. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Bureau of Indian Education, and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2015. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 106. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 107. (a) In fiscal year 2015, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the "Offshore Safety and Environmental Enforcement" account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

(b) Annual fees shall be collected for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2015 shall be:

(1) $10,500 for facilities with no wells, but with processing equipment or gathering lines;

(2) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2015. Fees for fiscal year 2015 shall be:

(1) $30,500 per inspection for rigs operating in water depths of 500 feet or more; and

(2) $16,700 per inspection for rigs operating in water depths of less than 500 feet.

(d) The Secretary shall bill designated operators under subsection (b) within 60 days, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing.

OIL AND GAS LEASING INTERNET PROGRAM

SEC. 108. (a) Notwithstanding section 17(b)(1)(A) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)(A)), the Secretary of the Interior shall have the authority to implement an oil and gas leasing Internet program, under which the Secretary may conduct lease sales through methods other than oral bidding.

(b) The authority in subsection (a) shall be effective for fiscal year 2015 until the date of the enactment of a provision of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 that amends section 17(b)(1) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)) to authorize onshore lease sales through Internet-based bidding methods.

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

SEC. 109. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines for division F in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

SEC. 110. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c) (except that the 5-year term restriction in subsection (d) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary. 16 USC 1336 note.

MASS MARKING OF SALMONIDS

SEC. 111. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but

not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

PROHIBITION ON USE OF FUNDS

SEC. 112. (a) Any proposed new use of the Arizona & California Railroad Company's Right of Way for conveyance of water shall not proceed unless the Secretary of the Interior certifies that the proposed new use is within the scope of the Right of Way.

(b) No funds appropriated or otherwise made available to the Department of the Interior may be used, in relation to any proposal to store water underground for the purpose of export, for approval of any right-of-way or similar authorization on the Mojave National Preserve or lands managed by the Needles Field Office of the Bureau of Land Management, or for carrying out any activities associated with such right-of-way or similar approval.

REPUBLIC OF PALAU

SEC. 113. (a) IN GENERAL.—Subject to subsection (c), the United States Government, through the Secretary of the Interior shall provide to the Government of Palau for fiscal year 2015 grants in amounts equal to the annual amounts specified in subsections (a), (c), and (d) of section 211 of the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note) (referred to in this section as the "Compact").

(b) PROGRAMMATIC ASSISTANCE.—Subject to subsection (c), the United States shall provide programmatic assistance to the Republic of Palau for fiscal year 2015 in amounts equal to the amounts provided in subsections (a) and (b)(1) of section 221 of the Compact.

(c) LIMITATIONS ON ASSISTANCE.—

(1) IN GENERAL.—The grants and programmatic assistance provided under subsections (a) and (b) shall be provided to the same extent and in the same manner as the grants and assistance were provided in fiscal year 2009.

(2) TRUST FUND.—If the Government of Palau withdraws more than $5,000,000 from the trust fund established under section 211(f) of the Compact, amounts to be provided under subsections (a) and (b) shall be withheld from the Government of Palau.

EXHAUSTION OF ADMINISTRATIVE REVIEW

SEC. 114. Paragraph (1) of section 122(a) of division E of Public Law 112–74 (125 Stat. 1013), as amended by section 122 of division G of Public Law 113–76 (128 Stat. 314), is further amended by striking "through 2015," in the first sentence and inserting "through 2016,".

WILD LANDS FUNDING PROHIBITION

SEC. 115. None of the funds made available in this Act or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010: *Provided*, That nothing in this section shall restrict the Secretary's authorities under sections 201 and 202

of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711 and 1712).

BUREAU OF INDIAN EDUCATION OPERATED SCHOOLS

SEC. 116. Section 115(d) of division E of Public Law 112–74 (125 Stat. 1010) is amended by striking "2014" and inserting "2017". 25 USC 2000 note.

REAUTHORIZATION OF FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

SEC. 117. Title I of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (Public Law 111–88) is amended in the text under the heading "FOREST ECOSYSTEM HEALTH AND RECOVERY FUND" by striking "2015" each place it appears and inserting "2020".

VOLUNTEERS IN PARKS

SEC. 118. Section 4 of Public Law 91–357 (16 U.S.C. 18j), as amended, is further amended by striking "$3,500,000" and inserting "$5,000,000".

CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

SEC. 119. Notwithstanding any other provision of law, during fiscal year 2015, in carrying out work involving cooperation with State, local, and tribal governments or any political subdivision thereof, Indian Affairs may record obligations against accounts receivable from any such entities, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

HERITAGE AREAS

SEC. 120. (a) Section 109 of title I of Public Law 105–355 (16 U.S.C. 461 note) shall be applied for fiscal year 2015 by substituting "2015" for "2014".

(b) Section 157(h)(1) of title I of Public Law 106–291 (16 U.S.C. 461 note) is amended by striking "$10,000,000" and inserting "$11,000,000".

RATIFICATION OF PAYMENTS

SEC. 121. All payments made to school districts under the first section of the Act of June 4, 1948 (62 Stat. 338, chapter 417; 16 U.S.C. 40a), during the period beginning in fiscal year 1976 and ending on the date of enactment of this Act are ratified and approved, notwithstanding the payments made under chapter 69 of title 31, United States Code to the units of general local government.

SAGE-GROUSE

SEC. 122. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

(1) a proposed rule for greater sage-grouse (*Centrocercus urophasianus*);

(2) a proposed rule for the Columbia basin distinct population segment of greater sage-grouse;

(3) a final rule for the bi-state distinct population segment of greater sage-grouse; or

(4) a final rule for Gunnison sage-grouse (*Centrocercus minimus*).

TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $734,648,000, to remain available until September 30, 2016: *Provided*, That of the funds included under this heading, $4,100,000 shall be for Research: National Priorities as specified in the explanatory statement accompanying this Act.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed $19,000 for official reception and representation expenses, $2,613,679,000, to remain available until September 30, 2016: *Provided*, That of the funds included under this heading, $12,700,000 shall be for Environmental Protection: National Priorities as specified in the explanatory statement accompanying this Act: *Provided further*, That of the funds included under this heading, $427,737,000 shall be for Geographic Programs specified in the explanatory statement accompanying this Act: *Provided further*, That of the funds provided under this heading for Information Exchange and Outreach, $856,750 of funds made available for the Immediate Office of the Administrator and $1,790,750 of funds made available for the Office of Congressional and Intergovernmental Relations shall be withheld from obligation until reports detailed in the explanatory statement accompanying this Act are provided to the Committees on Appropriations of the House of Representatives and the Senate; and of the funds provided under this heading for Operations and Administration for the Office of the Chief Financial Officer, $741,500 shall be withheld from obligation until such reports are provided to the Committees on Appropriations of the House of Representatives and the Senate.

HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM FUND

For necessary expenses to carry out section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g), including the development, operation, maintenance, and upgrading of the hazardous waste electronic manifest system established by such section, $3,674,000, to remain available until September 30, 2017.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $41,489,000, to remain available until September 30, 2016.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $42,317,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,088,769,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2014, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,088,769,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, $9,939,000 shall be paid to the "Office of Inspector General" appropriation to remain available until September 30, 2016, and $18,850,000 shall be paid to the "Science and Technology" appropriation to remain available until September 30, 2016.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, $91,941,000, to remain available until expended, of which $66,572,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; $25,369,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: *Provided*, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

INLAND OIL SPILL PROGRAMS

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $18,209,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,545,161,000, to remain available until expended, of which—

(1) $1,448,887,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $906,896,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: *Provided*, That for fiscal year 2015, to the extent there are sufficient eligible project applications, not less than 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That for fiscal year 2015, funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2015 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2015, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act and section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: *Provided further*, That for fiscal year 2015, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Clean Water Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: *Provided further*, That for fiscal year 2015, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe

Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: *Provided further*, That not less than 20 percent but not more than 30 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act;

(2) $5,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; *Provided*, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;

(3) $10,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: *Provided*, That of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(4) $80,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs: *Provided*, That not more than 25 percent of the amount appropriated to carry out section 104(k) of CERCLA shall be used for site characterization, assessment, and remediation of facilities described in section 101(39)(D)(ii)(II) of CERCLA;

(5) $30,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) $10,000,000 shall be for targeted airshed grants in accordance with the terms and conditions of the explanatory statement accompanying this Act; and

(7) $1,054,378,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which: $47,745,000 shall be for carrying out section 128 of CERCLA; $9,646,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; $1,498,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading "Leaking Underground Storage Tank Trust Fund Program" to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; $17,848,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs.

ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For fiscal year 2015, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs for Indian tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 112–177, the Pesticide Registration Improvement Extension Act of 2012.

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w–8(d)(2)), the Administrator of the Environmental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2015.

The Administrator is authorized to transfer up to $300,000,000 of the funds appropriated for the Great Lakes Restoration Initiative under the heading "Environmental Programs and Management"

to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities provided that the cost does not exceed $150,000 per project.

The fourth paragraph under the heading "Administrative Provisions" in title II of Public Law 109–54 is amended by striking "2015" and inserting "2020".

For fiscal year 2015, and notwithstanding section 518(f) of the Water Pollution Control Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of the Act to make grants to federally recognized Indian tribes pursuant to sections 319(h) and 518(e) of that Act.

The Administrator is authorized to use the amounts appropriated under the heading "Environmental Programs and Management" for fiscal year 2015 to provide grants to implement the Southeastern New England Watershed Restoration Program.

From unobligated balances to carry out projects and activities funded through the "State and Tribal Assistance Grants" account, $40,000,000, are hereby permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $296,000,000, to remain available until expended: *Provided,* That of the funds provided, $70,000,000 is for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants,

cooperative forestry, and education and land conservation activities and conducting an international program as authorized, $232,653,000, to remain available until expended, as authorized by law; of which $53,000,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL FOREST SYSTEM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,494,330,000, to remain available until expended: *Provided*, That of the funds provided, $40,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): *Provided further*, That of the funds provided, $339,130,000 shall be for forest products: *Provided further*, That of the funds provided, up to $81,941,000 is for the Integrated Resource Restoration pilot program for Region 1, Region 3 and Region 4: *Provided further*, That of the funds provided for forest products, up to $65,560,000 may be transferred to support the Integrated Resource Restoration pilot program in the preceding proviso: *Provided further*, That the Secretary of Agriculture may transfer to the Secretary of the Interior any unobligated funds appropriated in this fiscal year or in a previous fiscal year for operation of the Valles Caldera National Preserve.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $360,374,000, to remain available until expended, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided,* That $40,000,000 shall be designated for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered, or sensitive species or community water sources: *Provided further*, That funds becoming available in fiscal year 2015 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated: *Provided further*, That of the funds provided for decommissioning of roads, up to $14,743,000 may be transferred to the "National Forest System" to support the Integrated Resource Restoration pilot program.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, (16 U.S.C. 460*l*–4 et seq.), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $47,500,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $950,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967, (16 U.S.C. 484a), to remain available until expended (16 U.S.C. 460*l*–516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $2,500,000, to remain available until expended.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels management on or adjacent to such lands, emergency rehabilitation of burned-over National Forest System lands and water, and for State and volunteer fire assistance, $2,333,298,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That, notwithstanding any other provision of law, $6,914,000 of funds appropriated under this appropriation shall be available for the Forest Service in support of fire science research authorized by the Joint Fire Science Program, including all Forest Service authorities for the use of funds, such as contracts, grants, research joint venture agreements, and cooperative agreements: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: *Provided further*, That funds provided shall be available for emergency rehabilitation and restoration, hazardous fuels management activities, support to Federal emergency response, and wildfire suppression activities of the Forest Service: *Provided further*, That of the funds provided, $361,749,000 is for hazardous fuels management activities, $19,795,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, (16 U.S.C. 1641 et seq.), $78,000,000 is for State fire assistance, and $13,000,000 is for volunteer fire assistance under section 10 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106): *Provided further*, That amounts in this paragraph may be transferred to the "National Forest System", and "Forest and Rangeland Research" accounts to fund forest and rangeland research, the Joint Fire Science Program, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *Provided further*, That, of the funds provided, $65,000,000 shall be available for the purpose of acquiring aircraft for the next-generation airtanker fleet to enhance firefighting mobility, effectiveness, efficiency, and safety, and such aircraft shall be suitable for contractor operation over the terrain and forested-ecosystems characteristic of National Forest System lands, as determined by the Chief of the Forest Service: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That up to $15,000,000 of the funds provided herein may be used by the Secretary of Agriculture to enter into procurement contracts

or cooperative agreements or to issue grants for hazardous fuels management activities and for training or monitoring associated with such hazardous fuels management activities on Federal land or on non-Federal land if the Secretary determines such activities implement a community wildfire protection plan (or equivalent) and benefit resources on Federal land: *Provided further*, That funds made available to implement the Community Forest Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the "State and Private Forestry" appropriation: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That of the funds provided for hazardous fuels management, not to exceed $15,000,000 may be used to make grants, using any authorities available to the Forest Service under the "State and Private Forestry" appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: *Provided further*, That funds designated for wildfire suppression, including funds transferred from the "FLAME Wildfire Suppression Reserve Fund," shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs: *Provided further*, That of the funds for hazardous fuels management, up to $28,077,000 may be transferred to the "National Forest System" to support the Integrated Resource Restoration pilot program.

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of Agriculture and as a reserve fund for suppression and Federal emergency response activities, $303,060,000, to remain available until expended: *Provided*, That such amounts are only available for transfer to the "Wildland Fire Management" account following a declaration by the Secretary in accordance with section 502 of the FLAME Act of 2009 (43 U.S.C. 1748a).

ADMINISTRATIVE PROVISIONS—FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant

to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the headings "Wildland Fire Management" and "FLAME Wildfire Suppression Reserve Fund" will be obligated within 30 days: *Provided*, That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with U.S., private, and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the Millennium Challenge Corporation), U.S. private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

16 USC 556i.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–107 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the explanatory statement accompanying this Act.

Not more than $82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested

by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center. Nothing in this paragraph shall limit the Forest Service portion of implementation costs to be paid to the Department of Agriculture for the International Technology Service.

Of the funds available to the Forest Service, up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993, Public Law 103–82, as amended by Public Lands Corps Healthy Forests Restoration Act of 2005, Public Law 109–154.

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

Funds available to the Forest Service, not to exceed $55,000,000, shall be assessed for the purpose of performing fire, administrative and other facilities maintenance and decommissioning. Such assessments shall occur using a square foot rate

charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar nonlitigation-related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

An eligible individual who is employed in any project funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $4,182,147,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) and 238b, for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That, $914,139,000 for Purchased/Referred Care, including $51,500,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: *Provided further*, That, of the funds provided, up to $36,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of the Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of the Act (25 U.S.C. 1616a–1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of the Act (25 U.S.C. 1613a and 1616a): *Provided further*, That notwithstanding any other provision of law, the amounts made available within this account for the methamphetamine and suicide prevention and treatment initiative and for the domestic violence prevention initiative shall be allocated at the

discretion of the Director of the Indian Health Service and shall remain available until expended: *Provided further*, That funds provided in this Act may be used for annual contracts and grants that fall within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: *Provided further*, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That the Bureau of Indian Affairs may collect from the Indian Health Service, tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400, et seq.): *Provided further*, That the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $460,234,000 to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: *Provided further*, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed $2,700,000 from this account and the "Indian Health Services" account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities

in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed $500,000 may be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: *Provided*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further*, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: *Provided further*, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request

has been included in an appropriations Act and enacted into law: *Provided further*, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: *Provided further*, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: *Provided further*, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $77,349,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, $74,691,000, of which up to $1,000 per eligible employee of the Agency for Toxic Substances and Disease Registry shall remain available until expended for Individual Learning Accounts: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2015, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $3,000,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $11,000,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

5 USC app 8G note.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $7,341,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo

or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d-10: *Provided further*, That $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Office of Navajo and Hopi Indian Relocation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498 (20 U.S.C. 56 part A), $9,469,000, to remain available until September 30, 2016.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $675,343,000, to remain available until September 30, 2016, except as otherwise provided herein; of which not to exceed $47,522,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $144,198,000, to remain available until

expended, of which not to exceed $10,000 shall be for services as authorized by 5 U.S.C. 3109, and of which $24,010,000 shall be for construction of the National Museum of African American History and Culture.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $119,500,000, to remain available until September 30, 2016, of which not to exceed $3,578,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $19,000,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $22,000,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy

Center for the Performing Arts, $10,800,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $10,500,000, to remain available until September 30, 2016.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $146,021,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $146,021,000 to remain available until expended, of which $135,121,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $10,900,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $8,500,000 for the purposes of section 7(h): *Provided*, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further*, That the Chairperson of the National Endowment for the Arts may approve

grants of up to $10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: *Provided further*, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under Chapter 91 of title 40, United States Code, $2,524,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: *Provided further*, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study or education.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), $2,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665), $6,204,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, $7,948,000: *Provided*, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $52,385,000, of which $515,000 shall remain available until September 30, 2017, for the Museum's equipment replacement program; and of which $1,900,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses, including the costs of construction design, of the Dwight D. Eisenhower Memorial Commission, $1,000,000, to remain available until expended.

TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

SEC. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

SEC. 404. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2015, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

SEC. 405. Notwithstanding any other provision of law, amounts appropriated to or otherwise designated in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, 105–277, 106–113, 106–291, 107–63, 108–7, 108–108, 108–447, 109–54, 109–289, division B and Continuing Appropriations Resolution, 2007 (division B of Public Law 109–289, as amended by Public Laws 110–5 and 110–28), Public Laws 110–92, 110–116, 110–137, 110–149, 110–161, 110–329, 111–6, 111–8, 111–88, 112–10, 112–74, and 113–6 for payments for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 2013 for such purposes, except that the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, self-governance compacts, or annual funding agreements.

CONTRACT SUPPORT COSTS, FISCAL YEAR 2014 LIMITATION

SEC. 406. Amounts provided under the headings "Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Operation of Indian Programs" and "Department of Health and Human Services, Indian Health Service, Indian Health Services" in the Consolidated Appropriations Act, 2014 (Public Law 113–76) are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service for activities funded by the fiscal year 2014 appropriation: *Provided,* That such amounts provided by that Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

CONTRACT SUPPORT COSTS, FISCAL YEAR 2015 LIMITATION

SEC. 407. Amounts provided by this Act for fiscal year 2015 under the headings "Department of Health and Human Services, Indian Health Service, Indian Health Services" and "Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Operation of Indian Programs" are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fiscal year 2015 with the Bureau of Indian Affairs or the Indian Health Service: *Provided,* That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

FOREST MANAGEMENT PLANS

SEC. 408. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided*, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

16 USC 1604 note.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 409. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

LIMITATION ON TAKINGS

SEC. 410. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

SEC. 411. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

PROHIBITION ON NO-BID CONTRACTS

SEC. 412. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of Chapter 33 of title 41, United States Code, or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes; or

(2) such contract is authorized by the Indian Self-Determination and Education and Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 413. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 414. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 415. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term "underserved population" means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

ARTS INDEMNITY LIMITATIONS

20 USC 974.

SEC. 416. Section 5 of the Arts and Artifacts Indemnity Act (20 U.S.C. 974) is amended—

(1) in subsection (b)—

(A) by striking "$10,000,000,000" and inserting "$15,000,000,000"; and

(B) by striking "$5,000,000,000" and inserting "$7,500,000,000"; and

(2) in subsection (c)—

(A) by striking "$1,200,000,000" and inserting "$1,800,000,000"; and

(B) by striking "$750,000,000" and inserting "$1,000,000,000".

STATUS OF BALANCES OF APPROPRIATIONS

SEC. 417. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

REPORT ON USE OF CLIMATE CHANGE FUNDS

SEC. 418. Not later than 120 days after the date on which the President's fiscal year 2016 budget request is submitted to the Congress, the President shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate describing in detail all Federal agency funding, domestic and international, for climate change programs, projects, and activities in fiscal years 2014 and 2015, including an accounting of funding by agency with each agency identifying climate change programs, projects, and activities and associated costs by line item as presented in the President's Budget Appendix, and including citations and linkages where practicable to each strategic plan that is driving funding within each climate change program, project, and activity listed in the report.

PROHIBITION ON USE OF FUNDS

SEC. 419. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 420. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be

used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

AMERICAN BATTLEFIELD PROTECTION PROGRAM GRANTS

SEC. 421. Section 7301(c) of Public Law 111–11 (16 U.S.C. 469k–1(c)) is amended by striking "2014" and inserting "2021".

RECREATION FEE

SEC. 422. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) is amended by striking "10 years after December 8, 2004" and inserting "on September 30, 2016".

MODIFICATION OF AUTHORITIES

SEC. 423. (a) Section 8162(m)(3) of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79) is amended by striking "September 30, 2014" and inserting "September 30, 2015".

(b) For fiscal year 2015, the authority provided by the provisos under the heading "Dwight D. Eisenhower Memorial Commission—Capital Construction" in division E of Public Law 112–74 shall not be in effect.

USE OF AMERICAN IRON AND STEEL

SEC. 424. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term "iron and steel products" means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency (in this section referred to as the "Administrator") finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior

to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

(f) This section does not apply with respect to a project if a State agency approves the engineering plans and specifications for the project, in that agency's capacity to approve such plans and specifications prior to a project requesting bids, prior to the date of the enactment of this Act.

FUNDING PROHIBITION

SEC. 425. None of the funds made available by this or any other Act may be used to regulate the lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law.

This division may be cited as the "Department of the Interior, Environment, and Related Agencies Appropriations Act, 2015".

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015. Department of Labor Appropriations Act, 2015.

DIVISION G—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

TITLE I

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Workforce Innovation and Opportunity Act (referred to in this Act as "WIOA"), the Second Chance Act of 2007, and the Women in Apprenticeship and Non-Traditional Occupations Act of 1992 ("WANTO Act"), $3,139,706,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, $2,624,108,000 as follows:

(A) $776,736,000 for adult employment and training activities, of which $64,736,000 shall be available for the period July 1, 2015, through June 30, 2016, and of which $712,000,000 shall be available for the period October 1, 2015 through June 30, 2016;

(B) $831,842,000 for youth activities, which shall be available for the period April 1, 2015 through June 30, 2016; and

(C) $1,015,530,000 for dislocated worker employment and training activities, of which $155,530,000 shall be

available for the period July 1, 2015 through June 30, 2016, and of which $860,000,000 shall be available for the period October 1, 2015 through June 30, 2016:

Provided, That notwithstanding section 128(a)(1) of the WIOA, the amount available to the Governor for statewide workforce investment activities shall not exceed 10 percent of the amount allotted to the State from each of the appropriations under the preceding subparagraphs;

(2) for federally administered programs, $429,520,000 as follows:

(A) $220,859,000 for the dislocated workers assistance national reserve, of which $20,859,000 shall be available for the period July 1, 2015 through September 30, 2016, and of which $200,000,000 shall be available for the period October 1, 2015 through September 30, 2016: *Provided*, That funds provided to carry out section 132(a)(2)(A) of the WIOA may be used to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: *Provided further*, That funds provided to carry out sections 168(b) and 169(c) of the WIOA may be used for technical assistance and demonstration projects, respectively, that provide assistance to new entrants in the workforce and incumbent workers: *Provided further*, That notwithstanding section 168(b) of the WIOA and section 170(b) of the Workforce Investment Act of 1998 (referred to in this Act as "WIA"), of the funds provided under this subparagraph, and the funds available from the appropriation under this subparagraph under the authority of the WIA in Public Law 113–76, the Secretary of Labor (referred to in this title as "Secretary") may reserve not more than 10 percent of such funds to provide technical assistance and carry out additional activities related to the transition to the WIOA;

(B) $46,082,000 for Native American programs, which shall be available for the period July 1, 2015 through June 30, 2016;

(C) $81,896,000 for migrant and seasonal farmworker programs under section 167 of the WIOA, including $75,885,000 for formula grants (of which not less than 70 percent shall be for employment and training services), $5,517,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $494,000 for other discretionary purposes, which shall be available for the period July 1, 2015 through June 30, 2016: *Provided*, That notwithstanding any other provision of law or related regulation, the Department of Labor shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) $994,000 for carrying out the WANTO Act, which shall be available for the period July 1, 2015 through June 30, 2016; and

(E) $79,689,000 for YouthBuild activities as described in section 171 of the WIOA, which shall be available for the period April 1, 2015 through June 30, 2016;

(3) for national activities, $86,078,000, as follows:

(A) $82,078,000 for ex-offender activities, under the authority of section 169 of the WIOA and section 212 of the Second Chance Act of 2007, which shall be available for the period April 1, 2015 through June 30, 2016: *Provided*, That of this amount, $20,000,000 shall be for competitive grants to national and regional intermediaries for activities that prepare young ex-offenders and school dropouts for employment, with a priority for projects serving high-crime, high-poverty areas; and

(B) $4,000,000 for the Workforce Data Quality Initiative, under the authority of section 169 of the WIOA, which shall be available for the period July 1, 2015 through June 30, 2016.

JOB CORPS

(INCLUDING TRANSFER OF FUNDS)

To carry out subtitle C of title I of the WIOA, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration, and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIOA, $1,688,155,000, plus reimbursements, as follows:

(1) $1,580,825,000 for Job Corps Operations, which shall be available for the period July 1, 2015 through June 30, 2016;

(2) $75,000,000 for construction, rehabilitation and acquisition of Job Corps Centers, which shall be available for the period July 1, 2015 through June 30, 2018, and which may include the acquisition, maintenance, and repair of major items of equipment: *Provided*, That the Secretary may transfer up to 15 percent of such funds to meet the operational needs of such centers or to achieve administrative efficiencies: *Provided further*, That any funds transferred pursuant to the preceding proviso shall not be available for obligation after June 30, 2016: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer; and

(3) $32,330,000 for necessary expenses of Job Corps, including expenses under the authority of the WIA, which shall be available for obligation for the period October 1, 2014 through September 30, 2015:

Provided, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers: *Provided further*, That an entity operating a Job Corps center that is ranked among the top 5 percent of all Job Corps centers based on the Outcome Measurement System for program year 2013 shall be eligible to compete in any selection process to operate such center that is carried out during the period beginning on October 1, 2014 and ending on June 30, 2015.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965 (referred to in this Act as "OAA"), $434,371,000, which shall be available for the period July 1, 2015 through June 30, 2016, and may be recaptured and reobligated in accordance with section 517(c) of the OAA.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during fiscal year 2015 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, and including benefit payments, allowances, training, employment and case management services, and related State administration provided pursuant to section 231(a) and section 233(b) of the Trade Adjustment Assistance Extension Act of 2011, $710,600,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2015.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $81,566,000, together with not to exceed $3,495,584,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund ("the Trust Fund"), of which:

(1) $2,757,793,000 from the Trust Fund is for grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act (including not less than $60,000,000 to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, and to provide reemployment services and referrals to training as appropriate, $10,000,000 for activities to address the misclassification of workers, and $3,000,000 for continued support of the Unemployment Insurance Integrity Center of Excellence), the administration of unemployment insurance for Federal employees and for ex-service members as authorized under 5 U.S.C. 8501–8523, and the administration of trade readjustment allowances, reemployment trade adjustment assistance, and alternative trade adjustment assistance under the Trade Act of 1974 and under sections 231(a) and 233(b) of the Trade Adjustment Assistance Extension Act of 2011, and shall be available for obligation by the States through December 31, 2015, except that funds used for automation acquisitions shall be available for Federal obligation through December 31, 2015, and for State obligation through September 30, 2017, or, if the automation acquisition is being carried out through consortia of States, for State obligation through September 30, 2020, and for expenditure through September 30, 2021, and funds for competitive grants awarded to States for improved operations, to conduct in-person assessments and reviews and provide reemployment services and referrals, and to address

misclassification of workers shall be available for Federal obligation through December 31, 2015 and for obligation by the States through September 30, 2017, and funds used for unemployment insurance workloads experienced by the States through September 30, 2015 shall be available for Federal obligation through December 31, 2015: *Provided*, That funds provided under this heading for fiscal year 2011 through fiscal year 2014 for automation acquisitions that are being carried out by consortia of States shall be available for expenditure by the States for six fiscal years after the fiscal year in which the funds were obligated to the States;

(2) $12,892,000 from the Trust Fund is for national activities necessary to support the administration of the Federal-State unemployment insurance system;

(3) $642,771,000 from the Trust Fund, together with $21,413,000 from the General Fund of the Treasury, is for grants to States in accordance with section 6 of the Wagner-Peyser Act, and shall be available for Federal obligation for the period July 1, 2015 through June 30, 2016;

(4) $19,818,000 from the Trust Fund is for national activities of the Employment Service, including administration of the work opportunity tax credit under section 51 of the Internal Revenue Code of 1986, and the provision of technical assistance and staff training under the Wagner-Peyser Act;

(5) $62,310,000 from the Trust Fund is for the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, of which $48,028,000 shall be available for the Federal administration of such activities, and $14,282,000 shall be available for grants to States for the administration of such activities; and

(6) $60,153,000 from the General Fund is to provide workforce information, national electronic tools, and one-stop system building under the Wagner-Peyser Act and shall be available for Federal obligation for the period July 1, 2015 through June 30, 2016:

Provided, That to the extent that the Average Weekly Insured Unemployment ("AWIU") for fiscal year 2015 is projected by the Department of Labor to exceed 2,957,000, an additional $28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: *Provided further*, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided further*, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: *Provided further*, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States to the entity operating the State Information Data Exchange System: *Provided further*, That funds appropriated in this Act which are used to establish a national one-stop career

center system, or which are used to support the national activities of the Federal-State unemployment insurance, employment service, or immigration programs, may be obligated in contracts, grants, or agreements with States and non-State entities: *Provided further*, That States awarded competitive grants for improved operations under title III of the Social Security Act, or awarded grants to support the national activities of the Federal-State unemployment insurance system, may award subgrants to other States under such grants, subject to the conditions applicable to the grants: *Provided further*, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the Office of Management and Budget Circular A–87: *Provided further,* That the Secretary, at the request of a State participating in a consortium with other States, may reallot funds allotted to such State under title III of the Social Security Act to other States participating in the consortium in order to carry out activities that benefit the administration of the unemployment compensation law of the State making the request: *Provided further*, That the Secretary may collect fees for the costs associated with additional data collection, analyses, and reporting services relating to the National Agricultural Workers Survey requested by State and local governments, public and private institutions of higher education, and non-profit organizations and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, for the National Agricultural Workers Survey infrastructure, methodology, and data to meet the information collection and reporting needs of such entities, which shall be credited to this appropriation and shall remain available until September 30, 2016, for such purposes.

In addition, $20,000,000 from the Employment Security Administration Account of the Unemployment Trust Fund shall be available for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews and to provide reemployment services and referrals to training as appropriate, which shall be available for Federal obligations through December 31, 2015, and for State obligation through September 30, 2017.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1986; and for nonrepayable advances to the revolving fund established by section 901(e) of the Social Security Act, to the Unemployment Trust Fund as authorized by 5 U.S.C. 8509, and to the "Federal Unemployment Benefits and Allowances" account, such sums as may be necessary, which shall be available for obligation through September 30, 2016.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $104,577,000, together with not to exceed $49,982,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, $181,000,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation ("Corporation") is authorized to make such expenditures, including financial assistance authorized by subtitle E of title IV of the Employee Retirement Income Security Act of 1974, within limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2015, for the Corporation: *Provided*, That none of the funds available to the Corporation for fiscal year 2015 shall be available for obligations for administrative expenses in excess of $415,394,000: *Provided further*, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year 2015, an amount not to exceed an additional $9,200,000 shall be available through September 30, 2016, for obligation for administrative expenses for every 20,000 additional terminated participants: *Provided further*, That obligations in excess of the amounts provided in this paragraph may be incurred for unforeseen and extraordinary pretermination expenses or extraordinary multiemployer program related expenses after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate.

WAGE AND HOUR DIVISION

SALARIES AND EXPENSES

For necessary expenses for the Wage and Hour Division, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $227,500,000.

OFFICE OF LABOR-MANAGEMENT STANDARDS

SALARIES AND EXPENSES

For necessary expenses for the Office of Labor-Management Standards, $39,129,000.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

SALARIES AND EXPENSES

For necessary expenses for the Office of Federal Contract Compliance Programs, $106,476,000.

OFFICE OF WORKERS' COMPENSATION PROGRAMS

SALARIES AND EXPENSES

For necessary expenses for the Office of Workers' Compensation Programs, $110,823,000, together with $2,177,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers' Compensation Act.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948; and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, $210,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided*, That amounts appropriated may be used under 5 U.S.C. 8104 by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a re-employed, disabled beneficiary: *Provided further*, That balances of reimbursements unobligated on September 30, 2014, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further*, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under 5 U.S.C. 8147(c) to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2015: *Provided further*, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, $60,334,000 shall be made available to the Secretary as follows:

(1) For enhancement and maintenance of automated data processing systems operations and telecommunications systems, $19,499,000;

(2) For automated workload processing operations, including document imaging, centralized mail intake, and medical bill processing, $22,968,000;

(3) For periodic roll disability management and medical review, $16,482,000;

(4) For program integrity, $1,385,000; and

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

Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under 5 U.S.C. 81, or the Longshore and Harbor Workers' Compensation Act, provide as part of such notice and claim, such identifying information

(including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107–275, $77,262,000, to remain available until expended.

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

For making benefit payments under title IV for the first quarter of fiscal year 2016, $21,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, $56,406,000, to remain available until expended: *Provided*, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim such identifying information (including Social Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

26 USC 9501 note.

Such sums as may be necessary from the Black Lung Disability Trust Fund (the "Fund"), to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (6), and (7) of the Internal Revenue Code of 1986; and repayment of, and payment of interest on advances, as authorized by section 9501(d)(4) of that Act. In addition, the following amounts may be expended from the Fund for fiscal year 2015 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): not to exceed $33,321,000 for transfer to the Office of Workers' Compensation Programs, "Salaries and Expenses"; not to exceed $30,403,000 for transfer to Departmental Management, "Salaries and Expenses"; not to exceed $327,000 for transfer to Departmental Management, "Office of Inspector General"; and not to exceed $356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $552,787,000, including not to exceed $100,850,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the "Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain

up to $499,000 per fiscal year of training institute course tuition and fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2015, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: *Provided further*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred ("DART") occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

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

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

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and

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

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: *Provided further*, That $10,537,000 shall be available for Susan Harwood training grants.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $375,887,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to $2,000,000 for mine rescue and recovery activities and not less than $8,441,000 for state assistance grants: *Provided*, That notwithstanding 31 U.S.C. 3302, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities: *Provided further*, That notwithstanding 31 U.S.C. 3302, the Mine Safety and Health Administration is authorized to collect and retain up to $2,499,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities: *Provided further*, That the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: *Provided further*, That the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations: *Provided further*, That the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization: *Provided further*, That any funds available to the Department of Labor may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

30 USC 966 note.

30 USC 962.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $527,212,000, together with not to exceed $65,000,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $38,500,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles, $337,621,000, together with not to exceed $308,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: *Provided*, That $64,825,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, 2015: *Provided further*, That funds available to the Bureau of International Labor Affairs may be used to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: *Provided further*, That not more than $58,825,000 shall be for programs to combat exploitative child labor internationally and not less than $6,000,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs: *Provided further*, That $8,040,000 shall be used for program evaluation and shall be available for obligation through September 30, 2016: *Provided further,* That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer: *Provided further*, That the funds available to the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $231,872,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of chapters 41, 42, and 43 of title 38, United States Code, of which:

(1) $175,000,000 is for Jobs for Veterans State grants under 38 U.S.C. 4102A(b)(5) to support disabled veterans' outreach program specialists under section 4103A of such title and local veterans' employment representatives under section 4104(b) of such title, and for the expenses described in section 4102A(b)(5)(C), which shall be available for obligation by the States through December 31, 2015 and not to exceed 3 percent for the necessary Federal expenditures for data systems and contract support to allow for the tracking of participant and performance information: *Provided*, That, in addition, such funds may be used to support such specialists and representatives in the provision of services to transitioning members of the Armed Forces who have participated in the Transition Assistance Program and have been identified as in need of intensive services, to members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units, and to the spouses or other family caregivers of such wounded, ill, or injured members;

(2) $14,000,000 is for carrying out the Transition Assistance Program under 38 U.S.C. 4113 and 10 U.S.C. 1144;

(3) $39,458,000 is for Federal administration of chapters 41, 42, and 43 of title 38, United States Code; and

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

Provided, That the Secretary may reallocate among the appropriations provided under paragraphs (1) through (4) above an amount not to exceed 3 percent of the appropriation from which such reallocation is made.

In addition, from the General Fund of the Treasury, $38,109,000 is for carrying out programs to assist homeless veterans and veterans at risk of homelessness who are transitioning from certain institutions under sections 2021, 2021A, and 2023 of title 38, United States Code: *Provided*, That notwithstanding subsections (c)(3) and (d) of section 2023, the Secretary may award grants through September 30, 2015, to provide services under such section: *Provided further*, That services provided under section 2023 may include, in addition to services to the individuals described in subsection (e) of such section, services to veterans recently released from incarceration who are at risk of homelessness.

IT MODERNIZATION

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, $15,394,000.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $76,000,000, together with not to exceed $5,590,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated by this Act for the Job Corps shall be used to pay the salary and bonuses of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

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

SEC. 104. None of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 may be used for any purpose other than competitive grants for training individuals over the age of 16 who are not currently enrolled in school within a local educational agency in the occupations and industries for which employers are using H–1B visas to hire foreign workers, and the related activities necessary to support such training: *Provided*, That the preceding limitation shall not apply to funding provided pursuant to solicitations for grant applications issued prior to January 15, 2014.

SEC. 105. None of the funds made available by this Act under the heading "Employment and Training Administration" shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A–133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs.

(INCLUDING TRANSFER OF FUNDS)

SEC. 106. Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act, either directly or through a set-aside, for technical assistance services to grantees to "Program Administration" when it is determined that those services will be more efficiently performed by Federal employees: *Provided*, That this section shall not apply to section 171 of the WIOA.

(INCLUDING TRANSFER OF FUNDS)

SEC. 107. (a) The Secretary may reserve not more than 0.5 percent from each appropriation made available in this Act identified in subsection (b) in order to carry out evaluations of any of the programs or activities that are funded under such accounts. Any funds reserved under this section shall be transferred to "Departmental Management" for use by the Office of the Chief Evaluation Officer within the Department of Labor, and shall be available for obligation through September 30, 2016: *Provided*, That such funds shall only be available if the Chief Evaluation Officer of the Department of Labor submits a plan to the Committees on Appropriations of the House of Representatives and the Senate

describing the evaluations to be carried out 15 days in advance of any transfer.

(b) The accounts referred to in subsection (a) are: "Training and Employment Services", "Job Corps", "Community Service Employment for Older Americans", "State Unemployment Insurance and Employment Service Operations", "Employee Benefits Security Administration", "Office of Workers' Compensation Programs", "Wage and Hour Division", "Office of Federal Contract Compliance Programs", "Office of Labor Management Standards", "Occupational Safety and Health Administration", "Mine Safety and Health Administration", funding made available to the "Bureau of International Affairs" and "Women's Bureau" within the "Departmental Management, Salaries and Expenses" account, and "Veterans Employment and Training".

SEC. 108. (a) FLEXIBILITY WITH RESPECT TO THE CROSSING OF H–2B NONIMMIGRANTS WORKING IN THE SEAFOOD INDUSTRY.—

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

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

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

(i) listing job orders in local newspapers on 2 separate Sundays; and

(ii) posting the job opportunity on the appropriate Department of Labor Electronic Job Registry and at the employer's place of employment; and

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

(i) applies for the job; and

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

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

(b) H–2B NONIMMIGRANTS DEFINED.—In this section, the term "H–2B nonimmigrants" means aliens admitted to the United States pursuant to section 101(a)(15)(H)(ii)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

SEC. 109. None of the funds made available by this Act may be used by the Pension Benefit Guaranty Corporation to take any action in connection with any asserted liability under subsection (e) of section 4062 of the Employee Retirement Income Security Act of 1974: *Provided*, That this section shall cease to apply upon the enactment of any bill that amends such subsection.

(INCLUDING TRANSFER OF FUNDS)

SEC. 110. (a) The Secretary may reserve not more than 0.25 percent from each appropriation made available in this Act identified in subsection (b) in order to carry out information technology purchases and upgrades for any of the programs or activities that are funded under such accounts. Any funds reserved under this section shall be transferred to "Departmental Management" for use by the Office of the Chief Information Officer within the Department of Labor, and shall be available for obligation through September 30, 2016: *Provided*, That such funds shall only be available if the Chief Information Officer of the Department of Labor submits a plan to the Committees on Appropriations of the House of Representatives and the Senate describing the purchases and upgrades to be carried out and an explanation of why funds are not needed in the donor account 15 days in advance of any transfer.

(b) The accounts referred to in subsection (a) are: "Employment and Training Administration Program Administration", funding made available for Federal administration within "Job Corps", "Foreign Labor Certification Program Administration", "Employee Benefits Security Administration", "Office of Workers' Compensation Programs", "Wage and Hour Division", "Office of Federal Contract Compliance Programs", "Office of Labor Management Standards", "Occupational Safety and Health Administration", "Mine Safety and Health Administration", "Veterans Employment and Training", "Bureau of Labor Statistics", and "Office of Disability Employment Policy".

SEC. 111. (a) Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) shall be applied as if the following text is part of such section:

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

"(A) employed to adjust or evaluate claims resulting from or relating to such major disaster, by an employer not engaged, directly or through an affiliate, in underwriting, selling, or marketing property, casualty, or liability insurance policies or contracts;

"(B) who receives from such employer on average weekly compensation of not less than $591.00 per week or any minimum weekly amount established by the Secretary, whichever is greater, for the number of weeks such employee is engaged in any of the activities described in subparagraph (C); and

"(C) whose duties include any of the following:

"(i) interviewing insured individuals, individuals who suffered injuries or other damages or losses arising from or relating to a disaster, witnesses, or physicians;

"(ii) inspecting property damage or reviewing factual information to prepare damage estimates;

"(iii) evaluating and making recommendations regarding coverage or compensability of claims or determining liability or value aspects of claims;

"(iv) negotiating settlements; or

"(v) making recommendations regarding litigation.

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

"(3) For purposes of this subsection—

"(A) the term 'major disaster' means any disaster or catastrophe declared or designated by any State or Federal agency or department;

"(B) the term 'employee employed to adjust or evaluate claims resulting from or relating to such major disaster' means an individual who timely secured or secures a license required by applicable law to engage in and perform the activities described in clauses (i) through (v) of paragraph (1)(C) relating to a major disaster, and is employed by an employer that maintains worker compensation insurance coverage or protection for its employees, if required by applicable law, and withholds applicable Federal, State, and local income and payroll taxes from the wages, salaries and any benefits of such employees; and

"(C) the term 'affiliate' means a company that, by reason of ownership or control of 25 percent or more of the outstanding shares of any class of voting securities of one or more companies, directly or indirectly, controls, is controlled by, or is under common control with, another company.".

(b) This section shall be effective on the date of enactment of this Act.

This title may be cited as the "Department of Labor Appropriations Act, 2015".

Department of Health and Human Services Appropriations Act, 2015.

TITLE II

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

For carrying out titles II and III of the Public Health Service Act (referred to in this Act as the "PHS Act") with respect to primary health care and the Native Hawaiian Health Care Act of 1988, $1,491,522,000: *Provided,* That no more than $100,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act, including associated administrative expenses and relevant evaluations: *Provided further*, That no more than $99,893,000 shall be available until expended for carrying out the provisions of Public Law 104–73 and for expenses incurred by the Department of Health and Human Services (referred to in this Act as "HHS") pertaining to administrative claims made under such law: *Provided further*, That of funds provided for the Health Centers program, as defined by section 330 of the PHS Act, by this Act or any other Act for fiscal year 2015, not less than $165,000,000 shall be obligated in fiscal year 2015 as base grant adjustments, not less than $350,000,000 shall be obligated in fiscal year 2015 to support new access points including approved and unfunded applications from fiscal year 2014, grants to expand medical services, behavioral health, oral health, pharmacy, and vision services, and up to $150,000,000 shall be obligated in fiscal year 2015 for construction and capital improvement costs.

HEALTH WORKFORCE

For carrying out titles III, VII, and VIII of the PHS Act with respect to the health workforce, section 1128E of the Social Security Act, and the Health Care Quality Improvement Act of 1986, $751,600,000: *Provided*, That sections 747(c)(2), 751(j)(2), 762(k), and the proportional funding amounts in paragraphs (1) through (4) of section 756(e) of the PHS Act shall not apply to funds made available under this heading: *Provided further*, That for any program operating under section 751 of the PHS Act on or before January 1, 2009, the Secretary may hereafter waive any of the requirements contained in sections 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full project period of a grant under such section: *Provided further*, That no funds shall be available for section 340G–1 of the PHS Act: *Provided further*, That fees collected for the disclosure of information under section 427(b) of the Health Care Quality Improvement Act of 1986 and sections 1128E(d)(2) and 1921 of the Social Security Act shall be sufficient to recover the full costs of operating the programs authorized by such sections and shall remain available until expended for the National Practitioner Data Bank: *Provided further*, That funds transferred to this account to carry out section 846 and subpart 3 of part D of title III of the PHS Act may be used to make prior year adjustments to awards made under such sections.

42 USC 294a note.

MATERNAL AND CHILD HEALTH

For carrying out titles III, XI, XII, and XIX of the PHS Act with respect to maternal and child health, title V of the Social Security Act, and section 712 of the American Jobs Creation Act of 2004, $851,738,000: *Provided*, That notwithstanding sections 502(a)(1) and 502(b)(1) of the Social Security Act, not more than $77,093,000 shall be available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act and $10,276,000 shall be available for projects described in paragraphs (A) through (F) of section 501(a)(3) of such Act.

RYAN WHITE HIV/AIDS PROGRAM

For carrying out title XXVI of the PHS Act with respect to the Ryan White HIV/AIDS program, $2,318,781,000, of which $1,970,881,000 shall remain available to the Secretary through September 30, 2017, for parts A and B of title XXVI of the PHS Act, and of which not less than $900,313,000 shall be for State AIDS Drug Assistance Programs under the authority of section 2616 or 311(c) of such Act.

HEALTH CARE SYSTEMS

For carrying out titles III and XII of the PHS Act with respect to health care systems, and the Stem Cell Therapeutic and Research Act of 2005, $103,193,000, of which $122,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center.

RURAL HEALTH

For carrying out titles III and IV of the PHS Act with respect to rural health, section 427(a) of the Federal Coal Mine Health and Safety Act, the Cardiac Arrest Survival Act of 2000, and sections 711 and 1820 of the Social Security Act, $147,471,000, of which $41,609,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program: *Provided*, That of the funds made available under this heading for Medicare rural hospital flexibility grants, $14,942,000 shall be available for the Small Rural Hospital Improvement Grant Program for quality improvement and adoption of health information technology and up to $1,000,000 shall be to carry out section 1820(g)(6) of the Social Security Act, with funds provided for grants under section 1820(g)(6) available for the purchase and implementation of telehealth services, including pilots and demonstrations on the use of electronic health records to coordinate rural veterans care between rural providers and the Department of Veterans Affairs electronic health record system: *Provided further*, That notwithstanding section 338J(k) of the PHS Act, $9,511,000 shall be available for State Offices of Rural Health.

FAMILY PLANNING

For carrying out the program under title X of the PHS Act to provide for voluntary family planning projects, $286,479,000: *Provided,* That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office.

PROGRAM MANAGEMENT

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

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund (the "Trust Fund"), such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the PHS Act, to remain available until expended: *Provided*, That for necessary administrative expenses, not to exceed $7,500,000 shall be available from the Trust Fund to the Secretary.

CENTERS FOR DISEASE CONTROL AND PREVENTION

IMMUNIZATION AND RESPIRATORY DISEASES

For carrying out titles II, III, XVII, and XXI, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to immunization and respiratory diseases, $573,105,000.

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

For carrying out titles II, III, XVII, and XXIII of the PHS Act with respect to HIV/AIDS, viral hepatitis, sexually transmitted diseases, and tuberculosis prevention, $1,117,609,000.

EMERGING AND ZOONOTIC INFECTIOUS DISEASES

For carrying out titles II, III, and XVII, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to emerging and zoonotic infectious diseases, $352,990,000: *Provided*, That of the funds available under this heading, $30,000,000 shall be for the Advanced Molecular Detection initiative.

CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

For carrying out titles II, III, XI, XV, XVII, and XIX of the PHS Act with respect to chronic disease prevention and health promotion, $747,220,000: *Provided*, That funds appropriated under this account may be available for making grants under section 1509 of the PHS Act for not less than 21 States, tribes, or tribal organizations: *Provided further*, That of the funds available under this heading, $7,500,000 shall be available to continue and expand community specific extension and outreach programs to combat obesity in counties with the highest levels of obesity: *Provided further*, That of the funds provided under this heading, $80,000,000 shall be available for a program consisting of three-year grants of no less than $100,000 per year to non-governmental entities, local public health offices, school districts, local housing authorities, local transportation authorities or Indian tribes to implement evidence-based chronic disease prevention strategies: *Provided further*, That applicants for grants described in the previous proviso shall determine the population to be served and shall agree to work in collaboration with multi-sector partners: *Provided further*, That the proportional funding requirements under section 1503(a) of the PHS Act shall not apply to funds made available under this heading.

BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES, DISABILITIES AND HEALTH

For carrying out titles II, III, XI, and XVII of the PHS Act with respect to birth defects, developmental disabilities, disabilities and health, $131,781,000.

PUBLIC HEALTH SCIENTIFIC SERVICES

For carrying out titles II, III, and XVII of the PHS Act with respect to health statistics, surveillance, health informatics, and workforce development, $481,061,000.

ENVIRONMENTAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to environmental health, $166,404,000.

INJURY PREVENTION AND CONTROL

For carrying out titles II, III, and XVII of the PHS Act with respect to injury prevention and control, $170,447,000: *Provided*, That of the funds provided under this heading, $20,000,000 shall be available for an evidence-based prescription drug overdose prevention program.

NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

For carrying out titles II, III, and XVII of the PHS Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act, section 13 of the Mine Improvement and New Emergency Response Act, and sections 20, 21, and 22 of the Occupational Safety and Health Act, with respect to occupational safety and health, $334,863,000.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

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

GLOBAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to global health, $416,517,000, of which $128,421,000 for international HIV/AIDS shall remain available through September 30, 2016: *Provided,* That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further,* That these funds are in addition to amounts provided in section 137 of Public Law 113–164.

PUBLIC HEALTH PREPAREDNESS AND RESPONSE

For carrying out titles II, III, and XVII of the PHS Act with respect to public health preparedness and response, and for expenses necessary to support activities related to countering potential biological, nuclear, radiological, and chemical threats to civilian populations, $1,352,551,000, of which $534,343,000 shall remain available until expended for the Strategic National Stockpile: *Provided*, That in the event the Director of the CDC activates the Emergency Operations Center, the Director of the CDC may detail CDC staff without reimbursement for up to 45 days to support

the work of the CDC Emergency Operations Center, so long as the Director provides a notice to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the use of this authority and a full report within 30 days after use of this authority which includes the number of staff and funding level broken down by the originating center and number of days detailed: *Provided further*, That funds appropriated under this heading may be used to support a contract for the operation and maintenance of an aircraft in direct support of activities throughout CDC to ensure the agency is prepared to address public health preparedness emergencies.

BUILDINGS AND FACILITIES

For acquisition of real property, equipment, construction, and renovation of facilities, $10,000,000, which shall remain available until September 30, 2019: *Provided*, That funds previously set-aside by CDC for repair and upgrade of the Lake Lynn Experimental Mine and Laboratory shall be used to acquire a replacement mine safety research facility.

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For carrying out titles II, III, XVII and XIX, and section 2821 of the PHS Act and for cross-cutting activities and program support for activities funded in other appropriations included in this Act for the Centers for Disease Control and Prevention, $113,570,000: *Provided*, That paragraphs (1) through (3) of subsection (b) of section 2821 of the PHS Act shall not apply to funds appropriated under this heading and in all other accounts of the CDC: *Provided further,* That employees of CDC or the Public Health Service, both civilian and commissioned officers, detailed to States, municipalities, or other organizations under authority of section 214 of the PHS Act, or in overseas assignments, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or HHS during the period of detail or assignment: *Provided further*, That CDC may use up to $10,000 from amounts appropriated to CDC in this Act for official reception and representation expenses when specifically approved by the Director of CDC: *Provided further*, That in addition, such sums as may be derived from authorized user fees, which shall be credited to the appropriation charged with the cost thereof: *Provided further*, That with respect to the previous proviso, authorized user fees from the Vessel Sanitation Program shall be available through September 30, 2016: *Provided further,* That of the funds made available under this heading and in all other accounts of CDC, up to $1,000 per eligible employee of CDC shall be made available until expended for Individual Learning Accounts.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cancer, $4,950,396,000, of which up to $8,000,000

may be used for facilities repairs and improvements at the National Cancer Institute—Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $2,997,870,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to dental and craniofacial diseases, $399,886,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to diabetes and digestive and kidney disease, $1,749,681,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the PHS Act with respect to neurological disorders and stroke, $1,605,205,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to allergy and infectious diseases, $4,358,841,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, $2,371,476,000, of which $715,000,000 shall be from funds available under section 241 of the PHS Act: *Provided*, That not less than $273,325,000 is provided for the Institutional Development Awards program.

EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the PHS Act with respect to child health and human development, $1,286,571,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to eye diseases and visual disorders, $684,191,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to environmental health sciences, $667,502,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the PHS Act with respect to aging, $1,199,468,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to arthritis and musculoskeletal and skin diseases, $521,665,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the PHS Act with respect to deafness and other communication disorders, $405,302,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to nursing research, $140,953,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the PHS Act with respect to alcohol abuse and alcoholism, $447,408,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the PHS Act with respect to drug abuse, $1,028,614,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to mental health, $1,463,036,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to human genome research, $499,356,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the PHS Act with respect to biomedical imaging and bioengineering research, $330,192,000.

NATIONAL CENTER FOR COMPLEMENTARY AND INTEGRATIVE HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to complementary and integrative health, $124,681,000: *Provided*, That these funds may be used to support the transition enacted in section 224 of this Act.

NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the PHS Act with respect to minority health and health disparities research, $269,154,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the PHS Act), $67,786,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to health information communications, $336,939,000: *Provided*, That of the amounts available for improvement of information systems, $4,000,000 shall be available until September 30, 2016: *Provided further*, That in fiscal year 2015, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health (referred to in this title as "NIH").

NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to translational sciences, $635,230,000: *Provided,* That up to $9,835,000 shall be available to implement section 480 of the PHS Act, relating to the Cures Acceleration Network: *Provided further*, That at least $474,746,000 is provided to the Clinical and Translational Sciences Awards program.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, NIH, $1,401,134,000, of which up to $25,000,000 may be used to carry out section 213 of this Act: *Provided*, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: *Provided further*, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: *Provided further*, That $165,000,000 shall be for the National Children's Study ("NCS") or research related to the Study's goals and mission, and any funds in excess of the estimated need shall be transferred to and merged with the accounts for the various Institutes and Centers to support activity related to the goals and objectives of the NCS: *Provided further*, That NIH shall submit a spend plan on the NCS's next phase to the Committees on Appropriations of the House of Representatives and the Senate not later than 90 days after the date of enactment of this Act: *Provided further*, That $533,039,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: *Provided further*, That of the funds provided, $10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: *Provided further*, That

the Office of AIDS Research within the Office of the Director of the NIH may spend up to $8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act: *Provided further*, That NIH shall contract with the National Academy of Sciences for a Blue Ribbon Commission on Scientific Literacy and Standing: *Provided further*, That NIH shall submit to Congress an NIH-wide 5-year scientific strategic plan as outlined in sections 402(b)(3) and 402(b)(4) of the PHS Act no later than 1 year after enactment of this Act.

In addition to other funds appropriated for the Common Fund established under section 402A(c) of the PHS Act, $12,600,000 is appropriated to the Common Fund from the 10-year Pediatric Research Initiative Fund described in section 9008 of title 26, United States Code, for the purpose of carrying out section 402(b)(7)(B)(ii) of the PHS Act (relating to pediatric research), as authorized in the Gabriella Miller Kids First Research Act.

BUILDINGS AND FACILITIES

For the study of, construction of, renovation of, and acquisition of equipment for, facilities of or used by NIH, including the acquisition of real property, $128,863,000, to remain available through September 30, 2019.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

MENTAL HEALTH

For carrying out titles III, V, and XIX of the PHS Act with respect to mental health, and the Protection and Advocacy for Individuals with Mental Illness Act, $1,045,936,000: *Provided*, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A shall be available for carrying out section 1971 of the PHS Act: *Provided further,* That in addition to amounts provided herein, $21,039,000 shall be available under section 241 of the PHS Act to carry out subpart I of part B of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX: *Provided further,* That section 520E(b)(2) of the PHS Act shall not apply to funds appropriated in this Act for fiscal year 2015: *Provided further,* That of the amount appropriated under this heading, $45,887,000 shall be for the National Child Traumatic Stress Initiative as described in section 582 of the PHS Act: *Provided further*, That notwithstanding section 565(b)(1) of the PHS Act, technical assistance may be provided to a public entity to establish or operate a system of comprehensive community mental health services to children with a serious emotional disturbance, without regard to whether the public entity receives a grant under section 561(a) of such Act: *Provided further*, That States shall expend at least 5 percent of the amount each receives for carrying out section 1911 of the PHS Act to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at onset: *Provided further*, That none of the funds provided for section 1911 of the PHS Act shall be subject to section 241 of such Act.

SUBSTANCE ABUSE TREATMENT

For carrying out titles III, V, and XIX of the PHS Act with respect to substance abuse treatment and section 1922(a) of the PHS Act with respect to substance abuse prevention, $2,102,658,000: *Provided*, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) $79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; and (2) $2,000,000 to evaluate substance abuse treatment programs: *Provided further*, That none of the funds provided for section 1921 of the PHS Act shall be subject to section 241 of such Act.

SUBSTANCE ABUSE PREVENTION

For carrying out titles III and V of the PHS Act with respect to substance abuse prevention, $175,219,000.

HEALTH SURVEILLANCE AND PROGRAM SUPPORT

For program support and cross-cutting activities that supplement activities funded under the headings "Mental Health", "Substance Abuse Treatment", and "Substance Abuse Prevention" in carrying out titles III, V, and XIX of the PHS Act and the Protection and Advocacy for Individuals with Mental Illness Act in the Substance Abuse and Mental Health Services Administration, $150,232,000: *Provided*, That in addition to amounts provided herein, $31,428,000 shall be available under section 241 of the PHS Act to supplement funds available to carry out national surveys on drug abuse and mental health, to collect and analyze program data, and to conduct public awareness and technical assistance activities: *Provided further*, That, in addition, fees may be collected for the costs of publications, data, data tabulations, and data analysis completed under title V of the PHS Act and provided to a public or private entity upon request, which shall be credited to this appropriation and shall remain available until expended for such purposes: *Provided further*, That amounts made available in this Act for carrying out section 501(m) of the PHS Act shall remain available through September 30, 2016: *Provided further,* That funds made available under this heading may be used to supplement program support funding provided under the headings "Mental Health", "Substance Abuse Treatment", and "Substance Abuse Prevention".

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the PHS Act, part A of title XI of the Social Security Act, and section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, $363,698,000: *Provided*, That section 947(c) of the PHS Act shall not apply in fiscal year 2015: *Provided further*, That in addition, amounts received from Freedom of Information Act

fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until September 30, 2016.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $234,608,916,000, to remain available until expended.

For making, after May 31, 2015, payments to States under title XIX or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the last quarter of fiscal year 2015 for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2016, $113,272,140,000, to remain available until expended.

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

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as provided under sections 217(g), 1844, and 1860D–16 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d)(3) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $259,212,000,000.

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

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the PHS Act, the Clinical Laboratory Improvement Amendments of 1988, and other responsibilities of the Centers for Medicare and Medicaid Services, not to exceed $3,669,744,000, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the PHS Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary pursuant to section 302 of the Tax Relief and Health Care Act of 2006; and such sums as may be collected from authorized user fees and the sale of data, which shall be credited to this account and remain available until September 30, 2020: *Provided,* That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the PHS Act shall be credited to and available for carrying out the purposes

of this appropriation: *Provided further,* That the Secretary is directed to collect fees in fiscal year 2015 from Medicare Advantage organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act.

HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

In addition to amounts otherwise available for program integrity and program management, $672,000,000, to remain available through September 30, 2016, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act, of which $477,120,000 shall be for the Medicare Integrity Program at the Centers for Medicare and Medicaid Services, including administrative costs, to conduct oversight activities for Medicare Advantage under Part C and the Medicare Prescription Drug Program under Part D of the Social Security Act and for activities described in section 1893(b) of such Act, of which $67,200,000 shall be for the Department of Health and Human Services Office of Inspector General to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act, of which $67,200,000 shall be for the Medicaid and Children's Health Insurance Program ("CHIP") program integrity activities, and of which $60,480,000 shall be for the Department of Justice to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act: *Provided,* That the report required by section 1817(k)(5) of the Social Security Act for fiscal year 2015 shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the funds provided by this appropriation: *Provided further*, That of the amount provided under this heading, $311,000,000 is provided to meet the terms of section 251(b)(2)(C)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $361,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(C) of such Act.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For carrying out, except as otherwise provided, titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, $2,438,523,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2016, $1,160,000,000, to remain available until expended.

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

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under subsections (b) and (d) of section 2602 of the Low Income Home Energy Assistance Act of 1981,

$3,390,304,000: *Provided*, That all but $491,000,000 of this amount shall be allocated as though the total appropriation for such payments for fiscal year 2015 was less than $1,975,000,000: *Provided further*, That notwithstanding section 2609A(a), of the amounts appropriated under section 2602(b), not more than $2,988,000 of such amounts may be reserved by the Secretary for technical assistance, training, and monitoring of program activities for compliance with internal controls, policies and procedures and may, in addition to the authorities provided in section 2609A(a)(1), use such funds through contracts with private entities that do not qualify as nonprofit organizations.

REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980, and for carrying out section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, the Trafficking Victims Protection Act of 2000 ("TVPA"), section 203 of the Trafficking Victims Protection Reauthorization Act of 2005, and the Torture Victims Relief Act of 1998, $1,559,884,000, of which $1,533,394,000 shall remain available through September 30, 2017 for carrying out such sections 414, 501, 462, and 235: *Provided*, That amounts available under this heading to carry out such section 203 and the TVPA shall also be available for research and evaluation with respect to activities under those authorities: *Provided further*, That the limitation in section 206 of this Act regarding transfers increasing any appropriation shall apply to transfers to appropriations under this heading by substituting "10 percent" for "3 percent".

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 1990 ("CCDBG Act"), $2,435,000,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families: *Provided*, That $19,357,000 shall be available for child care resource and referral and school-aged child care activities, of which $996,000 shall be available to the Secretary for a competitive grant for the operation of a national toll free referral line and Web site to develop and disseminate child care consumer education information for parents and help parents access child care in their local community: *Provided further*, That, in addition to the amounts required to be reserved by the States under section 658G of the CCDBG Act, $305,906,000 shall be reserved by the States for activities authorized under section 658G, of which $112,187,000 shall be for activities that improve the quality of infant and toddler care: *Provided further*, That $9,851,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities: *Provided further*, That technical assistance under section 658I(a)(3) of such Act may be provided directly, or through the use of contracts, grants, cooperative agreements, or interagency agreements.

SOCIAL SERVICES BLOCK GRANT

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

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 303 and 313 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), the Abandoned Infants Assistance Act of 1988, part B–1 of title IV and sections 413, 1110, and 1115 of the Social Security Act; for making payments under the Community Services Block Grant Act ("CSBG Act"), sections 473B and 477(i) of the Social Security Act, and the Assets for Independence Act; for necessary administrative expenses to carry out such Acts and titles I, IV, V, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960, the Low Income Home Energy Assistance Act of 1981, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980; and for the administration of prior year obligations made by the Administration for Children and Families under the Developmental Disabilities Assistance and Bill of Rights Act and the Help America Vote Act of 2002, $10,346,115,000, of which $37,943,000, to remain available through September 30, 2016, shall be for grants to States for adoption incentive payments, as authorized by section 473A of the Social Security Act and may be made for adoptions completed before September 30, 2015: *Provided*, That $8,598,095,000 shall be for making payments under the Head Start Act: *Provided further*, That of the amount in the previous proviso, $8,073,095,000 shall be available for payments under section 640 of the Head Start Act: *Provided further*, That of the amount provided for making payments under the Head Start Act, $25,000,000 shall be available for allocation by the Secretary to supplement activities described in paragraphs (7)(B) and (9) of section 641(c) of such Act under the Designation Renewal System, established under the authority of sections 641(c)(7), 645A(b)(12) and 645A(d) of such Act: *Provided further*, That amounts allocated to Head Start grantees at the discretion of the Secretary to supplement activities pursuant to the previous proviso shall not be included in the calculation of the "base grant" in subsequent fiscal years, as such term is used in section 640(a)(7)(A) of the Head Start Act: *Provided further*, That notwithstanding section 640 of the Head Start Act, of the amount provided for making payments under the Head Start Act, and in addition to funds otherwise available under section 640 for such purposes, $500,000,000 shall be available through March 31, 2016 for Early Head Start programs as described in section 645A of such Act, for conversion of Head Start services to Early Head Start services as described in section 645(a)(5)(A) of such Act, and for discretionary grants for high quality infant and toddler care through Early Head Start-Child Care Partnerships, to entities

defined as eligible under section 645A(d) of such Act, with such funds in this Act and Public Law 113–76 not included in the calculation of the "base grant" for the current or any subsequent fiscal year as such term is used in section 640(a)(7)(A) of the Head Start Act, and, notwithstanding section 645A(c)(2) of such Act, these funds are available to serve children under age 4: *Provided further*, That of the amount made available in the immediately preceding proviso, up to $10,000,000 shall be available for the Federal costs of administration and evaluation activities of the program described in such proviso: *Provided further*, That $710,383,000 shall be for making payments under the CSBG Act: *Provided further,* That $36,733,000 shall be for sections 680 and 678E(b)(2) of the CSBG Act, of which not less than $29,883,000 shall be for section 680(a)(2) and not less than $6,500,000 shall be for section 680(a)(3)(B) of such Act: *Provided further,* That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the CSBG Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: *Provided further*, That the Secretary shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That these procedures shall apply to such grant funds made available after November 29, 1999: *Provided further*, That funds appropriated for section 680(a)(2) of the CSBG Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: *Provided further*, That section 303(a)(2)(A)(i) of the Family Violence Prevention and Services Act shall not apply to amounts provided herein: *Provided further*, That $1,864,000 shall be for a human services case management system for federally declared disasters, to include a comprehensive national case management contract and Federal costs of administering the system: *Provided further*, That up to $2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness.

42 USC 9921 note.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out, except as otherwise provided, section 436 of the Social Security Act, $345,000,000 and, for carrying out, except as otherwise provided, section 437 of such Act, $59,765,000.

PAYMENTS FOR FOSTER CARE AND PERMANENCY

For carrying out, except as otherwise provided, title IV–E of the Social Security Act, $4,832,000,000.

For carrying out, except as otherwise provided, title IV–E of the Social Security Act, for the first quarter of fiscal year 2016, $2,300,000,000.

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

ADMINISTRATION FOR COMMUNITY LIVING

AGING AND DISABILITY SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For carrying out, to the extent not otherwise provided, the OAA, titles III and XXIX of the PHS Act, section 119 of the Medicare Improvements for Patients and Providers Act of 2008, title XX–B of the Social Security Act, the Developmental Disabilities Assistance and Bill of Rights Act, parts 2 and 5 of subtitle D of title II of the Help America Vote Act of 2002, and for Department-wide coordination of policy and program activities that assist individuals with disabilities, $1,621,141,000, together with $52,115,000 to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to carry out section 4360 of the Omnibus Budget Reconciliation Act of 1990: *Provided*, That amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for disease prevention and health promotion programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective: *Provided further*, That none of the funds provided shall be used to carry out sections 1701 and 1703 of the PHS Act (with respect to chronic disease self-management activity grants), except that such funds may be used for necessary expenses associated with administering any such grants awarded prior to the date of the enactment of this Act: *Provided further*, That notwithstanding any other provision of this Act, funds made available under this heading to carry out section 311 of the OAA may be transferred to the Secretary of Agriculture in accordance with such section.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, XXI, and section 229 of the PHS Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, $448,034,000, together with $64,828,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: *Provided*, That of this amount, $52,224,000 shall be for minority AIDS prevention and treatment activities: *Provided further,* That of the funds made available under this heading, $101,000,000 shall be for making competitive contracts and grants to public and private entities to fund medically accurate and age

appropriate programs that reduce teen pregnancy and for the Federal costs associated with administering and evaluating such contracts and grants, of which not more than 10 percent of the available funds shall be for training and technical assistance, evaluation, outreach, and additional program support activities, and of the remaining amount 75 percent shall be for replicating programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy, behavioral risk factors underlying teenage pregnancy, or other associated risk factors, and 25 percent shall be available for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teenage pregnancy: *Provided further*, That of the amounts provided under this heading from amounts available under section 241 of the PHS Act, $6,800,000 shall be available to carry out evaluations (including longitudinal evaluations) of teenage pregnancy prevention approaches: *Provided further,* That of the funds made available under this heading, $1,750,000 is for strengthening the Department's acquisition workforce capacity and capabilities: *Provided further*, That with respect to the previous proviso, such funds shall be available for training, recruiting, retaining, and hiring members of the acquisition workforce as defined by 41 U.S.C. 1703, for information technology in support of acquisition workforce effectiveness and for management solutions to improve acquisition management: *Provided further,* That of the funds made available under this heading, $5,000,000 shall be for making competitive grants to provide abstinence education (as defined by section 510(b)(2)(A)–(H) of the Social Security Act) to adolescents, and for Federal costs of administering the grant: *Provided further,* That grants made under the authority of section 510(b)(2)(A)–(H) of the Social Security Act shall be made only to public and private entities that agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which abstinence education was provided: *Provided further*, That funds provided in this Act for embryo adoption activities may be used to provide to individuals adopting embryos, through grants and other mechanisms, medical and administrative services deemed necessary for such adoptions: *Provided further*, That such services shall be provided consistent with 42 CFR 59.5(a)(4).

OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for the Office of Medicare Hearings and Appeals, $87,381,000, to be transferred in appropriate part from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts, and cooperative agreements for the development and

advancement of interoperable health information technology, $60,367,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, $71,000,000: *Provided,* That of such amount, necessary sums shall be available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS

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

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, and for medical care of dependents and retired personnel under the Dependents' Medical Care Act, such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies, $848,154,000, of which $415,000,000 shall remain available through September 30, 2016, for expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act, and other administrative expenses of the Biomedical Advanced Research and Development Authority: *Provided*, That funds provided under this heading for the purpose of acquisition of security countermeasures shall be in addition to any other funds available for such purpose: *Provided further*, That products purchased with funds provided under this heading may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile pursuant to section 319F–2 of the PHS Act: *Provided further*, That $5,000,000 of the amounts made available to support emergency operations shall remain available through September 30, 2017: *Provided further,* That these funds are in addition to amounts provided in section 136 of Public Law 113–164.

For expenses necessary for procuring security countermeasures (as defined in section 319F–2(c)(1)(B) of the PHS Act), $255,000,000, to remain available until expended.

For an additional amount for expenses necessary to prepare for or respond to an influenza pandemic, $71,915,000; of which $39,906,000 shall be available until expended, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: *Provided*, That notwithstanding section 496(b) of the PHS Act,

funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologics, if the Secretary finds such construction or renovation necessary to secure sufficient supplies of such vaccines or biologics.

GENERAL PROVISIONS

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

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated in this title shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.

SEC. 204. None of the funds appropriated in this Act may be expended pursuant to section 241 of the PHS Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in HHS, prior to the preparation and submission of a report by the Secretary to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

SEC. 205. Notwithstanding section 241(a) of the PHS Act, such portion as the Secretary shall determine, but not more than 2.5 percent, of any amounts appropriated for programs authorized under such Act shall be made available for the evaluation (directly, or by grants or contracts) and the implementation and effectiveness of programs funded in this title.

(TRANSFER OF FUNDS)

SEC. 206. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for HHS in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 207. The Director of the NIH, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: *Provided*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 208. Of the amounts made available in this Act for NIH, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the PHS Act.

SEC. 209. None of the funds appropriated in this Act may be made available to any entity under title X of the PHS Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 210. Notwithstanding any other provision of law, no provider of services under title X of the PHS Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 211. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare Advantage program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: *Provided*, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): *Provided further*, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare Advantage organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 212. In order for HHS to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2015:

(1) The Secretary may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956. The Secretary shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 and other applicable statutes administered by the Department of State.

(2) The Secretary is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of HHS. The Department of State shall cooperate fully with the Secretary to ensure that HHS has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary is authorized, in consultation with the Secretary

of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

(3) The Secretary is authorized to provide to personnel appointed or assigned by the Secretary to serve abroad, allowances and benefits similar to those provided under chapter 9 of title I of the Foreign Service Act of 1980, and 22 U.S.C. 4081 through 4086 and subject to such regulations prescribed by the Secretary. The Secretary is further authorized to provide locality-based comparability payments (stated as a percentage) up to the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such personnel under section 5304 of title 5, United States Code if such personnel's official duty station were in the District of Columbia. Leaves of absence for personnel under this subsection shall be on the same basis as that provided under subchapter I of chapter 63 of title 5, United States Code, or section 903 of the Foreign Service Act of 1980, to individuals serving in the Foreign Service.

SEC. 213. (a) AUTHORITY.—Notwithstanding any other provision of law, the Director of NIH ("Director") may use funds available under section 402(b)(7) or 402(b)(12) of the PHS Act to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research identified pursuant to such section 402(b)(7) (pertaining to the Common Fund) or research and activities described in such section 402(b)(12).

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

SEC. 214. Funds which are available for Individual Learning Accounts for employees of CDC and the Agency for Toxic Substances and Disease Registry ("ATSDR") may be transferred to appropriate accounts of CDC, to be available only for Individual Learning Accounts: *Provided*, That such funds may be used for any individual full-time equivalent employee while such employee is employed either by CDC or ATSDR.

SEC. 215. Not to exceed $45,000,000 of funds appropriated by this Act to the institutes and centers of the National Institutes of Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed $3,500,000 per project.

(TRANSFER OF FUNDS)

SEC. 216. Of the amounts made available for NIH, 1 percent of the amount made available for National Research Service Awards

("NRSA") shall be made available to the Administrator of the Health Resources and Services Administration to make NRSA awards for research in primary medical care to individuals affiliated with entities who have received grants or contracts under sections 736, 739, or 747 of the PHS Act, and 1 percent of the amount made available for NRSA shall be made available to the Director of the Agency for Healthcare Research and Quality to make NRSA awards for health service research.

SEC. 217. None of the funds made available in this title may be used, in whole or in part, to advocate or promote gun control.

42 USC 3000–11.

SEC. 218. (a) The Secretary shall establish a publicly accessible Web site to provide information regarding the uses of funds made available under section 4002 of the Patient Protection and Affordable Care Act of 2010 ("ACA").

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

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

(2) Identification (along with a link to the full text) of each funding opportunity announcement, request for proposals, or other announcement or solicitation of proposals for grants, cooperative agreements, or contracts intended to be awarded using such funds, to be posted not later than the day after the announcement or solicitation is issued.

(3) Identification of each grant, cooperative agreement, or contract with a value of $25,000 or more awarded using such funds, including the purpose of the award and the identity of the recipient, to be posted not later than 5 days after the award is made.

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

(c) With respect to awards made in fiscal years 2013 through 2015, the Secretary shall also include on the Web site established under subsection (a), semi-annual reports from each entity awarded a grant, cooperative agreement, or contract from such funds with a value of $25,000 or more, summarizing the activities undertaken and identifying any sub-grants or sub-contracts awarded (including the purpose of the award and the identity of the recipient), to be posted not later than 30 days after the end of each 6-month period.

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

(1) present the information required in subsection (b)(1) on a single webpage or on a single database;

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

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

(TRANSFER OF FUNDS)

SEC. 219. (a) Within 45 days of enactment of this Act, the Secretary shall transfer funds appropriated under section 4002 of the Patient Protection and Affordable Care Act of 2010 ("ACA") to the accounts specified, in the amounts specified, and for the activities specified under the heading "Prevention and Public Health Fund" in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act) accompanying this Act.

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

(c) Funds transferred for activities authorized under section 2821 of the PHS Act shall be made available without reference to section 2821(b) of such Act.

SEC. 220. (a) The Biomedical Advanced Research and Development Authority ("BARDA") may enter into a contract, for more than one but no more than 10 program years, for purchase of research services or of security countermeasures, as that term is defined in section 319F–2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)), if—

(1) funds are available and obligated—

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

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

(2) the Secretary determines that a multi-year contract will serve the best interests of the Federal Government by encouraging full and open competition or promoting economy in administration, performance, and operation of BARDA's programs.

(b) A contract entered into under this section:

(1) shall include a termination clause as described by subsection (c) of section 3903 of title 41, United States Code; and

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

SEC. 221. (a) The Secretary shall publish in the fiscal year 2016 budget justification and on Departmental Web sites information concerning the employment of full-time equivalent Federal employees or contractors for the purposes of implementing, administering, enforcing, or otherwise carrying out the provisions of the Patient Protection and Affordable Care Act of 2010 ("ACA"), and the amendments made by that Act, in the proposed fiscal year and the 4 prior fiscal years.

(b) With respect to employees or contractors supported by all funds appropriated for purposes of carrying out the ACA (and the amendments made by that Act), the Secretary shall include, at a minimum, the following information:

(1) For each such fiscal year, the section of such Act under which such funds were appropriated, a statement indicating the program, project, or activity receiving such funds, the Federal operating division or office that administers such program, and the amount of funding received in discretionary or mandatory appropriations.

(2) For each such fiscal year, the number of full-time equivalent employees or contracted employees assigned to each

authorized and funded provision detailed in accordance with paragraph (1).

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

(1) Are supported through appropriations enacted in laws other than the ACA and work on programs that existed prior to the passage of the ACA;

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

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

SEC. 222. In addition to the amounts otherwise available for "Centers for Medicare and Medicaid Services, Program Management", the Secretary of Health and Human Services may transfer up to $305,000,000 to such account from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to support program management activity related to the Medicare Program: *Provided*, That except for the foregoing purpose, such funds may not be used to support any provision of Public Law 111–148 or Public Law 111–152 (or any amendment made by either such Public Law) or to supplant any other amounts within such account.

SEC. 223. In lieu of the timeframe specified in section 338E(c)(2) of the PHS Act, terminations described in such section may occur up to 60 days after the execution of a contract awarded in fiscal year 2015 under section 338B of such Act.

SEC. 224. Title IV of the PHS Act is amended by:

42 USC 281, 287c–21 prec., 287c–21.

(1) Striking "National Center for Complementary and Alternative Medicine" in each place it appears and replacing it with "National Center for Complementary and Integrative Health";

42 USC 287c–21.

(2) Striking "alternative medicine" in each place it appears and replacing it with "integrative health";

42 USC 287c–21.

(3) Striking all references to "alternative and complementary medical treatment" or "complementary and alternative treatment" in each place either appears and inserting "complementary and integrative health";

42 USC 287c–21.

(4) Striking references to "alternative medical treatment" in each place it appears and inserting "integrative health treatment"; and

42 USC 287c–21.

(5) Striking section 485D(c) and inserting:

"(c) In carrying out subsection (a), the Director of the Center shall, as appropriate, study the integration of new and non-traditional approaches to health care treatment and consumption, including but not limited to non-traditional treatment, diagnostic and prevention systems, modalities, and disciplines.".

SEC. 225. In addition to amounts provided herein, payments made for research organisms or substances, authorized under section 301(a) of the PHS Act, shall be retained and credited to the appropriations accounts of the Institutes and Centers of the NIH making the substance or organism available under section 301(a). Amounts credited to the account under this authority shall be available for obligation through September 30, 2016.

SEC. 226. The Secretary shall publish, as part of the fiscal year 2016 budget of the President submitted under section 1105(a) of title 31, United States Code, information that details the uses

of all funds used by the Centers for Medicare and Medicaid Services specifically for Health Insurance Marketplaces for each fiscal year since the enactment of the Patient Protection and Affordable Care Act (Public Law 111–148) and the proposed uses for such funds for fiscal year 2016. Such information shall include, for each such fiscal year—

(1) the amount of funds used for each activity specified under the heading "Health Insurance Marketplace Transparency" in the explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act) accompanying this Act; and

(2) the milestones completed for data hub functionality and implementation readiness.

SEC. 227. None of the funds made available by this Act from the Federal Hospital Insurance Trust Fund or the Federal Supplemental Medical Insurance Trust Fund, or transferred from other accounts funded by this Act to the "Centers for Medicare and Medicaid Services—Program Management" account, may be used for payments under section 1342(b)(1) of Public Law 111–148 (relating to risk corridors).

SEC. 228. (a) Subject to the succeeding provisions of this section, activities authorized under part A of title IV and section 1108(b) of the Social Security Act shall continue through September 30, 2015, in the manner authorized for fiscal year 2014, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through September 30, 2015, at the level provided for such activities for fiscal year 2014, except as provided in subsections (b) and (c).

(b) In the case of the Contingency Fund for State Welfare Programs established under section 403(b) of the Social Security Act—

(1) the amount appropriated for section 403(b) of such Act shall be $608,000,000 for each of fiscal years 2015 and 2016;

(2) the requirement to reserve funds provided for in section 403(b)(2) of such Act shall not apply during fiscal years 2015 and 2016; and

(3) grants and payments may only be made from such Fund for fiscal year 2015 after the application of subsection (d).

42 USC 613 note.

(c) In the case of research, evaluations, and national studies funded under section 413(h)(1) of the Social Security Act, no funds shall be appropriated under that section for fiscal year 2015 or any fiscal year thereafter.

(d) Of the amount made available under subsection (b)(1) for section 403(b) of the Social Security Act for fiscal year 2015—

(1) $15,000,000 is hereby transferred and made available to carry out section 413(h) of the Social Security Act; and

(2) $10,000,000 is hereby transferred and made available to the Bureau of the Census to conduct activities using the Survey of Income and Program Participation to obtain information to enable interested parties to evaluate the impact of the amendments made by title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(e) Section 413(h)(1) of the Social Security Act (42 U.S.C. 613(h)(1)) is amended, in the matter preceding subparagraph (A), by striking "Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated $15,000,000 for fiscal year 2012" and inserting "Funds made available to carry out this section for a fiscal year shall be used".

(f) Section 414 of the Social Security Act (42 U.S.C. 614) is repealed.

(g) Expenditures made pursuant to Public Law 113–164 for section 403(b) of the Social Security Act for fiscal year 2015 shall be charged to the appropriation provided by subsection (b)(1) for such fiscal year.

SEC. 229. The remaining unobligated balances of the amount appropriated for fiscal year 2015 by section 510(d) of the Social Security Act (42 U.S.C. 710(d)) for which no application has been received by the Funding Opportunity Announcement deadline, shall be made available to States that require the implementation of each element described in subparagraphs (A) through (H) of the definition of abstinence education in section 510(b)(2). The remaining unobligated balances shall be reallocated to such States that submit a valid application consistent with the original formula for this funding.

42 USC 11225 note.

SEC. 230. Hereafter, for each fiscal year through fiscal year 2025, the Director of the National Institutes of Health shall prepare and submit directly to the President for review and transmittal to Congress, after reasonable opportunity for comment, but without change, by the Secretary of Health and Human Services and the Advisory Council on Alzheimer's Research, Care, and Services, an annual budget estimate (including an estimate of the number and type of personnel needs for the Institutes) for the initiatives of the National Institutes of Health pursuant to the National Alzheimer's Plan, as required under section 2(d)(2) of Public Law 111–375.

This title may be cited as the "Department of Health and Human Services Appropriations Act, 2015".

Department of Education Appropriations Act, 2015.

TITLE III

DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 (referred to in this Act as "ESEA") and section 418A of the Higher Education Act of 1965 (referred to in this Act as "HEA"), $15,536,107,000, of which $4,652,762,000 shall become available on July 1, 2015, and shall remain available through September 30, 2016, and of which $10,841,177,000 shall become available on October 1, 2015, and shall remain available through September 30, 2016, for academic year 2015–2016: *Provided*, That $6,459,401,000 shall be for basic grants under section 1124 of the ESEA: *Provided further*, That up to $3,984,000 of these funds shall be available to the Secretary of Education (referred to in this title as "Secretary") on October 1, 2014, to obtain annually updated local educational agency-level census poverty data from the Bureau of the Census: *Provided further*, That $1,362,301,000 shall be for concentration grants under section 1124A of the ESEA:

Provided further, That $3,294,050,000 shall be for targeted grants under section 1125 of the ESEA: *Provided further*, That $3,294,050,000 shall be for education finance incentive grants under section 1125A of the ESEA: *Provided further*, That funds available under sections 1124, 1124A, 1125 and 1125A of the ESEA may be used to provide homeless children and youths with services not ordinarily provided to other students under those sections, including supporting the liaison designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act, and providing transportation pursuant to section 722(g)(1)(J)(iii) of such Act: *Provided further*, That $710,000 shall be to carry out sections 1501 and 1503 of the ESEA: *Provided further,* That $505,756,000 shall be available for school improvement grants under section 1003(g) of the ESEA, which shall be allocated by the Secretary through the formula described in section 1003(g)(2) and shall be used consistent with the requirements of section 1003(g), except that State and local educational agencies may use such funds to serve any school eligible to receive assistance under part A of title I that has not made adequate yearly progress for at least 2 years or is in the State's lowest quintile of performance based on proficiency rates and, in the case of secondary schools, priority shall be given to those schools with graduation rates below 60 percent: *Provided further*, That notwithstanding section 1003(g)(5)(C) of the ESEA, the Secretary may permit a State educational agency to establish an award period of up to 5 years for each participating local educational agency: *Provided further*, That funds available for school improvement grants for fiscal year 2014 and thereafter may be used by a local educational agency to implement a whole-school reform strategy for a school using an evidence-based strategy that ensures whole-school reform is undertaken in partnership with a strategy developer offering a whole-school reform program that is based on at least a moderate level of evidence that the program will have a statistically significant effect on student outcomes, including at least one well-designed and well-implemented experimental or quasi-experimental study: *Provided further,* That funds available for school improvement grants may be used by a local educational agency to implement an alternative State-determined school improvement strategy that has been established by a State educational agency with the approval of the Secretary: *Provided further,* That a local educational agency that is determined to be eligible for services under subpart 1 or 2 of part B of title VI of the ESEA may modify not more than one element of a school improvement grant model: *Provided further*, That notwithstanding section 1003(g)(5)(A), each State educational agency may establish a maximum subgrant size of not more than $2,000,000 for each participating school applicable to such funds: *Provided further,* That the Secretary may reserve up to 5 percent of the funds available for section 1003(g) of the ESEA to carry out activities to build State and local educational agency capacity to implement effectively the school improvement grants program: *Provided further*, That $160,000,000 shall be available under section 1502 of the ESEA for a comprehensive literacy development and education program to advance literacy skills, including pre-literacy skills, reading, and writing, for students from birth through grade 12, including limited-English-proficient students and students with disabilities, of which one-half of 1 percent shall be reserved for the Secretary of the Interior for such a program

20 USC 6303a.

at schools funded by the Bureau of Indian Education, one-half of 1 percent shall be reserved for grants to the outlying areas for such a program, up to 5 percent may be reserved for national activities, and the remainder shall be used to award competitive grants to State educational agencies for such a program, of which a State educational agency may reserve up to 5 percent for State leadership activities, including technical assistance and training, data collection, reporting, and administration, and shall subgrant not less than 95 percent to local educational agencies or, in the case of early literacy, to local educational agencies or other nonprofit providers of early childhood education that partner with a public or private nonprofit organization or agency with a demonstrated record of effectiveness in improving the early literacy development of children from birth through kindergarten entry and in providing professional development in early literacy, giving priority to such agencies or other entities serving greater numbers or percentages of disadvantaged children: *Provided further*, That the State educational agency shall ensure that at least 15 percent of the subgranted funds are used to serve children from birth through age 5, 40 percent are used to serve students in kindergarten through grade 5, and 40 percent are used to serve students in middle and high school including an equitable distribution of funds between middle and high schools: *Provided further*, That eligible entities receiving subgrants from State educational agencies shall use such funds for services and activities that have the characteristics of effective literacy instruction through professional development, screening and assessment, targeted interventions for students reading below grade level and other research-based methods of improving classroom instruction and practice: *Provided further*, That $37,474,000 shall be for carrying out section 418A of the HEA.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the ESEA, $1,288,603,000, of which $1,151,233,000 shall be for basic support payments under section 8003(b), $48,316,000 shall be for payments for children with disabilities under section 8003(d), $17,406,000 shall be for construction under section 8007(b) and be available for obligation through September 30, 2016, $66,813,000 shall be for Federal property payments under section 8002, and $4,835,000, to remain available until expended, shall be for facilities maintenance under section 8008: *Provided*, That for purposes of computing the amount of a payment for an eligible local educational agency under section 8003(a) for school year 2014–2015, children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 8003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by parts A and B of title II, part B of title IV, parts A and B of title VI, and parts B and C of title VII of the ESEA; the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, $4,402,671,000, of which $2,585,661,000 shall become available on July 1, 2015, and remain available through September 30, 2016, and of which $1,681,441,000 shall become available on October 1, 2015, and shall remain available through September 30, 2016, for academic year 2015–2016: *Provided*, That funds made available to carry out part B of title VII of the ESEA may be used for construction, renovation, and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: *Provided further*, That funds made available to carry out part C of title VII of the ESEA shall be awarded on a competitive basis, and also may be used for construction: *Provided further*, That $48,445,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002: *Provided further*, That $16,699,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands: *Provided further*, That the Secretary may reserve up to 5 percent of the amount referred to in the previous proviso to provide technical assistance in the implementation of these grants: *Provided further*, That up to 2.3 percent of the funds for subpart 1 of part A of title II of the ESEA shall be reserved by the Secretary for competitive awards for teacher or principal recruitment and training or professional enhancement activities, including for civic education instruction, to national not-for-profit organizations, of which up to 8 percent may only be used for research, dissemination, evaluation, and technical assistance for competitive awards carried out under this proviso: *Provided further,* That $152,717,000 shall be to carry out part B of title II of the ESEA.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the ESEA, $123,939,000.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by part G of title I, subpart 5 of part A and parts C and D of title II, parts B, C, and D of title V of the ESEA, and section 14007 of division A of the American Recovery and Reinvestment Act of 2009, as amended, $1,102,111,000: *Provided*, That up to $120,000,000 shall be available through December 31, 2015 for section 14007 of division A of Public Law 111–5, and up to 5 percent of such funds may be used for technical assistance and the evaluation of activities carried out under such section: *Provided further*, That the education facilities clearinghouse established through a competitive award process in fiscal year 2013 is authorized to collect and disseminate information on effective educational practices and the latest

research regarding the planning, design, financing, construction, improvement, operation, and maintenance of safe, healthy, high-performance public facilities for early learning programs, kindergarten through grade 12, and higher education: *Provided further*, That $230,000,000 of the funds for subpart 1 of part D of title V of the ESEA shall be for competitive grants to local educational agencies, including charter schools that are local educational agencies, or States, or partnerships of: (1) a local educational agency, a State, or both; and (2) at least one nonprofit organization to develop and implement performance-based compensation systems for teachers, principals, and other personnel in high-need schools: *Provided further*, That such performance-based compensation systems must consider gains in student academic achievement as well as classroom evaluations conducted multiple times during each school year among other factors and provide educators with incentives to take on additional responsibilities and leadership roles: *Provided further*, That recipients of such grants shall demonstrate that such performance-based compensation systems are developed with the input of teachers and school leaders in the schools and local educational agencies to be served by the grant: *Provided further*, That recipients of such grants may use such funds to develop or improve systems and tools (which may be developed and used for the entire local educational agency or only for schools served under the grant) that would enhance the quality and success of the compensation system, such as high-quality teacher evaluations and tools to measure growth in student achievement: *Provided further*, That applications for such grants shall include a plan to sustain financially the activities conducted and systems developed under the grant once the grant period has expired: *Provided further*, That up to 5 percent of such funds for competitive grants shall be available for technical assistance, training, peer review of applications, program outreach, and evaluation activities: *Provided further*, That $250,000,000 of the funds for part D of title V of the ESEA shall be available through December 31, 2015 for carrying out, in accordance with the applicable requirements of part D of title V of the ESEA, a preschool development grants program: *Provided further*, That the Secretary, jointly with the Secretary of HHS, shall make competitive awards to States for activities that build the capacity within the State to develop, enhance, or expand high-quality preschool programs, including comprehensive services and family engagement, for preschool-aged children from families at or below 200 percent of the Federal poverty line: *Provided further,* That each State may subgrant a portion of such grant funds to local educational agencies and other early learning providers (including, but not limited to, Head Start programs and licensed child care providers), or consortia thereof, for the implementation of high-quality preschool programs for children from families at or below 200 percent of the Federal poverty line: *Provided further,* That subgrantees that are local educational agencies shall form strong partnerships with early learning providers and that subgrantees that are early learning providers shall form strong partnerships with local educational agencies, in order to carry out the requirements of the subgrant: *Provided further,* That up to 3 percent of such funds for preschool development grants shall be available for technical assistance, evaluation, and other national activities related to such grants: *Provided further*, That $10,000,000 of funds available under part D of title V of the ESEA shall

be for the Full-Service Community Schools program: *Provided further*, That of the funds available for part B of title V of the ESEA, the Secretary shall use up to $11,000,000 to carry out activities under section 5205(b) and shall use not less than $13,000,000 for subpart 2: *Provided further*, That of the funds available for subpart 1 of part B of title V of the ESEA, and notwithstanding section 5205(a), the Secretary shall reserve up to $75,000,000 to make multiple awards to non-profit charter management organizations and other entities that are not for-profit entities for the replication and expansion of successful charter school models and shall reserve not less than $11,000,000 to carry out the activities described in section 5205(a), including improving quality and oversight of charter schools and providing technical assistance and grants to authorized public chartering agencies in order to increase the number of high-performing charter schools: *Provided further*, That funds available for part B of title V of the ESEA may be used for grants that support preschool education in charter schools: *Provided further*, That each application submitted pursuant to section 5203(a) shall describe a plan to monitor and hold accountable authorized public chartering agencies through such activities as providing technical assistance or establishing a professional development program, which may include evaluation, planning, training, and systems development for staff of authorized public chartering agencies to improve the capacity of such agencies in the State to authorize, monitor, and hold accountable charter schools: *Provided further*, That each application submitted pursuant to section 5203(a) shall contain assurances that State law, regulations, or other policies require that: (1) each authorized charter school in the State operate under a legally binding charter or performance contract between itself and the school's authorized public chartering agency that describes the rights and responsibilities of the school and the public chartering agency; conduct annual, timely, and independent audits of the school's financial statements that are filed with the school's authorized public chartering agency; and demonstrate improved student academic achievement; and (2) authorized public chartering agencies use increases in student academic achievement for all groups of students described in section 1111(b)(2)(C)(v) of the ESEA as one of the most important factors when determining to renew or revoke a school's charter.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by part A of title IV and subparts 1, 2, and 10 of part D of title V of the ESEA, $223,315,000: *Provided*, That $70,000,000 shall be available for subpart 2 of part A of title IV, of which up to $5,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence ("Project SERV") program to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis: *Provided further,* That $56,754,000 shall be available through December 31, 2015 for Promise Neighborhoods.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, $737,400,000, which shall become available on July 1, 2015, and shall remain

available through September 30, 2016, except that 6.5 percent of such amount shall be available on October 1, 2014, and shall remain available through September 30, 2016, to carry out activities under section 3111(c)(1)(C): *Provided,* That the Secretary shall use estimates of the American Community Survey child counts for the most recent 3-year period available to calculate allocations under such part: *Provided further*, That the Secretary shall use $14,000,000 of funds available under this paragraph for grants to all State educational agencies within States with at least one county where 50 or more unaccompanied children have been released to sponsors since January 1, 2014, through the Department of Health and Human Services, Office of Refugee Resettlement: *Provided further*, That awards to eligible State educational agencies shall be based on the State's relative share of unaccompanied children that have been released to sponsors since January 1, 2014: *Provided further*, That the data on unaccompanied children used by the Secretary under the two preceding provisos shall be the most recently available data from the Department of Health and Human Services, Office of Refugee Resettlement, as of the date of enactment of this Act: *Provided further*, That each eligible State educational agency that receives a grant shall award subgrants to local educational agencies in the State that have experienced a significant increase during the 2014–2015 school year, as determined by the State educational agency, compared to the average of the 2 preceding school years, in the number or percentage of immigrant children and youth enrolled in their schools: *Provided further*, That local educational agencies shall use those subgrants for supplemental academic and non-academic services and supports to immigrant children and youth: *Provided further*, That the term "immigrant children and youth" has the meaning given in section 3301 of the ESEA, and the terms "State educational agency" and "local educational agency" have the meanings given to them in section 9101 of the ESEA: *Provided further*, That each eligible State educational agency shall prepare and submit to the Secretary not later than 1 year after the award a report identifying the local educational agencies that received subgrants, the State's definition of "significant increase" used to award the subgrants; and such other information as the Secretary may require.

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act (IDEA) and the Special Olympics Sport and Empowerment Act of 2004, $12,522,358,000, of which $3,006,259,000 shall become available on July 1, 2015, and shall remain available through September 30, 2016, and of which $9,283,383,000 shall become available on October 1, 2015, and shall remain available through September 30, 2016, for academic year 2015–2016: *Provided*, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2014, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year 2014: *Provided further*, That the Secretary shall, without regard to section 611(d) of the IDEA, distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by

which a State's allocation under section 611(d), from funds appropriated under this heading, is reduced under section 612(a)(18)(B), according to the following: 85 percent on the basis of the States' relative populations of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of a free appropriate public education under this part, and 15 percent to States on the basis of the States' relative populations of those children who are living in poverty: *Provided further*, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: *Provided further*, That the States shall allocate such funds distributed under the second proviso to local educational agencies in accordance with section 611(f): *Provided further*, That the amount by which a State's allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos in fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years: *Provided further*, That, notwithstanding the provision in section 612(a)(18)(B) regarding the fiscal year in which a State's allocation under section 611(d) is reduced for failure to comply with the requirement of section 612(a)(18)(A), the Secretary may apply the reduction specified in section 612(a)(18)(B) over a period of consecutive fiscal years, not to exceed five, until the entire reduction is applied: *Provided further*, That the Secretary may, in any fiscal year in which a State's allocation under section 611 is reduced in accordance with section 612(a)(18)(B), reduce the amount a State may reserve under section 611(e)(1) by an amount that bears the same relation to the maximum amount described in that paragraph as the reduction under section 612(a)(18)(B) bears to the total allocation the State would have received in that fiscal year under section 611(d) in the absence of the reduction: *Provided further*, That the Secretary shall either reduce the allocation of funds under section 611 for any fiscal year following the fiscal year for which the State fails to comply with the requirement of section 612(a)(18)(A) as authorized by section 612(a)(18)(B), or seek to recover funds under section 452 of the General Education Provisions Act (20 U.S.C. 1234a): *Provided further*, That the funds reserved under 611(c) of the IDEA may be used to provide technical assistance to States to improve the capacity of the States to meet the data collection requirements of sections 616 and 618 and to administer and carry out other services and activities to improve data collection, coordination, quality, and use under parts B and C of the IDEA: *Provided further*, That the level of effort a local educational agency must meet under section 613(a)(2)(A)(iii) of the IDEA, in the year after it fails to maintain effort is the level of effort that would have been required in the absence of that failure and not the LEA's reduced level of expenditures: *Provided further*, That the Secretary may use funds made available for the State Personnel Development Grants program under part D, subpart 1 of IDEA to evaluate program performance under such subpart.

20 USC 1411 note.

20 USC 1411 note.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, $3,709,853,000, of which $3,335,074,000 shall be for grants for vocational rehabilitation services under title I of the Rehabilitation Act: *Provided*, That the Secretary may use amounts provided in this Act that remain available subsequent to the reallotment of funds to States pursuant to section 110(b) of the Rehabilitation Act for innovative activities aimed at improving the outcomes of individuals with disabilities as defined in section 7(20)(B) of the Rehabilitation Act, including activities aimed at improving the education and post-school outcomes of children receiving Supplemental Security Income ("SSI") and their families that may result in long-term improvement in the SSI child recipient's economic status and self-sufficiency: *Provided further,* That States may award subgrants for a portion of the funds to other public and private, non-profit entities: *Provided further,* That any funds made available subsequent to reallotment for innovative activities aimed at improving the outcomes of individuals with disabilities shall remain available until September 30, 2016: *Provided further*, That $2,000,000 shall be for competitive grants to support alternative financing programs that provide for the purchase of assistive technology devices, such as a low-interest loan fund; an interest buy-down program; a revolving loan fund; a loan guarantee; or insurance program: *Provided further*, That applicants shall provide an assurance that, and information describing the manner in which, the alternative financing program will expand and emphasize consumer choice and control: *Provided further*, That State agencies and community-based disability organizations that are directed by and operated for individuals with disabilities shall be eligible to compete.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, $24,931,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986, $67,016,000: *Provided,* That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, $120,275,000: *Provided*, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 and the Adult Education and Family Literacy Act ("AEFLA"), $1,707,686,000, of which $916,686,000 shall become available on July 1, 2015, and shall remain available through September 30, 2016, and of which $791,000,000 shall become available on October 1, 2015, and shall remain available through September 30, 2016: *Provided,* That of the amount provided for Adult Education State Grants, $71,439,000 shall be made available for integrated English literacy and civics education services to immigrants and other limited-English-proficient populations: *Provided further,* That of the amount reserved for integrated English literacy and civics education, notwithstanding section 211 of the AEFLA, 65 percent shall be allocated to States based on a State's absolute need as determined by calculating each State's share of a 10-year average of the United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which United States Citizenship and Immigration Services data for immigrants admitted for legal permanent residence are available, except that no State shall be allocated an amount less than $60,000: *Provided further,* That of the amounts made available for AEFLA, $13,712,000 shall be for national leadership activities under section 243.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 10 of part A, and part C of title IV of the HEA, $24,198,210,000, which shall remain available through September 30, 2016.

The maximum Pell Grant for which a student shall be eligible during award year 2015–2016 shall be $4,860. 20 USC 1070a note.

STUDENT AID ADMINISTRATION

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, 9, and 10 of part A, and parts B, C, D, and E of title IV of the HEA, and subpart 1 of part A of title VII of the Public Health Service Act, $1,396,924,000, to remain available through September 30, 2016.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, VII, and VIII of the HEA, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Carl D. Perkins Career and Technical Education Act of 2006, $1,924,839,000: *Provided,* That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these

countries in the fields of government, the professions, or international development: *Provided further*, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: *Provided further*, That up to 1.5 percent of the funds made available under chapter 2 of subpart 2 of part A of title IV of the HEA may be used for evaluation: *Provided further,* That up to 2.5 percent of the funds made available under this Act for part B of title VII of the HEA may be used for technical assistance and the evaluation of activities carried out under such section.

HOWARD UNIVERSITY

For partial support of Howard University, $221,821,000, of which not less than $3,405,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the HEA, $435,000.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

For the cost of guaranteed loans, $19,096,000, as authorized pursuant to part D of title III of the HEA, which shall remain available through September 30, 2016: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $303,593,000: *Provided further,* That these funds may be used to support loans to public and private Historically Black Colleges and Universities without regard to the limitations within section 344(a) of the HEA.

In addition, for administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to part D of title III of the HEA, $334,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, $573,935,000, which shall remain available through September 30, 2016: *Provided*, That funds available to carry out section 208 of the Educational Technical Assistance Act may be used to link Statewide elementary and secondary data systems with early childhood, postsecondary, and workforce data systems, or to further develop such systems: *Provided further*, That up to $6,000,000 of the funds available to carry out section 208 of the Educational Technical Assistance Act may be used for awards to public or private organizations or agencies to support activities to improve data coordination, quality, and use at the local, State,

and national levels: *Provided further*, That $137,235,000 shall be for carrying out activities authorized by the National Assessment of Educational Progress Authorization Act.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $411,000,000, of which up to $1,000,000, to remain available until expended, shall be for relocation of, and renovation of buildings occupied by, Department staff.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $100,000,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, as authorized by section 212 of the Department of Education Organization Act, $57,791,000.

GENERAL PROVISIONS

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

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing, or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated in this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but

no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 305. The Outlying Areas may consolidate funds received under this Act, pursuant to 48 U.S.C. 1469a, under part A of title V of the ESEA.

48 USC 1921d note.

SEC. 306. Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)) shall be applied by substituting "2015" for "2009".

SEC. 307. The Secretary, in consultation with the Director of the Institute of Education Sciences, may reserve funds under section 9601 of the ESEA (subject to the limitations in subsections (b) and (c) of that section) in order to carry out activities authorized under paragraphs (1) and (2) of subsection (a) of that section with respect to any ESEA program funded in this Act and without respect to the source of funds for those activities: *Provided*, That high-quality evaluations of ESEA programs shall be prioritized, before using funds for any other evaluation activities: *Provided further*, That any funds reserved under this section shall be available from July 1, 2015 through September 30, 2016: *Provided further*, That not later than 10 days prior to the initial obligation of funds reserved under this section, the Secretary, in consultation with the Director, shall submit an evaluation plan to the Senate Committees on Appropriations and Health, Education, Labor, and Pensions and the House Committees on Appropriations and Education and the Workforce which identifies the source and amount of funds reserved under this section, the impact on program grantees if funds are withheld, the programs to be evaluated with such funds, how ESEA programs will be regularly evaluated, and how findings from evaluations completed under this section will be widely disseminated.

20 USC 1090 note.

SEC. 308. The Secretary of Education shall—

(1) modify the Free Application for Federal Student Aid described in section 483 of the HEA so that the Free Application for Federal Student Aid contains an individual box for the purpose of identifying students who are foster youth or were in the foster care system; and

(2) utilize such identification as a tool to notify students who are foster youth or were in the foster care system of their potential eligibility for Federal student aid, including postsecondary education programs through the John H. Chafee Foster Care Independence Program and any other Federal programs under which such students may be eligible to receive assistance.

SEC. 309. (a) STUDENT ELIGIBILITY.—

20 USC 1091.

(1) Subsection (d) of section 484 of the HEA is amended to read as follows:

"(d) STUDENTS WHO ARE NOT HIGH SCHOOL GRADUATES.—

"(1) STUDENT ELIGIBILITY.—In order for a student who does not have a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, to be eligible for any assistance under subparts 1, 3, and 4 of part A and parts B, C, D, and E of this title,

the student shall meet the requirements of one of the following subparagraphs:

"(A) The student is enrolled in an eligible career pathway program and meets one of the following standards:

"(i) The student shall take an independently administered examination and shall achieve a score, specified by the Secretary, demonstrating that such student can benefit from the education or training being offered. Such examination shall be approved by the Secretary on the basis of compliance with such standards for development, administration, and scoring as the Secretary may prescribe in regulations.

"(ii) The student shall be determined as having the ability to benefit from the education or training in accordance with such process as the State shall prescribe. Any such process described or approved by a State for the purposes of this section shall be effective 6 months after the date of submission to the Secretary unless the Secretary disapproves such process. In determining whether to approve or disapprove such process, the Secretary shall take into account the effectiveness of such process in enabling students without secondary school diplomas or the equivalent thereof to benefit from the instruction offered by institutions utilizing such process, and shall also take into account the cultural diversity, economic circumstances, and educational preparation of the populations served by the institutions.

"(iii) The student shall be determined by the institution of higher education as having the ability to benefit from the education or training offered by the institution of higher education upon satisfactory completion of 6 credit hours or the equivalent coursework that are applicable toward a degree or certificate offered by the institution of higher education.

"(B) The student has completed a secondary school education in a home school setting that is treated as a home school or private school under State law.

"(2) ELIGIBLE CAREER PATHWAY PROGRAM.—In this subsection, the term 'eligible career pathway program' means a program that—

"(A) concurrently enrolls participants in connected adult education and eligible postsecondary programs;

"(B) provides counseling and supportive services to identify and attain academic and career goals;

"(C) provides structured course sequences that—

"(i) are articulated and contextualized; and

"(ii) allow students to advance to higher levels of education and employment;

"(D) provides opportunities for acceleration to attain recognized postsecondary credentials, including degrees, industry relevant certifications, and certificates of completion of apprenticeship programs;

"(E) is organized to meet the needs of adults;

"(F) is aligned with the education and skill needs of the regional economy; and

"(G) has been developed and implemented in collaboration with partners in business, workforce development, and economic development.".

20 USC 1091 note.

(2) The amendment made by paragraph (1) shall take effect as if such amendment was enacted on June 30, 2014, and shall apply to students who are enrolled or who first enroll in an eligible program of study on or after July 1, 2014.

20 USC 1070a.

(b) Section 401 (b)(2)(A)(ii) of the HEA is amended by inserting after "year" and before the comma "except that a student eligible only under 484(d)(1)(A) who first enrolls in an eligible program of study on or after July 1, 2015 shall not be eligible for the amount of the increase calculated under paragraph (7)(B)".

SEC. 310. (a) An institution of higher education that maintains an endowment fund supported with funds appropriated for title III or V of the HEA for fiscal year 2015 may use the income from that fund to award scholarships to students, subject to the limitation in section 331(c)(3)(B)(i) of the HEA. The use of such income for such purposes, prior to the enactment of this Act, shall be considered to have been an allowable use of that income, subject to that limitation.

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

SEC. 311. In making awards under section 402D of the HEA with funds appropriated by this Act, the Secretary shall—

(1) notwithstanding any other provision of law, publish a notice inviting applications for new awards no later than December 18, 2014; and

(2) make all awards by August 10, 2015.

This title may be cited as the "Department of Education Appropriations Act, 2015".

TITLE IV

RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For expenses necessary for the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92–28, $5,362,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service (referred to in this title as "CNCS") to carry out the Domestic Volunteer Service Act of 1973 (referred to in this title as "1973 Act") and the National and Community Service Act of 1990 (referred to in this title as "1990 Act"), $758,349,000, notwithstanding sections 198B(b)(3), 198S(g), 501(a)(6), 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: *Provided*, That of the amounts provided under this heading: (1) up to 1 percent of program grant

funds may be used to defray the costs of conducting grant application reviews, including the use of outside peer reviewers and electronic management of the grants cycle; (2) $70,000,000 shall be available for expenses authorized under section 501(a)(4)(E) of the 1990 Act; (3) $16,038,000 shall be available to provide assistance to State commissions on national and community service, under section 126(a) of the 1990 Act and notwithstanding section 501(a)(5)(B) of the 1990 Act; (4) $30,000,000 shall be available to carry out subtitle E of the 1990 Act; and (5) $3,800,000 shall be available for expenses authorized under section 501(a)(4)(F) of the 1990 Act, which, notwithstanding the provisions of section 198P shall be awarded by CNCS on a competitive basis: *Provided further*, That for the purposes of carrying out the 1990 Act, satisfying the requirements in section 122(c)(1)(D) may include a determination of need by the local community: *Provided further*, That not to exceed 20 percent of funds made available under section 501(a)(4)(E) of the 1990 Act may be used for Social Innovation Fund Pilot Program-related performance-based awards for Pay for Success projects and shall remain available through September 30, 2016: *Provided further*, That, with respect to the previous proviso, any funds obligated for such projects shall remain available for disbursement until expended, notwithstanding 31 U.S.C. 1552(a): *Provided further*, That any funds deobligated from projects under section 501(a)(4)(E) of the 1990 Act shall immediately be available for activities authorized under 198K of such Act.

PAYMENT TO THE NATIONAL SERVICE TRUST

(INCLUDING TRANSFER OF FUNDS)

For payment to the National Service Trust established under subtitle D of title I of the 1990 Act, $209,618,000, to remain available until expended: *Provided*, That CNCS may transfer additional funds from the amount provided within "Operating Expenses" allocated to grants under subtitle C of title I of the 1990 Act to the National Service Trust upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That amounts appropriated for or transferred to the National Service Trust may be invested under section 145(b) of the 1990 Act without regard to the requirement to apportion funds under 31 U.S.C. 1513(b).

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(5) of the 1990 Act and under section 504(a) of the 1973 Act, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $81,737,000.

OFFICE OF INSPECTOR GENERAL

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

ADMINISTRATIVE PROVISIONS

SEC. 401. CNCS shall make any significant changes to program requirements, service delivery or policy only through public notice and comment rulemaking. For fiscal year 2015, during any grant selection process, an officer or employee of CNCS shall not knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of CNCS that is authorized by CNCS to receive such information.

42 USC 12571 note.

SEC. 402. AmeriCorps programs receiving grants under the National Service Trust program shall meet an overall minimum share requirement of 24 percent for the first 3 years that they receive AmeriCorps funding, and thereafter shall meet the overall minimum share requirement as provided in section 2521.60 of title 45, Code of Federal Regulations, without regard to the operating costs match requirement in section 121(e) or the member support Federal share limitations in section 140 of the 1990 Act, and subject to partial waiver consistent with section 2521.70 of title 45, Code of Federal Regulations.

SEC. 403. Donations made to CNCS under section 196 of the 1990 Act for the purposes of financing programs and operations under titles I and II of the 1973 Act or subtitle B, C, D, or E of title I of the 1990 Act shall be used to supplement and not supplant current programs and operations.

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

SEC. 405. For the purpose of carrying out section 189D of the 1990 Act:

(1) Entities described in paragraph (a) of such section shall be considered "qualified entities" under section 3 of the National Child Protection Act of 1993 ("NCPA"); and

(2) Individuals described in such section shall be considered "volunteers" under section 3 of NCPA; and

(3) State Commissions on National and Community Service established pursuant to section 178 of the 1990 Act, are authorized to receive criminal history record information, consistent with Public Law 92–544.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting ("CPB"), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2017, $445,000,000: *Provided*, That none of the funds made available to CPB by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds made available to CPB by this Act shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: *Provided further*, That none of the funds made available to CPB by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of

CPB: *Provided further*, That none of the funds made available to CPB by this Act shall be used to support the Television Future Fund or any similar purpose.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service ("Service") to carry out the functions vested in it by the Labor-Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, $45,666,000, including up to $400,000 to remain available through September 30, 2016 for activities authorized by the Labor-Management Cooperation Act of 1978: *Provided,* That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: *Provided further,* That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: *Provided further*, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission, $16,751,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION

For carrying out the Museum and Library Services Act of 1996 and the National Museum of African American History and Culture Act, $227,860,000.

MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1900 of the Social Security Act, $7,650,000.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $11,749,000, to be transferred to this appropriation

from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

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

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

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

ADMINISTRATIVE PROVISION

SEC. 406. None of the funds provided by this Act or previous Acts making appropriations for the National Labor Relations Board may be used to issue any new administrative directive or regulation that would provide employees any means of voting through any electronic means in an election to determine a representative for the purposes of collective bargaining.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, including emergency boards appointed by the President, $13,227,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission, $11,639,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $34,000,000, which shall include amounts becoming available in fiscal year 2014 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits: *Provided*, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $150,000, to remain available through September 30, 2016, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board ("Board") for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $111,225,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund: *Provided,* That notwithstanding section 7(b)(9) of the Railroad Retirement Act this limitation may be used to hire attorneys only through the excepted service: *Provided further,* That the previous proviso shall not change the status under Federal employment laws of any attorney hired by the Railroad Retirement Board prior to January 1, 2013.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, not more than $8,437,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, $16,400,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $41,232,978,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury: *Provided further,* That not more than $83,000,000 shall be available for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act, and remain available through September 30, 2017.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2016, $19,200,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $20,000 for official reception and representation expenses, not more than $10,284,945,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to in such section: *Provided*, That not less than $2,300,000 shall be for the Social Security Advisory Board: *Provided further*, That, $131,000,000 may be used for the costs associated with conducting continuing disability reviews under titles II and XVI of the Social Security Act and conducting redeterminations of eligibility under title XVI of the Social Security Act: *Provided further*, That the Commissioner may allocate additional funds under this paragraph above the level specified in the previous proviso for such activities but only to reconcile estimated and actual unit costs for conducting such activities and after notifying the Committees on Appropriations of the House of Representatives and the Senate at least 15 days in advance of any such reallocation: *Provided further*, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2015 not needed for fiscal year 2015 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: *Provided further,* That the Commissioner of Social Security shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to making unobligated balances available under the authority in the previous proviso: *Provided further*, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to 5 U.S.C. 7131, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts

in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

In addition, for the costs associated with continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, $1,396,000,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That, of such amount, $273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $1,123,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act: *Provided further,* That the Commissioner shall provide to the Congress (at the conclusion of the fiscal year) a report on the obligation and expenditure of these funds, similar to the reports that were required by section 103(d)(2) of Public Law 104–121 for fiscal years 1996 through 2002.

In addition, $124,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such sections in fiscal year 2015 exceed $124,000,000, the amounts shall be available in fiscal year 2016 only to the extent provided in advance in appropriations Acts.

In addition, up to $1,000,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act, which shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $28,829,000, together with not to exceed $74,521,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

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

TITLE V

GENERAL PROVISIONS

(TRANSFER OF FUNDS)

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances

of prior appropriations to accounts corresponding to current appropriations provided in this Act. Such transferred balances shall be used for the same purpose, and for the same periods of time, for which they were originally appropriated.

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

SEC. 503. (a) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.

(b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

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

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for "Federal Mediation and Conciliation Service, Salaries and Expenses"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $5,000 from funds available for "National Mediation Board, Salaries and Expenses".

SEC. 505. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

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

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

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

(b) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 507. (a) The limitations established in the preceding section shall not apply to an abortion—

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

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

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

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

(2) In this subsection, the term "health care entity" includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

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

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

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

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

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

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

SEC. 510. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

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

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

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

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

SEC. 514. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;
(5) reorganizes or renames offices;
(6) reorganizes programs or activities; or
(7) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;
(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or
(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

SEC. 515. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

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

SEC. 516. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2015 that are different than those specified in this Act, the accompanying detailed table in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) accompanying this Act, or the fiscal year 2015 budget request.

SEC. 517. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding $500,000 in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2015, but not to include grants awarded on a formula basis or directed by law. Such report shall include the name of the contractor or grantee, the amount of funding,

the governmental purpose, including a justification for issuing the award on a non-competitive basis. Such report shall be transmitted to the Committees within 30 days after the end of the quarter for which the report is submitted.

SEC. 518. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process any claim for credit for a quarter of coverage based on work performed under a social security account number that is not the claimant's number and the performance of such work under such number has formed the basis for a conviction of the claimant of a violation of section 208(a)(6) or (7) of the Social Security Act.

SEC. 519. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

(RESCISSION)

SEC. 520. Of the funds made available for performance bonus payments under section 2105(a)(3)(E) of the Social Security Act, $1,745,000,000 are hereby rescinded.

SEC. 521. Notwithstanding any other provision of this Act, no funds appropriated in this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(RESCISSION)

SEC. 522. Of the funds made available for fiscal year 2015 under section 3403 of Public Law 111–148, $10,000,000 are rescinded.

31 USC 1502 note.

SEC. 523. Not later than 30 days after the end of each calendar quarter, beginning with the first quarter of fiscal year 2013, the Departments of Labor, Health and Human Services and Education and the Social Security Administration shall provide the Committees on Appropriations of the House of Representatives and Senate a quarterly report on the status of balances of appropriations: *Provided,* That for balances that are unobligated and uncommitted, committed, and obligated but unexpended, the quarterly reports shall separately identify the amounts attributable to each source year of appropriation (beginning with fiscal year 2012, or, to the extent feasible, earlier fiscal years) from which balances were derived.

SEC. 524. (a) Federal agencies may use Federal discretionary funds that are made available in this Act to carry out up to 10 Performance Partnership Pilots. Such Pilots shall:

(1) be designed to improve outcomes for disconnected youth, and

(2) involve Federal programs targeted on disconnected youth, or designed to prevent youth from disconnecting from school or work, that provide education, training, employment,

and other related social services. Such Pilots shall be governed by the provisions of section 526 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2014, except that in carrying out such Pilots section 526 shall be applied by substituting "FISCAL YEAR 2015" for "FISCAL YEAR 2014" in the title of subsection (b) and by substituting "September 30, 2019" for "September 30, 2018" each place it appears.

(b) In addition, Federal agencies may use Federal discretionary funds that are made available in this Act to participate in Performance Partnership Pilots that are being carried out pursuant to the authority provided by section 526 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2014.

SEC. 525. Each Federal agency, or in the case of an agency with multiple bureaus, each bureau (or operating division) funded under this Act that has research and development expenditures in excess of $100,000,000 per year shall develop a Federal research public access policy that provides for—

(1) the submission to the agency, agency bureau, or designated entity acting on behalf of the agency, a machine-readable version of the author's final peer-reviewed manuscripts that have been accepted for publication in peer-reviewed journals describing research supported, in whole or in part, from funding by the Federal Government;

(2) free online public access to such final peer-reviewed manuscripts or published versions not later than 12 months after the official date of publication; and

(3) compliance with all relevant copyright laws.

SEC. 526. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 527. For purposes of carrying out Executive Order 13589, Office of Management and Budget Memorandum M–12–12 dated May 11, 2012, and requirements contained in the annual appropriations bills relating to conference attendance and expenditures:

(1) the operating divisions of HHS shall be considered independent agencies; and

(2) attendance at and support for scientific conferences shall be tabulated separately from and not included in agency totals.

(TRANSFER)

SEC. 528. (a) This section applies to the amounts that—

(1) are made available in this Act—

(A) under the heading "REHABILITATION SERVICES AND DISABILITY RESEARCH" in title III; or

(B) under the heading "PROGRAM ADMINISTRATION" under the heading "DEPARTMENTAL MANAGEMENT" in title III; and

(2) relate to functions described in subsection (b), (m)(1), or (n)(2) of section 491 of the WIOA.

(b) Amounts described in subsection (a) shall be obligated, expended, and transferred in accordance with that section 491.

SEC. 529. None of the funds made available under this or any other Act, or any prior Appropriations Act, may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, allied organizations, or successors.

TITLE VI

EBOLA RESPONSE AND PREPAREDNESS

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "CDC-Wide Activities and Program Support," $1,771,000,000, to remain available until September 30, 2019, to prevent, prepare for, and respond to Ebola domestically and internationally; for the transportation, medical care, treatment, and other related costs of persons quarantined or isolated under Federal or State quarantine law; and to carry out titles II, III, and XVII of the Public Health Service ("PHS") Act with respect to domestic preparedness and global health: *Provided*, That no less than $10,000,000 shall be for worker-based training to prevent and reduce exposure of hospital employees, emergency first responders and other workers who are at risk of exposure to Ebola through their work duties: *Provided further*, That $597,000,000 shall be used to support national public health institutes and global health security: *Provided further*, That $155,000,000 shall be to support the Public Health Emergency Preparedness program: *Provided further*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That such funds may be transferred by the Director of the Centers for Disease Control and Prevention ("CDC") to other accounts of the CDC for the purposes provided in this paragraph: *Provided further*, That the Director of the CDC shall notify the Committees on Appropriations of the House of Representatives and the Senate promptly after any transfer under the preceding proviso: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority provided by law: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For an additional amount for "National Institute of Allergy and Infectious Diseases" to prevent, prepare for, and respond to Ebola domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act, $238,000,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Public Health and Social Services Emergency Fund" to prevent, prepare for, and respond to Ebola domestically or internationally, and to develop necessary medical countermeasures and vaccines including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities, $733,000,000, to remain available until September 30, 2019: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: *Provided further*, That, notwithstanding section 496(b) of the PHS Act, funds may be used for the renovation and alteration of privately owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That sections 319C–1(h)(3) and 319C–2(h) of the PHS Act shall not apply to funds appropriated under this heading: *Provided further*, That reimbursement of domestic transportation and treatment costs (other than costs paid or reimbursed by the individual's health coverage) for an individual treated in the United States for Ebola, before or after the date of enactment of this Act, shall be deemed to be a use of resources of the Secretary in implementation of a plan under section 311(c)(1) of the PHS Act (42 U.S.C. 243(c)(1)), and funds made available by this title shall be available for that purpose, at the discretion of the Secretary: *Provided further*, That funds appropriated in this paragraph may be used for the purposes specified in this paragraph and to the fund authorized by section 319F–4 of the PHS Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

SEC. 601. For purposes of preventing, preparing for, and responding to Ebola domestically or internationally, the Secretary of Health and Human Services may use funds provided in this title—

(1) for the CDC to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with

the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries;

(2) for the CDC to obtain by contract (in accordance with section 3109 of title 5, but without regard to the limitations in such section on the period of service and on pay) the personal services of experts or consultants who have scientific or other professional qualifications, except that in no case shall the compensation provided to any such expert or consultant exceed the daily equivalent of the annual rate of compensation for Executive Level II employees; and

(3) to use available resources to provide Federal assistance as necessary for repatriation notwithstanding the limitation on temporary assistance in section 1113(d) of the Social Security Act.

SEC. 602. The Secretary shall provide notice to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the use of the provisions in section 601.

SEC. 603. A grant awarded by the Department of Health and Human Services with funds made available by this title may be made conditional on agreement by the awardee to comply with existing and future guidance from the Secretary regarding control of the spread of the Ebola virus.

(TRANSFER OF FUNDS)

SEC. 604. Funds appropriated in this title may be transferred to, and merged with, other appropriation accounts of the Centers for Disease Control and Prevention, the Assistant Secretary for Preparedness and Response, or the National Institutes of Health for the purposes specified in this title following consultation with the Office of Management and Budget: *Provided*, That the Committees on Appropriations of the House of Representatives and the Senate shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this title may be transferred pursuant to the authority in section 206 of this Act or section 241(a) of the PHS Act.

This division may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015".

DIVISION H—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2015

Legislative Branch Appropriations Act, 2015.
2 USC 60a note.

TITLE I

LEGISLATIVE BRANCH

SENATE

EXPENSE ALLOWANCES

For expense allowances of the Vice President, $18,760; the President Pro Tempore of the Senate, $37,520; Majority Leader of the Senate, $39,920; Minority Leader of the Senate, $39,920; Majority Whip of the Senate, $9,980; Minority Whip of the Senate, $9,980; Chairmen of the Majority and Minority Conference Committees, $4,690 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, $4,690 for each Chairman; in all, $174,840.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, $14,070 for each such Leader; in all, $28,140.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, $177,723,681, which shall be paid from this appropriation without regard to the following limitations:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $2,417,248.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $723,466.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $5,255,576.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $3,359,424.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, $15,142,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, $1,658,000 for each such committee; in all, $3,316,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, $817,402.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,692,905 for each such committee; in all, $3,385,810.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $416,886.

OFFICE OF THE SECRETARY

For Office of the Secretary, $24,772,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $69,000,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,762,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $47,355,869.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $5,408,500.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $1,120,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, $7,110; Sergeant at Arms and Doorkeeper of the Senate, $7,110; Secretary for the Majority of the Senate, $7,110; Secretary for the Minority of the Senate, $7,110; in all, $28,440.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted under paragraph 1 of rule XXVI of the

Standing Rules of the Senate, section 112 of the Supplemental Appropriations and Rescission Act, 1980 (Public Law 96–304), and Senate Resolution 281, 96th Congress, agreed to March 11, 1980, $133,265,000, of which $26,650,000 shall remain available until September 30, 2017.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $508,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, $6,250,000 of which $4,350,000 shall remain available until September 30, 2019.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $128,300,499, which shall remain available until September 30, 2019.

MISCELLANEOUS ITEMS

For miscellaneous items, $21,178,002, which shall remain available until September 30, 2017.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, $390,000,000 of which $19,109,214 shall remain available until September 30, 2017.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $300,000.

ADMINISTRATIVE PROVISIONS

SENATE STATIONERY PROCUREMENT

SEC. 1. (a) Sections 65, 66, 67, and 68 of the Revised Statutes (2 U.S.C. 6569, 6570, 6571) are repealed.

(b) The fifth paragraph after the paragraph under the side heading "For contingent expenses, namely": under the subheading "Senate", under the heading "Legislative" of the Act of March 3, 1887 (24 Stat. 596, chapter 392; 2 U.S.C. 6572), is amended by striking "sections, sixty-five, sixty six, sixty-seven, sixty-eight, and sixty-nine," and inserting "section 69".

SEC. 2. Section 7(e) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 6115 note) is amended by striking "and the 110th Congress" and inserting "the 110th Congress, and the 114th Congress".

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $1,180,736,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $22,278,891, including: Office of the Speaker, $6,645,417, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $2,180,048, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $7,114,471, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,886,632, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,459,639, including $5,000 for official expenses of the Minority Whip; Republican Conference, $1,505,426; Democratic Caucus, $1,487,258: *Provided*, That such amount for salaries and expenses shall remain available from January 3, 2015 until January 2, 2016.

MEMBERS' REPRESENTATIONAL ALLOWANCES

INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $554,317,732.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $123,903,173: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2016, except that $2,300,000 of such amount shall remain available until expended for committee room upgrading.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $23,271,004, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2016.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $171,344,864, including: for salaries and expenses of the Office of the Clerk, including the positions of the

Chaplain and the Historian, and including not more than $25,000 for official representative and reception expenses, of which not more than $20,000 is for the Family Room and not more than $2,000 is for the Office of the Chaplain, $24,009,473; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages and the Office of Emergency Management, and including not more than $3,000 for official representation and reception expenses, $11,926,729 of which $4,344,000 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than $3,000 for official representation and reception expenses, $113,100,000, of which $4,000,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, $4,741,809; for salaries and expenses of the Office of General Counsel, $1,340,987; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, $2,000 for preparing the Digest of Rules, and not more than $1,000 for official representation and reception expenses, $1,952,249; for salaries and expenses of the Office of the Law Revision Counsel of the House, $4,087,587, of which $1,000,000 shall remain available until expended for the completion of the House Modernization Initiative; for salaries and expenses of the Office of the Legislative Counsel of the House, $8,892,975, of which $540,000 shall remain available until expended for the completion of the House Modernization Initiative; for salaries and expenses of the Office of Interparliamentary Affairs, $814,069; for other authorized employees, $478,986.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $285,620,336, including: supplies, materials, administrative costs and Federal tort claims, $4,152,789; official mail for committees, leadership offices, and administrative offices of the House, $190,486; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $256,635,776, to remain available until March 31, 2016; Business Continuity and Disaster Recovery, $16,217,008 of which $5,000,000 shall remain available until expended; transition activities for new members and staff, $3,737,000, to remain available until expended; Wounded Warrior Program $2,500,000, to remain available until expended; Office of Congressional Ethics, $1,467,030; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $720,247.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for "HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES" shall be available only for fiscal year 2015. Any amount remaining after all payments are made under such allowances for fiscal year 2015 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have

been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

DELIVERY OF BILLS AND RESOLUTIONS

SEC. 102. None of the funds made available in this Act may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

DELIVERY OF CONGRESSIONAL RECORD

SEC. 103. None of the funds made available by this Act may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

SEC. 104. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle, excluding mobile district offices, in an aggregate amount that exceeds $1,000 for the vehicle in any month.

LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE

SEC. 105. None of the funds made available by this Act may be used to provide an aggregate number of more than 50 printed copies of any edition of the United States Code to all offices of the House of Representatives.

DELIVERY OF REPORTS OF DISBURSEMENTS

SEC. 106. None of the funds made available by this Act may be used to deliver a printed copy of the report of disbursements for the operations of the House of Representatives under section 106 of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5535) to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

DELIVERY OF DAILY CALENDAR

SEC. 107. None of the funds made available by this Act may be used to deliver to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) a printed copy of the Daily Calendar of the House of Representatives which is prepared by the Clerk of the House of Representatives.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $4,203,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $10,095,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including:

(1) an allowance of $2,175 per month to the Attending Physician;

(2) an allowance of $1,300 per month to the Senior Medical Officer;

(3) an allowance of $725 per month each to three medical officers while on duty in the Office of the Attending Physician;

(4) an allowance of $725 per month to 2 assistants and $580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and

(5) $2,486,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $3,371,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, $1,387,000, to be disbursed by the Secretary of the Senate.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, $286,500,000 of which overtime shall not exceed $23,425,000 unless the Committee on Appropriations of the House and Senate are notified, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than $5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, $61,459,000, to be disbursed by the Chief of the Capitol Police or his designee: *Provided*, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2015 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $3,959,000, of which $450,000 shall remain available until September 30, 2016: *Provided*, That not more than $500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

ADMINISTRATIVE PROVISION

EMPLOYEE NOTIFICATIONS

SEC. 1001. Section 301(h)(2) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(h)(2)) is amended by striking "the residences of covered employees" and inserting "covered employees by the end of each fiscal year".

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than $6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $45,700,000.

ARCHITECT OF THE CAPITOL

GENERAL ADMINISTRATION

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol

including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, $91,455,000.

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, $54,665,000, of which $9,134,000 shall remain available until September 30, 2019, and of which $21,222,000 shall remain available until expended.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $11,973,000, of which $2,000,000 shall remain available until September 30, 2019.

SENATE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of Senate office buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, $94,313,000, of which $36,488,000 shall remain available until September 30, 2019.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $89,446,898, of which $24,824,898 shall remain available until September 30, 2019.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, $70,000,000, to remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $90,652,000, of which $8,686,000 shall remain available until September 30, 2019: *Provided*, That not more than $9,000,000 of the funds credited

or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2015.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $42,180,000, of which $17,042,000 shall remain available until September 30, 2019.

CAPITOL POLICE BUILDINGS, GROUNDS, AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computer Facility, and AOC security operations, $19,159,000, of which $1,000,000 shall remain available until September 30, 2019.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $15,573,000, of which $5,693,000 shall remain available until September 30, 2019: *Provided*, That of the amount made available under this heading, the Architect of the Capitol may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect of the Capitol or a duly authorized designee.

CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, $20,844,000.

ADMINISTRATIVE PROVISIONS

NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR OVER BUDGET

SEC. 1101. None of the funds made available in this Act for the Architect of the Capitol may be used to make incentive or award payments to contractors for work on contracts or programs for which the contractor is behind schedule or over budget, unless the Architect of the Capitol, or agency-employed designee, determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program.

U.S. BOTANIC GARDEN ADMINISTRATION OF EDUCATIONAL OUTREACH AND SERVICES

2 USC 2148.

SEC. 1102. (a) The Architect of the Capitol, subject to the direction of the Joint Committee of Congress on the Library, may enter into cooperative agreements with entities under such terms as the Architect determines advisable, in order to support the

United States Botanic Garden in carrying out its duties, authorities, and mission.

(b)(1) The Architect of the Capitol may, subject to the direction of the Joint Committee of Congress on the Library, enter into a no-cost agreement, through a contract, cooperative agreement, or memorandum of understanding, with a qualified entity to conduct, or provide support for, an educational exhibit, program, class, or outreach that benefits the educational mission of the United States Botanic Garden.

(2) Any agreement under paragraph (1) may—

(A) allow the qualified entity to accept fees for any program or class described in paragraph (1) in order to cover all or a portion of the entity's costs of any supplies, honoraria, or associated expenses for the program or class; and

(B) subject to such terms as the Architect considers appropriate and necessary, grant temporary concessions to the qualified entity, or allow the qualified entity to grant temporary concessions to another person, in connection with an educational exhibit, program, class, or outreach described in paragraph (1), including concessions for food and merchandise sales that are specifically related to the educational mission involved.

(3) Section 5104(c) of title 40, United States Code, shall not apply to any activity carried out under this subsection.

(4) In this subsection, the term "qualified entity" means—

(A) the National Fund for the United States Botanic Garden; and

(B) any other organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that the Architect of the Capitol determines shares interests complementary to the educational mission of the United States Botanic Garden.

(c) Any authority under subsection (a) or (b) shall not apply to any agreement providing for the construction or improvement of real property.

(d) This section shall apply with respect to fiscal year 2015 and each succeeding fiscal year.

SCRIMS

SEC. 1103. None of the funds made available by this Act may be used for scrims containing photographs of building facades during restoration or construction projects performed by the Architect of the Capitol.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; activities under the Civil Rights History Project Act of 2009; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund

Board not properly chargeable to the income of any trust fund held by the Board, $419,357,000, of which not more than $6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2015, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2015 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $6,350,000: *Provided further*, That of the total amount appropriated, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: *Provided further*, That of the total amount appropriated, $8,231,000 shall remain available until expended for the digital collections and educational curricula program.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, $54,303,000, of which not more than $27,971,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2015 under section 708(d) of title 17, United States Code: *Provided*, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That not more than $5,611,000 shall be derived from collections during fiscal year 2015 under sections 111(d)(2), 119(b)(2), 803(e), 1005, and 1316 of such title: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $33,582,000: *Provided further*, That not more than $100,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further*, That not more than $6,500 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: *Provided further*, That notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $106,945,000: *Provided*, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $50,248,000: *Provided*, That of the total amount appropriated, $650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

ADMINISTRATIVE PROVISION

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1201. (a) IN GENERAL.—For fiscal year 2015, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $203,058,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

GOVERNMENT PUBLISHING OFFICE

CONGRESSIONAL PUBLISHING

(INCLUDING TRANSFER OF FUNDS)

For authorized publishing of congressional information and the distribution of congressional information in any format; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); publishing of Government publications authorized by law to be distributed to Members of Congress; and publishing and distribution of Government publications authorized by law to be distributed without charge to the recipient, $79,736,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: *Provided further,* That this appropriation shall be available for the payment of obligations incurred under the appropriations

for similar purposes for preceding fiscal years: *Provided further,* That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: *Provided further,* That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office business operations revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate: *Provided further*, That notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

PUBLIC INFORMATION PROGRAMS OF THE SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the public information programs of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $31,500,000: *Provided*, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2013 and 2014 to depository and other designated libraries: *Provided further,* That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office business operations revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PUBLISHING OFFICE BUSINESS OPERATIONS REVOLVING FUND

For payment to the Government Publishing Office Business Operations Revolving Fund, $8,757,000, to remain available until expended, for information technology development and facilities repair: *Provided*, That the Government Publishing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth

in the budget for the current fiscal year for the Government Publishing Office business operations revolving fund: *Provided further,* That not more than $7,500 may be expended on the certification of the Director of the Government Publishing Office in connection with official representation and reception expenses: *Provided further,* That the business operations revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: *Provided further,* That expenditures in connection with travel expenses of the advisory councils to the Director of the Government Publishing Office shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further,* That the business operations revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: *Provided further,* That activities financed through the business operations revolving fund may provide information in any format: *Provided further,* That the business operations revolving fund and the funds provided under the heading "Public Information Programs of the Superintendent of Documents" may not be used for contracted security services at GPO's passport facility in the District of Columbia.

ADMINISTRATIVE PROVISION

REDESIGNATION OF GOVERNMENT PRINTING OFFICE TO GOVERNMENT PUBLISHING OFFICE

SEC. 1301. (a) IN GENERAL.—The Government Printing Office is hereby redesignated the Government Publishing Office. 44 USC prec. 301 note.

(b) REFERENCES.—Any reference to the Government Printing Office in any law, rule, regulation, certificate, directive, instruction, or other official paper in force on the date of enactment of this Act shall be considered to refer and apply to the Government Publishing Office. 44 USC prec. 301 note.

(c) TITLE 44, UNITED STATES CODE.—Title 44, United States Code, is amended—

(1) by striking "Public Printer" each place that term appears and inserting "Director of the Government Publishing Office"; and

(2) in the heading for each of sections 301, 302, 303, 304, 305, 306, 307, 502, 710, 1102, 1111, 1115, 1340, 1701, 1712, and 1914, by striking "**PUBLIC PRINTER**" and inserting "**DIRECTOR OF THE GOVERNMENT PUBLISHING OFFICE**".

(d) OTHER REFERENCES.—Any reference in any law other than in title 44, United States Code, or in any rule, regulation, certificate, directive, instruction, or other official paper in force on the date of enactment of this Act to the Public Printer shall be considered to refer and apply to the Director of the Government Publishing Office. 44 USC 301 note.

(e) TITLE 44, UNITED STATES CODE.—Title 44, United States Code, is amended— 44 USC prec. 301, 302–304, 313.

(1) by striking "Deputy Public Printer" each place that term appears and inserting "Deputy Director of the Government Publishing Office"; and

(2) in the heading for each of sections 302 and 303, by striking "**DEPUTY PUBLIC PRINTER**" and inserting "**DEPUTY DIRECTOR OF THE GOVERNMENT PUBLISHING OFFICE**".

44 USC 302 note.

(f) OTHER REFERENCES.—Any reference in any law other than in title 44, United States Code, or in any rule, regulation, certificate, directive, instruction, or other official paper in force on the date of enactment of this Act to the Deputy Public Printer shall be considered to refer and apply to the Deputy Director of the Government Publishing Office.

(g) Section 301 of title 44, United States Code, is amended—

(1) in the first sentence, by striking ", who must be a practical printer and versed in the art of bookbinding,"; and

(2) in the second sentence, by striking "His" and inserting "The".

(h) Section 302 of title 44, United States Code, is amended—

(1) in the first sentence, by striking ", who must be a practical printer and versed in the art of bookbinding,"; and

(2) in the second sentence—

(A) by striking "He" and inserting "The Deputy Director of the Government Publishing Office";

(B) by striking "perform the duties formerly required of the chief clerk,";

(C) by striking ", and perform" and inserting "and perform"; and

(D) by striking "of him".

(i) Chapter 3 of title 44, United States Code is amended—

(1) in the first sentence of section 304, by striking "or his" and inserting "or the Director's";

(2) in section 305(a)—

(A) by striking "he considers" and inserting "the Director considers"; and

(B) by striking "He may not" and inserting "The Director of the Government Publishing Office may not";

(3) in section 306, by striking "his direction" and inserting "the direction of the Director";

(4) in section 308—

(A) in subsection (b)(1)—

(i) by striking "his accounts" and inserting "the accounts of the disbursing officer"; and

(ii) by striking "his name" and inserting "the name of the disbursing officer";

(B) in subsection (b)(2)—

(i) by striking "his estate" and inserting "the estate of the disbursing officer";

(ii) by striking "to him" and inserting "to the deputy disbursing officer"; and

(iii) by striking "his service" and inserting "the service of the deputy disbursing officer"; and

(C) in subsection (c)(1)—

(i) by striking "by him" and inserting "by such officer or employee";

(ii) by striking "his discretion" and inserting "the discretion of the Comptroller General"; and

(iii) by striking "whenever he" each place that terms appears and inserting "whenever the Comptroller General";

(5) in section 309—

(A) in the second sentence of subsection (a), by striking "by him" and inserting "by the Director"; and

(B) in subsection (f), by striking "his or her discretion" and inserting "the discretion of the Comptroller General";

(6) in section 310, by striking "his written request" and inserting "the written request of the Director";

(7) in section 311(b), by striking "he justifies" and inserting "the Director justifies";

(8) in section 312, by striking "his service" and inserting "the service of such officer"; and

(9) in section 317, by striking "his delegate" and inserting "a delegate of the Director".

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $522,000,000: *Provided*, That, in addition, $23,750,000 of payments received under sections 782, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: *Provided further*, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

ADMINISTRATIVE PROVISION

CENTER FOR AUDIT EXCELLENCE

SEC. 1401. (a) CENTER FOR AUDIT EXCELLENCE.—

(1) ESTABLISHMENT.—Chapter 7 of title 31, United States Code, is amended by adding at the end the following new subchapter:

"Subchapter VII—Center for Audit Excellence

31 USC prec. 791.

"SEC. 791. CENTER FOR AUDIT EXCELLENCE.

31 USC 791.

"(a) ESTABLISHMENT.—The Comptroller General shall establish, maintain, and operate a center within the Government Accountability Office to be known as the 'Center for Audit Excellence' (hereafter in this subchapter referred to as the 'Center').

"(b) PURPOSE AND ACTIVITIES.—

"(1) IN GENERAL.—The Center shall build institutional auditing capacity and promote good governance by providing affordable, relevant, and high-quality training, technical assistance, and products and services to qualified personnel and entities of governments (including the Federal Government, State and local governments, tribal governments, and governments of foreign nations), international organizations, and other private organizations.

"(2) DETERMINATION OF QUALIFIED PERSONNEL AND ENTITIES.—Personnel and entities shall be considered qualified for purposes of receiving training, technical assistance, and products or services from the Center under paragraph (1) in accordance with such criteria as the Comptroller General may establish and publish.

"(c) FEES.—

"(1) PERMITTING CHARGING OF FEES.—The Comptroller General may establish, charge, and collect fees (on a reimbursable or advance basis) for the training, technical assistance, and products and services provided by the Center under this subchapter.

"(2) DEPOSIT INTO SEPARATE ACCOUNT.—The Comptroller General shall deposit all fees collected under paragraph (1) into the Center for Audit Excellence Account established under section 792.

"(d) GIFTS OF PROPERTY AND SERVICES.—The Comptroller General may accept and use conditional or non-conditional gifts of property (both real and personal) and services (including services of guest lecturers) to support the operation of the Center, except that the Comptroller General may not accept or use such a gift if the Comptroller General determines that the acceptance or use of the gift would compromise or appear to compromise the integrity of the Government Accountability Office.

"(e) SENSE OF CONGRESS REGARDING PERSONNEL.—It is the sense of Congress that the Center should be staffed primarily by personnel of the Government Accountability Office who are not otherwise engaged in carrying out other duties of the Office under this chapter, so as to ensure that the operation of the Center will not detract from or impact the oversight and audit work of the Office.

31 USC 792.

"SEC. 792. ACCOUNT.

"(a) ESTABLISHMENT OF SEPARATE ACCOUNT.—There is established in the Treasury as a separate account for the Government Accountability Office the 'Center for Audit Excellence Account', which shall consist of the fees deposited by the Comptroller General under section 791(c) and such other amounts as may be appropriated under law.

"(b) USE OF ACCOUNT.—Amounts in the Center for Audit Excellence Account shall be available to the Comptroller General, in amounts specified in appropriations Acts and without fiscal year limitation, to carry out this subchapter.

31 USC 793.

"SEC. 793. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated such sums as may be necessary to carry out this subchapter.".

(2) CLERICAL AMENDMENT.—The table of sections for chapter 7 of title 31, United States Code, is amended by adding at the end the following: 31 USC prec. 701.

"SUBCHAPTER VII—CENTER FOR AUDIT EXCELLENCE

"791. Center for Audit Excellence.
"792. Account.
"793. Authorization of appropriations."

(b) APPROVAL OF BUSINESS PLAN.—The Comptroller General may not begin operating the Center for Audit Excellence under subchapter VII of chapter 7 of title 31, United States Code (as added by subsection (a)) until— 31 USC 791 note.

(1) the Comptroller General submits a business plan for the Center to the Committees on Appropriations of the House of Representatives and Senate; and

(2) each such Committee approves the plan.

OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), $5,700,000: *Provided*, That funds made available to support Russian participants shall only be used for those engaging in free market development, humanitarian activities, and civic engagement, and shall not be used for officials of the central government of Russia.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), $430,000.

TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2015 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32

et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided*, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

COSTS OF LBFMC

SEC. 205. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $2,000.

LANDSCAPE MAINTENANCE

SEC. 206. For fiscal year 2015 and each fiscal year thereafter, the Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets, in Square 580 up to the beginning of I–395.

LIMITATION ON TRANSFERS

SEC. 207. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

GUIDED TOURS OF THE CAPITOL

SEC. 208. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol

which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

This division may be cited as the "Legislative Branch Appropriations Act, 2015".

DIVISION I—MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2015.

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $528,427,000, to remain available until September 30, 2019: *Provided*, That of this amount, not to exceed $51,127,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,018,772,000, to remain available until September 30, 2019: *Provided*, That of this amount, not to exceed $33,366,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $811,774,000, to remain available until September 30, 2019: *Provided*, That of this amount, not to exceed $10,738,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air

Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That none of the funds provided under this heading for military construction in the United Kingdom as identified in the table entitled "Military Construction" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) may be obligated or expended until the Department of Defense completes a European Consolidation Study, and the Secretary of Defense (1) provides to the Committees on Appropriations of both Houses of Congress a comprehensive European basing strategy reflecting the findings of the Consolidation Study, and (2) certifies in writing the requirement identified in the study for any military construction project in the United Kingdom funded in this section.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $1,991,690,000, to remain available until September 30, 2019: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed $162,240,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That of the amount appropriated, notwithstanding any other provision of law, $37,918,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters: *Provided further*, That none of the funds made available by this title may be used to construct a squadron operations facility at Cannon Air Force Base, New Mexico, until the Secretary of Defense submits to the Committees on Appropriations of both Houses of Congress a report that includes the following:

(1) A definition of "Special Operations Forces-peculiar" as it applies to the use of United States Special Operations Command (USSOCOM) funding to meet military construction requirements for facilities that provide healthcare services or support fitness activities.

(2) A description of the decision-making process used to determine whether a military construction project that provides healthcare facilities or supports fitness activities should be funded by the USSOCOM or the military services.

(3) An addendum to the DOD Form 1391 for this project providing a schematic of the human performance center, a listing of the planned equipment related to training and resiliency and a description of the mission-critical benefit of each item, an explanation of why the unique physical and psychological health services incorporated could not be provided by the Defense Health Agency or military services, and a planned staffing breakdown.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $128,920,000, to remain available until September 30, 2019: *Provided*, That of the amount appropriated, not to exceed $17,600,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $92,663,000, to remain available until September 30, 2019: *Provided*, That of the amount appropriated, not to exceed $7,700,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $103,946,000, to remain available until September 30, 2019: *Provided*, That of the amount appropriated, not to exceed $8,337,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the

reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $51,528,000, to remain available until September 30, 2019: *Provided*, That of the amount appropriated, not to exceed $2,123,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $49,492,000, to remain available until September 30, 2019: *Provided*, That of the amount appropriated, not to exceed $6,892,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $199,700,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $78,609,000, to remain available until September 30, 2019.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $350,976,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition,

expansion, extension, and alteration, as authorized by law, $16,412,000, to remain available until September 30, 2019.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $354,029,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $327,747,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $61,100,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $1,662,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, $38,715,000, to remain available until September 30, 2019, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), as amended by section 2711 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), $315,085,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract

for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated

by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the

Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities: *Provided further*, That the transfer authority in this provision shall also be applicable to amounts appropriated for construction in "Family Housing" accounts in section 2002 of Public Law 112–10.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

10 USC 2821 note.

SEC. 121. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further,* That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 122. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such

section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 123. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 124. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5–10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 125. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 126. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 127. For an additional amount for "Military Construction, Navy and Marine Corps", "Military Construction, Air Force", "Military Construction, Army Reserve", and "Military Construction, Navy Reserve", $125,000,000, to remain available until September 30, 2018: *Provided,* That notwithstanding any other provision of law, such funds may be obligated and expended to carry out construction of projects, excluding in Europe, as authorized in division B of Public Law 113–66: *Provided further,* That not later than 30 days after enactment of this Act, the Secretary of Defense shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this heading.

SEC. 128. For an additional amount for "Military Construction, Army", $61,000,000; "Military Construction, Army National Guard",

$5,000,000; and "Military Construction, Army Reserve", $51,000,000, to remain available until September 30, 2019: *Provided*, That notwithstanding any other provision of law, such funds may only be obligated to carry out construction of certain projects as authorized in division B of an Act authorizing appropriations for fiscal year 2015 for military activities of the Department of Defense (relating to Military Construction Authorizations): *Provided further*, That not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this heading.

(RESCISSION OF FUNDS)

SEC. 129. Of the unobligated balances available for "Military Construction, Army", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $49,533,000 are hereby rescinded.

(RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances available for "Military Construction, Navy and Marine Corps", from prior appropriations Acts (other than appropriations designated by law as for being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $25,522,000 are hereby rescinded.

(RESCISSION OF FUNDS)

SEC. 131. Of the unobligated balances available for "Military Construction, Air Force", from prior appropriations Acts (other than appropriations designated by law as for being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $41,392,000 are hereby rescinded.

(RESCISSION OF FUNDS)

SEC. 132. Of the unobligated balances available for "NATO Security Investment Program", from prior appropriations Acts (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $25,000,000 are hereby rescinded.

(RESCISSION OF FUNDS)

SEC. 133. Of the unobligated balances made available in prior appropriation Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), $63,800,000 are hereby rescinded.

SEC. 134. For the purposes of this Act, the term "congressional defense committees" means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee

on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SEC. 135. None of the funds made available by this Act may be used for the closure or abandonment of any facility located at Lajes Field, Azores, Portugal.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $79,071,000,000, to remain available until expended: *Provided*, That not to exceed $15,430,000 of the amount appropriated under this heading shall be reimbursed to "General Operating Expenses, Veterans Benefits Administration", and "Information Technology Systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and Pensions" appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical Care Collections Fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, $14,997,136,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, $63,257,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during fiscal year 2015, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $160,881,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $10,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,877,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $361,000, which may be paid to the appropriation for "General Operating Expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $1,130,000.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus

Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; $209,189,000, which shall be in addition to funds previously appropriated under this heading that became available on October 1, 2014; and, in addition, $47,603,202,000, plus reimbursements, shall become available on October 1, 2015, and shall remain available until September 30, 2016: *Provided*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), $6,144,000,000, plus reimbursements, shall become available on October 1, 2015, and shall remain available until September 30, 2016.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $4,915,000,000, plus reimbursements, shall become available on October 1, 2015, and shall remain available until September 30, 2016.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter

73 of title 38, United States Code, $588,922,000, plus reimbursements, shall remain available until September 30, 2016.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, $256,800,000, of which not to exceed $25,600,000 shall remain available until September 30, 2016.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, $321,591,000, of which not to exceed $9,660,000 shall remain available until September 30, 2016: *Provided*, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, $99,294,000, of which not to exceed $9,429,000 shall remain available until September 30, 2016.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, $2,534,254,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That of the funds made available under this heading, not to exceed $124,000,000 shall remain available until September 30, 2016.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $3,903,344,000, plus reimbursements: *Provided,* That $1,039,000,000 shall be for pay and associated costs, of which not to exceed $30,792,000 shall remain available until September 30, 2016: *Provided further,* That $2,316,009,000 shall be for operations and maintenance, of which not to exceed $160,000,000 shall remain available until September 30, 2016: *Provided further,* That $548,335,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2016: *Provided further,* That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: *Provided further,* That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further,* That amounts made available for the "Information Technology Systems" account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: *Provided further,* That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to develop a standard data reference terminology model: *Provided further*, That of the funds made available for information technology systems development, modernization, and enhancement for VistA Evolution, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a report that describes: (1) the status of and changes to the VistA Evolution program plan (hereinafter referred to as the "Plan"), VistA 4 product roadmap ("Roadmap"), or the VistA Evolution cost estimate, dated March 24, 2014; (2) any changes to the scope or functionality of projects within the VistA Evolution program as established in the Plan; (3) any refinements to the cost estimate presented in the Plan, including those based on actual costs incurred; (4) a Project Management Accountability System

resourced schedule for every development project within the VistA Evolution program, including a testing methodology schedule; (5) progress toward developing and implementing all levels of interoperability, including semantic interoperability, between the electronic health record systems of the Department of Defense and the Department of Veterans Affairs; and (6) a detailed governance structure for the VistA Evolution program, including the establishment of a single program director and integrator who shall have responsibility for the entire program: *Provided further,* That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $126,411,000, of which $12,141,000 shall remain available until September 30, 2016.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $561,800,000, of which $527,800,000 shall remain available until September 30, 2019, and of which $34,000,000 shall remain available until expended: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds made available under this heading for fiscal year 2015, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2015; and (2) by the awarding

of a construction contract by September 30, 2016: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $495,200,000, to remain available until September 30, 2019, along with unobligated balances of previous "Construction, Minor Projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $90,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, $46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2015 for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall

request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2015, in this or any other Act, under the "Medical Services", "Medical Support and Compliance", and "Medical Facilities" accounts may be transferred among the accounts: *Provided*, That any transfers between the "Medical Services" and "Medical Support and Compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers between the "Medical Services" and "Medical Support and Compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the "Medical Facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, Major Projects", and "Construction, Minor Projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical Services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2014.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations

are from trust fund accounts they shall be payable only from "Compensation and Pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2015, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General Operating Expenses, Veterans Benefits Administration" and "Information Technology Systems" accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2015 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2015 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed $42,904,000 for the Office of Resolution Management and $3,400,000 for the Office of Employment Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the "General Administration" and "Information Technology Systems" accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than $1,000,000, unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United

States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, Major Projects" and "Construction, Minor Projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, Major Projects" and "Construction, Minor Projects".

SEC. 214. Amounts made available under "Medical Services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical Services", to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, Major Projects" and "Construction, Minor Projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical Services", "Medical Support and Compliance", "Medical Facilities", "General Operating Expenses, Veterans Benefits Administration", "General Administration", and "National Cemetery Administration" accounts for fiscal year 2015 may be transferred to or from the "Information Technology Systems" account: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2015, in this or any other Act, under the "Medical Facilities" account for nonrecurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: *Provided*, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2015 for "Medical Services", "Medical Support and Compliance", "Medical Facilities", "Construction, Minor Projects", and "Information Technology Systems", up to $259,251,213, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department

of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2015, for "Medical Services", "Medical Support and Compliance", and "Medical Facilities", up to $245,398,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Of the amounts available in this title for "Medical Services", "Medical Support and Compliance", and "Medical Facilities", a minimum of $15,000,000 shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 226. (a) Of the funds appropriated in title II of division J of Public Law 113–76, the following amounts which became available on October 1, 2014, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical Services", $1,400,000,000.

(2) "Department of Veterans Affairs, Medical Support and Compliance", $100,000,000.

(3) "Department of Veterans Affairs, Medical Facilities", $250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2016:

(1) "Department of Veterans Affairs, Medical Services", $1,400,000,000.

(2) "Department of Veterans Affairs, Medical Support and Compliance", $100,000,000.

(3) "Department of Veterans Affairs, Medical Facilities", $250,000,000.

SEC. 227. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least $5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further,* That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 228. The scope of work for a project included in "Construction, Major Projects" may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 229. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report that contains the following information from each Veterans Benefits Administration Regional Office: (1) the average time to complete a disability compensation claim; (2) the number of claims pending more than 125 days; (3) error rates; (4) the number of claims personnel; (5) any corrective action taken within the quarter to address poor performance; (6) training programs undertaken; and (7) the number and results of Quality Review Team audits: *Provided*, That each quarterly report shall be submitted no later than 30 days after the end of the respective quarter.

SEC. 230. The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming request if at any point during fiscal year 2015, the funding allocated for a medical care initiative identified in the fiscal year 2015 expenditure plan is adjusted by more than $25,000,000 from the allocation shown in the corresponding congressional budget justification. Such a reprogramming request may go forward only if the Committees on Appropriations of both Houses of Congress approve the request or if a period of 14 days has elapsed.

SEC. 231. Of the funds provided to the Department of Veterans Affairs for fiscal year 2015 for "Medical Services" and "Medical Support and Compliance", a maximum of $8,371,000 may be obligated from the "Medical Services" account and a maximum of $114,703,000 may be obligated from the "Medical Support and Compliance" account for the VistA Evolution and electronic health record interoperability projects: *Provided*, That funds in addition

to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 232. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

(INCLUDING RESCISSION OF FUNDS)

SEC. 233. (a) There is hereby rescinded an aggregate amount of $41,000,000 from the total budget authority provided for fiscal year 2015 for discretionary accounts of the Department of Veterans Affairs in—

(1) this Act; or

(2) any advance appropriation for fiscal year 2015 in prior appropriation Acts.

(b) The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a report specifying the account and amount of each rescission not later than 20 days following enactment of this Act.

SEC. 234. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed $2,000,000.

SEC. 235. None of the funds in this or any other Act may be used to close Department of Veterans Affairs (VA) hospitals, domiciliaries, or clinics, conduct an environmental assessment, or to diminish healthcare services at existing Veterans Health Administration medical facilities located in Veterans Integrated Service Network 23 as part of a planned realignment of VA services until the Secretary provides to the Committees on Appropriations of both Houses of Congress a report including the following elements: (1) a national realignment strategy that includes a detailed description of realignment plans within each Veterans Integrated Service Network (VISN), including an updated Long Range Capital Plan to implement realignment requirements; (2) an explanation of the process by which those plans were developed and coordinated within the VISN; (3) a cost vs. benefit analysis of each planned realignment, including the cost of replacing Veterans Health Administration services with contract care or other outsourced services; (4) an analysis of how any such planned realignment of services will impact access to care for veterans living in rural or highly rural areas, including travel distances and transportation costs to access a VA medical facility and availability of local specialty and primary care; (5) an inventory of VA buildings with historic designation and the methodology used to determine the buildings' condition and utilization; (6) a description of how any realignment will be consistent with requirements under the National Historic Preservation Act; and (7) consideration given for reuse of historic buildings within newly identified realignment requirements: *Provided*, That this provision shall not apply to capital projects in

VISN 23, or any other VISN, which have been authorized or approved by Congress.

SEC. 236. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 237. None of the funds made available in this Act or prior Acts may be used by the Secretary of Veterans Affairs to expand the dialysis pilot program approved by the Under Secretary of Veterans Affairs for Health in August 2010 and by the Secretary of Veterans Affairs in September 2010 or to create any new dialysis capability provided by the Department of Veterans Affairs in any facility that is not an initial facility under the pilot program until the later of the following dates:

(1) September 30, 2015.

(2) The date on which an independent analysis of the dialysis pilot program has been conducted at each initial facility and has been submitted to the Committees on Appropriations and the Committees on Veterans' Affairs of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 238. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the "Medical Services" account any discretionary appropriations made available for fiscal year 2015 in this title (except appropriations made to the "General Operating Expenses, Veterans Benefits Administration" account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2015, that were provided in advance by appropriations Acts: *Provided*, That transfers shall be made only with the approval of the Office of Management and Budget: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: *Provided further*, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: *Provided further*, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: *Provided further*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

SEC. 239. Amounts made available for the Department of Veterans Affairs for fiscal year 2015, under the "Board of Veterans

Appeals" and the "General Operating Expenses, Veterans Benefits Administration" accounts may be transferred between such accounts: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval.

(RESCISSION OF FUNDS)

SEC. 240. Of the unobligated balances available within the "DOD–VA Health Care Sharing Incentive Fund", $15,000,000 are hereby rescinded.

SEC. 241. Subsection (b) of section 504 of the Veterans' Benefits Improvements Act of 1996 (Public Law 104–275; 38 U.S.C. 5101 note) is amended to read as follows:

"(b) LIMITATION.—The Secretary may carry out the pilot program under this section as follows:

"(1) In fiscal years before fiscal year 2015, through not more than 10 regional offices of the Department of Veterans Affairs.

"(2) In fiscal year 2015, through not more than 12 regional offices of the Department.

"(3) In fiscal year 2016, through not more than 15 regional offices of the Department.

"(4) In fiscal year 2017 and each fiscal year thereafter, through such regional offices of the Department as the Secretary considers appropriate.".

SEC. 242. Section 101(d)(2)(B)(ii) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended by adding at the end the following new subclause:

"(III) OTHER EXCEPTIONS.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department of Veterans Affairs will be followed, except for when another payment agreement, including a contract or provider agreement, is in place. With respect to care or services furnished under this section in a State with an All-Payer Model Agreement under the Social Security Act that became effective on January 1, 2014, the Medicare payment rates under clause (i) shall be calculated based on the payment rates under such agreement.".

SEC. 243. Section 1710(e)(1)(F) of title 38, United States Code, is amended by striking "January 1, 1957," and inserting "August 1, 1953".

ADVANCE APPROPRIATIONS FOR CERTAIN ACCOUNTS OF DEPARTMENT OF VETERANS AFFAIRS

SEC. 244. (a) IN GENERAL.—Section 117 of title 38, United States Code, is amended—

(1) by striking "medical care accounts of the Department" each place it appears and inserting "covered accounts of the Department";

(2) in subsection (a)—

(A) by striking "beginning with fiscal year 2011,"; and

(B) by striking "discretionary" each place it appears;

(3) in subsection (c)—

(A) by striking "medical care accounts of the Veterans Health Administration, Department of Veterans Affairs account" and inserting "accounts of the Department of Veterans Affairs account";

(B) in paragraph (1), by inserting "Veterans Health Administration," and after "(1)";

(C) in paragraph (2), by inserting "Veterans Health Administration," after "(2)";

(D) in paragraph (3), by inserting "Veterans Health Administration," after "(3)";

(E) by redesignating paragraphs (1) through (3) as paragraphs (4) through (6), respectively;

(F) by inserting before paragraph (4), as redesignated by subparagraph (E), the following new paragraphs:

"(1) Veterans Benefits Administration, Compensation and Pensions.

"(2) Veterans Benefits Administration, Readjustment Benefits.

"(3) Veterans Benefits Administration, Veterans Insurance and Indemnities."; and

(G) in the subsection heading, by striking "MEDICAL CARE ACCOUNTS" and inserting "COVERED ACCOUNTS OF THE DEPARTMENT"; and

(4) in the section heading, by striking "**certain medical care accounts**" and inserting "**certain accounts**".

(b) APPLICABILITY.—Section 117 of title 38, United States Code, shall apply as follows: 38 USC 117 note.

(1) With respect to an account described in paragraph (4), (5), or (6) of subsection (c) of such section, as redesignated by subsection (a) of this section, for each fiscal year beginning with fiscal year 2011.

(2) With respect to an account described in paragraph (1), (2), or (3) of such subsection (c), as added by subsection (a) of this section, for each fiscal year beginning with 2017.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 38, United States Code, is amended by striking the item relating to section 117 and inserting the following new item: 38 USC prec. 101.

"117. Advance appropriations for certain accounts.".

(d) CONFORMING AND TECHNICAL AMENDMENTS.—Section 1105(a) of title 31, United States Code, is amended—

(1) by striking the first paragraph (37) and inserting the following new paragraph:

"(37) information on estimates of appropriations for the fiscal year following the fiscal year for which the budget is submitted for the following accounts of the Department of Veterans Affairs:

"(A) Veterans Benefits Administration, Compensation and Pensions.

"(B) Veterans Benefits Administration, Readjustment Benefits.

"(C) Veterans Benefits Administration, Veterans Insurance and Indemnities.

"(D) Veterans Health Administration, Medical Services.

"(E) Veterans Health Administration, Medical Support and Compliance.

"(F) Veterans Health Administration, Medical Facilities."; and

31 USC 1105.

(2) by redesignating the second paragraph (37), as added by section 11(a)(2) of the GPRA Modernization Act of 2010 (Public Law 111–352; 124 Stat. 3881), as paragraph (39).

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $74,100,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $31,386,000: *Provided*, That $2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis

only, and not to exceed $1,000 for official reception and representation expenses, $65,800,000, of which not to exceed $3,000,000 shall remain available until September 30, 2016. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $63,400,000, of which $1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

ADMINISTRATIVE PROVISION

SEC. 301. Funds appropriated in this Act under the heading "Department of Defense—Civil, Cemeterial Expenses, Army", may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for "Military Construction, Defense-Wide", $46,000,000 to remain available until September 30, 2017, for a project outside of the United States: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EUROPEAN REASSURANCE INITIATIVE MILITARY CONSTRUCTION

For an additional amount for "Military Construction, Army", "Military Construction, Air Force", and "Military Construction, Defense-Wide", $175,000,000 to remain available until September 30, 2017, for military construction (including planning and design) for projects associated with the European Reassurance Initiative: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That none of the funds provided under this heading may be obligated or expended

until the Secretary of Defense submits to the Committees on Appropriations of both Houses of Congress: (1) a final spending plan for the European Reassurance Initiative military construction projects, and (2) the relevant Department of Defense Form 1391 for each project prior to the execution of that project.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 504. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 505. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 506. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 507. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 508. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 509. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 510. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 511. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 512. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

This division may be cited as the "Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2015".

DIVISION J—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2015

Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015.

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, $6,460,639,000, of which

up to $650,000,000 may remain available until September 30, 2016, and of which up to $2,128,115,000 may remain available until expended for Worldwide Security Protection: *Provided*, That funds made available under this heading shall be allocated in accordance with paragraphs (1) through (4) as follows:

(1) HUMAN RESOURCES.—For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed $700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948, $2,270,036,000, of which up to $331,885,000 is for Worldwide Security Protection.

(2) OVERSEAS PROGRAMS.—For necessary expenses for the regional bureaus of the Department of State and overseas activities as authorized by law, $1,595,805,000.

(3) DIPLOMATIC POLICY AND SUPPORT.—For necessary expenses for the functional bureaus of the Department of State, including representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress, general administration, and arms control, nonproliferation and disarmament activities as authorized, $780,860,000.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, $1,813,938,000, of which up to $1,796,230,000 is for Worldwide Security Protection.

(5) FEES AND PAYMENTS COLLECTED.—In addition to amounts otherwise made available under this heading—

(A) not to exceed $1,806,600 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act, and, in addition, as authorized by section 5 of such Act, $533,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section;

(B) as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

(C) not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

(6) TRANSFER, REPROGRAMMING, AND OTHER MATTERS.—

(A) Notwithstanding any provision of this Act, funds may be reprogrammed within and between paragraphs (1) through (4) under this heading subject to section 7015 of this Act.

(B) Of the amount made available under this heading, not to exceed $10,000,000 may be transferred to, and merged with, funds made available by this Act under the heading "Emergencies in the Diplomatic and Consular

Service", to be available only for emergency evacuations and rewards, as authorized.

(C) Funds appropriated under this heading are available for acquisition by exchange or purchase of passenger motor vehicles as authorized by law and, pursuant to 31 U.S.C. 1108(g), for the field examination of programs and activities in the United States funded from any account contained in this title.

(D) Of the funds appropriated under this heading, up to $23,500,000, to remain available until expended, shall be for Conflict Stabilization Operations and for related reconstruction and stabilization assistance to prevent or respond to conflict or civil strife in foreign countries or regions, or to enable transition from such strife: *Provided*, That such funds may be transferred to, and merged with, funds previously made available under the heading "Conflict Stabilization Operations" in title I of prior acts making appropriations for the Department of State, foreign operations, and related programs.

(E) None of the funds appropriated under this heading may be used for the preservation of religious sites unless the Secretary of State determines and reports to the Committees on Appropriations that such sites are historically, artistically, or culturally significant, that the purpose of the project is neither to advance nor to inhibit the free exercise of religion, and that the project is in the national interest of the United States.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $56,400,000, to remain available until expended, as authorized.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $73,400,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96–465), as it relates to post inspections: *Provided*, That of the funds appropriated under this heading, $11,000,000 may remain available until September 30, 2016.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $589,900,000, to remain available until expended, of which not less than $236,485,000 shall be for the Fulbright Program: *Provided,* That fees or other payments received from, or in connection with, English teaching, educational advising and counseling programs, and exchange visitor programs as authorized may be credited to this account, to remain available until expended: *Provided further*, That a portion of the Fulbright awards from the Eurasia and Central Asia regions shall be designated as Edmund S. Muskie Fellowships, following consultation with the Committees on Appropriations: *Provided further*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing modifications made to existing educational and cultural exchange

programs since calendar year 2013, including for special academic and special professional and cultural exchanges: *Provided further*, That any further substantive modifications to programs funded by this Act under this heading shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

REPRESENTATION EXPENSES

For representation expenses as authorized, $8,030,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $30,036,000, to remain available until September 30, 2016.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292–303), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, $822,755,000, to remain available until expended as authorized, of which not to exceed $25,000 may be used for domestic and overseas representation expenses as authorized: *Provided,* That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $1,240,500,000, to remain available until expended: *Provided*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations the proposed allocation of funds made available under this heading and the actual and anticipated proceeds of sales for all projects in fiscal year 2015.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For necessary expenses to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, $7,900,000, to remain available until expended as authorized, of which not to exceed $1,000,000 may be transferred to, and merged with, funds appropriated by this Act under the heading "Repatriation Loans Program Account", subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $1,300,000, as authorized: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,469,136.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $30,000,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized, $158,900,000.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For necessary expenses, not otherwise provided for, to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $1,399,151,000: *Provided*, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: *Provided further*, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget: *Provided further*, That not later than May 1, 2015, and 30 days after the end of fiscal year 2015, the Secretary of State shall report to the Committees on Appropriations any credits available to the United States, including from the United Nations Tax Equalization Fund, and provide updated fiscal year 2015 and fiscal year 2016 assessment costs including offsets from available credits and updated foreign currency exchange rates: *Provided further*, That any such credits shall only be available for United States assessed contributions to the United Nations and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: *Provided further*, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7076 of this Act, shall include an estimate of all known credits currently available to the United States and provide updated assessment costs including offsets from available credits and updated foreign currency exchange rates: *Provided further*, That any payment of arrearages under this heading shall be directed to activities that are mutually agreed upon by the United States and the respective international organization and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That none of the funds appropriated under this heading shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the

22 USC 269a note.

United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: *Provided further*, That the Secretary of State shall review the budgetary and personnel procedures of the United Nations and affiliated agencies funded under this heading and, not later than 180 days after enactment of this Act, submit a report to the Committees on Appropriations on steps taken at each agency to eliminate unnecessary administrative costs and duplicative activities and ensure that personnel practices are transparent and merit-based.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $2,118,891,000, of which 15 percent shall remain available until September 30, 2016: *Provided*, That none of the funds made available by this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for such mission in the United Nations Security Council (or in an emergency as far in advance as is practicable), the Committees on Appropriations are notified: (1) of the estimated cost and duration of the mission, the objectives of the mission, the national interest that will be served, and the exit strategy; (2) that the United Nations has in place measures to prevent United Nations employees, contractor personnel, and peacekeeping troops serving in the mission from trafficking in persons, exploiting victims of trafficking, or committing acts of illegal sexual exploitation or other violations of human rights, and to bring to justice individuals who engage in such acts while participating in the peacekeeping mission, including prosecution in their home countries of such individuals in connection with such acts, and to make information about such cases publicly available in the country where an alleged crime occurs and on the United Nations' Web site; and (3) the source of funds that will be used to pay the cost of the new or expanded mission, and the estimated cost in future fiscal years: *Provided further*, That funds shall be available for peacekeeping expenses unless the Secretary of State determines that American manufacturers and suppliers are not being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: *Provided further*, That the Secretary of State shall work with the United Nations and foreign governments contributing peacekeeping troops to implement effective vetting procedures to ensure that such troops have not violated human rights: *Provided further*, That none of the funds appropriated or otherwise made available under this heading may be used for any United Nations peacekeeping mission that will involve United States Armed Forces under the command or operational control of a foreign national, unless the President's military advisors have submitted to the President a recommendation that such involvement is in the national interest of the United States and the President has submitted to the Congress such a recommendation: *Provided further*, That not later than May 1, 2015, and 30 days after the end of fiscal year 2015, the Secretary of State shall report to the Committees on Appropriations any credits available to the United States,

including those resulting from United Nations peacekeeping missions or the United Nations Tax Equalization Fund, and provide updated fiscal year 2015 and fiscal year 2016 assessment costs including offsets from available credits: *Provided further*, That any such credits shall only be available for United States assessed contributions to the United Nations, and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: *Provided further*, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7076 of this Act, shall include an estimate of all known credits currently available to the United States and provide updated assessment costs including offsets from available credits: *Provided further*, That notwithstanding any other provision of law, funds appropriated or otherwise made available under this heading shall be available for United States assessed contributions up to the amount specified in Annex IV accompanying United Nations General Assembly Resolution 64/220: *Provided further*, That such funds may be made available above the amount authorized in section 404(b)(2)(B) of the Foreign Relations Authorization Act, fiscal years 1994 and 1995 (22 U.S.C. 287e note) only if the Secretary of State determines and reports to the appropriate congressional committees that it is important to the national interest of the United States.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation expenses; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $44,707,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $29,000,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and the Border Environment Cooperation Commission as authorized by Public Law 103–182, $12,561,000: *Provided,* That of the amount provided under this heading for the International Joint Commission, up to $500,000 may remain available until September 30, 2016, and $9,000 may be made available for representation expenses.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $36,681,000: *Provided*, That the United States share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to enable the Broadcasting Board of Governors (BBG), as authorized, to carry out international communication activities, and to make and supervise grants for radio and television broadcasting to the Middle East, $726,567,000: *Provided*, That in addition to amounts otherwise available for such purposes, up to $44,025,000 of the amount appropriated under this heading may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than $17,500,000 shall be for Internet freedom programs: *Provided further,* That of the total amount appropriated under this heading, not to exceed $35,000 may be used for representation expenses, of which $10,000 may be used for representation expenses within the United States as authorized, and not to exceed $30,000 may be used for representation expenses of Radio Free Europe/Radio Liberty: *Provided further*, That the authority provided by section 504(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 6206 note) shall remain in effect through September 30, 2015: *Provided further,* That the BBG shall notify the Committees on Appropriations within 15 days of any determination by the Board that any of its broadcast entities, including its grantee organizations, provides an open platform for international terrorists or those who support international terrorism, or is in violation of the principles and standards set forth in subsections (a) and (b) of section 303 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) or the entity's journalistic code of ethics: *Provided further,* That significant modifications to BBG broadcast hours previously justified to Congress, including changes to transmission platforms (shortwave, medium wave, satellite, Internet, and television), for all BBG language services shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That in addition to funds made available under this heading, and notwithstanding any other provision of law, up to $5,000,000 in receipts

22 USC 6206 note.

from advertising and revenue from business ventures, up to $500,000 in receipts from cooperating international organizations, and up to $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, shall remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, repair, preservation, and improvement of facilities for radio, television, and digital transmission and reception; the purchase, rent, and installation of necessary equipment for radio, television, and digital transmission and reception, including to Cuba, as authorized; and physical security worldwide, in addition to amounts otherwise available for such purposes, $4,800,000, to remain available until expended, as authorized.

RELATED PROGRAMS

THE ASIA FOUNDATION

For a grant to The Asia Foundation, as authorized by The Asia Foundation Act (22 U.S.C. 4402), $17,000,000, to remain available until expended, as authorized.

UNITED STATES INSTITUTE OF PEACE

For necessary expenses of the United States Institute of Peace, as authorized by the United States Institute of Peace Act, $35,300,000, to remain available until September 30, 2016, which shall not be used for construction activities.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

For necessary expenses of the Center for Middle Eastern-Western Dialogue Trust Fund, as authorized by section 633 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (22 U.S.C. 2078), the total amount of the interest and earnings accruing to such Fund on or before September 30, 2015, to remain available until expended.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2015, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Nonprofit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2015, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $16,700,000.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy, as authorized by the National Endowment for Democracy Act, $135,000,000, to remain available until expended, of which $100,000,000 shall be allocated in the traditional and customary manner, including for the core institutes, and $35,000,000 shall be for democracy, human rights, and rule of law programs.

OTHER COMMISSIONS

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For necessary expenses for the Commission for the Preservation of America's Heritage Abroad, $644,000, as authorized by section 1303 of Public Law 99–83: *Provided*, That the Commission may procure temporary, intermittent, and other services notwithstanding paragraph (3) of section 1303(g) of Public Law 99–83 (16 U.S.C. 469j): *Provided further*, That such authority shall terminate on October 1, 2015: *Provided further*, That the Commission shall consult with the Committees on Appropriations prior to exercising such authority.

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom established in title II of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 et seq.), $3,500,000, to remain available until September 30, 2016, including not more than $4,000 for representation expenses, subject to authorization.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $2,579,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2016.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized by title III of the U.S.-China Relations Act of 2000 (22 U.S.C. 6911–6919), $2,000,000, including not more than $3,000 for representation expenses, to remain available until September 30, 2016.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, as authorized by section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), $3,500,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2016: *Provided*, That the authorities, requirements, limitations, and conditions contained in the second through sixth provisos under this heading in division F of Public Law 111–117 shall continue in effect during fiscal year 2015 and shall apply to funds appropriated under this heading as if included in this Act.

TITLE II

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $1,090,836,000, of which up to $163,625,000 may remain available until September 30, 2016: *Provided*, That none of the funds appropriated under this heading and under the heading "Capital Investment Fund" in this title may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development (USAID), unless the USAID Administrator has identified such proposed use of funds in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of funds for such purposes: *Provided further*, That contracts or

agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through the following fiscal year: *Provided further*, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to "Operating Expenses" in accordance with the provisions of those sections: *Provided further*, That of the funds appropriated or made available under this heading, not to exceed $250,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses, for USAID during the current fiscal year.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $130,815,000, to remain available until expended: *Provided*, That this amount is in addition to funds otherwise available for such purposes: *Provided further*, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $54,285,000, of which up to $8,143,000 may remain available until September 30, 2016, for the Office of Inspector General of the United States Agency for International Development.

TITLE III

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For necessary expenses to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, as follows:

GLOBAL HEALTH PROGRAMS

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, $2,783,950,000, to remain available until September 30, 2016, and which shall be apportioned directly to the United States Agency for International Development (USAID): *Provided*, That this amount shall be made available for training, equipment, and technical assistance to build the capacity of public health institutions and organizations in developing countries, and for such activities as: (1) child survival and maternal health programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs;

(4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases including neglected tropical diseases, and for assistance to communities severely affected by HIV/AIDS, including children infected or affected by AIDS; (6) disaster preparedness training for health crises; and (7) family planning/reproductive health: *Provided further*, That funds appropriated under this paragraph may be made available for a United States contribution to the GAVI Alliance: *Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That any determination made under the previous proviso must be made not later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: *Provided further*, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: *Provided further*, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: *Provided further*, That none of the funds made available under this Act may be used to lobby for or against abortion: *Provided further*, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the USAID Administrator determines that there

has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That for purposes of this or any other Act authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further*, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

In addition, for necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, $5,670,000,000, to remain available until September 30, 2019, which shall be apportioned directly to the Department of State: *Provided*, That funds appropriated under this paragraph may be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25), as amended, for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That the amount of such contribution should be $1,350,000,000: *Provided further*, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2015 may be made available to USAID for technical assistance related to the activities of the Global Fund: *Provided further*, That of the funds appropriated under this paragraph, up to $17,000,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the United States Global AIDS Coordinator.

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, 214, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, $2,507,001,000, to remain available until September 30, 2016: *Provided*, That of the funds appropriated under this heading, not less than $23,000,000 shall be made available for the American Schools and Hospitals Abroad program, and not less than $10,500,000 shall be made available for cooperative development programs of the United States Agency for International Development.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, $560,000,000, to remain available until expended.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance administered by the Office of Transition Initiatives, United States Agency for International Development (USAID), pursuant to section 491 of the Foreign Assistance Act of 1961, $47,000,000, to remain available until expended, to support transition to democracy and long-term development for countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the USAID Administrator shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: *Provided further*, That if the Secretary of State determines that it is important to the national interest of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: *Provided further*, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

COMPLEX CRISES FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 to support programs and activities to prevent or respond to emerging or unforeseen foreign challenges and complex crises overseas, $20,000,000, to remain available until expended: *Provided*, That funds appropriated under this heading may be made available on such terms and conditions as are appropriate and necessary for the purposes of preventing or responding to such challenges and crises, except that no funds shall be made available for lethal assistance or to respond to natural disasters: *Provided further*, That funds appropriated under this heading may be made available notwithstanding any other provision of law, except sections 7007, 7008, and 7018 of this Act and section 620M of the Foreign Assistance Act of 1961: *Provided further*, That funds appropriated under this heading may be used for administrative expenses, in addition to funds otherwise made available for such purposes, except that such expenses may not exceed 5 percent of the funds appropriated under this heading: *Provided further*, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations, except that such notifications shall be transmitted at least 5 days prior to the obligation of funds.

DEVELOPMENT CREDIT AUTHORITY

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development (USAID), as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to $40,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act: *Provided*, That funds provided under this paragraph and funds provided as a gift that are used for purposes of this paragraph pursuant to section 635(d) of the Foreign Assistance Act of 1961 shall be made available only for micro- and small enterprise programs, urban programs, and other programs which further the purposes of part I of such Act: *Provided further*, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, and funds used for such costs shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading, except that the principal amount of loans made or guaranteed under this heading with respect to any single country shall not exceed $300,000,000: *Provided further*, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to $1,500,000,000.

In addition, for administrative expenses to carry out credit programs administered by USAID, $8,120,000, which may be transferred to, and merged with, funds made available under the heading "Operating Expenses" in title II of this Act: *Provided*, That funds made available under this heading shall remain available until September 30, 2017.

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $2,632,529,000, to remain available until September 30, 2016.

DEMOCRACY FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, $130,500,000, to remain available until September 30, 2016, of which $75,500,000 shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State, and $55,000,000 shall be made available for the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For necessary expenses not otherwise provided for, to enable the Secretary of State to carry out the provisions of section 2(a) and (b) of the Migration and Refugee Assistance Act of 1962, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $931,886,000, to remain available until expended, of which not less than $35,000,000 shall be made available to respond to small-scale emergency humanitarian requirements, and $10,000,000 shall be made available for refugees resettling in Israel.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $50,000,000, to remain available until expended.

INDEPENDENT AGENCIES

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (22 U.S.C. 2501–2523), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, $379,500,000, of which $5,150,000 is for the Office of Inspector General, to remain available until September 30, 2016: *Provided*, That the Director of the Peace Corps may transfer to the Foreign Currency Fluctuations Account, as authorized by 22 U.S.C. 2515, an amount not to exceed $5,000,000: *Provided further*, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations: *Provided further*, That of the funds appropriated under this heading, not to exceed $104,000 may be available for representation expenses, of which not to exceed $4,000 may be made available for entertainment expenses: *Provided further*, That any decision to open, close, significantly reduce, or suspend a domestic or overseas office or country program shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, except that prior consultation and regular notification procedures may be waived when there is a substantial security risk to volunteers or other Peace Corps personnel, pursuant to section 7015(e) of this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That notwithstanding the previous proviso, section 614 of division E of Public Law 113–76 shall apply to funds appropriated under this heading.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003 (MCA), $899,500,000, to remain available until expended: *Provided*, That of the funds appropriated under this heading, up to $105,000,000 may be available for administrative expenses of the Millennium Challenge Corporation (the Corporation): *Provided further*, That up to 5 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the MCA for fiscal year 2015: *Provided further*, That section 605(e) of the MCA shall apply to funds appropriated under this heading: *Provided further*, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the MCA only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact: *Provided further*, That the Chief Executive Officer of the Corporation shall notify the Committees on Appropriations not later than 15 days prior to commencing negotiations for any country compact or threshold country program; signing any such compact or threshold program; or terminating or suspending any such compact or threshold program: *Provided further*, That funds appropriated under this heading by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are available to implement section 609(g) of the MCA shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That no country should be eligible for a threshold program after such country has completed a country compact: *Provided further*, That any funds that are deobligated from a Millennium Challenge Compact shall be subject to the regular notification procedures of the Committees on Appropriations prior to re-obligation: *Provided further*, That notwithstanding section 606(a)(2) of the MCA, a country shall be a candidate country for purposes of eligibility for assistance for the fiscal year if the country has a per capita income equal to or below the World Bank's lower middle income country threshold for the fiscal year and is among the 75 lowest per capita income countries as identified by the World Bank; and the country meets the requirements of section 606(a)(1)(B) of the MCA: *Provided further*, That notwithstanding section 606(b)(1) of the MCA, in addition to countries described in the preceding proviso, a country shall be a candidate country for purposes of eligibility for assistance for the fiscal year if the country has a per capita income equal to or below the World Bank's lower middle income country threshold for the fiscal year and is not among the 75 lowest per capita income countries as identified by the World Bank; and the country meets the requirements of section 606(a)(1)(B) of the MCA: *Provided further*, That any Millennium Challenge Corporation candidate country under section 606 of the MCA with a per capita income that changes in the fiscal year such that the country would be reclassified from a low income country to a lower middle income country or from a lower middle income country to a low income country shall retain its candidacy status in its former income classification for the fiscal year and the 2 subsequent fiscal years: *Provided further*,

That publication in the Federal Register of a notice of availability of a copy of a Compact on the Millennium Challenge Corporation Web site shall be deemed to satisfy the requirements of section 610(b)(2) of the MCA for such Compact: *Provided further*, That none of the funds made available by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be available for a threshold program in a country that is not currently a candidate country: *Provided further*, That of the funds appropriated under this heading, not to exceed $100,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses.

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, $22,500,000, to remain available until September 30, 2016: *Provided*, That of the funds appropriated under this heading, not to exceed $2,000 may be available for representation expenses.

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980 (Public Law 96–533), $30,000,000, to remain available until September 30, 2016, of which not to exceed $2,000 may be available for representation expenses: *Provided*, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the United States African Development Foundation (USADF): *Provided further,* That interest earned shall be used only for the purposes for which the grant was made: *Provided further,* That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the Board of Directors of the USADF may waive the $250,000 limitation contained in that section with respect to a project and a project may exceed the limitation by up to 10 percent if the increase is due solely to foreign currency fluctuation: *Provided further,* That the USADF shall submit a report to the Committees on Appropriations after each time such waiver authority is exercised: *Provided further*, That the USADF may make rent or lease payments in advance from appropriations available for such purpose for offices, buildings, grounds, and quarters in Africa as may be necessary to carry out its functions.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, $23,500,000, to remain available until September 30, 2017, which shall be available notwithstanding any other provision of law.

TITLE IV

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $853,055,000, to remain available until September 30, 2016: *Provided*, That the provision of assistance by any other United States Government department or agency which is comparable to assistance made available under this heading but which is provided under any other provision of law, shall be administered in accordance with the provisions of sections 481(b) and 622(c) of the Foreign Assistance Act of 1961: *Provided further*, That funds appropriated under this heading for counter-narcotics programs should be used to support social, economic, and judicial reform programs that address the causes of illicit drug production, trafficking, addiction, and related violent crime and corruption: *Provided further,* That the reporting requirements contained in section 1404 of Public Law 110–252 shall apply to funds made available by this Act, including a description of modifications, if any, to the Palestinian Authority's security strategy: *Provided further,* That the Department of State may use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing such property to a foreign country or international organization under chapter 8 of part I of that Act, subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated under this heading shall be made available to support training and technical assistance for foreign law enforcement, corrections, and other judicial authorities, utilizing regional partners: *Provided further,* That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading, except that any funds made available notwithstanding such section shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations on the feasibility and cost of establishing an aviation platform in Africa to conduct the activities described in House Report 113–499.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $586,260,000, to remain available until September 30, 2016, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including

activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: *Provided*, That for the clearance of unexploded ordnance, the Secretary of State should prioritize those areas where such ordnance was caused by the United States: *Provided further,* That funds made available under this heading for the Nonproliferation and Disarmament Fund shall be available notwithstanding any other provision of law and subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, to promote bilateral and multilateral activities relating to nonproliferation, disarmament and weapons destruction, and shall remain available until expended: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That funds appropriated under this heading may be made available for the IAEA unless the Secretary of State determines that Israel is being denied its right to participate in the activities of that Agency: *Provided further*, That funds made available for conventional weapons destruction programs, including demining and related activities, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of such programs and activities.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $144,993,000: *Provided*, That funds appropriated under this heading may be used, notwithstanding section 660 of such Act, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations: *Provided further*, That of the funds appropriated under this heading, not less than $28,000,000 shall be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai: *Provided further*, That funds appropriated under this Act should not be used to support any military training or operations that include child soldiers: *Provided further*, That none of the funds appropriated under this heading shall be obligated except as provided through the regular notification procedures of the Committees on Appropriations.

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $106,074,000, of which up to $4,000,000 may remain available until September 30, 2016, and may only be provided through the regular notification procedures of the Committees on Appropriations: *Provided*, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute

to improved civil-military relations, civilian control of the military, or respect for human rights: *Provided further*, That of the funds appropriated under this heading, not to exceed $55,000 may be available for entertainment expenses.

FOREIGN MILITARY FINANCING PROGRAM

For necessary expenses for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $5,014,109,000: *Provided*, That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State, following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: *Provided further*, That of the funds appropriated under this heading, not less than $3,100,000,000 shall be available for grants only for Israel, and funds are available for assistance for Jordan and Egypt subject to section 7041 of this Act: *Provided further*, That the funds appropriated under this heading for assistance for Israel shall be disbursed within 30 days of enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than $815,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That none of the funds made available under this heading shall be made available to support or continue any program initially funded under the authority of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456) (or any successor authority) unless the Secretary of State, in coordination with the Secretary of Defense, has justified such program to the Committees on Appropriations: *Provided further*, That funds appropriated or otherwise made available under this heading shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: *Provided further*, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurement has first signed an agreement with the United States Government specifying the conditions under which such procurement may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 7015 of this Act: *Provided further,* That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: *Provided further*, That only those countries for which assistance was justified for the "Foreign Military Sales Financing

Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That not more than $63,945,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds made available under this heading for general costs of administering military assistance and sales, not to exceed $4,000 may be available for entertainment expenses and not to exceed $130,000 may be available for representation expenses: *Provided further*, That not more than $904,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2015 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

TITLE V

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, $344,170,000, of which up to $10,000,000 may be made available for the Intergovernmental Panel on Climate Change/United Nations Framework Convention on Climate Change: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund.

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, $136,563,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $1,287,800,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury for the United States share of the paid-in portion of the increases in capital stock, $186,957,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of increases in capital stock in an amount not to exceed $2,928,990,899.

CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

For payment to the International Bank for Reconstruction and Development as trustee for the Clean Technology Fund by the Secretary of the Treasury, $184,630,000, to remain available until expended.

CONTRIBUTION TO THE STRATEGIC CLIMATE FUND

For payment to the International Bank for Reconstruction and Development as trustee for the Strategic Climate Fund by the Secretary of the Treasury, $49,900,000, to remain available until expended.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $102,020,448, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $4,098,794,833.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, $3,378,000, to remain available until expended: *Provided*, That such payment shall be subject to prior consultation with the Committees on Appropriations.

CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

For payment to the Asian Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of increase in capital stock, $106,586,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Asian Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $2,558,048,769.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For payment to the Asian Development Bank's Asian Development Fund by the Secretary of the Treasury, $104,977,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $32,418,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $507,860,808.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, $175,668,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For payment to the International Fund for Agricultural Development by the Secretary of the Treasury, $30,000,000, to remain available until expended.

TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $5,750,000, to remain available until September 30, 2016.

PROGRAM ACCOUNT

The Export-Import Bank (the Bank) of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section

104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided,* That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act: *Provided further*, That not less than 20 percent of the aggregate loan, guarantee, and insurance authority available to the Bank under this Act should be used to finance exports directly by small business concerns (as defined under section 3 of the Small Business Act): *Provided further*, That not less than 10 percent of the aggregate loan, guarantee, and insurance authority available to the Bank under this Act should be used for renewable energy technologies or energy efficiency technologies: *Provided further,* That notwithstanding section 1(c) of Public Law 103–428, as amended, sections 1(a) and (b) of Public Law 103–428 shall remain in effect through October 1, 2015.

12 USC 635 note.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, not to exceed $106,250,000: *Provided*, That the Export-Import Bank (the Bank) may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: *Provided further*, That notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until September 30, 2015: *Provided further*, That the Bank shall charge fees for necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Bank, repossession or sale of pledged collateral or other assets acquired by the Bank in satisfaction of moneys owed the Bank, or the investigation or appraisal of any property, or the evaluation of the legal, financial, or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, or systems infrastructure directly supporting transactions: *Provided further*, That in addition to other funds appropriated for administrative expenses, such fees shall be credited to this account for such purposes, to remain available until expended.

12 USC 635a note.

RECEIPTS COLLECTED

Receipts collected pursuant to the Export-Import Bank Act of 1945, as amended, and the Federal Credit Reform Act of 1990, as amended, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: *Provided*, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting

collections so as to result in a final fiscal year appropriation from the General Fund estimated at $0: *Provided further*, That amounts collected in fiscal year 2015 in excess of obligations, up to $10,000,000, shall become available on September 1, 2015, and shall remain available until September 30, 2018.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: *Provided,* That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $62,787,000: *Provided further,* That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, $25,000,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2015, 2016, and 2017: *Provided further,* That funds so obligated in fiscal year 2015 remain available for disbursement through 2023; funds obligated in fiscal year 2016 remain available for disbursement through 2024; and funds obligated in fiscal year 2017 remain available for disbursement through 2025: *Provided further,* That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 in Iraq: *Provided further,* That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $60,000,000, to remain available until September 30, 2016: *Provided*, That of the amounts

made available under this heading, up to $2,500,000 may be made available to provide comprehensive procurement advice to foreign governments to support local procurements funded by the United States Agency for International Development, the Millennium Challenge Corporation, and the Department of State: *Provided further*, That of the funds appropriated under this heading, not more than $4,000 may be available for representation and entertainment expenses.

TITLE VII

GENERAL PROVISIONS

ALLOWANCES AND DIFFERENTIALS

SEC. 7001. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

UNOBLIGATED BALANCES REPORT

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2015 or any previous fiscal year, disaggregated by fiscal year: *Provided*, That the report required by this section should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

CONSULTING SERVICES

SEC. 7003. The expenditure of any appropriation under title I of this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

DIPLOMATIC FACILITIES

SEC. 7004. (a) Of funds provided under title I of this Act, except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–453), as amended by section 629 of the Departments of Commerce,

Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.

(b) Notwithstanding the prohibition in subsection (a), a project to construct a diplomatic facility of the United States may include office space or other accommodations for members of the United States Marine Corps.

(c) For the purposes of calculating the fiscal year 2015 costs of providing new United States diplomatic facilities in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares in a manner that is proportional to the Department of State's contribution for this purpose.

(d) Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, which may be made available for the acquisition of property or award of construction contracts for overseas diplomatic facilities during fiscal year 2015, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That notifications pursuant to this subsection shall include the information enumerated under the heading "Embassy Security, Construction, and Maintenance" in House Report 113–499.

(e)(1) None of the funds appropriated under the heading "Embassy Security, Construction, and Maintenance" in this Act and in prior Acts making appropriations for the Department of State, foreign operations, and related programs, made available through Federal agency Capital Security Cost Sharing contributions and reimbursements, or generated from the proceeds of real property sales, other than from real property sales located in London, United Kingdom, may be made available for site acquisition and mitigation, planning, design, or construction of the New London Embassy: *Provided*, That the reporting requirement contained in section 7004(f)(2) of division I of Public Law 112–74 shall remain in effect during fiscal year 2015.

(2) Funds appropriated or otherwise made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading "Embassy Security, Construction, and Maintenance" may be obligated for the relocation of the United States Embassy to the Holy See only if the Secretary of State reports in writing to the Committees on Appropriations that such relocation continues to be consistent with the conditions of section 7004(e)(2) of division K of Public Law 113–76.

(f)(1) Funds appropriated by this Act under the heading "Embassy Security, Construction, and Maintenance" may be made available to address security vulnerabilities at expeditionary, interim, and temporary facilities abroad, including physical security upgrades and local guard staffing, except that the amount of funds made available for such purposes from this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be a minimum of $25,000,000: *Provided*, That the uses of such funds should be the responsibility of the Assistant Secretary of State for the Bureau of Diplomatic Security and Foreign Missions, in consultation with the Director of the Bureau of Overseas Buildings Operations: *Provided further*,

That such funds shall be subject to prior consultation with the Committees on Appropriations.

(2) Not later than 90 days after enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a list of all expeditionary, interim, and temporary diplomatic facilities and the number of personnel and security costs for each such facility: *Provided*, That the report required by this paragraph may be submitted in classified form if necessary.

(3) Notwithstanding any other provision of law, the opening, closure, or any significant modification to an expeditionary, interim, or temporary diplomatic facility shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations, except that such consultation and notification may be waived if there is a security risk to personnel.

(g) Funds appropriated under the heading "Diplomatic and Consular Programs", including for Worldwide Security Protection, and under the heading "Embassy Security, Construction, and Maintenance" in titles I and VIII of this Act may be transferred to, and merged with, funds appropriated by such titles under such headings if the Secretary of State determines and reports to the Committees on Appropriations that to do so is necessary to implement the recommendations of the Benghazi Accountability Review Board, or to prevent or respond to security situations and requirements, following consultation with, and subject to the regular notification procedures of, such Committees: *Provided*, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law.

PERSONNEL ACTIONS

SEC. 7005. Any costs incurred by a department or agency funded under title I of this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available under title I to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

LOCAL GUARD CONTRACTS

SEC. 7006. In evaluating proposals for local guard contracts, the Secretary of State shall award contracts in accordance with section 136 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864), except that the Secretary may grant authorization to award such contracts on the basis of best value as determined by a cost-technical tradeoff analysis (as described in Federal Acquisition Regulation part 15.101), notwithstanding subsection (c)(3) of such section, for high risk, high threat posts: *Provided*, That the authority in this section shall apply to any options for renewal that may be exercised under such contracts that are awarded during the current fiscal year.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 7007. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance or reparations for the governments of Cuba, North Korea, Iran, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

COUPS D'ÉTAT

SEC. 7008. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup d'état or decree or, after the date of enactment of this Act, a coup d'état or decree in which the military plays a decisive role: *Provided*, That assistance may be resumed to such government if the Secretary of State certifies and reports to the appropriate congressional committees that subsequent to the termination of assistance a democratically elected government has taken office: *Provided further*, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: *Provided further*, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFER AUTHORITY

SEC. 7009. (a) DEPARTMENT OF STATE AND BROADCASTING BOARD OF GOVERNORS.—

(1) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers, and no such transfer may be made to increase the appropriation under the heading "Representation Expenses".

(2) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

(3) Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 7015(a) and (b) of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b) EXPORT FINANCING TRANSFER AUTHORITIES.—Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2015, for programs under title VI of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such

appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided,* That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) LIMITATION ON TRANSFERS BETWEEN AGENCIES.—

(1) None of the funds made available under titles II through V of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(3) Any agreement entered into by the United States Agency for International Development (USAID) or the Department of State with any department, agency, or instrumentality of the United States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $1,000,000 and any agreement made pursuant to section 632(a) of such Act, with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Global Health Programs", "Development Assistance", and "Economic Support Fund" shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided*, That the requirement in the previous sentence shall not apply to agreements entered into between USAID and the Department of State.

(d) TRANSFERS BETWEEN ACCOUNTS.—None of the funds made available under titles II through V of this Act may be obligated under an appropriation account to which such funds were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations.

(e) AUDIT OF INTER-AGENCY TRANSFERS.—Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the Department of State or USAID and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Inspector General (IG) for the agency receiving the transfer or allocation of such funds, or other entity with audit responsibility if the receiving agency does not have an IG, shall perform periodic program and financial audits of the use of such funds: *Provided*, That such audits shall be transmitted to the Committees on Appropriations: *Provided further*, That funds transferred under such authority may be made available for the cost of such audits.

SECURITY ASSISTANCE REPORT

SEC. 7010. Not later than 120 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report on funds obligated and expended during fiscal year 2014 under the headings "International Military Education and Training", "Peacekeeping Operations", and "Foreign Military Financing Program".

AVAILABILITY OF FUNDS

SEC. 7011. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided,* That funds appropriated for the purposes of chapters 1 and 8 of part I, section 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the heading "Development Credit Authority" shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further,* That notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially allocated or obligated before the expiration of their respective periods of availability contained in this Act: *Provided further,* That the Secretary of State shall provide a report to the Committees on Appropriations at the beginning of each fiscal year, detailing by account and source year, the use of this authority during the previous fiscal year.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 7012. No part of any appropriation provided under titles III through VI in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance for such country is in the national interest of the United States.

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 7013. (a) PROHIBITION ON TAXATION.—None of the funds appropriated under titles III through VI of this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States

shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2015 on funds appropriated by this Act by a foreign government or entity against United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors, and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2016 and allocated for the central government of such country and for the West Bank and Gaza program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations, not later than September 30, 2016, that such taxes have not been reimbursed to the Government of the United States.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each country or entity pursuant to subsection (b) shall be reprogrammed for assistance for countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes, and that can reasonably accommodate such assistance in a programmatically responsible manner.

(e) DETERMINATIONS.—

(1) The provisions of this section shall not apply to any country or entity the Secretary of State reports to the Committees on Appropriations—

(A) does not assess taxes on United States assistance or which has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the purpose of this section to ensure that United States assistance is not subject to taxation.

(2) The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any country or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section—

(1) the term "bilateral agreement" refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement;

(2) the term "taxes and taxation" shall include value added taxes and customs duties but shall not include individual income taxes assessed to local staff.

(h) REPORT.—The Secretary of State, in consultation with the heads of other relevant departments or agencies, shall submit a report to the Committees on Appropriations, not later than 90 days after the enactment of this Act, detailing steps taken by such departments or agencies to comply with the requirements of this section.

RESERVATIONS OF FUNDS

SEC. 7014. (a) Funds appropriated under titles III through VI of this Act which are specifically designated may be reprogrammed for other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Department of State or the United States Agency for International Development (USAID) that are specifically designated for particular programs or activities by this or any other Act may be extended for an additional fiscal year if the Secretary of State or the USAID Administrator, as appropriate, determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: *Provided*, That such designated funds that continue to be available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs: *Provided*, That specifically designated funding levels or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

NOTIFICATION REQUIREMENTS

SEC. 7015. (a) None of the funds made available in titles I and II of this Act, or in prior appropriations Acts to the agencies and departments funded by this Act that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows or other offsetting collections, or made available by transfer, to the agencies and departments funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) closes or opens a mission or post;

(6) creates, closes, reorganizes, or renames bureaus, centers, or offices;

(7) reorganizes programs or activities; or

(8) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds: *Provided*, That unless previously justified to the Committees on Appropriations, the requirements of this subsection shall apply to all obligations of funds appropriated under titles I and II of this Act for paragraphs (1), (2), (5), and (6) of this subsection.

(b) None of the funds provided under titles I and II of this Act, or provided under previous appropriations Acts to the agency or department funded under titles I and II of this Act that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agency or department funded under title I of this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(c) None of the funds made available by this Act under the headings "Global Health Programs", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Economic Support Fund", "Democracy Fund", "Peacekeeping Operations", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Millennium Challenge Corporation", "Foreign Military Financing Program", "International Military Education and Training", "Conflict Stabilization Operations", and "Peace Corps", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations are notified 15 days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That requirements of this subsection or any similar provision of this or any other Act shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under titles III through VI of this Act of less

than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: *Provided further*, That any notification submitted pursuant to subsection (f) of this section shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority: *Provided further*, That if subsequent to the notification of assistance it becomes necessary to rely on notwithstanding authority, the Committees on Appropriations should be informed at the earliest opportunity and to the extent practicable.

(d) Notwithstanding any other provision of law, with the exception of funds transferred to, and merged with, funds appropriated under title I of this Act, funds transferred by the Department of Defense to the Department of State and the United States Agency for International Development for assistance for foreign countries and international organizations, and funds made available for programs authorized by section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) (or any successor authority), shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided*, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

(f) None of the funds appropriated under titles III through VI of this Act shall be obligated or expended for assistance for Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Cuba, Ecuador, Egypt, Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Pakistan, the Russian Federation, Serbia, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and Zimbabwe except as provided through the regular notification procedures of the Committees on Appropriations.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 7016. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as other committees pursuant to subsection (f) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such

excess defense articles: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 7017. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under titles I and III through V of this Act, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961 or section 7048(a) of this Act, shall remain available for obligation until September 30, 2017: *Provided*, That the requirement to withhold funds for programs in Burma under section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated by this Act.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 7018. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

ALLOCATIONS

SEC. 7019. (a) Funds provided by this Act shall be made available for programs and countries in the amounts specifically designated in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(b) For the purposes of implementing this section and only with respect to the amounts for programs and countries specifically designated in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), the Secretary of State, the Administrator of the United States Agency for International Development, and the Broadcasting Board of Governors, as appropriate, may propose deviations to the amounts referenced in subsection (a), subject to the regular notification procedures of the Committees on Appropriations.

REPRESENTATION AND ENTERTAINMENT EXPENSES

SEC. 7020. (a) Each Federal department, agency, or entity funded in titles I or II of this Act, and the Department of the Treasury and independent agencies funded in titles III or VI of this Act, shall take steps to ensure that domestic and overseas representation and entertainment expenses further official agency business and United States foreign policy interests and are—

(1) primarily for fostering relations outside of the Executive Branch;

(2) principally for meals and events of a protocol nature;

(3) not for employee-only events; and

(4) do not include activities that are substantially of a recreational character.

(b) None of the funds appropriated or otherwise made available by this Act under the headings "International Military Education and Training" or "Foreign Military Financing Program" for Informational Program activities or under the headings "Global Health Programs", "Development Assistance", and "Economic Support Fund" may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

PROHIBITION ON ASSISTANCE TO GOVERNMENTS SUPPORTING INTERNATIONAL TERRORISM

SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EXPORTS.—

(1) None of the funds appropriated or otherwise made available by titles III through VI of this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined supports international terrorism for purposes of section 6(j) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act: *Provided*, That the prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment: *Provided further*, That this section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(2) Assistance restricted by paragraph (1) or any other similar provision of law, may be furnished if the President determines that to do so is important to the national interest of the United States.

(3) Whenever the President makes a determination pursuant to paragraph (2), the President shall submit to the Committees on Appropriations a report with respect to the furnishing of such assistance, including a detailed explanation of the assistance to be provided, the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

(b) BILATERAL ASSISTANCE.—

(1) Funds appropriated for bilateral assistance in titles III through VI of this Act and funds appropriated under any

such title in prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall not be made available to any foreign government which the President determines—

(A) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism;

(B) otherwise supports international terrorism; or

(C) is controlled by an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

(2) The President may waive the application of paragraph (1) to a government if the President determines that national security or humanitarian reasons justify such waiver: *Provided*, That the President shall publish each such waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

AUTHORIZATION REQUIREMENTS

SEC. 7022. Funds appropriated by this Act, except funds appropriated under the heading "Trade and Development Agency", may be obligated and expended notwithstanding section 10 of Public Law 91–672, section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 7023. For the purpose of titles II through VI of this Act "program, project, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts funding directives, ceilings, and limitations with the exception that for the following accounts: "Economic Support Fund" and "Foreign Military Financing Program", "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; and for the development assistance accounts of the United States Agency for International Development, "program, project, and activity" shall also be considered to include central, country, regional, and program level funding, either as—

(1) justified to the Congress; or

(2) allocated by the Executive Branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

SEC. 7024. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for the Department of

State, foreign operations, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act: *Provided*, That prior to conducting activities in a country for which assistance is prohibited, the agency shall consult with the Committees on Appropriations and report to such Committees within 15 days of taking such action.

COMMERCE, TRADE AND SURPLUS COMMODITIES

SEC. 7025. (a) None of the funds appropriated or made available pursuant to titles III through VI of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations: *Provided further*, That this subsection shall not prohibit—

(1) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(2) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States;

(2) research activities intended primarily to benefit American producers;

(3) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis

the agricultural commodity with respect to which assistance is furnished; or

(4) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

22 USC 262h note.

(c) The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions, as defined in section 7029(h) of this Act, to use the voice and vote of the United States to oppose any assistance by such institutions, using funds appropriated or made available by this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

SEPARATE ACCOUNTS

SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—

22 USC 2362 note.

(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development (USAID) shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of USAID and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—USAID shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), any unencumbered balances

of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The USAID Administrator shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) IN GENERAL.—If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the regular notification procedures of the Committees on Appropriations.

ELIGIBILITY FOR ASSISTANCE

SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961: *Provided*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations pursuant to the regular notification procedures, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing

statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2015, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Food for Peace Act (Public Law 83–480): *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

LOCAL COMPETITION

SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO COMPETITION FOR LOCAL ENTITIES.—Funds appropriated by this Act that are made available to the United States Agency for International Development (USAID) may only be made available for limited competitions through local entities if—

(1) prior to the determination to limit competition to local entities, USAID has—

(A) assessed the level of local capacity to effectively implement, manage, and account for programs included in such competition; and

(B) documented the written results of the assessment and decisions made; and

(2) prior to making an award after limiting competition to local entities—

(A) each successful local entity has been determined to be responsible in accordance with USAID guidelines; and

(B) effective monitoring and evaluation systems are in place to ensure that award funding is used for its intended purposes; and

(3) no level of acceptable fraud is assumed.

(b) In addition to the requirements of paragraph (1), the Administrator of USAID shall report, on a semi-annual basis, to the appropriate congressional committees on all awards subject to limited or no competition for local entities: *Provided*, That such report should be posted on the USAID Web site: *Provided further*, That the requirements of this subsection shall only apply to awards in excess of $3,000,000 and sole source awards to local entities in excess of $2,000,000.

(c) Section 7077 of division I of Public Law 112–74 shall continue in effect during fiscal year 2015, as amended by division K of Public Law 113–76.

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution adopts and implements a publicly available policy, including the strategic use of peer reviews and external experts, to conduct independent, in-depth evaluations of the effectiveness of at least 25 percent of all loans, grants, programs, and significant analytical non-lending activities in advancing the institution's goals of reducing poverty and promoting equitable economic growth, consistent with relevant safeguards, to ensure that decisions to support such loans, grants, programs, and activities are based on accurate data and objective analysis: *Provided*, That not later than 180 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken by the United States executive directors and the international financial institutions consistent with this paragraph.

(b) The Secretary of the Treasury shall instruct the United States Executive Director of the International Bank for Reconstruction and Development and the International Development Association to vote against any loan, grant, policy, or strategy if such institution has adopted and is implementing any social or environmental safeguard relevant to such loan, grant, policy, or strategy that provides less protection than World Bank safeguards in effect on September 30, 2014.

(c) None of the funds appropriated under title V of this Act may be made as payment to any international financial institution while the United States executive director to such institution is compensated by the institution at a rate which, together with whatever compensation such executive director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States executive director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution conducts rigorous human rights due diligence and human rights risk management, as appropriate, in connection with any loan, grant, policy, or strategy of such institution: *Provided*, That prior to voting on any such loan, grant, policy, or strategy the executive director shall consult with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, if the executive director has reason to believe that such loan, grant, policy, or strategy could result in forced displacement or other violation of human rights.

(e) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to promote in loan, grant, and other financing agreements improvements in borrowing countries' financial management and judicial capacity to investigate, prosecute, and punish fraud and corruption.

(f) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution

to seek to require that such institution collects, verifies, and publishes, to the maximum extent practicable, beneficial ownership information (excluding proprietary information) for any corporation or limited liability company, other than a publicly listed company, that receives funds appropriated by this Act that are provided as payment to such institution: *Provided*, That not later than 180 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken by the United States executive directors and the international financial institutions consistent with this paragraph.

(g) The Secretary of the Treasury should support efforts by the Inter-American Development Bank (IDB) to promote economic cooperation and integration within the Caribbean region, consistent with the IDB's charter and United States policy.

22 USC 262h note.

(h) For the purposes of this Act "international financial institutions" shall mean the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Asian Development Fund, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, the African Development Fund, and the Multilateral Investment Guarantee Agency.

DEBT-FOR-DEVELOPMENT

SEC. 7030. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-TO-GOVERNMENT ASSISTANCE.—

(1) Funds appropriated by this Act may be made available for direct government-to-government assistance only if—

(A) each implementing agency or ministry to receive assistance has been assessed and is considered to have the systems required to manage such assistance and any identified vulnerabilities or weaknesses of such agency or ministry have been addressed; and

(i) the recipient agency or ministry employs and utilizes staff with the necessary technical, financial, and management capabilities;

(ii) the recipient agency or ministry has adopted competitive procurement policies and systems;

(iii) effective monitoring and evaluation systems are in place to ensure that such assistance is used for its intended purposes;

(iv) no level of acceptable fraud is assumed; and

(v) the government of the recipient country is taking steps to publicly disclose on an annual basis its national budget, to include income and expenditures;

(B) the recipient government is in compliance with the principles set forth in section 7013 of this Act;

(C) the recipient agency or ministry is not headed or controlled by an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act;

(D) the Government of the United States and the government of the recipient country have agreed, in writing, on clear and achievable objectives for the use of such assistance, which should be made available on a cost-reimbursable basis; and

(E) the recipient government is taking steps to protect the rights of civil society, including freedoms of expression, association, and assembly.

(2) In addition to the requirements in subsection (a), no funds may be made available for direct government-to-government assistance without prior consultation with, and notification of, the Committees on Appropriations: *Provided*, That such notification shall contain an explanation of how the proposed activity meets the requirements of paragraph (1): *Provided further*, That the requirements of this paragraph shall only apply to direct government-to-government assistance in excess of $10,000,000 and all funds available for cash transfer, budget support, and cash payments to individuals.

(3) The Administrator of the United States Agency for International Development (USAID) or the Secretary of State, as appropriate, shall suspend any direct government-to-government assistance if the Administrator or the Secretary has credible information of material misuse of such assistance, unless the Administrator or the Secretary reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance, including a justification, or that such misuse has been appropriately addressed.

(4) The Secretary of State shall submit to the Committees on Appropriations, concurrent with the fiscal year 2016 congressional budget justification materials, amounts planned for assistance described in subsection (a) by country, proposed funding amount, source of funds, and type of assistance.

(5) Not later than 90 days after the enactment of this Act and 6 months thereafter until September 30, 2015, the USAID Administrator shall submit to the Committees on Appropriations a report that—

(A) details all assistance described in subsection (a) provided during the previous 6-month period by country, funding amount, source of funds, and type of such assistance; and

(B) the type of procurement instrument or mechanism utilized and whether the assistance was provided on a reimbursable basis.

(6) None of the funds made available by this Act may be used for any foreign country for debt service payments owed by any country to any international financial institution:

Provided, That for purposes of this subsection, the term "international financial institution" has the meaning given the term in section 7029(h) of this Act.

(b) NATIONAL BUDGET AND CONTRACT TRANSPARENCY.—

(1) MINIMUM REQUIREMENTS OF FISCAL TRANSPARENCY.—The Secretary of State shall continue to update and strengthen the "minimum requirements of fiscal transparency" for each government receiving assistance appropriated by this Act, as identified in the report required by section 7031(b) of division K of Public Law 113–76.

(2) DEFINITION.—For purposes of paragraph (1), "minimum requirements of fiscal transparency" are requirements consistent with those in subsection (a)(1), and the public disclosure of national budget documentation (to include receipts and expenditures by ministry) and government contracts and licenses for natural resource extraction (to include bidding and concession allocation practices).

(3) DETERMINATION AND REPORT.—For each government identified pursuant to paragraph (1), the Secretary of State, not later than 180 days after enactment of this Act, shall make or update any determination of "significant progress" or "no significant progress" in meeting the minimum requirements of fiscal transparency, and make such determinations publicly available in an annual "Fiscal Transparency Report" to be posted on the Department of State's Web site: *Provided*, That the Secretary shall identify the significant progress made by each such government to publicly disclose national budget documentation, contracts, and licenses which are additional to such information disclosed in previous fiscal years, and include specific recommendations of short- and long-term steps such government should take to improve fiscal transparency: *Provided further*, That the annual report shall include a detailed description of how funds appropriated by this Act are being used to improve fiscal transparency, and identify benchmarks for measuring progress.

(4) ASSISTANCE.—Funds appropriated under title III of this Act shall be made available for programs and activities to assist governments identified pursuant to paragraph (1) to improve budget transparency and to support civil society organizations in such countries that promote budget transparency: *Provided,* That such sums shall be in addition to funds otherwise made available for such purposes: *Provided further*, That a description of the uses of such funds shall be included in the annual "Fiscal Transparency Report" required by paragraph (3).

8 USC 1182 note.

(c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

(1)(A) Officials of foreign governments and their immediate family members about whom the Secretary of State has credible information have been involved in significant corruption, including corruption related to the extraction of natural resources, or a gross violation of human rights shall be ineligible for entry into the United States.

(B) The Secretary may also publicly or privately designate or identify officials of foreign governments and their immediate family members about whom the Secretary has such credible information without regard to whether the individual has applied for a visa.

(2) Individuals shall not be ineligible if entry into the United States would further important United States law enforcement objectives or is necessary to permit the United States to fulfill its obligations under the United Nations Headquarters Agreement: *Provided*, That nothing in paragraph (1) shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) The Secretary may waive the application of paragraph (1) if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.

(4) Not later than 6 months after enactment of this Act, the Secretary of State shall submit a report, including a classified annex if necessary, to the Committees on Appropriations and the Committees on the Judiciary describing the information related to corruption or violation of human rights concerning each of the individuals found ineligible in the previous 12 months pursuant to paragraph (1)(A) as well as the individuals who the Secretary designated or identified pursuant to paragraph (1)(B), or who would be ineligible but for the application of paragraph (2), a list of any waivers provided under paragraph (3), and the justification for each waiver.

(5) Any unclassified portion of the report required under paragraph (4) shall be posted on the Department of State's Web site.

(6) For purposes of paragraphs (1)(B), (4), and (5), the records of the Department of State and of diplomatic and consular offices of the United States pertaining to the issuance or refusal of visas or permits to enter the United States shall not be considered confidential.

(d) FOREIGN ASSISTANCE WEB SITE.—Funds appropriated by this Act under titles I and II, and funds made available for any independent agency in title III, as appropriate, shall be made available to support the provision of additional information on United States Government foreign assistance on the Department of State's foreign assistance Web site: *Provided*, That all Federal agencies funded under this Act shall provide such information on foreign assistance, upon request, to the Department of State.

DEMOCRACY PROGRAMS

SEC. 7032. (a) Of the funds appropriated by this Act, not less than $2,264,986,000 should be made available for democracy programs, as defined in subsection (c).

(b) Funds made available by this Act for democracy programs may be made available notwithstanding any other provision of law, and with regard to the National Endowment for Democracy (NED), any regulation.

(c) For purposes of funds appropriated by this Act, the term "democracy programs" means programs that support good governance, credible and competitive elections, freedom of expression, association, assembly, and religion, human rights, labor rights, independent media, and the rule of law, and that otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens to support the development of democratic states, and institutions that are responsive and accountable to citizens.

(d) Funds appropriated by this Act that are made available for governance programs should be made available to support institutions and individuals that demonstrate a commitment to democracy.

(e) With respect to the provision of assistance for democracy, human rights, and governance activities in this Act, the organizations implementing such assistance, the specific nature of that assistance, and the participants in such programs shall not be subject to the prior approval by the government of any foreign country: *Provided*, That the Secretary of State, in coordination with the Administrator of the United States Agency for International Development (USAID), shall report to the Committees on Appropriations, not later than 120 days after enactment of this Act, detailing steps taken by the Department of State and USAID to comply with the requirements of this subsection.

(f) Any funds made available by this Act for a business and human rights program in the People's Republic of China shall be made available on a cost-matching basis from sources other than the United States Government.

(g) The Bureau of Democracy, Human Rights, and Labor, Department of State (DRL) and the Bureau for Democracy, Conflict and Humanitarian Assistance, USAID, shall regularly communicate their planned programs to the NED.

(h) Funds appropriated by this Act under the heading "Democracy Fund" that are made available to DRL shall be made available to maintain a database of prisons and gulags in North Korea, in accordance with section 7032(i) of division K of Public Law 113–76.

(i) Funds appropriated by this Act that are made available for democracy programs shall be made available to support freedom of religion, including in the Middle East and North Africa.

(j) Funds appropriated under title III of this Act shall be made available for democracy programs in countries in the Western Hemisphere above the total amount requested in the Congressional Budget Justification, Foreign Operations, Fiscal Year 2015: *Provided*, That the Department of State and USAID, as appropriate, shall consult with the Committees on Appropriations prior to the obligation of such funds.

(k) Funds made available by this Act for the Near East Regional Democracy program shall be the responsibility of the Assistant Secretary for Near Eastern Affairs, Department of State, in consultation with the Assistant Secretary for DRL: *Provided*, That such funds shall be made available for the activities described in section 1243 of Public Law 112–239, following consultation with the appropriate congressional committees.

MULTI-YEAR PLEDGES

SEC. 7033. None of the funds appropriated by this Act may be used to make any pledge for future year funding for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge was—

(1) previously justified, including the projected future year costs, in a congressional budget justification;

(2) included in an Act making appropriations for the Department of State, foreign operations, and related programs or previously authorized by an Act of Congress;

(3) notified in accordance with the regular notification procedures of the Committees on Appropriations, including the projected future year costs; or

(4) the subject of prior consultation with the Committees on Appropriations and such consultation was conducted at least 7 days in advance of the pledge.

SPECIAL PROVISIONS

SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated in titles III and VI of this Act that are made available for victims of war, displaced children, displaced Burmese, and to combat trafficking in persons and assist victims of such trafficking, may be made available notwithstanding any other provision of law.

(b) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(c) WORLD FOOD PROGRAM.—Funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development (USAID), from this or any other Act, may be made available as a general contribution to the World Food Program, notwithstanding any other provision of law.

(d) DISARMAMENT, DEMOBILIZATION AND REINTEGRATION.—Notwithstanding any other provision of law, regulation or Executive order, funds appropriated under titles III and IV of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Economic Support Fund", "Peacekeeping Operations", "International Disaster Assistance", "Complex Crises Fund", and "Transition Initiatives" may be made available to support programs to disarm, demobilize, and reintegrate into civilian society former members of foreign terrorist organizations: *Provided*, That the Secretary of State shall consult with the Committees on Appropriations prior to the obligation of funds pursuant to this subsection: *Provided further*, That for the purposes of this subsection the term "foreign terrorist organization" means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

(e) DIRECTIVES AND AUTHORITIES.—(1) Funds appropriated by this Act under the heading "Economic Support Fund" shall be made available to carry out the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union as authorized by the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501–4508).

(2) Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading "Economic Support Fund" may be made available as a contribution to establish and maintain memorial sites of genocide, subject to the regular notification procedures of the Committees on Appropriations.

(3) Of the amounts made available by this Act under the heading "Diplomatic and Consular Programs" in title I, up to $500,000 may be made available for grants pursuant to section 504 of Public Law 95–426 (22 U.S.C. 2656d), including to facilitate collaboration with indigenous communities.

(f) PARTNER VETTING.—Funds appropriated by this Act or in titles I through IV of prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be used by the Secretary of State and the USAID Administrator, as appropriate, to support the continued implementation of the Partner Vetting System (PVS) pilot program: *Provided*, That the Secretary of State and the USAID Administrator shall jointly submit a report to the Committees on Appropriations, not later than 30 days after completion of the pilot program, on the estimated timeline and criteria for evaluating the PVS pilot program for possible expansion: *Provided further*, That such report shall include the requirements in Senate Report 113–195 and House Report 113–499: *Provided further*, That such report may be delivered in classified form, if necessary.

(g) CONTINGENCIES.—During fiscal year 2015, the President may use up to $100,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

(h) INTERNATIONAL CHILD ABDUCTIONS.—The Secretary of State should withhold funds appropriated under title III of this Act for assistance for the central government of any country that is not taking appropriate steps to comply with the Convention on the Civil Aspects of International Child Abductions, done at the Hague on October 25, 1980: *Provided*, That the Secretary shall report to the Committees on Appropriations within 15 days of withholding funds under this subsection.

(i) REPORTS REPEALED.—Section 304(f) of Public Law 107–173; section 2104 of Public Law 109–13; and subsection 1405(c) of the Supplemental Appropriations Act of 2008 (Public Law 110–252), are hereby repealed.

8 USC 1733; 22 USC 2799aa–1.

(j) TRANSFERS FOR EXTRAORDINARY PROTECTION.—The Secretary of State may transfer to, and merge with, funds under the heading "Protection of Foreign Missions and Officials" unobligated balances of expired funds appropriated under the heading "Diplomatic and Consular Programs" for fiscal year 2015, except for funds designated for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, at no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated: *Provided*, That not more than $50,000,000 may be transferred.

(k) PROTECTIONS AND REMEDIES FOR EMPLOYEES OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZATIONS.—The Secretary of State shall implement section 203(a)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457): *Provided*, That in determining whether to suspend the issuance of A–3 or G–5 visas under such section, the Secretary should consider the following as "credible evidence": (1) a final court judgment (including a default judgment) issued against a current or former employee of such mission or organization (for which the time period for appeal has expired); (2) the issuance

of a T-visa to the victim; or (3) a request by the Department of State to the sending state that immunity of individual diplomats or family members be waived to permit criminal prosecution: *Provided further*, That the Secretary should assist in obtaining payment of final court judgments awarded to A–3 and G–5 visa holders, including encouraging the sending states to provide compensation directly to victims: *Provided further*, That the Secretary shall include in the Trafficking in Persons annual report a concise summary of each trafficking case involving an A–3 or G–5 visa holder which meets one or more of the items in the first proviso of this subsection.

(l) EXTENSION OF AUTHORITIES.—

(1) Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting "September 30, 2015" for "September 30, 2010". 22 USC 214 note.

(2) The authority provided by section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect for facilities in Afghanistan through September 30, 2015, except that the notification and reporting requirements contained in such section shall include the Committees on Appropriations. 22 USC 4831 note.

(3) The authority contained in section 1115(d) of Public Law 111–32 shall remain in effect through September 30, 2015.

(4) Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) shall be applied by substituting "September 30, 2015" for "October 1, 2010" in paragraph (2). 22 USC 4064 note.

(5) Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) shall be applied by substituting "September 30, 2015" for "October 1, 2010" in paragraph (2). 22 USC 2733 note.

(6) Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting "September 30, 2015" for "October 1, 2010" in subparagraph (B). 22 USC 2385 note.

(7)(A) Subject to the limitation described in subparagraph (B), the authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1904) shall remain in effect through September 30, 2015.

(B) The authority described in subparagraph (A) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member's official duty station were in the District of Columbia.

(8) The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(A) In section 599D (8 U.S.C. 1157 note)—

(i) in subsection (b)(3), by striking "and 2014" and inserting "2014, and 2015"; and

(ii) in subsection (e), by striking "2014" each place it appears and inserting "2015"; and

(B) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking "2014" and inserting "2015".

(9) The authorities provided in section 1015(b) of Public Law 111–212 shall remain in effect through September 30, 2015.

(m) CROWD CONTROL ITEMS.—Funds appropriated by this Act should not be used for tear gas, small arms, light weapons, ammunition, or other items for crowd control purposes for foreign security forces that use excessive force to repress peaceful expression, association, or assembly in countries undergoing democratic transition.

(n) DEPARTMENT OF STATE WORKING CAPITAL FUND.—Funds appropriated by this Act or otherwise made available to the Department of State for payments to the Working Capital Fund may only be used for the activities and in the amounts allowed in the President's fiscal year 2015 budget: *Provided*, That Federal agency components shall be charged only for their direct usage of each Working Capital Fund service: *Provided further*, That Federal agency components may only pay for Working Capital Fund services that are consistent with the component's purpose and authorities: *Provided further*, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service.

(o) SECURITY FORCE ACCOUNTABILITY ASSISTANCE.—The Secretary of State shall submit a report to the Committees on Appropriations not later than 90 days after enactment of this Act on steps taken to implement section 620M(c) of the Foreign Assistance Act of 1961, including program details and sources of funding: *Provided*, That such report shall describe how funds appropriated by this Act are used to encourage, assist, and build the capacity of foreign governments to investigate, prosecute, and punish security force personnel who are credibly alleged to have committed gross violations of human rights, including by providing:

(1) technical assistance in support of such investigations and prosecutions;

(2) assistance to strengthen civilian-military cooperation on human rights and the rule of law;

(3) assistance to strengthen the internal accountability mechanisms and technical capacity of foreign governments to bring such personnel to justice; and

(4) support for nongovernmental organizations that monitor and document gross violations.

(p) HUMANITARIAN ASSISTANCE.—Funds appropriated by this Act that are available for monitoring and evaluation of assistance under the headings "International Disaster Assistance" and "Migration and Refugee Assistance" shall, as appropriate, be made available for the regular collection of feedback obtained directly from beneficiaries on the quality and relevance of such assistance: *Provided*, That the Department of State and USAID shall conduct regular oversight to ensure that such feedback is collected and used by grantees to maximize the cost-effectiveness and utility of such assistance, and require grantees that receive funds under such headings to establish procedures for collecting and responding to such feedback.

(q) HIV/AIDS WORKING CAPITAL FUND.—Funds available in the HIV/AIDS Working Capital Fund established pursuant to section 525(b)(1) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108–477) may be made available for pharmaceuticals and other products

for child survival, malaria, and tuberculosis to the same extent as HIV/AIDS pharmaceuticals and other products, subject to the terms and conditions in such section: *Provided*, That the authority in section 525(b)(5) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108–477) shall be exercised by the Assistant Administrator for Global Health, USAID, with respect to funds deposited for such non-HIV/AIDS pharmaceuticals and other products, and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the Secretary of State shall include in the congressional budget justification an accounting of budgetary resources, disbursements, balances, and reimbursements related to such fund.

(r) LOAN GUARANTEES AND ENTERPRISE FUNDS.—

(1) Funds appropriated under the heading "Economic Support Fund" only in title III of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Jordan, Ukraine, and Tunisia, which are authorized to be provided: *Provided*, That amounts made available under this paragraph for the costs of such guarantees shall not be considered assistance for the purposes of provisions of law limiting assistance to a country.

(2) Funds appropriated under the heading "Economic Support Fund" in this Act may be made available to establish and operate one or more enterprise funds for Egypt and Tunisia: *Provided*, That the first, third and fifth provisos under section 7041(b) of division I of Public Law 112–74 shall apply to funds appropriated by this Act under the heading "Economic Support Fund" for an enterprise fund or funds to the same extent and in the same manner as such provision of law applied to funds made available under such section (except that the clause excluding subsection (d)(3) of section 201 of the SEED Act shall not apply): *Provided further*, That the authority of any such enterprise fund or funds to provide assistance shall cease to be effective on December 31, 2025.

(3) Funds made available by this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(s) REPORT ON EXECUTIVE SALARIES.—Not later than 90 days after enactment of this Act, the head of any non-Federal or quasi-Federal organization that is provided a direct appropriation with funds made available by this Act under titles I or III shall submit a report to the Committees on Appropriations on executive salary and compensation: *Provided*, That the report shall include the information specified under this section in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(t) DEFINITIONS.—

22 USC 2152i note.

(1) Unless otherwise defined in this Act, for purposes of this Act the term "appropriate congressional committees" shall mean the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives.

(2) Unless otherwise defined in this Act, for purposes of this Act the term "funds appropriated in this Act and prior

Acts making appropriations for the Department of State, foreign operations, and related programs" shall mean funds that remain available for obligation, and have not expired.

(3) Any reference to Southern Kordofan in this or any other Act making appropriations for the Department of State, foreign operations, and related programs shall be deemed to include portions of Western Kordofan that were previously part of Southern Kordofan prior to the 2013 division of Southern Kordofan.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 7035. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

PALESTINIAN STATEHOOD

SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated under titles III through VI of this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) the governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel; and

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures, and is cooperating with appropriate Israeli and other appropriate security organizations; and

(2) the Palestinian Authority (or the governing entity of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist

within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgment of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if the President determines that it is important to the national security interest of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 7040 of this Act ("Limitation on Assistance for the Palestinian Authority").

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 7037. None of the funds appropriated under titles II through VI of this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: *Provided*, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further*, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem: *Provided further*, That as has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 7038. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

ASSISTANCE FOR THE WEST BANK AND GAZA

SEC. 7039. (a) OVERSIGHT.—For fiscal year 2015, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the Committees on Appropriations that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading "Economic Support Fund" for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading "Economic Support Fund" for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity nor, with respect to private entities or educational institutions, those that have as a principal officer of the entity's governing board or governing board of trustees any individual that has been determined to be involved in, or advocating terrorist activity or determined to be a member of a designated foreign terrorist organization: *Provided*, That the Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which the Secretary has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—

(1) None of the funds appropriated under titles III through VI of this Act for assistance under the West Bank and Gaza Program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed acts of terrorism.

(2) Notwithstanding any other provision of law, none of the funds made available by this or prior appropriations Acts, including funds made available by transfer, may be made available for obligation for security assistance for the West Bank and Gaza until the Secretary of State reports to the Committees on Appropriations on the benchmarks that have been established for security assistance for the West Bank and Gaza and reports on the extent of Palestinian compliance with such benchmarks.

(d) AUDITS.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and sub-grantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act up to $500,000 may be used by the Office of Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection: *Provided*, That such funds are in addition to funds otherwise available for such purposes.

(e) Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program, including all funds provided as cash transfer assistance, in fiscal year 2015 under the heading "Economic Support Fund", and such audit shall address—

(1) the extent to which such Program complies with the requirements of subsections (b) and (c); and

(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(f) Funds made available in this Act for West Bank and Gaza shall be subject to the regular notification procedures of the Committees on Appropriations.

(g) Not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations updating the report contained in section 2106 of chapter 2 of title II of Public Law 109–13.

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

SEC. 7040. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that waiving such prohibition is important to the national security interest of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed: *Provided*, That the report shall also detail the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure.

(e) CERTIFICATION.—If the President exercises the waiver authority under subsection (b), the Secretary of State must certify and report to the Committees on Appropriations prior to the obligation of funds that the Palestinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, no parallel financing mechanisms exist outside of the Palestinian Authority treasury account, and there is a single comprehensive civil service roster and payroll, and the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel.

(f) PROHIBITION TO HAMAS AND THE PALESTINE LIBERATION ORGANIZATION.—

(1) None of the funds appropriated in titles III through VI of this Act may be obligated for salaries of personnel of the Palestinian Authority located in Gaza or may be obligated or expended for assistance to Hamas or any entity effectively controlled by Hamas, any power-sharing government of which Hamas is a member, or that results from an agreement with Hamas and over which Hamas exercises undue influence.

(2) Notwithstanding the limitation of paragraph (1), assistance may be provided to a power-sharing government only if the President certifies and reports to the Committees on Appropriations that such government, including all of its ministers or such equivalent, has publicly accepted and is complying with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended.

(3) The President may exercise the authority in section 620K(e) of the Foreign Assistance Act of 1961, as added by the Palestinian Anti-Terrorism Act of 2006 (Public Law 109–446) with respect to this subsection.

(4) Whenever the certification pursuant to paragraph (2) is exercised, the Secretary of State shall submit a report to the Committees on Appropriations within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to comply with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended: *Provided*, That the report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

(5) None of the funds appropriated under titles III through VI of this Act may be obligated for assistance for the Palestine Liberation Organization.

MIDDLE EAST AND NORTH AFRICA

SEC. 7041. (a) EGYPT.—

(1) IN GENERAL.—Funds appropriated by this Act that are available for assistance for the Government of Egypt may only be made available if the Secretary of State certifies and reports to the Committees on Appropriations that such government is—

(A) sustaining the strategic relationship with the United States; and

(B) meeting its obligations under the 1979 Egypt-Israel Peace Treaty.

(2) ECONOMIC SUPPORT FUND.—

(A) Of the funds appropriated by this Act under the heading "Economic Support Fund", and subject to paragraph (6) of this subsection, up to $150,000,000 may be made available for assistance for Egypt, of which not less than $35,000,000 should be made available for higher education programs including not less than $10,000,000 for scholarships at not-for-profit institutions for Egyptian students with high financial need: *Provided*, That such funds

may also be made available for democracy programs: *Provided further*, That such funds shall be made available for a demonstration project to combat hepatitis C, on a cost matching basis from sources other than the United States Government.

(B) Notwithstanding any provision of law restricting assistance for Egypt, including paragraph (6) of this subsection, funds made available under the heading "Economic Support Fund" in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for assistance for Egypt may be made available for education and economic growth programs, subject to prior consultation with the appropriate congressional committees: *Provided*, That such funds may not be made available for cash transfer assistance or budget support unless the Secretary of State certifies to the appropriate congressional committees that the Government of Egypt is taking consistent and effective steps to stabilize the economy and implement market-based economic reforms.

(C)(i) Of the funds appropriated by this Act under the heading "Economic Support Fund" that are available for assistance for Egypt, the Secretary of State shall withhold from obligation an amount that the Secretary determines to be equivalent to that expended by the United States Government for bail, and by nongovernmental organizations for legal and court fees, associated with democracy related trials in Egypt until the Secretary certifies and reports to the Committees on Appropriations that the Government of Egypt has dismissed the convictions issued by the Cairo Criminal Court on June 4, 2013, in "Public Prosecution Case No. 1110 for the Year 2012".

(ii) No conviction issued by the Cairo Criminal Court on June 4, 2013, in "Public Prosecution Case No. 1110 for the Year 2012", against a citizen or national of the United States or an alien lawfully admitted for permanent residence in the United States, shall be considered a conviction for purposes of United States law or for any activity undertaken within the jurisdiction of the United States.

(3) FOREIGN MILITARY FINANCING PROGRAM.—Of the funds appropriated by this Act under the heading "Foreign Military Financing Program", and subject to paragraph (6) of this subsection, up to $1,300,000,000, to remain available until September 30, 2016, may be made available for assistance for Egypt which may be transferred to an interest bearing account in the Federal Reserve Bank of New York, following consultation with the Committees on Appropriations: *Provided*, That if the Secretary of State is unable to make the certification in subparagraph (6)(A) or (B) of this subsection, such funds may be made available at the minimum rate necessary to continue existing programs, notwithstanding any provision of law restricting assistance for Egypt and following consultation with the Committees on Appropriations, except that defense articles and services from such programs shall not be delivered until the requirements in subparagraphs (6)(A), (B), or (C) of this subsection are met: *Provided further*, That not later than 30 days after enactment of this Act, the Secretary of

State shall submit a report to the Committees on Appropriations describing any defense articles withheld from delivery to Egypt as of the date of enactment of this Act: *Provided further*, That not later than 90 days after enactment of this Act, the Secretary shall consult with the Committees on Appropriations on plans to restructure military assistance for Egypt, including cash flow financing.

(4) PRIOR YEAR FUNDS.—Funds appropriated under the headings "Foreign Military Financing Program" and "International Military Education and Training" in prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available notwithstanding any provision of law restricting assistance for Egypt, except that such funds under the heading "Foreign Military Financing Program" shall only be made available at the minimum rate necessary to continue existing programs and following consultation with the Committees on Appropriations, and the defense articles and services from such programs shall not be delivered until the requirements in subparagraphs (6)(A), (B), or (C) of this subsection are met.

(5) SECURITY EXEMPTIONS.—Notwithstanding any provision of law restricting assistance for Egypt, including paragraphs (3), (4), and (6) of this subsection, funds made available for assistance for Egypt in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for counterterrorism, border security, and nonproliferation programs in Egypt, and for development activities in the Sinai, if the Secretary of State certifies and reports to the appropriate congressional committees that to do so is important to the national security interest of the United States.

(6) FISCAL YEAR 2015 FUNDS.—Except as provided in paragraphs (2), (3) and (5) of this subsection, funds appropriated by this Act under the headings "Economic Support Fund", "International Military Education and Training", and "Foreign Military Financing Program" for assistance for the Government of Egypt may be made available notwithstanding any provision of law restricting assistance for Egypt as follows—

(A) up to $725,850,000 may be made available only if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Egypt—

(i) has held free and fair parliamentary elections;

(ii) is implementing laws or policies to govern democratically and protect the rights of individuals;

(iii) is implementing reforms that protect freedoms of expression, association, and peaceful assembly, including the ability of civil society organizations and the media to function without interference;

(iv) is taking consistent steps to protect and advance the rights of women and religious minorities;

(v) is providing detainees with due process of law;

(vi) is conducting credible investigations and prosecutions of the use of excessive force by security forces; and

(vii) has released American citizens who the Secretary of State determines to be political prisoners and dismissed charges against them; and

(B) not less than 180 days after a certification and report under subparagraph (6)(A), up to $725,850,000 may be made available only if the Secretary of State certifies and reports to the Committees on Appropriations that the requirements in subparagraph (6)(A) are being met.

(C) The Secretary of State may provide assistance, notwithstanding the certification requirements of subparagraphs 6(A) and (B) of this subsection or similar provisions of law in prior Acts making appropriations for the Department of State, foreign operations, and related programs, if the Secretary, after consultation with the Committees on Appropriations, certifies and reports to such Committees that it is important to the national security interest of the United States to provide such assistance: *Provided*, That such report, which may be in classified form if necessary, shall contain a detailed justification and the reasons why any of the requirements of subparagraphs 6(A) or (B) cannot be met.

(b) IRAN.—

(1) The terms and conditions of paragraphs (1) and (2) of section 7041(c) in division I of Public Law 112–74 shall continue in effect during fiscal year 2015 as if part of this Act.

(2)(A) The reporting requirements in section 7043(c) in division F of Public Law 111–117 shall continue in effect during fiscal year 2015 as if part of this Act: *Provided*, That the date in subsection (c)(1) shall be deemed to be "September 30, 2015".

(B) The Secretary of State shall submit to the appropriate congressional committees, not later than 30 days after enactment of this Act and at the end of each 30-day period thereafter until September 30, 2015, a report on the implementation of the Joint Plan of Action between the P5+1 and the Government of Iran concluded on November 24, 2013, and any extension of or successor to that agreement: *Provided*, That the report shall include the information required in House Report 113–499 and Senate Report 113–195, and may be submitted in classified form if necessary.

(c) IRAQ.—

(1) Funds appropriated by this Act may be made available for assistance for Iraq to promote governance, security, and internal and regional stability, including in Kurdistan and other areas impacted by the conflict in Syria, and among Iraq's religious and ethnic minority populations.

(2) None of the funds appropriated by this Act may be made available for construction of a permanent United States consulate in Iraq on property for which no land-use agreement has been entered into by the Governments of the United States and Iraq.

(3) Funds appropriated by this Act under the headings "International Narcotics Control and Law Enforcement" and "Foreign Military Financing Program" that are available for assistance for Iraq should be made available to enhance the capacity of Kurdistan Regional Government security services

and for security programs in Kurdistan to address requirements arising from the violence in Syria and Iraq: *Provided*, That the Secretary of State shall consult with the Committees on Appropriations prior to obligating such funds.

(4) Not later than 90 days after enactment of this Act, the Secretary of State, in consultation with the heads of other relevant United States Government agencies, shall submit a report to the appropriate congressional committees detailing steps taken by the United States Government to address the plight, including resettlement needs, of Iranian dissidents located at Camp Liberty/Hurriya in Iraq.

(d) JORDAN.—Of the funds appropriated by this Act under the headings "Economic Support Fund" and "Foreign Military Financing Program", not less than $1,000,000,000 shall be made available for assistance for Jordan.

(e) LEBANON.—

(1) None of the funds appropriated by this Act may be made available for the Lebanese Internal Security Forces (ISF) or the Lebanese Armed Forces (LAF) if the ISF or the LAF is controlled by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act.

(2) Funds appropriated by this Act under the headings "International Narcotics Control and Law Enforcement" and "Foreign Military Financing Program" that are available for assistance for Lebanon may be made available for programs and equipment for the ISF and the LAF to address security and stability requirements in areas affected by the conflict in Syria, following consultation with the appropriate congressional committees.

(3) Funds appropriated by this Act under the heading "Economic Support Fund" that are available for assistance for Lebanon may be made available notwithstanding section 1224 of Public Law 107–228.

(4) In addition to the activities described in paragraph (2), funds appropriated by this Act under the heading "Foreign Military Financing Program" for assistance for Lebanon may be made available only to professionalize the LAF and to strengthen border security and combat terrorism, including training and equipping the LAF to secure Lebanon's borders, interdicting arms shipments, preventing the use of Lebanon as a safe haven for terrorist groups, and to implement United Nations Security Council Resolution 1701: *Provided*, That funds may not be obligated for assistance for the LAF until the Secretary of State submits to the Committees on Appropriations a detailed spend plan, including actions to be taken to ensure equipment provided to the LAF is only used for the intended purposes, except such plan may not be considered as meeting the notification requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961, and shall be submitted not later than September 1, 2015: *Provided further*, That any notification submitted pursuant to such sections shall include any funds specifically intended for lethal military equipment.

(f) LIBYA.—

(1) None of the funds appropriated by this Act may be made available for assistance for the central Government of

Libya unless the Secretary of State reports to the Committees on Appropriations that such government is cooperating with United States Government efforts to investigate and bring to justice those responsible for the attack on United States personnel and facilities in Benghazi, Libya in September 2012: *Provided*, That the limitation in this paragraph shall not apply to funds made available for the purpose of protecting United States Government personnel or facilities.

(2) Any notification required for assistance for Libya for funds appropriated under title IV of this Act shall include a detailed justification for such assistance, and a description of the vetting procedures used for any individual or unit receiving such assistance.

(3) The limitation on the uses of funds in section 7041(f)(2) of division K of Public Law 113–76 shall apply to funds appropriated by this Act that are made available for assistance for Libya: *Provided*, That prior to the obligation of such funds, the Secretary of State shall take all appropriate steps to ensure that mechanisms are in place for monitoring and control of assistance for Libya.

(4) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees detailing—

(A) the number of claims against Libya filed with the Foreign Claims Settlement Commission pursuant to the Department of State's referral of claims of November 27, 2013 in connection with the Claims Settlement Agreement between the United States of America and the Great Socialist People's Libyan Arab Jamahiriya of August 14, 2008, as implemented pursuant to the Libyan Claims Resolution Act, Public Law 110–301 and Executive Order 13477 dated October 31, 2008;

(B) the amount of remaining balances of funds received by the United States, and held by the United States Treasury, for payment of awards rendered by the Foreign Claims Settlement Commission pursuant to the November 27, 2013 referral; and

(C) the process by which the claims are to be adjudicated.

(g) MOROCCO.—

(1) Funds appropriated under title III of this Act shall be made available for assistance for the Western Sahara: *Provided*, That not later than 90 days after enactment of this Act and prior to the obligation of such funds the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall consult with the Committees on Appropriations on the proposed uses of such funds.

(2) Funds appropriated by this Act under the heading "Foreign Military Financing Program" that are available for assistance for Morocco may only be used for the purposes requested in the Congressional Budget Justification, Foreign Operations, Fiscal Year 2015.

(h) SYRIA.—

(1) Funds appropriated under title III of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available

notwithstanding any other provision of law for non-lethal assistance for programs to address the needs of civilians affected by conflict in Syria, and for programs that seek to—

(A) establish governance in Syria that is representative, inclusive, and accountable;

(B) expand the role of women in negotiations to end the violence and in any political transition in Syria;

(C) develop and implement political processes that are democratic, transparent, and adhere to the rule of law;

(D) further the legitimacy of the Syrian opposition through cross-border programs;

(E) develop civil society and an independent media in Syria;

(F) promote economic development in Syria;

(G) document, investigate, and prosecute human rights violations in Syria, including through transitional justice programs and support for nongovernmental organizations;

(H) counter extremist ideologies; and

(I) assist Syrian refugees whose education has been interrupted by the ongoing conflict to complete higher education requirements at regional academic institutions.

(2) Prior to the obligation of funds appropriated by this Act and made available for assistance for Syria, the Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of such assistance inside Syria: *Provided*, That the Secretary of State shall promptly inform the appropriate congressional committees of each significant instance in which assistance provided pursuant to the authority of this subsection has been compromised, to include the type and amount of assistance affected, a description of the incident and parties involved, and an explanation of the Department of State's response.

(3) Funds appropriated by this Act that are made available for assistance for Syria pursuant to the authority of this subsection may only be made available after the Secretary of State, in consultation with the heads of relevant United States Government agencies, submits, in classified form if necessary, an update to the comprehensive strategy required in section 7041(i)(3) of Public Law 113–76.

(4) Funds made available pursuant to this subsection may only be made available following consultation with the appropriate congressional committees, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(i) WEST BANK AND GAZA.—

(1) REPORT ON ASSISTANCE.—Prior to the initial obligation of funds made available by this Act under the heading "Economic Support Fund" for assistance for the West Bank and Gaza, the Secretary of State shall report to the Committees on Appropriations that the purpose of such assistance is to—

(A) advance Middle East peace;

(B) improve security in the region;

(C) continue support for transparent and accountable government institutions;

(D) promote a private sector economy; or

(E) address urgent humanitarian needs.

(2) LIMITATIONS.—

(A)(i) None of the funds appropriated under the heading "Economic Support Fund" in this Act may be made available for assistance for the Palestinian Authority, if after the date of enactment of this Act—

(I) the Palestinians obtain the same standing as member states or full membership as a state in the United Nations or any specialized agency thereof outside an agreement negotiated between Israel and the Palestinians; or

(II) the Palestinians initiate an International Criminal Court judicially authorized investigation, or actively support such an investigation, that subjects Israeli nationals to an investigation for alleged crimes against Palestinians.

(ii) The Secretary of State may waive the restriction in paragraph (2)(A) resulting from the application of paragraph (2)(A)(i)(I) if the Secretary certifies to the Committees on Appropriations that to do so is in the national security interest of the United States, and submits a report to such Committees detailing how the waiver and the continuation of assistance would assist in furthering Middle East peace.

(B)(i) The President may waive the provisions of section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have not, after the date of enactment of this Act, obtained in the United Nations or any specialized agency thereof the same standing as member states or full membership as a state outside an agreement negotiated between Israel and the Palestinians.

(ii) Not less than 90 days after the President is unable to make the certification and report pursuant to subparagraph (B)(i), the President may waive section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have entered into direct and meaningful negotiations with Israel: *Provided*, That any waiver of the provisions of section 1003 of Public Law 100–204 under subparagraph (B)(i) of this paragraph or under previous provisions of law must expire before the waiver under the preceding sentence may be exercised.

(iii) Any waiver pursuant to this subparagraph shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(3) REDUCTION.—The Secretary of State shall reduce the amount of assistance made available by this Act under the heading "Economic Support Fund" for the Palestinian Authority by an amount the Secretary determines is equivalent to the amount expended by the Palestinian Authority as payments for acts of terrorism by individuals who are imprisoned after being fairly tried and convicted for acts of terrorism and by individuals who died committing acts of terrorism during the

previous calendar year: *Provided*, That the Secretary shall report to the Committees on Appropriations on the amount reduced for fiscal year 2015 prior to the obligation of funds for the Palestinian Authority.

(j) YEMEN.—None of the funds appropriated by this Act for assistance for Yemen may be made available for the Armed Forces of Yemen if such forces are controlled by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act.

AFRICA

SEC. 7042. (a) CENTRAL AFRICAN REPUBLIC.—Funds made available by this Act for assistance for the Central African Republic shall be made available for reconciliation and peacebuilding programs, including activities to promote inter-faith dialogue at the national and local levels, and for programs to prevent crimes against humanity.

(b) COUNTERTERRORISM PROGRAMS.—

(1) Of the funds appropriated by this Act, not less than $63,331,000 should be made available for the Trans-Sahara Counterterrorism Partnership program, and not less than $24,000,000 should be made available for the Partnership for Regional East Africa Counterterrorism program.

(2) Of the funds appropriated by this Act under the heading "Economic Support Fund", $10,000,000 shall be made available for programs to counter extremism in East Africa, in addition to such sums that may otherwise be made available for such purposes.

(c) CRISIS RESPONSE.—Notwithstanding any other provision of law, up to $10,000,000 of the funds appropriated by this Act under the heading "Global Health Programs" for HIV/AIDS activities may be transferred to, and merged with, funds appropriated under the headings "Economic Support Fund" and "Transition Initiatives" to respond to unanticipated crises in Africa, except that funds shall not be transferred unless the Secretary of State certifies to the Committees on Appropriations that no individual currently on antiretroviral therapy supported by such funds shall be negatively impacted by the transfer of such funds: *Provided*, That the authority of this subsection shall be subject to prior consultation with the Committees on Appropriations.

(d) ETHIOPIA.—

(1) Funds appropriated by this Act that are available for assistance for Ethiopian military and police forces shall not be made available until the Secretary of State—

(A) certifies and reports to the Committees on Appropriations that the Government of Ethiopia is implementing policies to—

(i) protect judicial independence; freedom of expression, association, assembly, and religion; the right of political opposition parties, civil society organizations, and journalists to operate without harassment or interference; and due process of law; and

(ii) permit access for human rights and humanitarian organizations to the Somali region of Ethiopia; and

(B) submits a report to the Committees on Appropriations on the types and amounts of United States training and equipment proposed to be provided to the Ethiopian military and police, including steps to ensure that such assistance is not provided in contravention of section 620M of the Foreign Assistance Act of 1961.

(2) The restriction in paragraph (1) shall not apply to assistance made available under the heading "International Military Education and Training" (IMET) in this Act, assistance to Ethiopian military efforts in support of international peacekeeping operations, countering regional terrorism, and border security, and assistance for the Ethiopian Defense Command and Staff College.

(3) Funds appropriated by this Act under the headings "Development Assistance" and "Economic Support Fund" that are available for assistance in the lower Omo and Gambella regions of Ethiopia shall—

(A) not be used to support activities that directly or indirectly involve forced evictions;

(B) support initiatives of local communities to improve their livelihoods; and

(C) be subject to prior consultation with affected populations.

(4) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against financing for any activities that directly or indirectly involve forced evictions in Ethiopia.

(e) EXPANDED INTERNATIONAL MILITARY EDUCATION AND TRAINING.—

(1) Funds appropriated under the heading "International Military Education and Training" in this Act that are made available for assistance for Angola, Cameroon, Chad, Côte d'Ivoire, Guinea, and Zimbabwe may be made available only for training related to international peacekeeping operations, expanded IMET, and professional military education: *Provided*, That the limitation included in this paragraph shall not apply to courses that support training in maritime security.

(2) None of the funds appropriated under the heading "International Military Education and Training" in this Act should be made available for assistance for Equatorial Guinea.

(f) LORD'S RESISTANCE ARMY.—Funds appropriated by this Act shall be made available for programs and activities in areas affected by the Lord's Resistance Army (LRA) consistent with the goals of the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act (Public Law 111–172), including to improve physical access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobilization, and reintegration of former LRA combatants, especially child soldiers.

(g) NIGERIA.—Funds appropriated by this Act that are made available for assistance for Nigeria shall be made available for assistance for women and girls who are targeted by the terrorist organization Boko Haram, consistent with the provisions of section 7059 of this Act, and in consultation with the Government of Nigeria.

(h) PROGRAMS IN AFRICA.—

(1) Of the funds appropriated by this Act under the headings "Global Health Programs" and "Economic Support

Fund", not less than $7,000,000 shall be made available for the purposes of section 7042(g)(1) of division K of Public Law 113–76.

(2) Of the funds appropriated by this Act under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement", not less than $8,000,000 shall be made available for the purposes of section 7042(g)(2) of division K of Public Law 113–76.

(3) Funds made available under paragraphs (1) and (2) shall be programmed in a manner that leverages a United States Government-wide approach to addressing shared challenges and mutually beneficial opportunities, and shall be the responsibility of United States Chiefs of Mission in countries in Africa seeking enhanced partnerships with the United States in areas of trade, investment, development, health, and security.

(i) SOMALIA.—

(1) Funds appropriated by this Act under the heading "Economic Support Fund" that are made available for assistance for Somalia should be used to promote dialogue and reconciliation between the central government and Somali regions, and should be provided in an impartial manner that is based on need and institutional capacity: *Provided*, That such assistance should also be used to strengthen the rule of law and government institutions, support civil society organizations involved in peace building, and support other development priorities including education and employment opportunities.

(2) Funds appropriated in prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for assistance for Somalia, notwithstanding section 7042(h)(2) of division K of Public Law 113–76, following consultation with, and the regular notification procedures of, the Committees on Appropriations.

(j) SOUTH SUDAN.—

(1) Funds appropriated by this Act that are made available for assistance for South Sudan should—

(A) be prioritized for programs that respond to humanitarian needs and the delivery of basic services and to mitigate conflict and promote stability, including to address protection needs and prevent and respond to gender-based violence;

(B) support programs that build resilience of communities to address food insecurity, maintain educational opportunities, and enhance local governance;

(C) be used to advance democracy, including support for civil society, independent media, and other means to strengthen the rule of law;

(D) support the transparent and sustainable management of natural resources by assisting the Government of South Sudan in conducting regular audits of financial accounts, including revenues from oil and gas, and the timely public disclosure of such audits; and

(E) support the professionalization of security forces, including human rights and accountability to civilian authorities.

(2) None of the funds appropriated by this Act that are available for assistance for the central Government of South

Sudan may be made available until the Secretary of State certifies and reports to the Committees on Appropriations that such government is taking steps to—

(A) provide access for humanitarian organizations;

(B) end the use of child soldiers;

(C) support a cessation of hostilities agreement;

(D) protect freedoms of expression, association, and assembly;

(E) reduce corruption related to the extraction and sale of oil and gas; and

(F) establish democratic institutions, including accountable military and police forces under civilian authority.

(3) The limitation of paragraph (2) shall not apply to—

(A) humanitarian assistance;

(B) assistance to directly support South Sudan peace negotiations or to implement a peace agreement; and

(C) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement (CPA) and mutual arrangements related to the CPA.

(k) SUDAN.—

(1) Notwithstanding any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(2) None of the funds appropriated by this Act may be made available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(3) The limitations of paragraphs (1) and (2) shall not apply to—

(A) humanitarian assistance;

(B) assistance for the Darfur region, Southern Kordofan State, Blue Nile State, other marginalized areas and populations in Sudan, and Abyei; and

(C) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement (CPA), mutual arrangements related to post-referendum issues associated with the CPA, or any other internationally recognized viable peace agreement in Sudan.

(l) TRAFFICKING IN CONFLICT MINERALS, WILDLIFE, AND OTHER CONTRABAND.—

(1) None of the funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Rwanda unless the Secretary of State certifies to the Committees on Appropriations that the Government of Rwanda is implementing a policy to cease political, military and/or financial support to armed groups in the Democratic of the Congo (DRC) that have violated human rights or are involved in the illegal exportation of minerals, wildlife, or other contraband.

(2) The restriction in paragraph (1) shall not apply to assistance to improve border controls to prevent the illegal exportation of minerals, wildlife, and other contraband out of the DRC by such groups, to protect humanitarian relief efforts, to support the training and deployment of members of the

Rwandan military in international peacekeeping operations, or to conduct operations against the Lord's Resistance Army.

(m) ZIMBABWE.—

22 USC 2151 note.

(1) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any extension by the respective institution of any loan or grant to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State certifies and reports to the Committees on Appropriations that the rule of law has been restored, including respect for ownership and title to property, and freedoms of expression, association, and assembly.

(2) None of the funds appropriated by this Act shall be made available for assistance for the central Government of Zimbabwe, except for health and education, unless the Secretary of State certifies and reports as required in paragraph (1), and funds may be made available for macroeconomic growth assistance if the Secretary reports to the Committees on Appropriations that such government is implementing transparent fiscal policies, including public disclosure of revenues from the extraction of natural resources.

EAST ASIA AND THE PACIFIC

SEC. 7043. (a) ASIA REBALANCING INITIATIVE.—

(1) ASIA MARITIME SECURITY.—

(A) Funds appropriated by this Act under the headings "International Narcotics Control and Law Enforcement" and "Foreign Military Financing Program" shall be made available for activities to strengthen maritime security in the Asia region: *Provided*, That prior to obligating such funds, the Secretary of State shall consult with the appropriate congressional committees on the uses of such funds on a country-by-country basis and on the specific regional strategic objectives supported by such funds: *Provided further*, That such funds may only be made available for programs for naval forces, coast guards, or other governmental maritime entities and nongovernmental organizations, as appropriate, directly engaged in maritime security issues, and shall be coordinated with other United States Government activities that seek to strengthen maritime security in such region.

(B) Funds appropriated by this Act under the heading "International Military Education and Training" shall be made available for activities to promote the professionalism and capabilities of naval forces, coast guard, or other governmental maritime entities directly engaged in maritime security issues in the Asia region, including to counter piracy and facilitate cooperation on disaster relief efforts.

(C) In addition to the consultation requirement in paragraph (1)(A), not later than 90 days after enactment of this Act, the Secretary of State, in coordination with the heads of other relevant United States Government agencies, shall submit to the appropriate congressional committees a multi-year strategy to increase cooperation on maritime security issues with countries in the Asia region,

including a description of specific regional strategic objectives served by such funds: *Provided*, That such strategy shall include clear goals and objectives, and cost estimates for implementation on an annual, country-by-country and regional basis.

(D) None of the funds appropriated by this Act may be made available for equipment or training for the armed forces of the People's Republic of China.

(E) Funds appropriated under titles III and IV of this Act may be made available by the Secretary of State for the participation by the United States in the Information Sharing Centre located in Singapore, as established by the Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia.

(2) REGIONAL ALLIANCES AND PARTNERSHIPS.—Funds appropriated under title III of this Act that are made available for programs to strengthen regional alliances and partnerships among governments in the Asia region should be matched to the maximum extent practicable and as appropriate from sources other than the United States Government: *Provided*, That prior to the obligation of funds for such programs, the Secretary of State shall certify to the appropriate congressional committees that such regional alliance or partnership is in the national security interest of the United States, and that the program or programs supporting such alliance serve specific strategic objectives, including a description of such objectives and an explanation of how such programs are coordinated with other United States Government programs to rebalance policy toward Asia.

(3) ECONOMIC GROWTH AND TRADE.—

(A) Funds appropriated under title III of this Act that are made available for bilateral economic growth programs in the Asia region shall also be made available to increase United States trade in such region, and for assistance for capacity building activities relating to free trade agreements.

(B) Funds appropriated under title VI of this Act shall be made available to increase United States trade in the Asia region above amounts made available for such purposes in prior fiscal years.

(4) OPERATIONS AND ASSISTANCE CALCULATIONS.—Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees detailing the funds provided for the Asia Rebalancing Initiative for operations and assistance for each fiscal year beginning in fiscal year 2011: *Provided*, That such report shall include total amounts made available for such Initiative for each fiscal year, and shall specify the increased amounts for operations and assistance for the Asia region to support such Initiative.

(5) PUBLIC DIPLOMACY.—

(A) Funds appropriated by this Act under the headings "Educational and Cultural Exchange Programs" and "Economic Support Fund" shall be made available for exchange programs for the Asia region, including for the Young Southeast Asian Leaders Initiative, which should be

matched to the maximum extent practicable and as appropriate from sources other than the United States Government: *Provided*, That such Initiative shall include the participation of representatives of democratic political parties and human rights organizations.

(B) Not later than 180 days after enactment of this Act, the Secretary of State, in consultation with the heads of other relevant United States Government agencies, shall submit to the appropriate congressional committees a report detailing a clear and comprehensive narrative on United States foreign policy for the Asia region, including a description of steps taken to disseminate such narrative among such agencies.

(C) Funds appropriated by this Act under the heading "International Broadcasting Operations" that are made available for the Asia region shall be made available to support the narrative required in subparagraph (B), as appropriate: *Provided*, That not later than 90 days after enactment of this Act, the Broadcasting Board of Governors shall submit a report to the Committees on Appropriations detailing the programs that are attributable to the Asia Rebalancing Initiative, including the costs of such programs.

(6) DEMOCRACY AND HUMAN RIGHTS.—

(A) Funds appropriated by title III of this Act for the Asia Rebalancing Initiative shall be made available to promote and protect democracy and human rights in the Asia region, including for political parties, civil society, and organizations and individuals seeking to advance transparency, accountability, and the rule of law: *Provided*, That such funds shall also be made available, through an open and competitive process, to nongovernmental networks and alliances that seek to promote democracy, human rights, and the rule of law in the Asia region: *Provided further*, That to the maximum extent practicable, such funds should be made available on a grant or cooperative agreement basis.

(B) Funds appropriated by this Act under the headings "Global Health Programs", "Development Assistance", "Economic Support Fund", and "Migration and Refugee Assistance" shall be made available for programs to promote and preserve Tibetan culture and the resilience of Tibetan communities in India and Nepal, and to assist in the education and development of the next generation of Tibetan leaders from such communities: *Provided*, That such funds are in addition to amounts made available for programs inside Tibet in subsection (g)(2) of this section.

(7) CONFLICT RESOLUTION.—Funds appropriated under titles III and IV of this Act shall be made available to address and mitigate conflict in the Asia region arising from ethnic, religious, and territorial disputes.

(8) DEFINITION.—For purposes of this subsection, the Asia region means countries and territories in Oceania, Southeast Asia, and South Asia, and the Indian and Pacific Oceans bordering those countries and territories.

(b) BURMA.—

(1) Funds appropriated by this Act under the heading "Economic Support Fund" may be made available for assistance for Burma notwithstanding any other provision of law: *Provided*, That no such funds shall be made available to any successor or affiliated organization of the State Peace and Development Council (SPDC) controlled by former SPDC members that promotes the repressive policies of the SPDC, or to any individual or organization credibly alleged to have committed gross violations of human rights, including against Rohingyas and other minority groups: *Provided further*, That such funds may be made available for programs administered by the Office of Transition Initiatives, USAID, for ethnic groups and civil society in Burma to help sustain ceasefire agreements and further prospects for reconciliation and peace, which may include support to representatives of ethnic armed groups for this purpose.

(2) Funds appropriated under title III of this Act for assistance for Burma—

(A) may not be made available for budget support for the Government of Burma;

(B) shall be provided to strengthen civil society organizations in Burma, including as core support for such organizations;

(C) shall be made available for community-based organizations operating in Thailand to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma, in addition to assistance for Burmese refugees from funds appropriated by this Act under the heading "Migration and Refugee Assistance";

(D) shall be made available for parliamentary strengthening programs; and

(E) shall be made available for ethnic and religious reconciliation programs, including in ceasefire areas, as appropriate, and to address the Rohingya and Kachin crises.

(3) None of the funds appropriated by this Act under the headings "International Military Education and Training" and "Foreign Military Financing Program" may be made available for assistance for Burma: *Provided*, That the Department of State may continue consultations with the armed forces of Burma only on human rights and disaster response in a manner consistent with the prior fiscal year, and following consultation with the appropriate congressional committees.

(4) Funds made available by this Act for assistance for Burma shall be made available for the implementation of the democracy and human rights strategy required by section 7043(b)(3)(A) of division K of Public Law 113–76: *Provided*, That the United States Chief of Mission in Burma, in consultation with the Assistant Secretary for the Bureau of Democracy, Human Rights, and Labor, Department of State (DRL), shall be responsible for democracy and human rights programs in Burma: *Provided further*, That not less than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees detailing steps taken by the United States and other international donors to protect human rights and address conflict in Rakhine State.

(5) Funds appropriated by this Act shall only be made available for assistance for the central Government of Burma if the Secretary of State certifies and reports to the appropriate congressional committees that such government has implemented reforms, in consultation with Burma's political opposition and ethnic groups, providing for free and fair presidential and parliamentary elections, to include participation of citizens as voters and candidates: *Provided*, That the Secretary of State may waive the requirements of this paragraph if the Secretary certifies and reports to the Committees on Appropriations that to do so is important to the democratic development of Burma, including a detailed justification for such waiver.

(6) Any new program or activity in Burma initiated in fiscal year 2015 shall be subject to prior consultation with the appropriate congressional committees.

(7) Notwithstanding any provision of law, the position established by section 7 of Public Law 110–286 shall remain vacant following the expiration of the current term.

50 USC 1701 note.

(8)(A) Section 3(3) of Public Law 112–192 (October 5, 2012) is amended by inserting after "Public Law 112–74" the phrase "and shall also include the Multilateral Investment Guarantee Agency".

50 USC 1701 note.

(B) The amendment made in subparagraph (A) shall only take effect if the Secretary of State certifies and reports to the Committees on Appropriations by September 30, 2015 that the Government of Burma has implemented reforms, in consultation with Burma's political opposition and ethnic groups, providing for free and fair presidential and parliamentary elections.

(c) CAMBODIA.—

(1) Funds appropriated under title III of this Act for assistance for Cambodia shall be made available for democracy and human rights programs: *Provided*, That such funds shall not include the costs associated with a United States contribution to a Khmer Rouge tribunal: *Provided further*, That decisions regarding the uses of such funds shall be the responsibility of the United States Chief of Mission in Cambodia, in consultation with the Assistant Secretary for DRL, and should include programs that seek to—

(A) strengthen Cambodian civil society;

(B) promote transparent and accountable parliamentary and electoral processes;

(C) provide access to justice for political prisoners and individuals whose land has been confiscated through extralegal means;

(D) protect the rights, livelihood and traditions of minority groups in Cambodia;

(E) support research and documentation on the Khmer Rouge genocide, including in a regional context; and

(F) support efforts to educate the people of Cambodia on such genocide.

(2) Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading "Development Assistance" shall be made available for basic education programs in Cambodia.

(3) Funds appropriated by this Act may not be made available for a United States contribution to a Khmer Rouge tribunal until the Secretary of State reports to the appropriate congressional committees on whether—

(A) international donors, in cooperation with the Government of Cambodia, have determined an estimate of costs and a timeline associated with the winding down of such tribunal;

(B) the workings of the tribunal are free of interference by the Government of Cambodia; and

(C) the Government of Cambodia is making financial contributions to such tribunal in a manner consistent with its pledges.

(4) The Secretary of State shall consult with international donors to the Khmer Rouge tribunal on a plan to reimburse the Documentation Center of Cambodia for costs incurred in support of the work of such tribunal: *Provided*, That not later than 90 days after enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report detailing the steps taken to develop such plan.

(d) NORTH KOREA.—

(1) Funds made available under the heading "International Broadcasting Operations" in title I of this Act shall be made available to maintain broadcasts into North Korea.

(2) Funds appropriated by this Act under the heading "Migration and Refugee Assistance" shall be made available for assistance for refugees from North Korea, including for protection activities in the People's Republic of China.

(3) None of the funds made available by this Act under the heading "Economic Support Fund" may be made available for assistance for the government of North Korea.

(e) PEOPLE'S REPUBLIC OF CHINA.—

(1) None of the funds appropriated under the heading "Diplomatic and Consular Programs" in this Act may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China unless, at least 15 days in advance, the Committees on Appropriations are notified of such proposed action.

(2) The terms and requirements of section 620(h) of the Foreign Assistance Act of 1961 shall apply to foreign assistance projects or activities of the People's Liberation Army (PLA) of the People's Republic of China, to include such projects or activities by any entity that is owned or controlled by, or an affiliate of, the PLA: *Provided*, That none of the funds appropriated or otherwise made available pursuant to this Act may be used to finance any grant, contract, or cooperative agreement with the PLA, or any entity that the Secretary of State has reason to believe is owned or controlled by, or an affiliate of, the PLA.

(3) Funds appropriated by this Act for public diplomacy under title I and for assistance under titles III and IV shall be made available to counter the influence of the People's Republic of China, in accordance with the strategy required by section 7043(e)(3) of division K of Public Law 113–76, following consultation with the Committees on Appropriations.

(f) PHILIPPINES.—Funds appropriated by this Act under the heading "Foreign Military Financing Program" that are available for assistance for the Philippine army should only be made available in accordance with the conditions under this section in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(g) TIBET.—

(1) The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support financing of projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans, are based on a thorough needs-assessment, foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions, and are subject to effective monitoring.

(2) Notwithstanding any other provision of law, funds appropriated by this Act under the heading "Economic Support Fund" shall be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development, education, and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China.

(h) VIETNAM.—Funds appropriated by this Act under the heading "Economic Support Fund" shall be made available for remediation of dioxin contaminated sites in Vietnam and may be made available for assistance for the Government of Vietnam, including the military, for such purposes, and funds appropriated under the heading "Development Assistance" shall be made available for health/disability activities in areas sprayed with Agent Orange or otherwise contaminated with dioxin.

SOUTH AND CENTRAL ASIA

SEC. 7044. (a) AFGHANISTAN.—

(1) OPERATIONS AND REPORTS.—

(A) Funds appropriated by this Act under the headings "Diplomatic and Consular Programs", "Embassy Security, Construction, and Maintenance", and "Operating Expenses" that are available for the construction and renovation of United States Government facilities in Afghanistan may not be made available if the purpose is to accommodate Federal employee positions or to expand aviation facilities or assets above those notified by the Department of State and the United States Agency for International Development (USAID) to the Committees on Appropriations, or contractors in addition to those in place on the date of enactment of this Act: *Provided*, That the limitations in this paragraph shall not apply if funds are necessary to protect such facilities or the security, health, and welfare of United States personnel.

(B) Of the funds appropriated by this Act under the headings "Diplomatic and Consular Programs" and "Operating Expenses" that are made available for operations

in Afghanistan, 15 percent shall be withheld from obligation until the Secretary of State, in consultation with the Secretary of Defense and the USAID Administrator, submits to the Committees on Appropriations, in classified form if necessary, an update of the report required by section 7044(a)(1)(B) of division K of Public Law 113–76.

(2) ASSISTANCE.—Funds appropriated by this Act under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" for assistance for Afghanistan—

(A) may not be used to support any program, project, or activity that—

(i) does not have regular oversight by the Department of State or USAID, as appropriate, to include site visits;

(ii) involves any individual or organization that the Secretary of State determines to be involved in corrupt practices; or

(iii) initiates new major infrastructure;

(B) shall only be made available for programs that the Government of Afghanistan or other Afghan entity is capable of sustaining, as appropriate and as determined by the United States Chief of Mission;

(C) shall be prioritized for programs that promote women's economic and political empowerment, strengthen and protect the rights of women and girls, and to implement the United States Embassy Kabul Gender Strategy; and

(D) shall be implemented in accordance with all applicable audit policies of the Department of State and USAID.

(3) NOTIFICATION AND CERTIFICATION REQUIREMENT.—Funds appropriated by this Act under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" for assistance for the central Government of Afghanistan shall be subject to the regular notification procedures of the Committees on Appropriations, and may not be obligated unless the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Afghanistan is—

(A) implementing laws or policies to govern democratically and protect the rights of individuals and civil society;

(B) implementing the Bilateral Security Agreement with the United States;

(C) taking consistent steps to protect and advance the rights of women and girls in Afghanistan;

(D) implementing the necessary policies and procedures to comply with section 7013 of this Act; and

(E) reducing corruption and recovering stolen assets.

(4) WAIVER.—The Secretary of State, after consultation with the Secretary of Defense, may waive the certification requirement of paragraph (3) if the Secretary of State determines that to do so is important to the national security interest of the United States and the Secretary submits a report to the Committees on Appropriations, in classified form if necessary, on the justification for the waiver and the reasons why any part of the certification requirement of paragraph (3) has not been met.

(5) RULE OF LAW PROGRAMS.—Of the funds appropriated by this Act that are available for assistance for Afghanistan, not less than $50,000,000 shall be made available for rule of law programs: *Provided*, That decisions regarding the uses of such funds shall be the responsibility of the Coordinating Director, in consultation with other appropriate United States Government officials in Afghanistan, and such Director shall be consulted on the uses of all funds appropriated by this Act for rule of law programs in Afghanistan.

(6) FUNDING REDUCTION.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are available for assistance for the Government of Afghanistan shall be reduced by $5 for every $1 that the Government of Afghanistan imposes in taxes, duties, penalties, or other fees on the transport of property of the United States Government (including the United States Armed Forces), entering or leaving Afghanistan.

(7) ENDOWMENT TO EMPOWER WOMEN AND GIRLS.—Funds appropriated under the heading "Economic Support Fund" in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for an endowment to empower women and girls in Afghanistan, following consultation with the appropriate congressional committees.

(8) AUTHORITIES.—

(A) Funds appropriated under titles III through VI of this Act that are made available for assistance for Afghanistan may be made available—

(i) notwithstanding section 7012 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961; and

(ii) for reconciliation programs and disarmament, demobilization, and reintegration activities for former combatants who have renounced violence against the Government of Afghanistan in accordance with section 7046(a)(2)(B)(ii) of Public Law 112–74.

(B) Section 7046(a)(2)(A) of division I of Public Law 112–74 shall apply to funds appropriated by this Act for assistance for Afghanistan.

(9) AFGHANISTAN REGIONAL TRANSITION.—Funds made available by this Act for assistance for Afghanistan may be made available for programs in Central and South Asia relating to a transition in Afghanistan, including expanding Afghanistan linkages within the region: *Provided*, That such funds shall be the responsibility of the Assistant Secretary for the Bureau of South and Central Asian Affairs, Department of State, and the coordinator designated pursuant to section 601 of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179) and section 102 of the FREEDOM Support Act (Public Law 102–511): *Provided further*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

(10) BASE RIGHTS.—None of the funds made available by this Act may be used by the United States Government to enter into a permanent basing rights agreement between the United States and Afghanistan.

(b) BANGLADESH.—Funds appropriated by this Act under the heading "Development Assistance" that are made available for assistance for Bangladesh shall be made available for programs to improve labor conditions by strengthening the capacity of independent workers' organizations in Bangladesh's readymade garment, shrimp, and fish export sectors.

(c) NEPAL.—

(1) Funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Nepal only if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Nepal is investigating and prosecuting violations of human rights and the laws of war, and the Nepal army is cooperating fully with civilian judicial authorities, including providing investigators access to witnesses, documents, and other information.

(2) The conditions in paragraph (1) shall not apply to assistance for humanitarian relief and reconstruction activities in Nepal, or for training to participate in international peacekeeping missions.

(d) PAKISTAN.—

(1) CERTIFICATION REQUIREMENT.—None of the funds appropriated or otherwise made available by this Act under the headings "Economic Support Fund", "International Narcotics Control and Law Enforcement", and "Foreign Military Financing Program" for assistance for the Government of Pakistan may be made available unless the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Pakistan is—

(A) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(B) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(C) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(D) preventing the proliferation of nuclear-related material and expertise;

(E) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(F) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(2) WAIVER.—The Secretary of State, after consultation with the Secretary of Defense, may waive the certification requirement of paragraph (1) if the Secretary of State determines that to do so is important to the national security interest

of the United States and the Secretary submits a report to the Committees on Appropriations, in classified form if necessary, on the justification for the waiver and the reasons why any part of the certification requirement of paragraph (1) has not been met.

(3) ASSISTANCE.—

(A) Funds appropriated by this Act under the heading "Foreign Military Financing Program" for assistance for Pakistan may be made available only to support counterterrorism and counterinsurgency capabilities in Pakistan, and are subject to section 620M of the Foreign Assistance Act of 1961.

(B) Funds appropriated by this Act under the headings "Economic Support Fund" and "Nonproliferation, Anti-terrorism, Demining and Related Programs" that are available for assistance for Pakistan shall be made available to interdict precursor materials from Pakistan to Afghanistan that are used to manufacture IEDs, including calcium ammonium nitrate; to support programs to train border and customs officials in Pakistan and Afghanistan; and for agricultural extension programs that encourage alternative fertilizer use among Pakistani farmers.

(C) Funds appropriated by this Act under the heading "Economic Support Fund" that are made available for assistance for infrastructure projects in Pakistan shall be implemented in a manner consistent with section 507(6) of the Trade Act of 1974 (19 U.S.C. 2467(6)).

(D) Funds appropriated by this Act under titles III and IV for assistance for Pakistan may be made available notwithstanding any other provision of law, except for this subsection.

(E) Of the funds appropriated under titles III and IV of this Act that are made available for assistance for Pakistan, $33,000,000 shall be withheld from obligation until the Secretary of State reports to the Committees on Appropriations that Dr. Shakil Afridi has been released from prison and cleared of all charges relating to the assistance provided to the United States in locating Osama bin Laden.

(4) SCHOLARSHIPS FOR WOMEN.—

(A) Funds appropriated by this Act under the heading "Economic Support Fund" that are made available for assistance for Pakistan shall be made available to increase the number of scholarships for women under the Merit and Needs-Based Scholarship Program during fiscal year 2015.

(B) The additional scholarships available pursuant to this subsection shall be awarded in accordance with other scholarship eligibility criteria already established by USAID.

(C) Additional scholarships funded pursuant to this subsection shall be awarded for a range of disciplines to improve the employability of graduates and to meet the needs of scholarship recipients.

(D) Not less than 50 percent of the scholarships available under such Program should be awarded to Pakistani women.

(5) REPORTS.—

(A)(i) The spend plan required by section 7076 of this Act for assistance for Pakistan shall include achievable and sustainable goals, benchmarks for measuring progress, and expected results regarding combating poverty and furthering development in Pakistan, countering extremism, and establishing conditions conducive to the rule of law and transparent and accountable governance: *Provided*, That such benchmarks may incorporate those required in title III of Public Law 111–73, as appropriate: *Provided further*, That not later than 6 months after submission of such spend plan, and each 6 months thereafter until September 30, 2016, the Secretary of State shall submit a report to the Committees on Appropriations on the status of achieving the goals and benchmarks in such plan.

(ii) The Secretary of State should suspend assistance for the Government of Pakistan if any report required by paragraph (A)(i) indicates that Pakistan is failing to make measurable progress in meeting such goals or benchmarks.

(B) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the costs and objectives associated with significant infrastructure projects supported by the United States in Pakistan, and an assessment of the extent to which such projects achieve such objectives.

(e) SRI LANKA.—

(1) None of the funds appropriated by this Act under the heading "Foreign Military Financing Program" may be made available for assistance for Sri Lanka, no defense export license may be issued, and no military equipment or technology shall be sold or transferred to Sri Lanka pursuant to the authorities contained in this Act or any other Act, unless the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Sri Lanka is meeting the conditions under this subsection in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(2) Paragraph (1) shall not apply to assistance for humanitarian demining, disaster relief, and aerial and maritime surveillance.

(3) If the Secretary makes the certification required in paragraph (1), funds appropriated under the heading "Foreign Military Financing Program" that are made available for assistance for Sri Lanka should be used to support the recruitment of Tamils into the Sri Lankan military in an inclusive and transparent manner, Tamil language training for Sinhalese military personnel, and human rights training for all military personnel.

(4) Funds appropriated under the heading "International Military Education and Training" (IMET) in this Act that are available for assistance for Sri Lanka, may be made available only for training related to international peacekeeping operations and expanded IMET: *Provided*, That the limitation in this paragraph shall not apply to maritime security.

(5) The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to vote against any loan, agreement, or other financial support for Sri Lanka except to meet basic human needs, unless the Secretary of State makes the certification to the Committees on Appropriations required in paragraph (1).

(f) REGIONAL PROGRAMS.—

(1) Funds appropriated by this Act under the heading "Economic Support Fund" for assistance for Afghanistan and Pakistan may be provided, notwithstanding any other provision of law that restricts assistance to foreign countries, for cross border stabilization and development programs between Afghanistan and Pakistan, or between either country and the Central Asian countries.

(2) Funds appropriated by this Act under the heading "International Narcotics Control and Law Enforcement" that are available for assistance for countries in South and Central Asia should be made available to enhance the recruitment, retention, and professionalism of women in police and other security forces.

WESTERN HEMISPHERE

SEC. 7045. (a) CENTRAL AMERICAN MIGRATION PREVENTION AND RESPONSE.—

(1) STRATEGY.—Not later than 90 days after enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development (USAID), and after consultation with the heads of other relevant Federal agencies and the Committees on Appropriations, shall submit to such Committees a strategy to address the key factors in the countries in Central America contributing to the migration of unaccompanied, undocumented minors to the United States: *Provided*, That such strategy shall include a clear mission statement, achievable goals and objectives, benchmarks, timelines, and a spend plan: *Provided further*, That funds appropriated under titles III and IV of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be made available to implement such strategy, subject to the regular notification procedures of the Committees on Appropriations.

(2) BORDER SECURITY.—The strategy required by paragraph (1) shall address the need for greater border security for the countries in Central America and for Mexico, particularly the southern border of Mexico: *Provided*, That funds shall be made available by this Act to assist such countries to improve border security.

(3) ECONOMIC AND SOCIAL DEVELOPMENT.—The strategy required by paragraph (1) shall include economic and social development programs, with a focus on communities that are major contributors of unaccompanied migrants and where there is significant gang activity.

(4) JUDICIAL AND LAW ENFORCEMENT REFORM.—The strategy required by paragraph (1) shall include judicial and police reform and capacity building programs, with a focus

on strengthening judicial independence and community policing.

(5) TRAFFICKING IN PERSONS.—The strategy required by paragraph (1) shall include activities to combat human trafficking in Central America, including through the use of forensic technology: *Provided*, That funds in this Act shall be made available to support a multi-faceted approach to combat human trafficking in Guatemala.

(6) REPATRIATION AND REINTEGRATION.—The strategy required by paragraph (1) shall address the need for the safe repatriation and reintegration of minors into families or family-like settings: *Provided*, That funds shall be made available to support repatriation facilities for the processing of undocumented migrants returning from the United States.

(7) Not later than 60 days after submission of the strategy required by paragraph (1), and every 120 days thereafter until September 30, 2016, the Secretary of State, in consultation with the USAID Administrator, shall submit a report to the Committees on Appropriations on progress toward achieving the goals and objectives contained in such strategy and an updated spend plan, as appropriate: *Provided*, That such report shall specify the amount of funds obligated and expended pursuant to this section by country and the steps taken by the government of each country to—

(A) improve border security;

(B) enforce laws and policies to reduce the flow of illegal migrants to the United States, including to increase penalties for human smuggling;

(C) conduct public outreach campaigns to explain the dangers of the journey to the southwest border of the United States, and to inform potential migrants of relevant United States immigration laws; and

(D) cooperate with United States Federal agencies to facilitate and expedite the return, repatriation, and reintegration of illegal migrants arriving at the southwest border of the United States.

(8) SUSPENSION OF ASSISTANCE.—The Secretary of State shall suspend further obligation of funds provided pursuant to this subsection for assistance for the government of a country if the Secretary determines and reports to the appropriate congressional committees that such government is not taking the steps specified in subparagraphs (A) through (D) of paragraph (7).

(b) COLOMBIA.—

(1) Funds appropriated by this Act and made available to the Department of State for assistance for the Government of Colombia may be used to support a unified campaign against narcotics trafficking, organizations designated as Foreign Terrorist Organizations, and other criminal or illegal armed groups, and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: *Provided*, That the first through fifth provisos of paragraph (1), and paragraph (3) of section 7045(a) of division I of Public Law 112–74 shall continue in effect during fiscal year 2015 and shall apply to funds appropriated by this Act and made available for assistance for Colombia as if included in this Act: *Provided further*, That 10 percent of the funds

appropriated by this Act for the Colombian national police for aerial drug eradication programs may not be used for the aerial spraying of chemical herbicides unless the Secretary of State certifies to the Committees on Appropriations that the herbicides do not pose unreasonable risks or adverse effects to humans, including pregnant women and children, or the environment, including endemic species: *Provided further*, That any complaints of harm to health or licit crops caused by such aerial spraying shall be thoroughly investigated and evaluated, and fair compensation paid in a timely manner for meritorious claims: *Provided further*, That of the funds appropriated by this Act under the heading "Economic Support Fund", not less than $133,000,000 shall be apportioned directly to USAID for alternative development/institution building, local governance programs, and support for victims of the violence in Colombia.

(2) LIMITATION.—Of the funds appropriated by this Act under the heading "Foreign Military Financing Program" that are available for assistance for Colombia, 25 percent may be obligated only in accordance with the conditions under section 7045 in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(c) CUBA.—Funds appropriated by this Act under the heading "Economic Support Fund" should be made available for programs in Cuba.

(d) GUATEMALA.—Funds appropriated by this Act may be made available for assistance for the Guatemalan army only in accordance with the conditions under section 7045 in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(e) HAITI.—

(1) None of the funds appropriated by this Act may be made available for assistance for the central Government of Haiti until the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Haiti—

(A) is taking steps to hold free and fair parliamentary elections and to seat a new Haitian Parliament;

(B) is selecting judges in a transparent manner and respecting the independence of the judiciary;

(C) is combating corruption, including implementing the anti-corruption law by prosecuting corrupt officials; and

(D) is improving governance and implementing financial transparency and accountability requirements for government institutions.

(2) The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.) for the Coast Guard.

(f) HONDURAS.—

(1) Of the funds appropriated by this Act under the headings "International Narcotics Control and Law Enforcement" and "Foreign Military Financing Program" that are available for assistance for the Honduran army and police, 25 percent may be obligated only in accordance with the conditions under section 7045 in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(2) The restriction in paragraph (1) shall not apply to assistance to promote transparency, anti-corruption, border and maritime security, respect for the rule of law within the army and police, and to combat human trafficking.

(g) MEXICO.—

(1) Prior to the obligation of 15 percent of the funds appropriated by this Act under the headings "International Narcotics Control and Law Enforcement" and "Foreign Military Financing Program" that are available for assistance for the Mexican army and police, the Secretary of State shall report in writing to the Committees on Appropriations that the Government of Mexico is meeting the conditions under section 7045 in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(2) The restriction in paragraph (1) shall not apply to assistance to promote transparency, anti-corruption, border and maritime security, and respect for the rule of law within the army and police.

(3) Not later than 45 days after the enactment of this Act, the Secretary of State, in consultation with the Commissioner for the United States Section of the International Boundary and Water Commission (IBWC), shall report to the Committees on Appropriations on the efforts to work with the Mexico Section of the IBWC and the Government of Mexico to establish mechanisms to improve the transparency of data on, and predictability of, the water deliveries from Mexico to the United States to meet annual water apportionments to the Rio Grande, in accordance with the 1944 Treaty between the United States and Mexico Respecting Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, and on actions taken to minimize or eliminate the water deficits owed to the United States in the current 5-year cycle by the end of such cycle: *Provided*, That such report shall include a projection of the balance of the water delivery deficit at the end of the current 5-year cycle, as well as the estimated impact to the United States of a negative delivery balance.

(h) AIRCRAFT OPERATIONS AND MAINTENANCE.—To the maximum extent practicable, the costs of operations and maintenance, including fuel, of aircraft funded by this Act should be borne by the recipient country.

(i) TRADE CAPACITY.—Funds appropriated by this Act under the headings "Development Assistance" and "Economic Support Fund" should be made available for labor and environmental capacity building activities relating to free trade agreements with countries of Central America, Colombia, Peru, and the Dominican Republic.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 7046. None of the funds appropriated or made available pursuant to titles III through VI of this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation

at international conferences held under the auspices of multilateral or international organizations.

WAR CRIMES TRIBUNALS

SEC. 7047. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided,* That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): *Provided further,* That funds made available pursuant to this section shall be made available subject to the regular notification procedures of the Committees on Appropriations.

UNITED NATIONS

SEC. 7048. (a) TRANSPARENCY AND ACCOUNTABILITY.—Of the funds appropriated under title I and under the heading "International Organizations and Programs" in title V of this Act that are available for contributions to the United Nations (including the Department of Peacekeeping Operations), any United Nations agency, or the Organization of American States, 15 percent may not be obligated for such organization, department, or agency until the Secretary of State reports to the Committees on Appropriations that the organization, department, or agency is—

(1) posting on a publicly available Web site, consistent with privacy regulations and due process, regular financial and programmatic audits of such organization, department, or agency, and providing the United States Government with necessary access to such financial and performance audits; and

(2) effectively implementing and enforcing policies and procedures which reflect best practices as defined in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) for the protection of whistleblowers from retaliation, including best practices for—

(A) protection against retaliation for internal and lawful public disclosures;

(B) legal burdens of proof;

(C) statutes of limitation for reporting retaliation;

(D) access to independent adjudicative bodies, including external arbitration; and

(E) results that eliminate the effects of proven retaliation.

(b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS AND ORGANIZATIONS.—

(1) None of the funds made available under title I of this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such agency, body, or commission is chaired or presided over by a country, the government of which the

Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. App. 2405(j)(1)), supports international terrorism.

(2) None of the funds made available under title I of this Act may be used by the Secretary of State as a contribution to any organization, agency, commission, or program within the United Nations system if such organization, agency, commission, or program is chaired or presided over by a country the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, section 6(j)(1) of the Export Administration Act of 1979, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(3) The Secretary of State may waive the restriction in this subsection if the Secretary reports to the Committees on Appropriations that to do so is in the national interest of the United States.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—Funds appropriated by this Act may be made available to support the United Nations Human Rights Council only if the Secretary of State reports to the Committees on Appropriations that participation in the Council is in the national interest of the United States: *Provided*, That the Secretary of State shall report to the Committees on Appropriations not later than September 30, 2015, on the resolutions considered in the United Nations Human Rights Council during the previous 12 months, and on steps taken to remove Israel as a permanent agenda item.

(d) UNITED NATIONS RELIEF AND WORKS AGENCY.—The Secretary of State shall submit a report in writing to the Committees on Appropriations not less than 45 days after enactment of this Act on whether the United Nations Relief and Works Agency is—

(1) utilizing Operations Support Officers in the West Bank, Gaza, and other fields of operation to inspect UNRWA installations and reporting any inappropriate use;

(2) acting promptly to address any staff or beneficiary violation of its own policies (including the policies on neutrality and impartiality of employees) and the legal requirements under section 301(c) of the Foreign Assistance Act of 1961;

(3) implementing procedures to maintain the neutrality of its facilities, including implementing a no-weapons policy, and conducting regular inspections of its installations, to ensure they are only used for humanitarian or other appropriate purposes;

(4) taking necessary and appropriate measures to ensure it is operating in compliance with the conditions of section 301(c) of the Foreign Assistance Act of 1961 and continuing regular reporting to the Department of State on actions it has taken to ensure conformance with such conditions;

(5) taking steps to ensure the content of all educational materials currently taught in UNRWA-administered schools and summer camps is consistent with the values of human rights, dignity, and tolerance and does not induce incitement;

(6) not engaging in operations with financial institutions or related entities in violation of relevant United States law,

and is taking steps to improve the financial transparency of the organization; and

(7) in compliance with the United Nations Board of Auditors' biennial audit requirements and is implementing in a timely fashion the Board's recommendations.

(e) UNITED NATIONS CAPITAL MASTER PLAN.—None of the funds made available in this Act may be used for the design, renovation, or construction of the United Nations Headquarters in New York.

(f) WAIVER.—The restrictions imposed by or pursuant to subsection (a) may be waived on a case-by-case basis by the Secretary of State if the Secretary determines and reports to the Committees on Appropriations that such waiver is necessary to avert or respond to a humanitarian crisis.

(g) REPORT.—Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the amount of funds available for obligation or expenditure in fiscal year 2015 for contributions to any organization, department, agency, or program within the United Nations system or any international program that are withheld from obligation or expenditure due to any provision of law: *Provided*, That the Secretary of State shall update such report each time additional funds are withheld by operation of any provision of law: *Provided further*, That the reprogramming of any withheld funds identified in such report, including updates thereof, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 7049. (a) AUTHORITY.—Funds made available by titles III and IV of this Act to carry out the provisions of chapter 1 of part I and chapters 4 and 6 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, anti-corruption, strategic planning, and through assistance to foster civilian police roles that support democratic governance, including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations.

PROHIBITION ON PROMOTION OF TOBACCO

SEC. 7050. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

INTERNATIONAL CONFERENCES

SEC. 7051. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States

Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State reports to the Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term "international conference" shall mean a conference attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

AIRCRAFT TRANSFER AND COORDINATION

SEC. 7052. (a) TRANSFER AUTHORITY.—Notwithstanding any other provision of law or regulation, aircraft procured with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings "Diplomatic and Consular Programs", "International Narcotics Control and Law Enforcement", "Andean Counterdrug Initiative", and "Andean Counterdrug Programs" may be used for any other program and in any region, including for the transportation of active and standby Civilian Response Corps personnel and equipment during a deployment: *Provided*, That the responsibility for policy decisions and justification for the use of such transfer authority shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated.

(b) PROPERTY DISPOSAL.—The authority provided in subsection (a) shall apply only after the Secretary of State determines and reports to the Committees on Appropriations that the equipment is no longer required to meet programmatic purposes in the designated country or region: *Provided*, That any such transfer shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) AIRCRAFT COORDINATION.—

(1) The uses of aircraft purchased or leased by the Department of State and the United States Agency for International Development (USAID) with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the appropriate Chief of Mission: *Provided*, That such aircraft may be used to transport, on a reimbursable or non-reimbursable basis, Federal and non-Federal personnel supporting Department of State and USAID programs and activities: *Provided further*, That official travel for other agencies for other purposes may be supported on a reimbursable basis, or without reimbursement when traveling on a space available basis: *Provided further*, That funds received by the Department of State for the use of aircraft owned, leased, or chartered by the Department of State may be credited to the Department's Working Capital Fund and shall be available for expenses related to the purchase, lease, maintenance, chartering, or operation of such aircraft.

(2) The requirement and authorities of this subsection shall only apply to aircraft, the primary purpose of which is the transportation of personnel.

PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN GOVERNMENTS

SEC. 7053. The terms and conditions of section 7055 of division F of Public Law 111–117 shall apply to this Act: *Provided*, That the date "September 30, 2009" in subsection (f)(2)(B) shall be deemed to be "September 30, 2014".

LANDMINES AND CLUSTER MUNITIONS

SEC. 7054. (a) LANDMINES.—Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the Secretary of State may prescribe.

(b) CLUSTER MUNITIONS.—No military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

(1) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational environments, and the agreement applicable to the assistance, transfer, or sale of such cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians; or

(2) such assistance, license, sale, or transfer is for the purpose of demilitarizing or permanently disposing of such cluster munitions.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 7055. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress: *Provided*, That not to exceed $25,000 may be made available to carry out the provisions of section 316 of Public Law 96–533.

LIMITATION ON RESIDENCE EXPENSES

SEC. 7056. Of the funds appropriated or made available pursuant to title II of this Act, not to exceed $100,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

22 USC 3948 note.

SEC. 7057. (a) AUTHORITY.—Up to $93,000,000 of the funds made available in title III of this Act pursuant to or to carry out the provisions of part I of the Foreign Assistance Act of 1961

may be used by the United States Agency for International Development (USAID) to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.

(b) RESTRICTIONS.— 22 USC 3948 note.

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2016.

(c) CONDITIONS.—The authority of subsection (a) should only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other non-direct hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, are eliminated. 22 USC 3948 note.

(d) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which such individual's responsibilities primarily relate: *Provided*, That funds made available to carry out this section may be transferred to, and merged with, funds appropriated by this Act in title II under the heading "Operating Expenses". 22 USC 3948 note.

(e) FOREIGN SERVICE LIMITED EXTENSIONS.—Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, pursuant to the authority of section 309 of the Foreign Service Act of 1980, may be extended for a period of up to 4 years notwithstanding the limitation set forth in such section. 22 USC 3948 note.

(f) DISASTER SURGE CAPACITY.—Funds appropriated under title III of this Act to carry out part I of the Foreign Assistance Act of 1961 may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to natural disasters, or man-made disasters subject to the regular notification procedures of the Committees on Appropriations.

(g) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Food for Peace Act (Public Law 83–480), may be used by USAID to employ up to 40 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: *Provided*, That not more than 15 of such contractors shall be assigned to any bureau or office: *Provided further*, That such funds appropriated to carry out title II of the Food for Peace Act (Public Law 83–480), may be made available only for personal services contractors assigned to the Office of Food for Peace.

(h) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, USAID may provide an exception to the fair opportunity process for placing

task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(i) SENIOR FOREIGN SERVICE LIMITED APPOINTMENTS.—Individuals hired pursuant to the authority provided by section 7059(o) of division F of Public Law 111–117 may be assigned to or support programs in Afghanistan or Pakistan with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(j) LOCAL SUSTAINABLE DEVELOPMENT.—Not later than 180 days after enactment of this Act and after consultation with the appropriate congressional committees, the USAID Administrator shall submit to such committees a plan, including a timeline and resources required by fiscal year, to incorporate the following components into USAID Foreign Service training, assignment, and promotion practices in order to enable all Foreign Service Officers to effectively apply local sustainable development principles to USAID assistance programs:

(1) a time period for overseas assignments that facilitates sustainable development, and which includes the option of extending such assignments;

(2) sufficient foreign language training;

(3) expertise in one or more program areas;

(4) work objectives that give Foreign Service Officers primary responsibility for developing relationships with, and building the capacity of, local nongovernmental and governmental entities, and supporting grants to and cooperative agreements with such entities to design and implement small-scale, sustainable programs, projects, and activities across all development sectors;

(5) incentives, including training, compensation, and career development opportunities including promotions, to encourage such officers to carry out their responsibilities; and

(6) procedures to ensure that the responsibilities and assignments of relevant locally employed staff are fully integrated with the work of such officers.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) IN GENERAL.—Funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for provisions under the heading "Global Health Programs" and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: *Provided*, That of the funds appropriated under title III of this Act, not less than $575,000,000 should be made available for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species.

(b) GLOBAL FUND.—

(1) Of the funds appropriated by this Act that are available for a contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), 10 percent should be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that—

(A) the Global Fund is maintaining and implementing a policy of transparency, including the authority of the Global Fund Office of the Inspector General (OIG) to publish OIG reports on a public Web site;

(B) the Global Fund is providing sufficient resources to maintain an independent OIG that—

(i) reports directly to the Board of the Global Fund;

(ii) maintains a mandate to conduct thorough investigations and programmatic audits, free from undue interference; and

(iii) compiles regular, publicly published audits and investigations of financial, programmatic, and reporting aspects of the Global Fund, its grantees, recipients, sub-recipients, and Local Fund Agents;

(C) the Global Fund maintains an effective whistleblower policy to protect whistleblowers from retaliation, including confidential procedures for reporting possible misconduct or irregularities; and

(D) the Global Fund is implementing the recommendations contained in the Consolidated Transformation Plan approved by the Board of the Global Fund on November 21, 2011.

(2) The withholding required by this subsection shall not be in addition to funds that are withheld from the Global Fund in fiscal year 2015 pursuant to the application of any other provision contained in this or any other Act.

(c) CONTAGIOUS INFECTIOUS DISEASE OUTBREAKS.—If the Secretary of State determines and reports to the Committees on Appropriations that an international infectious disease outbreak is sustained, severe, and is spreading internationally, or that it is in the national interest to respond to a Public Health Emergency of International Concern, funds made available under title III of this Act may be made available to combat such infectious disease or public health emergency: *Provided*, That funds made available pursuant to the authority of this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

GENDER EQUALITY

SEC. 7059. (a) GENDER EQUALITY.—Funds appropriated by this Act shall be made available to promote gender equality in United States Government diplomatic and development efforts by raising the status, increasing the participation, and protecting the rights of women and girls worldwide.

(b) WOMEN'S LEADERSHIP.—Of the funds appropriated by title III of this Act, not less than $50,000,000 shall be made available to increase leadership opportunities for women in countries where women and girls suffer discrimination due to law, policy, or practice, by strengthening protections for women's political status, expanding women's participation in political parties and elections, and increasing women's opportunities for leadership positions in the public and private sectors at the local, provincial, and national levels.

(c) GENDER-BASED VIOLENCE.—

(1)(A) Of the funds appropriated by titles III and IV of this Act, not less than $150,000,000 shall be made available

to implement a multi-year strategy to prevent and respond to gender-based violence in countries where it is common in conflict and non-conflict settings.

(B) Funds appropriated by titles III and IV of this Act that are available to train foreign police, judicial, and military personnel, including for international peacekeeping operations, shall address, where appropriate, prevention and response to gender-based violence and trafficking in persons, and shall promote the integration of women into the police and other security forces.

(2) Department of State and United States Agency for International Development gender programs shall incorporate coordinated efforts to combat a variety of forms of gender-based violence, including child marriage, rape, female genital cutting and mutilation, and domestic violence, among other forms of gender-based violence in conflict and non-conflict settings.

(d) WOMEN, PEACE, AND SECURITY.—Funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", and "International Narcotics Control and Law Enforcement" should be made available to support a multi-year strategy to expand, and improve coordination of, United States Government efforts to empower women as equal partners in conflict prevention, peace building, transitional processes, and reconstruction efforts in countries affected by conflict or in political transition, and to ensure the equitable provision of relief and recovery assistance to women and girls.

SECTOR ALLOCATIONS

SEC. 7060. (a) EDUCATION.—

(1) BASIC EDUCATION.—

(A) Of the funds appropriated under title III of this Act, not less than $800,000,000 should be made available for assistance for basic education, and such funds may be made available notwithstanding any provision of law that restricts assistance to foreign countries, except for the conditions provided in this subsection: *Provided*, That not later than 60 days after enactment of this Act, the Administrator of the United States Agency for International Development (USAID) shall report to the Committees on Appropriations on the status of cumulative unobligated balances and obligated, but unexpended, balances in each country where USAID provides basic education assistance and such report shall also include details on the types of contracts and grants provided and the goals and objectives of such assistance: *Provided further*, That the Administrator shall update such report on a monthly basis thereafter until the unobligated and unexpended balances for such assistance are less than the amount made available by this paragraph for basic education assistance: *Provided further*, That the initial report shall also include a detailed plan, timeline, and the current status of assistance for basic education.

(B) USAID shall ensure that programs supported with funds appropriated for basic education in this Act and prior Acts making appropriations for the Department of

State, foreign operations, and related programs are integrated, as appropriate, with health, agriculture, governance, and economic and social development activities to address the broader needs of target populations: *Provided*, That USAID shall work to achieve quality universal basic education by—

(i) assisting foreign governments, nongovernmental, and multilateral organizations working in developing countries to provide children with a quality basic education, including through strengthening host country educational systems; and

(ii) promoting basic education as the foundation for comprehensive community development programs.

(C) Of the funds appropriated by this Act under title III for basic education, not less than $45,000,000 shall be made available for a contribution to multilateral partnerships that support education.

(2) HIGHER EDUCATION.—Of the funds appropriated by title III of this Act, not less than $225,000,000 shall be made available for assistance for higher education, of which not less than $35,000,000 shall be to support such programs in Africa, including $17,500,000 for human and institutional capacity development partnerships between higher education institutions in Africa and the United States.

(3) DEFINITION.—For purposes of funds appropriated under title III of this Act, the term "democracy programs" in section 7032(c) of this Act shall also include programs to rescue scholars, and fellowships, scholarships, and exchanges in the Middle East and North Africa for academic professionals and university students from countries in such region, subject to the regular notification procedures of the Committees on Appropriations.

(b) COUNTERING VIOLENT EXTREMISM.—Funds appropriated by titles I, III, and IV of this Act may be made available for programs to reduce support for foreign terrorist organizations (FTOs), as designated pursuant to section 219 of the Immigration and Nationality Act, through messaging campaigns to damage their appeal; programs for potential supporters of violent extremism; counter radicalization and rehabilitation programs in prisons; job training and social reintegration for former supporters of FTOs; law enforcement training programs; and capacity building for civil society organizations to combat radicalization in local communities: *Provided*, That for purposes of this subsection the term "countering violent extremism" shall be defined as non-coercive interventions aimed directly at reducing public support for FTOs: *Provided further*, That not later than 180 days after enactment of this Act, the Secretary of State, in consultation with the heads of other relevant United States Government agencies, shall submit to the appropriate congressional committees a multi-year strategy to counter violent extremism, including a description of the objectives of such strategy, oversight mechanisms for programs to carry out such strategy, and multi-year cost estimates.

(c) ENVIRONMENT PROGRAMS.—

(1) IN GENERAL.—Of the funds appropriated by this Act, not less than $1,153,500,000 should be made available for environment programs.

(2) CLEAN ENERGY.—The limitation in section 7081(b) of division F of Public Law 111–117 shall continue in effect during fiscal year 2015 as if part of this Act: *Provided*, That the proviso contained in such section shall not apply.

(3) ADAPTATION AND MITIGATION.—Funds appropriated by this Act may be made available for United States contributions to multilateral environmental funds and facilities to support adaptation and mitigation programs only in accordance with the directives under this subsection in the joint explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(4) SUSTAINABLE LANDSCAPES AND BIODIVERSITY.—Of the funds appropriated under title III of this Act, not less than $123,500,000 shall be made available for sustainable landscapes programs and, in addition, not less than $250,000,000 shall be made available to protect biodiversity, and shall not be used to support or promote the expansion of industrial scale logging or any other industrial scale extractive activity into areas that were primary/intact tropical forest as of December 30, 2013: *Provided*, That of the funds made available for the Central African Regional Program for the Environment and other tropical forest programs in the Congo Basin, not less than $17,500,000 shall be apportioned directly to the United States Fish and Wildlife Service (USFWS): *Provided further,* That funds made available for the Department of the Interior (DOI) for programs in the Mayan Biosphere Reserve shall be apportioned directly to the DOI: *Provided further,* That such funds shall be made available to support other international conservation programs of the USFWS, programs of the United States Forest Service, and programs to protect great apes and other endangered species.

(5) WILDLIFE POACHING AND TRAFFICKING.—

(A) Not less than $55,000,000 of the funds appropriated under titles III and IV of this Act shall be made available to combat the transnational threat of wildlife poaching and trafficking, including not less than $10,000,000 for programs to combat rhinoceros poaching.

(B) None of the funds appropriated under title IV of this Act may be made available for training or other assistance for any military unit or personnel that the Secretary of State determines has been credibly alleged to have participated in wildlife poaching or trafficking, unless the Secretary reports to the Committees on Appropriations that to do so is in the national security interest of the United States.

(6) AUTHORITY.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law except for the provisions of this subsection and subject to the regular notification procedures of the Committees on Appropriations, to support environment programs.

(7) EXTRACTION OF NATURAL RESOURCES.—

(A) Funds appropriated by this Act shall be made available to promote and support transparency and accountability of expenditures and revenues related to the extraction of natural resources, including by strengthening

implementation and monitoring of the Extractive Industries Transparency Initiative, implementing and enforcing section 8204 of Public Law 110–246 and to prevent the sale of conflict diamonds, and provide technical assistance to promote independent audit mechanisms and support civil society participation in natural resource management.

(B)(i) The Secretary of the Treasury shall inform the management of the international financial institutions and post on the Department of the Treasury's Web site that it is the policy of the United States to vote against any assistance by such institutions (including but not limited to any loan, credit, grant, or guarantee) for the extraction and export of a natural resource if the government of the country has in place laws, regulations, or procedures to prevent or limit the public disclosure of company payments as required by section 1504 of Public Law 111–203, and unless such government has adopted laws, regulations, or procedures in the sector in which assistance is being considered for—

(I) accurately accounting for and public disclosure of payments to the host government by companies involved in the extraction and export of natural resources;

(II) the independent auditing of accounts receiving such payments and public disclosure of the findings of such audits; and

(III) public disclosure of such documents as Host Government Agreements, Concession Agreements, and bidding documents, allowing in any such dissemination or disclosure for the redaction of, or exceptions for, information that is commercially proprietary or that would create competitive disadvantage.

(ii) The requirements of clause (i) shall not apply to assistance for the purpose of building the capacity of such government to meet the requirements of this subparagraph.

(C) The Secretary of the Treasury or the Secretary of State, as appropriate, shall instruct the United States executive director of each international financial institution and the United States representatives to all forest-related multilateral financing mechanisms and processes to vote against any financing to support or promote the expansion of industrial scale logging or any other industrial scale extractive activity into areas that were primary/intact tropical forest as of December 30, 2013.

(D) The Secretary of the Treasury shall instruct the United States executive director of each international financial institution that it is the policy of the United States to vote in relation to any loan, grant, strategy, or policy of such institution to support the construction of any large dam, only in accordance with the conditions under this section in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(E)(i) Not later than 120 days after enactment of this Act, the USAID Administrator shall designate sufficient personnel with the technical expertise to fulfill the agency's responsibilities under sections 1302, 1303, and 1307 of

title XIII of the International Financial Institutions Act of 1977, as amended, including the ability for personnel with such expertise from other relevant United States Government agencies to be detailed to USAID, as needed, which may be on a non-reimbursable basis, to provide additional technical support and specific subject matter reviews as part of USAID's Title XIII analytical, investigative, and reporting responsibilities: *Provided*, That the responsibilities of such personnel shall include, but not be limited to—

(I) conducting independent, technical, and thorough reviews of proposed multilateral development bank (MDB) projects at the technical assessment/feasibility stage prior to the drafting of environmental impact assessments;

(II) conducting reviews, and coordinating and compiling the analyses by other relevant United States Government agencies with technical expertise of environmental impact assessments in support of the project review process, to assist in fulfilling USAID's responsibilities under section 1303(c) of the International Financial Institutions Act, as amended; and

(III) ongoing monitoring of MDB projects reviewed pursuant to USAID's Title XIII reporting responsibilities to determine the degree of incorporation and effectiveness of United States Government recommendations and the adequacy of safeguard policies.

(ii) Not later than 45 days after enactment of this Act, the USAID Administrator shall consult with the Committees on Appropriations on the implementation of this subsection.

(8) TRANSFER OF FUNDS.—Not later than 120 days after enactment of this Act, the Secretary of State, after consultation with the Secretary of the Treasury, shall transfer $29,907,000 of funds appropriated under the heading "Economic Support Fund" to funds appropriated by this Act under the headings "Multilateral Assistance, International Financial Institutions" for additional payments to trust funds enumerated under such headings: *Provided*, That prior to exercising such transfer authority the Secretary of State shall consult with the Committees on Appropriations.

22 USC 7909 note.

(9) CONTINUATION OF PRIOR LAW.—Section 7081(g)(2) and (4) of division F of Public Law 111–117 shall continue in effect during fiscal year 2015 as if part of this Act.

(d) FOOD SECURITY AND AGRICULTURAL DEVELOPMENT.—

(1) Of the funds appropriated by title III of this Act, not less than $1,000,600,000 should be made available for food security and agricultural development programs, of which $32,000,000 shall be made available for the Feed the Future Collaborative Research Innovation Lab: *Provided*, That such funds may be made available notwithstanding any other provision of law to address food shortages, and for a United States contribution to the endowment of the Global Crop Diversity Trust.

(2) Funds appropriated under title III of this Act may be made available as a contribution to the Global Agriculture and Food Security Program if such contribution will not cause the United States to exceed 33 percent of the total amount of funds contributed to such Program.

(e) MICROENTERPRISE AND MICROFINANCE.—Of the funds appropriated by this Act, not less than $265,000,000 should be made available for microenterprise and microfinance development programs for the poor, especially women.

(f) RECONCILIATION PROGRAMS.—Of the funds appropriated by this Act under the headings "Economic Support Fund" and "Development Assistance", not less than $26,000,000 shall be made available to support people-to-people reconciliation programs which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil strife and war: *Provided*, That the USAID Administrator shall consult with the Committees on Appropriations, prior to the initial obligation of funds, on the uses of such funds: *Provided further,* That to the maximum extent practicable, such funds shall be matched by sources other than the United States Government.

(g) TRAFFICKING IN PERSONS.—Of the funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", and "International Narcotics Control and Law Enforcement", not less than $52,500,000 shall be made available for activities to combat trafficking in persons internationally.

(h) WATER AND SANITATION.—Of the funds appropriated by this Act, not less than $382,500,000 shall be made available for water and sanitation supply projects pursuant to the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121), of which not less than $145,000,000 should be for programs in sub-Saharan Africa, and of which not less than $12,500,000 shall be made available for programs to design and build safe, public latrines in Africa and Asia.

(i) NOTIFICATION REQUIREMENTS.—Authorized deviations from funding levels contained in this section shall be subject to the regular notification procedures of the Committees on Appropriations.

UZBEKISTAN

SEC. 7061. The terms and conditions of section 7076 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8) shall apply to funds appropriated by this Act, except that the Secretary of State may waive the application of section 7076(a) for a period of not more than 6 months and every 6 months thereafter until September 30, 2016, if the Secretary certifies to the Committees on Appropriations that the waiver is in the national security interest and necessary to obtain access to and from Afghanistan for the United States, and the waiver includes an assessment of progress, if any, by the Government of Uzbekistan in meeting the requirements in section 7076(a): *Provided*, That the Secretary of State, in consultation with the Secretary of Defense, shall submit a report to the Committees on Appropriations not later than 12 months after enactment of this Act and 6 months thereafter, on all United States Government assistance provided to the Government of Uzbekistan and expenditures made in support of the Northern

Distribution Network in Uzbekistan during the previous 12 months, including any credible information that such assistance or expenditures are being diverted for corrupt purposes: *Provided further*, That information provided in the assessment and report required by the previous provisos shall be unclassified but may be accompanied by a classified annex and such annex shall indicate the basis for such classification: *Provided further*, That for purposes of the application of section 7076(e) to this Act, the term "assistance" shall not include expanded international military education and training.

ARMS TRADE TREATY

SEC. 7062. None of the funds appropriated by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

UNITED NATIONS POPULATION FUND

SEC. 7063. (a) CONTRIBUTION.—Of the funds made available under the heading "International Organizations and Programs" in this Act for fiscal year 2015, $35,000,000 shall be made available for the United Nations Population Fund (UNFPA).

(b) AVAILABILITY OF FUNDS.—Funds appropriated by this Act for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to the "Global Health Programs" account and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available by this Act may be used by UNFPA for a country program in the People's Republic of China.

(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Funds made available by this Act for UNFPA may not be made available unless—

(1) UNFPA maintains funds made available by this Act in an account separate from other accounts of UNFPA and does not commingle such funds with other sums; and

(2) UNFPA does not fund abortions.

(e) REPORT TO CONGRESS AND DOLLAR-FOR-DOLLAR WITHHOLDING OF FUNDS.—

(1) Not later than 4 months after the date of enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations indicating the amount of funds that UNFPA is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(2) If a report under paragraph (1) indicates that UNFPA plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

REQUESTS FOR DOCUMENTS

SEC. 7064. None of the funds appropriated or made available pursuant to titles III through VI of this Act shall be available to a nongovernmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

INTERNATIONAL PRISON CONDITIONS

SEC. 7065. Funds appropriated under the headings "Development Assistance", "Economic Support Fund", and "International Narcotics Control and Law Enforcement" in this Act shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961, for assistance to eliminate inhumane conditions in foreign prisons and other detention facilities: *Provided*, That decisions regarding the uses of such funds shall be the responsibility of the Assistant Secretary of State for Democracy, Human Rights, and Labor (DRL), in consultation with the Assistant Secretary of State for International Narcotics Control and Law Enforcement Affairs, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development, as appropriate: *Provided further*, That the Assistant Secretary of State for DRL shall consult with the Committees on Appropriations prior to the obligation of funds.

PROHIBITION ON USE OF TORTURE

SEC. 7066. (a) None of the funds made available in this Act may be used to support or justify the use of torture, cruel, or inhumane treatment by any official or contract employee of the United States Government.

(b) Funds appropriated under titles III and IV of this Act shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961 and following consultation with the Committees on Appropriations, for assistance to eliminate torture by foreign police, military or other security forces in countries receiving assistance from funds appropriated by this Act.

EXTRADITION

SEC. 7067. (a) None of the funds appropriated in this Act may be used to provide assistance (other than funds provided under the headings "International Disaster Assistance", "Complex Crises Fund", "International Narcotics Control and Law Enforcement", "Migration and Refugee Assistance", "United States Emergency Refugee and Migration Assistance Fund", and "Nonproliferation, Antiterrorism, Demining and Related Assistance") for the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole or for killing a law enforcement officer, as specified in a United States extradition request.

(b) Subsection (a) shall only apply to the central government of a country with which the United States maintains diplomatic relations and with which the United States has an extradition

treaty and the government of that country is in violation of the terms and conditions of the treaty.

(c) The Secretary of State may waive the restriction in subsection (a) on a case-by-case basis if the Secretary certifies to the Committees on Appropriations that such waiver is important to the national interests of the United States.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 7068. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt, and the North Atlantic Treaty Organization (NATO), and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 7069. (a) None of the funds appropriated by this Act may be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: *Provided*, That except as otherwise provided in section 7070(a) of this Act, funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States: *Provided further*, That prior to executing the authority contained in this subsection the Department of State shall consult with the Committees on Appropriations on how such assistance supports the national interest of the United States.

(b) Funds appropriated by this Act under the heading "Economic Support Fund" may be made available, notwithstanding any other provision of law, except for the limitation contained in section 7070(a) of this Act, for assistance and related programs for the countries identified in section 3(c) of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179) and section 3 of the FREEDOM Support Act (Public Law 102–511) and may be used to carry out the provisions of those Acts: *Provided*, That such assistance and related programs from funds appropriated by this Act under the headings "Global Health Programs", "Economic Support Fund", and "International Narcotics Control and Law Enforcement" shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 601 of the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179) and section 102 of the FREEDOM Support Act (Public Law 102–511).

(c) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104–201 or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee, or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

RUSSIA

SEC. 7070. (a) None of the funds appropriated by this Act may be made available for assistance for the central Government of the Russian Federation.

(b)(1) None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has taken affirmative steps intended to support or be supportive of the Russian Federation annexation of Crimea: *Provided*, That except as otherwise provided in subsection (a), the Secretary may waive the restriction on assistance required by this paragraph if the Secretary certifies to such Committees that to do so is in the national interest of the United States, and includes a justification for such interest.

(2) None of the funds appropriated by this Act may be made available for—

(A) the implementation of any action or policy that recognizes the sovereignty of the Russian Federation over Crimea;

(B) the facilitation, financing, or guarantee of United States Government investments in Crimea, if such activity includes the participation of Russian Government officials, and Russian owned and controlled banks, or other Russian Government owned and controlled financial entities; or

(C) assistance for Crimea, if such assistance includes the participation of Russian Government officials, and Russian owned and controlled banks, and other Russian Government owned and controlled financial entities.

(3) The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to vote against any assistance by such institution (including but not limited to any loan, credit, or guarantee) for any program that violates the sovereignty or territorial integrity of Ukraine.

(4) The requirements of subsection (b) shall cease to be in effect if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Ukraine has reestablished sovereignty over Crimea.

(c) Funds appropriated by this Act under the heading "Economic Support Fund" in title III to counter Russian aggression and influence in Central and Eastern Europe and Central Asia may be

transferred to, and merged with, funds appropriated under the headings "International Narcotics Control and Law Enforcement" and "Foreign Military Financing Program" in title IV: *Provided*, That such transfer authority is in addition to transfer authority otherwise available under any other provision of law: *Provided further*, That such transfer authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(d) Funds appropriated by this Act for assistance for the Eastern Partnership countries shall be made available to advance the implementation of Association Agreements, trade agreements, and visa liberalization agreements with the European Union, and to reduce their vulnerability to external economic and political pressure from the Russian Federation.

(e) Funds appropriated by this Act shall be made available to support the advancement of democracy and the rule of law in the Russian Federation, including to promote Internet freedom, and shall also be made available to support the democracy and rule of law strategy required by section 7071(d) of division K of Public Law 113–76.

(f) Not later than 45 days after enactment of this Act, the Secretary of State shall update the reports required by section 7071(b)(2), (c), and (e) of division K of Public Law 113–76.

INTERNATIONAL MONETARY FUND

SEC. 7071. (a) The terms and conditions of sections 7086(b)(1) and (2) and 7090(a) of division F of Public Law 111–117 shall apply to this Act.

(b) The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (IMF) to seek to ensure that any loan will be repaid to the IMF before other private creditors.

(c) The Secretary of the Treasury shall seek to require that the IMF implements and enforces policies and procedures which reflect best practices as defined in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) for the protection of whistleblowers from retaliation, including best practices for—

(1) protection against retaliation for internal and lawful public disclosures;

(2) legal burdens of proof;

(3) statutes of limitation for reporting retaliation;

(4) access to independent adjudicative bodies, including external arbitration; and

(5) results that eliminate the effects of proven retaliation.

PUBLIC POSTING OF REPORTS

SEC. 7072. (a) Any agency receiving funds made available by this Act shall, subject to subsections (b) and (c), post on the public Web site of such agency any report required by this Act to be submitted to the Committees on Appropriations, upon a determination by the head of such agency that to do so is in the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of such report would compromise national security, including the conduct of diplomacy; or

(2) the report contains proprietary, privileged, or sensitive information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the Committees on Appropriations for not less than 45 days.

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 7073. (a) Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of $20,000,000 of the funds appropriated under title III of this Act may be transferred to, and merged with, funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: *Provided,* That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: *Provided further,* That designated funding levels in this Act shall not be transferred pursuant to this section: *Provided further,* That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) Notwithstanding section 235(a)(2) of the Foreign Assistance Act of 1961, the authority of subsections (a) through (c) of section 234 of such Act shall remain in effect until September 30, 2015.

22 USC 2194 note.

SPECIAL DEFENSE ACQUISITION FUND

SEC. 7074. Not to exceed $100,000,000 may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act for the purposes of the Special Defense Acquisition Fund (Fund), to remain available for obligation until September 30, 2017: *Provided,* That the provision of defense articles and defense services to foreign countries or international organizations from the Fund shall be subject to the concurrence of the Secretary of State.

ENTERPRISE FUNDS

SEC. 7075. (a) None of the funds made available under titles III through VI of this Act may be made available for Enterprise Funds unless the appropriate congressional committees are notified at least 15 days in advance.

(b) Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the appropriate congressional committees a plan for the distribution of the assets of the Enterprise Fund.

(c) Prior to a transition to and operation of any private equity fund or other parallel investment fund under an existing Enterprise Fund, the President shall submit such transition or operating plan to the appropriate congressional committees.

BUDGET DOCUMENTS

SEC. 7076. (a) OPERATING PLANS.—Not later than 45 days after the date of enactment of this Act, each department, agency, or organization funded in titles I, II, and VI of this Act, and the Department of the Treasury and Independent Agencies funded in title III of this Act, including the Inter-American Foundation and

the United States African Development Foundation, shall submit to the Committees on Appropriations an operating plan for funds appropriated to such department, agency, or organization in such titles of this Act, or funds otherwise available for obligation in fiscal year 2015, that provides details of the uses of such funds at the program, project, and activity level: *Provided*, That such plans shall include, as applicable, a comparison between the most recent congressional directives or approved funding levels and the funding levels proposed by the department or agency; and a clear, concise, and informative description/justification: *Provided further*, That operating plans for funds for such department, agency, or organization in titles I, II, or III and title VIII, shall simultaneously submit the operating plans for, and integrated information on, enduring and Overseas Contingency Operations funds: *Provided further*, That operating plans that include changes in levels of funding specified in this Act or in the joint explanatory statement described in section 4 (in the matter preceding division A of this Consolidated Act) shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) SPEND PLANS.—

(1) Prior to the initial obligation of funds, the Secretary of State shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act, for—

(A) assistance for Afghanistan, Colombia, Egypt, Haiti, Iraq, Lebanon, Libya, Mexico, Pakistan, the West Bank and Gaza, and Yemen;

(B) the Caribbean Basin Security Initiative, the Central American Regional Security Initiative, the Trans-Sahara Counterterrorism Partnership program, and the Partnership for Regional East Africa Counterterrorism program; and

(C) democracy programs and each sector enumerated in section 7060 of this Act.

(2) Not later than 45 days after enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act under the headings "Department of the Treasury" in title III and "International Financial Institutions" in title V.

(c) SPENDING REPORT.—Not later than 45 days after enactment of this Act, the USAID Administrator shall submit to the Committees on Appropriations a detailed report on spending of funds made available during fiscal year 2014 under the heading "Development Credit Authority".

(d) NOTIFICATIONS.—The spend plans referenced in subsection (b) shall not be considered as meeting the notification requirements in this Act or under section 634A of the Foreign Assistance Act of 1961.

(e) CONGRESSIONAL BUDGET JUSTIFICATIONS.—

(1) The congressional budget justifications for Department of State operations and foreign operations shall be provided to the Committees on Appropriations concurrent with the date of submission of the President's budget for fiscal year 2016.

(2) The Secretary of State and the USAID Administrator shall include in the congressional budget justification a detailed justification for multi-year availability for any funds requested

under the headings "Diplomatic and Consular Programs" and "Operating Expenses".

USE OF FUNDS IN CONTRAVENTION OF THIS ACT

SEC. 7077. If the President makes a determination not to comply with any provision of this Act on constitutional grounds, the head of the relevant Federal agency shall notify the Committees on Appropriations in writing within 5 days of such determination, the basis for such determination and any resulting changes to program and policy.

GLOBAL INTERNET FREEDOM

SEC. 7078. (a) Of the funds available for obligation during fiscal year 2015 under the headings "International Broadcasting Operations", "Economic Support Fund", and "Democracy Fund", not less than $50,500,000 shall be made available for programs to promote Internet freedom globally: *Provided*, That such programs shall be prioritized for countries whose governments restrict freedom of expression on the Internet, and that are important to the national interests of the United States: *Provided further*, That funds made available pursuant to this section shall be matched, to the maximum extent practicable, by sources other than the United States Government, including from the private sector.

(b) Funds made available pursuant to subsection (a) shall be—

(1) coordinated with other democracy, governance, and broadcasting programs funded by this Act under the headings "International Broadcasting Operations", "Economic Support Fund", "Democracy Fund", and "Complex Crises Fund", and shall be incorporated into country assistance, democracy promotion, and broadcasting strategies, as appropriate;

(2) made available to the Bureau of Democracy, Human Rights, and Labor, Department of State for programs to implement the May 2011, International Strategy for Cyberspace and the comprehensive strategy to promote Internet freedom and access to information in Iran, as required by section 414 of Public Law 112–158;

(3) made available to the Broadcasting Board of Governors (BBG) to provide tools and techniques to access the Internet Web sites of BBG broadcasters that are censored, and to work with such broadcasters to promote and distribute such tools and techniques, including digital security techniques;

(4) made available for programs that support the efforts of civil society to counter the development of repressive Internet-related laws and regulations, including countering threats to Internet freedom at international organizations; to combat violence against bloggers and other users; and to enhance digital security training and capacity building for democracy activists; and

(5) made available for research of key threats to Internet freedom; the continued development of technologies that provide or enhance access to the Internet, including circumvention tools that bypass Internet blocking, filtering, and other censorship

techniques used by authoritarian governments; and maintenance of the United States Government's technological advantage over such censorship techniques: *Provided*, That the Secretary of State, in consultation with the BBG, shall coordinate any such research and development programs with other relevant United States Government departments and agencies in order to share information, technologies, and best practices, and to assess the effectiveness of such technologies.

(c) After consultation among the relevant agency heads to coordinate and de-conflict planned activities, but not later than 90 days after enactment of this Act, the Secretary of State and the BBG Chairman shall submit to the Committees on Appropriations spend plans for funds made available by this Act for programs to promote Internet freedom globally, which shall include a description of safeguards established by relevant agencies to ensure that such programs are not used for illicit purposes.

(d) The Comptroller General of the United States shall conduct an audit of Internet freedom programs supported by funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, and shall consult with the Committees on Appropriations on the scope and requirements of such audit.

DISABILITY PROGRAMS

SEC. 7079. (a) Funds appropriated by this Act under the heading "Economic Support Fund" shall be made available for programs and activities administered by the United States Agency for International Development (USAID) to address the needs and protect and promote the rights of people with disabilities in developing countries, including initiatives that focus on independent living, economic self-sufficiency, advocacy, education, employment, transportation, sports, and integration of individuals with disabilities, including for the cost of translation.

(b) Of the funds made available by this section, 5 percent may be used for USAID for management, oversight, and technical support.

SMALL GRANTS PROGRAM

22 USC 2152i.

SEC. 7080. (a) IN GENERAL.—A Small Grants Program (SGP) shall be established within the United States Agency for International Development (USAID) to provide small grants, cooperative agreements, and other assistance mechanisms and agreements of not more than $2,000,000 for the purpose of carrying out the provisions of chapters 1 and 10 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961: *Provided*, That the SGP established pursuant to this section shall replace the function served previously by the Development Grants Program established under section 674 of division J, of Public Law 110–161, which is hereby abolished.

(b) ELIGIBILITY.—Grants from the SGP shall only be made to eligible entities as described in the joint explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(c) PROPOSALS.—Grants made pursuant to the authority of this section shall be provided through—

(1) unsolicited applications received and evaluated pursuant to USAID policy regarding such proposals; or

(2) an open and competitive process.

(d) FUNDING.—

(1) Of the funds appropriated by this Act to carry out chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $45,000,000 shall be made available for the SGP within USAID's Local Sustainability Office of the Bureau for Economic Growth, Education and Environment to carry out this subsection.

(2) Other than to meet the requirements of this section, funds made available to carry out this section may not be allocated in the report required by section 653(a) of the Foreign Assistance Act of 1961 to meet any other specifically designated funding levels contained in this Act: *Provided*, That such funds may be attributed to any such specifically designated funding level after the award of funds under this section, if applicable.

(3) Funds made available under this section shall remain available for obligation until September 30, 2019.

(e) MANAGEMENT.—

(1) Not later than 120 days after enactment of this Act, the USAID Administrator shall issue guidance to implement this section: *Provided*, That such guidance shall include the requirements contained in the joint explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(2) Upon selection of a mission pursuant to the procedures required by paragraph (1), such selected mission may be allocated the full estimated cost of the multi-year program: *Provided*, That such allocations shall be subject to the regular notification procedures of the Committees on Appropriations.

(3) In addition to funds otherwise available for such purposes, up to 12 percent of the funds made available to carry out this section may be used by USAID for administrative and oversight expenses associated with managing relationships with entities under the SGP.

(f) REPORT.—Not later than 120 days after enactment of this Act and after consultation with the appropriate congressional committees, the Administrator shall submit a report to such committees describing the guidance to implement the SGP.

PROHIBITION ON FIRST-CLASS TRAVEL

SEC. 7081. None of the funds made available in this Act may be used for first-class travel by employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

REPORTING REQUIREMENTS CONCERNING INDIVIDUALS DETAINED AT NAVAL STATION, GUANTANAMO BAY, CUBA

SEC. 7082. Not later than 5 days after the conclusion of an agreement with a country, including a state with a compact of free association with the United States, to receive by transfer or release individuals detained at United States Naval Station, Guantanamo Bay, Cuba, the Secretary of State shall notify the Committees on Appropriations in writing of the terms of the agreement, including whether funds appropriated by this Act or prior

Acts making appropriations for the Department of State, foreign operations, and related programs will be made available for assistance for such country pursuant to such agreement.

AUTHORITY FOR REPLENISHMENTS

SEC. 7083. (a) The Asian Development Bank Act, Public Law 89–369, as amended (22 U.S.C. 285 et seq.), is further amended by adding at the end thereof the following new section:

22 USC 285ff.

"SEC. 35. TENTH REPLENISHMENT.

"(a) The United States Governor of the Bank is authorized to contribute, on behalf of the United States, $359,600,000 to the tenth replenishment of the resources of the Fund, subject to obtaining the necessary appropriations.

"(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, $359,600,000 for payment by the Secretary of the Treasury.".

(b) The International Development Association Act, Public Law 86–565, as amended (22 U.S.C. 284 et seq.), is further amended by adding at the end thereof the following new sections:

22 USC 284z.

"SEC. 28. SEVENTEENTH REPLENISHMENT.

"(a) The United States Governor of the International Development Association is authorized to contribute on behalf of the United States $3,871,800,000 to the seventeenth replenishment of the resources of the Association, subject to obtaining the necessary appropriations.

"(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, $3,871,800,000 for payment by the Secretary of the Treasury.

22 USC 284aa.

"SEC. 29. MULTILATERAL DEBT RELIEF.

"(a) The Secretary of the Treasury is authorized to contribute, on behalf of the United States, not more than $565,020,000 to the International Development Association for the purpose of funding debt relief costs under the Multilateral Debt Relief Initiative incurred in the period governed by the seventeenth replenishment of resources of the International Development Association, subject to obtaining the necessary appropriations and without prejudice to any funding arrangements in existence on the date of the enactment of this section.

"(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, not more than $565,020,000 for payment by the Secretary of the Treasury.

"(c) In this section, the term 'Multilateral Debt Relief Initiative' means the proposal set out in the G8 Finance Ministers' Communique entitled 'Conclusions on Development,' done at London, June 11, 2005, and reaffirmed by G8 Heads of State at the Gleneagles Summit on July 8, 2005.".

(c) The African Development Fund Act, Public Law 94–302, as amended (22 U.S.C. 290g et seq.), is further amended by adding at the end thereof the following new sections:

"SEC. 223. THIRTEENTH REPLENISHMENT. 22 USC 290g–22.

"(a) The United States Governor of the Fund is authorized to contribute on behalf of the United States $585,000,000 to the thirteenth replenishment of the resources of the Fund, subject to obtaining the necessary appropriations.

"(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, $585,000,000 for payment by the Secretary of the Treasury.

"SEC. 224. MULTILATERAL DEBT RELIEF. 22 USC 290g–23.

"(a) The Secretary of the Treasury is authorized to contribute, on behalf of the United States, not more than $54,620,000 to the African Development Fund for the purpose of funding debt relief costs under the Multilateral Debt Relief Initiative incurred in the period governed by the thirteenth replenishment of resources of the African Development Fund, subject to obtaining the necessary appropriations and without prejudice to any funding arrangements in existence on the date of the enactment of this section.

"(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, not more than $54,620,000 for payment by the Secretary of the Treasury.

"(c) In this section, the term 'Multilateral Debt Relief Initiative' means the proposal set out in the G8 Finance Ministers' Communique entitled 'Conclusions on Development,' done at London, June 11, 2005, and reaffirmed by G8 Heads of State at the Gleneagles Summit on July 8, 2005.".

RESCISSION OF FUNDS

SEC. 7084. Of the unexpended balances available under the heading "Export and Investment Assistance, Export-Import Bank of the United States, Subsidy Appropriation" from prior Acts making appropriations for the Department of State, foreign operations, and related programs, $30,000,000 are rescinded.

MODIFICATIONS TO THE VIETNAM EDUCATION FOUNDATION ACT OF 2000

SEC. 7085. (a) EXPANDED USE OF VIETNAM DEBT REPAYMENT FUND.—Section 207(c)(3) of the Vietnam Education Foundation Act of 2000 (title II of division B of H.R. 5666, as enacted by section 1(a)(4) of Public Law 106–554 and contained in appendix D of that Act; 114 Stat. 2763A–257; 22 U.S.C. 2452 note) is amended to read as follows:

"(3) EXCESS FUNDS.—During each of the fiscal years 2015 through 2018, amounts deposited into the Fund, in excess of the amounts made available to the Foundation under paragraph (1), shall be made available by the Secretary of the Treasury, upon the request of the Secretary of State, for grants to support the establishment of an independent, not-for-profit academic institution in the Socialist Republic of Vietnam.".

(b) ADMINISTRATIVE PROVISIONS.—Section 209(a) of the Vietnam Education Foundation Act of 2000 (title II of division B of H.R. 5666, as enacted by section 1(a)(4) of Public Law 106–554 and contained in appendix D of that Act; 114 Stat. 2763A–257; 22

U.S.C. 2452 note) is amended in the matter preceding paragraph (1) by inserting "(other than section 211)" after "this title".

(c) GRANTS AUTHORIZED.—The Vietnam Education Foundation Act of 2000 (title II of division B of H.R. 5666, as enacted by section 1(a)(4) of Public Law 106–554 and contained in appendix D of that Act; 114 Stat. 2763A–257; 22 U.S.C. 2452 note) is amended by adding at the end the following:

"SEC. 211. ESTABLISHMENT OF AN INDEPENDENT, NOT-FOR-PROFIT ACADEMIC INSTITUTION IN THE SOCIALIST REPUBLIC OF VIETNAM.

"(a) GRANTS AUTHORIZED.—The Secretary of State is authorized to award 1 or more grants which shall be used to support the establishment of an independent, not-for-profit academic institution in the Socialist Republic of Vietnam.

"(b) APPLICATION.—In order to receive a grant pursuant to subsection (a), a prospective grantee shall submit an application to the Secretary of State at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

"(c) MINIMUM STANDARDS.—As a condition of receiving a grant under subsection (a), a prospective grantee shall ensure that the independent, not-for-profit academic institution in the Socialist Republic of Vietnam described in subsection (a)—

"(1) achieves standards comparable to those required for accreditation in the United States;

"(2) offers graduate and undergraduate level teaching and research programs in a broad range of fields, including public policy, management, and engineering; and

"(3) establishes a policy of academic freedom and prohibits the censorship of dissenting or critical views.

"(d) ANNUAL REPORT.—

"(1) IN GENERAL.—Not later than 90 days after the last day of each fiscal year until 2020, the Secretary of State shall submit to the appropriate congressional committees a report that summarizes the activities carried out under this section during such fiscal year.

"(2) DEFINITION.—In this subsection, the term 'appropriate congressional committees' means—

"(A) the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives; and

"(B) the Committee on Appropriations and the Committee on Foreign Relations of the Senate.".

IMPACT ON JOBS IN THE UNITED STATES

SEC. 7086. None of the funds appropriated or otherwise made available under titles III through VI of this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture;

(3) any assistance to an entity outside the United States if such assistance is for the purpose of directly relocating or transferring jobs from the United States to other countries and adversely impacts the labor force in the United States; or

(4) for the enforcement of any rule, regulation, policy, or guidelines implemented pursuant to—

(A) the third proviso of subsection 7079(b) of the Consolidated Appropriations Act, 2010;

(B) the modification proposed by the Overseas Private Investment Corporation in November 2013 to the Corporation's Environmental and Social Policy Statement relating to coal; or

(C) the Supplemental Guidelines for High Carbon Intensity Projects approved by the Export-Import Bank of the United States on December 12, 2013,

when enforcement of such rule, regulation, policy, or guidelines would prohibit, or have the effect of prohibiting, any coal-fired or other power-generation project the purpose of which is to: (i) provide affordable electricity in International Development Association (IDA)-eligible countries and IDA-blend countries; and (ii) increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

TITLE VIII

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Diplomatic and Consular Programs", $1,350,803,000, to remain available until September 30, 2016, of which $989,706,000 is for Worldwide Security Protection and shall remain available until expended: *Provided*, That the Secretary of State may transfer up to $35,000,000 of the total funds made available under this heading to any other appropriation of any department or agency of the United States, upon the concurrence of the head of such department or agency, to support operations in and assistance for Afghanistan and to carry out the provisions of the Foreign Assistance Act of 1961: *Provided further*, That any such transfer shall be treated as a reprogramming of

funds under subsections (a) and (b) of section 7015 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONFLICT STABILIZATION OPERATIONS

For an additional amount for "Conflict Stabilization Operations", $15,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", $56,900,000, to remain available until September 30, 2016, which shall be for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight: *Provided*, That printing and reproduction costs shall not exceed amounts for such costs during fiscal year 2014: *Provided further*, That notwithstanding any other provision of law, any employee of SIGAR who completes at least 12 months of continuous service after the date of enactment of this Act or who is employed on the date on which SIGAR terminates, whichever occurs first, shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for "Embassy Security, Construction, and Maintenance", $260,800,000, to remain available until expended, of which $250,000,000 shall be for Worldwide Security Upgrades, acquisition, and construction as authorized: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for "Contributions to International Organizations", $74,400,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for "International Broadcasting Operations", $10,700,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for "Operating Expenses", $125,464,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for "International Disaster Assistance", $1,335,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TRANSITION INITIATIVES

For an additional amount for "Transition Initiatives", $20,000,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COMPLEX CRISES FUND

For an additional amount for "Complex Crises Fund", $30,000,000 to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ECONOMIC SUPPORT FUND

For an additional amount for "Economic Support Fund", $2,114,266,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for "Migration and Refugee Assistance", $2,127,114,000, to remain available until expended: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for "International Narcotics Control and Law Enforcement", $443,195,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for "Nonproliferation, Anti-terrorism, Demining and Related Programs", $99,240,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PEACEKEEPING OPERATIONS

For an additional amount for "Peacekeeping Operations", $328,698,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That funds may be used to pay assessed expenses of international peacekeeping activities in Somalia and other peacekeeping requirements, subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the total amount of United States contributions to support an assessed peacekeeping operation shall not exceed the level described in the final proviso under the heading

"Contributions for International Peacekeeping Activities" in title I of this Act.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for "Foreign Military Financing Program", $866,420,000, to remain available until September 30, 2016: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

ADDITIONAL APPROPRIATIONS

SEC. 8001. Notwithstanding any other provision of law, funds appropriated in this title are in addition to amounts appropriated or otherwise made available in this Act for fiscal year 2015.

EXTENSION OF AUTHORITIES AND CONDITIONS

SEC. 8002. Unless otherwise provided for in this Act, the additional amounts appropriated by this title to appropriations accounts in this Act shall be available under the authorities and conditions applicable to such appropriations accounts.

TRANSFER AND ADDITIONAL AUTHORITY

SEC. 8003. (a) Funds appropriated by this title in this Act under the headings "Transition Initiatives", "Complex Crises Fund", "Economic Support Fund", "International Narcotics Control and Law Enforcement", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Peacekeeping Operations", and "Foreign Military Financing Program" may be transferred to, and merged with—

(1) funds appropriated by this title under such headings; and

(2) funds appropriated by this title under the headings "International Disaster Assistance" and "Migration and Refugee Assistance".

(b) Notwithstanding any other provision of this section, not to exceed $25,000,000 from funds appropriated under the headings "International Narcotics Control and Law Enforcement", "Peacekeeping Operations", and "Foreign Military Financing Program" by this title in this Act may be transferred to, and merged with, funds previously made available under the heading "Global Security Contingency Fund": *Provided*, That not later than 15 days prior to making any such transfer, the Secretary of State shall notify the Committees on Appropriations on a country basis, including the implementation plan and timeline for each proposed use of such funds.

(c) The transfer authority provided in subsections (a) and (b) may only be exercised to address unanticipated contingencies.

(d) Of the funds made available in this title under the heading "Bilateral Economic Assistance", up to $380,000,000 may be made available to support international peacekeeping requirements only

if the Secretary of State submits a determination to the Committees on Appropriations that additional funds are necessary to support such requirements above the amounts provided under the heading "Contributions for International Peacekeeping Activities" in title I of this Act and under the heading "Peacekeeping Operations" in this title and title IV of this Act, and that it is in the national security interest of the United States to do so: *Provided*, That such funds may only be made available for the purposes described in the determination and shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds made available pursuant to this subsection shall be used in accordance with the terms and conditions under the heading "Peacekeeping Operations" in this title.

(e) The transfer authority provided in subsections (a) and (b) shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law, including section 610 of the Foreign Assistance Act of 1961 which may be exercised by the Secretary of State for the purposes of this title.

TITLE IX

EBOLA RESPONSE AND PREPAREDNESS

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for "Diplomatic and Consular Programs", $36,420,000, to remain available until September 30, 2016, for necessary expenses to prevent, prepare for, and respond to the Ebola virus disease outbreak: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for "Operating Expenses", $19,037,000, to remain available until September 30, 2016, for necessary expenses to prevent, prepare for, and respond to the Ebola virus disease outbreak: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", $5,626,000, to remain available until expended, for oversight of

activities funded by this title and administered by the United States Agency for International Development: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for "Global Health Programs", $312,000,000, to remain available until expended, for necessary expenses to prevent, prepare for, and respond to the Ebola virus disease outbreak in countries directly affected by, or at risk of being affected by, such outbreak: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for "International Disaster Assistance", $1,436,273,000, to remain available until expended, for assistance for countries affected by, or at risk of being affected by, the Ebola virus disease outbreak: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ECONOMIC SUPPORT FUND

For an additional amount for "Economic Support Fund", $711,725,000, to remain available until September 30, 2016, for necessary expenses to prevent, prepare for, and respond to the Ebola virus disease outbreak and to address economic and stabilization requirements resulting from such outbreak: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for "Nonproliferation, Anti-terrorism, Demining and Related Programs", $5,300,000, to remain available until September 30, 2016, for necessary expenses to carry out the provisions of chapter 9 of Part II of the Foreign Assistance Act of 1961, for efforts to mitigate the risk of illicit acquisition of the Ebola virus and to promote biosecurity practices associated with Ebola virus disease outbreak response efforts: *Provided*, That such amount is designated by the Congress as an emergency

requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

TRANSFER AUTHORITY

SEC. 9001. (a) Funds appropriated by this title in this Act under the headings "Global Health Programs", "International Disaster Assistance", and "Economic Support Fund" may be transferred to, and merged with, funds appropriated by this title under such headings and under the headings "International Narcotics Control and Law Enforcement", "Nonproliferation, Anti-terrorism, Demining and Related Programs", and "Peacekeeping Operations" in this Act to carry out the purposes of this title: *Provided*, That the Secretary of State and the Administrator of the United States Agency for International Development (USAID), as appropriate, shall consult with the Committees on Appropriations prior to exercising the transfer authority provided by this subsection.

(b) Of the funds appropriated by this title under the heading "Diplomatic and Consular Programs", up to $1,000,000 may be transferred to, and merged with, funds appropriated under the heading "Repatriation Loans Program Account" in Acts making appropriations for the Department of State, foreign operations, and related programs for the cost of direct loans, which may remain available until expended: *Provided*, That such costs, including cost of modifying such loans, shall be defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed $1,899,335.

(c) Of the funds appropriated by this title under the heading "Global Health Programs", up to $50,000,000 may be transferred to, and merged with, funds appropriated under the heading "International Organizations and Programs" to prevent, prepare for, and respond to the Ebola virus disease outbreak.

(d) Of the funds appropriated by this title under the heading "International Disaster Assistance", up to $35,300,000 may be transferred to, and merged with, funds appropriated under the headings "International Organizations and Programs" and "Contributions to International Organizations" to prevent, prepare for, and respond to the Ebola virus disease outbreak: *Provided*, That no such funds that are made available for a United States contribution to the United Nations Mission for Ebola Emergency Response may be obligated until the Secretary of State reports to the Committees on Appropriations that an assessment for such mission has been received and reviewed by the Department of State.

(e) The transfer authorities of this section are in addition to any other transfer authority provided by law.

(f) No funds shall be transferred pursuant to this section unless at least 15 days prior to making such transfer the Secretary of State or USAID Administrator, as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

(g) Upon a determination that all or part of the funds transferred pursuant to the authorities of this section are not necessary for such purposes, such amounts may be transferred back to such

headings: *Provided*, That any transfer pursuant to this subsection shall be subject to subsection (f) of this section.

REIMBURSEMENT AUTHORITY

SEC. 9002. Funds appropriated by this title under the headings "Global Health Programs", "International Disaster Assistance", and "Economic Support Fund" may be used to reimburse accounts administered by the United States Agency for International Development and the Department of State for obligations incurred to prevent, prepare for, and respond to the Ebola virus disease outbreak prior to the enactment of this Act.

NOTIFICATION REQUIREMENT

SEC. 9003. Funds appropriated by this title shall not be available for obligation unless the Secretary of State or the Administrator of the United States Agency for International Development, as appropriate, notifies the appropriate congressional committees in writing at least 15 days in advance of such obligation: *Provided*, That the requirement of this section shall not apply to funds made available by this title under the heading "International Disaster Assistance".

REPORTING REQUIREMENT

SEC. 9004. The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the Committees on Appropriations not later than 30 days after enactment of this Act a report on the proposed uses of funds on a country and project basis, for which the obligation of funds is anticipated: *Provided*, That such report shall be updated and submitted to the Committee on Appropriations every 30 days until September 30, 2016, and every 180 days thereafter until all funds have been fully expended, and shall include information detailing how the estimates and assumptions contained in the previous reports have changed, and obligations and expenditures on a country and project basis.

COMPTROLLER GENERAL OVERSIGHT

SEC. 9005. Of the funds appropriated by this title under the heading "Economic Support Fund", up to $500,000 may be made available to the Comptroller General of the United States, and shall remain available until expended, for oversight of activities supported and reimbursements made pursuant to section 9002 of this title with funds appropriated by this title: *Provided*, That the Secretary of State and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

This division may be cited as the "Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015".

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2015.

DIVISION K—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2015

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

Department of Transportation Appropriations Act, 2015.

For necessary expenses of the Office of the Secretary, $105,000,000, of which not to exceed $2,696,000 shall be available for the immediate Office of the Secretary; not to exceed $1,011,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $19,900,000 shall be available for the Office of the General Counsel; not to exceed $9,800,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $12,500,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,500,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $25,365,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,000,000 shall be available for the Office of Public Affairs; not to exceed $1,714,000 shall be available for the Office of the Executive Secretariat; not to exceed $1,414,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $10,600,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $15,500,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $13,000,000, of which $8,218,000 shall remain available until September 30, 2017: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research

49 USC 112 note.

and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, $500,000,000, to remain available through September 30, 2017: *Provided*, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure): *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than $10,000,000 and not greater than $200,000,000: *Provided further*, That not more than 25 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That not less than 20 percent of the funds provided under this heading shall be for projects located in rural areas: *Provided further*, That for projects located in rural areas, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may retain up to $20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration and the Federal Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $5,000,000, to remain available through September 30, 2016.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, $5,000,000, to remain available through September 30, 2016.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,600,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $6,000,000.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $181,500,000 shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $333,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, $592,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $3,099,000, to remain available until September 30, 2016: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $155,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: *Provided further*, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary or his designee may engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

SEC. 103. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109–59: *Provided*, That the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 104. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Credit Council, including the agenda for each meeting, and require the Credit Council to record the decisions and actions of each meeting.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112–95, $9,740,700,000 of which $8,595,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $7,396,654,000 shall be available for air traffic organization activities; not to exceed $1,218,458,000 shall be available for aviation safety activities; not to exceed $16,605,000 shall be available for commercial space transportation activities; not to exceed $756,047,000 shall be available for finance and management activities; not to exceed $60,089,000 shall be available for NextGen and operations planning activities; and not to exceed $292,847,000 shall be available for staff offices: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds

49 USC 44506 note.

49 USC 44502 note.

in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation as offsetting collections funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $144,500,000 shall be for the contract tower program, of which not less than $9,500,000 is for the contract tower cost share program: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds provided in this Act may be used for the Federal Aviation Administration to issue a job announcement for air traffic control specialists that renders ineligible by reason of age any applicant who had been included in the air traffic control specialist applicant inventory as of January 15, 2014, and who was born between February 9, 1983, and October 1, 1984.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $2,600,000,000, of which $460,000,000 shall remain available until September 30, 2015, and $2,140,000,000 shall remain available until September 30, 2017: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That upon initial submission to the Congress of the fiscal year 2016 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget

line item for fiscal years 2016 through 2020, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after the initial submission of the fiscal year 2016 President's budget that such report has not been submitted to Congress.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $156,750,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2017: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSION)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,200,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2015, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further,* That notwithstanding section 47109(a) of title 49, United States Code, the Government's

share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further,* That notwithstanding any other provision of law, of funds limited under this heading, not more than $107,100,000 shall be obligated for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, not less than $29,750,000 shall be available for Airport Technology Research, and $5,500,000, to remain available until expended, shall be available and transferred to "Office of the Secretary, Salaries and Expenses" to carry out the Small Community Air Service Development Program.

(RESCISSION)

Of the amounts authorized for the fiscal year ending September 30, 2015, and prior years under section 48112 of title 49, United States Code, all unobligated balances are permanently rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2015.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. The Secretary shall apportion to the sponsor of an airport that received scheduled or unscheduled air service from a large certified air carrier (as defined in part 241 of title 14 Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) an amount equal to the minimum apportionment specified in 49 U.S.C. 47114(c), if the Secretary determines that airport had more than 10,000 passenger boardings in the preceding calendar year, based on data submitted to the Secretary under part 241 of title 14, Code of Federal Regulations.

SEC. 117. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 118. Subparagraph (D) of section 47124(b)(3) of title 49, United States Code, is amended by striking "benefit." and inserting "benefit, with the maximum allowable local cost share capped at 20 percent.".

SEC. 119. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 119A. None of the funds in this Act shall be available for salaries and expenses of more than 9 political and Presidential appointees in the Federal Aviation Administration.

SEC. 119B. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the FAA provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119C. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119D. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

SEC. 119E. Section 916 of Public Law 112–95 is amended by striking "Advanced Materials in Transport Aircraft" and inserting "Joint Advanced Materials and Structures".

SEC. 119F. Subsection 47109(c)(2) of title 49, United States Code, is amended by adding before the period ", except that at a primary non-hub airport located in a State as set forth in paragraph (1) of this subsection that is within 15 miles of another State as set forth in paragraph (1) of this subsection, the Government's share shall be an average of the Government share applicable to any project in each of the States".

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $426,100,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration. In addition, not to exceed $3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of programs of Federal-aid Highways and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of Public Law 112–141 shall not exceed total obligations of $40,256,000,000 for fiscal year 2015: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code. 23 USC 104 note.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid Highways and highway safety construction programs authorized under title 23, United States Code, $40,995,000,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2015, the Secretary of Transportation shall— 23 USC 104 note.

(1) not distribute from the obligation limitation for Federal-aid Highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid Highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid Highways and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid Highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid Highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (12) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(13) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid Highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Moving Ahead for Progress in the 21st Century Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid Highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid Highways and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(13) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid Highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid Highways programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (as in effect for fiscal years 2013 and 2014, but only in an amount equal to $639,000,000 for each of those fiscal years); and

(13) section 119 of title 23, United States Code (but, for fiscal year 2015, only in an amount equal to $639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112–141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid Highways shall apply to

contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) division E of the Moving Ahead for Progress in the 21st Century Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid Highways and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid Highways programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid Highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid Highways and highway safety construction programs.

23 USC 313 note.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid Highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. (a) IN GENERAL.—Except as provided in subsection (b), none of the funds made available, limited, or otherwise affected by this Act shall be used to approve or otherwise authorize the imposition of any toll on any segment of highway located on the Federal-aid system in the State of Texas that—

(1) as of the date of enactment of this Act, is not tolled;

(2) is constructed with Federal assistance provided under title 23, United States Code; and

(3) is in actual operation as of the date of enactment of this Act.

(b) EXCEPTIONS.—

(1) NUMBER OF TOLL LANES.—Subsection (a) shall not apply to any segment of highway on the Federal-aid system described in that subsection that, as of the date on which a toll is imposed on the segment, will have the same number of nontoll lanes as were in existence prior to that date.

(2) HIGH-OCCUPANCY VEHICLE LANES.—A high-occupancy vehicle lane that is converted to a toll lane shall not be subject to this section, and shall not be considered to be a nontoll lane for purposes of determining whether a highway will have fewer nontoll lanes than prior to the date of imposition of the toll, if—

(A) high-occupancy vehicles occupied by the number of passengers specified by the entity operating the toll lane may use the toll lane without paying a toll, unless otherwise specified by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority; or

(B) each high-occupancy vehicle lane that was converted to a toll lane was constructed as a temporary lane to be replaced by a toll lane under a plan approved by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority.

SEC. 124. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 125. Section 127 of title 23, United States Code, is amended by adding at the end the following:

"(j) OPERATION OF VEHICLES ON CERTAIN OTHER WISCONSIN HIGHWAYS.—If any segment of the United States Route 41 corridor, as described in section 1105(c)(57) of the Intermodal Surface Transportation Efficiency Act of 1991, is designated as a route on the Interstate System, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a).

"(k) OPERATION OF VEHICLES ON CERTAIN MISSISSIPPI HIGHWAYS.—If any segment of United States Route 78 in Mississippi from mile marker 0 to mile marker 113 is designated as part of the Interstate System, no limit established under this section may apply to that segment with respect to the operation of any vehicle that could have legally operated on that segment before such designation.

"(l) OPERATION OF VEHICLES ON CERTAIN KENTUCKY HIGHWAYS.—

"(1) IN GENERAL.—If any segment of highway described in paragraph (2) is designated as a route on the Interstate System, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a).

"(2) DESCRIPTION OF HIGHWAY SEGMENTS.—The highway segments referred to in paragraph (1) are as follows:

"(A) Interstate Route 69 in Kentucky (formerly the Wendell H. Ford (Western Kentucky) Parkway) from the Interstate Route 24 Interchange, near Eddyville, to the Edward T. Breathitt (Pennyrile) Parkway Interchange.

"(B) The Edward T. Breathitt (Pennyrile) Parkway (to be designated as Interstate Route 69) in Kentucky from the Wendell H. Ford (Western Kentucky) Parkway Interchange to near milepost 77, and on new alignment to an interchange on the Audubon Parkway, if the segment is designated as part of the Interstate System.".

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, as amended by Public Law 112–141, $271,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of $271,000,000 for "Motor Carrier Safety Operations and Programs" for fiscal year 2015, of which $9,000,000, to remain available for obligation until September 30, 2017, is for the research and technology program, and of which $34,545,000, to remain available for obligation until September 30, 2017, is for information management: *Provided further*, That $2,300,000 shall be made available for commercial motor vehicle operator grants to carry out section 4134 of Public Law 109–59, as amended by Public Law 112–141, of which $1,300,000 is to be made available from prior year unobligated contract authority provided in Public Law 112–141, or other appropriations or authorization acts: *Provided further*, That of unobligated contract authority provided in Public Law 112–141, or other appropriations or authorization acts for "Motor Carrier Safety Operations and Programs", $6,700,000 shall be made available for enforcement and investigation activities related to the safe transportation of

energy products, information management and technology needs related to the monitoring of high-risk carriers and carriers operating under consent agreements, and the Capital Improvement Plan for border facilities and field offices, and an additional $4,000,000 shall be made available to administer the study required under section 133 of this Act, to remain available for obligation until September 30, 2017: *Provided further*, That the Secretary shall complete final regulatory action on the implementation of 49 United States Code 31137 no later than June 1, 2015.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, as amended by Public Law 112–141, $313,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $313,000,000 in fiscal year 2015 for "Motor Carrier Safety Grants"; of which $218,000,000 shall be available for the motor carrier safety assistance program, $30,000,000 shall be available for commercial driver's license program improvement grants, $32,000,000 shall be available for border enforcement grants, $5,000,000 shall be available for performance and registration information system management grants, $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program, and $3,000,000 shall be available for safety data improvement grants: *Provided further*, That, of the funds made available herein for the motor carrier safety assistance program, $32,000,000 shall be available for audits of new entrant motor carriers.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87 and section 6901 of Public Law 110–28.

SEC. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

SEC. 132. None of the funds limited or otherwise made available under this Act shall be used by the Secretary to enforce any regulation prohibiting a State from issuing a commercial learner's permit to individuals under the age of eighteen if the State had a law authorizing the issuance of commercial learner's permits to individuals under eighteen years of age as of May 9, 2011.

SEC. 133. (a) TEMPORARY SUSPENSION OF ENFORCEMENT.—None of the funds appropriated or otherwise made available by this Act or any other Act shall be used to enforce sections 395.3(c)

and 395.3(d) of title 49, Code of Federal Regulations, and such sections shall have no force or effect from the date of enactment of this Act until the later of September 30, 2015, or upon submission of the final report issued by the Secretary under this section. The restart provisions in effect on June 30, 2013, shall be in effect during this period.

(b) PUBLIC NOTIFICATION.—As soon as possible after the date of the enactment of this Act, the Secretary of Transportation shall publish a Notice in the Federal Register and on the Federal Motor Carrier Safety Administration website announcing that the provisions in the rule referred to in subsection (a) shall have no force or effect from the date of enactment of this Act through September 30, 2015, and the restart rule in effect on June 30, 2013, shall immediately be in effect.

(c) COMMERCIAL MOTOR VEHICLE (CMV) DRIVER RESTART STUDY.—Within 90 days of the date of enactment of this Act, the Secretary shall initiate a naturalistic study of the operational, safety, health and fatigue impacts of the restart provisions in sections 395.3(c) and 395.3(d) of title 49, Code of Federal Regulations, on commercial motor vehicle drivers. The study required under this subsection shall—

(1) compare the work schedules and assess operator fatigue between the following two groups of commercial motor vehicle drivers, each large enough to produce statistically significant results:

(A) commercial motor vehicle drivers who operate under such provisions, in effect between July 1, 2013, and the day before the date of enactment of this Act, and

(B) commercial motor vehicle drivers who operate under the provisions in effect on June 30, 2013.

(2) compare, at a minimum, the 5-month work schedules, and assess safety critical events (crashes, near crashes and crash-relevant conflicts) and operator fatigue between the commercial motor vehicle drivers identified under subsection (c)(1) of this section from a statistically significant sample of drivers comprised of fleets of all sizes, including long-haul, regional and short-haul operations in various sectors of the industry, including flat-bed, refrigerated, tank, and dry-van, to the extent practicable;

(3) assess drivers' safety critical events, fatigue and levels of alertness, and driver health outcomes by using both electronic and captured record of duty status, including the Psychomotor Vigilance Test (PVT), e-logging data, actigraph watches and cameras or other on-board monitoring systems that record or measure safety critical events and driver alertness;

(4) utilize data from electronic logging devices, consistent to the extent practicable, with the anticipated requirements for such devices in section 31137(b) of title 49, United States Code, from motor carriers and drivers of commercial motor vehicles, notwithstanding any limitation on the use of such data under section 31137(e) of title 49, United States Code; and

(5) include the development of an initial study plan and final report, each of which shall be subject to an independent peer review by a panel of individuals with relevant medical and scientific expertise.

(d) DEPARTMENT OF TRANSPORTATION OFFICE OF INSPECTOR GENERAL REVIEW.—Prior to the study required under this subsection commencing and within 60 days of the date of enactment of this Act, the Secretary shall submit a plan outlining the scope and methodology for the study to the Department of Transportation Inspector General.

(1) Within 30 days of receiving the plan, the Office of Inspector General shall review and report whether it includes—

(A) a sufficient number of participating drivers to produce statistically significant results consistent with subsection (c)(2);

(B) the use of reliable technologies to assess the operational, safety and fatigue components of the study to produce consistent and valid results;

(C) appropriate performance measures to properly evaluate the study outcomes; and

(D) an appropriate selection of the independent review panel under subsection (c)(5).

(2) The Office of Inspector General shall report its findings, conclusions and any recommendations to the Secretary and to the House and Senate Committees on Appropriations within 30 days of receipt of the plan.

(e) REPORTING REQUIREMENTS.—The Secretary shall submit a final report on the findings and conclusions of the study and the Department's recommendations on whether the provisions in effect on July 1, 2013, provide a greater net benefit for the operational, safety, health and fatigue impacts of the restart provisions to the Inspector General within 210 days of receiving the Office of the Inspector General report required in subsection (d)(2).

(1) Within 60 days of receipt of the Secretary's findings and recommendations in subsection (e), the Inspector General shall report to the Secretary and the House and Senate Committees on Appropriations on the study's compliance with the requirements outlined under subsection (c).

(2) Upon submission of the Office of the Inspector General report in paragraph (1), the Secretary shall submit its report to the House and Senate Committees on Appropriations and make the report publically available on its website.

(f) CERTIFICATION.—The Secretary of Transportation shall certify in writing in a manner addressing the Inspector General's findings and recommendations in subsection (d)(1) and (e)(1) of this section that the Secretary has met the requirements as described in section (c) and (d).

(g) PAPERWORK REDUCTION ACT EXCEPTION.—The study and the Office of the Inspector General reviews shall not be subject to section 3506 or 3507 of title 44, United States Code.

SEC. 134. None of the funds limited or otherwise made available under the heading "Motor Carrier Safety Operations and Programs" may be used to deny an application to renew a Hazardous Materials Safety Program permit for a motor carrier based on that carrier's Hazardous Materials Out-of-Service rate, unless the carrier has the opportunity to submit a written description of corrective actions taken, and other documentation the carrier wishes the Secretary to consider, including submitting a corrective action plan, and the Secretary determines the actions or plan is insufficient to address the safety concerns that resulted in that Hazardous Materials Out-of-Service rate.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, $130,000,000, of which $20,000,000 shall remain available through September 30, 2016.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, $138,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2015, are in excess of $138,500,000, of which $133,500,000 shall be for programs authorized under 23 U.S.C. 403 and $5,000,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the $133,500,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2016, and shall be in addition to the amount of any limitation imposed on obligations for future years: *Provided further,* That $20,000,000 of the total obligation limitation for operations and research in fiscal year 2015 shall be applied toward unobligated balances of contract authority provided in prior Acts for carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402 and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, and section 31101(a)(6) of Public Law 112–141, to remain available until expended, $561,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2015, are in excess of $561,500,000 for programs authorized under 23 U.S.C. 402 and 405, section 2009 of Public Law 109–59, as amended by Public Law 112–141, and section 31101(a)(6) of Public Law

112–141, of which $235,000,000 shall be for "Highway Safety Programs" under 23 U.S.C. 402; $272,000,000 shall be for "National Priority Safety Programs" under 23 U.S.C. 405; $29,000,000 shall be for "High Visibility Enforcement Program" under section 2009 of Public Law 109–59, as amended by Public Law 112–141; $25,500,000 shall be for "Administrative Expenses" under section 31101(a)(6) of Public Law 112–141: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for "National Priority Safety Programs" under 23 U.S.C. 405 for "Impaired Driving Countermeasures" (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the "Transfers" provision under 23 U.S.C. 405(a)(1)(G), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(G) within 60 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $186,870,000, of which $15,400,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $39,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority to exist as long

as any such direct loan or loan guarantee is outstanding: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2015: *Provided further,* That no new direct loans or loan guarantee commitments made under the Railroad Rehabilitation and Improvement Financing Program in fiscal year 2015 shall cause the total principal amount of direct loans and loan guarantees committed under the Railroad Rehabilitation and Improvement Financing Program to projects in a single state to exceed $5,600,000,000.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, in amounts based on the Secretary's assessment of the Corporation's seasonal cash flow requirements, for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $250,000,000, to remain available until expended: *Provided*, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further,* That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary and the House and Senate Committees on Appropriations the annual budget, business plan, the 5-Year Financial Plan for fiscal year 2015 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008 and the comprehensive fleet plan for all Amtrak rolling stock: *Provided further,* That the budget, business plan and the 5-Year Financial Plan shall include annual information on the maintenance, refurbishment, replacement, and expansion for all Amtrak rolling stock consistent with the comprehensive fleet plan: *Provided further,* That the Corporation shall provide monthly performance reports in an electronic format which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes as well as progress against the milestones and target dates of the 2012 performance improvement plan: *Provided further,* That the Corporation's budget, business plan, 5-Year Financial Plan, semiannual reports, monthly reports, comprehensive fleet plan and all supplemental reports or plans comply with requirements in Public Law 112–55: *Provided further,* That none of the funds provided in this Act may be used to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal peak fare: *Provided further,* That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by sections 101(c), 102, and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432), $1,140,000,000, to remain available until expended, of which not to exceed $175,000,000 shall be for debt service obligations as authorized by section 102 of such Act: *Provided*, That of the amounts made available under this heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: *Provided further*, That after an initial distribution of up to $200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided to the Corporation only on a reimbursable basis: *Provided further*, That of the amounts made available under this heading, up to $50,000,000 may be used by the Secretary to subsidize operating losses of the Corporation should the funds provided under the heading "Operating Grants to the National Railroad Passenger Corporation" be insufficient to meet operational costs for fiscal year 2015: *Provided further*, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by subsections 101(a) and 101(c) of division B of Public Law 110–432: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: *Provided further*, That except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2015 business plan: *Provided further*, That in addition to the project management oversight funds authorized under section 101(d) of division B of Public Law 110–432, the Secretary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with implementing section 212 of division B of Public Law 110–432, including the amendments made by section 212 to section 24905 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

SEC. 151. Notwithstanding any other provision of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount to be determined by the Secretary.

SEC. 152. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations each quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: *Provided further,* That the President of Amtrak shall report to the House and Senate Committees on Appropriations by March 1, 2015, a summary of all overtime payments incurred by the Corporation for 2014 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2014 and for the three prior calendar years.

SEC. 153. For an additional amount, $10,000,000 shall be made available until expended for the Secretary to make grants for grade crossing and track improvements on rail routes that transport energy products.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $105,933,000, of which not less than $4,500,000 shall be available to carry out the provisions of 49 U.S.C. 5329 and not less than $1,000,000 shall be available to carry out the provisions of 49 U.S.C. 5326: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2016 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2016.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339,

and 5340, as amended by Public Law 112–141, and section 20005(b) of Public Law 112–141, $9,500,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112–141, and section 20005(b) of Public Law 112–141, shall not exceed total obligations of $8,595,000,000 in fiscal year 2015.

TRANSIT RESEARCH

For necessary expenses to carry out 49 U.S.C. 5312 and 5313, $33,000,000, to remain available until expended: *Provided*, That $30,000,000 shall be for activities authorized under 49 U.S.C. 5312 and $3,000,000 shall be for activities authorized under 49 U.S.C. 5313.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314 and 5322(a), (b) and (e), $4,500,000, to remain available until expended: *Provided*, That $4,000,000 shall be for activities authorized under 49 U.S.C. 5314 and $500,000 shall be for activities authorized under 49 U.S.C. 5322(a), (b) and (e).

CAPITAL INVESTMENT GRANTS

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5309, $2,120,000,000, to remain available until expended: *Provided*, That when distributing funds among Recommended New Starts Projects, the Administrator shall first fully fund those projects covered by a full funding grant agreement, then fully fund those projects whose section 5309 share is less than 40 percent, and then distribute the remaining funds so as to protect as much as possible the projects' budgets and schedules: *Provided further*, That of the unobligated amounts available for the Capital Investment Grants program, $121,546,138 is hereby rescinded.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $150,000,000, to remain available until expended: *Provided*, That the Secretary shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making significant progress in eliminating the material weaknesses, significant deficiencies, and minor control deficiencies identified in the most recent Financial Management Oversight Review: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those

investments that will improve the safety of the system before approving such grants: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110–432 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading "Fixed Guideway Capital Investment" of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2019, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2014, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. The Secretary may not enforce regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency that during fiscal year 2008 was both initially granted a 60-day period to come into compliance with part 604, and then was subsequently granted an exception from said part.

SEC. 164. For purposes of applying the project justification and local financial commitment criteria of 49 U.S.C. 5309(d) to a New Starts project, the Secretary may consider the costs and ridership of any connected project in an instance in which private parties are making significant financial contributions to the construction of the connected project; additionally, the Secretary may consider the significant financial contributions of private parties to the connected project in calculating the non-Federal share of net capital project costs for the New Starts project.

SEC. 165. Notwithstanding any other provision of law, none of the funds made available in this Act shall be used to enter into a full funding grant agreement for a project with a New Starts share greater than 60 percent.

SEC. 166. None of the funds in this or any other Act may be available to advance in any way a new light or heavy rail project towards a full funding grant agreement as defined by 49 U.S.C. 5309 for the Metropolitan Transit Authority of Harris County, Texas if the proposed capital project is constructed on or planned to be constructed on Richmond Avenue west of South Shepherd Drive or on Post Oak Boulevard north of Richmond Avenue in Houston, Texas.

49 USC 5309 note.

SEC. 167. In developing guidance implementing 49 U.S.C. 5309(i) Program of Interrelated Projects, the Secretary shall consider projects eligible under section 5309(h) Small Starts Projects, including streetcars.

SEC. 168. Of the unobligated balance of amounts made available for fiscal year 2011 or prior fiscal years to carry out the discretionary

bus and bus facilities program under 49 U.S.C. 5309, $27,989,839 shall be used for new bus rapid transit projects recommended, in the President's fiscal year 2015 budget request, to be funded under the heading "Department of Transportation-Federal Transit Administration-Capital Investment Grants": *Provided*, That all such projects shall remain subject to the requirements of 49 U.S.C. 5309 for New Starts, Small Starts, or Core Capacity projects, as applicable, under the Capital Investment Grants Program: *Provided further*, That such funds shall be in addition to the amounts otherwise made available by this Act for "Department of Transportation-Federal Transit Administration-Capital Investment Grants".

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $32,042,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $186,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $148,050,000, of which $11,300,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which $2,400,000 shall remain available through September 30, 2016, for the Student Incentive Program at State Maritime Academies, and of which $1,200,000 shall remain available until expended for training ship fuel assistance payments, and of which $15,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy: *Provided,* That amounts apportioned for the United States Merchant Marine Academy shall be available only upon allotments made personally by the Secretary of Transportation or the Assistant Secretary for Budget and Programs: *Provided*

further, That the Superintendent, Deputy Superintendent and the Director of the Office of Resource Management of the United States Merchant Marine Academy may not be allotment holders for the United States Merchant Marine Academy, and the Administrator of the Maritime Administration shall hold all allotments made by the Secretary of Transportation or the Assistant Secretary for Budget and Programs under the previous proviso: *Provided further,* That 50 percent of the funding made available for the United States Merchant Marine Academy under this heading shall be available only after the Secretary, in consultation with the Superintendent and the Maritime Administrator, completes a plan detailing by program or activity how such funding will be expended at the Academy, and this plan is submitted to the House and Senate Committees on Appropriations: *Provided further,* That not later than January 12, 2015, the Administrator of the Maritime Administration shall transmit to Congress the biennial survey and report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110–417.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $4,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative expenses of the maritime guaranteed loan program, $3,100,000 shall be paid to the appropriations for "Maritime Administration–Operations and Training".

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. None of the funds available or appropriated in this Act shall be used by the United States Department of Transportation or the United States Maritime Administration to negotiate or otherwise execute, enter into, facilitate or perform fee-for-service contracts for vessel disposal, scrapping or recycling, unless there is no qualified domestic ship recycler that will pay any sum of money to purchase and scrap or recycle a vessel owned, operated or managed by the Maritime Administration or that is part of the National Defense Reserve Fleet: *Provided*, That such sales offers must be consistent with the solicitation and provide that the work will be performed in a timely manner at a facility qualified within the meaning of section 3502 of Public Law 106–398: *Provided*

further, That nothing contained herein shall affect the Maritime Administration's authority to award contracts at least cost to the Federal Government and consistent with the requirements of 16 U.S.C. 5405(c), section 3502, or otherwise authorized under the Federal Acquisition Regulation.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $22,225,000: *Provided*, That $1,500,000 shall be transferred to "Pipeline Safety" in order to fund "Pipeline Safety Information Grants to Communities" as authorized under section 60130 of title 49, United States Code.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $52,000,000, of which $7,000,000 shall remain available until September 30, 2017: *Provided*, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

(PIPELINE SAFETY DESIGN REVIEW FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $146,000,000, of which $19,500,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2017; and of which $124,500,000 shall be derived from the Pipeline Safety Fund, of which $66,309,000 shall remain available until September 30, 2017; and of which $2,000,000, to remain available until expended, shall be derived from the Pipeline Safety Design Review Fund as authorized in 49 U.S.C. 60117(n): *Provided*, That not less than $1,058,000 of the funds provided under this heading shall be for the One-Call state grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carryout 49 U.S.C. 5128(b), $188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2016: *Provided*, That notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than $28,318,000 shall be made available for obligation in fiscal year 2015 from amounts made available by 49 U.S.C. 5116(i), and 5128(b) and (c): *Provided further*, That notwithstanding 49 U.S.C. 5116(i)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: *Provided further*, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(b) and (j).

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $86,223,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso: *Provided further*, That hereafter funds transferred to the Office of the Inspector General through forfeiture proceedings or from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Forfeiture Fund, as a participating agency, as an equitable share from the forfeiture of property in investigations in which the Office of Inspector General participates, or through the granting of a Petition for Remission or Mitigation, shall be deposited to the credit of this account for law enforcement activities authorized under the Inspector General Act of 1978, as amended, to remain available until expended.

49 USC 354 note.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $31,375,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2015, to result in a final appropriation from the general fund estimated at no more than $30,125,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 184. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account, the Federal Transit Administration's "Technical Assistance and Training" account, and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. None of the funds in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected

to receive a discretionary grant award, any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the department or its modal administrations from:

(1) any discretionary grant or federal credit program of the Federal Highway Administration including the emergency relief program;

(2) the airport improvement program of the Federal Aviation Administration;

(3) any program of the Federal Railroad Administration;

(4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs;

(5) any program of the Maritime Administration; or

(6) any funding provided under the headings "National Infrastructure Investments" in this Act: *Provided*, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any "quick release" of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided*

further, That for purposes of this section, the term "improper payments" has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

SEC. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the Committees on Appropriations: *Provided*, That the Secretary may provide notice to other congressional committees of the action of the Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 189. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 190. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 191. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

This title may be cited as the "Department of Transportation Appropriations Act, 2015".

TITLE II

Department of Housing and Urban Development Appropriations Act, 2015.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $14,500,000: *Provided*, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, $518,100,000, of which not to exceed $47,000,000 shall be available for the Office of the Chief Financial Officer; not to exceed $94,000,000 shall be available for the Office of the General Counsel; not to exceed $200,000,000 shall be available for the Office of Administration; not to exceed $57,000,000 shall be available for the Office of the Chief Human Capital Officer; not to exceed $50,000,000 shall be available for the Office of Field Policy and Management; not to exceed $16,500,000 shall be available for the Office of the Chief Procurement Officer; not to exceed $3,200,000 shall be available for the Office of Departmental Equal Employment Opportunity; not to exceed $4,400,000 shall be available for the Office of Strategic Planning and Management; and not to exceed $46,000,000 shall be available for the Office of the Chief Information Officer: *Provided*, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further,* That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area: *Provided further,* That the Secretary shall provide the Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further,* That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, $203,000,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, $102,000,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, $379,000,000, of which at least $9,000,000 shall be for the Office of Risk and Regulatory Affairs.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, $22,700,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $68,000,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $6,700,000.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, $15,304,160,000, to remain available until expended, shall be available on October 1, 2014 (in addition to the $4,000,000,000 previously appropriated under this heading that became available on October 1, 2014), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2015: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $17,486,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2015 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: *Provided further*, That in determining calendar year 2015 funding allocations under this heading for public housing agencies, including agencies participating in the Moving To Work (MTW) demonstration, the Secretary may take into account the anticipated impact of changes in targeting and utility allowances, on public housing agencies' contract renewal needs: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60

days after enactment of this Act or March 1, 2015: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies' calendar year 2015 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2014 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2015 MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to $120,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD–VASH) vouchers; (4) for adjustments for public housing agencies with voucher leasing rates at the end of the calendar year that exceed the average leasing for the 12-month period used to establish the allocation, and for additional leasing of vouchers that were issued but not leased prior to the end of such calendar year; and (5) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $130,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection

assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That of the amounts made available under this paragraph, $5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of (1) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (2) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (3) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That the Secretary shall issue guidance to implement the previous provisos, including, but not limited to, requirements for defining eligible at-risk households within 120 days of the enactment of this Act: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary, for the purpose under this paragraph, may use unobligated balances, including recaptures and carryovers, remaining from amounts appropriated in prior fiscal years under this heading for voucher assistance for nonelderly disabled families and for disaster assistance made available under Public Law 110–329;

(3) $1,530,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: *Provided*, That no less than $1,520,000,000 of the amount provided in this paragraph shall be allocated to public

housing agencies for the calendar year 2015 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further,* That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) $83,160,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) $75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding

by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That the Secretary shall set aside an amount provided under this paragraph for a rental assistance and supportive housing demonstration program for Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided further*, That such demonstration program shall be modeled after, with necessary and appropriate adjustments for Native American grant recipients and veterans, the rental assistance and supportive housing program funded under this paragraph, including administration in conjunction with the Department of Veterans Affairs and overall implementation of section 8(o)(19) of the Act: *Provided further*, That amounts for rental assistance and associated administrative costs shall be made available by grants to recipients eligible to receive block grants under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. section 4101 et seq.): *Provided further*, That funds shall be awarded based on need, administrative capacity, and any other funding criteria established by the Secretary in a Notice published in the Federal Register after coordination with the Secretary of the Department of Veterans Affairs within 180 days of enactment of this Act: *Provided further*, That such rental assistance shall be administered by block grant recipients in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996: *Provided further*, That the first and second provisos under this paragraph shall apply to use of funds made available for this demonstration, as appropriate: *Provided further*, That the Secretary, in coordination with the Secretary of the Department of Veterans Affairs, shall coordinate with block grant recipients and any other appropriate tribal organizations on the design of such demonstration and shall ensure the effective delivery of supportive services to Native American veterans that are homeless or at-risk of homelessness eligible to receive assistance under this demonstration: *Provided further*, That grant recipients shall report to the Secretary, as prescribed by the Secretary, utilization of such rental assistance provided under this demonstration: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over; and

(6) The Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual Contributions for Assisted Housing" and the heading "Project-Based Rental Assistance", for fiscal year 2015 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated:

Provided, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further,* That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the "Act") $1,875,000,000, to remain available until September 30, 2018: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2015 the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That up to $5,000,000 shall be to support ongoing Public Housing Financial and Physical Assessment activities: *Provided further*, That up to $3,000,000 shall be to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading, not to exceed $23,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2015: *Provided further*, That of the amount made available under the previous proviso, not less than $6,000,000 shall be for safety and security measures: *Provided further*, That of the total amount provided under this heading $45,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount made available under this heading, up to $15,000,000 may be used for incentives as part of a Jobs-Plus Pilot initiative modeled after the Jobs-Plus demonstration: *Provided further,* That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That

applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may set aside a portion of the funds provided for the Resident Opportunity and Self-Sufficiency program to support the services element of the Jobs-Plus Pilot initiative: *Provided further*, That the Secretary may allow PHAs to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus Pilot initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2015 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

PUBLIC HOUSING OPERATING FUND

For 2015 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,440,000,000.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, $80,000,000, to remain available until September 30, 2017: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further,* That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further,* That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall undertake comprehensive local planning with input from residents and the community, and that grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments,

tribal entities, public housing authorities, and nonprofits: *Provided further,* That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further,* That of the amount provided, not less than $50,000,000 shall be awarded to public housing authorities: *Provided further,* That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That no more than $5,000,000 of funds made available under this heading may be provided to assist communities in developing comprehensive strategies for implementing this program or implementing other revitalization efforts in conjunction with community notice and input: *Provided further*, That the Secretary shall develop and publish guidelines for the use of such competitive funds, including but not limited to eligible activities, program requirements, and performance metrics: *Provided further*, That unobligated balances, including recaptures, remaining from funds appropriated under the heading "Revitalization of Severely Distressed Public Housing (HOPE VI)" in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $75,000,000, to remain available until September 30, 2016: *Provided*, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program: *Provided further*, That the Secretary may carry out a demonstration testing the effectiveness of combining vouchers for homeless youth under the Family Unification Program authorized under section

8(x) of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the Act" herein) with assistance under the Family Self-Sufficiency program authorized under section 23 of the Act: *Provided further*, That the Secretary may establish alternative requirements to those contained in section 8(x) of the Act to facilitate such a demonstration: *Provided further*, That any public housing agency that has existing Family Unification Program vouchers and an established Family Self-Sufficiency program may participate in such demonstration provided that they can demonstrate (1) an agreement with the public child welfare agency or agencies to serve the target population; (2) capacity to serve the target population; (3) the success of the agency's existing Family Self-Sufficiency program in serving residents; (4) partnerships with local organizations that serve homeless youth; and (5) any other factors established by the Secretary: *Provided further*, That the Secretary shall monitor and evaluate the demonstration and report on whether the demonstration helped homeless youth achieve self-sufficiency.

NATIVE AMERICAN HOUSING BLOCK GRANTS

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $650,000,000, to remain available until September 30, 2019: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $3,500,000 shall be contracted for assistance for national or regional organizations representing Native American housing interests for providing training and technical assistance to Indian housing authorities and tribally designated housing entities as authorized under NAHASDA: *Provided further*, That of the funds made available under the previous proviso, not less than $2,000,000 shall be made available for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): *Provided further,* That of the amounts made available under this heading, $2,000,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance, including up to $300,000 for related travel: *Provided further*, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $16,530,000: *Provided further*,

That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $9,000,000, to remain available until September 30, 2019: *Provided*, That of this amount, $300,000 shall be for training and technical assistance activities, including up to $100,000 for related travel by Hawaii-based employees of the Department of Housing and Urban Development.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $7,000,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $744,047,000, to remain available until expended: *Provided further*, That up to $750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b) and for such costs for loans used for refinancing, $100,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $16,130,000, to remain available until expended.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $330,000,000, to remain available until September 30, 2016, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2017: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $3,066,000,000, to remain available until September 30, 2017, unless otherwise specified: *Provided*, That of the total amount provided, $3,000,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the "Act" herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): *Provided further,* That none of the funds made available under this heading may be used for grants for the Economic Development Initiative ("EDI") or Neighborhood Initiatives activities, Rural Innovation Fund, or for grants pursuant to section 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: *Provided further*, That $66,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 204 of this Act), up to $3,960,000 may be used for emergencies that constitute imminent threats to health and safety: *Provided further*, That of the amounts made available under the previous proviso, $6,000,000 shall be for grants for mold remediation and prevention that shall be awarded through one national competition to Native American tribes with the greatest need.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2015, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $500,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $900,000,000, to remain available until September 30, 2018: *Provided,* That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further,* That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the "Full-Year Continuing Appropriations Act, 2013", shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled "Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards" which became effective on such date: *Provided further,* That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $50,000,000, to remain available until September 30, 2017: *Provided*, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That $35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: *Provided further*, That $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities.

HOMELESS ASSISTANCE GRANTS

For the emergency solutions grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the rural housing stability assistance program as authorized under subtitle D of title IV of such Act, $2,135,000,000, to remain available until September 30, 2017: *Provided*, That any rental assistance amounts that are recaptured under such continuum of care program shall remain available until expended: *Provided further,* That not less than $250,000,000 of the funds appropriated under this heading shall be available for such emergency solutions grants program: *Provided further*, That not less than $1,862,000,000 of the funds appropriated under this heading shall be available for such continuum of care and rural housing stability assistance programs: *Provided further*, That up to $7,000,000 of the funds appropriated under this heading

shall be available for the national homeless data analysis project: *Provided further*, That all funds awarded for supportive services under the continuum of care program and the rural housing stability assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That the Secretary may renew on an annual basis expiring contracts or amendments to contracts funded under the continuum of care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements, performance measures, and financial standards, as determined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: *Provided further,* That with respect to funds provided under this heading for the continuum of care program for fiscal years 2012, 2013, 2014, and 2015 provision of permanent housing rental assistance may be administered by private nonprofit organizations: *Provided further,* That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the emergency solutions grant program within 60 days of enactment of this Act.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the Act"), not otherwise provided for, $9,330,000,000, to remain available until expended, shall be available on October 1, 2014 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2014), and $400,000,000, to remain available until expended, shall be available on October 1, 2015: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed $210,000,000 shall be available for performance-based contract administrators for section 8 project-

based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund", may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $420,000,000 to remain available until September 30, 2018: *Provided*, That of the amount provided under this heading, up to $70,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for

such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, up to $16,000,000 in any such excess amounts shall be remitted to the Department and deposited in this account, to be available until September 30, 2018, for purposes under this heading, and shall be in addition to the amounts otherwise provided under this heading for such purposes.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, $135,000,000, to remain available until September 30, 2018: *Provided,* That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: *Provided further*, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2018: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, $47,000,000, to remain available until September 30, 2016, including up to $4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further,* That funds shall be used for providing counseling and advice to tenants and

homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as is appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, noninsured rental housing projects, $18,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $10,000,000, to remain available until expended, of which $10,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2015 so as to result in a final fiscal year 2015 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2015 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2016: *Provided*, That during fiscal year 2015, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $20,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, $130,000,000, to remain available until September 30, 2016: *Provided further*, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2015, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING RESCISSION)

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2016: *Provided,* That during fiscal year 2015, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $20,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act: *Provided further*, That $10,000,000 previously provided under this heading is hereby permanently rescinded.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $500,000,000,000, to remain available until September 30, 2016: *Provided,* That $23,000,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: *Provided further,* That to the extent that guaranteed loan commitments will and do exceed $155,000,000,000 on or before April 1, 2015, an additional $100 for necessary salaries and expenses shall be available until

expended for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $3,000,000: *Provided further,* That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, $72,000,000, to remain available until September 30, 2016, of which $22,000,000 shall be for technical assistance: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: *Provided further*, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: *Provided further,* That prior to obligation of technical assistance funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees on Appropriations on how it will allocate funding for this activity.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $65,300,000, to remain available until September 30, 2016, of which $40,100,000 shall be to carry out activities pursuant to such section 561: *Provided,* That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, $300,000 shall be available to the Secretary of Housing and Urban

Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $110,000,000, to remain available until September 30, 2016: *Provided,* That up to $15,000,000 of that amount shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided further,* That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That of the total amount made available under this heading, $45,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs: *Provided further*, That each recipient of funds provided under the third proviso shall make a matching contribution in an amount not less than 25 percent: *Provided further*, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $250,000,000, which shall remain available until September 30, 2016: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $126,000,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2015 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Sections 203 and 209 of division C of Public Law 112–55 (125 Stat. 693–694) shall apply during fiscal year 2015 as if such sections were included in this title, except that during such fiscal year such sections shall be applied by substituting "fiscal year 2015" for "fiscal year 2011" and for "fiscal year 2012" each place such terms appear, and shall be amended to reflect revised delineations of statistical areas established by the Office of Management and Budget pursuant to 44 U.S.C. 3504(e)(3), 31 U.S.C. 1104(d), and Executive Order No. 10253.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment

for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 206. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2015 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. The President's formal budget request for fiscal year 2016, as well as the Department of Housing and Urban Development's congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 210. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or

other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 211. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 212. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2015 and 2016, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: the number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: the Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any

FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms "low-income" and "very low-income" shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term "multifamily housing project" means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term "project-based assistance" means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term "receiving project or projects" means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term "transferring project" means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term "Secretary" means the Secretary of Housing and Urban Development.

(e) PUBLIC NOTICE AND RESEARCH REPORT.—

(1) The Secretary shall publish by notice in the Federal Register the terms and conditions, including criteria for HUD approval, of transfers pursuant to this section no later than 30 days before the effective date of such notice.

(2) The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 213. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 214. The funds made available for Native Alaskans under the heading "Native American Housing Block Grants" in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 215. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may,

until September 30, 2015, insure and enter into commitments to insure mortgages under such section 255.

SEC. 216. Notwithstanding any other provision of law, in fiscal year 2015, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 217. The commitment authority funded by fees as provided under the heading "Community Development Loan Guarantees Program Account" may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 218. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 219. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits

42 USC 1437g note.

in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 220. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts "Executive Offices" and "Administrative Support Offices," as well as each account receiving appropriations for "Program Office Salaries and Expenses", "Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account", and "Office of Inspector General" within the Department of Housing and Urban Development.

42 USC 1437f–1

SEC. 221. The Secretary of Housing and Urban Development shall report annually to the House and Senate Committees on Appropriations on the status of all section 8 project-based housing, including the number of all project-based units by region as well as an analysis of all federally subsidized housing being refinanced under the Mark-to-Market program. The Secretary shall identify all existing units maintained by region as section 8 project-based units, all project-based units that have opted out or have otherwise been eliminated, and the reasons these units opted out or otherwise were lost as section 8 project-based units.

42 USC 3545a note.

SEC. 222. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2015, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2015, the Secretary may make the NOFA available only on the Internet at the appropriate Government Web site or through other electronic media, as determined by the Secretary.

SEC. 223. Payment of attorney fees in program-related litigation must be paid from the individual program office and Office of General Counsel personnel funding. The annual budget submissions for program offices and Office of General Counsel personnel funding must include program-related litigation costs for attorney fees as a separate line item request.

SEC. 224. The Secretary of the Department of Housing and Urban Development is authorized to transfer up to 5 percent or $5,000,000, whichever is less, of the funds appropriated for any office funded under the heading "Administrative Support Offices" to any other office funded under such heading: *Provided*, That no appropriation for any office funded under the heading "Administrative Support Offices" shall be increased or decreased by more than 5 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary is authorized to transfer

up to 5 percent or $5,000,000, whichever is less, of the funds appropriated for any account funded under the general heading "Program Office Salaries and Expenses" to any other account funded under such heading: *Provided further*, That no appropriation for any account funded under the general heading "Program Office Salaries and Expenses" shall be increased or decreased by more than 5 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary may transfer funds made available for salaries and expenses between any office funded under the heading "Administrative Support Offices" and any account funded under the general heading "Program Office Salaries and Expenses", but only with the prior written approval of the House and Senate Committees on Appropriations.

SEC. 225. The Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a "program of the Department of Housing and Urban Development" under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 226. (a) The Secretary of Housing and Urban Development shall take the required actions under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance:

(1) receives a Real Estate Assessment Center (REAC) score of 30 or less; or

(2) receives a REAC score between 31 and 59 and:

(A) fails to certify in writing to HUD within 60 days that all deficiencies have been corrected; or

(B) receives consecutive scores of less than 60 on REAC inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(b) The Secretary shall take the following required actions as authorized under subsection (a)—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days, with a specified timetable for correcting all deficiencies. The Secretary shall provide notice of the Plan to the owner, tenants, the local government, any mortgagees, and any contract administrator.

(2) At the end of the term of the Compliance, Disposition and Enforcement Plan, if the owner fails to fully comply with such plan, the Secretary may require immediate replacement of project management with a management agent approved by the Secretary, and shall take one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified above:

(A) impose civil money penalties;

(B) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(C) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered; or

(D) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies.

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment Center and have physical inspection scores of less than 30 or have consecutive physical inspection scores of less than 60. The report shall include:

(1) The enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times; and

(2) Actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties.

SEC. 227. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2015.

SEC. 228. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

SEC. 229. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking "fiscal year" and all that follows through the period at the end and inserting "fiscal year 2015."; and

(2) in subsection (o), by striking "September" and all that follows through the period at the end and inserting "September 30, 2015.".

SEC. 230. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 231. Of the amounts made available for salaries and expenses under all accounts under this title (except for the Office of Inspector General account), a total of up to $2,500,000 may be transferred to and merged with amounts made available in the "Information Technology Fund" account under this title.

SEC. 232. Section 579 of the Multifamily Assisted Housing Reform and Affordability Act (MAHRA) of 1997 (42 U.S.C. 1437f note) is amended by striking "October 1, 2015" each place it appears and inserting in lieu thereof "October 1, 2017".

SEC. 233. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 234. The language under the heading Rental Assistance Demonstration in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112–55), is amended— 42 USC 1437f note.

(1) by striking "(except for funds allocated under such section for single room occupancy dwellings as authorized by title IV of the McKinney-Vento Homeless Assistance Act)" in both places it appears;

(2) in the second proviso, by striking "2015" and inserting "2018";

(3) in the third proviso, after "associated with such conversion", by inserting "in excess of amounts made available under this heading";

(4) in the fourth proviso, by striking "60,000" and inserting "185,000";

(5) in the penultimate proviso, by—

(A) striking "for fiscal years 2012 through December 31, 2014";

(B) striking "and agreement of the administering public housing agency"; and

(C) inserting "a long-term project-based subsidy contract under section 8 of the Act, which shall have a term of no less than 20 years, with rent adjustments only by an operating cost factor established by the Secretary, which shall be eligible for renewal under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note), or, subject to agreement of the administering public housing agency, to assistance under" following "vouchers to assistance under";

(6) by inserting the following provisos before the final proviso: "*Provided further*, That amounts made available under the heading 'Rental Housing Assistance' during the period of conversion under the previous proviso, which may extend beyond fiscal year 2016 as necessary to allow processing of all timely applications, shall be available for project-based subsidy contracts entered into pursuant to the previous proviso: *Provided further*, That amounts, including contract authority,

recaptured from contracts following a conversion under the previous two provisos are hereby rescinded and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended for such conversions: *Provided further*, That the Secretary may transfer amounts made available under the heading 'Rental Housing Assistance', amounts made available for tenant protection vouchers under the heading 'Tenant-Based Rental Assistance' and specifically associated with any such conversions, and amounts made available under the previous proviso as needed to the account under the 'Project-Based Rental Assistance' heading to facilitate conversion under the three previous provisos and any increase in cost for 'Project-Based Rental Assistance' associated with such conversion shall be equal to amounts so transferred:"; and

(7) in the final proviso, by—

(A) striking "with respect to the previous proviso" and inserting "with respect to the previous four provisos"; and

(B) striking "impact of the previous proviso" and inserting "impact of the fiscal year 2012 and 2013 conversion of tenant protection vouchers to assistance under section 8(o)(13) of the Act".

SEC. 235. None of the funds made available by this Act nor any receipts or amounts collected under any Federal Housing Administration program may be used to implement the Homeowners Armed with Knowledge (HAWK) program.

SEC. 236. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a state, municipality, or any other political subdivision of a state.

SEC. 237. All unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the heading "Brownfields Redevelopment" are hereby permanently rescinded: *Provided*, That all unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the heading "Drug Elimination Grants for Low Income Housing" are hereby permanently rescinded: *Provided further*, That all unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development for Youthbuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act are hereby permanently rescinded.

SEC. 238. Clause (i) of section 3(a)(2)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)(2)(B)(i)), as amended by section 210 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014 (division L of Public Law 113–76; 128 Stat. 625), is amended—

(1) by striking "which shall not be lower" in the matter preceding subclause (I) and all that follows through the end of subclause (I) and inserting the following: "which—

"(I) shall not be lower than 80 percent of—

"(aa) the applicable fair market rental established under section 8(c) of this Act; or

"(bb) at the discretion of the Secretary, such other applicable fair market rental established by the Secretary that the Secretary determines more accurately reflects local market conditions and is based on an applicable market area that is geographically smaller than the applicable market area used for purposes of the applicable fair market rental under section 8(c);

except that a public housing agency may apply to the Secretary for exception allowing for a flat rental amount for a property that is lower than the amount otherwise determined pursuant to item (aa) or (bb) and the Secretary may grant such exception if the Secretary determines that the fair market rental for the applicable market area pursuant to item (aa) or (bb) does not reflect the market value of the property and the proposed lower flat rental amount is based on a market analysis of the applicable market and complies with subclause (II) and";

(2) in subclause (II), by inserting "shall" before "be designed"; and

(3) in the matter after and below subclause (II), by striking "Public housing agencies must comply by June 1, 2014, with the requirement of this clause, except that if" and inserting "If".

SEC. 239. None of the funds made available by this Act may be used to require the relocation, or to carry out any required relocation, of any asset management positions of the Office of Multifamily Housing of the Department of Housing and Urban Development in existence as of the date of the enactment of this Act.

SEC. 240. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 241. Section 184(h)(1)(B) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(h)(1)(B)) is amended by inserting after the first sentence the following: "Exhausting all reasonable possibilities of collection by the holder of the guarantee shall include a good faith consideration of loan modification as well as meeting standards for servicing loans in default, as determined by the Secretary.".

This title may be cited as the "Department of Housing and Urban Development Appropriations Act, 2015".

TITLE III

RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $7,548,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $25,660,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $23,999,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within Amtrak: *Provided further*, That concurrent with the President's budget request for fiscal year 2016, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2016 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $103,981,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $135,000,000, of which $5,000,000 shall be for a multi-family rental housing program: *Provided*, That in addition, $50,000,000 shall be made available until expended to the Neighborhood Reinvestment Corporation for mortgage foreclosure mitigation activities, under the following terms and conditions:

(1) The Neighborhood Reinvestment Corporation ("NRC") shall make grants to counseling intermediaries approved by the Department of Housing and Urban Development (HUD) (with match to be determined by the NRC based on affordability and the economic conditions of an area; a match also may be waived by the NRC based on the aforementioned conditions) to provide mortgage foreclosure mitigation assistance primarily to States and areas with high rates of defaults and foreclosures to help eliminate the default and foreclosure of mortgages of owner-occupied single-family homes that are at risk of such foreclosure. Other than areas with high rates of defaults and foreclosures, grants may also be provided to approved counseling intermediaries based on a geographic analysis of the Nation by the NRC which determines where there is a prevalence of mortgages that are risky and likely to fail, including any trends for mortgages that are likely to default and face foreclosure. A State Housing Finance Agency may also be eligible where the State Housing Finance Agency meets all the requirements under this paragraph. A HUD-approved counseling intermediary shall meet certain mortgage foreclosure mitigation assistance counseling requirements, as determined by the NRC, and shall be approved by HUD or the NRC as meeting these requirements.

(2) Mortgage foreclosure mitigation assistance shall only be made available to homeowners of owner-occupied homes with mortgages in default or in danger of default. These mortgages shall likely be subject to a foreclosure action and homeowners will be provided such assistance that shall consist of activities that are likely to prevent foreclosures and result in the long-term affordability of the mortgage retained pursuant to such activity or another positive outcome for the homeowner.

No funds made available under this paragraph may be provided directly to lenders or homeowners to discharge outstanding mortgage balances or for any other direct debt reduction payments.

(3) The use of mortgage foreclosure mitigation assistance by approved counseling intermediaries and State Housing Finance Agencies shall involve a reasonable analysis of the borrower's financial situation, an evaluation of the current value of the property that is subject to the mortgage, counseling regarding the assumption of the mortgage by another non-Federal party, counseling regarding the possible purchase of the mortgage by a non-Federal third party, counseling and advice of all likely restructuring and refinancing strategies or the approval of a work-out strategy by all interested parties.

(4) NRC may provide up to 15 percent of the total funds under this paragraph to its own charter members with expertise in foreclosure prevention counseling, subject to a certification by the NRC that the procedures for selection do not consist of any procedures or activities that could be construed as a conflict of interest or have the appearance of impropriety.

(5) HUD-approved counseling entities and State Housing Finance Agencies receiving funds under this paragraph shall have demonstrated experience in successfully working with financial institutions as well as borrowers facing default, delinquency and foreclosure as well as documented counseling capacity, outreach capacity, past successful performance and positive outcomes with documented counseling plans (including post mortgage foreclosure mitigation counseling), loan workout agreements and loan modification agreements. NRC may use other criteria to demonstrate capacity in underserved areas.

(6) Of the total amount made available under this paragraph, up to $2,500,000 may be made available to build the mortgage foreclosure and default mitigation counseling capacity of counseling intermediaries through NRC training courses with HUD-approved counseling intermediaries and their partners, except that private financial institutions that participate in NRC training shall pay market rates for such training.

(7) Of the total amount made available under this paragraph, up to 5 percent may be used for associated administrative expenses for the NRC to carry out activities provided under this section.

(8) Of the total amount made available under this paragraph, up to $4,000,000 may be used for wind-down and close-out of the mortgage foreclosure mitigation activities program.

(9) Mortgage foreclosure mitigation assistance grants may include a budget for outreach and advertising, and training, as determined by the NRC.

(10) The NRC shall continue to report bi-annually to the House and Senate Committees on Appropriations as well as the Senate Banking Committee and House Financial Services Committee on its efforts to mitigate mortgage default.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,530,000. Title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11319) is amended by striking "October 1, 2016" in section 209 and inserting "October 1, 2017".

TITLE IV

GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

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

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2015, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall

be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include:

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2015 from appropriations made available for salaries and expenses for fiscal year 2015 in this Act, shall remain available through September 30, 2016, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use

shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownsfields as defined in the Small Business Liability Relief and Brownsfield Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. All Federal agencies and departments that are funded under this Act shall issue a report to the House and Senate Committees on Appropriations on all sole-source contracts by no later than July 30, 2015. Such report shall include the contractor, the amount of the contract and the rationale for using a sole-source contract.

SEC. 409. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 410. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 411. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy American Act").

SEC. 412. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 413. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 414. None of the funds made available by this Act may be used in contravention of the 5th or 14th Amendment to the Constitution or title VI of the Civil Rights Act of 1964.

SEC. 415. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a

country that is party to the U.S.–E.U.–Iceland–Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.–E.U.–Iceland–Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Agreement and United States law.

SEC. 416. None of the funds made available by this Act may be used to obligate or award funds for the National Highway Traffic Safety Administration's National Roadside Survey.

SEC. 417. None of the funds made available by this Act may be used to mandate global positioning system (GPS) tracking in private passenger motor vehicles without providing full and appropriate consideration of privacy concerns under 5 U.S.C. chapter 5, subchapter II.

SEC. 418. None of the funds made available in this Act may be used by the Federal Transit Administration to implement, administer, or enforce section 18.36(c)(2) of title 49, Code of Federal Regulations, for construction hiring purposes.

SEC. 419. None of the funds made available by this Act may be used to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 420. It is the sense of the Congress that the Congress should not pass any legislation that authorizes spending cuts that would increase poverty in the United States.

SEC. 421. All agencies and departments funded by the Act shall send to Congress at the end of the fiscal year a report containing a complete inventory of the total number of vehicles owned, leased, permanently retired, and purchased during fiscal year 2015, as well as the total cost of the vehicle fleet, including maintenance, fuel, storage, purchasing, and leasing.

SEC. 422. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term "international conference" shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 423. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Committee in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if--

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 424. Any Federal agency or department that is funded under this Act shall respond to any recommendation made to such agency or department by the Government Accountability Office in a timely manner.

This division may be cited as the "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2015".

DIVISION L—FURTHER CONTINUING APPROPRIATIONS, 2015

SEC. 101. The Continuing Appropriations Resolution, 2015 (Public Law 113–164) is amended by—

(1) striking the date specified in section 106(3) and inserting "February 27, 2015";

(2) striking "the date specified in section 106(3) of this joint resolution" in section 144 and inserting "December 11, 2014"; and

(3) adding after section 149 the following new sections:

"SEC. 150. (a) Amounts made available by section 101 for 'Department of Homeland Security—United States Secret Service—Salaries and Expenses' shall be obligated at a rate for operations necessary for Presidential candidate nominee protection.

"(b) The Secretary of Homeland Security shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

"SEC. 151. The Department of Homeland Security shall continue preparations to award the construction contract for the National Bio- and Agro-defense Facility by May 1, 2015.".

SEC. 102. (a) Section 44302(f) of title 49, United States Code, is amended by striking "the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015" and inserting "December 11, 2014".

(b) Section 44303(b) of title 49, United States Code, is amended by striking "the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015" and inserting "December 11, 2014".

(c) Section 44310(a) of title 49, United States Code, is amended by striking "the date specified in section 106(3) of the Continuing Appropriations Resolution, 2015" and inserting "December 11, 2014".

DIVISION M—EXPATRIATE HEALTH COVERAGE CLARIFICATION ACT OF 2014

Expatriate Health Coverage Clarification Act of 2014.
42 USC 18001 note.

SEC. 1. SHORT TITLE.

This division may be cited as the "Expatriate Health Coverage Clarification Act of 2014".

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) American expatriate health insurance companies should be permitted to compete on a level playing field in the global marketplace;

(2) the global competitiveness of American companies should be encouraged; and

(3) in implementing the health insurance provider fee under section 9010 of the Patient Protection and Affordable Care Act (Public Law 111–148; 26 U.S.C. 4001 note prec.) and other provisions of such Act and title I and subtitle B of title II of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), the Secretary of the Treasury, Secretary of Health and Human Services, and Secretary of Labor should continue to recognize the unique and multinational features of expatriate health plans and the United States companies that operate such plans and the competitive pressures of such plans and companies.

42 USC 18014.

SEC. 3. TREATMENT OF EXPATRIATE HEALTH PLANS UNDER ACA.

(a) IN GENERAL.—Subject to subsection (b), the provisions of (including any amendment made by) the Patient Protection and Affordable Care Act (Public Law 111–148) and of title I and subtitle B of title II of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152) shall not apply with respect to—

(1) expatriate health plans;

(2) employers with respect to such plans, solely in their capacity as plan sponsors for such plans; or

(3) expatriate health insurance issuers with respect to coverage offered by such issuers under such plans.

(b) MINIMUM ESSENTIAL COVERAGE AND REPORTING REQUIREMENTS.—

(1) IN GENERAL.—For the purpose of section 5000A(f) of the Internal Revenue Code of 1986, and any other section of the Internal Revenue Code of 1986 that incorporates the definition of minimum essential coverage under such section 5000A(f) by reference:

(A) An expatriate health plan offered to primary enrollees who are described in subsections (d)(3)(A) and (d)(3)(B) of this section shall be treated as an eligible employer sponsored plan under 5000A(f)(2) of such Code.

(B) An expatriate health plan offered to primary enrollees who are described in subsection (d)(3)(C) of this section shall be treated as a plan in the individual market under section 5000A(f)(1)(C) of such Code. This subparagraph shall apply solely for the purposes of sections 36B, 5000A, and 6055 of such Code.

(2) EXCEPTION.—Subsection (a) shall not apply with respect to section 6055 of the Internal Revenue Code of 1986, or sections 4980H and 6056 of such Code in the case of an applicable large employer (as defined in section 4980H of such Code), except that statements furnished to individuals may be provided through electronic media and the primary insured shall be deemed to have consented to receive the statements under such sections in electronic form, unless the individual explicitly refuses such consent. Notwithstanding subsection (a), section 4980I of the Internal Revenue Code of 1986 shall continue to apply with respect to applicable employer-sponsored coverage (as defined in such section) of a qualified expatriate described in section 3(d)(3)(A)(i) who is assigned (rather than transferred) to work in the United States.

(c) QUALIFIED EXPATRIATES, SPOUSES, AND DEPENDENTS NOT UNITED STATES HEALTH RISK.—

(1) IN GENERAL.—For purposes of section 9010 of the Patient Protection and Affordable Care Act (26 U.S.C. 4001 note prec.), for calendar years after 2015, a qualified expatriate (and any spouse, dependent, or any other individual enrolled in the plan) enrolled in an expatriate health plan shall not be considered a United States health risk.

(2) SPECIAL RULE.—Notwithstanding paragraph (1), the fee under section 9010 of such Act for each of calendar years 2014 and 2015 with respect to any expatriate health insurance issuer shall be the amount which bears the same ratio to the fee amount determined by the Secretary of the Treasury with respect to such issuer under such section for each such year (determined without regard to this paragraph) as—

(A) the amount of premiums taken into account under such section with respect to such issuer for each such year, less the amount of premiums for expatriate health plans taken into account under such section with respect to such issuer for each such year, bears to

(B) the amount of premiums taken into account under such section with respect to such issuer for each such year.

(d) DEFINITIONS.—In this section:

(1) EXPATRIATE HEALTH INSURANCE ISSUER.—The term "expatriate health insurance issuer" means a health insurance issuer that issues expatriate health plans.

(2) EXPATRIATE HEALTH PLAN.—The term "expatriate health plan" means a group health plan, health insurance coverage offered in connection with a group health plan, or health insurance coverage offered to a group of individuals described in paragraph (3)(C) (which may include spouses, dependents, and other individuals enrolled in the plan) that meets each of the following standards:

(A) Substantially all of the primary enrollees in such plan or coverage are qualified expatriates with respect to such plan or coverage. In applying the previous sentence, an individual shall not be considered a primary enrollee if the individual is not a national of the United States and the individual resides in the country of which the individual is a citizen.

(B) Substantially all of the benefits provided under the plan or coverage are not excepted benefits described in section 9832(c) of the Internal Revenue Code of 1986.

(C) The plan or coverage provides coverage for inpatient hospital services, outpatient facility services, physician services, and emergency services (comparable to such emergency services coverage described in and offered under section 8903(1) of title 5, United States Code for plan year 2009)—

(i) in the case of individuals described in paragraph (3)(A), both in the United States and in the country or countries from which the individual was transferred or assigned (accounting for flexibility needed with existing coverage), and such other country or countries as the Secretary of Health and Human Services, in consultation with the Secretary of the Treasury and

the Secretary of Labor, may designate (after taking into account the barriers and prohibitions to providing health care services in the countries as designated);

(ii) in the case of individuals described in paragraph (3)(B), in the country or countries in which the individual is present in connection with the individual's employment, and such other country or countries as the Secretary of Health and Human Services, in consultation with the Secretary of the Treasury and the Secretary of Labor, may designate; or

(iii) in the case of individuals described in paragraph (3)(C), in the country or countries as the Secretary of Health and Human Services, in consultation with the Secretary of the Treasury and the Secretary of Labor, may designate.

(D) The plan sponsor reasonably believes that the benefits provided by the expatriate health plan satisfy a standard at least actuarially equivalent to the level provided for in section 36B(c)(2)(C)(ii) of the Internal Revenue Code of 1986.

(E) If the plan or coverage provides dependent coverage of children, the plan or coverage makes such dependent coverage available for adult children until the adult child turns 26 years of age, unless such individual is the child of a child receiving dependent coverage.

(F) The plan or coverage—

(i) is issued by an expatriate health plan issuer, or administered by an administrator, that together with any other person in the expatriate health plan issuer's or administrator's controlled group (as described in section 9010 of the Patient Protection and Affordable Care Act (and the regulations promulgated thereunder)), has licenses to sell insurance in more than two countries, and, with respect to such plan, coverage, or company in the controlled group—

(I) maintains network provider agreements that provide for direct claims payments, directly or through third party contracts, with health care providers in eight or more countries;

(II) maintains call centers, directly or through third party contracts, in three or more countries and accepts calls from customers in eight or more languages;

(III) processes (in the aggregate together with other plans or coverage it issues or administers) at least $1,000,000 in claims in foreign currency equivalents each year;

(IV) makes available (directly or through third party contracts) global evacuation/repatriation coverage; and

(V) maintains legal and compliance resources in three or more countries; and

(ii) offers reimbursements for items or services under such plan or coverage in the local currency in eight or more countries.

(G) The plan or coverage, and the plan sponsor or expatriate health insurance issuer with respect to such

plan or coverage, satisfies the provisions of title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.), chapter 100 of the Internal Revenue Code of 1986, and part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181 et seq.), which would otherwise apply to such a plan or coverage, and sponsor or issuer, if not for the enactment of the Patient Protection and Affordable Care Act and title I and subtitle B of title II of the Health Care and Education Reconciliation Act of 2010.

(3) QUALIFIED EXPATRIATE.—The term "qualified expatriate" means a primary insured, or individual otherwise described in subparagraph (C)—

(A)(i) whose skills, qualifications, job duties, or expertise is of a type that has caused his or her employer to transfer or assign him or her to the United States for a specific and temporary purpose or assignment tied to his or her employment; and

(ii) in connection with such transfer or assignment, is reasonably determined by the plan sponsor to require access to health insurance and other related services and support in multiple countries, and is offered other multinational benefits on a periodic basis (such as tax equalization, compensation for cross border moving expenses, or compensation to enable the expatriate to return to their home country);

(B) who is working outside of the United States for a period of at least 180 days in a consecutive 12-month period that overlaps with the plan year; or

(C) who is a member of a group of similarly situated individuals—

(i) that is formed for the purpose of traveling or relocating internationally in service of one or more of the purposes listed in section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986, or similarly situated organizations or groups (such as students or religious missionaries);

(ii) that is not formed primarily for the sale of health insurance coverage; and

(iii) that the Secretary of Health and Human Services, in consultation with the Secretary of the Treasury and the Secretary of Labor, determines requires access to health insurance and other related services and support in multiple countries.

(4) UNITED STATES.—The term "United States" means the 50 States, the District of Columbia, and Puerto Rico.

(5) MISCELLANEOUS TERMS.—

(A) GROUP HEALTH PLAN; HEALTH INSURANCE COVERAGE; HEALTH INSURANCE ISSUER; PLAN SPONSOR.—The terms "group health plan", "health insurance coverage", "health insurance issuer", and "plan sponsor" have the meanings given those terms in section 2791 of the Public Health Service Act (42 U.S.C. 300gg–91).

(B) TRANSFER.—The term "transfer" means an employer has transferred an employee to perform services for a branch of the same employer or a parent, affiliate, franchise, or subsidiary thereof.

(e) REGULATIONS.—The Secretary of the Treasury, the Secretary of Health and Human Services, and the Secretary of Labor may promulgate regulations necessary to carry out this Act, including such rules as may be necessary to prevent inappropriate expansion of the application of the exclusions under this Act from applicable laws and regulations, and to amend existing annual reporting requirements or procedures to include applicable qualified expatriate health insurers' total number of expatriate plan enrollees.

(f) EFFECTIVE DATE.—Unless otherwise specified, this Act shall take effect on the date of enactment of this Act, and shall apply only to expatriate health plans issued or renewed on or after July 1, 2015.

DIVISION N—OTHER MATTERS

SEC. 101. SEPARATE CONTRIBUTION LIMITS FOR CONTRIBUTIONS MADE TO NATIONAL PARTIES TO SUPPORT PRESIDENTIAL NOMINATING CONVENTIONS, NATIONAL PARTY HEADQUARTERS BUILDINGS, AND RECOUNTS.

(a) SEPARATE LIMITS.—Section 315(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)) is amended—

(1) in paragraph (1)(B), by striking the semicolon at the end and inserting the following: ", or, in the case of contributions made to any of the accounts described in paragraph (9), exceed 300 percent of the amount otherwise applicable under this subparagraph with respect to such calendar year;";

(2) in paragraph (2)(B), by striking the semicolon at the end and inserting the following: ", or, in the case of contributions made to any of the accounts described in paragraph (9), exceed 300 percent of the amount otherwise applicable under this subparagraph with respect to such calendar year;"; and

(3) by adding at the end the following new paragraph:

"(9) An account described in this paragraph is any of the following accounts:

"(A) A separate, segregated account of a national committee of a political party (other than a national congressional campaign committee of a political party) which is used solely to defray expenses incurred with respect to a presidential nominating convention (including the payment of deposits) or to repay loans the proceeds of which were used to defray such expenses, or otherwise to restore funds used to defray such expenses, except that the aggregate amount of expenditures the national committee of a political party may make from such account may not exceed $20,000,000 with respect to any single convention.

"(B) A separate, segregated account of a national committee of a political party (including a national congressional campaign committee of a political party) which is used solely to defray expenses incurred with respect to the construction, purchase, renovation, operation, and furnishing of one or more headquarters buildings of the party or to repay loans the proceeds of which were used to defray such expenses, or otherwise to restore funds used to defray such expenses (including expenses for obligations incurred during the 2-year period which ends on the date of the enactment of this paragraph).

"(C) A separate, segregated account of a national committee of a political party (including a national congressional campaign committee of a political party) which is used to defray expenses incurred with respect to the preparation for and the conduct of election recounts and contests and other legal proceedings.".

(b) CONFORMING AMENDMENT RELATING TO DETERMINATION OF COORDINATED EXPENDITURE LIMITATIONS.—Section 315(d) of such Act (52 U.S.C. 30116(d)) is amended by adding at the end the following new paragraph:

"(5) The limitations contained in paragraphs (2), (3), and (4) of this subsection shall not apply to expenditures made from any of the accounts described in subsection (a)(9).".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to funds that are solicited, received, transferred, or spent on or after the date of the enactment of this section. 52 USC 30116 note.

SEC. 102. MODIFICATION OF TREATMENT OF CERTAIN HEALTH ORGANIZATIONS.

(a) IN GENERAL.—Paragraph (5) of section 833(c) of the Internal Revenue Code of 1986 is amended— 26 USC 833.

(1) by striking "this section" and inserting "paragraphs (2) and (3) of subsection (a)", and

(2) by inserting "and for activities that improve health care quality" after "clinical services".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009. 26 USC 833 note.

SEC. 103. BUDGETARY EFFECTS.

(a) STATUTORY PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of division M and sections 101 and 102 of division N shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of division M and sections 101 and 102 of division N shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of division M and sections 101 and 102 of division N shall not be estimated—

(1) for purposes of section 251 of such Act; and

(2) for purposes of paragraph 4(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

DIVISION O—MULTIEMPLOYER PENSION REFORM

Multiemployer Pension Reform Act of 2014. 29 USC 1001 note.

SEC. 1. SHORT TITLE.

This division may be cited as the "Multiemployer Pension Reform Act of 2014".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this division is as follows:

TITLE I—MODIFICATIONS TO MULTIEMPLOYER PLAN RULES

Subtitle A—Amendments to Pension Protection Act of 2006

SEC. 101. REPEAL OF SUNSET OF PPA FUNDING RULES.

(a) IN GENERAL.—Subtitle C of title II of the Pension Protection Act of 2006 (26 U.S.C. 412 note) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) AMENDMENT TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Section 304(d)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1084) is amended by striking subparagraph (C).

(2) AMENDMENT TO INTERNAL REVENUE CODE.—Section 431(d)(1) of the Internal Revenue Code of 1986 is amended by striking subparagraph (C).

26 USC 431.

SEC. 102. ELECTION TO BE IN CRITICAL STATUS.

(a) AMENDMENTS TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) IN GENERAL.—Section 305(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(b)) is amended by adding at the end the following:

"(4) ELECTION TO BE IN CRITICAL STATUS.—Notwithstanding paragraph (2) and subject to paragraph (3)(B)(iv)—

"(A) the plan sponsor of a multiemployer plan that is not in critical status for a plan year but that is projected by the plan actuary, pursuant to the determination under paragraph (3), to be in critical status in any of the succeeding 5 plan years may, not later than 30 days after the date of the certification under paragraph (3)(A), elect to be in critical status effective for the current plan year,

"(B) the plan year in which the plan sponsor elects to be in critical status under subparagraph (A) shall be treated for purposes of this section as the first year in which the plan is in critical status, regardless of the date on which the plan first satisfies the criteria for critical status under paragraph (2), and

"(C) a plan that is in critical status under this paragraph shall not emerge from critical status except in accordance with subsection (e)(4)(B).".

(2) ANNUAL CERTIFICATION.—

(A) IN GENERAL.—Section 305(b)(3)(A)(i) of such Act (29 U.S.C. 1085(b)(3)(A)(i)) is amended by striking ", and" and inserting "or for any of the succeeding 5 plan years, and".

(B) ACTUARIAL PROJECTIONS.—Section 305(b)(3)(B) of such Act (29 U.S.C. 1085(b)(3)(B)) is amended—

(i) in clause (i), by striking "In making the determinations" and inserting "Except as provided in clause (iv), in making the determinations"; and

(ii) by adding at the end the following:

"(iv) PROJECTIONS RELATING TO CRITICAL STATUS IN SUCCEEDING PLAN YEARS.—Clauses (i) and (ii) (other than the 2nd sentence of clause (i)) may be disregarded by a plan actuary in the case of any certification of whether a plan will be in critical status in a succeeding plan year, except that a plan sponsor may not elect to be in critical status for a plan year under paragraph (4) in any case in which the certification upon which such election would be based is made without regard to such clauses.".

(3) NOTICE.—

(A) OF ELECTION TO BE IN CRITICAL STATUS.—Section 305(b)(3)(D)(i) of such Act (29 U.S.C. 1085(b)(3)(D)(i)) is amended—

(i) by inserting after "for a plan year" the following: "or in which a plan sponsor elects to be in critical status for a plan year under paragraph (4)"; and

(ii) by adding at the end the following: "In any case in which a plan sponsor elects to be in critical status for a plan year under paragraph (4), the plan sponsor shall notify the Secretary of the Treasury of such election not later than 30 days after the date of such certification or such other time as the Secretary of the Treasury may prescribe by regulations or other guidance."

(B) OF PROJECTION TO BE IN CRITICAL STATUS IN A FUTURE PLAN YEAR.—Section 305(b)(3)(D) of such Act (29

U.S.C. 1085(b)(3)(D)) is amended by adding at the end the following:

"(iv) NOTICE OF PROJECTION TO BE IN CRITICAL STATUS IN A FUTURE PLAN YEAR.—In any case in which it is certified under subparagraph (A)(i) that a multiemployer plan will be in critical status for any of 5 succeeding plan years (but not for the current plan year) and the plan sponsor of such plan has not made an election to be in critical status for the plan year under paragraph (4), the plan sponsor shall, not later than 30 days after the date of the certification, provide notification of the projected critical status to the Pension Benefit Guaranty Corporation.".

(b) AMENDMENTS TO INTERNAL REVENUE CODE.—

(1) IN GENERAL.—Section 432(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

26 USC 432.

"(4) ELECTION TO BE IN CRITICAL STATUS.—Notwithstanding paragraph (2) and subject to paragraph (3)(B)(iv)—

"(A) the plan sponsor of a multiemployer plan that is not in critical status for a plan year but that is projected by the plan actuary, pursuant to the determination under paragraph (3), to be in critical status in any of the succeeding 5 plan years may, not later than 30 days after the date of the certification under paragraph (3)(A), elect to be in critical status effective for the current plan year,

"(B) the plan year in which the plan sponsor elects to be in critical status under subparagraph (A) shall be treated for purposes of this section as the first year in which the plan is in critical status, regardless of the date on which the plan first satisfies the criteria for critical status under paragraph (2), and

"(C) a plan that is in critical status under this paragraph shall not emerge from critical status except in accordance with subsection (e)(4)(B).".

(2) ANNUAL CERTIFICATION.—

(A) IN GENERAL.—Section 432(b)(3)(A)(i) of such Code is amended by striking ", and" and inserting "or for any of the succeeding 5 plan years, and".

(B) ACTUARIAL PROJECTIONS.—Section 432(b)(3)(B) of such Code is amended—

(i) in clause (i), by striking "In making the determinations" and inserting "Except as provided in clause (iv), in making the determinations"; and

(ii) by adding at the end the following:

"(iv) PROJECTIONS RELATING TO CRITICAL STATUS IN SUCCEEDING PLAN YEARS.—Clauses (i) and (ii) (other than the 2nd sentence of clause (i)) may be disregarded by a plan actuary in the case of any certification of whether a plan will be in critical status in a succeeding plan year, except that a plan sponsor may not elect to be in critical status for a plan year under paragraph (4) in any case in which the certification upon which such election would be based is made without regard to such clauses.".

(3) NOTICE.—

(A) OF ELECTION TO BE IN CRITICAL STATUS.—Section 432(b)(3)(D)(i) of such Code is amended—

(i) by inserting after "for a plan year" the following: "or in which a plan sponsor elects to be in critical status for a plan year under paragraph (4)"; and

(ii) by adding at the end the following: "In any case in which a plan sponsor elects to be in critical status for a plan year under paragraph (4), the plan sponsor shall notify the Secretary of such election not later than 30 days after the date of such certification or such other time as the Secretary may prescribe by regulations or other guidance.".

(B) OF PROJECTION TO BE IN CRITICAL STATUS IN A FUTURE PLAN YEAR.—Section 432(b)(3)(D) of such Code is amended by adding at the end the following: 26 USC 432.

"(iv) NOTICE OF PROJECTION TO BE IN CRITICAL STATUS IN A FUTURE PLAN YEAR.—In any case in which it is certified under subparagraph (A)(i) that a multiemployer plan will be in critical status for any of 5 succeeding plan years (but not for the current plan year) and the plan sponsor of such plan has not made an election to be in critical status for the plan year under paragraph (4), the plan sponsor shall, not later than 30 days after the date of the certification, provide notification of the projected critical status to the Pension Benefit Guaranty Corporation.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2014. 26 USC 432 note.

SEC. 103. CLARIFICATION OF RULE FOR EMERGENCE FROM CRITICAL STATUS.

(a) AMENDMENT TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Section 305(e)(4)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(e)(4)(B)) is amended to read as follows:

"(B) EMERGENCE.—

"(i) IN GENERAL.—A plan in critical status shall remain in such status until a plan year for which the plan actuary certifies, in accordance with subsection (b)(3)(A), that—

"(I) the plan is not described in one or more of the subparagraphs in subsection (b)(2) as of the beginning of the plan year;

"(II) the plan is not projected to have an accumulated funding deficiency for the plan year or any of the 9 succeeding plan years, without regard to the use of the shortfall method but taking into account any extension of amortization periods under section 304(d)(2) or section 304 (as in effect prior to the enactment of the Pension Protection Act of 2006); and

"(III) the plan is not projected to become insolvent within the meaning of section 4245 for any of the 30 succeeding plan years.

"(ii) PLANS WITH CERTAIN AMORTIZATION EXTENSIONS.—

"(I) SPECIAL EMERGENCE RULE.—Notwithstanding clause (i), a plan in critical status that

has an automatic extension of amortization periods under section 304(d)(1) shall no longer be in critical status if the plan actuary certifies for a plan year, in accordance with subsection (b)(3)(A), that—

"(aa) the plan is not projected to have an accumulated funding deficiency for the plan year or any of the 9 succeeding plan years, without regard to the use of the shortfall method but taking into account any extension of amortization periods under section 304(d)(1); and

"(bb) the plan is not projected to become insolvent within the meaning of section 4245 for any of the 30 succeeding plan years,

regardless of whether the plan is described in one or more of the subparagraphs in subsection (b)(2) as of the beginning of the plan year.

"(II) REENTRY INTO CRITICAL STATUS.—A plan that emerges from critical status under subclause (I) shall not reenter critical status for any subsequent plan year unless—

"(aa) the plan is projected to have an accumulated funding deficiency for the plan year or any of the 9 succeeding plan years, without regard to the use of the shortfall method but taking into account any extension of amortization periods under section 304(d); or

"(bb) the plan is projected to become insolvent within the meaning of section 4245 for any of the 30 succeeding plan years.".

(b) AMENDMENT TO THE INTERNAL REVENUE CODE.—Section 432(e)(4)(B) of the Internal Revenue Code of 1986 is amended to read as follows:

26 USC 432.

"(B) EMERGENCE.—

"(i) IN GENERAL.—A plan in critical status shall remain in such status until a plan year for which the plan actuary certifies, in accordance with subsection (b)(3)(A), that—

"(I) the plan is not described in one or more of the subparagraphs in subsection (b)(2) as of the beginning of the plan year,

"(II) the plan is not projected to have an accumulated funding deficiency for the plan year or any of the 9 succeeding plan years, without regard to the use of the shortfall method but taking into account any extension of amortization periods under section 431(d)(2) or section 412(e) (as in effect prior to the enactment of the Pension Protection Act of 2006), and

"(III) the plan is not projected to become insolvent within the meaning of section 418E for any of the 30 succeeding plan years.

"(ii) PLANS WITH CERTAIN AMORTIZATION EXTENSIONS.—

"(I) SPECIAL EMERGENCE RULE.—Notwithstanding clause (i), a plan in critical status that

has an automatic extension of amortization periods under section 431(d)(1) shall no longer be in critical status if the plan actuary certifies for a plan year, in accordance with subsection (b)(3)(A), that—

"(aa) the plan is not projected to have an accumulated funding deficiency for the plan year or any of the 9 succeeding plan years, without regard to the use of the shortfall method but taking into account any extension of amortization periods under section 431(d)(1), and

"(bb) the plan is not projected to become insolvent within the meaning of section 418E for any of the 30 succeeding plan years,

regardless of whether the plan is described in one or more of the subparagraphs in subsection (b)(2) as of the beginning of the plan year.

"(II) REENTRY INTO CRITICAL STATUS.—A plan that emerges from critical status under subclause (I) shall not reenter critical status for any subsequent plan year unless—

"(aa) the plan is projected to have an accumulated funding deficiency for the plan year or any of the 9 succeeding plan years, without regard to the use of the shortfall method but taking into account any extension of amortization periods under section 431(d), or

"(bb) the plan is projected to become insolvent within the meaning of section 418E for any of the 30 succeeding plan years.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2014. 26 USC 432 note.

SEC. 104. ENDANGERED STATUS NOT APPLICABLE IF NO ADDITIONAL ACTION IS REQUIRED.

(a) AMENDMENTS TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) IN GENERAL.—Section 305(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(b)), as amended by section 102, is further amended—

(A) in paragraph (1), by striking "the plan is not in critical status for the plan year" and inserting "the plan is not in critical status for the plan year and is not described in paragraph (5),"; and

(B) by adding at the end the following:

"(5) SPECIAL RULE.—A plan is described in this paragraph if—

"(A) as part of the actuarial certification of endangered status under paragraph (3)(A) for the plan year, the plan actuary certifies that the plan is projected to no longer be described in either paragraph (1)(A) or paragraph (1)(B) as of the end of the tenth plan year ending after the plan year to which the certification relates, and

"(B) the plan was not in critical or endangered status for the immediately preceding plan year.".

(2) NOTICE.—Section 305(b)(3)(D) of such Act (29 U.S.C. 1085(b)(3)(D)) is amended—

(A) by redesignating clause (iii) and clause (iv) (as added by section 102(a)(3)(B)) as clauses (iv) and (v), respectively; and

(B) by inserting after clause (ii) the following:

"(iii) In the case of a multiemployer plan that would be in endangered status but for paragraph (5), the plan sponsor shall provide notice to the bargaining parties and the Pension Benefit Guaranty Corporation that the plan would be in endangered status but for such paragraph.".

(C) in clause (iv) (as redesignated by subparagraph (A)), by striking "clause (ii)" and inserting "clauses (ii) and (iii)".

(3) CONFORMING AMENDMENT.—Section 305(b)(3)(A)(i) of such Act (29 U.S.C. 1085(b)(3)(A)(i)) is amended by inserting after "endangered status for a plan year" the following: ", or would be in endangered status for such plan year but for paragraph (5),".

(b) AMENDMENTS TO INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—Section 432(b) of the Internal Revenue Code of 1986, as amended by section 102, is further amended—

(A) in paragraph (1), by striking "the plan is not in critical status for the plan year" and inserting "the plan is not in critical status for the plan year and is not described in paragraph (5),"; and

(B) by adding at the end the following:

"(5) SPECIAL RULE.—A plan is described in this paragraph if—

"(A) as part of the actuarial certification of endangered status under paragraph (3)(A) for the plan year, the plan actuary certifies that the plan is projected to no longer be described in either paragraph (1)(A) or paragraph (1)(B) as of the end of the tenth plan year ending after the plan year to which the certification relates, and

"(B) the plan was not in critical or endangered status for the immediately preceding plan year.".

26 USC 432.

(2) NOTICE.—Section 432(b)(3)(D) of such Code is amended—

(A) by redesignating clause (iii) and clause (iv) (as added by section 102(b)(3)(B)) as clauses (iv) and (v), respectively; and

(B) by inserting after clause (ii) the following:

"(iii) In the case of a multiemployer plan that would be in endangered status but for paragraph (5), the plan sponsor shall provide notice to the bargaining parties and the Pension Benefit Guaranty Corporation that the plan would be in endangered status but for such paragraph.".

(C) in clause (iv) (as redesignated by subparagraph (A)), by striking "clause (ii)" and inserting "clauses (ii) and (iii)".

(3) CONFORMING AMENDMENT.—Section 432(b)(3)(A)(i) of such Code is amended by inserting after "endangered status for a plan year" the following: ", or would be in endangered status for such plan year but for paragraph (5),".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2014. 26 USC 432 note.

SEC. 105. CORRECT ENDANGERED STATUS FUNDING IMPROVEMENT PLAN TARGET FUNDED PERCENTAGE.

(a) AMENDMENT TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Section 305(c)(3)(A) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(c)(3)(A)) is amended—

(1) in clause (i)(I), by striking "of such period" and inserting "of the first plan year for which the plan is certified to be in endangered status pursuant to paragraph (b)(3)"; and

(2) in clause (ii), by striking "any plan year" and inserting "the last plan year".

(b) AMENDMENT TO INTERNAL REVENUE CODE.—Section 432(c)(3)(A) of the Internal Revenue Code of 1986 is amended— 26 USC 432.

(1) in clause (i)(I), by striking "of such period" and inserting "of the first plan year for which the plan is certified to be in endangered status pursuant to paragraph (b)(3)"; and

(2) in clause (ii), by striking "any plan year" and inserting "the last plan year".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2014. 26 USC 432 note.

SEC. 106. CONFORMING ENDANGERED STATUS AND CRITICAL STATUS RULES DURING FUNDING IMPROVEMENT AND REHABILITATION PLAN ADOPTION PERIODS.

(a) AMENDMENTS TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Section 305(d) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(d)) is amended to read as follows:

"(d) RULES FOR OPERATION OF PLAN DURING ADOPTION AND IMPROVEMENT PERIODS.—

"(1) COMPLIANCE WITH FUNDING IMPROVEMENT PLAN.—

"(A) IN GENERAL.—A plan may not be amended after the date of the adoption of a funding improvement plan under subsection (c) so as to be inconsistent with the funding improvement plan.

"(B) SPECIAL RULES FOR BENEFIT INCREASES.—A plan may not be amended after the date of the adoption of a funding improvement plan under subsection (c) so as to increase benefits, including future benefit accruals, unless the plan actuary certifies that such increase is paid for out of additional contributions not contemplated by the funding improvement plan, and, after taking into account the benefit increase, the multiemployer plan still is reasonably expected to meet the applicable benchmark on the schedule contemplated in the funding improvement plan.

"(2) SPECIAL RULES FOR PLAN ADOPTION PERIOD.—During the period beginning on the date of the certification under subsection (b)(3)(A) for the initial determination year and ending on the date of the adoption of a funding improvement plan—

"(A) the plan sponsor may not accept a collective bargaining agreement or participation agreement with respect to the multiemployer plan that provides for—

"(i) a reduction in the level of contributions for any participants,

"(ii) a suspension of contributions with respect to any period of service, or

"(iii) any new direct or indirect exclusion of younger or newly hired employees from plan participation, and

"(B) no amendment of the plan which increases the liabilities of the plan by reason of any increase in benefits, any change in the accrual of benefits, or any change in the rate at which benefits become nonforfeitable under the plan may be adopted unless the amendment is required as a condition of qualification under part I of subchapter D of chapter 1 of the Internal Revenue Code of 1986 or to comply with other applicable law.".

(b) AMENDMENTS TO INTERNAL REVENUE CODE.—Section 432(d) of the Internal Revenue Code of 1986 is amended to read as follows:

26 USC 432.

"(d) RULES FOR OPERATION OF PLAN DURING ADOPTION AND IMPROVEMENT PERIODS.—

"(1) COMPLIANCE WITH FUNDING IMPROVEMENT PLAN.—

"(A) IN GENERAL.—A plan may not be amended after the date of the adoption of a funding improvement plan under subsection (c) so as to be inconsistent with the funding improvement plan.

"(B) SPECIAL RULES FOR BENEFIT INCREASES.—A plan may not be amended after the date of the adoption of a funding improvement plan under subsection (c) so as to increase benefits, including future benefit accruals, unless the plan actuary certifies that such increase is paid for out of additional contributions not contemplated by the funding improvement plan, and, after taking into account the benefit increase, the multiemployer plan still is reasonably expected to meet the applicable benchmark on the schedule contemplated in the funding improvement plan.

"(2) SPECIAL RULES FOR PLAN ADOPTION PERIOD.—During the period beginning on the date of the certification under subsection (b)(3)(A) for the initial determination year and ending on the date of the adoption of a funding improvement plan—

"(A) the plan sponsor may not accept a collective bargaining agreement or participation agreement with respect to the multiemployer plan that provides for—

"(i) a reduction in the level of contributions for any participants,

"(ii) a suspension of contributions with respect to any period of service, or

"(iii) any new direct or indirect exclusion of younger or newly hired employees from plan participation, and

"(B) no amendment of the plan which increases the liabilities of the plan by reason of any increase in benefits, any change in the accrual of benefits, or any change in the rate at which benefits become nonforfeitable under the plan may be adopted unless the amendment is required as a condition of qualification under part I of subchapter D of chapter 1 or to comply with other applicable law.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2014. 26 USC 432 note.

SEC. 107. CORRECTIVE PLAN SCHEDULES WHEN PARTIES FAIL TO ADOPT IN BARGAINING.

(a) AMENDMENTS TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Section 305 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085) is amended—

(1) in subsection (c), by amending paragraph (7) to read as follows:

"(7) IMPOSITION OF SCHEDULE WHERE FAILURE TO ADOPT FUNDING IMPROVEMENT PLAN.—

"(A) INITIAL CONTRIBUTION SCHEDULE.—If—

"(i) a collective bargaining agreement providing for contributions under a multiemployer plan that was in effect at the time the plan entered endangered status expires, and

"(ii) after receiving one or more schedules from the plan sponsor under paragraph (1)(B), the bargaining parties with respect to such agreement fail to adopt a contribution schedule with terms consistent with the funding improvement plan and a schedule from the plan sponsor,

the plan sponsor shall implement the schedule described in paragraph (1)(B)(i)(I) beginning on the date specified in subparagraph (C).

"(B) SUBSEQUENT CONTRIBUTION SCHEDULE.—If—

"(i) a collective bargaining agreement providing for contributions under a multiemployer plan in accordance with a schedule provided by the plan sponsor pursuant to a funding improvement plan (or imposed under subparagraph (A)) expires while the plan is still in endangered status, and

"(ii) after receiving one or more updated schedules from the plan sponsor under paragraph (6)(B), the bargaining parties with respect to such agreement fail to adopt a contribution schedule with terms consistent with the updated funding improvement plan and a schedule from the plan sponsor,

then the contribution schedule applicable under the expired collective bargaining agreement, as updated and in effect on the date the collective bargaining agreement expires, shall be implemented by the plan sponsor beginning on the date specified in subparagraph (C).

"(C) DATE OF IMPLEMENTATION.—The date specified in this subparagraph is the date which is 180 days after the date on which the collective bargaining agreement described in subparagraph (A) or (B) expires.

"(D) FAILURE TO MAKE SCHEDULED CONTRIBUTIONS.—Any failure to make a contribution under a schedule of contribution rates provided under this paragraph shall be treated as a delinquent contribution under section 515 and shall be enforceable as such.",

(2) in subsection (e)(3), by amending subparagraph (C) to read as follows:

"(C) IMPOSITION OF SCHEDULE WHERE FAILURE TO ADOPT REHABILITATION PLAN.—

"(i) INITIAL CONTRIBUTION SCHEDULE.—If—

"(I) a collective bargaining agreement providing for contributions under a multiemployer plan that was in effect at the time the plan entered critical status expires, and

"(II) after receiving one or more schedules from the plan sponsor under paragraph (1)(B), the bargaining parties with respect to such agreement fail to adopt a contribution schedule with terms consistent with the rehabilitation plan and a schedule from the plan sponsor under paragraph (1)(B)(i),

the plan sponsor shall implement the schedule described in the last sentence of paragraph (1) beginning on the date specified in clause (iii).

"(ii) SUBSEQUENT CONTRIBUTION SCHEDULE.—If—

"(I) a collective bargaining agreement providing for contributions under a multiemployer plan in accordance with a schedule provided by the plan sponsor pursuant to a rehabilitation plan (or imposed under subparagraph (C)(i)) expires while the plan is still in critical status, and

"(II) after receiving one or more updated schedules from the plan sponsor under subparagraph (B)(ii), the bargaining parties with respect to such agreement fail to adopt a contribution schedule with terms consistent with the updated rehabilitation plan and a schedule from the plan sponsor,

then the contribution schedule applicable under the expired collective bargaining agreement, as updated and in effect on the date the collective bargaining agreement expires, shall be implemented by the plan sponsor beginning on the date specified in clause (iii).

"(iii) DATE OF IMPLEMENTATION.—The date specified in this subparagraph is the date which is 180 days after the date on which the collective bargaining agreement described in clause (i) or (ii) expires.

"(iv) FAILURE TO MAKE SCHEDULED CONTRIBUTIONS.—Any failure to make a contribution under a schedule of contribution rates provided under this subsection shall be treated as a delinquent contribution under section 515 and shall be enforceable as such.".

(b) AMENDMENTS TO THE INTERNAL REVENUE CODE.—Section 432 of the Internal Revenue Code of 1986 is amended— 26 USC 432.

(1) in subsection (c), by amending paragraph (7) to read as follows:

"(7) IMPOSITION OF SCHEDULE WHERE FAILURE TO ADOPT FUNDING IMPROVEMENT PLAN.—

"(A) INITIAL CONTRIBUTION SCHEDULE.—If—

"(i) a collective bargaining agreement providing for contributions under a multiemployer plan that was in effect at the time the plan entered endangered status expires, and

"(ii) after receiving one or more schedules from the plan sponsor under paragraph (1)(B), the bargaining parties with respect to such agreement fail to adopt a contribution schedule with terms consistent with the funding improvement plan and a schedule from the plan sponsor,

the plan sponsor shall implement the schedule described in paragraph (1)(B)(i)(I) beginning on the date specified in subparagraph (C).

"(B) SUBSEQUENT CONTRIBUTION SCHEDULE.—If—

"(i) a collective bargaining agreement providing for contributions under a multiemployer plan in accordance with a schedule provided by the plan sponsor pursuant to a funding improvement plan (or imposed under subparagraph (A)) expires while the plan is still in endangered status, and

"(ii) after receiving one or more updated schedules from the plan sponsor under paragraph (6)(B), the bargaining parties with respect to such agreement fail to adopt a contribution schedule with terms consistent with the updated funding improvement plan and a schedule from the plan sponsor,

then the contribution schedule applicable under the expired collective bargaining agreement, as updated and in effect on the date the collective bargaining agreement expires, shall be implemented by the plan sponsor beginning on the date specified in subparagraph (C).

"(C) DATE OF IMPLEMENTATION.—The date specified in this subparagraph is the date which is 180 days after the date on which the collective bargaining agreement described in subparagraph (A) or (B) expires.", and

(2) in subsection (e)(3), by amending subparagraph (C) to read as follows:

"(C) IMPOSITION OF SCHEDULE WHERE FAILURE TO ADOPT REHABILITATION PLAN.—

"(i) INITIAL CONTRIBUTION SCHEDULE.—If—

"(I) a collective bargaining agreement providing for contributions under a multiemployer plan that was in effect at the time the plan entered critical status expires, and

"(II) after receiving one or more schedules from the plan sponsor under paragraph (1)(B), the bargaining parties with respect to such agreement fail to adopt a contribution schedule with terms consistent with the rehabilitation plan and a schedule from the plan sponsor under paragraph (1)(B)(i),

the plan sponsor shall implement the schedule described in the last sentence of paragraph (1) beginning on the date specified in clause (iii).

"(ii) SUBSEQUENT CONTRIBUTION SCHEDULE.—If—

"(I) a collective bargaining agreement providing for contributions under a multiemployer plan in accordance with a schedule provided by the plan sponsor pursuant to a rehabilitation plan (or imposed under subparagraph (C)(i)) expires while the plan is still in critical status, and

"(II) after receiving one or more updated schedules from the plan sponsor under subparagraph (B)(ii), the bargaining parties with respect to such agreement fail to adopt a contribution schedule with terms consistent with the updated rehabilitation plan and a schedule from the plan sponsor,

then the contribution schedule applicable under the expired collective bargaining agreement, as updated and in effect on the date the collective bargaining agreement expires, shall be implemented by the plan sponsor beginning on the date specified in clause (iii).

"(iii) DATE OF IMPLEMENTATION.—The date specified in this subparagraph is the date which is 180 days after the date on which the collective bargaining agreement described in clause (ii) or (iii) expires.".

26 USC 432 note.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2014.

SEC. 108. REPEAL OF REORGANIZATION RULES FOR MULTIEMPLOYER PLANS.

(a) AMENDMENTS TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) IN GENERAL.—Sections 4241, 4242, 4243, 4244, and 4244A of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1421; 1422; 1423; 1424; 1425) are repealed.

(2) MODIFICATION OF INSOLVENCY RULES.—Section 4245 of such Act (29 U.S.C. 1426) is amended—

(A) by striking "reorganization" each place it appears and inserting "critical status, as described in subsection 305(b)(2),";

(B) in subsection (c)(2)—

(i) by striking "The suspension" and inserting "(A) The suspension";

(ii) by striking "(within the meaning of section 4241(b)(6))"; and

(iii) by adding at the end the following:

"(B) For purposes of this paragraph—

"(i) the term 'person in pay status' means—

"(I) a participant or beneficiary on the last day of the base plan year who, at any time during such year, was paid an early, late, normal, or disability retirement benefit (or a death benefit related to a retirement benefit), and

"(II) to the extent provided in regulations prescribed by the Secretary of the Treasury, any other person who is entitled to such a benefit under the plan.

"(ii) the base plan year for any plan year is—

"(I) if there is a relevant collective bargaining agreement, the last plan year ending at least 6 months before the relevant effective date, or

"(II) if there is no relevant collective bargaining agreement, the last plan year ending at least 12 months before the beginning of the plan year.

"(iii) a relevant collective bargaining agreement is a collective bargaining agreement—

"(I) which is in effect for at least 6 months during the plan year, and

"(II) which has not been in effect for more than 36 months as of the end of the plan year.

"(iv) the relevant effective date is the earliest of the effective dates for the relevant collective bargaining agreements.";

(C) in subsection (d)—

(i) in paragraph (1), by striking "(determined in accordance with section 4243(3)(B)(ii))"; and

(ii) by adding at the end the following:

"(4) For purposes of this subsection, the value of plan assets shall be the value of the available plan assets determined under regulations prescribed by the Secretary of the Treasury.";

(D) in subsection (e)(1)—

(i) in subparagraph (A), by striking "the corporation, the parties described in section 4242(a)(2), and the plan participants and beneficiaries" and inserting "the parties described in section 101(f)(1)"; and

(ii) in subparagraph (B), by striking "section 4242(a)(2) and the plan participants and beneficiaries" and inserting "section 101(f)(1)"; and

(E) by adding at the end the following:

"(g) Subsections (a) and (c) shall not apply to a plan that, for the plan year, is operating under section 305(e)(9), regarding benefit suspensions by certain multiemployer plans in critical and declining status.".

(3) CONFORMING AMENDMENTS.—

(A) DEFINITION OF REORGANIZATION INDEX.—Section 4001(a) of such Act (29 U.S.C. 1301(a)) is amended by striking paragraph (9).

(B) MINIMUM FUNDING STANDARDS.—Section 304(a) of such Act (29 U.S.C. 1084(a)) is amended to read as follows:

"(a) IN GENERAL.—For purposes of section 302, the accumulated funding deficiency of a multiemployer plan for any plan year is the amount, determined as of the end of the plan year, equal to the excess (if any) of the total charges to the funding standard account of the plan for all plan years (beginning with the first plan year for which this part applies to the plan) over the total credits to such account for such years.".

(C) MODIFICATION OF PART HEADING.—Part 3 of subtitle D of title IV of such Act (29 U.S.C. 1421 et seq.) is amended by striking the heading and inserting "**INSOLVENT PLANS**". 29 USC prec. 1421.

(D) CONFORMING AMENDMENT TO TABLE OF CONTENTS.—The table of contents in section 1 of such Act (29 U.S.C. 1001 note) is amended by striking the items relating to sections 4241 through 4244A.

(b) AMENDMENTS TO THE INTERNAL REVENUE CODE.—

(1) IN GENERAL.—Sections 418, 418A, 418B, 418C, and 418D of the Internal Revenue Code of 1986 are repealed. 26 USC 418, 418A–418D.

(2) MODIFICATION OF INSOLVENCY RULES.—Section 418E of such Code is amended—

(A) by striking "reorganization" each place it appears and inserting "critical status, as described in subsection 432(b)(2),";

(B) in subsection (c)(2)—

(i) by striking "The suspension" and inserting "(A) The suspension";

(ii) by striking "(within the meaning of section 418(b)(6))"; and

(iii) by adding at the end the following:

"(B) For purposes of this paragraph—

"(i) the term 'person in pay status' means—

"(I) a participant or beneficiary on the last day of the base plan year who, at any time during such year, was paid an early, late, normal, or disability retirement benefit (or a death benefit related to a retirement benefit), and

"(II) to the extent provided in regulations prescribed by the Secretary of the Treasury, any other person who is entitled to such a benefit under the plan.

"(ii) the base plan year for any plan year is—

"(I) if there is a relevant collective bargaining agreement, the last plan year ending at least 6 months before the relevant effective date, or

"(II) if there is no relevant collective bargaining agreement, the last plan year ending at least 12 months before the beginning of the plan year.

"(iii) a relevant collective bargaining agreement is a collective bargaining agreement—

"(I) which is in effect for at least 6 months during the plan year, and

"(II) which has not been in effect for more than 36 months as of the end of the plan year.

"(iv) the relevant effective date is the earliest of the effective dates for the relevant collective bargaining agreements.";

(C) in subsection (d)—

(i) in paragraph (1), by striking "(determined in accordance with section 418B(3)(B)(ii))";

(ii) by adding at the end the following:

"(4) For purposes of this subsection, the value of plan assets shall be the value of the available plan assets determined under regulations prescribed by the Secretary of the Treasury.";

(D) in subsection (e)(1)—

(i) in subparagraph (A), by striking "the corporation, the parties described in section 418A(a)(2), and the plan participants and beneficiaries" and inserting "the parties described in section 101(f)(1) of the Employee Retirement Income Security Act of 1974"; and

(ii) in subparagraph (B), by striking "section 418A(a)(2) and the plan participants and beneficiaries" and inserting "section 101(f)(1) of the Employee Retirement Income Security Act of 1974"; and

(E) by adding at the end the following:

"(h) Subsections (a) and (c) shall not apply to a plan that, for the plan year, is operating under section 432(e)(9), regarding benefit suspensions by certain multiemployer plans in critical and declining status.".

(3) CONFORMING AMENDMENTS.—

(A) MINIMUM FUNDING STANDARDS.—Section 431(a) of the Internal Revenue Code of 1986 is amended to read as follows: 26 USC 431.

"(a) IN GENERAL.—For purposes of section 412, the accumulated funding deficiency of a multiemployer plan for any plan year is the amount, determined as of the end of the plan year, equal to the excess (if any) of the total charges to the funding standard account of the plan for all plan years (beginning with the first plan year for which this part applies to the plan) over the total credits to such account for such years.".

(B) MODIFICATION OF SUBPART HEADING.—Subpart C of part I of subchapter D of chapter 1 of such Code is amended by striking the heading and inserting "**INSOLVENT PLANS**". 26 USC prec. 418.

(C) CONFORMING AMENDMENT TO TABLE OF CONTENTS.—The table of contents for such subpart C is amended by striking the items relating to sections 418 through 418D.

(D) CONFORMING AMENDMENT TO TABLE OF SUBPARTS.—The table of subparts for part I of subchapter D of chapter 1 of such Code is amended by striking the heading and inserting "**INSOLVENT PLANS**". 26 USC prec. 401.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2014. 26 USC 418 note.

SEC. 109. DISREGARD OF CERTAIN CONTRIBUTION INCREASES FOR WITHDRAWAL LIABILITY PURPOSES.

(a) AMENDMENT TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Section 305 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085) is amended—

(1) in subsection (e), by striking paragraph (9);

(2) in subsection (f)—

(A) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3); and

(B) in paragraph (3) (as redesignated by subparagraph (A)), by striking "During the rehabilitation plan adoption period—" and inserting "During the period beginning on the date of the certification under subsection (b)(3)(A) for the initial critical year and ending on the date of the adoption of a rehabilitation plan—";

(3) by redesignating subsections (g), (h), and (i) as subsections (h), (i), and (j), respectively; and

(4) by inserting after subsection (f) the following:

"(g) ADJUSTMENTS DISREGARDED IN WITHDRAWAL LIABILITY DETERMINATION.—

"(1) BENEFIT REDUCTION.—Any benefit reductions under subsection (e)(8) or (f) shall be disregarded in determining a plan's unfunded vested benefits for purposes of determining an employer's withdrawal liability under section 4201.

"(2) SURCHARGES.—Any surcharges under subsection (e)(7) shall be disregarded in determining the allocation of unfunded vested benefits to an employer under section 4211 and in determining the highest contribution rate under section 4219(c), except for purposes of determining the unfunded vested benefits attributable to an employer under section 4211(c)(4) or a comparable method approved under section 4211(c)(5).

"(3) CONTRIBUTION INCREASES REQUIRED BY FUNDING IMPROVEMENT OR REHABILITATION PLAN.—

"(A) IN GENERAL.—Any increase in the contribution rate (or other increase in contribution requirements unless due to increased levels of work, employment, or periods for which compensation is provided) that is required or made in order to enable the plan to meet the requirement of the funding improvement plan or rehabilitation plan shall be disregarded in determining the allocation of unfunded vested benefits to an employer under section 4211 and in determining the highest contribution rate under section 4219(c), except for purposes of determining the unfunded vested benefits attributable to an employer under section 4211(c)(4) or a comparable method approved under section 4211(c)(5).

"(B) SPECIAL RULES.—For purposes of this paragraph, any increase in the contribution rate (or other increase in contribution requirements) shall be deemed to be required or made in order to enable the plan to meet the requirement of the funding improvement plan or rehabilitation plan except for increases in contribution requirements due to increased levels of work, employment, or periods for which compensation is provided or additional contributions are used to provide an increase in benefits, including an increase in future benefit accruals, permitted by subsection (d)(1)(B) or (f)(1)(B).

"(4) EMERGENCE FROM ENDANGERED OR CRITICAL STATUS.—In the case of increases in the contribution rate (or other increases in contribution requirements unless due to increased levels of work, employment, or periods for which compensation is provided) disregarded pursuant to paragraph (3), this subsection shall cease to apply as of the expiration date of the collective bargaining agreement in effect when the plan emerges from endangered or critical status. Notwithstanding the preceding sentence, once the plan emerges from critical or endangered status, increases in the contribution rate disregarded pursuant to paragraph (3) shall continue to be disregarded in determining the highest contribution rate under section 4219(c) for plan years during which the plan was in endangered or critical status.

"(5) SIMPLIFIED CALCULATIONS.—The Pension Benefit Guaranty Corporation shall prescribe simplified methods for the application of this subsection in determining withdrawal liability and payment amounts under section 4219(c).".

(b) AMENDMENTS TO INTERNAL REVENUE CODE.—Section 432 of the Internal Revenue Code of 1986 is amended— 26 USC 432.

(1) in subsection (e), by striking paragraph (9),

(2) in subsection (f)—

(A) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3); and

(B) in paragraph (4) (as redesignated by subparagraph (A)), striking "During the rehabilitation plan adoption period—" and inserting "During the period beginning on the date of the certification under subsection (b)(3)(A) for the initial critical year and ending on the date of the adoption of a rehabilitation plan—";

(3) by redesignating subsections (g), (h), and (i) as subsections (h), (i), and (j), respectively; and

(4) by inserting after subsection (f) the following:

"(g) ADJUSTMENTS DISREGARDED IN WITHDRAWAL LIABILITY DETERMINATION.—

"(1) BENEFIT REDUCTION.—Any benefit reductions under subsection (e)(8) or (f) shall be disregarded in determining a plan's unfunded vested benefits for purposes of determining an employer's withdrawal liability under section 4201 of the Employee Retirement Income Security Act of 1974.

"(2) SURCHARGES.—Any surcharges under subsection (e)(7) shall be disregarded in determining the allocation of unfunded vested benefits to an employer under section 4211 of the Employee Retirement Income Security Act of 1974 and in determining the highest contribution rate under section 4219(c) of such Act, except for purposes of determining the unfunded vested benefits attributable to an employer under section 4211(c)(4) of such Act or a comparable method approved under section 4211(c)(5) of such Act.

"(3) CONTRIBUTION INCREASES REQUIRED BY FUNDING IMPROVEMENT OR REHABILITATION PLAN.—

"(A) IN GENERAL.—Any increase in the contribution rate (or other increase in contribution requirements unless due to increased levels of work, employment, or periods for which compensation is provided) that is required or made in order to enable the plan to meet the requirement of the funding improvement plan or rehabilitation plan shall be disregarded in determining the allocation of unfunded vested benefits to an employer under section 4211 of such Act and in determining the highest contribution rate under section 4219(c) of such Act, except for purposes of determining the unfunded vested benefits attributable to an employer under section 4211(c)(4) of such Act or a comparable method approved under section 4211(c)(5) of such Act.

"(B) SPECIAL RULES.—For purposes of this paragraph, any increase in the contribution rate (or other increase in contribution requirements) shall be deemed to be required or made in order to enable the plan to meet the requirement of the funding improvement plan or rehabilitation plan except for increases in contribution requirements due to increased levels of work, employment, or periods for which compensation is provided or additional contributions are used to provide an increase in benefits, including an increase in future benefit accruals, permitted by subsection (d)(1)(B) or (f)(1)(B).

"(4) EMERGENCE FROM ENDANGERED OR CRITICAL STATUS.—In the case of increases in the contribution rate (or other increases in contribution requirements unless due to increased levels of work, employment, or periods for which compensation is provided) disregarded pursuant to paragraph (3), this subsection shall cease to apply as of the expiration date of the collective bargaining agreement in effect when the plan emerges from endangered or critical status. Notwithstanding the preceding sentence, once the plan emerges from critical or endangered status, increases in the contribution rate disregarded pursuant to paragraph (3) shall continue to be disregarded

in determining the highest contribution rate under section 4219(c) of such Act for plan years during which the plan was in endangered or critical status.

"(5) SIMPLIFIED CALCULATIONS.—The Pension Benefit Guaranty Corporation shall prescribe simplified methods for the application of this subsection in determining withdrawal liability and payment amounts under section 4219(c) of such Act.".

26 USC 432 note.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to benefit reductions and increases in the contribution rate or other required contribution increases that go into effect during plan years beginning after December 31, 2014 and to surcharges the obligation for which accrue on or after December 31, 2014.

SEC. 110. GUARANTEE FOR PRE-RETIREMENT SURVIVOR ANNUITIES UNDER MULTIEMPLOYER PENSION PLANS.

(a) IN GENERAL.—Section 4022A(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1322a(c)) is amended by adding at the end the following:

"(4) For purposes of subsection (a), in the case of a qualified preretirement survivor annuity (as defined in section 205(e)(1)) payable to the surviving spouse of a participant under a multiemployer plan which becomes insolvent under section 4245(b) or 4281(d)(2) or is terminated, such annuity shall not be treated as forfeitable solely because the participant has not died as of the date on which the plan became so insolvent or the termination date.".

29 USC 1322a note.

(b) RETROACTIVE APPLICATION.—The amendment made by this section shall apply with respect to multiemployer plan benefit payments becoming payable on or after January 1, 1985, except that the amendment shall not apply in any case where the surviving spouse has died before the date of the enactment of this Act.

SEC. 111. REQUIRED DISCLOSURE OF MULTIEMPLOYER PLAN INFORMATION.

(a) IN GENERAL.—Section 101(k)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021(k)(1)) is amended to read as follows:

"(1) IN GENERAL.—Each administrator of a defined benefit plan that is a multiemployer plan shall, upon written request, furnish to any plan participant or beneficiary, employee representative, or any employer that has an obligation to contribute to the plan a copy of—

"(A) the current plan document (including any amendments thereto),

"(B) the latest summary plan description of the plan,

"(C) the current trust agreement (including any amendments thereto), or any other instrument or agreement under which the plan is established or operated,

"(D) in the case of a request by an employer, any participation agreement with respect to the plan for such employer that relates to the employer's plan participation during the current or any of the 5 immediately preceding plan years,

"(E) the annual report filed under section 104 for any plan year,

"(F) the plan funding notice provided under subsection (f) for any plan year,

"(G) any periodic actuarial report (including any sensitivity testing) received by the plan for any plan year which has been in the plan's possession for at least 30 days,

"(H) any quarterly, semi-annual, or annual financial report prepared for the plan by any plan investment manager or advisor or other fiduciary which has been in the plan's possession for at least 30 days,

"(I) audited financial statements of the plan for any plan year,

"(J) any application filed with the Secretary of the Treasury requesting an extension under section 304(d) of this Act or section 431(d) of the Internal Revenue Code of 1986 and the determination of such Secretary pursuant to such application, and

"(K) in the case of a plan which was in critical or endangered status under section 305 for a plan year, the latest funding improvement or rehabilitation plan, and the contribution schedules applicable with respect to such funding improvement or rehabilitation plan (other than a contribution schedule applicable to a specific employer).".

(b) LIMITATIONS ON DISCLOSURE.—Section 101(k)(3) of such Act (29 U.S.C. 1021(k)(3)) is amended by striking the 1st sentence and inserting the following: "In no case shall a participant, beneficiary, employee representative, or employer be entitled under this subsection to receive more than one copy of any document described in paragraph (1) during any one 12-month period, or, in the case of any document described in subparagraph (E), (F), (G), (H) or (I) of paragraph (1), a copy of any such document that as of the date on which the request is received by the administrator, has been in the administrator's possession for 6 years or more. If the administrator provides a copy of a document described in paragraph (1) to any person upon request, the administrator shall be considered as having met any obligation the administrator may have under any other provision of this title to furnish a copy of the same document to such person upon request.".

(c) RETENTION OF RECORDS.—Section 107 of such Act (29 U.S.C. 1027) is amended—

(1) by inserting "(including the documents described in subparagraphs (E) through (I) of section 101(k))" after "file any report"; and

(2) by inserting "a copy of such report and" after "shall maintain".

(d) CIVIL ENFORCEMENT.—Section 502(a) of such Act (29 U.S.C. 1132(a)) is amended—

(1) in paragraph (9), by striking "or" at the end;

(2) in paragraph (10), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(11) in the case of a multiemployer plan, by an employee representative, or any employer that has an obligation to contribute to the plan, (A) to enjoin any act or practice which violates subsection (k) of section 101 (or, in the case of an employer, subsection (l) of such section), or (B) to obtain appropriate equitable relief (i) to redress such violation or (ii) to enforce such subsection.".

29 USC 1021 note.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2014.

Subtitle B—Multiemployer Plan Mergers and Partitions

SEC. 121. MERGERS.

(a) PBGC ASSISTANCE FOR MULTIEMPLOYER PLAN MERGERS.—Section 4231 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1411) is amended by adding at the end the following:

"(e) FACILITATED MERGERS.—

"(1) IN GENERAL.—When requested to do so by the plan sponsors, the corporation may take such actions as it deems appropriate to promote and facilitate the merger of two or more multiemployer plans if it determines, after consultation with the Participant and Plan Sponsor Advocate selected under section 4004, that the transaction is in the interests of the participants and beneficiaries of at least one of the plans and is not reasonably expected to be adverse to the overall interests of the participants and beneficiaries of any of the plans. Such facilitation may include training, technical assistance, mediation, communication with stakeholders, and support with related requests to other government agencies.

"(2) FINANCIAL ASSISTANCE.—In order to facilitate a merger which it determines is necessary to enable one or more of the plans involved to avoid or postpone insolvency, the corporation may provide financial assistance (within the meaning of section 4261) to the merged plan if—

"(A) one or more of the multiemployer plans participating in the merger is in critical and declining status (as defined in section 305(b)(4));

"(B) the corporation reasonably expects that—

"(i) such financial assistance will reduce the corporation's expected long-term loss with respect to the plans involved; and

"(ii) such financial assistance is necessary for the merged plan to become or remain solvent;

"(C) the corporation certifies that its ability to meet existing financial assistance obligations to other plans will not be impaired by such financial assistance; and

"(D) such financial assistance is paid exclusively from the fund for basic benefits guaranteed for multiemployer plans.

Not later than 14 days after the provision of such financial assistance, the corporation shall provide notice of such financial assistance to the Committee on Education and the Workforce of the House of Representatives, the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, and the Committee on Health, Education, Labor, and Pensions of the Senate.".

29 USC 1411 note.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2014.

SEC. 122. PARTITIONS OF ELIGIBLE MULTIEMPLOYER PLANS.

(a) IN GENERAL.—

(1) IN GENERAL.—Section 4233 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1413) is amended to read as follows:

"SEC. 4233. PARTITIONS OF ELIGIBLE MULTIEMPLOYER PLANS.

"(a)(1) Upon the application by the plan sponsor of an eligible multiemployer plan for a partition of the plan, the corporation may order a partition of the plan in accordance with this section. The corporation shall make a determination regarding the application not later than 270 days after the date such application was filed (or, if later, the date such application was completed) in accordance with regulations promulgated by the corporation.

"(2) Not later than 30 days after submitting an application for partition of a plan under paragraph (1), the plan sponsor of the plan shall notify the participants and beneficiaries of such application, in the form and manner prescribed by regulations issued by the corporation.

"(b) For purposes of this section, a multiemployer plan is an eligible multiemployer plan if—

"(1) the plan is in critical and declining status (as defined in section 305(b)(4));

"(2) the corporation determines, after consultation with the Participant and Plan Sponsor Advocate selected under section 4004, that the plan sponsor has taken (or is taking concurrently with an application for partition) all reasonable measures to avoid insolvency, including the maximum benefit suspensions under section 305(e)(9), if applicable;

"(3) the corporation reasonably expects that—

"(A) a partition of the plan will reduce the corporation's expected long-term loss with respect to the plan; and

"(B) a partition of the plan is necessary for the plan to remain solvent;

"(4) the corporation certifies to Congress that its ability to meet existing financial assistance obligations to other plans (including any liabilities associated with multiemployer plans that are insolvent or that are projected to become insolvent within 10 years) will not be impaired by such partition; and

"(5) the cost to the corporation arising from such partition is paid exclusively from the fund for basic benefits guaranteed for multiemployer plans.

"(c) The corporation's partition order shall provide for a transfer to the plan referenced in subsection (d)(1) of the minimum amount of the plan's liabilities necessary for the plan to remain solvent.

"(d)(1) The plan created by the partition order is a successor plan to which section 4022A applies.

"(2) The plan sponsor of an eligible multiemployer plan prior to the partition and the administrator of such plan shall be the plan sponsor and the administrator, respectively, of the plan created by the partition order.

"(3) In the event an employer withdraws from the plan that was partitioned within ten years following the date of the partition order, withdrawal liability shall be computed under section 4201 with respect to both the plan that was partitioned and the plan created by the partition order. If the withdrawal occurs more than ten years after the date of the partition order, withdrawal liability

shall be computed under section 4201 only with respect to the plan that was partitioned (and not with respect to the plan created by the partition order).

"(e)(1) For each participant or beneficiary of the plan whose benefit was transferred to the plan created by the partition order pursuant to a partition, the plan that was partitioned shall pay a monthly benefit to such participant or beneficiary for each month in which such benefit is in pay status following the effective date of such partition in an amount equal to the excess of—

"(A) the monthly benefit that would be paid to such participant or beneficiary for such month under the terms of the plan (taking into account benefit suspensions under section 305(e)(9) and any plan amendments following the effective date of such partition) if the partition had not occurred, over

"(B) the monthly benefit for such participant or beneficiary which is guaranteed under section 4022A.

"(2) In any case in which a plan provides a benefit improvement (as defined in section 305(e)(9)(E)(vi)) that takes effect after the effective date of the partition, the plan shall pay to the corporation for each year during the 10-year period following the partition effective date, an annual amount equal to the lesser of—

"(A) the total value of the increase in benefit payments for such year that is attributable to the benefit improvement, or

"(B) the total benefit payments from the plan created by the partition for such year.

Such payment shall be made at the time of, and in addition to, any other premium imposed by the corporation under this title.

"(3) The plan that was partitioned shall pay the premiums imposed by the corporation under this title with respect to participants whose benefits were transferred to the plan created by the partition order for each year during the 10-year period following the partition effective date.

"(f) Not later than 14 days after the partition order, the corporation shall provide notice of such order to the Committee on Education and the Workforce of the House of Representatives, the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, the Committee on Health, Education, Labor, and Pensions of the Senate, and any affected participants or beneficiaries.".

29 USC 1413 note.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2014.

Subtitle C—Strengthening the Pension Benefit Guaranty Corporation

SEC. 131. PREMIUM INCREASES FOR MULTIEMPLOYER PLANS.

(a) INCREASE IN PREMIUM RATE FOR MULTIEMPLOYER PLANS.—Section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended—

(1) in subparagraph (A)—

(A) in clause (iv), by striking "or" at the end;

(B) in clause (v)—

(i) by inserting "and before January 1, 2015," after "December 31, 2012,"; and

(ii) by striking the period at the end and inserting ", or"; and

(C) by adding at the end the following:

"(vi) in the case of a multiemployer plan, for plan years beginning after December 31, 2014, $26 for each individual who is a participant in such plan during the applicable plan year."; and

(2) by adding at the end the following:

"(M) For each plan year beginning in a calendar year after 2015, there shall be substituted for the dollar amount specified in clause (vi) of subparagraph (A) an amount equal to the greater of—

"(i) the product derived by multiplying such dollar amount by the ratio of—

"(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

"(II) the national average wage index (as so defined) for 2013; and

"(ii) such dollar amount for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of $1, such product shall be rounded to the nearest multiple of $1.".

(b) TREATMENT OF CERTAIN FUNDS.—Section 4005(b)(3) of such Act (29 U.S.C. 1305(b)(3)) is amended—

(1) by striking "Whenever" and inserting "(A) Whenever"; and

(2) by adding at the end the following:

"(B) Notwithstanding subparagraph (A)—

"(i) the amounts of premiums received under section 4006 with respect to the fund to be used for basic benefits under section 4022A in a fiscal year in the period beginning with fiscal year 2016 and ending with fiscal year 2020 shall be placed in a noninterest-bearing account within such fund in the following amounts:

"(I) for fiscal year 2016, $108,000,000;

"(II) for fiscal year 2017, $111,000,000;

"(III) for fiscal year 2018, $113,000,000;

"(IV) for fiscal year 2019, $149,000,000; and

"(V) for fiscal year 2020, $296,000,000;

"(ii) premiums received in fiscal years specified in subclauses (I) through (V) of clause (i) shall be allocated in order first to the noninterest-bearing account in the amount specified and second to any other accounts within such fund; and

"(iii) financial assistance, as provided under section 4261, shall be withdrawn proportionately from the noninterest-bearing and other accounts within the fund.".

(c) REPORT.—In addition to any other report required by section 4022A(f), not later than June 1, 2016, the Pension Benefit Guaranty Corporation shall submit to Congress a report that includes—

(1) an analysis of whether the premium levels enacted under the amendment made by subsection (a) are sufficient for the Pension Benefit Guaranty Corporation to meet its projected mean stochastic basic benefit guarantee obligations for the ten- and twenty-year periods beginning with 2015, including

an explanation of the assumptions underlying this analysis; and

(2) if the analysis under paragraph (1) concludes that the premium levels are insufficient to meet such obligations (or are in excess of the levels sufficient to meet such obligations), a proposed schedule of revised premiums sufficient to meet (but not exceed) such obligations.

29 USC 1306 note.

(d) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to plan years beginning after December 31, 2014.

TITLE II—REMEDIATION MEASURES FOR DEEPLY TROUBLED PLANS

SEC. 201. CONDITIONS, LIMITATIONS, DISTRIBUTION AND NOTICE REQUIREMENTS, AND APPROVAL PROCESS FOR BENEFIT SUSPENSIONS UNDER MULTIEMPLOYER PLANS IN CRITICAL AND DECLINING STATUS.

(a) AMENDMENTS TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) GENERAL RULE FOR PLAN IN CRITICAL AND DECLINING STATUS.—Section 305(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(a)) is amended—

(A) in paragraph (1)(B), by striking "and" at the end;

(B) in paragraph (2)(B), by striking the period at the end and inserting ", and"; and

(C) by adding at the end the following:

"(3) if the plan is in critical and declining status—

"(A) the requirements of paragraph (2) shall apply to the plan; and

"(B) the plan sponsor may, by plan amendment, suspend benefits in accordance with the requirements of subsection (e)(9).".

(2) CRITICAL AND DECLINING STATUS DEFINED.—Section 305(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(b)), as amended by sections 102 and 104, is further amended by adding at the end the following:

"(6) CRITICAL AND DECLINING STATUS.—For purposes of this section, a plan in critical status shall be treated as in critical and declining status if the plan is described in one or more of subparagraphs (A), (B), (C), and (D) of paragraph (2) and the plan is projected to become insolvent within the meaning of section 4245 during the current plan year or any of the 14 succeeding plan years (19 succeeding plan years if the plan has a ratio of inactive participants to active participants that exceeds 2 to 1 or if the funded percentage of the plan is less than 80 percent).".

(3) ANNUAL CERTIFICATION.—Section 305(b)(3)(A)(i) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(b)(3)(A)(i)) is amended—

(A) by striking "and whether" and inserting ", whether", and

(B) by inserting ", and whether or not the plan is or will be in critical and declining status for such plan year" before ", and" at the end.

(4) ANNUAL FUNDING NOTICES.—Section 101(f)(2)(B) of such Act (29 U.S.C. 1021(f)(2)(B)) is amended—

(A) by redesignating clauses (vi) through (x) as clauses (vii) through (xi), respectively; and

(B) by inserting after clause (v) the following:

"(vi) in the case of a multiemployer plan, whether the plan was in critical and declining status under section 305 for such plan year and, if so—

"(I) the projected date of insolvency;

"(II) a clear statement that such insolvency may result in benefit reductions; and

"(III) a statement describing whether the plan sponsor has taken legally permitted actions to prevent insolvency.".

(5) PROJECTIONS OF ASSETS AND LIABILITIES.—Section 305(b)(3)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(b)(3)(B)) is amended by adding at the end the following:

"(iv) PROJECTIONS OF CRITICAL AND DECLINING STATUS.—In determining whether a plan is in critical and declining status as described in subsection (e)(9), clauses (i), (ii), and (iii) shall apply, except that—

"(I) if reasonable, the plan actuary shall assume that each contributing employer in compliance continues to comply through the end of the rehabilitation period or such later time as provided in subsection (e)(3)(A)(ii) with the terms of the rehabilitation plan that correspond to the schedule adopted or imposed under subsection (e), and

"(II) the plan actuary shall take into account any suspensions of benefits described in subsection (e)(9) adopted in a prior plan year that are still in effect.".

(6) BENEFIT SUSPENSIONS FOR MULTIEMPLOYER PLANS IN CRITICAL AND DECLINING STATUS.—Section 305(e) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(e)) (as amended by section 109) is amended by inserting after paragraph (8) the following:

"(9) BENEFIT SUSPENSIONS FOR MULTIEMPLOYER PLANS IN CRITICAL AND DECLINING STATUS.—

"(A) IN GENERAL.—Notwithstanding section 204(g) and subject to subparagraphs (B) through (I), the plan sponsor of a plan in critical and declining status may, by plan amendment, suspend benefits which the sponsor deems appropriate.

"(B) SUSPENSION OF BENEFITS.—

"(i) SUSPENSION OF BENEFITS DEFINED.—For purposes of this subsection, the term 'suspension of benefits' means the temporary or permanent reduction of any current or future payment obligation of the plan to any participant or beneficiary under the plan, whether or not in pay status at the time of the suspension of benefits.

"(ii) LENGTH OF SUSPENSIONS.—Any suspension of benefits made under subparagraph (A) shall remain in effect until the earlier of when the plan sponsor provides benefit improvements in accordance with

subparagraph (E) or the suspension of benefits expires by its own terms.

"(iii) NO LIABILITY.—The plan shall not be liable for any benefit payments not made as a result of a suspension of benefits under this paragraph.

"(iv) APPLICABILITY.—For purposes of this paragraph, all references to suspensions of benefits, increases in benefits, or resumptions of suspended benefits with respect to participants shall also apply with respect to benefits of beneficiaries or alternative payees of participants.

"(v) RETIREE REPRESENTATIVE.—

"(I) IN GENERAL.—In the case of a plan with 10,000 or more participants, not later than 60 days prior to the plan sponsor submitting an application to suspend benefits, the plan sponsor shall select a participant of the plan in pay status to act as a retiree representative. The retiree representative shall advocate for the interests of the retired and deferred vested participants and beneficiaries of the plan throughout the suspension approval process.

"(II) REASONABLE EXPENSES FROM PLAN.—The plan shall provide for reasonable expenses by the retiree representative, including reasonable legal and actuarial support, commensurate with the plan's size and funded status.

"(III) SPECIAL RULE RELATING TO FIDUCIARY STATUS.—Duties performed pursuant to subclause (I) shall not be subject to section 404(a). The preceding sentence shall not apply to those duties associated with an application to suspend benefits pursuant to subparagraph (G) that are performed by the retiree representative who is also a plan trustee.

"(C) CONDITIONS FOR SUSPENSIONS.—The plan sponsor of a plan in critical and declining status for a plan year may suspend benefits only if the following conditions are met:

"(i) Taking into account the proposed suspensions of benefits (and, if applicable, a proposed partition of the plan under section 4233), the plan actuary certifies that the plan is projected to avoid insolvency within the meaning of section 4245, assuming the suspensions of benefits continue until the suspensions of benefits expire by their own terms or if no such expiration date is set, indefinitely.

"(ii) The plan sponsor determines, in a written record to be maintained throughout the period of the benefit suspension, that the plan is still projected to become insolvent unless benefits are suspended under this paragraph, although all reasonable measures to avoid insolvency have been taken (and continue to be taken during the period of the benefit suspension). In its determination, the plan sponsor may take into account factors including the following:

"(I) Current and past contribution levels.

"(II) Levels of benefit accruals (including any prior reductions in the rate of benefit accruals).

"(III) Prior reductions (if any) of adjustable benefits.

"(IV) Prior suspensions (if any) of benefits under this subsection.

"(V) The impact on plan solvency of the subsidies and ancillary benefits available to active participants.

"(VI) Compensation levels of active participants relative to employees in the participants' industry generally.

"(VII) Competitive and other economic factors facing contributing employers.

"(VIII) The impact of benefit and contribution levels on retaining active participants and bargaining groups under the plan.

"(IX) The impact of past and anticipated contribution increases under the plan on employer attrition and retention levels.

"(X) Measures undertaken by the plan sponsor to retain or attract contributing employers.

"(D) LIMITATIONS ON SUSPENSIONS.—Any suspensions of benefits made by a plan sponsor pursuant to this paragraph shall be subject to the following limitations:

"(i) The monthly benefit of any participant or beneficiary may not be reduced below 110 percent of the monthly benefit which is guaranteed by the Pension Benefit Guaranty Corporation under section 4022A on the date of the suspension.

"(ii)(I) In the case of a participant or beneficiary who has attained 75 years of age as of the effective date of the suspension, not more than the applicable percentage of the maximum suspendable benefits of such participant or beneficiary may be suspended under this paragraph.

"(II) For purposes of subclause (I), the maximum suspendable benefits of a participant or beneficiary is the portion of the benefits of such participant or beneficiary that would be suspended pursuant to this paragraph without regard to this clause;

"(III) For purposes of subclause (I), the applicable percentage is a percentage equal to the quotient obtained by dividing—

"(aa) the number of months during the period beginning with the month after the month in which occurs the effective date of the suspension and ending with the month during which the participant or beneficiary attains the age of 80, by

"(bb) 60 months.

"(iii) No benefits based on disability (as defined under the plan) may be suspended under this paragraph.

"(iv) Any suspensions of benefits, in the aggregate (and, if applicable, considered in combination with a partition of the plan under section 4233), shall be

reasonably estimated to achieve, but not materially exceed, the level that is necessary to avoid insolvency.

"(v) In any case in which a suspension of benefits with respect to a plan is made in combination with a partition of the plan under section 4233, the suspension of benefits may not take effect prior to the effective date of such partition.

"(vi) Any suspensions of benefits shall be equitably distributed across the participant and beneficiary population, taking into account factors, with respect to participants and beneficiaries and their benefits, that may include one or more of the following:

"(I) Age and life expectancy.

"(II) Length of time in pay status.

"(III) Amount of benefit.

"(IV) Type of benefit: survivor, normal retirement, early retirement.

"(V) Extent to which participant or beneficiary is receiving a subsidized benefit.

"(VI) Extent to which participant or beneficiary has received post-retirement benefit increases.

"(VII) History of benefit increases and reductions.

"(VIII) Years to retirement for active employees.

"(IX) Any discrepancies between active and retiree benefits.

"(X) Extent to which active participants are reasonably likely to withdraw support for the plan, accelerating employer withdrawals from the plan and increasing the risk of additional benefit reductions for participants in and out of pay status.

"(XI) Extent to which benefits are attributed to service with an employer that failed to pay its full withdrawal liability.

"(vii) In the case of a plan that includes the benefits described in clause (III), benefits suspended under this paragraph shall—

"(I) first, be applied to the maximum extent permissible to benefits attributable to a participant's service for an employer which withdrew from the plan and failed to pay (or is delinquent with respect to paying) the full amount of its withdrawal liability under section 4201(b)(1) or an agreement with the plan,

"(II) second, except as provided by subclause (III), be applied to all other benefits that may be suspended under this paragraph, and

"(III) third, be applied to benefits under a plan that are directly attributable to a participant's service with any employer which has, prior to the date of enactment of the Multiemployer Pension Reform Act of 2014—

"(aa) withdrawn from the plan in a complete withdrawal under section 4203 and has

paid the full amount of the employer's withdrawal liability under section 4201(b)(1) or an agreement with the plan, and

"(bb) pursuant to a collective bargaining agreement, assumed liability for providing benefits to participants and beneficiaries of the plan under a separate, single-employer plan sponsored by the employer, in an amount equal to any amount of benefits for such participants and beneficiaries reduced as a result of the financial status of the plan.

"(E) BENEFIT IMPROVEMENTS.—

"(i) IN GENERAL.—The plan sponsor may, in its sole discretion, provide benefit improvements while any suspension of benefits under the plan remains in effect, except that the plan sponsor may not increase the liabilities of the plan by reason of any benefit improvement for any participant or beneficiary not in pay status by the first day of the plan year for which the benefit improvement takes effect, unless—

"(I) such action is accompanied by equitable benefit improvements in accordance with clause (ii) for all participants and beneficiaries whose benefit commencement dates were before the first day of the plan year for which the benefit improvement for such participant or beneficiary not in pay status took effect; and

"(II) the plan actuary certifies that after taking into account such benefits improvements the plan is projected to avoid insolvency indefinitely under section 4245.

"(ii) EQUITABLE DISTRIBUTION OF BENEFIT IMPROVEMENTS.—

"(I) LIMITATION.—The projected value of the total liabilities for benefit improvements for participants and beneficiaries not in pay status by the date of the first day of the plan year in which the benefit improvements are proposed to take effect, as determined as of such date, may not exceed the projected value of the liabilities arising from benefit improvements for participants and beneficiaries with benefit commencement dates prior to the first day of such plan year, as so determined.

"(II) EQUITABLE DISTRIBUTION OF BENEFITS.—The plan sponsor shall equitably distribute any increase in total liabilities for benefit improvements in clause (i) to some or all of the participants and beneficiaries whose benefit commencement date is before the date of the first day of the plan year in which the benefit improvements are proposed to take effect, taking into account the relevant factors described in subparagraph (D)(vi) and the extent to which the benefits of the participants and beneficiaries were suspended.

"(iii) SPECIAL RULE FOR RESUMPTIONS OF BENEFITS ONLY FOR PARTICIPANTS IN PAY STATUS.—The plan

sponsor may increase liabilities of the plan through a resumption of benefits for participants and beneficiaries in pay status only if the plan sponsor equitably distributes the value of resumed benefits to some or all of the participants and beneficiaries in pay status, taking into account the relevant factors described in subparagraph (D)(vi).

"(iv) SPECIAL RULE FOR CERTAIN BENEFIT INCREASES.—This subparagraph shall not apply to a resumption of suspended benefits or plan amendment which increases liabilities with respect to participants and beneficiaries not in pay status by the first day of the plan year in which the benefit improvements took effect which—

"(I) the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, determines to be reasonable and which provides for only de minimis increases in the liabilities of the plan, or

"(II) is required as a condition of qualification under part I of subchapter D of chapter 1 of subtitle A of the Internal Revenue Code of 1986 or to comply with other applicable law, as determined by the Secretary of the Treasury.

"(v) ADDITIONAL LIMITATIONS.—Except for resumptions of suspended benefits described in clause (iii), the limitations on benefit improvements while a suspension of benefits is in effect under this paragraph shall be in addition to any other applicable limitations on increases in benefits imposed on a plan.

"(vi) DEFINITION OF BENEFIT IMPROVEMENT.—For purposes of this subparagraph, the term 'benefit improvement' means, with respect to a plan, a resumption of suspended benefits, an increase in benefits, an increase in the rate at which benefits accrue, or an increase in the rate at which benefits become nonforfeitable under the plan.

"(F) NOTICE REQUIREMENTS.—

"(i) IN GENERAL.—No suspension of benefits may be made pursuant to this paragraph unless notice of such proposed suspension has been given by the plan sponsor concurrently with an application for approval of such suspension submitted under subparagraph (G) to the Secretary of the Treasury to—

"(I) such plan participants and beneficiaries who may be contacted by reasonable efforts,

"(II) each employer who has an obligation to contribute (within the meaning of section 4212(a)) under the plan, and

"(III) each employee organization which, for purposes of collective bargaining, represents plan participants employed by such an employer.

"(ii) CONTENT OF NOTICE.—The notice under clause (i) shall contain—

"(I) sufficient information to enable participants and beneficiaries to understand the effect

of any suspensions of benefits, including an individualized estimate (on an annual or monthly basis) of such effect on each participant or beneficiary,

"(II) a description of the factors considered by the plan sponsor in designing the benefit suspensions,

"(III) a statement that the application for approval of any suspension of benefits shall be available on the website of the Department of the Treasury and that comments on such application will be accepted,

"(IV) information as to the rights and remedies of plan participants and beneficiaries,

"(V) if applicable, a statement describing the appointment of a retiree representative, the date of appointment of such representative, identifying information about the retiree representative (including whether the representative is a plan trustee), and how to contact such representative, and

"(VI) information on how to contact the Department of the Treasury for further information and assistance where appropriate.

"(iii) FORM AND MANNER.—Any notice under clause (i)—

"(I) shall be provided in a form and manner prescribed in guidance by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, notwithstanding any other provision of law,

"(II) shall be written in a manner so as to be understood by the average plan participant, and

"(III) may be provided in written, electronic, or other appropriate form to the extent such form is reasonably accessible to persons to whom the notice is required to be provided.

"(iv) OTHER NOTICE REQUIREMENT.—Any notice provided under clause (i) shall fulfill the requirement for notice of a significant reduction in benefits described in section 204(h).

"(v) MODEL NOTICE.—The Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall in the guidance prescribed under clause (iii)(I) establish a model notice that a plan sponsor may use to meet the requirements of this subparagraph.

"(G) APPROVAL PROCESS BY THE SECRETARY OF THE TREASURY IN CONSULTATION WITH THE PENSION BENEFIT GUARANTY CORPORATION AND THE SECRETARY OF LABOR.—

"(i) IN GENERAL.—The plan sponsor of a plan in critical and declining status for a plan year that seeks to suspend benefits must submit an application to the Secretary of the Treasury for approval of the suspensions of benefits. If the plan sponsor submits an

application for approval of the suspensions, the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall approve the application upon finding that the plan is eligible for the suspensions and has satisfied the criteria of subparagraphs (C), (D), (E), and (F).

"(ii) SOLICITATION OF COMMENTS.—Not later than 30 days after receipt of the application under clause (i), the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall publish a notice in the Federal Register soliciting comments from contributing employers, employee organizations, and participants and beneficiaries of the plan for which an application was made and other interested parties. The application for approval of the suspension of benefits shall be published on the website of the Secretary of the Treasury.

"(iii) REQUIRED ACTION; DEEMED APPROVAL.—The Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall approve or deny any application for suspensions of benefits under this paragraph within 225 days after the submission of such application. An application for suspension of benefits shall be deemed approved unless, within such 225 days, the Secretary of the Treasury notifies the plan sponsor that it has failed to satisfy one or more of the criteria described in this paragraph. If the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, rejects a plan sponsor's application, the Secretary of the Treasury shall provide notice to the plan sponsor detailing the specific reasons for the rejection, including reference to the specific requirement not satisfied. Approval or denial by the Secretary of the Treasury of an application shall be treated as a final agency action for purposes of section 704 of title 5, United States Code.

"(iv) AGENCY REVIEW.—In evaluating whether the plan sponsor has met the criteria specified in clause (ii) of subparagraph (C), the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall review the plan sponsor's consideration of factors under such clause.

"(v) STANDARD FOR ACCEPTING PLAN SPONSOR DETERMINATIONS.—In evaluating the plan sponsor's application, the Secretary of the Treasury shall accept the plan sponsor's determinations unless it concludes, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, that the plan sponsor's determinations were clearly erroneous.

"(H) PARTICIPANT RATIFICATION PROCESS.—

"(i) IN GENERAL.—No suspension of benefits may take effect pursuant to this paragraph prior to a vote of the participants of the plan with respect to the suspension.

"(ii) ADMINISTRATION OF VOTE.—Not later than 30 days after approval of the suspension by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, under subparagraph (G), the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall administer a vote of participants and beneficiaries of the plan. Except as provided in clause (v), the suspension shall go into effect following the vote unless a majority of all participants and beneficiaries of the plan vote to reject the suspension. The plan sponsor may submit a new suspension application to the Secretary of the Treasury for approval in any case in which a suspension is prohibited from taking effect pursuant to a vote under this subparagraph.

"(iii) BALLOTS.—The plan sponsor shall provide a ballot for the vote (subject to approval by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor) that includes the following:

"(I) A statement from the plan sponsor in support of the suspension.

"(II) A statement in opposition to the suspension compiled from comments received pursuant to subparagraph (G)(ii).

"(III) A statement that the suspension has been approved by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor.

"(IV) A statement that the plan sponsor has determined that the plan will become insolvent unless the suspension takes effect.

"(V) A statement that insolvency of the plan could result in benefits lower than benefits paid under the suspension.

"(VI) A statement that insolvency of the Pension Benefit Guaranty Corporation would result in benefits lower than benefits paid in the case of plan insolvency.

"(iv) COMMUNICATION BY PLAN SPONSOR.—It is the sense of Congress that, depending on the size and resources of the plan and geographic distribution of the plan's participants, the plan sponsor should take such steps as may be necessary to inform participants about proposed benefit suspensions through in-person meetings, telephone or internet-based communications, mailed information, or by other means.

"(v) SYSTEMICALLY IMPORTANT PLANS.—

"(I) IN GENERAL.—Not later than 14 days after a vote under this subparagraph rejecting a suspension, the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall determine whether the plan is a systemically important plan. If the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation

and the Secretary of Labor, determines that the plan is a systemically important plan, not later than the end of the 90-day period beginning on the date the results of the vote are certified, the Secretary of the Treasury shall, notwithstanding such adverse vote—

"(aa) permit the implementation of the suspension proposed by the plan sponsor; or

"(bb) permit the implementation of a modification by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, of such suspension (so long as the plan is projected to avoid insolvency within the meaning of section 4245 under such modification).

"(II) RECOMMENDATIONS.—Not later than 30 days after a determination by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, that the plan is systemically important, the Participant and Plan Sponsor Advocate selected under section 4004 may submit recommendations to the Secretary of the Treasury with respect to the suspension or any revisions to the suspension.

"(III) SYSTEMICALLY IMPORTANT PLAN DEFINED.—

"(aa) IN GENERAL.—For purposes of this subparagraph, a systemically important plan is a plan with respect to which the Pension Benefit Guaranty Corporation projects the present value of projected financial assistance payments exceeds $1,000,000,000 if suspensions are not implemented.

"(bb) INDEXING.—For calendar years beginning after 2015, there shall be substituted for the dollar amount specified in item (aa) an amount equal to the product of such dollar amount and a fraction, the numerator of which is the contribution and benefit base (determined under section 230 of the Social Security Act) for the preceding calendar year and the denominator of which is such contribution and benefit base for calendar year 2014. If the amount otherwise determined under this item is not a multiple of $1,000,000, such amount shall be rounded to the next lowest multiple of $1,000,000.

"(vi) FINAL AUTHORIZATION TO SUSPEND.—In any case in which a suspension goes into effect following a vote pursuant to clause (ii) (or following a determination under clause (v) that the plan is a systemically important plan), the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall issue a final authorization to suspend with respect to the suspension

not later than 7 days after such vote (or, in the case of a suspension that goes into effect under clause (v), at a time sufficient to allow the implementation of the suspension prior to the end of the 90-day period described in clause (v)(I)).

"(I) JUDICIAL REVIEW.—

"(i) DENIAL OF APPLICATION.—An action by the plan sponsor challenging the denial of an application for suspension of benefits by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, may only be brought following such denial.

"(ii) APPROVAL OF SUSPENSION OF BENEFITS.—

"(I) TIMING OF ACTION.—An action challenging a suspension of benefits under this paragraph may only be brought following a final authorization to suspend by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, under subparagraph (H)(vi).

"(II) STANDARDS OF REVIEW.—

"(aa) IN GENERAL.—A court shall review an action challenging a suspension of benefits under this paragraph in accordance with section 706 of title 5, United States Code.

"(bb) TEMPORARY INJUNCTION.—A court reviewing an action challenging a suspension of benefits under this paragraph may not grant a temporary injunction with respect to such suspension unless the court finds a clear and convincing likelihood that the plaintiff will prevail on the merits of the case.

"(iii) RESTRICTED CAUSE OF ACTION.—A participant or beneficiary affected by a benefit suspension under this paragraph shall not have a cause of action under this title.

"(iv) LIMITATION ON ACTION TO SUSPEND BENEFITS.—No action challenging a suspension of benefits following the final authorization to suspend or the denial of an application for suspension of benefits pursuant to this paragraph may be brought after one year after the earliest date on which the plaintiff acquired or should have acquired actual knowledge of the existence of such cause of action.

"(J) SPECIAL RULE FOR EMERGENCE FROM CRITICAL STATUS.—A plan certified to be in critical and declining status pursuant to projections made under subsection (b)(3) for which a suspension of benefits has been made by the plan sponsor pursuant to this paragraph shall not emerge from critical status under paragraph (4)(B), until such time as—

"(i) the plan is no longer certified to be in critical or endangered status under paragraphs (1) and (2) of subsection (b), and

"(ii) the plan is projected to avoid insolvency under section 4245.".

(7) RULES RELATING TO WITHDRAWAL LIABILITY.—

(A) BENEFIT SUSPENSIONS DISREGARDED.—Section 305(g)(1) of the Employee Retirement Income Security Act of 1974, as added by section 109, is further amended by inserting "or benefit reductions or suspensions while in critical and declining status under subsection (e)(9)), unless the withdrawal occurs more than ten years after the effective date of a benefit suspension by a plan in critical and declining status," after "benefit reductions under subsection (e)(8) or (f)".

(B) AUTHORITY OF PLAN TO SUBORDINATE WITHDRAWAL LIABILITY CLAIMS.—Section 4219(d) of such Act (29 U.S.C. 1399(d)) is amended by striking the period at the end and inserting "or to any arrangement relating to withdrawal liability involving the plan.".

(C) CIVIL ACTIONS.—Section 4003(f)(1) of such Act (29 U.S.C. 1303)(f)(1)) is amended by inserting "plan sponsor," before "fiduciary".

29 USC 1085 note.

(8) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall publish appropriate guidance to implement section 305(e)(9) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(e)(9)).

(b) AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.—

26 USC 432.

(1) GENERAL RULE FOR PLAN IN CRITICAL AND DECLINING STATUS.—Section 432(a) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1)(B), by striking "and" at the end;

(B) in paragraph (2)(B), by striking the period at the end and inserting ", and"; and

(C) by adding at the end the following:

"(3) if the plan is in critical and declining status—

"(A) the requirements of paragraph (2) shall apply to the plan; and

"(B) the plan sponsor may, by plan amendment, suspend benefits in accordance with the requirements of subsection (e)(9).".

(2) CRITICAL AND DECLINING STATUS DEFINED.—Section 432(b) of the Internal Revenue Code of 1986, as amended by sections 102 and 104, is further amended by adding at the end the following:

"(6) CRITICAL AND DECLINING STATUS.—For purposes of this section, a plan in critical status shall be treated as in critical and declining status if the plan is described in one or more of subparagraphs (A), (B), (C), and (D) of paragraph (2) and the plan is projected to become insolvent within the meaning of section 418E during the current plan year or any of the 14 succeeding plan years (19 succeeding plan years if the plan has a ratio of inactive participants to active participants that exceeds 2 to 1 or if the funded percentage of the plan is less than 80 percent).".

(3) ANNUAL CERTIFICATION.—Section 432(b)(3)(A)(i) of the Internal Revenue Code of 1986 is amended—

(A) by striking "and whether" and inserting ", whether", and

(B) by inserting ", and whether or not the plan is or will be in critical and declining status for such plan year" before ", and" at the end.

(4) PROJECTIONS OF ASSETS AND LIABILITIES.—Section 432(b)(3)(B) of the Internal Revenue Code of 1986 is amended by adding at the end the following: 26 USC 432.

"(iv) PROJECTIONS OF CRITICAL AND DECLINING STATUS.—In determining whether a plan is in critical and declining status as described in subsection (e)(9), clauses (i), (ii), and (iii) shall apply, except that—

"(I) if reasonable, the plan actuary shall assume that each contributing employer in compliance continues to comply through the end of the rehabilitation period or such later time as provided in subsection (e)(3)(A)(ii) with the terms of the rehabilitation plan that correspond to the schedule adopted or imposed under subsection (e), and

"(II) the plan actuary shall take into account any suspensions of benefits described in subsection (e)(9) adopted in a prior plan year that are still in effect.".

(5) BENEFIT SUSPENSIONS FOR MULTIEMPLOYER PLANS IN CRITICAL AND DECLINING STATUS.—Section 432(e) of the Internal Revenue Code of 1986 (as amended by section 109) is amended by inserting after paragraph (8) the following:

"(9) BENEFIT SUSPENSIONS FOR MULTIEMPLOYER PLANS IN CRITICAL AND DECLINING STATUS.—

"(A) IN GENERAL.—Notwithstanding section 411(d)(6) and subject to subparagraphs (B) through (I), the plan sponsor of a plan in critical and declining status may, by plan amendment, suspend benefits which the sponsor deems appropriate.

"(B) SUSPENSION OF BENEFITS.—

"(i) SUSPENSION OF BENEFITS DEFINED.—For purposes of this subsection, the term 'suspension of benefits' means the temporary or permanent reduction of any current or future payment obligation of the plan to any participant or beneficiary under the plan, whether or not in pay status at the time of the suspension of benefits.

"(ii) LENGTH OF SUSPENSIONS.—Any suspension of benefits made under subparagraph (A) shall remain in effect until the earlier of when the plan sponsor provides benefit improvements in accordance with subparagraph (E) or the suspension of benefits expires by its own terms.

"(iii) NO LIABILITY.—The plan shall not be liable for any benefit payments not made as a result of a suspension of benefits under this paragraph.

"(iv) APPLICABILITY.—For purposes of this paragraph, all references to suspensions of benefits, increases in benefits, or resumptions of suspended benefits with respect to participants shall also apply with respect to benefits of beneficiaries or alternative payees of participants.

"(v) RETIREE REPRESENTATIVE.—

"(I) IN GENERAL.—In the case of a plan with 10,000 or more participants, not later than 60 days prior to the plan sponsor submitting an application to suspend benefits, the plan sponsor shall select a participant of the plan in pay status to act as a retiree representative. The retiree representative shall advocate for the interests of the retired and deferred vested participants and beneficiaries of the plan throughout the suspension approval process.

"(II) REASONABLE EXPENSES FROM PLAN.—The plan shall provide for reasonable expenses by the retiree representative, including reasonable legal and actuarial support, commensurate with the plan's size and funded status.

"(III) SPECIAL RULE RELATING TO FIDUCIARY STATUS.—Duties performed pursuant to subclause (I) shall not be subject to section 4975. The preceding sentence shall not apply to those duties associated with an application to suspend benefits pursuant to subparagraph (G) that are performed by the retiree representative who is also a plan trustee.

"(C) CONDITIONS FOR SUSPENSIONS.—The plan sponsor of a plan in critical and declining status for a plan year may suspend benefits only if the following conditions are met:

"(i) Taking into account the proposed suspensions of benefits (and, if applicable, a proposed partition of the plan under section 4233 of the Employee Retirement Income Security Act of 1974), the plan actuary certifies that the plan is projected to avoid insolvency within the meaning of section 418E, assuming the suspensions of benefits continue until the suspensions of benefits expire by their own terms or if no such expiration date is set, indefinitely.

"(ii) The plan sponsor determines, in a written record to be maintained throughout the period of the benefit suspension, that the plan is still projected to become insolvent unless benefits are suspended under this paragraph, although all reasonable measures to avoid insolvency have been taken (and continue to be taken during the period of the benefit suspension). In its determination, the plan sponsor may take into account factors including the following:

"(I) Current and past contribution levels.

"(II) Levels of benefit accruals (including any prior reductions in the rate of benefit accruals).

"(III) Prior reductions (if any) of adjustable benefits.

"(IV) Prior suspensions (if any) of benefits under this subsection.

"(V) The impact on plan solvency of the subsidies and ancillary benefits available to active participants.

"(VI) Compensation levels of active participants relative to employees in the participants' industry generally.

"(VII) Competitive and other economic factors facing contributing employers.

"(VIII) The impact of benefit and contribution levels on retaining active participants and bargaining groups under the plan.

"(IX) The impact of past and anticipated contribution increases under the plan on employer attrition and retention levels.

"(X) Measures undertaken by the plan sponsor to retain or attract contributing employers.

"(D) LIMITATIONS ON SUSPENSIONS.—Any suspensions of benefits made by a plan sponsor pursuant to this paragraph shall be subject to the following limitations:

"(i) The monthly benefit of any participant or beneficiary may not be reduced below 110 percent of the monthly benefit which is guaranteed by the Pension Benefit Guaranty Corporation under section 4022A of the Employee Retirement Income Security Act of 1974 on the date of the suspension.

"(ii)(I) In the case of a participant or beneficiary who has attained 75 years of age as of the effective date of the suspension, not more than the applicable percentage of the maximum suspendable benefits of such participant or beneficiary may be suspended under this paragraph.

"(II) For purposes of subclause (I), the maximum suspendable benefits of a participant or beneficiary is the portion of the benefits of such participant or beneficiary that would be suspended pursuant to this paragraph without regard to this clause;

"(III) For purposes of subclause (I), the applicable percentage is a percentage equal to the quotient obtained by dividing—

"(aa) the number of months during the period beginning with the month after the month in which occurs the effective date of the suspension and ending with the month during which the participant or beneficiary attains the age of 80, by

"(bb) 60 months.

"(iii) No benefits based on disability (as defined under the plan) may be suspended under this paragraph.

"(iv) Any suspensions of benefits, in the aggregate (and, if applicable, considered in combination with a partition of the plan under section 4233 of the Employee Retirement Income Security Act of 1974), shall be reasonably estimated to achieve, but not materially exceed, the level that is necessary to avoid insolvency.

"(v) In any case in which a suspension of benefits with respect to a plan is made in combination with a partition of the plan under section 4233 of the Employee Retirement Income Security Act of 1974,

the suspension of benefits may not take effect prior to the effective date of such partition.

"(vi) Any suspensions of benefits shall be equitably distributed across the participant and beneficiary population, taking into account factors, with respect to participants and beneficiaries and their benefits, that may include one or more of the following:

"(I) Age and life expectancy.

"(II) Length of time in pay status.

"(III) Amount of benefit.

"(IV) Type of benefit: survivor, normal retirement, early retirement.

"(V) Extent to which participant or beneficiary is receiving a subsidized benefit.

"(VI) Extent to which participant or beneficiary has received post-retirement benefit increases.

"(VII) History of benefit increases and reductions.

"(VIII) Years to retirement for active employees.

"(IX) Any discrepancies between active and retiree benefits.

"(X) Extent to which active participants are reasonably likely to withdraw support for the plan, accelerating employer withdrawals from the plan and increasing the risk of additional benefit reductions for participants in and out of pay status.

"(XI) Extent to which benefits are attributed to service with an employer that failed to pay its full withdrawal liability.

"(vii) In the case of a plan that includes the benefits described in clause (III), benefits suspended under this paragraph shall—

"(I) first, be applied to the maximum extent permissible to benefits attributable to a participant's service for an employer which withdrew from the plan and failed to pay (or is delinquent with respect to paying) the full amount of its withdrawal liability under section 4201(b)(1) of the Employee Retirement Income Security Act of 1974 or an agreement with the plan,

"(II) second, except as provided by subclause (III), be applied to all other benefits that may be suspended under this paragraph, and

"(III) third, be applied to benefits under a plan that are directly attributable to a participant's service with any employer which has, prior to the date of enactment of the Multiemployer Pension Reform Act of 2014—

"(aa) withdrawn from the plan in a complete withdrawal under section 4203 of the Employee Retirement Income Security Act of 1974 and has paid the full amount of the employer's withdrawal liability under section 4201(b)(1) of such Act or an agreement with the plan, and

"(bb) pursuant to a collective bargaining agreement, assumed liability for providing benefits to participants and beneficiaries of the plan under a separate, single-employer plan sponsored by the employer, in an amount equal to any amount of benefits for such participants and beneficiaries reduced as a result of the financial status of the plan.

"(E) BENEFIT IMPROVEMENTS.—

"(i) IN GENERAL.—The plan sponsor may, in its sole discretion, provide benefit improvements while any suspension of benefits under the plan remains in effect, except that the plan sponsor may not increase the liabilities of the plan by reason of any benefit improvement for any participant or beneficiary not in pay status by the first day of the plan year for which the benefit improvement takes effect, unless—

"(I) such action is accompanied by equitable benefit improvements in accordance with clause (ii) for all participants and beneficiaries whose benefit commencement dates were before the first day of the plan year for which the benefit improvement for such participant or beneficiary not in pay status took effect; and

"(II) the plan actuary certifies that after taking into account such benefits improvements the plan is projected to avoid insolvency indefinitely under section 418E.

"(ii) EQUITABLE DISTRIBUTION OF BENEFIT IMPROVEMENTS.—

"(I) LIMITATION.—The projected value of the total liabilities for benefit improvements for participants and beneficiaries not in pay status by the date of the first day of the plan year in which the benefit improvements are proposed to take effect, as determined as of such date, may not exceed the projected value of the liabilities arising from benefit improvements for participants and beneficiaries with benefit commencement dates prior to the first day of such plan year, as so determined.

"(II) EQUITABLE DISTRIBUTION OF BENEFITS.—The plan sponsor shall equitably distribute any increase in total liabilities for benefit improvements in clause (i) to some or all of the participants and beneficiaries whose benefit commencement date is before the date of the first day of the plan year in which the benefit improvements are proposed to take effect, taking into account the relevant factors described in subparagraph (D)(vi) and the extent to which the benefits of the participants and beneficiaries were suspended.

"(iii) SPECIAL RULE FOR RESUMPTIONS OF BENEFITS ONLY FOR PARTICIPANTS IN PAY STATUS.—The plan sponsor may increase liabilities of the plan through a resumption of benefits for participants and beneficiaries in pay status only if the plan sponsor equitably

distributes the value of resumed benefits to some or all of the participants and beneficiaries in pay status, taking into account the relevant factors described in subparagraph (D)(vi).

"(iv) SPECIAL RULE FOR CERTAIN BENEFIT INCREASES.—This subparagraph shall not apply to a resumption of suspended benefits or plan amendment which increases liabilities with respect to participants and beneficiaries not in pay status by the first day of the plan year in which the benefit improvements took effect which—

"(I) the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, determines to be reasonable and which provides for only de minimis increases in the liabilities of the plan, or

"(II) is required as a condition of qualification under part I of subchapter D of chapter 1 of subtitle A or to comply with other applicable law, as determined by the Secretary of the Treasury.

"(v) ADDITIONAL LIMITATIONS.—Except for resumptions of suspended benefits described in clause (iii), the limitations on benefit improvements while a suspension of benefits is in effect under this paragraph shall be in addition to any other applicable limitations on increases in benefits imposed on a plan.

"(vi) DEFINITION OF BENEFIT IMPROVEMENT.—For purposes of this subparagraph, the term 'benefit improvement' means, with respect to a plan, a resumption of suspended benefits, an increase in benefits, an increase in the rate at which benefits accrue, or an increase in the rate at which benefits become nonforfeitable under the plan.

"(F) NOTICE REQUIREMENTS.—

"(i) IN GENERAL.—No suspension of benefits may be made pursuant to this paragraph unless notice of such proposed suspension has been given by the plan sponsor concurrently with an application for approval of such suspension submitted under subparagraph (G) to the Secretary of the Treasury to—

"(I) such plan participants and beneficiaries who may be contacted by reasonable efforts,

"(II) each employer who has an obligation to contribute (within the meaning of section 4212(a) of the Employee Retirement Income Security Act of 1974) under the plan, and

"(III) each employee organization which, for purposes of collective bargaining, represents plan participants employed by such an employer.

"(ii) CONTENT OF NOTICE.—The notice under clause (i) shall contain—

"(I) sufficient information to enable participants and beneficiaries to understand the effect of any suspensions of benefits, including an individualized estimate (on an annual or monthly

basis) of such effect on each participant or beneficiary,

"(II) a description of the factors considered by the plan sponsor in designing the benefit suspensions,

"(III) a statement that the application for approval of any suspension of benefits shall be available on the website of the Department of the Treasury and that comments on such application will be accepted,

"(IV) information as to the rights and remedies of plan participants and beneficiaries,

"(V) if applicable, a statement describing the appointment of a retiree representative, the date of appointment of such representative, identifying information about the retiree representative (including whether the representative is a plan trustee), and how to contact such representative, and

"(VI) information on how to contact the Department of the Treasury for further information and assistance where appropriate.

"(iii) FORM AND MANNER.—Any notice under clause (i)—

"(I) shall be provided in a form and manner prescribed in guidance by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, notwithstanding any other provision of law,

"(II) shall be written in a manner so as to be understood by the average plan participant, and

"(III) may be provided in written, electronic, or other appropriate form to the extent such form is reasonably accessible to persons to whom the notice is required to be provided.

"(iv) OTHER NOTICE REQUIREMENT.—Any notice provided under clause (i) shall fulfill the requirement for notice of a significant reduction in benefits described in section 4980F.

"(v) MODEL NOTICE.—The Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall in the guidance prescribed under clause (iii)(I) establish a model notice that a plan sponsor may use to meet the requirements of this subparagraph.

"(G) APPROVAL PROCESS BY THE SECRETARY OF THE TREASURY IN CONSULTATION WITH THE PENSION BENEFIT GUARANTY CORPORATION AND THE SECRETARY OF LABOR.—

"(i) IN GENERAL.—The plan sponsor of a plan in critical and declining status for a plan year that seeks to suspend benefits must submit an application to the Secretary of the Treasury for approval of the suspensions of benefits. If the plan sponsor submits an application for approval of the suspensions, the Secretary of the Treasury shall approve, in consultation with the Pension Benefit Guaranty Corporation and

the Secretary of Labor, the application upon finding that the plan is eligible for the suspensions and has satisfied the criteria of subparagraphs (C), (D), (E), and (F).

"(ii) SOLICITATION OF COMMENTS.—Not later than 30 days after receipt of the application under clause (i), the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall publish a notice in the Federal Register soliciting comments from contributing employers, employee organizations, and participants and beneficiaries of the plan for which an application was made and other interested parties. The application for approval of the suspension of benefits shall be published on the website of the Department of the Treasury.

"(iii) REQUIRED ACTION; DEEMED APPROVAL.—The Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall approve or deny any application for suspensions of benefits under this paragraph within 225 days after the submission of such application. An application for suspension of benefits shall be deemed approved unless, within such 225 days, the Secretary of the Treasury notifies the plan sponsor that it has failed to satisfy one or more of the criteria described in this paragraph. If the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, rejects a plan sponsor's application, the Secretary of the Treasury shall provide notice to the plan sponsor detailing the specific reasons for the rejection, including reference to the specific requirement not satisfied. Approval or denial by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, of an application shall be treated as final agency action for purposes of section 704 of title 5, United States Code.

"(iv) AGENCY REVIEW.—In evaluating whether the plan sponsor has met the criteria specified in clause (ii) of subparagraph (C), the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall review the plan sponsor's consideration of factors under such clause.

"(v) STANDARD FOR ACCEPTING PLAN SPONSOR DETERMINATIONS.—In evaluating the plan sponsor's application, the Secretary of the Treasury shall accept the plan sponsor's determinations unless it concludes, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, that the plan sponsor's determinations were clearly erroneous.

"(H) PARTICIPANT RATIFICATION PROCESS.—

"(i) IN GENERAL.—No suspension of benefits may take effect pursuant to this paragraph prior to a vote of the participants of the plan with respect to the suspension.

"(ii) ADMINISTRATION OF VOTE.—Not later than 30 days after approval of the suspension by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, under subparagraph (G), the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall administer a vote of participants and beneficiaries of the plan. Except as provided in clause (v), the suspension shall go into effect following the vote unless a majority of all participants and beneficiaries of the plan vote to reject the suspension. The plan sponsor may submit a new suspension application to the Secretary of the Treasury for approval in any case in which a suspension is prohibited from taking effect pursuant to a vote under this subparagraph.

"(iii) BALLOTS.—The plan sponsor shall provide a ballot for the vote (subject to approval by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor) that includes the following:

"(I) A statement from the plan sponsor in support of the suspension.

"(II) A statement in opposition to the suspension compiled from comments received pursuant to subparagraph (G)(ii).

"(III) A statement that the suspension has been approved by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor.

"(IV) A statement that the plan sponsor has determined that the plan will become insolvent unless the suspension takes effect.

"(V) A statement that insolvency of the plan could result in benefits lower than benefits paid under the suspension.

"(VI) A statement that insolvency of the Pension Benefit Guaranty Corporation would result in benefits lower than benefits paid in the case of plan insolvency.

"(iv) COMMUNICATION BY PLAN SPONSOR.—It is the sense of Congress that, depending on the size and resources of the plan and geographic distribution of the plan's participants, the plan sponsor should take such steps as may be necessary to inform participants about proposed benefit suspensions through in-person meetings, telephone or internet-based communications, mailed information, or by other means.

"(v) SYSTEMICALLY IMPORTANT PLANS.—

"(I) IN GENERAL.—Not later than 14 days after a vote under this subparagraph rejecting a suspension, the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall determine whether the plan is a systemically important plan. If the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation

and the Secretary of Labor, determines that the plan is a systemically important plan, not later than the end of the 90-day period beginning on the date the results of the vote are certified, the Secretary of the Treasury shall, notwithstanding such adverse vote—

"(aa) permit the implementation of the suspension proposed by the plan sponsor; or

"(bb) permit the implementation of a modification by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, of such suspension (so long as the plan is projected to avoid insolvency within the meaning of section 4245 of the Employee Retirement Income Security Act of 1974 under such modification).

"(II) RECOMMENDATIONS.—Not later than 30 days after a determination by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, that the plan is systemically important, the Participant and Plan Sponsor Advocate selected under section 4004 of the Employee Retirement Income Security Act of 1974 may submit recommendations to the Secretary of the Treasury with respect to the suspension or any revisions to the suspension.

"(III) SYSTEMICALLY IMPORTANT PLAN DEFINED.—

"(aa) IN GENERAL.—For purposes of this subparagraph, a systemically important plan is a plan with respect to which the Pension Benefit Guaranty Corporation projects the present value of projected financial assistance payments exceeds $1,000,000,000 if suspensions are not implemented.

"(bb) INDEXING.—For calendar years beginning after 2015, there shall be substituted for the dollar amount specified in item (aa) an amount equal to the product of such dollar amount and a fraction, the numerator of which is the contribution and benefit base (determined under section 230 of the Social Security Act) for the preceding calendar year and the denominator of which is such contribution and benefit base for calendar year 2014. If the amount otherwise determined under this item is not a multiple of $1,000,000, such amount shall be rounded to the next lowest multiple of $1,000,000.

"(vi) FINAL AUTHORIZATION TO SUSPEND.—In any case in which a suspension goes into effect following a vote pursuant to clause (ii) (or following a determination under clause (v) that the plan is a systemically

important plan), the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall issue a final authorization to suspend with respect to the suspension not later than 7 days after such vote (or, in the case of a suspension that goes into effect under clause (v), at a time sufficient to allow the implementation of the suspension prior to the end of the 90-day period described in clause (v)(I)).

"(I) JUDICIAL REVIEW.—

"(i) DENIAL OF APPLICATION.—An action by the plan sponsor challenging the denial of an application for suspension of benefits by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, may only be brought following such denial.

"(ii) APPROVAL OF SUSPENSION OF BENEFITS.—

"(I) TIMING OF ACTION.—An action challenging a suspension of benefits under this paragraph may only be brought following a final authorization to suspend by the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, under subparagraph (H)(vi).

"(II) STANDARDS OF REVIEW.—

"(aa) IN GENERAL.—A court shall review an action challenging a suspension of benefits under this paragraph in accordance with section 706 of title 5, United States Code.

"(bb) TEMPORARY INJUNCTION.—A court reviewing an action challenging a suspension of benefits under this paragraph may not grant a temporary injunction with respect to such suspension unless the court finds a clear and convincing likelihood that the plaintiff will prevail on the merits of the case.

"(iii) RESTRICTED CAUSE OF ACTION.—A participant or beneficiary affected by a benefit suspension under this paragraph shall not have a cause of action under this title.

"(iv) LIMITATION ON ACTION TO SUSPEND BENEFITS.—No action challenging a suspension of benefits following the final authorization to suspend or the denial of an application for suspension of benefits pursuant to this paragraph may be brought after one year after the earliest date on which the plaintiff acquired or should have acquired actual knowledge of the existence of such cause of action.

"(J) SPECIAL RULE FOR EMERGENCE FROM CRITICAL STATUS.—A plan certified to be in critical and declining status pursuant to projections made under subsection (b)(3) for which a suspension of benefits has been made by the plan sponsor pursuant to this paragraph shall not emerge from critical status under paragraph (4)(B), until such time as—

"(i) the plan is no longer certified to be in critical or endangered status under paragraphs (1) and (2) of subsection (b), and

"(ii) the plan is projected to avoid insolvency under section 418E.".

(6) RULE RELATING TO WITHDRAWAL LIABILITY.—Section 432(g)(1) of the Internal Revenue Code of 1986, as added by section 109, is further amended by inserting ", or benefit reductions or suspensions while in critical and declining status under subsection (e)(9)), unless the withdrawal occurs more than ten years after the effective date of a benefit suspension by a plan in critical and declining status," after "benefit reductions under subsection (e)(8) or (f)".

26 USC 432 note.

(7) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Pension Benefit Guaranty Corporation and the Secretary of Labor, shall publish appropriate guidance to implement section 432(e)(9) of the Internal Revenue Code of 1986.

26 USC 432 note.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

DIVISION P—OTHER RETIREMENT-RELATED MODIFICATIONS

SEC. 1. SUBSTANTIAL CESSATION OF OPERATIONS.

(a) IN GENERAL.—Subsection (e) of section 4062 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1362) is amended to read as follows:

"(e) TREATMENT OF SUBSTANTIAL CESSATION OF OPERATIONS.—

"(1) GENERAL RULE.—Except as provided in paragraphs (3) and (4), if there is a substantial cessation of operations at a facility in any location, the employer shall be treated with respect to any single employer plan established and maintained by the employer covering participants at such facility as if the employer were a substantial employer under a plan under which more than one employer makes contributions and the provisions of sections 4063, 4064, and 4065 shall apply.

"(2) SUBSTANTIAL CESSATION OF OPERATIONS.—For purposes of this subsection:

"(A) IN GENERAL.—The term 'substantial cessation of operations' means a permanent cessation of operations at a facility which results in a workforce reduction of a number of eligible employees at the facility equivalent to more than 15 percent of the number of all eligible employees of the employer, determined immediately before the earlier of—

"(i) the date of the employer's decision to implement such cessation, or

"(ii) in the case of a workforce reduction which includes 1 or more eligible employees described in paragraph (6)(B), the earliest date on which any such eligible employee was separated from employment.

"(B) WORKFORCE REDUCTION.—Subject to subparagraphs (C) and (D), the term 'workforce reduction' means the number of eligible employees at a facility who are

separated from employment by reason of the permanent cessation of operations of the employer at the facility.

"(C) RELOCATION OF WORKFORCE.—An eligible employee separated from employment at a facility shall not be taken into account in computing a workforce reduction if, within a reasonable period of time, the employee is replaced by the employer, at the same or another facility located in the United States, by an employee who is a citizen or resident of the United States.

"(D) DISPOSITIONS.—If, whether by reason of a sale or other disposition of the assets or stock of a contributing sponsor (or any member of the same controlled group as such a sponsor) of the plan relating to operations at a facility or otherwise, an employer (the 'transferee employer') other than the employer which experiences the substantial cessation of operations (the 'transferor employer') conducts any portion of such operations, then—

"(i) an eligible employee separated from employment with the transferor employer at the facility shall not be taken into account in computing a workforce reduction if—

"(I) within a reasonable period of time, the employee is replaced by the transferee employer by an employee who is a citizen or resident of the United States; and

"(II) in the case of an eligible employee who is a participant in a single employer plan maintained by the transferor employer, the transferee employer, within a reasonable period of time, maintains a single employer plan which includes the assets and liabilities attributable to the accrued benefit of the eligible employee at the time of separation from employment with the transferor employer; and

"(ii) an eligible employee who continues to be employed at the facility by the transferee employer shall not be taken into account in computing a workforce reduction if—

"(I) the eligible employee is not a participant in a single employer plan maintained by the transferor employer, or

"(II) in any other case, the transferee employer, within a reasonable period of time, maintains a single employer plan which includes the assets and liabilities attributable to the accrued benefit of the eligible employee at the time of separation from employment with the transferor employer.

"(3) EXEMPTION FOR PLANS WITH LIMITED UNDERFUNDING.—Paragraph (1) shall not apply with respect to a single employer plan if, for the plan year preceding the plan year in which the cessation occurred—

"(A) there were fewer than 100 participants with accrued benefits under the plan as of the valuation date of the plan for the plan year (as determined under section 303(g)(2)); or

"(B) the ratio of the market value of the assets of the plan to the funding target of the plan for the plan year was 90 percent or greater.

"(4) ELECTION TO MAKE ADDITIONAL CONTRIBUTIONS TO SATISFY LIABILITY.—

"(A) IN GENERAL.—An employer may elect to satisfy the employer's liability with respect to a plan by reason of paragraph (1) by making additional contributions to the plan in the amount determined under subparagraph (B) for each plan year in the 7-plan-year period beginning with the plan year in which the cessation occurred. Any such additional contribution for a plan year shall be in addition to any minimum required contribution under section 303 for such plan year and shall be paid not later than the earlier of—

"(i) the due date for the minimum required contribution for such year under section 303(j); or

"(ii) in the case of the first such contribution, the date that is 1 year after the date on which the employer notifies the Corporation of the substantial cessation of operations or the date the Corporation determines a substantial cessation of operations has occurred, and in the case of subsequent contributions, the same date in each succeeding year.

"(B) AMOUNT DETERMINED.—

"(i) IN GENERAL.—Except as provided in clause (iii), the amount determined under this subparagraph with respect to each plan year in the 7-plan-year period is the product of—

"(I) 1/7 of the unfunded vested benefits determined under section 4006(a)(3)(E) as of the valuation date of the plan (as determined under section 303(g)(2)) for the plan year preceding the plan year in which the cessation occurred; and

"(II) the reduction fraction.

"(ii) REDUCTION FRACTION.—For purposes of clause (i), the reduction fraction of a single employer plan is equal to—

"(I) the number of participants with accrued benefits in the plan who were included in computing the workforce reduction under paragraph (2)(B) as a result of the cessation of operations at the facility; divided by

"(II) the number of eligible employees of the employer who are participants with accrued benefits in the plan, determined as of the same date the determination under paragraph (2)(A) is made.

"(iii) LIMITATION.—The additional contribution under this subparagraph for any plan year shall not exceed the excess, if any, of—

"(I) 25 percent of the difference between the market value of the assets of the plan and the funding target of the plan for the preceding plan year; over

"(II) the minimum required contribution under section 303 for the plan year.

"(C) PERMITTED CESSATION OF ANNUAL INSTALLMENTS WHEN PLAN BECOMES SUFFICIENTLY FUNDED.—An employer's obligation to make additional contributions under this paragraph shall not apply to—

"(i) the first plan year (beginning on or after the first day of the plan year in which the cessation occurs) for which the ratio of the market value of the assets of the plan to the funding target of the plan for the plan year is 90 percent or greater, or

"(ii) any plan year following such first plan year.

"(D) COORDINATION WITH FUNDING WAIVERS.—

"(i) IN GENERAL.—If the Secretary of the Treasury issues a funding waiver under section 302(c) with respect to the plan for a plan year in the 7-plan-year period under subparagraph (A), the additional contribution with respect to such plan year shall be permanently waived.

"(ii) NOTICE.—An employer maintaining a plan with respect to which such a funding waiver has been issued or a request for such a funding waiver is pending shall provide notice to the Secretary of the Treasury, in such form and at such time as the Secretary of the Treasury shall provide, of a cessation of operations to which paragraph (1) applies.

"(E) ENFORCEMENT.—

"(i) NOTICE.—An employer making the election under this paragraph shall provide notice to the Corporation, in accordance with rules prescribed by the Corporation, of—

"(I) such election, not later than 30 days after the earlier of the date the employer notifies the Corporation of the substantial cessation of operations or the date the Corporation determines a substantial cessation of operations has occurred;

"(II) the payment of each additional contribution, not later than 10 days after such payment;

"(III) any failure to pay the additional contribution in the full amount for any year in the 7-plan-year period, not later than 10 days after the due date for such payment;

"(IV) the waiver under subparagraph (D)(i) of the obligation to make an additional contribution for any year, not later than 30 days after the funding waiver described in such subparagraph is granted; and

"(V) the cessation of any obligation to make additional contributions under subparagraph (C), not later than 10 days after the due date for payment of the additional contribution for the first plan year to which such cessation applies.

"(ii) ACCELERATION OF LIABILITY TO THE PLAN FOR FAILURE TO PAY.—If an employer fails to pay the additional contribution in the full amount for any year in the 7-plan-year period by the due date for such payment, the employer shall, as of such date, be liable to the plan in an amount equal to the balance which remains unpaid as of such date of the aggregate

amount of additional contributions required to be paid by the employer during such 7-year-plan period. The Corporation may waive or settle the liability described in the preceding sentence, at the discretion of the Corporation.

"(iii) CIVIL ACTION.—The Corporation may bring a civil action in the district courts of the United States in accordance with section 4003(e) to compel an employer making such election to pay the additional contributions required under this paragraph.

"(5) DEFINITIONS.—For purposes of this subsection:

"(A) ELIGIBLE EMPLOYEE.—The term 'eligible employee' means an employee who is eligible to participate in an employee pension benefit plan (as defined in section 3(2)) established and maintained by the employer.

"(B) FUNDING TARGET.—The term 'funding target' means, with respect to any plan year, the funding target as determined under section 4006(a)(3)(E)(iii)(I) for purposes of determining the premium paid to the Corporation under section 4007 for the plan year.

"(C) MARKET VALUE.—The market value of the assets of a plan shall be determined in the same manner as for purposes of section 4006(a)(3)(E).

"(6) SPECIAL RULES.—

"(A) CHANGE IN OPERATION OF CERTAIN FACILITIES AND PROPERTY.—For purposes of paragraphs (1) and (2), an employer shall not be treated as ceasing operations at a qualified lodging facility (as defined in section 856(d)(9)(D) of the Internal Revenue Code of 1986) if such operations are continued by an eligible independent contractor (as defined in section 856(d)(9)(A) of such Code) pursuant to an agreement with the employer.

"(B) AGGREGATION OF PRIOR SEPARATIONS.—The workforce reduction under paragraph (2) with respect to any cessation of operations shall be determined by taking into account any separation from employment of any eligible employee at the facility (other than a separation which is not taken into account as workforce reduction by reason of subparagraph (C) or (D) of paragraph (2)) which—

"(i) is related to the permanent cessation of operations of the employer at the facility, and

"(ii) occurs during the 3-year period preceding such cessation.

"(C) NO ADDITION TO PREFUNDING BALANCE.—For purposes of section 303(f)(6)(B) and section 430(f)(6)(B) of the Internal Revenue Code of 1986, any additional contribution made under paragraph (4) shall be treated in the same manner as a contribution an employer is required to make in order to avoid a benefit reduction under paragraph (1), (2), or (4) of section 206(g) or subsection (b), (c), or (e) of section 436 of the Internal Revenue Code of 1986 for the plan year.".

29 USC 1362 note.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by this section shall apply to a cessation of operations or other event at a

facility occurring on or after the date of enactment of this Act.

(2) TRANSITION RULE.—An employer that had a cessation of operations before the date of enactment of this Act (as determined under subsection 4062(e) of the Employee Retirement Income Security Act of 1974 as in effect before the amendment made by this section), but did not enter into an arrangement with the Pension Benefit Guaranty Corporation to satisfy the requirements of such subsection (as so in effect) before such date of enactment, shall be permitted to make the election under section 4062(e)(4) of such Act (as in effect after the amendment made by this section) as if such cessation had occurred on such date of enactment. Such election shall be made not later than 30 days after such Corporation issues, on or after such date of the enactment, a final administrative determination that a substantial cessation of operations has occurred.

(c) DIRECTION TO THE CORPORATION.—The Pension Benefit Guaranty Corporation shall not take any enforcement, administrative, or other action pursuant to section 4062(e) of the Employee Retirement Income Security Act of 1974, or in connection with an agreement settling liability arising under such section, that is inconsistent with the amendment made by this section, without regard to whether the action relates to a cessation or other event that occurs before, on, or after the date of the enactment of this Act, unless such action is in connection with a settlement agreement that is in place before June 1, 2014. The Pension Benefit Guaranty Corporation shall not initiate a new enforcement action with respect to section 4062(e) of such Act that is inconsistent with its enforcement policy in effect on June 1, 2014. 29 USC 1362 note.

SEC. 2. CLARIFICATION OF THE NORMAL RETIREMENT AGE.

(a) AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Section 204 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1054) is amended by redesignating subsection (k) as subsection (l) and by inserting after subsection (j) the following new subsection:

"(k) SPECIAL RULE FOR DETERMINING NORMAL RETIREMENT AGE FOR CERTAIN EXISTING DEFINED BENEFIT PLANS.—

"(1) IN GENERAL.—Notwithstanding section 3(24), an applicable plan shall not be treated as failing to meet any requirement of this title, or as failing to have a uniform normal retirement age for purposes of this title, solely because the plan provides for a normal retirement age described in paragraph (2).

"(2) APPLICABLE PLAN.—For purposes of this subsection—

"(A) IN GENERAL.—The term 'applicable plan' means a defined benefit plan the terms of which, on or before December 8, 2014, provided for a normal retirement age which is the earlier of—

"(i) an age otherwise permitted under section 3(24), or

"(ii) the age at which a participant completes the number of years (not less than 30 years) of benefit accrual service specified by the plan.

A plan shall not fail to be treated as an applicable plan solely because the normal retirement age described in the

preceding sentence only applied to certain participants or only applied to employees of certain employers in the case of a plan maintained by more than 1 employer.

"(B) EXPANDED APPLICATION.—Subject to subparagraph (C), if, after December 8, 2014, an applicable plan is amended to expand the application of the normal retirement age described in subparagraph (A) to additional participants or to employees of additional employers maintaining the plan, such plan shall also be treated as an applicable plan with respect to such participants or employees.

"(C) LIMITATION ON EXPANDED APPLICATION.—A defined benefit plan shall be an applicable plan only with respect to an individual who—

"(i) is a participant in the plan on or before January 1, 2017, or

"(ii) is an employee at any time on or before January 1, 2017, of any employer maintaining the plan, and who becomes a participant in such plan after such date.".

(b) AMENDMENT TO THE INTERNAL REVENUE CODE OF 1986.—Section 411 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection: 26 USC 411.

"(f) SPECIAL RULE FOR DETERMINING NORMAL RETIREMENT AGE FOR CERTAIN EXISTING DEFINED BENEFIT PLANS.—

"(1) IN GENERAL.—Notwithstanding subsection (a)(8), an applicable plan shall not be treated as failing to meet any requirement of this subchapter, or as failing to have a uniform normal retirement age for purposes of this subchapter, solely because the plan provides for a normal retirement age described in paragraph (2).

"(2) APPLICABLE PLAN.—For purposes of this subsection—

"(A) IN GENERAL.—The term 'applicable plan' means a defined benefit plan the terms of which, on or before December 8, 2014, provided for a normal retirement age which is the earlier of—

"(i) an age otherwise permitted under subsection (a)(8), or

"(ii) the age at which a participant completes the number of years (not less than 30 years) of benefit accrual service specified by the plan.

A plan shall not fail to be treated as an applicable plan solely because the normal retirement age described in the preceding sentence only applied to certain participants or only applied to employees of certain employers in the case of a plan maintained by more than 1 employer.

"(B) EXPANDED APPLICATION.—Subject to subparagraph (C), if, after December 8, 2014, an applicable plan is amended to expand the application of the normal retirement age described in subparagraph (A) to additional participants or to employees of additional employers maintaining the plan, such plan shall also be treated as an applicable plan with respect to such participants or employees.

"(C) LIMITATION ON EXPANDED APPLICATION.—A defined benefit plan shall be an applicable plan only with respect to an individual who—

"(i) is a participant in the plan on or before January 1, 2017, or

"(ii) is an employee at any time on or before January 1, 2017, of any employer maintaining the plan, and who becomes a participant in such plan after such date.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to all periods before, on, and after the date of enactment of this Act. 26 USC 411 note.

SEC. 3. APPLICATION OF COOPERATIVE AND SMALL EMPLOYER CHARITY PENSION PLAN RULES TO CERTAIN CHARITABLE EMPLOYERS WHOSE PRIMARY EXEMPT PURPOSE IS PROVIDING SERVICES WITH RESPECT TO CHILDREN.

(a) EMPLOYEE RETIREMENT INCOME AND SECURITY ACT OF 1974.—

(1) IN GENERAL.—Section 210(f)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1060(f)(1)) is amended by striking "or" at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting "; or", and by inserting after subparagraph (B) the following new subparagraph:

"(C) that, as of June 25, 2010, was maintained by an employer—

"(i) described in section 501(c)(3) of such Code,

"(ii) chartered under part B of subtitle II of title 36, United States Code,

"(iii) with employees in at least 40 States, and

"(iv) whose primary exempt purpose is to provide services with respect to children.".

(2) AGGREGATION RULES.—Section 210(f)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1060(f)(2)) is amended by striking "paragraph (1)(B)" and inserting "subparagraph (B) and (C) of paragraph (1)".

(b) INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—Section 414(y)(1) of the Internal Revenue Code of 1986 is amended by striking "or" at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting "; or", and by inserting after subparagraph (B) the following new subparagraph: 26 USC 414.

"(C) that, as of June 25, 2010, was maintained by an employer—

"(i) described in section 501(c)(3) of such Code,

"(ii) chartered under part B of subtitle II of title 36, United States Code,

"(iii) with employees in at least 40 States, and

"(iv) whose primary exempt purpose is to provide services with respect to children.".

(2) AGGREGATION RULES.—Section 414(y)(2) of the Internal Revenue Code of 1986 is amended by striking "paragraph (1)(B)" and inserting "subparagraph (B) and (C) of paragraph (1)".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the amendments made by the Cooperative and Small Employer Charity Pension Flexibility Act (29 U.S.C. 401 note). 26 USC 414 note.

DIVISION Q—BUDGETARY EFFECTS

SEC. 1. BUDGETARY EFFECTS.

(a) STATUTORY PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of divisions O and P shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAY-AS-YOU-GO SCORECARDS.—The budgetary effects of divisions O and P shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of divisions O and P shall not be estimated—

(1) for purposes of section 251 of the such Act; and

(2) for purposes of paragraph 4(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

Approved December 16, 2014.

LEGISLATIVE HISTORY—H.R. 83:

HOUSE REPORTS: No. 113–483 (Comm. on Energy and Commerce).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 15, considered and passed House.
Sept. 18, considered and passed Senate, amended.
Dec. 11, House concurred in Senate amendment with an amendment.
Dec. 12, 13, Senate considered and concurred in House amendment.

Public Law 113–236
113th Congress

An Act

To improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

Dec. 18, 2014
[H.R. 669]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Sudden Unexpected Death Data Enhancement and Awareness Act.
42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sudden Unexpected Death Data Enhancement and Awareness Act".

42 USC 300c–13.

SEC. 2. CONTINUING ACTIVITIES RELATED TO STILLBIRTH, SUDDEN UNEXPECTED INFANT DEATH AND SUDDEN UNEXPLAINED DEATH IN CHILDHOOD.

(a) IN GENERAL.—The Secretary of Health and Human Services shall continue activities related to still birth, sudden unexpected infant death, and sudden unexplained death in childhood, including, as appropriate—

(1) collecting information, such as socio-demographic, death scene investigation, clinical history, and autopsy information, on stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood through the utilization of existing surveillance systems and collaborating with States to improve the quality, consistency, and collection of such data;

(2) disseminating information to educate the public, health care providers, and other stakeholders on stillbirth, sudden unexpected infant death and sudden unexplained death in childhood; and

(3) collaborating with the Attorney General, State and local departments of health, and other experts, as appropriate, to provide consistent information for medical examiners and coroners, law enforcement personnel, and health care providers related to death scene investigations and autopsies for sudden unexpected infant death and sudden unexplained death in childhood, in order to improve the quality and consistency of the data collected at such death scenes and to promote consistent reporting on the cause of death after autopsy to inform prevention, intervention, and other activities.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report that includes a description of any activities that are being carried out by agencies within the Department of Health and Human Services, including the Centers for Disease Control and Prevention and the National Institutes of Health, related to stillbirth, sudden unexpected infant death,

and sudden unexplained death in childhood, including those activities identified under subsection (a).

SEC. 3. NO ADDITIONAL APPROPRIATIONS.

This Act shall not be construed to increase the amount of appropriations that are authorized to be appropriated for any fiscal year.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 669:

HOUSE REPORTS: No. 113–557 (Comm. on Energy and Commerce).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 9, considered and passed House.
Nov. 20, considered and passed Senate, amended.
Dec. 3, House concurred in Senate amendments.

Public Law 113–237
113th Congress

An Act

To make revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements.

Dec. 18, 2014
[H.R. 1067]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

SEC. 2. PURPOSE.

36 USC prec. 101 note.

The purpose of this Act is to make revisions in title 36, United States Code, as necessary to keep the title current and make technical corrections and improvements.

SEC. 3. TECHNICAL AMENDMENTS.

(a) TABLES OF CONTENTS.—

(1) TABLE OF CONTENTS OF THE TITLE.—Title 36, United States Code, is amended in the matter before subtitle I by striking

36 USC prec. 101.

"Subtitle		Sec.
"**I.**	**PATRIOTIC AND NATIONAL OBSERVANCES AND CEREMONIES**	**101**
"**II.**	**PATRIOTIC AND NATIONAL ORGANIZATIONS**	**10101**
"**III.**	**TREATY OBLIGATION ORGANIZATIONS**	**300101**"

and inserting

"Subtitle I—Patriotic and National Observances and Ceremonies

"Part A—Observances and Ceremonies

"Chap.		Sec.
"1.	Patriotic and National Observances	101
"3.	National Anthem, Motto, Floral Emblem, March, and Tree	301
"5.	Presidential Inaugural Ceremonies	501
"7.	Federal Participation in Carl Garner Federal Lands Cleanup Day	701
"9.	Miscellaneous	901

"Part B—United States Government Organizations Involved With Observances and Ceremonies

"21.	American Battle Monuments Commission	2101
"23.	United States Holocaust Memorial Council	2301
"25.	President's Committee on Employment of People With Disabilities	2501

"Subtitle II—Patriotic and National Organizations

"Part A—General

"101.	General	10101

"Part B—Organizations

"201.	Agricultural Hall of Fame	20101

(2) TABLES OF CONTENTS OF SUBTITLES.—Title 36, United States Code, is further amended as follows:

36 USC prec. 101.

(A) In the matter before chapter 1, after the heading

"Subtitle I—Patriotic and National Observances and Ceremonies",

strike

"PART A—OBSERVANCES AND CEREMONIES"

and all that follows through

36 USC prec. 10101.

(B) In the matter before chapter 101, after the heading

"Subtitle II—Patriotic and National Organizations",

strike

"PART A—GENERAL"

and all that follows through

"2701. [Reserved] ..... 270101".

36 USC prec. 300101.

(C) In the matter before chapter 3001, after the heading

"Subtitle III—Treaty Obligation Organizations",

strike

"Chapter Sec.
"3001. The American National Red Cross ..... 300101".

(b) RESERVED CHAPTERS.— Title 36, United States Code, is further amended as follows:

36 USC prec. 30101.

(1) In the matter before

"**CHAPTER 301—BIG BROTHERS—BIG SISTERS OF AMERICA**",

insert

"**CHAPTERS 233 THROUGH 299—RESERVED**".

36 USC prec. 40101.

(2) In the matter before

"**CHAPTER 401—CATHOLIC WAR VETERANS OF THE UNITED STATES OF AMERICA, INCORPORATED**",

insert

"**CHAPTERS 313 THROUGH 399—RESERVED**".

36 USC prec. 50101.

(3) In the matter before

"**CHAPTER 501—DAUGHTERS OF UNION VETERANS OF THE CIVIL WAR 1861–1865**",

insert

"**CHAPTERS 409 THROUGH 499—RESERVED**".

36 USC prec. 60101.

(4) In the matter before

"**CHAPTER 601—82ND AIRBORNE DIVISION ASSOCIATION, INCORPORATED**",

insert

"**CHAPTERS 505 THROUGH 599—RESERVED**".

36 USC prec. 70101.

(5) In the matter before

"**CHAPTER 701—FLEET RESERVE ASSOCIATION**",

insert

"**CHAPTERS 603 THROUGH 699—RESERVED**".

(6) In the matter before 36 USC prec. 80101.

"**CHAPTER 801—GENERAL FEDERATION OF WOMEN'S CLUBS**",

insert

"**CHAPTERS 711 THROUGH 799—RESERVED**".

(7) In the matter before 36 USC prec. 100101.

"**CHAPTER 1001—ITALIAN AMERICAN WAR VETERANS OF THE UNITED STATES**",

strike

"**CHAPTER 901—[RESERVED]**"

and insert (before chapter 901 as renumbered and transferred by subsection (c)(6)(A)),

"**CHAPTERS 807 THROUGH 899—RESERVED**".

(8) In the matter before 36 USC prec. 100101.

"**CHAPTER 1001—ITALIAN AMERICAN WAR VETERANS OF THE UNITED STATES**"

insert (after chapter 901 as renumbered and transferred by subsection (c)(6)(A))

"**CHAPTERS 903 THROUGH 999—RESERVED**".

(9) In the matter before 36 USC prec. 110101.

"**CHAPTER 1101—JEWISH WAR VETERANS OF THE UNITED STATES OF AMERICA, INCORPORATED**",

insert

"**CHAPTERS 1003 THROUGH 1099—RESERVED**".

(10) In the matter before 36 USC prec. 120101.

"**CHAPTER 1201—KOREAN WAR VETERANS ASSOCIATION, INCORPORATED**",

insert

"**CHAPTERS 1105 THROUGH 1199—RESERVED**".

(11) In the matter before 36 USC prec. 130101.

"**CHAPTER 1301—LADIES OF THE GRAND ARMY OF THE REPUBLIC**",

insert

"**CHAPTERS 1203 THROUGH 1299—RESERVED**".

36 USC prec. 140101.

(12) In the matter before

"**CHAPTER 1401—MARINE CORPS LEAGUE**",

insert

"**CHAPTERS 1307 THROUGH 1399—RESERVED**".

36 USC prec. 150101.

(13) In the matter before

"**CHAPTER 1501—NATIONAL ACADEMY OF PUBLIC ADMINISTRATION**",

insert

"**CHAPTERS 1409 THROUGH 1499—RESERVED**".

36 USC prec. 170101.

(14) In the matter before

"**CHAPTER 1701—PARALYZED VETERANS OF AMERICA**",

strike

"**CHAPTER 1601—[RESERVED]**"

and insert

"**CHAPTERS 1549 THROUGH 1599—RESERVED**

"**CHAPTERS 1601 THROUGH 1699—RESERVED**".

36 USC prec. 190101.

(15) In the matter before

"**CHAPTER 1901—RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES**",

strike

"**CHAPTER 1801—[RESERVED]**"

and insert

"**CHAPTERS 1707 THROUGH 1799—RESERVED**

"**CHAPTERS 1801 THROUGH 1899—RESERVED**".

36 USC prec. 200101.

(16) In the matter before

"**CHAPTER 2001—SOCIETY OF AMERICAN FLORISTS AND ORNAMENTAL HORTICULTURISTS**",

insert

"**CHAPTERS 1905 THROUGH 1999—RESERVED**".

(17) In the matter before 36 USC prec. 210101.

"**CHAPTER 2101—THEODORE ROOSEVELT ASSOCIATION**",

insert

"**CHAPTERS 2005 THROUGH 2099—RESERVED**".

(18) In the matter before 36 USC prec. 220101.

"**CHAPTER 2201—UNITED SERVICE ORGANIZATIONS, INCORPORATED**",

insert

"**CHAPTERS 2105 THROUGH 2199—RESERVED**".

(19) In the matter before 36 USC prec. 230101.

"**CHAPTER 2301—VETERANS OF FOREIGN WARS OF THE UNITED STATES**",

insert

"**CHAPTERS 2209 THROUGH 2299—RESERVED**".

(20) In the matter before 36 USC prec. 240101.

"**CHAPTER 2401—WOMEN'S ARMY CORPS VETERANS' ASSOCIATION**",

insert

"**CHAPTERS 2307 THROUGH 2399—RESERVED**".

(21) In the matter before 36 USC prec. 300101.

"Subtitle III—Treaty Obligation Organizations",

strike

"**CHAPTER 2501—[RESERVED]**

"**CHAPTER 2601—[RESERVED]**

"**CHAPTER 2701—[RESERVED]**"

and insert

"**CHAPTERS 2403 THROUGH 2499—RESERVED**

"**CHAPTERS 2501 THROUGH 2599—RESERVED**

"**CHAPTERS 2601 THROUGH 2699—RESERVED**

"**CHAPTERS 2701 THROUGH 2799—RESERVED**".

(c) OTHER TECHNICAL AMENDMENTS TO TITLE 36.—Title 36, United States Code, is further amended as follows:

(1) NATIONAL ANTHEM, MOTTO, FLORAL EMBLEM, MARCH, AND TREE.—In the heading for chapter 3, strike "**FLORAL EMBLEM MARCH**" and insert "**FLORAL EMBLEM, MARCH**".

36 USC prec. 301.

(2) UNITED STATES HOLOCAUST MEMORIAL MUSEUM.—In section 2301(2), strike "section 2306" and insert "section 2304".

36 USC 2301.

(3) CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY.—In section 40706(a)—

(A) in the matter before paragraph (1), strike the dash appearing after "the Secretary of the Army" and insert a colon;

(B) in paragraph (1), strike "firearms" and insert "Firearms"; and

(C) in paragraph (3), strike "trophies" and insert "Trophies".

(4) MILITARY OFFICERS ASSOCIATION OF AMERICA.—In section 140402, in the matter before paragraph (1), strike "(a) GENERAL.—The purposes" and insert "The purposes".

(5) NATIONAL FILM PRESERVATION FOUNDATION.—In section 151705(b), in the matter before paragraph (1), strike "the the jurisdiction" and insert "the jurisdiction".

(6) HELP AMERICA VOTE FOUNDATION.—

(A) RENUMBERING AND TRANSFER OF CHAPTER.—Chapter 1526 is renumbered as chapter 901 and transferred so as to appear after

36 USC prec. 152601.

"**CHAPTERS 807 THROUGH 899—RESERVED**"

(as inserted by subsection (b)(7)).

(B) RENUMBERING OF SECTIONS.—In chapter 901, as renumbered by subparagraph (A), and in the chapter analysis, sections 152601 through 152612 are renumbered as sections 90101 through 90112, respectively.

36 USC 90101–90112.

(C) CONFORMING AMENDMENT.—In section 90109, as renumbered by subparagraph (B), strike "section 152602" and insert "section 90102".

(7) NATIONAL TROPICAL BOTANICAL GARDEN.—At the end of the chapter table of contents for chapter 1535, insert—

36 USC prec. 153501.

"153514. Authorization of appropriations.".

(8) NATIONAL YEOMEN (F).—

(A) In the heading for chapter 1539, strike "**YOEMEN F**" and insert "**YEOMEN (F)**".

36 USC prec. 153901.

(B) In section 153901, strike "Yoemen F" and insert "Yeomen (F)".

(C) In paragraphs (1) and (2) of section 153902, strike "Yoemen (f)" and insert "Yeomen (F)".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 1067:

HOUSE REPORTS: No. 113–43 (Comm. on the Judiciary).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Apr. 23, considered and passed House.
Vol. 160 (2014): Dec. 9, considered and passed Senate.

Public Law 113–238
113th Congress

An Act

Dec. 18, 2014
[H.R. 1204]

To amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Aviation Security Stakeholder Participation Act of 2014.
49 USC 40101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Aviation Security Stakeholder Participation Act of 2014".

SEC. 2. AVIATION SECURITY ADVISORY COMMITTEE.

(a) IN GENERAL.—Subchapter II of chapter 449 of title 49, United States Code, is amended by adding at the end the following:

49 USC 44946.

"§ 44946. Aviation Security Advisory Committee

"(a) ESTABLISHMENT.—The Assistant Secretary shall establish within the Transportation Security Administration an aviation security advisory committee.

"(b) DUTIES.—

Consultation.

"(1) IN GENERAL.—The Assistant Secretary shall consult the Advisory Committee, as appropriate, on aviation security matters, including on the development, refinement, and implementation of policies, programs, rulemaking, and security directives pertaining to aviation security, while adhering to sensitive security guidelines.

"(2) RECOMMENDATIONS.—

"(A) IN GENERAL.—The Advisory Committee shall develop, at the request of the Assistant Secretary, recommendations for improvements to aviation security.

"(B) RECOMMENDATIONS OF SUBCOMMITTEES.—Recommendations agreed upon by the subcommittees established under this section shall be approved by the Advisory Committee before transmission to the Assistant Secretary.

"(3) PERIODIC REPORTS.—The Advisory Committee shall periodically submit to the Assistant Secretary—

"(A) reports on matters identified by the Assistant Secretary; and

"(B) reports on other matters identified by a majority of the members of the Advisory Committee.

"(4) ANNUAL REPORT.—The Advisory Committee shall submit to the Assistant Secretary an annual report providing information on the activities, findings, and recommendations of the Advisory Committee, including its subcommittees, for the preceding year. Not later than 6 months after the date

Publication.
Public information.

that the Secretary receives the annual report, the Secretary shall publish a public version describing the Advisory Committee's activities and such related matters as would be informative to the public consistent with the policy of section 552(b) of title 5.

"(5) FEEDBACK.—Not later than 90 days after receiving recommendations transmitted by the Advisory Committee under paragraph (4), the Assistant Secretary shall respond in writing to the Advisory Committee with feedback on each of the recommendations, an action plan to implement any of the recommendations with which the Assistant Secretary concurs, and a justification for why any of the recommendations have been rejected. Deadline. Notification. Action plan.

"(6) CONGRESSIONAL NOTIFICATION.—Not later than 30 days after providing written feedback to the Advisory Committee under paragraph (5), the Assistant Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives on such feedback, and provide a briefing upon request. Deadline.

"(7) REPORT TO CONGRESS.—Prior to briefing the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives under paragraph (6), the Assistant Secretary shall submit to such committees a report containing information relating to the recommendations transmitted by the Advisory Committee in accordance with paragraph (4).

"(c) MEMBERSHIP.—

"(1) APPOINTMENT.—

"(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Aviation Security Stakeholder Participation Act of 2014, the Assistant Secretary shall appoint the members of the Advisory Committee. Deadline.

"(B) COMPOSITION.—The membership of the Advisory Committee shall consist of individuals representing not more than 34 member organizations. Each organization shall be represented by 1 individual (or the individual's designee).

"(C) REPRESENTATION.—The membership of the Advisory Committee shall include representatives of air carriers, all-cargo air transportation, indirect air carriers, labor organizations representing air carrier employees, labor organizations representing transportation security officers, aircraft manufacturers, airport operators, airport construction and maintenance contractors, labor organizations representing employees of airport construction and maintenance contractors, general aviation, privacy organizations, the travel industry, airport-based businesses (including minority-owned small businesses), businesses that conduct security screening operations at airports, aeronautical repair stations, passenger advocacy groups, the aviation security technology industry (including screening technology and biometrics), victims of terrorist acts against aviation, and law enforcement and security experts.

"(2) TERM OF OFFICE.—

"(A) TERMS.—The term of each member of the Advisory Committee shall be 2 years. A member of the Advisory Committee may be reappointed.

"(B) REMOVAL.—The Assistant Secretary may review the participation of a member of the Advisory Committee and remove such member for cause at any time.

"(3) PROHIBITION ON COMPENSATION.—The members of the Advisory Committee shall not receive pay, allowances, or benefits from the Government by reason of their service on the Advisory Committee.

"(4) MEETINGS.—

"(A) IN GENERAL.—The Assistant Secretary shall require the Advisory Committee to meet at least semiannually and may convene additional meetings as necessary.

"(B) PUBLIC MEETINGS.—At least 1 of the meetings described in subparagraph (A) shall be open to the public.

Records.

"(C) ATTENDANCE.—The Advisory Committee shall maintain a record of the persons present at each meeting.

Deadline.
Determination.

"(5) MEMBER ACCESS TO SENSITIVE SECURITY INFORMATION.—Not later than 60 days after the date of a member's appointment, the Assistant Secretary shall determine if there is cause for the member to be restricted from possessing sensitive security information. Without such cause, and upon the member voluntarily signing a non-disclosure agreement, the member may be granted access to sensitive security information that is relevant to the member's advisory duties. The member shall protect the sensitive security information in accordance with part 1520 of title 49, Code of Federal Regulations.

"(6) CHAIRPERSON.—A stakeholder representative on the Advisory Committee who is elected by the appointed membership of the Advisory Committee shall chair the Advisory Committee.

"(d) SUBCOMMITTEES.—

"(1) MEMBERSHIP.—The Advisory Committee chairperson, in coordination with the Assistant Secretary, may establish within the Advisory Committee any subcommittee that the Assistant Secretary and Advisory Committee determine to be necessary. The Assistant Secretary and the Advisory Committee shall create subcommittees to address aviation security issues, including the following:

"(A) AIR CARGO SECURITY.—The implementation of the air cargo security programs established by the Transportation Security Administration to screen air cargo on passenger aircraft and all-cargo aircraft in accordance with established cargo screening mandates.

"(B) GENERAL AVIATION.—General aviation facilities, general aviation aircraft, and helicopter operations at general aviation and commercial service airports.

"(C) PERIMETER AND ACCESS CONTROL.—Recommendations on airport perimeter security, exit lane security and technology at commercial service airports, and access control issues.

"(D) SECURITY TECHNOLOGY.—Security technology standards and requirements, including their harmonization internationally, technology to screen passengers, passenger baggage, carry-on baggage, and cargo, and biometric technology.

"(2) RISK-BASED SECURITY.—All subcommittees established by the Advisory Committee chairperson in coordination with the Assistant Secretary shall consider risk-based security approaches in the performance of their functions that weigh the optimum balance of costs and benefits in transportation security, including for passenger screening, baggage screening, air cargo security policies, and general aviation security matters.

"(3) MEETINGS AND REPORTING.—Each subcommittee shall meet at least quarterly and submit to the Advisory Committee for inclusion in the annual report required under subsection (b)(4) information, including recommendations, regarding issues within the subcommittee.

"(4) SUBCOMMITTEE CHAIRS.—Each subcommittee shall be co-chaired by a Government official and an industry official.

"(e) SUBJECT MATTER EXPERTS.—Each subcommittee under this section shall include subject matter experts with relevant expertise who are appointed by the respective subcommittee chairpersons.

"(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee and its subcommittees.

"(g) DEFINITIONS.—In this section:

"(1) ADVISORY COMMITTEE.—The term 'Advisory Committee' means the aviation security advisory committee established under subsection (a).

"(2) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary of Homeland Security (Transportation Security Administration).

"(3) PERIMETER SECURITY.—

"(A) IN GENERAL.—The term 'perimeter security' means procedures or systems to monitor, secure, and prevent unauthorized access to an airport, including its airfield and terminal.

"(B) INCLUSIONS.—The term 'perimeter security' includes the fence area surrounding an airport, access gates, and access controls.".

49 USC prec. 44901.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 449 of title 49, United States Code, is amended by adding at the end the following new item:

"44946. Aviation Security Advisory Committee.".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 1204 (S. 1804):

HOUSE REPORTS: No. 113–278 (Comm. on Homeland Security).
SENATE REPORTS: No. 113–273 (Comm. on Commerce, Science, and Transportation) accompanying S. 1804.
CONGRESSIONAL RECORD:
Vol. 159 (2013): Dec. 3, considered and passed House.
Vol. 160 (2014): Dec. 9, considered and passed Senate, amended.
Dec. 10, House concurred in Senate amendment.

Public Law 113–239
113th Congress

An Act

To grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes.

Dec. 18, 2014
[H.R. 1206]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Permanent Electronic Duck Stamp Act of 2013.
16 USC 718o note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Permanent Electronic Duck Stamp Act of 2013".

16 USC 718o.

SEC. 2. DEFINITIONS.

In this Act:

(1) ACTUAL STAMP.—The term "actual stamp" means a Federal migratory-bird hunting and conservation stamp required under the Act of March 16, 1934 (16 U.S.C. 718a et seq.) (popularly known as the "Duck Stamp Act"), that is printed on paper and sold through the means established by the authority of the Secretary immediately before the date of enactment of this Act.

(2) AUTOMATED LICENSING SYSTEM.—

(A) IN GENERAL.—The term "automated licensing system" means an electronic, computerized licensing system used by a State fish and wildlife agency to issue hunting, fishing, and other associated licenses and products.

(B) INCLUSION.—The term "automated licensing system" includes a point-of-sale, Internet, telephonic system, or other electronic applications used for a purpose described in subparagraph (A).

(3) ELECTRONIC STAMP.—The term "electronic stamp" means an electronic version of an actual stamp that—

(A) is a unique identifier for the individual to whom it is issued;

(B) can be printed on paper or produced through an electronic application with the same indicators as the State endorsement provides;

(C) is issued through a State automated licensing system that is authorized, under State law and by the Secretary under this Act, to issue electronic stamps;

(D) is compatible with the hunting licensing system of the State that issues the electronic stamp; and

(E) is described in the State application approved by the Secretary under section 4(b).

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

16 USC 718p.

SEC. 3. AUTHORITY TO ISSUE ELECTRONIC DUCK STAMPS.

(a) IN GENERAL.—The Secretary may authorize any State to issue electronic stamps in accordance with this Act.

(b) CONSULTATION.—The Secretary shall implement this section in consultation with State management agencies.

16 USC 718q.

SEC. 4. STATE APPLICATION.

(a) APPROVAL OF APPLICATION REQUIRED.—The Secretary may not authorize a State to issue electronic stamps under this Act unless the Secretary has received and approved an application submitted by the State in accordance with this section. The Secretary may determine the number of new States per year to participate in the electronic stamp program.

(b) CONTENTS OF APPLICATION.—The Secretary may not approve a State application unless the application contains—

(1) a description of the format of the electronic stamp that the State will issue under this Act, including identifying features of the licensee that will be specified on the stamp;

(2) a description of any fee the State will charge for issuance of an electronic stamp;

(3) a description of the process the State will use to account for and transfer to the Secretary the amounts collected by the State that are required to be transferred to the Secretary under the program;

(4) the manner by which the State will transmit electronic stamp customer data to the Secretary;

(5) the manner by which actual stamps will be delivered;

(6) the policies and procedures under which the State will issue duplicate electronic stamps; and

(7) such other policies, procedures, and information as may be reasonably required by the Secretary.

(c) PUBLICATION OF DEADLINES, ELIGIBILITY REQUIREMENTS, AND SELECTION CRITERIA.—Not later than 30 days before the date on which the Secretary begins accepting applications under this section, the Secretary shall publish—

(1) deadlines for submission of applications;

(2) eligibility requirements for submitting applications; and

(3) criteria for approving applications.

16 USC 718r.

SEC. 5. STATE OBLIGATIONS AND AUTHORITIES.

(a) DELIVERY OF ACTUAL STAMP.—The Secretary shall require that each individual to whom a State sells an electronic stamp under this Act shall receive an actual stamp—

Deadline.

(1) by not later than the date on which the electronic stamp expires under section 6(c); and

(2) in a manner agreed upon by the State and Secretary.

(b) COLLECTION AND TRANSFER OF ELECTRONIC STAMP REVENUE AND CUSTOMER INFORMATION.—

(1) REQUIREMENT TO TRANSMIT.—The Secretary shall require each State authorized to issue electronic stamps to collect and submit to the Secretary in accordance with this section—

(A) the first name, last name, and complete mailing address of each individual that purchases an electronic stamp from the State;

(B) the face value amount of each electronic stamp sold by the State; and

(C) the amount of the Federal portion of any fee required by the agreement for each stamp sold.

(2) TIME OF TRANSMITTAL.—The Secretary shall require the submission under paragraph (1) to be made with respect to sales of electronic stamps by a State according to the written agreement between the Secretary and the State agency. Contracts.

(3) ADDITIONAL FEES NOT AFFECTED.—This section shall not apply to the State portion of any fee collected by a State under subsection (c).

(c) ELECTRONIC STAMP ISSUANCE FEE.—A State authorized to issue electronic stamps may charge a reasonable fee to cover costs incurred by the State and the Department of the Interior in issuing electronic stamps under this Act, including costs of delivery of actual stamps.

(d) DUPLICATE ELECTRONIC STAMPS.—A State authorized to issue electronic stamps may issue a duplicate electronic stamp to replace an electronic stamp issued by the State that is lost or damaged.

(e) LIMITATION ON AUTHORITY TO REQUIRE PURCHASE OF STATE LICENSE.—A State may not require that an individual purchase a State hunting license as a condition of issuing an electronic stamp under this Act.

SEC. 6. ELECTRONIC STAMP REQUIREMENTS; RECOGNITION OF ELECTRONIC STAMP. 16 USC 718s.

(a) STAMP REQUIREMENTS.—The Secretary shall require an electronic stamp issued by a State under this Act—

(1) to have the same format as any other license, validation, or privilege the State issues under the automated licensing system of the State; and

(2) to specify identifying features of the licensee that are adequate to enable Federal, State, and other law enforcement officers to identify the holder.

(b) RECOGNITION OF ELECTRONIC STAMP.—Any electronic stamp issued by a State under this Act shall, during the effective period of the electronic stamp—

(1) bestow upon the licensee the same privileges as are bestowed by an actual stamp;

(2) be recognized nationally as a valid Federal migratory bird hunting and conservation stamp; and

(3) authorize the licensee to hunt migratory waterfowl in any other State, in accordance with the laws of the other State governing that hunting.

(c) DURATION.—An electronic stamp issued by a State shall be valid for a period agreed to by the State and the Secretary, which shall not exceed 45 days.

SEC. 7. TERMINATION OF STATE PARTICIPATION. 16 USC 718t.

The authority of a State to issue electronic stamps under this Act may be terminated— Notification. Deadlines.

(1) by the Secretary, if the Secretary—

(A) finds that the State has violated any of the terms of the application of the State approved by the Secretary under section 4; and

(B) provides to the State written notice of the termination by not later than the date that is 30 days before the date of termination; or

(2) by the State, by providing written notice to the Secretary by not later than the date that is 30 days before the termination date.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 1206:

HOUSE REPORTS: No. 113–67 (Comm. on Natural Resources).
SENATE REPORTS: No. 113–145 (Comm. on Environment and Public Works).
CONGRESSIONAL RECORD:
Vol. 159 (2013): June 3, considered and passed House.
Vol. 160 (2014): Dec. 15, considered and passed Senate.

Public Law 113–240
113th Congress

An Act

To amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act.

Dec. 18, 2014
[H.R. 1281]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Newborn Screening Saves Lives Reauthorization Act of 2014.
42 USC 201 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Newborn Screening Saves Lives Reauthorization Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. IMPROVED NEWBORN AND CHILD SCREENING AND FOLLOWUP FOR HERITABLE DISORDERS.

Section 1109 of the Public Health Service Act (42 U.S.C. 300b–8) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking "subsection (j)" and inserting "section 1117"; and

(ii) by striking "and in consultation with the Advisory Committee" and inserting "and taking into consideration the expertise of the Advisory Committee";

(B) by amending paragraph (2) to read as follows:

"(2) to assist in providing health care professionals and newborn screening laboratory personnel with education in newborn screening, counseling, and training in—

"(A) relevant and new technologies in newborn screening and congenital, genetic, and metabolic disorders;

"(B) the importance of the timeliness of collection, delivery, receipt, and screening of specimens; and

"(C) sharing of medical and diagnostic information with providers and families;";

(C) in paragraph (3), by striking "and" at the end;

(D) in paragraph (4)—

(i) by striking "treatment" and inserting "followup and treatment"; and

(ii) by striking the period and inserting "; and"; and

(E) by adding at the end the following:

"(5) to improve the timeliness of—

"(A) the collection, delivery, receipt, and screening of specimens; and

"(B) the diagnosis of heritable disorders in newborns.";

(2) in subsection (c), by striking "application submitted for a grant under subsection (a)(1)" and inserting "application for a grant under this section";

(3) in subsection (h), by striking "application submitted under subsection (c)(2)" each place it appears and inserting "application for a grant under this section"; and

(4) by striking subsection (j) (relating to authorization of appropriations).

SEC. 3. EVALUATING THE EFFECTIVENESS OF NEWBORN AND CHILD SCREENING AND FOLLOWUP PROGRAMS.

Section 1110 of the Public Health Service Act (42 U.S.C. 300b–9) is amended—

(1) in the section heading, by inserting "**AND FOLLOWUP**" after "**CHILD SCREENING**";

(2) in subsection (a), by striking "of screening," and inserting ", including with respect to timeliness, of screening, followup,";

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "counseling, testing" and inserting "treatment, counseling, testing, followup,"; and

(ii) by inserting before the semicolon the following: ", including, as appropriate, through the assessment of health and development outcomes for such children through adolescence";

(B) in paragraph (2)—

(i) by striking "counseling, testing" and inserting "treatment, counseling, testing, followup,";

(ii) by inserting "in a timely manner" after "in newborns and children"; and

(iii) by striking "or" at the end;

(C) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

"(4) methods that may be identified to improve quality in the diagnosis, treatment, and disease management of heritable disorders based on gaps in services or care; or

"(5) methods or best practices by which the eligible entities described in section 1109 can achieve in a timely manner—

"(A) collection, delivery, receipt, and screening of newborn screening specimens; and

"(B) diagnosis of heritable disorders in newborns."; and

(4) by striking subsection (d) (relating to authorization of appropriations).

SEC. 4. ADVISORY COMMITTEE ON HERITABLE DISORDERS IN NEWBORNS AND CHILDREN.

Section 1111 of the Public Health Service Act (42 U.S.C. 300b–10) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (4) through (6) as paragraphs (6) through (8), respectively;

(B) by inserting after paragraph (3), the following:

"(4) provide technical assistance, as appropriate, to individuals and organizations regarding the submission of nominations to the uniform screening panel, including prior to the submission of such nominations;

"(5) take appropriate steps, at its discretion, to prepare for the review of nominations prior to their submission, including for conditions for which a screening method has been validated but other nomination criteria are not yet met, in order to facilitate timely action by the Advisory Committee once such submission has been received by the Committee;";

(C) in paragraph (6) (as so redesignated), by inserting ", including the cost" after "public health impact"; and

(D) in paragraph (8) (as so redesignated)—

(i) in subparagraph (A), by striking "achieve rapid diagnosis" and inserting "achieve best practices in rapid diagnosis and appropriate treatment";

(ii) in subparagraph (D), by inserting before the semicolon ", including information on cost and incidence";

(iii) in subparagraph (J), by striking "and" at the end;

(iv) in subparagraph (K), by striking the period and inserting "; and"; and

(v) by adding at the end the following:

"(L) the timeliness of collection, delivery, receipt, and screening of specimens to be tested for heritable disorders in newborns in order to ensure rapid diagnosis and followup.";

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking "180" and inserting "120"; and

(ii) by adding at the end the following: "If the Secretary is unable to make a determination to adopt or reject such recommendation within such 120-day period, the Secretary shall notify the Advisory Committee and the appropriate committees of Congress of such determination together with an explanation for why the Secretary was unable to comply within such 120-day period, as well as a plan of action for consideration of such pending recommendation.";

Determination.
Time period.
Notification.

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) by adding at the end the following:

"(3) DEADLINE FOR REVIEW.—For each condition nominated to be added to the recommended uniform screening panel in accordance with the requirements of this section, the Advisory Committee shall review and vote on the nominated condition within 9 months of the date on which the Advisory Committee

referred the nominated condition to the condition review workgroup.";

(3) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(4) by inserting after subsection (e) the following new subsection:

"(f) MEETINGS.—The Advisory Committee shall meet at least 4 times each calendar year, or at the discretion of the Designated Federal Officer in consultation with the Chair.";

(5) by amending subsection (g) (as so redesignated) to read as follows:

"(g) CONTINUATION OF OPERATION OF COMMITTEE.—

"(1) IN GENERAL.—Notwithstanding section 14 of the Federal Advisory Committee Act, the Advisory Committee shall continue to operate through the end of fiscal year 2019.

"(2) CONTINUATION IF NOT REAUTHORIZED.—If at the end of fiscal year 2019 the duration of the Advisory Committee has not been extended by statute, the Advisory Committee may be deemed, for purposes of the Federal Advisory Committee Act, an advisory committee established by the President or an officer of the Federal Government under section 9(a) of such Act."; and

(6) by striking subsection (h) (relating to authorization of appropriations), as redesignated by paragraph (3).

SEC. 5. CLEARINGHOUSE OF NEWBORN SCREENING INFORMATION.

Section 1112 of the Public Health Service Act (42 U.S.C. 300b–11) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking "and" at the end;

(B) in paragraph (3)—

(i) by striking "data" and inserting "information"; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

"(4) maintain current information on the number of conditions for which screening is conducted in each State; and

"(5) disseminate available evidence-based guidelines related to diagnosis, counseling, and treatment with respect to conditions detected by newborn screening.";

(2) in subsection (b)(4)(D), by striking "Newborn Screening Saves Lives Act of 2008" and inserting "Newborn Screening Saves Lives Reauthorization Act of 2014";

(3) in subsection (c)—

(A) by striking "developing the clearinghouse" and inserting "carrying out activities"; and

(B) by striking "clearinghouse minimizes duplication and supplements, not supplants" and inserting "activities minimize duplication and supplement, not supplant"; and

(4) by striking subsection (d) (relating to authorization of appropriations).

SEC. 6. LABORATORY QUALITY AND SURVEILLANCE.

Section 1113 of the Public Health Service Act (42 U.S.C. 300b–12) is amended—

(1) in the section heading, by inserting "**AND SURVEILLANCE**" before the period;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "and in consultation with the Advisory Committee" and inserting "and taking into consideration the expertise of the Advisory Committee"; and

(B) in paragraph (1), by inserting "timeliness for processing such tests," after "newborn-screening tests,"; and

(3) by striking subsection (b) (relating to authorization of appropriations) and inserting the following:

"(b) SURVEILLANCE ACTIVITIES.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, and taking into consideration the expertise of the Advisory Committee on Heritable Disorders in Newborns and Children established under section 1111, may provide, as appropriate, for the coordination of surveillance activities, including—

"(1) through standardized data collection and reporting, as well as the use of electronic health records; and

"(2) by promoting data sharing regarding newborn screening with State-based birth defects and developmental disabilities monitoring programs.".

SEC. 7. INTERAGENCY COORDINATING COMMITTEE ON NEWBORN AND CHILD SCREENING.

Section 1114 of the Public Health Service Act (42 U.S.C. 300b–13) is amended—

(1) in subsection (c), by striking "the Administrator, the Director of the Agency for Healthcare Research and Quality," and inserting "the Administrator of the Health Resources and Services Administration, the Director of the Agency for Healthcare Research and Quality, the Commissioner of Food and Drugs,"; and

(2) by striking subsection (e) (relating to authorization of appropriations).

SEC. 8. NATIONAL CONTINGENCY PLAN FOR NEWBORN SCREENING.

Section 1115(a) of the Public Health Service Act (42 U.S.C. 300b–14(a)) is amended—

(1) by striking "consortia" and inserting "consortium"; and

(2) by adding at the end the following: "The plan shall be updated as needed and at least every five years.". Deadline.

SEC. 9. HUNTER KELLY RESEARCH PROGRAM.

Section 1116 of the Public Health Service Act (42 U.S.C. 300b–15) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking "; and" and inserting a semicolon;

(B) by redesignating subparagraph (C) as subparagraph (E); and

(C) by inserting after subparagraph (B) the following:

"(C) providing research findings and data for newborn conditions under review by the Advisory Committee on Heritable Disorders in Newborns and Children to be added to the recommended uniform screening panel;

"(D) conducting pilot studies on conditions recommended by the Advisory Committee on Heritable Disorders in Newborns and Children to ensure that screenings are ready for nationwide implementation; and"; and

(2) in subsection (c), by striking "of the National Institutes of Health Reform Act of 2006".

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Part A of title XI of the Public Health Service Act (42 U.S.C. 300b–1 et seq.) is amended by adding at the end, the following:

42 USC 300b–16.

"SEC. 1117. AUTHORIZATION OF APPROPRIATIONS FOR NEWBORN SCREENING PROGRAMS AND ACTIVITIES.

"There are authorized to be appropriated—

"(1) to carry out sections 1109, 1110, 1111, and 1112, $11,900,000 for each of fiscal years 2015 through 2019; and

"(2) to carry out section 1113, $8,000,000 for each of fiscal years 2015 through 2019.".

SEC. 11. REPORTS TO CONGRESS.

(a) GAO REPORT ON TIMELINESS OF NEWBORN SCREENING.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives concerning the timeliness of screening for heritable disorders in newborns.

Analyses.

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) An analysis of information regarding the timeliness of newborn screening, which may include the time elapsed from birth to specimen collection, specimen collection to receipt by laboratory, specimen receipt to reporting, reporting to followup testing, and followup testing to confirmed diagnosis.

Summary.

(B) A summary of any guidelines, recommendations, or best practices available to States and health care providers intended to support a timely newborn screening system.

(C) An analysis of any barriers to maintaining a timely newborn screening system which may exist and recommendations for addressing such barriers.

42 USC 300b–17.

(b) REPORT BY SECRETARY.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall—

(A) not later than 1 year after the date of enactment of this Act, submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on activities related to—

(i) newborn screening; and

(ii) screening children who have or are at risk for heritable disorders; and

(B) not less than every 2 years, submit to such committees an updated version of such report.

(2) CONTENTS.—The report submitted under this subsection shall contain a description of—

(A) the ongoing activities under sections 1109, 1110, and 1112 through 1115 of the Public Health Service Act; and

(B) the amounts expended on such activities.

SEC. 12. INFORMED CONSENT FOR NEWBORN SCREENING RESEARCH. 42 USC 289 note.

(a) IN GENERAL.—Research on newborn dried blood spots shall be considered research carried out on human subjects meeting the definition of section 46.102(f)(2) of title 45, Code of Federal Regulations, for purposes of Federally funded research conducted pursuant to the Public Health Service Act until such time as updates to the Federal Policy for the Protection of Human Subjects (the Common Rule) are promulgated pursuant to subsection (c). For purposes of this subsection, sections 46.116(c) and 46.116(d) of title 45, Code of Federal Regulations, shall not apply.

(b) EFFECTIVE DATE.—Subsection (a) shall apply only to newborn dried blood spots used for purposes of Federally funded research that were collected not earlier than 90 days after the date of enactment of this Act. Applicability.

(c) REGULATIONS.—Not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services shall promulgate proposed regulations related to the updating of the Federal Policy for the Protection of Human Subjects (the Common Rule), particularly with respect to informed consent. Not later than 2 years after such date of enactment, the Secretary shall promulgate final regulations based on such proposed regulations. Deadlines.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 1281:

HOUSE REPORTS: No. 113–478 (Comm. on Energy and Commerce).
CONGRESSIONAL RECORD, Vol. 160 (2014):
June 24, considered and passed House.
Dec. 8, considered and passed Senate, amended.
Dec. 10, House concurred in Senate amendment.

Public Law 113–241
113th Congress

An Act

To designate the United States Federal Judicial Center located at 333 West Broadway in San Diego, California, as the "John Rhoades Federal Judicial Center" and to designate the United States courthouse located at 333 West Broadway in San Diego, California, as the "James M. Carter and Judith N. Keep United States Courthouse".

Dec. 18, 2014
[H.R. 1378]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JUDICIAL CENTER DESIGNATION.

The United States Federal Judicial Center located at 333 West Broadway in San Diego, California, shall be known and designated as the "John Rhoades Federal Judicial Center". The Judicial Center includes the Federal property located at 221 West Broadway, 333 West Broadway, 880 Front Street, 325 West F Street, 808 Union Street, and the adjoining plaza.

SEC. 2. COURTHOUSE BUILDING DESIGNATION.

The United States courthouse located at 333 West Broadway in San Diego, California, shall be known and designated as the "James M. Carter and Judith N. Keep United States Courthouse".

SEC. 3. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Federal Judicial Center referred to in section 1 shall be deemed to be a reference to the "John Rhoades Federal Judicial Center". Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred

to in section 2 shall be deemed to be a reference to the "James M. Carter and Judith N. Keep United States Courthouse".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 1378:

HOUSE REPORTS: No. 113–406 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 9, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–242
113th Congress

An Act

Dec. 18, 2014
[H.R. 1447]

To encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Death in Custody Reporting Act of 2013.
42 USC 13701 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Death in Custody Reporting Act of 2013".

42 USC 13727.

SEC. 2. STATE INFORMATION REGARDING INDIVIDUALS WHO DIE IN THE CUSTODY OF LAW ENFORCEMENT.

(a) IN GENERAL.—For each fiscal year after the expiration of the period specified in subsection (c)(1) in which a State receives funds for a program referred to in subsection (c)(2), the State shall report to the Attorney General, on a quarterly basis and pursuant to guidelines established by the Attorney General, information regarding the death of any person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, State prison, State-run boot camp prison, boot camp prison that is contracted out by the State, any State or local contract facility, or other local or State correctional facility (including any juvenile facility).

(b) INFORMATION REQUIRED.—The report required by this section shall contain information that, at a minimum, includes—

(1) the name, gender, race, ethnicity, and age of the deceased;

(2) the date, time, and location of death;

(3) the law enforcement agency that detained, arrested, or was in the process of arresting the deceased; and

(4) a brief description of the circumstances surrounding the death.

(c) COMPLIANCE AND INELIGIBILITY.—

(1) COMPLIANCE DATE.—Each State shall have not more than 120 days from the date of enactment of this Act to comply with subsection (a), except that—

(A) the Attorney General may grant an additional 120 days to a State that is making good faith efforts to comply with such subsection; and

Waiver authority.

(B) the Attorney General shall waive the requirements of subsection (a) if compliance with such subsection by a State would be unconstitutional under the constitution of such State.

(2) INELIGIBILITY FOR FUNDS.—For any fiscal year after the expiration of the period specified in paragraph (1), a State that fails to comply with subsection (a), shall, at the discretion of the Attorney General, be subject to not more than a 10-percent reduction of the funds that would otherwise be allocated for that fiscal year to the State under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), whether characterized as the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(d) REALLOCATION.—Amounts not allocated under a program referred to in subsection (c)(2) to a State for failure to fully comply with subsection (a) shall be reallocated under that program to States that have not failed to comply with such subsection.

(e) DEFINITIONS.—In this section the terms "boot camp prison" and "State" have the meaning given those terms, respectively, in section 901(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791(a)).

(f) STUDY AND REPORT OF INFORMATION RELATING TO DEATHS IN CUSTODY.—

(1) STUDY REQUIRED.—The Attorney General shall carry out a study of the information reported under subsection (b) and section 3(a) to—

(A) determine means by which such information can be used to reduce the number of such deaths; and

(B) examine the relationship, if any, between the number of such deaths and the actions of management of such jails, prisons, and other specified facilities relating to such deaths.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Attorney General shall prepare and submit to Congress a report that contains the findings of the study required by paragraph (1).

SEC. 3. FEDERAL LAW ENFORCEMENT DEATH IN CUSTODY REPORTING REQUIREMENT.

42 USC 13727a.

(a) IN GENERAL.—For each fiscal year (beginning after the date that is 120 days after the date of the enactment of this Act), the head of each Federal law enforcement agency shall submit to the Attorney General a report (in such form and manner specified by the Attorney General) that contains information regarding the death of any person who is—

Effective date.

(1) detained, under arrest, or is in the process of being arrested by any officer of such Federal law enforcement agency (or by any State or local law enforcement officer while participating in and for purposes of a Federal law enforcement operation, task force, or any other Federal law enforcement capacity carried out by such Federal law enforcement agency); or

(2) en route to be incarcerated or detained, or is incarcerated or detained at—

(A) any facility (including any immigration or juvenile facility) pursuant to a contract with such Federal law enforcement agency;

(B) any State or local government facility used by such Federal law enforcement agency; or

(C) any Federal correctional facility or Federal pretrial detention facility located within the United States.

(b) INFORMATION REQUIRED.—Each report required by this section shall include, at a minimum, the information required by section 2(b).

(c) STUDY AND REPORT.—Information reported under subsection (a) shall be analyzed and included in the study and report required by section 2(f).

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 1447:

HOUSE REPORTS: No. 113–285 (Comm. on the Judiciary).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Dec. 12, considered and passed House.
Vol. 160 (2014): Dec. 10, considered and passed Senate.

Public Law 113–243
113th Congress

An Act

To amend certain provisions of the FAA Modernization and Reform Act of 2012.

Dec. 18, 2014
[H.R. 2591]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ROLLOVER OF AMOUNTS RECEIVED IN AIRLINE CARRIER BANKRUPTCY.

(a) EXTENSION OF TIME TO FILE CLAIM FOR REFUND.—Section 1106(a)(3) of the FAA Modernization and Reform Act of 2012 (26 U.S.C. 408 note) is amended by striking "2013" and inserting "2015".

(b) DEFINITIONS AND SPECIAL RULES.—Section 1106(c) of such Act is amended—

(1) in paragraph (1)(A)(i) by inserting "or filed on November 29, 2011," after "2007,"; and

(2) in paragraph (2)(B)—

(A) by striking "terminated or" and inserting "terminated,"; and

(B) by inserting ", or was frozen effective November 1, 2012" after "Pension Protection Act of 2006".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 2591 (S. 2614):

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 11, considered and passed House.
Dec. 13, considered and passed Senate.

Public Law 113–244
113th Congress

An Act

Dec. 18, 2014
[H.R. 2640]

To amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Crooked River Collaborative Water Security and Jobs Act of 2014.
16 USC 1271 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Crooked River Collaborative Water Security and Jobs Act of 2014".

SEC. 2. WILD AND SCENIC RIVER; CROOKED, OREGON.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (72) and inserting the following:

"(72) CROOKED, OREGON.—

"(A) IN GENERAL.—The 14.75-mile segment from the National Grassland boundary to Dry Creek, to be administered by the Secretary of the Interior in the following classes:

"(i) The 7-mile segment from the National Grassland boundary to River Mile 8 south of Opal Spring, as a recreational river.

"(ii) The 7.75-mile segment from a point ¼-mile downstream from the center crest of Bowman Dam, as a recreational river.

Contracts.
Consultation.

"(B) HYDROPOWER.—In any license or lease of power privilege application relating to non-Federal hydropower development (including turbines and appurtenant facilities) at Bowman Dam, the applicant, in consultation with the Director of the Bureau of Land Management, shall—

"(i) analyze any impacts to the scenic, recreational, and fishery resource values of the Crooked River from the center crest of Bowman Dam to a point ¼-mile downstream that may be caused by the proposed hydropower development, including the future need to undertake routine and emergency repairs;

"(ii) propose measures to minimize and mitigate any impacts analyzed under clause (i); and

"(iii) propose designs and measures to ensure that any access facilities associated with hydropower development at Bowman Dam shall not impede the free-flowing nature of the Crooked River below Bowman Dam.".

SEC. 3. CITY OF PRINEVILLE WATER SUPPLY. 43 USC 615i.

Section 4 of the Act of August 6, 1956 (70 Stat. 1058; 73 Stat. 554; 78 Stat. 954) is amended—

(1) by striking "**SEC. 4.** In order" and inserting the following:

"SEC. 4. CITY OF PRINEVILLE WATER SUPPLY.

"(a) IN GENERAL.—In order";

(2) in subsection (a) (as so designated), by striking "during those months" and all that follows through "purpose of the project"; and

(3) by adding at the end the following:

"(b) ANNUAL RELEASE.—

"(1) IN GENERAL.—Without further action by the Secretary of the Interior, beginning on the date of enactment of the Crooked River Collaborative Water Security and Jobs Act of 2014, 5,100 acre-feet of water shall be annually released from the project to serve as mitigation for City of Prineville groundwater pumping, pursuant to and in a manner consistent with Oregon State law, including any shaping of the release of the water. Effective date.

"(2) PAYMENTS.—The City of Prineville shall make payments to the Secretary of the Interior for the water released under paragraph (1), in accordance with applicable Bureau of Reclamation policies, directives, and standards.

"(c) ADDITIONAL QUANTITIES.—Consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other applicable Federal laws, the Secretary of the Interior may contract exclusively with the City of Prineville for additional quantities of water, at the request of the City of Prineville.".

SEC. 4. ADDITIONAL PROVISIONS.

The Act of August 6, 1956 (70 Stat. 1058; 73 Stat. 554; 78 Stat. 954), is amended by adding at the end the following:

"SEC. 6. FIRST FILL STORAGE AND RELEASE.

"(a) IN GENERAL.—Other than the 10 cubic feet per second release provided for in section 4, and subject to compliance with the flood curve requirements of the Corps of Engineers, the Secretary shall, on a 'first fill' priority basis, store in and when called for in any year release from Prineville Reservoir, whether from carryover, infill, or a combination of both, the following:

"(1) Not more than 68,273 acre-feet of water annually to fulfill all 16 Bureau of Reclamation contracts existing as of January 1, 2011.

"(2) Not more than 2,740 acre-feet of water annually to supply the McKay Creek land, in accordance with section 5 of the Crooked River Collaborative Water Security and Jobs Act of 2014.

"(3) Not more than 10,000 acre-feet of water annually, to be made available first to the North Unit Irrigation District, and subsequently to any other holders of Reclamation contracts existing as of January 1, 2011 (in that order) pursuant to Temporary Water Service Contracts, on the request of the North Unit Irrigation District or the contract holders, consistent with the same terms and conditions as prior such contracts between the Bureau of Reclamation and District or contract holders, as applicable.

"(4) Not more than 5,100 acre-feet of water annually to mitigate the City of Prineville groundwater pumping under section 4, with the release of this water to occur not based on an annual call, but instead pursuant to section 4 and the release schedule developed pursuant to section 7(b).

"(b) CARRYOVER.—Except for water that may be called for and released after the end of the irrigation season (either as City of Prineville groundwater pumping mitigation or as a voluntary release, in accordance with section 4 of this Act and section 6(c) of the Crooked River Collaborative Water Security and Jobs Act of 2014, respectively), any water stored under this section that is not called for and released by the end of the irrigation season in a given year shall be—

Time period.

"(1) carried over to the subsequent water year, which, for accounting purposes, shall be considered to be the 1-year period beginning October 1 and ending September 30, consistent with Oregon State law; and

"(2) accounted for as part of the 'first fill' storage quantities of the subsequent water year, but not to exceed the maximum 'first fill' storage quantities described in subsection (a).

"SEC. 7. STORAGE AND RELEASE OF REMAINING STORED WATER QUANTITIES.

"(a) AUTHORIZATION.—

"(1) IN GENERAL.—The Secretary shall store in and release from Prineville Reservoir sufficient quantities of remaining stored quantities to be released pursuant to the annual release schedule under subsection (b) and to provide instream flows consistent, to the maximum extent practicable, with the recommendations for in-channel strategies in the plan prepared by the Northwest Power and Conservation Council entitled 'Deschutes Subbasin Plan' and dated March 24, 2005, for flow between Bowman Dam and Lake Billy Chinook.

"(2) REQUIREMENTS.—In calculating the quantity of released water under paragraph (1), the Secretary shall—

Compliance.

"(A) comply with the flood curve requirements of the Corps of Engineers; and

"(B) credit toward the requirements of paragraph (1) the instream flow benefits provided by—

"(i) the quantities released under section 4;

"(ii) the 'first fill' quantities released under section 6; and

"(iii) any quantities released to comply with the flood curve requirements of the Corps of Engineers.

"(3) USE OF UNCONTRACTED WATER.—If a consultation conducted under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or an order of a court in a proceeding under that Act requires releases of stored water from Prineville Reservoir for fish and wildlife downstream of Bowman Dam, the Secretary shall use uncontracted water under paragraph (1).

"(4) STATE WATER LAW.—All releases and downstream uses authorized under paragraph (1) shall be in accordance with Oregon State water law.

Consultation.

"(b) ANNUAL RELEASE SCHEDULE.—The Commissioner of Reclamation, in consultation with the Assistant Administrator of Fisheries of the National Marine Fisheries Service and the Director of the United States Fish and Wildlife Service, shall develop annual

release schedules for the remaining stored water quantities (including the quantities described in subsection (a) and the water serving as mitigation for City of Prineville groundwater pumping pursuant to section 4) that maximizes, to the maximum extent practicable, benefits to downstream fish and wildlife.

"(c) CARRYOVER.—Any water stored under subsection (a) in 1 water year that is not released during the water year—

"(1) shall be carried over to the subsequent water year; and

"(2)(A) may be released for downstream fish and wildlife resources, consistent with subsection (b), until the reservoir reaches maximum capacity in the subsequent water year; and

"(B) once the reservoir reaches maximum capacity under subparagraph (A), shall be credited to the 'first fill' storage quantities, but not to exceed the maximum 'first fill' storage quantities described in section 6(a).

"(d) EFFECT.—Nothing in this section affects the authority of the Commissioner of Reclamation to perform all other traditional and routine activities associated with the Crooked River Project.

"SEC. 8. RESERVOIR LEVELS.

"The Commissioner of Reclamation shall—

"(1) project reservoir water levels over the course of the year; and

"(2) make the projections under paragraph (1) available to—

"(A) the public (including fisheries groups, recreation interests, and municipal and irrigation stakeholders); Public information.

"(B) the Assistant Administrator of Fisheries of the National Marine Fisheries Service; and

"(C) the Director of the United States Fish and Wildlife Service.

"SEC. 9. EFFECT.

"Except as otherwise provided in this Act, nothing in this Act—

"(1) modifies contractual rights that may exist between contractors and the United States under Reclamation contracts;

"(2) amends or reopens contracts referred to in paragraph (1); or

"(3) modifies any rights, obligations, or requirements that may be provided or governed by Federal or Oregon State law.".

SEC. 5. OCHOCO IRRIGATION DISTRICT.

(a) EARLY REPAYMENT.—

(1) IN GENERAL.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), any landowner within Ochoco Irrigation District, Oregon (referred to in this section as the "district"), may repay, at any time, the construction costs of the project facilities allocated to the land of the landowner within the district.

(2) EXEMPTION FROM LIMITATIONS.—Upon discharge, in full, of the obligation for repayment of the construction costs allocated to all land of the landowner in the district, the land shall not be subject to the ownership and full-cost pricing limitations of Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)).

(b) CERTIFICATION.—Upon the request of a landowner who has repaid, in full, the construction costs of the project facilities allocated to the land of the landowner within the district, the Secretary of the Interior shall provide the certification described in section 213(b)(1) of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(b)(1)).

(c) CONTRACT AMENDMENT.—On approval of the district directors and notwithstanding project authorizing authority to the contrary, the Reclamation contracts of the district are modified, without further action by the Secretary of the Interior—

(1) to authorize the use of water for instream purposes, including fish or wildlife purposes, in order for the district to engage in, or take advantage of, conserved water projects and temporary instream leasing as authorized by Oregon State law;

(2) to include within the district boundary approximately 2,742 acres in the vicinity of McKay Creek, resulting in a total of approximately 44,937 acres within the district boundary;

(3) to classify as irrigable approximately 685 acres within the approximately 2,742 acres of included land in the vicinity of McKay Creek, with those approximately 685 acres authorized to receive irrigation water pursuant to water rights issued by the State of Oregon if the acres have in the past received water pursuant to State water rights; and

(4) to provide the district with stored water from Prineville Reservoir for purposes of supplying up to the approximately 685 acres of land added within the district boundary and classified as irrigable under paragraphs (2) and (3), with the stored water to be supplied on an acre-per-acre basis contingent on the transfer of existing appurtenant McKay Creek water rights to instream use and the issuance of water rights by the State of Oregon for the use of stored water.

(d) LIMITATION.—Except as otherwise provided in subsections (a) and (c), nothing in this section—

(1) modifies contractual rights that may exist between the district and the United States under the Reclamation contracts of the district;

(2) amends or reopens the contracts referred to in paragraph (1); or

(3) modifies any rights, obligations, or relationships that may exist between the district and any owner of land within the district, as may be provided or governed by Federal or Oregon State law.

Deadlines.

SEC. 6. DRY-YEAR MANAGEMENT PLANNING AND VOLUNTARY RELEASES.

Native Americans.

(a) PARTICIPATION IN DRY-YEAR MANAGEMENT PLANNING MEETINGS.—The Bureau of Reclamation shall participate in dry-year management planning meetings with the State of Oregon, the Confederated Tribes of the Warm Springs Reservation of Oregon, municipal, agricultural, conservation, recreation, and other interested stakeholders to plan for dry-year conditions.

(b) DRY-YEAR MANAGEMENT PLAN.—

Coordination.

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Bureau of Reclamation shall

develop a dry-year management plan in coordination with the participants referred to in subsection (a).

(2) REQUIREMENTS.—The plan developed under paragraph (1) shall only recommend strategies, measures, and actions that the irrigation districts and other Bureau of Reclamation contract holders voluntarily agree to implement.

(3) LIMITATIONS.—Nothing in the plan developed under paragraph (1) shall be mandatory or self-implementing.

(c) VOLUNTARY RELEASE.—In any year, if North Unit Irrigation District or other eligible Bureau of Reclamation contract holders have not initiated contracting with the Bureau of Reclamation for any quantity of the 10,000 acre feet of water described in subsection (a)(3) of section 6 of the Act of August 6, 1956 (70 Stat. 1058) (as added by section 4), by June 1 of any calendar year, with the voluntary agreement of North Unit Irrigation District and other Bureau of Reclamation contract holders referred to in that paragraph, the Secretary may release that quantity of water for the benefit of downstream fish and wildlife as described in section 7 of that Act.

Contracts.
Deadline.

SEC. 7. HYDROPOWER DECISION.

Not later than 3 years after the date of enactment of this Act, the Commissioner of Reclamation shall determine the applicability of the jurisdiction of the Commissioner of Reclamation to non-Federal hydropower development pursuant to—

Deadline.
Determination.

(1) the Memorandum of Understanding between the Federal Energy Regulatory Commission and the Bureau of Reclamation, Department of the Interior, entitled "Establishment of Processes for the Early Resolution of Issues Related to the Timely Development of Non-Federal Hydroelectric power at the Bureau of Reclamation Facilities" and signed November 6, 1992 (58 Fed. Reg. 3269); or

(2) any memorandum of understanding that is subsequent or related to the memorandum of understanding described in paragraph (1).

SEC. 8. RELATION TO EXISTING LAWS AND STATUTORY OBLIGATIONS.

16 USC 1274 note.

Nothing in this Act (or an amendment made by this Act)—

(1) provides to the Secretary the authority to store and release the "first fill" quantities provided for in section 6 of the Act of August 6, 1956 (70 Stat. 1058) (as added by section 4) for any purposes other than the purposes provided for in that section, except for—

(A) the potential instream use resulting from conserved water projects and temporary instream leasing as provided for in section 5(c)(1);

(B) the potential release of additional amounts that may result from voluntary actions agreed to through the dry-year management plan developed under section 6(b); and

(C) the potential release of the 10,000 acre feet for downstream fish and wildlife as provided for in section 6(c); or

(2) alters any responsibilities under Oregon State law or Federal law, including section 7 of the Endangered Species Act (16 U.S.C. 1536).

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 2640:

HOUSE REPORTS: No. 113–224 (Comm. on Natural Resources).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Oct. 29, considered and passed House.
Vol. 160 (2014): Dec. 11, considered and passed Senate, amended. House concurred in Senate amendment.

Public Law 113–245
113th Congress

An Act

To require the Transportation Security Administration to implement best practices and improve transparency with regard to technology acquisition programs, and for other purposes.

Dec. 18, 2014
[H.R. 2719]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

Transportation Security Acquisition Reform Act.
6 USC 101 note.

This Act may be cited as the "Transportation Security Acquisition Reform Act".

SEC. 2. FINDINGS.

6 USC 561 note.

Congress finds the following:

(1) The Transportation Security Administration has not consistently implemented Department of Homeland Security policies and Government best practices for acquisition and procurement.

(2) The Transportation Security Administration has only recently developed a multiyear technology investment plan, and has underutilized innovation opportunities within the private sector, including from small businesses.

(3) The Transportation Security Administration has faced challenges in meeting key performance requirements for several major acquisitions and procurements, resulting in reduced security effectiveness and wasted expenditures.

SEC. 3. TRANSPORTATION SECURITY ADMINISTRATION ACQUISITION REFORM.

(a) IN GENERAL.—Title XVI of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2312) is amended to read as follows:

6 USC prec. 561.

"TITLE XVI—TRANSPORTATION SECURITY

"Subtitle A—General Provisions

"SEC. 1601. DEFINITIONS.

6 USC 561.

"In this title:

"(1) ADMINISTRATION.—The term 'Administration' means the Transportation Security Administration.

"(2) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Transportation Security Administration.

"(3) PLAN.—The term 'Plan' means the strategic 5-year technology investment plan developed by the Administrator under section 1611.

"(4) SECURITY-RELATED TECHNOLOGY.—The term 'security-related technology' means any technology that assists the Administration in the prevention of, or defense against, threats to United States transportation systems, including threats to people, property, and information.

"Subtitle B—Transportation Security Administration Acquisition Improvements

6 USC 563.

"SEC. 1611. 5-YEAR TECHNOLOGY INVESTMENT PLAN.

Deadline.

"(a) IN GENERAL.—The Administrator shall—

"(1) not later than 180 days after the date of the enactment of the Transportation Security Acquisition Reform Act, develop and submit to Congress a strategic 5-year technology investment plan, that may include a classified addendum to report sensitive transportation security risks, technology vulnerabilities, or other sensitive security information; and

Publication. Public information.

"(2) to the extent possible, publish the Plan in an unclassified format in the public domain.

"(b) CONSULTATION.—The Administrator shall develop the Plan in consultation with—

"(1) the Under Secretary for Management;

"(2) the Under Secretary for Science and Technology;

"(3) the Chief Information Officer; and

"(4) the aviation industry stakeholder advisory committee established by the Administrator.

"(c) APPROVAL.—The Administrator may not publish the Plan under subsection (a)(2) until it has been approved by the Secretary.

"(d) CONTENTS OF PLAN.—The Plan shall include—

"(1) an analysis of transportation security risks and the associated capability gaps that would be best addressed by security-related technology, including consideration of the most recent quadrennial homeland security review under section 707;

"(2) a set of security-related technology acquisition needs that—

"(A) is prioritized based on risk and associated capability gaps identified under paragraph (1); and

"(B) includes planned technology programs and projects with defined objectives, goals, timelines, and measures;

"(3) an analysis of current and forecast trends in domestic and international passenger travel;

"(4) an identification of currently deployed security-related technologies that are at or near the end of their lifecycles;

"(5) an identification of test, evaluation, modeling, and simulation capabilities, including target methodologies, rationales, and timelines necessary to support the acquisition of the security-related technologies expected to meet the needs under paragraph (2);

"(6) an identification of opportunities for public-private partnerships, small and disadvantaged company participation, intragovernment collaboration, university centers of excellence, and national laboratory technology transfer;

"(7) an identification of the Administration's acquisition workforce needs for the management of planned security-related technology acquisitions, including consideration of leveraging acquisition expertise of other Federal agencies;

"(8) an identification of the security resources, including information security resources, that will be required to protect security-related technology from physical or cyber theft, diversion, sabotage, or attack;

"(9) an identification of initiatives to streamline the Administration's acquisition process and provide greater predictability and clarity to small, medium, and large businesses, including the timeline for testing and evaluation;

"(10) an assessment of the impact to commercial aviation passengers;

"(11) a strategy for consulting airport management, air carrier representatives, and Federal security directors whenever an acquisition will lead to the removal of equipment at airports, and how the strategy for consulting with such officials of the relevant airports will address potential negative impacts on commercial passengers or airport operations; and

"(12) in consultation with the National Institutes of Standards and Technology, an identification of security-related technology interface standards, in existence or if implemented, that could promote more interoperable passenger, baggage, and cargo screening systems. Consultation.

"(e) LEVERAGING THE PRIVATE SECTOR.—To the extent possible, and in a manner that is consistent with fair and equitable practices, the Plan shall—

"(1) leverage emerging technology trends and research and development investment trends within the public and private sectors;

"(2) incorporate private sector input, including from the aviation industry stakeholder advisory committee established by the Administrator, through requests for information, industry days, and other innovative means consistent with the Federal Acquisition Regulation; and

"(3) in consultation with the Under Secretary for Science and Technology, identify technologies in existence or in development that, with or without adaptation, are expected to be suitable to meeting mission needs. Consultation.

"(f) DISCLOSURE.—The Administrator shall include with the Plan a list of nongovernment persons that contributed to the writing of the Plan. Lists.

"(g) UPDATE AND REPORT.—Beginning 2 years after the date the Plan is submitted to Congress under subsection (a), and biennially thereafter, the Administrator shall submit to Congress—

"(1) an update of the Plan; and

"(2) a report on the extent to which each security-related technology acquired by the Administration since the last issuance or update of the Plan is consistent with the planned technology programs and projects identified under subsection (d)(2) for that security-related technology.

"SEC. 1612. ACQUISITION JUSTIFICATION AND REPORTS. 6 USC 563a.

"(a) ACQUISITION JUSTIFICATION.—Before the Administration implements any security-related technology acquisition, the Administrator, in accordance with the Department's policies and Determination.

directives, shall determine whether the acquisition is justified by conducting an analysis that includes—

"(1) an identification of the scenarios and level of risk to transportation security from those scenarios that would be addressed by the security-related technology acquisition;

"(2) an assessment of how the proposed acquisition aligns to the Plan;

"(3) a comparison of the total expected lifecycle cost against the total expected quantitative and qualitative benefits to transportation security;

"(4) an analysis of alternative security solutions, including policy or procedure solutions, to determine if the proposed security-related technology acquisition is the most effective and cost-efficient solution based on cost-benefit considerations;

"(5) an assessment of the potential privacy and civil liberties implications of the proposed acquisition that includes, to the extent practicable, consultation with organizations that advocate for the protection of privacy and civil liberties;

"(6) a determination that the proposed acquisition is consistent with fair information practice principles issued by the Privacy Officer of the Department;

"(7) confirmation that there are no significant risks to human health or safety posed by the proposed acquisition; and

"(8) an estimate of the benefits to commercial aviation passengers.

Time periods. Contracts.

"(b) REPORTS AND CERTIFICATION TO CONGRESS.—

"(1) IN GENERAL.—Not later than the end of the 30-day period preceding the award by the Administration of a contract for any security-related technology acquisition exceeding $30,000,000, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives—

"(A) the results of the comprehensive acquisition justification under subsection (a); and

"(B) a certification by the Administrator that the benefits to transportation security justify the contract cost.

"(2) EXTENSION DUE TO IMMINENT TERRORIST THREAT.—If there is a known or suspected imminent threat to transportation security, the Administrator—

"(A) may reduce the 30-day period under paragraph (1) to 5 days to rapidly respond to the threat; and

Notification.

"(B) shall immediately notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives of the known or suspected imminent threat.

6 USC 563b.

"SEC. 1613. ACQUISITION BASELINE ESTABLISHMENT AND REPORTS.

"(a) BASELINE REQUIREMENTS.—

"(1) IN GENERAL.—Before the Administration implements any security-related technology acquisition, the appropriate acquisition official of the Department shall establish and document a set of formal baseline requirements.

"(2) CONTENTS.—The baseline requirements under paragraph (1) shall—

"(A) include the estimated costs (including lifecycle costs), schedule, and performance milestones for the planned duration of the acquisition;

"(B) identify the acquisition risks and a plan for mitigating those risks; and

"(C) assess the personnel necessary to manage the acquisition process, manage the ongoing program, and support training and other operations as necessary.

"(3) FEASIBILITY.—In establishing the performance milestones under paragraph (2)(A), the appropriate acquisition official of the Department, to the extent possible and in consultation with the Under Secretary for Science and Technology, shall ensure that achieving those milestones is technologically feasible. Consultation.

"(4) TEST AND EVALUATION PLAN.—The Administrator, in consultation with the Under Secretary for Science and Technology, shall develop a test and evaluation plan that describes— Consultation.

"(A) the activities that are expected to be required to assess acquired technologies against the performance milestones established under paragraph (2)(A);

"(B) the necessary and cost-effective combination of laboratory testing, field testing, modeling, simulation, and supporting analysis to ensure that such technologies meet the Administration's mission needs;

"(C) an efficient planning schedule to ensure that test and evaluation activities are completed without undue delay; and

"(D) if commercial aviation passengers are expected to interact with the security-related technology, methods that could be used to measure passenger acceptance of and familiarization with the security-related technology.

"(5) VERIFICATION AND VALIDATION.—The appropriate acquisition official of the Department—

"(A) subject to subparagraph (B), shall utilize independent reviewers to verify and validate the performance milestones and cost estimates developed under paragraph (2) for a security-related technology that pursuant to section 1611(d)(2) has been identified as a high priority need in the most recent Plan; and

"(B) shall ensure that the use of independent reviewers does not unduly delay the schedule of any acquisition.

"(6) STREAMLINING ACCESS FOR INTERESTED VENDORS.—The Administrator shall establish a streamlined process for an interested vendor of a security-related technology to request and receive appropriate access to the baseline requirements and test and evaluation plans that are necessary for the vendor to participate in the acquisitions process for that technology.

"(b) REVIEW OF BASELINE REQUIREMENTS AND DEVIATION; REPORT TO CONGRESS.—

"(1) REVIEW.—

"(A) IN GENERAL.—The appropriate acquisition official of the Department shall review and assess each implemented acquisition to determine if the acquisition is meeting the baseline requirements established under subsection (a).

"(B) TEST AND EVALUATION ASSESSMENT.—The review shall include an assessment of whether—

"(i) the planned testing and evaluation activities have been completed; and

"(ii) the results of that testing and evaluation demonstrate that the performance milestones are technologically feasible.

"(2) REPORT.—Not later than 30 days after making a finding described in clause (i), (ii), or (iii) of subparagraph (A), the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives that includes—

"(A) the results of any assessment that finds that—

"(i) the actual or planned costs exceed the baseline costs by more than 10 percent;

"(ii) the actual or planned schedule for delivery has been delayed by more than 180 days; or

"(iii) there is a failure to meet any performance milestone that directly impacts security effectiveness;

"(B) the cause for such excessive costs, delay, or failure; and

Plans.

"(C) a plan for corrective action.

Contracts.
6 USC 563c.

"SEC. 1614. INVENTORY UTILIZATION.

"(a) IN GENERAL.—Before the procurement of additional quantities of equipment to fulfill a mission need, the Administrator, to the extent practicable, shall utilize any existing units in the Administration's inventory to meet that need.

"(b) TRACKING OF INVENTORY.—

"(1) IN GENERAL.—The Administrator shall establish a process for tracking—

"(A) the location of security-related equipment in the inventory under subsection (a);

"(B) the utilization status of security-related technology in the inventory under subsection (a); and

"(C) the quantity of security-related equipment in the inventory under subsection (a).

"(2) INTERNAL CONTROLS.—The Administrator shall implement internal controls to ensure up-to-date accurate data on security-related technology owned, deployed, and in use.

"(c) LOGISTICS MANAGEMENT.—

"(1) IN GENERAL.—The Administrator shall establish logistics principles for managing inventory in an effective and efficient manner.

"(2) LIMITATION ON JUST-IN-TIME LOGISTICS.—The Administrator may not use just-in-time logistics if doing so—

"(A) would inhibit necessary planning for large-scale delivery of equipment to airports or other facilities; or

"(B) would unduly diminish surge capacity for response to a terrorist threat.

6 USC 563d.

"SEC. 1615. SMALL BUSINESS CONTRACTING GOALS.

Deadlines.
Reports.

"Not later than 90 days after the date of enactment of the Transportation Security Acquisition Reform Act, and annually thereafter, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives that includes—

"(1) the Administration's performance record with respect to meeting its published small-business contracting goals during the preceding fiscal year;

"(2) if the goals described in paragraph (1) were not met or the Administration's performance was below the published small-business contracting goals of the Department—

"(A) a list of challenges, including deviations from the Administration's subcontracting plans, and factors that contributed to the level of performance during the preceding fiscal year;

"(B) an action plan, with benchmarks, for addressing each of the challenges identified in subparagraph (A) that— Action plan.

"(i) is prepared after consultation with the Secretary of Defense and the heads of Federal departments and agencies that achieved their published goals for prime contracting with small and minority-owned businesses, including small and disadvantaged businesses, in prior fiscal years; and Consultation.

"(ii) identifies policies and procedures that could be incorporated by the Administration in furtherance of achieving the Administration's published goal for such contracting; and

"(3) a status report on the implementation of the action plan that was developed in the preceding fiscal year in accordance with paragraph (2)(B), if such a plan was required.

"SEC. 1616. CONSISTENCY WITH THE FEDERAL ACQUISITION REGULATION AND DEPARTMENTAL POLICIES AND DIRECTIVES. 6 USC 563e.

"The Administrator shall execute the responsibilities set forth in this subtitle in a manner consistent with, and not duplicative of, the Federal Acquisition Regulation and the Department's policies and directives.".

(b) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by striking the items relating to title XVI and inserting the following:

"TITLE XVI—TRANSPORTATION SECURITY

"Subtitle A—General Provisions

"Sec. 1601. Definitions.

"Subtitle B—Transportation Security Administration Acquisition Improvements

"Sec. 1611. 5-year technology investment plan.
"Sec. 1612. Acquisition justification and reports.
"Sec. 1613. Acquisition baseline establishment and reports.
"Sec. 1614. Inventory utilization.
"Sec. 1615. Small business contracting goals.
"Sec. 1616. Consistency with the Federal acquisition regulation and departmental policies and directives.".

(c) PRIOR AMENDMENTS NOT AFFECTED.—Nothing in this section may be construed to affect any amendment made by title XVI of the Homeland Security Act of 2002 as in effect before the date of enactment of this Act. 6 USC 561 note.

SEC. 4. GOVERNMENT ACCOUNTABILITY OFFICE REPORTS.

(a) IMPLEMENTATION OF PREVIOUS RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains an assessment of the Transportation Security Administration's implementation of recommendations Assessment.

regarding the acquisition of security-related technology that were made by the Government Accountability Office before the date of the enactment of this Act.

Evaluation.

(b) IMPLEMENTATION OF SUBTITLE B OF TITLE XVI.—Not later than 1 year after the date of enactment of this Act and 3 years thereafter, the Comptroller General of the United States shall submit a report to Congress that contains an evaluation of the Transportation Security Administration's progress in implementing subtitle B of title XVI of the Homeland Security Act of 2002, as amended by section 3, including any efficiencies, cost savings, or delays that have resulted from such implementation.

SEC. 5. REPORT ON FEASIBILITY OF INVENTORY TRACKING.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall submit a report to Congress on the feasibility of tracking security-related technology, including software solutions, of the Administration through automated information and data capture technologies.

SEC. 6. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF TSA'S TEST AND EVALUATION PROCESS.

Deadline. Reports.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that includes—

(1) an evaluation of the Transportation Security Administration's testing and evaluation activities related to security-related technology;

(2) information on the extent to which—

(A) the execution of such testing and evaluation activities is aligned, temporally and otherwise, with the Administration's annual budget request, acquisition needs, planned procurements, and acquisitions for technology programs and projects; and

(B) security-related technology that has been tested, evaluated, and certified for use by the Administration but was not procured by the Administration, including the reasons the procurement did not occur; and

(3) recommendations—

(A) to improve the efficiency and efficacy of such testing and evaluation activities; and

(B) to better align such testing and evaluation with the acquisitions process.

SEC. 7. NO ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.

No additional funds are authorized to be appropriated to carry out this Act or the amendments made by this Act.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 2719 (S. 1893):

HOUSE REPORTS: No. 113–275 (Comm. on Homeland Security).
SENATE REPORTS: No. 113–274 (Comm. on Commerce, Science, and Transportation) accompanying S. 1893.
CONGRESSIONAL RECORD:
Vol. 159 (2013): Dec. 3, considered and passed House.
Vol. 160 (2014): Dec. 9, considered and passed Senate, amended.
Dec. 10, House concurred in Senate amendment.

Public Law 113–246
113th Congress

An Act

Dec. 18, 2014
[H.R. 2952]

To require the Secretary of Homeland Security to assess the cybersecurity workforce of the Department of Homeland Security and develop a comprehensive workforce strategy, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Cybersecurity Workforce Assessment Act.
6 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cybersecurity Workforce Assessment Act".

6 USC 146 note.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term "Cybersecurity Category" means a position's or incumbent's primary work function involving cybersecurity, which is further defined by Specialty Area;

(2) the term "Department" means the Department of Homeland Security;

(3) the term "Secretary" means the Secretary of Homeland Security; and

(4) the term "Specialty Area" means any of the common types of cybersecurity work as recognized by the National Initiative for Cybersecurity Education's National Cybersecurity Workforce Framework report.

SEC. 3. CYBERSECURITY WORKFORCE ASSESSMENT AND STRATEGY.

Deadlines.
6 USC 146.

(a) WORKFORCE ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and annually thereafter for 3 years, the Secretary shall assess the cybersecurity workforce of the Department.

(2) CONTENTS.—The assessment required under paragraph (1) shall include, at a minimum—

(A) an assessment of the readiness and capacity of the workforce of the Department to meet its cybersecurity mission;

(B) information on where cybersecurity workforce positions are located within the Department;

(C) information on which cybersecurity workforce positions are—

(i) performed by—

(I) permanent full-time equivalent employees of the Department, including, to the greatest extent practicable, demographic information about such employees;

(II) independent contractors; and

(III) individuals employed by other Federal agencies, including the National Security Agency; or

(ii) vacant; and

(D) information on—

(i) the percentage of individuals within each Cybersecurity Category and Specialty Area who received essential training to perform their jobs; and

(ii) in cases in which such essential training was not received, what challenges, if any, were encountered with respect to the provision of such essential training.

(b) WORKFORCE STRATEGY.—

(1) IN GENERAL.—The Secretary shall—

(A) not later than 1 year after the date of enactment of this Act, develop a comprehensive workforce strategy to enhance the readiness, capacity, training, recruitment, and retention of the cybersecurity workforce of the Department; and

(B) maintain and, as necessary, update the comprehensive workforce strategy developed under subparagraph (A).

(2) CONTENTS.—The comprehensive workforce strategy developed under paragraph (1) shall include a description of—

(A) a multi-phased recruitment plan, including with respect to experienced professionals, members of disadvantaged or underserved communities, the unemployed, and veterans;

(B) a 5-year implementation plan;

(C) a 10-year projection of the cybersecurity workforce needs of the Department;

(D) any obstacle impeding the hiring and development of a cybersecurity workforce in the Department; and

(E) any gap in the existing cybersecurity workforce of the Department and a plan to fill any such gap.

(c) UPDATES.—The Secretary submit to the appropriate congressional committees annual updates on—

(1) the cybersecurity workforce assessment required under subsection (a); and

(2) the progress of the Secretary in carrying out the comprehensive workforce strategy required to be developed under subsection (b).

SEC. 4. CYBERSECURITY FELLOWSHIP PROGRAM.

Deadline. Reports.

Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the feasibility, cost, and benefits of establishing a Cybersecurity Fellowship Program to offer a tuition payment plan for individuals pursuing undergraduate and doctoral

degrees who agree to work for the Department for an agreed-upon period of time.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 2952:

HOUSE REPORTS: No. 113–324 (Comm. on Homeland Security).
CONGRESSIONAL RECORD, Vol. 160 (2014):
July 28, considered and passed House.
Dec. 10, considered and passed Senate, amended.
Dec. 11, House concurred in Senate amendments.

Public Law 113–247
113th Congress

An Act

To designate the facility of the United States Postal Service located at 442 Miller Valley Road in Prescott, Arizona, as the "Barry M. Goldwater Post Office".

Dec. 18, 2014
[H.R. 3027]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BARRY M. GOLDWATER POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 442 Miller Valley Road in Prescott, Arizona, shall be known and designated as the "Barry M. Goldwater Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Barry M. Goldwater Post Office".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 3027:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 14, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–248
113th Congress

An Act

Dec. 18, 2014
[H.R. 3044]

To approve the transfer of Yellow Creek Port properties in Iuka, Mississippi.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TRANSFER OF YELLOW CREEK PORT PROPERTIES.

Effective date.

In accordance with section 4(k) of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831c(k)), Congress approves the conveyance by the Tennessee Valley Authority, on behalf of the United States, to the State of Mississippi of the Yellow Creek Port properties owned by the United States and in the custody of the Authority at Iuka, Mississippi, as of the date of enactment of this Act.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 3044 (S. 212):

HOUSE REPORTS: No. 113–553 (Comm. on Transportation and Infrastructure).
SENATE REPORTS: No. 113–184 (Comm. on Environment and Public Works) accompanying S. 212.
CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 15, considered and passed House.
Dec. 11, considered and passed Senate.

Public Law 113–249
113th Congress

An Act

To designate the building occupied by the Federal Bureau of Investigation located at 801 Follin Lane, Vienna, Virginia, as the "Michael D. Resnick Terrorist Screening Center".

Dec. 18, 2014
[H.R. 3096]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The building occupied by the Federal Bureau of Investigation located at 801 Follin Lane, Vienna, Virginia, shall be known and designated as the "Michael D. Resnick Terrorist Screening Center" during the period in which the building is occupied by the Federal Bureau of Investigation.

SEC. 2. REFERENCES.

During the period in which the building referred to in section 1 is occupied by the Federal Bureau of Investigation, any reference in a law, map, regulation, document, paper, or other record of the United States to that building shall be deemed to be a reference to the "Michael D. Resnick Terrorist Screening Center".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 3096:

HOUSE REPORTS: No. 113–235 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Sept. 27, considered and passed House.
Vol. 160 (2014): Dec. 11, considered and passed Senate.

Public Law 113–250
113th Congress

An Act

Dec. 18, 2014
[H.R. 3329]

To enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

12 USC 5371 note.

SECTION 1. CHANGES REQUIRED TO SMALL BANK HOLDING COMPANY POLICY STATEMENT ON ASSESSMENT OF FINANCIAL AND MANAGERIAL FACTORS.

Deadline.
Time period.
Federal Register, publication.
Applicability.

(a) IN GENERAL.—Before the end of the 6-month period beginning on the date of the enactment of this Act, the Board of Governors of the Federal Reserve System (hereafter in this Act referred to as the "Board") shall publish in the Federal Register proposed revisions to the Small Bank Holding Company Policy Statement on Assessment of Financial and Managerial Factors (12 CFR part 225 appendix C) that provide that the policy shall apply to bank holding companies and savings and loan holding companies which have pro forma consolidated assets of less than $1,000,000,000 and that—

(1) are not engaged in significant nonbanking activities either directly or through a nonbank subsidiary;

(2) do not conduct significant off-balance sheet activities (including securitization and asset management or administration) either directly or through a nonbank subsidiary; and

(3) do not have a material amount of debt or equity securities outstanding (other than trust preferred securities) that are registered with the Securities and Exchange Commission.

Determination.

(b) EXCLUSIONS.—The Board may exclude any bank holding company or savings and loan holding company, regardless of asset size, from the policy statement under subsection (a) if the Board determines that such action is warranted for supervisory purposes.

SEC. 2. CONFORMING AMENDMENT.

(a) IN GENERAL.—Subparagraph (C) of section 171(b)(5) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5371(b)(5)) is amended to read as follows:

"(C) any bank holding company or savings and loan holding company having less than $1,000,000,000 in total consolidated assets that complies with the requirements of the Small Bank Holding Company Policy Statement on Assessment of Financial and Managerial Factors of the Board of Governors (12 CFR part 225 appendix C), as the requirements of such Policy Statement are amended pursuant to section 1 of an Act entitled 'To enhance the

ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes'.".

(b) TRANSITION PERIOD.—Any small bank holding company that was excepted from the provisions of section 171 of the Dodd-Frank Wall Street Reform and Consumer Protection Act pursuant to subparagraph (C) of section 171(b)(5) (as such subparagraph was in effect on the day before the date of enactment of this Act), and any small savings and loan holding company that would have been excepted from the provisions of section 171 pursuant to subparagraph (C) (as such subparagraph was in effect on the day before the date of enactment of this Act) if it had been a small bank holding company, shall be excepted from the provisions of section 171 until the effective date of the Small Bank Holding Company Policy Statement issued by the Board as required by section 1 of this Act.

SEC. 3. DEFINITIONS.

For the purposes of this Act:

(a) BANK HOLDING COMPANY.—The term "bank holding company" has the same meaning as in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841).

(b) SAVINGS AND LOAN HOLDING COMPANY.—The term "savings and loan holding company" has the same meaning as in section 10(a) of the Home Owners' Loan Act (12 U.S.C. 1467a(a)).

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 3329:

CONGRESSIONAL RECORD, Vol. 160 (2014):

May 6, considered and passed House.

Dec. 11, considered and passed Senate, amended. House concurred in Senate amendment.

Public Law 113–251
113th Congress

An Act

Dec. 18, 2014
[H.R. 3374]

To provide for the use of savings promotion raffle products by financial institutions to encourage savings, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

American Savings Promotion Act. 12 USC 21 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Savings Promotion Act".

12 USC 25a note.

SEC. 2. FINDINGS.

Congress finds that—

(1) the annual savings rate in the United States was 4.1 percent in 2012;

(2) more than 40 percent of American households lack the savings to cover basic expenses for 3 months, if an unexpected event leads to a loss of stable income;

(3) personal savings provide Americans with the financial resources to meet future needs, including higher education and homeownership, while also providing a safety net to weather unexpected financial shocks;

(4) prize-linked savings products are typical savings products offered by financial institutions, like savings accounts, certificates of deposit, and savings bonds, with the added feature of offering chances to win prizes based on deposit activity;

(5) the State of Michigan was the first State to allow credit unions to offer prize-linked savings products, and in 2009 launched the first large-scale prize-linked savings product in the United States;

(6) the States of Connecticut, Michigan, Maine, Maryland, Nebraska, North Carolina, Rhode Island, and Washington all have laws that allow financial institutions to offer prize-linked savings products;

(7) in the States of Michigan and Nebraska, more than 42,000 individuals have opened prize-linked savings accounts and saved more than $72,000,000;

(8) prize-linked savings products have been shown to successfully attract non-savers, the asset poor, and low-to-moderate income groups, providing individuals with a new tool to build personal savings; and

(9) encouraging personal savings is in the national interest of the United States.

SEC. 3. AMENDMENT TO DEFINITIONS OF "LOTTERY".

(a) NATIONAL BANKS.—Section 5136B(c) of the Revised Statutes of the United States (12 U.S.C. 25a(c)) is amended—

(1) in paragraph (2), by inserting ", other than a savings promotion raffle," before "whereby"; and

(2) by adding at the end the following:

"(4) The term 'savings promotion raffle' means a contest in which the sole consideration required for a chance of winning designated prizes is obtained by the deposit of a specified amount of money in a savings account or other savings program, where each ticket or entry has an equal chance of being drawn, such contest being subject to regulations that may from time to time be promulgated by the appropriate prudential regulator (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481)).".

(b) FEDERAL RESERVE BANKS.—Section 9A(c) of the Federal Reserve Act (12 U.S.C. 339(c)) is amended—

(1) in paragraph (2), by inserting ", other than a savings promotion raffle," before "whereby"; and

(2) by adding at the end the following:

"(4) The term 'savings promotion raffle' means a contest in which the sole consideration required for a chance of winning designated prizes is obtained by the deposit of a specified amount of money in a savings account or other savings program, where each ticket or entry has an equal chance of being drawn, such contest being subject to regulations that may from time to time be promulgated by the appropriate prudential regulator (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481)).".

(c) INSURED DEPOSITORY INSTITUTIONS.—Section 20(c) of the Federal Deposit Insurance Act (12 U.S.C. 1829a(c)) is amended—

(1) in paragraph (2), by inserting ", other than a savings promotion raffle," before "whereby"; and

(2) by adding at the end the following:

"(4) The term 'savings promotion raffle' means a contest in which the sole consideration required for a chance of winning designated prizes is obtained by the deposit of a specified amount of money in a savings account or other savings program, where each ticket or entry has an equal chance of being drawn, such contest being subject to regulations that may from time to time be promulgated by the appropriate prudential regulator (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481)).".

(d) FEDERAL SAVINGS AND LOAN ASSOCIATIONS.—Section 4(e)(3) of the Home Owners' Loan Act (12 U.S.C. 1463(e)(3)) is amended—

(1) in subparagraph (B), by inserting ", other than a savings promotion raffle," after "arrangement"; and

(2) by adding at the end the following:

"(D) SAVINGS PROMOTION RAFFLE.—The term 'savings promotion raffle' means a contest in which the sole consideration required for a chance of winning designated prizes is obtained by the deposit of a specified amount of money in a savings account or other savings program, where each ticket or entry has an equal chance of being drawn, such contest being subject to regulations that may from time

to time be promulgated by the appropriate prudential regulator (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481)).".

SEC. 4. CRIMINAL PROVISIONS.

(a) IN GENERAL.—Chapter 61 of title 18, United States Code, is amended by adding at the end the following:

18 USC 1308.

"§ 1308. Limitation of applicability

"(a) LIMITATION OF APPLICABILITY.—Sections 1301, 1302, 1303, 1304, and 1306 shall not apply—

"(1) to a savings promotion raffle conducted by an insured depository institution or an insured credit union; or

"(2) to any activity conducted in connection with any such savings promotion raffle, including, without limitation, to the—

"(A) transmission of any advertisement, list of prizes, or other information concerning the savings promotion raffle;

"(B) offering, facilitation, and acceptance of deposits, withdrawals, or other transactions in connection with the savings promotion raffle;

"(C) transmission of any information relating to the savings promotion raffle, including account balance and transaction information; and

"(D) deposit or transmission of prizes awarded in the savings promotion raffle as well as notification or publication thereof.

"(b) DEFINITIONS.—In this section—

"(1) the term 'insured credit union' shall have the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752);

"(2) the term 'insured depository institution' shall have the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

"(3) the term 'savings promotion raffle' means a contest in which the sole consideration required for a chance of winning designated prizes is obtained by the deposit of a specified amount of money in a savings account or other savings program, where each ticket or entry has an equal chance of being drawn, such contest being subject to regulations that may from time to time be promulgated by the appropriate prudential regulator (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481)).".

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 61 of title 18, United States Code, is amended by adding after the item relating to section 1307 the following:

18 USC prec. 1301.

"1308. Limitation of applicability.".

SEC. 5. RACKETEERING.

Chapter 95 of title 18, United States Code, is amended—

(1) in section 1952, by adding at the end the following:

"(e)(1) This section shall not apply to a savings promotion raffle conducted by an insured depository institution or an insured credit union.

Definitions.

"(2) In this subsection—

"(A) the term 'insured credit union' shall have the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752);

"(B) the term 'insured depository institution' shall have the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

"(C) the term 'savings promotion raffle' means a contest in which the sole consideration required for a chance of winning designated prizes is obtained by the deposit of a specified amount of money in a savings account or other savings program, where each ticket or entry has an equal chance of being drawn, such contest being subject to regulations that may from time to time be promulgated by the appropriate prudential regulator (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481)).";

(2) in section 1953—

(A) in subsection (b), by striking "or (5)" and inserting "(5) equipment, tickets, or materials used or designed for use in a savings promotion raffle operated by an insured depository institution or an insured credit union, or (6)"; and

(B) by striking subsections (d) and (e) and inserting the following:

"(d) For purposes of this section— Definitions.

"(1) the term 'foreign country' means any empire, country, dominion, colony, or protectorate, or any subdivision thereof (other than the United States, its territories or possessions);

"(2) the term 'insured credit union' shall have the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752);

"(3) the term 'insured depository institution' shall have the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);

"(4) the term 'lottery'—

"(A) means the pooling of proceeds derived from the sale of tickets or chances and allotting those proceeds or parts thereof by chance to one or more chance takers or ticket purchasers; and

"(B) does not include the placing or accepting of bets or wagers on sporting events or contests;

"(5) the term 'savings promotion raffle' means a contest in which the sole consideration required for a chance of winning designated prizes is obtained by the deposit of a specified amount of money in a savings account or other savings program, where each ticket or entry has an equal chance of being drawn, such contest being subject to regulations that may from time to time be promulgated by the appropriate prudential regulator (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481)); and

"(6) the term 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States."; and

(3) in section 1955—

(A) in subsection (b)—

(i) by redesignating paragraph (2) as paragraph (4);

(ii) by redesignating paragraph (3) as paragraph (6);

Definitions.

(iii) by inserting after paragraph (1) the following:

"(2) 'insured credit union' shall have the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

"(3) 'insured depository institution' shall have the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)."; and

(iv) by inserting after paragraph (4), as redesignated, the following:

Definition.

"(5) 'savings promotion raffle' means a contest in which the sole consideration required for a chance of winning designated prizes is obtained by the deposit of a specified amount of money in a savings account or other savings program, where each ticket or entry has an equal chance of being drawn, such contest being subject to regulations that may from time to time be promulgated by the appropriate prudential regulator (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481))."; and

(B) in subsection (e)—

(i) by striking "shall not apply to any bingo" and inserting the following: "shall not apply to—

"(1) any bingo";

(ii) by striking the period and inserting "; or"; and

(iii) by adding at the end the following:

"(2) any savings promotion raffle.".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 3374:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 15, considered and passed House.
Dec. 10, considered and passed Senate.

Public Law 113–252
113th Congress

An Act

To amend the Federal Credit Union Act to extend insurance coverage to amounts held in a member account on behalf of another person, and for other purposes.

Dec. 18, 2014
[H.R. 3468]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Credit Union Share Insurance Fund Parity Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Credit Union Share Insurance Fund Parity Act".

SEC. 2. INSURANCE OF AMOUNTS HELD ON BEHALF OF OTHERS.

Section 207(k) of the Federal Credit Union Act (12 U.S.C. 1787(k)) is amended—

(1) in paragraph (1)(A)—

(A) by inserting after "payable to any member" the following: ", or to any person with funds lawfully held in a member account,"; and

(B) by striking "and paragraphs (5) and (6)";

(2) in paragraph (2)(A), by striking "(as determined under paragraph (5))";

(3) by redesignating paragraph (5) as paragraph (6); and

(4) by inserting after paragraph (4) the following:

"(5) COVERAGE FOR INTEREST ON LAWYERS TRUST ACCOUNTS (IOLTA) AND OTHER SIMILAR ESCROW ACCOUNTS.—

"(A) PASS-THROUGH INSURANCE.—The Administration shall provide pass-through share insurance for the deposits or shares of any interest on lawyers trust account (IOLTA) or other similar escrow accounts.

"(B) TREATMENT OF IOLTAS.—

"(i) TREATMENT AS ESCROW ACCOUNTS.—For share insurance purposes, IOLTAs are treated as escrow accounts.

"(ii) TREATMENT AS MEMBER ACCOUNTS.—IOLTAs and other similar escrow accounts are considered member accounts for purposes of paragraph (1), if the attorney administering the IOLTA or the escrow agent administering the escrow account is a member of the insured credit union in which the funds are held.

"(C) DEFINITIONS.—For purposes of this paragraph:

"(i) INTEREST ON LAWYERS TRUST ACCOUNT.—The terms 'interest on lawyers trust account' and 'IOLTA' mean a system in which lawyers place certain client funds in interest-bearing or dividend-bearing accounts,

with the interest or dividends then used to fund programs such as legal service organizations who provide services to clients in need.

"(ii) PASS-THROUGH SHARE INSURANCE.—The term 'pass-through share insurance' means, with respect to IOLTAs and other similar escrow accounts, insurance coverage based on the interest of each person on whose behalf funds are held in such accounts by the attorney administering the IOLTA or the escrow agent administering a similar escrow account, in accordance with regulations issued by the Administration.

"(D) RULE OF CONSTRUCTION.—No provision of this paragraph shall be construed as authorizing an insured credit union to accept the deposits of an IOLTA or similar escrow account in an amount greater than such credit union is authorized to accept under any other provision of Federal or State law.".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 3468:

CONGRESSIONAL RECORD, Vol. 160 (2014):
May 6, considered and passed House.
Dec. 11, considered and passed Senate.

Public Law 113–253
113th Congress

An Act

To revise the boundaries of certain John H. Chafee Coastal Barrier Resources System units.

Dec. 18, 2014
[H.R. 3572]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

16 USC 3503 note.

SECTION 1. REPLACEMENT OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM MAPS.

North Carolina.

(a) IN GENERAL.—The maps subtitled "Lea Island Complex L07"; "Wrightsville Beach Unit L08, Masonboro Island Unit L09"; and "Masonboro Island Unit L09", included in the set of maps entitled "John H. Chafee Coastal Barrier Resources System" referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) and relating to certain John H. Chafee Coastal Barrier Resources System units in North Carolina, are hereby replaced by other maps relating to the units entitled "Lea Island Complex L07"; "Wrightsville Beach Unit L08, Masonboro Island Unit L09"; and "Masonboro Island Unit L09", respectively, and dated March 12, 2014.

(b) AVAILABILITY.—The Secretary of the Interior shall keep the replacement maps referred to in subsection (a) on file and available for inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

SEC. 2. REPLACEMENT OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM MAP.

Rhode Island.

(a) IN GENERAL.—The map subtitled "Sachuest Point Unit RI–04P, Easton Beach Unit RI–05P, Almy Pond Unit RI–06, Hazards Beach Unit RI–07", included in the set of maps entitled "John H. Chafee Coastal Barrier Resources System" referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) and relating to certain John H. Chafee Coastal Barrier Resources System units in Rhode Island, is hereby replaced by another map relating to the units entitled "John H. Chafee Coastal Barrier Resources System Sachuest Point Unit RI–04P, Easton Beach Unit RI–05P, Almy Pond Unit RI–06, and Hazards Beach Unit RI–07" and dated September 16, 2013.

(b) AVAILABILITY.—The Secretary of the Interior shall keep the replacement map referred to in subsection (a) on file and available for inspection in accordance with the provisions of section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

SEC. 3. JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM GASPARILLA ISLAND UNIT, FLORIDA.

(a) IN GENERAL.—The map subtitled "Gasparilla Island Unit FL–70P" included in the set of maps entitled "Coastal Barrier Resources System" referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) and relating to the Gasparilla Island Unit in Florida is hereby replaced by another map relating to the same unit entitled "John H. Chafee Coastal Barrier Resources System Gasparilla Unit FL–70/FL–70P", draft dated May 23, 2012.

(b) AVAILABILITY.—The Secretary of the Interior shall keep the replacement map referred to in subsection (a) on file and available for inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

SEC. 4. REMOVAL OF PROPERTIES IN SOUTH CAROLINA FROM JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

(a) IN GENERAL.—The map subtitled "Long Pond Unit SC–01" included in the sets of maps entitled "Coastal Barrier Resources System" referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) and relating to the Long Pond Unit in South Carolina is hereby replaced by another map relating to the same unit entitled "John H. Chafee Coastal Barrier Resources System Long Pond Unit SC–01" dated September 30, 2014.

(b) AVAILABILITY.—The Secretary of the Interior shall keep each map revised under subsection (a) on file and available for inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

SEC. 5. REMOVAL OF PROPERTIES IN SOUTH CAROLINA FROM JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

(a) IN GENERAL.—The map subtitled "Huntington Beach Unit SC–03" included in the sets of maps entitled "Coastal Barrier Resources System" referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) and relating to the Huntington Beach Unit in South Carolina is hereby replaced by another map relating to the same unit entitled "John H. Chafee Coastal Barrier Resources System Huntington Beach Unit SC–03" dated September 30, 2014.

(b) AVAILABILITY.—The Secretary of the Interior shall keep each map revised under subsection (a) on file and available for

inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 3572:

HOUSE REPORTS: No. 113–633 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 1, 2, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–254
113th Congress

An Act

Dec. 18, 2014
[H.R. 4007]

To recodify and reauthorize the Chemical Facility Anti-Terrorism Standards Program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014.
6 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014".

SEC. 2. CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

6 USC prec. 621.

"TITLE XXI—CHEMICAL FACILITY ANTI–TERRORISM STANDARDS

6 USC 621.

"SEC. 2101. DEFINITIONS.

"In this title—

"(1) the term 'CFATS regulation' means—

"(A) an existing CFATS regulation; and

"(B) any regulation or amendment to an existing CFATS regulation issued pursuant to the authority under section 2107;

"(2) the term 'chemical facility of interest' means a facility that—

"(A) holds, or that the Secretary has a reasonable basis to believe holds, a chemical of interest, as designated under Appendix A to part 27 of title 6, Code of Federal Regulations, or any successor thereto, at a threshold quantity set pursuant to relevant risk-related security principles; and

"(B) is not an excluded facility;

"(3) the term 'covered chemical facility' means a facility that—

"(A) the Secretary—

"(i) identifies as a chemical facility of interest; and

"(ii) based upon review of the facility's Top-Screen, determines meets the risk criteria developed under section 2102(e)(2)(B); and

"(B) is not an excluded facility;

"(4) the term 'excluded facility' means—

"(A) a facility regulated under the Maritime Transportation Security Act of 2002 (Public Law 107–295; 116 Stat. 2064);

"(B) a public water system, as that term is defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f);

"(C) a Treatment Works, as that term is defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292);

"(D) a facility owned or operated by the Department of Defense or the Department of Energy; or

"(E) a facility subject to regulation by the Nuclear Regulatory Commission, or by a State that has entered into an agreement with the Nuclear Regulatory Commission under section 274 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2021(b)) to protect against unauthorized access of any material, activity, or structure licensed by the Nuclear Regulatory Commission;

"(5) the term 'existing CFATS regulation' means—

"(A) a regulation promulgated under section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 6 U.S.C. 121 note) that is in effect on the day before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014; and

"(B) a Federal Register notice or other published guidance relating to section 550 of the Department of Homeland Security Appropriations Act, 2007 that is in effect on the day before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014;

"(6) the term 'expedited approval facility' means a covered chemical facility for which the owner or operator elects to submit a site security plan in accordance with section 2102(c)(4);

"(7) the term 'facially deficient', relating to a site security plan, means a site security plan that does not support a certification that the security measures in the plan address the security vulnerability assessment and the risk-based performance standards for security for the facility, based on a review of—

"(A) the facility's site security plan;

"(B) the facility's Top-Screen;

"(C) the facility's security vulnerability assessment; or

"(D) any other information that—

"(i) the facility submits to the Department; or

"(ii) the Department obtains from a public source or other source;

"(8) the term 'guidance for expedited approval facilities' means the guidance issued under section 2102(c)(4)(B)(i);

"(9) the term 'risk assessment' means the Secretary's application of relevant risk criteria identified in section 2102(e)(2)(B);

"(10) the term 'terrorist screening database' means the terrorist screening database maintained by the Federal Government Terrorist Screening Center or its successor;

"(11) the term 'tier' has the meaning given the term in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto;

"(12) the terms 'tiering' and 'tiering methodology' mean the procedure by which the Secretary assigns a tier to each covered chemical facility based on the risk assessment for that covered chemical facility;

"(13) the term 'Top-Screen' has the meaning given the term in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto; and

"(14) the term 'vulnerability assessment' means the identification of weaknesses in the security of a chemical facility of interest.

6 USC 22.

"SEC. 2102. CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM.

"(a) PROGRAM ESTABLISHED.—

"(1) IN GENERAL.—There is in the Department a Chemical Facility Anti-Terrorism Standards Program.

"(2) REQUIREMENTS.—In carrying out the Chemical Facility Anti-Terrorism Standards Program, the Secretary shall—

"(A) identify—

"(i) chemical facilities of interest; and

"(ii) covered chemical facilities;

Assessment.

"(B) require each chemical facility of interest to submit a Top-Screen and any other information the Secretary determines necessary to enable the Department to assess the security risks associated with the facility;

"(C) establish risk-based performance standards designed to address high levels of security risk at covered chemical facilities; and

"(D) require each covered chemical facility to—

Assessment.

"(i) submit a security vulnerability assessment; and

Security plan.

"(ii) develop, submit, and implement a site security plan.

"(b) SECURITY MEASURES.—

"(1) IN GENERAL.—A facility, in developing a site security plan as required under subsection (a), shall include security measures that, in combination, appropriately address the security vulnerability assessment and the risk-based performance standards for security for the facility.

"(2) EMPLOYEE INPUT.—To the greatest extent practicable, a facility's security vulnerability assessment and site security plan shall include input from at least 1 facility employee and, where applicable, 1 employee representative from the bargaining agent at that facility, each of whom possesses, in the determination of the facility's security officer, relevant knowledge, experience, training, or education as pertains to matters of site security.

"(c) APPROVAL OR DISAPPROVAL OF SITE SECURITY PLANS.—

"(1) IN GENERAL.—

"(A) REVIEW.—Except as provided in paragraph (4), the Secretary shall review and approve or disapprove each site security plan submitted pursuant to subsection (a).

"(B) BASES FOR DISAPPROVAL.—The Secretary—

"(i) may not disapprove a site security plan based on the presence or absence of a particular security measure; and

"(ii) shall disapprove a site security plan if the plan fails to satisfy the risk-based performance standards established pursuant to subsection (a)(2)(C).

"(2) ALTERNATIVE SECURITY PROGRAMS.—

"(A) AUTHORITY TO APPROVE.—

"(i) IN GENERAL.—The Secretary may approve an alternative security program established by a private sector entity or a Federal, State, or local authority or under other applicable laws, if the Secretary determines that the requirements of the program meet the requirements under this section. Determination.

"(ii) ADDITIONAL SECURITY MEASURES.—If the requirements of an alternative security program do not meet the requirements under this section, the Secretary may recommend additional security measures to the program that will enable the Secretary to approve the program.

"(B) SATISFACTION OF SITE SECURITY PLAN REQUIREMENT.—A covered chemical facility may satisfy the site security plan requirement under subsection (a) by adopting an alternative security program that the Secretary has—

"(i) reviewed and approved under subparagraph (A); and

"(ii) determined to be appropriate for the operations and security concerns of the covered chemical facility.

"(3) SITE SECURITY PLAN ASSESSMENTS.—

"(A) RISK ASSESSMENT POLICIES AND PROCEDURES.—In approving or disapproving a site security plan under this subsection, the Secretary shall employ the risk assessment policies and procedures developed under this title.

"(B) PREVIOUSLY APPROVED PLANS.—In the case of a covered chemical facility for which the Secretary approved a site security plan before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary may not require the facility to resubmit the site security plan solely by reason of the enactment of this title.

"(4) EXPEDITED APPROVAL PROGRAM.—

"(A) IN GENERAL.—A covered chemical facility assigned to tier 3 or 4 may meet the requirement to develop and submit a site security plan under subsection (a)(2)(D) by developing and submitting to the Secretary—

"(i) a site security plan and the certification described in subparagraph (C); or

"(ii) a site security plan in conformance with a template authorized under subparagraph (H).

"(B) GUIDANCE FOR EXPEDITED APPROVAL FACILITIES.—

"(i) IN GENERAL.—Not later than 180 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall issue guidance for expedited Deadline.

approval facilities that identifies specific security measures that are sufficient to meet the risk-based performance standards.

"(ii) MATERIAL DEVIATION FROM GUIDANCE.—If a security measure in the site security plan of an expedited approval facility materially deviates from a security measure in the guidance for expedited approval facilities, the site security plan shall include an explanation of how such security measure meets the risk-based performance standards.

"(iii) APPLICABILITY OF OTHER LAWS TO DEVELOPMENT AND ISSUANCE OF INITIAL GUIDANCE.—During the period before the Secretary has met the deadline under clause (i), in developing and issuing, or amending, the guidance for expedited approval facilities under this subparagraph and in collecting information from expedited approval facilities, the Secretary shall not be subject to—

"(I) section 553 of title 5, United States Code;

"(II) subchapter I of chapter 35 of title 44, United States Code; or

"(III) section 2107(b) of this title.

"(C) CERTIFICATION.—The owner or operator of an expedited approval facility shall submit to the Secretary a certification, signed under penalty of perjury, that—

"(i) the owner or operator is familiar with the requirements of this title and part 27 of title 6, Code of Federal Regulations, or any successor thereto, and the site security plan being submitted;

"(ii) the site security plan includes the security measures required by subsection (b);

"(iii)(I) the security measures in the site security plan do not materially deviate from the guidance for expedited approval facilities except where indicated in the site security plan;

"(II) any deviations from the guidance for expedited approval facilities in the site security plan meet the risk-based performance standards for the tier to which the facility is assigned; and

"(III) the owner or operator has provided an explanation of how the site security plan meets the risk-based performance standards for any material deviation;

"(iv) the owner or operator has visited, examined, documented, and verified that the expedited approval facility meets the criteria set forth in the site security plan;

"(v) the expedited approval facility has implemented all of the required performance measures outlined in the site security plan or set out planned measures that will be implemented within a reasonable time period stated in the site security plan;

"(vi) each individual responsible for implementing the site security plan has been made aware of the requirements relevant to the individual's responsibility contained in the site security plan and has demonstrated competency to carry out those requirements;

"(vii) the owner or operator has committed, or, in the case of planned measures will commit, the necessary resources to fully implement the site security plan; and

"(viii) the planned measures include an adequate procedure for addressing events beyond the control of the owner or operator in implementing any planned measures.

"(D) DEADLINE.—

"(i) IN GENERAL.—Not later than 120 days after the date described in clause (ii), the owner or operator of an expedited approval facility shall submit to the Secretary the site security plan and the certification described in subparagraph (C).

"(ii) DATE.—The date described in this clause is—

"(I) for an expedited approval facility that was assigned to tier 3 or 4 under existing CFATS regulations before the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the date that is 210 days after the date of enactment of that Act; and

"(II) for any expedited approval facility not described in subclause (I), the later of—

"(aa) the date on which the expedited approval facility is assigned to tier 3 or 4 under subsection (e)(2)(A); or

"(bb) the date that is 210 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014.

"(iii) NOTICE.—An owner or operator of an expedited approval facility shall notify the Secretary of the intent of the owner or operator to certify the site security plan for the expedited approval facility not later than 30 days before the date on which the owner or operator submits the site security plan and certification described in subparagraph (C). Deadline.

"(E) COMPLIANCE.—

"(i) IN GENERAL.—For an expedited approval facility submitting a site security plan and certification in accordance with subparagraphs (A), (B), (C), and (D)—

"(I) the expedited approval facility shall comply with all of the requirements of its site security plan; and

"(II) the Secretary—

"(aa) except as provided in subparagraph (G), may not disapprove the site security plan; and

"(bb) may audit and inspect the expedited approval facility under subsection (d) to verify compliance with its site security plan.

"(ii) NONCOMPLIANCE.—If the Secretary determines an expedited approval facility is not in compliance with the requirements of the site security plan or is otherwise in violation of this title, the Secretary may enforce compliance in accordance with section 2104.

"(F) AMENDMENTS TO SITE SECURITY PLAN.—

"(i) REQUIREMENT.—

Certification.

"(I) IN GENERAL.—If the owner or operator of an expedited approval facility amends a site security plan submitted under subparagraph (A), the owner or operator shall submit the amended site security plan and a certification relating to the amended site security plan that contains the information described in subparagraph (C).

"(II) TECHNICAL AMENDMENTS.—For purposes of this clause, an amendment to a site security plan includes any technical amendment to the site security plan.

"(ii) AMENDMENT REQUIRED.—The owner or operator of an expedited approval facility shall amend the site security plan if—

"(I) there is a change in the design, construction, operation, or maintenance of the expedited approval facility that affects the site security plan;

"(II) the Secretary requires additional security measures or suspends a certification and recommends additional security measures under subparagraph (G); or

Notification.

"(III) the owner or operator receives notice from the Secretary of a change in tiering under subsection (e)(3).

"(iii) DEADLINE.—An amended site security plan and certification shall be submitted under clause (i)—

"(I) in the case of a change in design, construction, operation, or maintenance of the expedited approval facility that affects the security plan, not later than 120 days after the date on which the change in design, construction, operation, or maintenance occurred;

"(II) in the case of the Secretary requiring additional security measures or suspending a certification and recommending additional security measures under subparagraph (G), not later than 120 days after the date on which the owner or operator receives notice of the requirement for additional security measures or suspension of the certification and recommendation of additional security measures; and

"(III) in the case of a change in tiering, not later than 120 days after the date on which the owner or operator receives notice under subsection (e)(3).

"(G) FACIALLY DEFICIENT SITE SECURITY PLANS.—

"(i) PROHIBITION.—Notwithstanding subparagraph (A) or (E), the Secretary may suspend the authority of a covered chemical facility to certify a site security plan if the Secretary—

Determination.

"(I) determines the certified site security plan or an amended site security plan is facially deficient; and

Deadline.

"(II) not later than 100 days after the date on which the Secretary receives the site security

plan and certification, provides the covered chemical facility with written notification that the site security plan is facially deficient, including a clear explanation of each deficiency in the site security plan.

"(ii) ADDITIONAL SECURITY MEASURES.—

Determination.

"(I) IN GENERAL.—If, during or after a compliance inspection of an expedited approval facility, the Secretary determines that planned or implemented security measures in the site security plan of the facility are insufficient to meet the risk-based performance standards based on misrepresentation, omission, or an inadequate description of the site, the Secretary may—

"(aa) require additional security measures; or

"(bb) suspend the certification of the facility.

"(II) RECOMMENDATION OF ADDITIONAL SECURITY MEASURES.—If the Secretary suspends the certification of an expedited approval facility under subclause (I), the Secretary shall—

"(aa) recommend specific additional security measures that, if made part of the site security plan by the facility, would enable the Secretary to approve the site security plan; and

"(bb) provide the facility an opportunity to submit a new or modified site security plan and certification under subparagraph (A).

Deadlines.

"(III) SUBMISSION; REVIEW.—If an expedited approval facility determines to submit a new or modified site security plan and certification as authorized under subclause (II)(bb)—

"(aa) not later than 90 days after the date on which the facility receives recommendations under subclause (II)(aa), the facility shall submit the new or modified plan and certification; and

"(bb) not later than 45 days after the date on which the Secretary receives the new or modified plan under item (aa), the Secretary shall review the plan and determine whether the plan is facially deficient.

"(IV) DETERMINATION NOT TO INCLUDE ADDITIONAL SECURITY MEASURES.—

"(aa) REVOCATION OF CERTIFICATION.—If an expedited approval facility does not agree to include in its site security plan specific additional security measures recommended by the Secretary under subclause (II)(aa), or does not submit a new or modified site security plan in accordance with subclause (III), the Secretary may revoke the certification of the facility by issuing an order under section 2104(a)(1)(B).

"(bb) EFFECT OF REVOCATION.—If the Secretary revokes the certification of an expedited approval facility under item (aa) by issuing an order under section 2104(a)(1)(B)—

"(AA) the order shall require the owner or operator of the facility to submit a site security plan or alternative security program for review by the Secretary review under subsection (c)(1); and

"(BB) the facility shall no longer be eligible to certify a site security plan under this paragraph.

Determination.

"(V) FACIAL DEFICIENCY.—If the Secretary determines that a new or modified site security plan submitted by an expedited approval facility under subclause (III) is facially deficient—

Deadline.

"(aa) not later than 120 days after the date of the determination, the owner or operator of the facility shall submit a site security plan or alternative security program for review by the Secretary under subsection (c)(1); and

Certification.

"(bb) the facility shall no longer be eligible to certify a site security plan under this paragraph.

"(H) TEMPLATES.—

"(i) IN GENERAL.—The Secretary may develop prescriptive site security plan templates with specific security measures to meet the risk-based performance standards under subsection (a)(2)(C) for adoption and certification by a covered chemical facility assigned to tier 3 or 4 in lieu of developing and certifying its own plan.

"(ii) APPLICABILITY OF OTHER LAWS TO DEVELOPMENT AND ISSUANCE OF INITIAL SITE SECURITY PLAN TEMPLATES AND RELATED GUIDANCE.—During the period before the Secretary has met the deadline under subparagraph (B)(i), in developing and issuing, or amending, the site security plan templates under this subparagraph, in issuing guidance for implementation of the templates, and in collecting information from expedited approval facilities, the Secretary shall not be subject to—

"(I) section 553 of title 5, United States Code;

"(II) subchapter I of chapter 35 of title 44, United States Code; or

"(III) section 2107(b) of this title.

"(iii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to prevent a covered chemical facility from developing and certifying its own security plan in accordance with subparagraph (A).

"(I) EVALUATION.—

Deadline.

"(i) IN GENERAL.—Not later than 18 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall take any appropriate action necessary for a full evaluation of the expedited approval program authorized under this paragraph, including

conducting an appropriate number of inspections, as authorized under subsection (d), of expedited approval facilities.

"(ii) REPORT.—Not later than 18 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report that contains—

"(I)(aa) the number of eligible facilities using the expedited approval program authorized under this paragraph; and

"(bb) the number of facilities that are eligible for the expedited approval program but are using the standard process for developing and submitting a site security plan under subsection (a)(2)(D);

"(II) any costs and efficiencies associated with the expedited approval program;

"(III) the impact of the expedited approval program on the backlog for site security plan approval and authorization inspections;

"(IV) an assessment of the ability of expedited approval facilities to submit facially sufficient site security plans; Assessment.

"(V) an assessment of any impact of the expedited approval program on the security of chemical facilities; and Assessment.

"(VI) a recommendation by the Secretary on the frequency of compliance inspections that may be required for expedited approval facilities. Recommendation.

"(d) COMPLIANCE.—

"(1) AUDITS AND INSPECTIONS.—

"(A) DEFINITIONS.—In this paragraph—

"(i) the term 'nondepartmental'—

"(I) with respect to personnel, means personnel that is not employed by the Department; and

"(II) with respect to an entity, means an entity that is not a component or other authority of the Department; and

"(ii) the term 'nongovernmental'—

"(I) with respect to personnel, means personnel that is not employed by the Federal Government; and

"(II) with respect to an entity, means an entity that is not an agency, department, or other authority of the Federal Government.

"(B) AUTHORITY TO CONDUCT AUDITS AND INSPECTIONS.—The Secretary shall conduct audits or inspections under this title using—

"(i) employees of the Department;

"(ii) nondepartmental or nongovernmental personnel approved by the Secretary; or

"(iii) a combination of individuals described in clauses (i) and (ii).

"(C) SUPPORT PERSONNEL.—The Secretary may use nongovernmental personnel to provide administrative and logistical services in support of audits and inspections under this title.

"(D) REPORTING STRUCTURE.—

"(i) NONDEPARTMENTAL AND NONGOVERNMENTAL AUDITS AND INSPECTIONS.—Any audit or inspection conducted by an individual employed by a nondepartmental or nongovernmental entity shall be assigned in coordination with a regional supervisor with responsibility for supervising inspectors within the Infrastructure Security Compliance Division of the Department for the region in which the audit or inspection is to be conducted.

"(ii) REQUIREMENT TO REPORT.—While an individual employed by a nondepartmental or nongovernmental entity is in the field conducting an audit or inspection under this subsection, the individual shall report to the regional supervisor with responsibility for supervising inspectors within the Infrastructure Security Compliance Division of the Department for the region in which the individual is operating.

"(iii) APPROVAL.—The authority to approve a site security plan under subsection (c) or determine if a covered chemical facility is in compliance with an approved site security plan shall be exercised solely by the Secretary or a designee of the Secretary within the Department.

"(E) STANDARDS FOR AUDITORS AND INSPECTORS.—The Secretary shall prescribe standards for the training and retraining of each individual used by the Department as an auditor or inspector, including each individual employed by the Department and all nondepartmental or nongovernmental personnel, including—

"(i) minimum training requirements for new auditors and inspectors;

"(ii) retraining requirements;

"(iii) minimum education and experience levels;

"(iv) the submission of information as required by the Secretary to enable determination of whether the auditor or inspector has a conflict of interest;

"(v) the proper certification or certifications necessary to handle chemical-terrorism vulnerability information (as defined in section 27.105 of title 6, Code of Federal Regulations, or any successor thereto);

Deadline.

"(vi) the reporting of any issue of non-compliance with this section to the Secretary within 24 hours; and

"(vii) any additional qualifications for fitness of duty as the Secretary may require.

"(F) CONDITIONS FOR NONGOVERNMENTAL AUDITORS AND INSPECTORS.—If the Secretary arranges for an audit or inspection under subparagraph (B) to be carried out by a nongovernmental entity, the Secretary shall—

Standards.

"(i) prescribe standards for the qualification of the individuals who carry out such audits and inspections

that are commensurate with the standards for similar Government auditors or inspectors; and

"(ii) ensure that any duties carried out by a non-governmental entity are not inherently governmental functions.

"(2) PERSONNEL SURETY.—

"(A) PERSONNEL SURETY PROGRAM.—For purposes of this title, the Secretary shall establish and carry out a Personnel Surety Program that—

"(i) does not require an owner or operator of a covered chemical facility that voluntarily participates in the program to submit information about an individual more than 1 time;

"(ii) provides a participating owner or operator of a covered chemical facility with relevant information about an individual based on vetting the individual against the terrorist screening database, to the extent that such feedback is necessary for the facility to be in compliance with regulations promulgated under this title; and

"(iii) provides redress to an individual—

"(I) whose information was vetted against the terrorist screening database under the program; and

"(II) who believes that the personally identifiable information submitted to the Department for such vetting by a covered chemical facility, or its designated representative, was inaccurate.

"(B) PERSONNEL SURETY PROGRAM IMPLEMENTATION.—To the extent that a risk-based performance standard established under subsection (a) requires identifying individuals with ties to terrorism—

"(i) a covered chemical facility—

"(I) may satisfy its obligation under the standard by using any Federal screening program that periodically vets individuals against the terrorist screening database, or any successor program, including the Personnel Surety Program established under subparagraph (A); and

"(II) shall—

"(aa) accept a credential from a Federal screening program described in subclause (I) if an individual who is required to be screened presents such a credential; and

"(bb) address in its site security plan or alternative security program the measures it will take to verify that a credential or documentation from a Federal screening program described in subclause (I) is current;

"(ii) visual inspection shall be sufficient to meet the requirement under clause (i)(II)(bb), but the facility should consider other means of verification, consistent with the facility's assessment of the threat posed by acceptance of such credentials; and

"(iii) the Secretary may not require a covered chemical facility to submit any information about an individual unless the individual—

"(I) is to be vetted under the Personnel Surety Program; or

"(II) has been identified as presenting a terrorism security risk.

"(C) RIGHTS UNAFFECTED.—Nothing in this section shall supersede the ability—

"(i) of a facility to maintain its own policies regarding the access of individuals to restricted areas or critical assets; or

"(ii) of an employing facility and a bargaining agent, where applicable, to negotiate as to how the results of a background check may be used by the facility with respect to employment status.

"(3) AVAILABILITY OF INFORMATION.—The Secretary shall share with the owner or operator of a covered chemical facility any information that the owner or operator needs to comply with this section.

"(e) RESPONSIBILITIES OF THE SECRETARY.—

Consultation.

"(1) IDENTIFICATION OF CHEMICAL FACILITIES OF INTEREST.—In carrying out this title, the Secretary shall consult with the heads of other Federal agencies, States and political subdivisions thereof, relevant business associations, and public and private labor organizations to identify all chemical facilities of interest.

"(2) RISK ASSESSMENT.—

"(A) IN GENERAL.—For purposes of this title, the Secretary shall develop a security risk assessment approach and corresponding tiering methodology for covered chemical facilities that incorporates the relevant elements of risk, including threat, vulnerability, and consequence.

"(B) CRITERIA FOR DETERMINING SECURITY RISK.—The criteria for determining the security risk of terrorism associated with a covered chemical facility shall take into account—

"(i) relevant threat information;

"(ii) potential severe economic consequences and the potential loss of human life in the event of the facility being subject to attack, compromise, infiltration, or exploitation by terrorists; and

"(iii) vulnerability of the facility to attack, compromise, infiltration, or exploitation by terrorists.

"(3) CHANGES IN TIERING.—

"(A) MAINTENANCE OF RECORDS.—The Secretary shall document the basis for each instance in which—

"(i) tiering for a covered chemical facility is changed; or

"(ii) a covered chemical facility is determined to no longer be subject to the requirements under this title.

"(B) REQUIRED INFORMATION.—The records maintained under subparagraph (A) shall include information on whether and how the Secretary confirmed the information that was the basis for the change or determination described in subparagraph (A).

"(4) SEMIANNUAL PERFORMANCE REPORTING.—Not later than 6 months after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act

of 2014, and not less frequently than once every 6 months thereafter, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report that includes, for the period covered by the report—

"(A) the number of covered chemical facilities in the United States;

"(B) information—

"(i) describing—

"(I) the number of instances in which the Secretary—

"(aa) placed a covered chemical facility in a lower risk tier; or

"(bb) determined that a facility that had previously met the criteria for a covered chemical facility under section 2101(3) no longer met the criteria; and Determination.

"(II) the basis, in summary form, for each action or determination under subclause (I); and

"(ii) that is provided in a sufficiently anonymized form to ensure that the information does not identify any specific facility or company as the source of the information when viewed alone or in combination with other public information;

"(C) the average number of days spent reviewing site security or an alternative security program for a covered chemical facility prior to approval;

"(D) the number of covered chemical facilities inspected;

"(E) the average number of covered chemical facilities inspected per inspector; and

"(F) any other information that the Secretary determines will be helpful to Congress in evaluating the performance of the Chemical Facility Anti-Terrorism Standards Program.

"SEC. 2103. PROTECTION AND SHARING OF INFORMATION. 6 USC 623.

"(a) IN GENERAL.—Notwithstanding any other provision of law, information developed under this title, including vulnerability assessments, site security plans, and other security related information, records, and documents shall be given protections from public disclosure consistent with the protection of similar information under section 70103(d) of title 46, United States Code.

"(b) SHARING OF INFORMATION WITH STATES AND LOCAL GOVERNMENTS.—Nothing in this section shall be construed to prohibit the sharing of information developed under this title, as the Secretary determines appropriate, with State and local government officials possessing a need to know and the necessary security clearances, including law enforcement officials and first responders, for the purpose of carrying out this title, provided that such information may not be disclosed pursuant to any State or local law.

"(c) SHARING OF INFORMATION WITH FIRST RESPONDERS.—

"(1) REQUIREMENT.—The Secretary shall provide to State, local, and regional fusion centers (as that term is defined in section 210A(j)(1)) and State and local government officials, as the Secretary determines appropriate, such information as

is necessary to help ensure that first responders are properly prepared and provided with the situational awareness needed to respond to security incidents at covered chemical facilities.

"(2) DISSEMINATION.—The Secretary shall disseminate information under paragraph (1) through a medium or system determined by the Secretary to be appropriate to ensure the secure and expeditious dissemination of such information to necessary selected individuals.

"(d) ENFORCEMENT PROCEEDINGS.—In any proceeding to enforce this section, vulnerability assessments, site security plans, and other information submitted to or obtained by the Secretary under this title, and related vulnerability or security information, shall be treated as if the information were classified information.

"(e) AVAILABILITY OF INFORMATION.—Notwithstanding any other provision of law (including section 552(b)(3) of title 5, United States Code), section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act') shall not apply to information protected from public disclosure pursuant to subsection (a) of this section.

"(f) SHARING OF INFORMATION WITH MEMBERS OF CONGRESS.—Nothing in this section shall prohibit the Secretary from disclosing information developed under this title to a Member of Congress in response to a request by a Member of Congress.

6 USC 624.

"SEC. 2104. CIVIL ENFORCEMENT.

"(a) NOTICE OF NONCOMPLIANCE.—

Determination. Deadlines.

"(1) NOTICE.—If the Secretary determines that a covered chemical facility is not in compliance with this title, the Secretary shall—

"(A) provide the owner or operator of the facility with—

"(i) not later than 14 days after date on which the Secretary makes the determination, a written notification of noncompliance that includes a clear explanation of any deficiency in the security vulnerability assessment or site security plan; and

Consultation.

"(ii) an opportunity for consultation with the Secretary or the Secretary's designee; and

"(B) issue to the owner or operator of the facility an order to comply with this title by a date specified by the Secretary in the order, which date shall be not later than 180 days after the date on which the Secretary issues the order.

"(2) CONTINUED NONCOMPLIANCE.—If an owner or operator remains noncompliant after the procedures outlined in paragraph (1) have been executed, or demonstrates repeated violations of this title, the Secretary may enter an order in accordance with this section assessing a civil penalty, an order to cease operations, or both.

"(b) CIVIL PENALTIES.—

"(1) VIOLATIONS OF ORDERS.—Any person who violates an order issued under this title shall be liable for a civil penalty under section 70119(a) of title 46, United States Code.

"(2) NON-REPORTING CHEMICAL FACILITIES OF INTEREST.—Any owner of a chemical facility of interest who fails to comply with, or knowingly submits false information under, this title or the CFATS regulations shall be liable for a civil penalty under section 70119(a) of title 46, United States Code.

"(c) EMERGENCY ORDERS.—

"(1) IN GENERAL.—Notwithstanding subsection (a) or any site security plan or alternative security program approved under this title, if the Secretary determines that there is an imminent threat of death, serious illness, or severe personal injury, due to a violation of this title or the risk of a terrorist incident that may affect a chemical facility of interest, the Secretary— Determination.

"(A) shall consult with the facility, if practicable, on steps to mitigate the risk; and Consultation.

"(B) may order the facility, without notice or opportunity for a hearing, effective immediately or as soon as practicable, to— Effective date.

"(i) implement appropriate emergency security measures; or

"(ii) cease or reduce some or all operations, in accordance with safe shutdown procedures, if the Secretary determines that such a cessation or reduction of operations is the most appropriate means to address the risk.

"(2) LIMITATION ON DELEGATION.—The Secretary may not delegate the authority under paragraph (1) to any official other than the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department appointed under section 103(a)(1)(H).

"(3) LIMITATION ON AUTHORITY.—The Secretary may exercise the authority under this subsection only to the extent necessary to abate the imminent threat determination under paragraph (1).

"(4) DUE PROCESS FOR FACILITY OWNER OR OPERATOR.—

"(A) WRITTEN ORDERS.—An order issued by the Secretary under paragraph (1) shall be in the form of a written emergency order that—

"(i) describes the violation or risk that creates the imminent threat;

"(ii) states the security measures or order issued or imposed; and

"(iii) describes the standards and procedures for obtaining relief from the order.

"(B) OPPORTUNITY FOR REVIEW.—After issuing an order under paragraph (1) with respect to a chemical facility of interest, the Secretary shall provide for review of the order under section 554 of title 5 if a petition for review is filed not later than 20 days after the date on which the Secretary issues the order. Deadline.

"(C) EXPIRATION OF EFFECTIVENESS OF ORDER.—If a petition for review of an order is filed under subparagraph (B) and the review under that paragraph is not completed by the last day of the 30-day period beginning on the date on which the petition is filed, the order shall vacate automatically at the end of that period unless the Secretary determines, in writing, that the imminent threat providing a basis for the order continues to exist. Time period. Effective date. Determination.

"(d) RIGHT OF ACTION.—Nothing in this title confers upon any person except the Secretary or his or her designee a right of action against an owner or operator of a covered chemical facility to enforce any provision of this title.

6 USC 625.

"SEC. 2105. WHISTLEBLOWER PROTECTIONS.

"(a) PROCEDURE FOR REPORTING PROBLEMS.—

Public information.

"(1) ESTABLISHMENT OF A REPORTING PROCEDURE.—Not later than 180 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall establish, and provide information to the public regarding, a procedure under which any employee or contractor of a chemical facility of interest may submit a report to the Secretary regarding a violation of a requirement under this title.

"(2) CONFIDENTIALITY.—The Secretary shall keep confidential the identity of an individual who submits a report under paragraph (1) and any such report shall be treated as a record containing protected information to the extent that the report does not consist of publicly available information.

"(3) ACKNOWLEDGMENT OF RECEIPT.—If a report submitted under paragraph (1) identifies the individual making the report, the Secretary shall promptly respond to the individual directly and shall promptly acknowledge receipt of the report.

"(4) STEPS TO ADDRESS PROBLEMS.—The Secretary—

Review.

"(A) shall review and consider the information provided in any report submitted under paragraph (1); and

"(B) may take action under section 2104 of this title if necessary to address any substantiated violation of a requirement under this title identified in the report.

"(5) DUE PROCESS FOR FACILITY OWNER OR OPERATOR.—

Determination.

"(A) IN GENERAL.—If, upon the review described in paragraph (4), the Secretary determines that a violation of a provision of this title, or a regulation prescribed under this title, has occurred, the Secretary may—

"(i) institute a civil enforcement under section 2104(a) of this title; or

"(ii) if the Secretary makes the determination under section 2104(c), issue an emergency order.

"(B) WRITTEN ORDERS.—The action of the Secretary under paragraph (4) shall be in a written form that—

"(i) describes the violation;

"(ii) states the authority under which the Secretary is proceeding; and

"(iii) describes the standards and procedures for obtaining relief from the order.

Deadline.

"(C) OPPORTUNITY FOR REVIEW.—After taking action under paragraph (4), the Secretary shall provide for review of the action if a petition for review is filed within 20 calendar days of the date of issuance of the order for the action.

Time period. Effective date. Determination.

"(D) EXPIRATION OF EFFECTIVENESS OF ORDER.—If a petition for review of an action is filed under subparagraph (C) and the review under that subparagraph is not completed by the end of the 30-day period beginning on the date the petition is filed, the action shall cease to be effective at the end of such period unless the Secretary determines, in writing, that the violation providing a basis for the action continues to exist.

"(6) RETALIATION PROHIBITED.—

"(A) IN GENERAL.—An owner or operator of a chemical facility of interest or agent thereof may not discharge an

employee or otherwise discriminate against an employee with respect to the compensation provided to, or terms, conditions, or privileges of the employment of, the employee because the employee (or an individual acting pursuant to a request of the employee) submitted a report under paragraph (1).

"(B) EXCEPTION.—An employee shall not be entitled to the protections under this section if the employee—

"(i) knowingly and willfully makes any false, fictitious, or fraudulent statement or representation; or

"(ii) uses any false writing or document knowing the writing or document contains any false, fictitious, or fraudulent statement or entry.

"(b) PROTECTED DISCLOSURES.—Nothing in this title shall be construed to limit the right of an individual to make any disclosure—

"(1) protected or authorized under section 2302(b)(8) or 7211 of title 5, United States Code;

"(2) protected under any other Federal or State law that shields the disclosing individual against retaliation or discrimination for having made the disclosure in the public interest; or

"(3) to the Special Counsel of an agency, the inspector general of an agency, or any other employee designated by the head of an agency to receive disclosures similar to the disclosures described in paragraphs (1) and (2).

"(c) PUBLICATION OF RIGHTS.—The Secretary, in partnership with industry associations and labor organizations, shall make publicly available both physically and online the rights that an individual who discloses information, including security-sensitive information, regarding problems, deficiencies, or vulnerabilities at a covered chemical facility would have under Federal whistleblower protection laws or this title.

Partnership. Public information. Web posting.

"(d) PROTECTED INFORMATION.—All information contained in a report made under this subsection (a) shall be protected in accordance with section 2103.

"SEC. 2106. RELATIONSHIP TO OTHER LAWS.

6 USC 626.

"(a) OTHER FEDERAL LAWS.—Nothing in this title shall be construed to supersede, amend, alter, or affect any Federal law that—

"(1) regulates (including by requiring information to be submitted or made available) the manufacture, distribution in commerce, use, handling, sale, other treatment, or disposal of chemical substances or mixtures; or

"(2) authorizes or requires the disclosure of any record or information obtained from a chemical facility under any law other than this title.

"(b) STATES AND POLITICAL SUBDIVISIONS.—This title shall not preclude or deny any right of any State or political subdivision thereof to adopt or enforce any regulation, requirement, or standard of performance with respect to chemical facility security that is more stringent than a regulation, requirement, or standard of performance issued under this section, or otherwise impair any right or jurisdiction of any State with respect to chemical facilities within that State, unless there is an actual conflict between this section and the law of that State.

6 USC 627.

"SEC. 2107. CFATS REGULATIONS.

"(a) GENERAL AUTHORITY.—The Secretary may, in accordance with chapter 5 of title 5, United States Code, promulgate regulations or amend existing CFATS regulations to implement the provisions under this title.

"(b) EXISTING CFATS REGULATIONS.—

"(1) IN GENERAL.—Notwithstanding section 4(b) of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, each existing CFATS regulation shall remain in effect unless the Secretary amends, consolidates, or repeals the regulation.

Deadline. Determination.

"(2) REPEAL.—Not later than 30 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall repeal any existing CFATS regulation that the Secretary determines is duplicative of, or conflicts with, this title.

"(c) AUTHORITY.—The Secretary shall exclusively rely upon authority provided under this title in—

"(1) determining compliance with this title;

"(2) identifying chemicals of interest; and

"(3) determining security risk associated with a chemical facility.

6 USC 628.

"SEC. 2108. SMALL COVERED CHEMICAL FACILITIES.

"(a) DEFINITION.—In this section, the term 'small covered chemical facility' means a covered chemical facility that—

"(1) has fewer than 100 employees employed at the covered chemical facility; and

"(2) is owned and operated by a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)).

"(b) ASSISTANCE TO FACILITIES.—The Secretary may provide guidance and, as appropriate, tools, methodologies, or computer software, to assist small covered chemical facilities in developing the physical security, cybersecurity, recordkeeping, and reporting procedures required under this title.

"(c) REPORT.—The Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report on best practices that may assist small covered chemical facilities in development of physical security best practices.

6 USC 629.

"SEC. 2109. OUTREACH TO CHEMICAL FACILITIES OF INTEREST.

Deadline. Plans.

"Not later than 90 days after the date of enactment of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014, the Secretary shall establish an outreach implementation plan, in coordination with the heads of other appropriate Federal and State agencies, relevant business associations, and public and private labor organizations, to—

"(1) identify chemical facilities of interest; and

"(2) make available compliance assistance materials and information on education and training.".

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–196; 116 Stat. 2135) is amended by adding at the end the following:

"TITLE XXI—CHEMICAL FACILITY ANTI–TERRORISM STANDARDS

SEC. 3. ASSESSMENT; REPORTS.

(a) DEFINITIONS.—In this section—

(1) the term "Chemical Facility Anti-Terrorism Standards Program" means—

(A) the Chemical Facility Anti-Terrorism Standards program initially authorized under section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 6 U.S.C. 121 note); and

(B) the Chemical Facility Anti-Terrorism Standards Program subsequently authorized under section 2102(a) of the Homeland Security Act of 2002, as added by section 2;

(2) the term "Department" means the Department of Homeland Security; and

(3) the term "Secretary" means the Secretary of Homeland Security.

(b) THIRD-PARTY ASSESSMENT.—Using amounts appropriated to the Department before the date of enactment of this Act, the Secretary shall commission a third-party study to assess vulnerabilities of covered chemical facilities, as defined in section 2101 of the Homeland Security Act of 2002 (as added by section 2), to acts of terrorism.

(c) REPORTS.—

(1) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives a report on the Chemical Facility Anti-Terrorism Standards Program that includes—

(A) a certification by the Secretary that the Secretary has made significant progress in the identification of all chemical facilities of interest under section 2102(e)(1) of the Homeland Security Act of 2002, as added by section 2, including— Certification.

(i) a description of the steps taken to achieve that progress and the metrics used to measure the progress;

(ii) information on whether facilities that submitted Top-Screens as a result of the identification of chemical facilities of interest were tiered and in what tiers those facilities were placed; and

(iii) an action plan to better identify chemical facilities of interest and bring those facilities into compliance with title XXI of the Homeland Security Act of 2002, as added by section 2; Plans.

(B) a certification by the Secretary that the Secretary has developed a risk assessment approach and corresponding tiering methodology under section 2102(e)(2) Certification.

of the Homeland Security Act of 2002, as added by section 2;

(C) an assessment by the Secretary of the implementation by the Department of the recommendations made by the Homeland Security Studies and Analysis Institute as outlined in the Institute's Tiering Methodology Peer Review (Publication Number: RP12–22–02); and

(D) a description of best practices that may assist small covered chemical facilities, as defined in section 2108(a) of the Homeland Security Act of 2002, as added by section 2, in the development of physical security best practices.

(2) ANNUAL GAO REPORT.—

Time period. Effective date.

(A) IN GENERAL.—During the 3-year period beginning on the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress an annual report that assesses the implementation of this Act and the amendments made by this Act.

(B) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to Congress the first report under subparagraph (A).

(C) SECOND ANNUAL REPORT.—Not later than 1 year after the date of the initial report required under subparagraph (B), the Comptroller General shall submit to Congress the second report under subparagraph (A), which shall include an assessment of the whistleblower protections provided under section 2105 of the Homeland Security Act of 2002, as added by section 2, and—

(i) describes the number and type of problems, deficiencies, and vulnerabilities with respect to which reports have been submitted under such section 2105;

(ii) evaluates the efforts of the Secretary in addressing the problems, deficiencies, and vulnerabilities described in subsection (a)(1) of such section 2105; and

Evaluation.

(iii) evaluates the efforts of the Secretary to inform individuals of their rights, as required under subsection (c) of such section 2105.

(D) THIRD ANNUAL REPORT.—Not later than 1 year after the date on which the Comptroller General submits the second report required under subparagraph (A), the Comptroller General shall submit to Congress the third report under subparagraph (A), which shall include an assessment of—

(i) the expedited approval program authorized under section 2102(c)(4) of the Homeland Security Act of 2002, as added by section 2; and

(ii) the report on the expedited approval program submitted by the Secretary under subparagraph (I)(ii) of such section 2102(c)(4).

6 USC 621 note.

SEC. 4. EFFECTIVE DATE; CONFORMING REPEAL.

(a) EFFECTIVE DATE.—This Act, and the amendments made by this Act, shall take effect on the date that is 30 days after the date of enactment of this Act.

(b) CONFORMING REPEAL.—Section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 120 Stat. 1388), is repealed as of the effective date of this Act. 6 USC 621 note.

SEC. 5. TERMINATION. 6 USC 621 note.

The authority provided under title XXI of the Homeland Security Act of 2002, as added by section 2(a), shall terminate on the date that is 4 years after the effective date of this Act.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 4007:

HOUSE REPORTS: No. 113–491, Pt. 1 (Comm. on Homeland Security).
SENATE REPORTS: No. 113–263 (Comm. on Homeland Security and Governmental Affairs).
CONGRESSIONAL RECORD, Vol. 160 (2014):
July 8, considered and passed House.
Dec. 10, considered and passed Senate, amended.
Dec. 11, House concurred in Senate amendment.

Public Law 113–255
113th Congress

An Act

Dec. 18, 2014
[H.R. 4193]

To amend title 5, United States Code, to change the default investment fund under the Thrift Savings Plan, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Smart Savings Act.
5 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Smart Savings Act".

SEC. 2. THRIFT SAVINGS PLAN DEFAULT INVESTMENT FUND.

(a) IN GENERAL.—Section 8438(c)(2) of title 5, United States Code, is amended to read as follows:

Determination.

"(2)(A) Consistent with the requirements of subparagraph (B), if an election has not been made with respect to any sums available for investment in the Thrift Savings Fund, the Executive Director shall invest such sums in an age-appropriate target date asset allocation investment fund, as determined by the Executive Director. Such investment fund shall consist of any of the funds described in subsection (b).

"(B) If an election has not been made by an eligible member under section 8440e with respect to any sums available for investment in such member's Thrift Savings Fund account, the Executive Director shall invest such sums in the Government Securities Investment Fund.".

(b) ACKNOWLEDGMENT OF RISK.—Section 8439(d) of title 5, United States Code, is amended—

(1) by inserting "(1)" before "Each employee"; and

(2) by adding at the end the following new paragraph:

"(2) Prior to enrollment in the Thrift Savings Fund, or as soon as practicable thereafter, an individual who is automatically enrolled pursuant to section 8432(b)(2) shall receive the risk acknowledgment information described under paragraph (1).".

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 8472(g)(2) of title 5, United States Code, is amended by striking "required by section 8438 of this title to be invested in securities of the Government" and inserting "under section 8438(c)(2)(B)".

Deadline.
5 USC 8438 note.

(d) GUIDANCE.—Not later than 9 months after the date of enactment of this Act, the Executive Director (as that term is defined under section 8401(13) of title 5, United States Code) shall develop and issue guidance implementing the requirements of this Act.

5 USC 8438 note.

(e) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsections (a) and (b) shall—

(1) take effect on the date that the Executive Director issues guidance under subsection (d); and

(2) apply to individuals enrolled in the Thrift Savings Plan on or after such date.

SEC. 3. CLARIFICATION OF FIDUCIARY PROTECTIONS.

Section 8477(e)(1)(C)(ii) of title 5, United States Code, is amended—

(1) in subclause (II)—

(A) by inserting "or beneficiary" after "participant"; and

(B) by inserting "or option" after "fund"; and

(2) in subclause (III)—

(A) by inserting "or beneficiary" after "participant"; and

(B) by inserting "or beneficiaries'" after "participants'".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 4193 (S. 2117):

HOUSE REPORTS: No. 113–507 (Comm. on Oversight and Government Reform).
SENATE REPORTS: No. 113–244 (Comm. on Homeland Security and Governmental Affairs) accompanying S. 2117.
CONGRESSIONAL RECORD, Vol. 160 (2014):
July 14, considered and passed House.
Dec. 10, considered and passed Senate.

Public Law 113–256
113th Congress

An Act

Dec. 18, 2014
[H.R. 4199]

To name the Department of Veterans Affairs medical center in Waco, Texas, as the "Doris Miller Department of Veterans Affairs Medical Center".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) On October 12, 1919, Doris Miller was born in Waco, Texas.

(2) On September 16, 1939, Miller enlisted in the United States Navy as mess attendant, third class at Naval Recruiting Station, Dallas, Texas, to serve for a period of six years.

(3) On February 16, 1941, Miller received a change of rating to mess attendant, second class.

(4) On June 1, 1942, Miller received a change of rating to mess attendant, first class.

(5) On June 1, 1943, Miller received a change of rating, to cook, third class.

(6) On November 25, 1944, Miller was presumed dead by the Secretary of the Navy a year and a day after being carried as missing in action since November 24, 1943, while serving aboard USS Liscome Bay when that vessel was torpedoed and sunk in the Pacific Ocean.

(7) Miller was awarded the Navy Cross Medal, Purple Heart Medal, American Defense Service Medal, Asiatic-Pacific Campaign Medal, and World War II Victory Medal.

(8) Miller's citation for the Navy Cross said "for distinguished devotion to duty, extraordinary courage and disregard for his own personal safety during the attack on the Fleet in Pearl Harbor, Territory of Hawaii, by Japanese forces on December 7, 1941. While at the side of his Captain on the bridge, Miller, despite enemy strafing and bombing and in the face of a serious fire, assisted in moving his Captain, who had been mortally wounded, to a place of greater safety, and later manned and operated a machine gun directed at enemy Japanese attacking aircraft until ordered to leave the bridge.".

(9) On June 20, 1973, the USS Miller (FF–1091), a Knox-class frigate, was named in honor of Doris Miller.

SEC. 2. NAME OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, WACO, TEXAS.

The Department of Veterans Affairs medical center in Waco, Texas, shall after the date of the enactment of this Act be known

and designated as the "Doris Miller Department of Veterans Affairs Medical Center". Any reference to such medical center in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Doris Miller Department of Veterans Affairs Medical Center.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 4199:

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 17, considered and passed House.
Dec. 9, considered and passed Senate.

Public Law 113–257
113th Congress

An Act

Dec. 18, 2014
[H.R. 4276]

To extend and modify a pilot program on assisted living services for veterans with traumatic brain injury.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Veterans Traumatic Brain Injury Care Improvement Act of 2014.
38 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Traumatic Brain Injury Care Improvement Act of 2014".

SEC. 2. EXTENSION AND MODIFICATION OF PILOT PROGRAM ON ASSISTED LIVING SERVICES FOR VETERANS WITH TRAUMATIC BRAIN INJURY.

(a) MODIFICATION OF REPORT REQUIREMENTS.—Subsection (e) of section 1705 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 38 U.S.C. 1710C note) is amended to read as follows:

"(e) REPORTS.—

"(1) QUARTERLY REPORTS.—

Time period.

"(A) IN GENERAL.—For each calendar quarter occurring during the period beginning January 1, 2015, and ending September 30, 2017, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the pilot program.

"(B) ELEMENTS.—Each report submitted under subparagraph (A) shall include each of the following for the quarter preceding the quarter during which the report is submitted the following:

"(i) The number of individuals that participated in the pilot program.

"(ii) The number of individuals that successfully completed the pilot program.

"(iii) The degree to which pilot program participants and family members of pilot program participants were satisfied with the pilot program.

"(iv) The interim findings and conclusions of the Secretary with respect to the success of the pilot program and recommendations for improvement.

"(2) FINAL REPORT.—

"(A) IN GENERAL.—Not later than 60 days after the completion of the pilot program, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a final report on the pilot program.

"(B) ELEMENTS.—The final report required by subparagraph (A) shall include the following:

"(i) A description of the pilot program.

"(ii) The Secretary's assessment of the utility of the activities carried out under the pilot program in enhancing the rehabilitation, quality of life, and community reintegration of veterans with traumatic brain injury.

"(iii) An evaluation of the pilot program in light of independent living programs carried out by the Secretary under title 38, United States Code, including—

"(I) whether the pilot program duplicates services provided under such independent living programs;

"(II) the ways in which the pilot program provides different services that the services provided under such independent living program;

"(III) how the pilot program could be better defined or shaped; and

"(IV) whether the pilot program should be incorporated into such independent living programs.

"(iv) Such recommendations as the Secretary considers appropriate regarding improving the pilot program.".

(b) DEFINITION OF COMMUNITY-BASED BRAIN INJURY RESIDENTIAL REHABILITATIVE CARE SERVICES.—Such section is further amended—

(1) in the section heading, by striking "**ASSISTED LIVING**" and inserting "**COMMUNITY-BASED BRAIN INJURY RESIDENTIAL REHABILITATIVE CARE**";

(2) in subsection (c), in the subsection heading, by striking "ASSISTED LIVING" and inserting "COMMUNITY-BASED BRAIN INJURY RESIDENTIAL REHABILITATIVE CARE";

(3) by striking "assisted living" each place it appears, and inserting "community-based brain injury rehabilitative care"; and

(4) in subsection (f)(1), by striking "and personal care" and inserting "rehabilitation, and personal care".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act. 38 USC 1710C note.

(d) PROHIBITION ON NEW APPROPRIATIONS.—No additional funds are authorized to be appropriated to carry out this Act and the amendments made by this Act, and this Act and such amendments

shall be carried out using amounts otherwise available for such purpose.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 4276:

HOUSE REPORTS: No. 113–598 (Comm. on Veterans' Affairs).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 16, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–258
113th Congress

An Act

To redesignate the facility of the United States Postal Service located at 161 Live Oak Street in Miami, Arizona, as the "Staff Sergeant Manuel V. Mendoza Post Office Building".

Dec. 18, 2014
[H.R. 4416]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STAFF SERGEANT MANUEL V. MENDOZA POST OFFICE BUILDING.

(a) REDESIGNATION.—The facility of the United States Postal Service located at 161 Live Oak Street in Miami, Arizona, shall be known and designated as the "Staff Sergeant Manuel V. Mendoza Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Staff Sergeant Manuel V. Mendoza Post Office Building".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 4416:

CONGRESSIONAL RECORD, Vol. 160 (2014):
July 14, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–259
113th Congress

An Act

Dec. 18, 2014
[H.R. 4651]

To designate the facility of the United States Postal Service located at 601 West Baker Road in Baytown, Texas, as the "Specialist Keith Erin Grace, Jr. Memorial Post Office".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPECIALIST KEITH ERIN GRACE, JR. MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 601 West Baker Road in Baytown, Texas, shall be known as the "Specialist Keith Erin Grace, Jr. Memorial Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referenced to subsection (a) shall be deemed to be a reference to the "Specialist Keith Erin Grace, Jr. Memorial Post Office".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 4651:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 8, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–260
113th Congress

An Act

To amend the Controlled Substances Act to more effectively regulate anabolic steroids.

Dec. 18, 2014
[H.R. 4771]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Designer Anabolic Steroid Control Act of 2014.
21 USC 801 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Designer Anabolic Steroid Control Act of 2014".

SEC. 2. AMENDMENTS TO THE CONTROLLED SUBSTANCES ACT.

(a) DEFINITIONS.—Section 102(41) of the Controlled Substances Act (21 U.S.C. 802(41)) is amended—

(1) in subparagraph (A)—

(A) in clause (xlix), by striking "and" at the end;

(B) by redesignating clause (xlx) as clause (lxxv); and

(C) by inserting after clause (xlix) the following:

"(l) 5α-Androstan-3,6,17-trione;

"(li) 6-bromo-androstan-3,17-dione;

"(lii) 6-bromo-androsta-1,4-diene-3,17-dione;

"(liii) 4-chloro-17α-methyl-androsta-1,4-diene-3,17β-diol;

"(liv) 4-chloro-17α-methyl-androst-4-ene-3β,17β-diol;

"(lv) 4-chloro-17α-methyl-17β-hydroxy-androst-4-en-3-one;

"(lvi) 4-chloro-17α-methyl-17β-hydroxy-androst-4-ene-3,11-dione;

"(lvii) 4-chloro-17α-methyl-androsta-1,4-diene-3,17β-diol;

"(lviii) 2α,17α-dimethyl-17β-hydroxy-5α-androstan-3-one;

"(lix) 2α,17α-dimethyl-17β-hydroxy-5β-androstan-3-one;

"(lx) 2α,3α-epithio-17α-methyl-5α-androstan-17β-ol;

"(lxi) [3,2-c]-furazan-5α-androstan-17β-ol;

"(lxii) 3β-hydroxy-estra-4,9,11-trien-17-one;

"(lxiii) 17α-methyl-androst-2-ene-3,17β-diol;

"(lxiv) 17α-methyl-androsta-1,4-diene-3,17β-diol;

"(lxv) Estra-4,9,11-triene-3,17-dione;

"(lxvi) 18a-Homo-3-hydroxy-estra-2,5(10)-dien-17-one;

"(lxvii) 6α-Methyl-androst-4-ene-3,17-dione;

"(lxviii) 17α-Methyl-androstan-3-hydroxyimine-17β-ol;

"(lxix) 17α-Methyl-5α-androstan-17β-ol;

"(lxx) 17β-Hydroxy-androstano[2,3-d]isoxazole;

"(lxxi) 17β-Hydroxy-androstano[3,2-c]isoxazole;

"(lxxii) 4-Hydroxy-androst-4-ene-3,17-dione[3,2-c]pyrazole-5α-androstan-17β-ol;

"(lxxiii) [3,2-c]pyrazole-androst-4-en-17β-ol;

"(lxxiv) [3,2-c]pyrazole-5α-androstan-17β-ol; and"; and

(2) by adding at the end the following:

"(C)(i) Subject to clause (ii), a drug or hormonal substance (other than estrogens, progestins, corticosteroids, and dehydroepiandrosterone) that is not listed in subparagraph (A) and is derived from, or has a chemical structure substantially similar to, 1 or more anabolic steroids listed in subparagraph (A) shall be considered to be an anabolic steroid for purposes of this Act if—

"(I) the drug or substance has been created or manufactured with the intent of producing a drug or other substance that either—

"(aa) promotes muscle growth; or

"(bb) otherwise causes a pharmacological effect similar to that of testosterone; or

"(II) the drug or substance has been, or is intended to be, marketed or otherwise promoted in any manner suggesting that consuming it will promote muscle growth or any other pharmacological effect similar to that of testosterone.

"(ii) A substance shall not be considered to be a drug or hormonal substance for purposes of this subparagraph if it—

"(I) is—

"(aa) an herb or other botanical;

"(bb) a concentrate, metabolite, or extract of, or a constituent isolated directly from, an herb or other botanical; or

"(cc) a combination of 2 or more substances described in item (aa) or (bb);

"(II) is a dietary ingredient for purposes of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); and

"(III) is not anabolic or androgenic.

"(iii) In accordance with section 515(a), any person claiming the benefit of an exemption or exception under clause (ii) shall bear the burden of going forward with the evidence with respect to such exemption or exception.".

(b) CLASSIFICATION AUTHORITY.—Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by adding at the end the following:

Regulations.

"(i) TEMPORARY AND PERMANENT SCHEDULING OF RECENTLY EMERGED ANABOLIC STEROIDS.—

"(1) The Attorney General may issue a temporary order adding a drug or other substance to the definition of anabolic steroids if the Attorney General finds that—

"(A) the drug or other substance satisfies the criteria for being considered an anabolic steroid under section 102(41) but is not listed in that section or by regulation of the Attorney General as being an anabolic steroid; and

"(B) adding such drug or other substance to the definition of anabolic steroids will assist in preventing abuse or misuse of the drug or other substance.

Effective date.
Federal Register, publication.

"(2) An order issued under paragraph (1) shall not take effect until 30 days after the date of the publication by the Attorney General of a notice in the Federal Register of the intention to issue such order and the grounds upon which such order is to be issued. The order shall expire not later than 24 months after the date it becomes effective, except that the Attorney General may, during the pendency of proceedings under paragraph (6), extend the temporary scheduling order for up to 6 months.

Expiration date.

"(3) The Attorney General shall transmit notice of an order proposed to be issued under paragraph (1) to the Secretary of Health and Human Services. In issuing an order under paragraph (1), the Attorney General shall take into consideration any comments submitted by the Secretary in response to a notice transmitted pursuant to this paragraph. Notification.

"(4) A temporary scheduling order issued under paragraph (1) shall be vacated upon the issuance of a permanent scheduling order under paragraph (6).

"(5) An order issued under paragraph (1) is not subject to judicial review.

"(6) The Attorney General may, by rule, issue a permanent order adding a drug or other substance to the definition of anabolic steroids if such drug or other substance satisfies the criteria for being considered an anabolic steroid under section 102(41). Such rulemaking may be commenced simultaneously with the issuance of the temporary order issued under paragraph (1).".

SEC. 3. LABELING REQUIREMENTS.

(a) IN GENERAL.—Section 305 of the Controlled Substances Act (21 U.S.C. 825) is amended by adding at the end the following:

"(e) FALSE LABELING OF ANABOLIC STEROIDS.—

"(1) It shall be unlawful to import, export, manufacture, distribute, dispense, or possess with intent to manufacture, distribute, or dispense, an anabolic steroid or product containing an anabolic steroid, unless the steroid or product bears a label clearly identifying an anabolic steroid or product containing an anabolic steroid by the nomenclature used by the International Union of Pure and Applied Chemistry (IUPAC).

"(2)(A) A product described in subparagraph (B) is exempt from the International Union of Pure and Applied Chemistry nomenclature requirement of this subsection if such product is labeled in the manner required under the Federal Food, Drug, and Cosmetic Act.

"(B) A product is described in this subparagraph if the product—

"(i) is the subject of an approved application as described in section 505(b) or (j) of the Federal Food, Drug, and Cosmetic Act; or

"(ii) is exempt from the provisions of section 505 of such Act relating to new drugs because—

"(I) it is intended solely for investigational use as described in section 505(i) of such Act; and

"(II) such product is being used exclusively for purposes of a clinical trial that is the subject of an effective investigational new drug application.".

(b) CLARIFICATION TO IMPORT AND EXPORT STATUTE.—Section 1010 of the Controlled Substances Import and Export Act (21 U.S.C. 960) is amended, in subsection (a)(1), by inserting "305," before "1002".

(c) CIVIL PENALTIES.—Section 402 of the Controlled Substances Act (21 U.S.C. 842) is amended—

(1) in subsection (a)—

(A) in paragraph (14), by striking "or" at the end;

(B) in paragraph (15), by striking the period at the end and inserting "; or"; and

(C) by inserting, after paragraph (15), the following:
"(16) to violate subsection (e) of section 825 of this title."; and

(2) in subsection (c)(1)—

(A) by inserting, in subparagraph (A), after "subparagraph (B)" the following: ", (C), or (D)"; and

Definitions.

(B) by inserting after subparagraph (B) the following:
"(C) In the case of a violation of paragraph (16) of subsection (a) of this section by an importer, exporter, manufacturer, or distributor (other than as provided in subparagraph (D)), up to $500,000 per violation. For purposes of this subparagraph, a violation is defined as each instance of importation, exportation, manufacturing, distribution, or possession with intent to manufacture or distribute, in violation of paragraph (16) of subsection (a).

"(D) In the case of a distribution, dispensing, or possession with intent to distribute or dispense in violation of paragraph (16) of subsection (a) of this section at the retail level, up to $1000 per violation. For purposes of this paragraph, the term 'at the retail level' refers to products sold, or held for sale, directly to the consumer for personal use. Each package, container or other separate unit containing an anabolic steroid that is distributed, dispensed, or possessed with intent to distribute or dispense at the retail level in violation of such paragraph (16) of subsection (a) shall be considered a separate violation.".

21 USC 825 note.

SEC. 4. IDENTIFICATION AND PUBLICATION OF LIST OF PRODUCTS CONTAINING ANABOLIC STEROIDS.

Determination.
Labeling.
Federal Register, publication.
Web posting.

(a) IN GENERAL.—The Attorney General may, in the Attorney General's discretion, collect data and analyze products to determine whether they contain anabolic steroids and are properly labeled in accordance with this Act and the amendments made by this Act. The Attorney General may publish in the Federal Register or on the website of the Drug Enforcement Administration a list of products which the Attorney General has determined, based on substantial evidence, contain an anabolic steroid and are not labeled in accordance with this Act and the amendments made by this Act.

(b) ABSENCE FROM LIST.—The absence of a product from the list referred to in subsection (a) shall not constitute evidence that the product does not contain an anabolic steroid.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 4771:

HOUSE REPORTS: No. 113–587, Pt. 1 (Comm. on Energy and Commerce) and Pt. 2 (Comm. on the Judiciary).

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 15, considered and passed House.
Dec. 11, considered and passed Senate.

Public Law 113–261
113th Congress

An Act

Dec. 18, 2014
[H.R. 4926]

To designate a segment of Interstate Route 35 in the State of Minnesota as the "James L. Oberstar Memorial Highway".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The segment of Interstate Route 35 between milepost 133 at Forest Lake, Minnesota, and milepost 259 at Duluth, Minnesota, shall be known and designated as the "James L. Oberstar Memorial Highway".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the segment of Interstate Route 35 referred to in section 1 shall be deemed to be a reference to the "James L. Oberstar Memorial Highway".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 4926:

HOUSE REPORTS: No. 113–610 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 8, considered and passed House.
Dec. 10, considered and passed Senate.

Public Law 113–262
113th Congress

An Act

To repeal the Act of May 31, 1918, and for other purposes.

Dec. 18, 2014
[H.R. 5050]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

May 31, 1918 Act Repeal Act. Idaho. Native Americans.

SECTION 1. SHORT TITLE.

This Act may be cited as the "May 31, 1918 Act Repeal Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) 1918 ACT.—The term "1918 Act" means the Act of May 31, 1918 (40 Stat. 592, chapter 88).

(2) FORT HALL TOWNSITE.—The term "Fort Hall Townsite" means the land that was taken out of trust by being set aside or set apart under the 1918 Act on the Fort Hall Reservation, consisting of approximately 120 acres in the East Half of the Northeast Quarter in Section 35 and the West Half of the West Half of the Northwest Quarter in Section 36, Township 4 South, Range 34 East, Boise Meridian, Idaho, based upon a survey completed on May 19, 1921, and depicted on the document entitled "Plat of the Townsite of Fort Hall" on file with Bingham County, Idaho and the Tribes.

(3) TRIBES.—The term "Tribes" means the Shoshone-Bannock Tribes of the Fort Hall Reservation.

SEC. 3. REPEAL.

The 1918 Act is repealed.

SEC. 4. RIGHT OF FIRST REFUSAL.

(a) IN GENERAL.—The Tribes shall have the exclusive right of first refusal to purchase at fair market value any land—

(1) within the Fort Hall Townsite; and

(2) offered for sale.

(b) ACQUIRED LAND HELD IN TRUST.—The United States shall hold in trust for the benefit of the Tribes or a member of the Tribes, as applicable—

(1) any land owned or acquired by the Tribes or a member of the Tribes within the Fort Hall Townsite before the date of enactment of this Act; and

(2) any land owned or acquired by the Tribes or a member of the Tribes within the Fort Hall Townsite on or after the date of enactment of this Act.

SEC. 5. EFFECT.

Nothing in this Act affects any valid right to any land set aside or set apart under the 1918 Act.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 5050:

HOUSE REPORTS: No. 113–631 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 1, 2, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–263
113th Congress

An Act

To amend the Energy Policy and Conservation Act to permit exemptions for external power supplies from certain efficiency standards, and for other purposes.

Dec. 18, 2014
[H.R. 5057]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

EPS Service Parts Act of 2014.
42 USC 6201 note.

This Act may be cited as the "EPS Service Parts Act of 2014".

SEC. 2. EXEMPT SUPPLIES.

Section 325(u) of the Energy Policy and Conservation Act (42 U.S.C. 6295(u)) is amended by adding at the end the following:

"(5) EXEMPT SUPPLIES.—

"(A) FEBRUARY 10, 2014, RULE.—

"(i) IN GENERAL.—An external power supply shall not be subject to the final rule entitled 'Energy Conservation Program: Energy Conservation Standards for External Power Supplies', published at 79 Fed. Reg. 7845 (February 10, 2014), if the external power supply—

"(I) is manufactured during the period beginning on February 10, 2016, and ending on February 10, 2020; Time period.

"(II) is marked in accordance with the External Power Supply International Efficiency Marking Protocol, as in effect on February 10, 2016;

"(III) meets, where applicable, the standards under paragraph (3)(A), and has been certified to the Secretary as meeting International Efficiency Level IV or higher of the External Power Supply International Efficiency Marking Protocol, as in effect on February 10, 2016; and Certification.

"(IV) is made available by the manufacturer as a service part or a spare part for an end-use product that—

"(aa) constitutes the primary load; and

"(bb) was manufactured before February 10, 2016.

"(ii) REPORTING.—The Secretary may require manufacturers of products exempted pursuant to clause (i) to report annual total units shipped as service and spare parts that fall below International Efficiency Level VI.

Determination.

"(iii) LIMITATION OF EXEMPTION.—The Secretary may issue a rule, after providing public notice and opportunity for public comment, to limit the applicability of the exemption established under clause (i) if the Secretary determines that the exemption is resulting in a significant reduction of the energy savings that would otherwise result from the final rule described in such clause.

"(B) AMENDED STANDARDS.—

"(i) IN GENERAL.—The Secretary may exempt an external power supply from any amended standard under this subsection if the external power supply—

Time period.

"(I) is manufactured within four years of the compliance date of the amended standard;

Compliance.

"(II) complies with applicable marking requirements adopted by the Secretary prior to the amendment;

"(III) meets the standards that were in effect prior to the amendment; and

"(IV) is made available by the manufacturer as a service part or a spare part for an end-use product that—

"(aa) constitutes the primary load; and

"(bb) was manufactured before the compliance date of the amended standard.

"(ii) REPORTING.—The Secretary may require manufacturers of a product exempted pursuant to clause (i) to report annual total units shipped as service and spare parts that do not meet the amended standard.".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 5057:

HOUSE REPORTS: No. 113–574 (Comm on Energy and Commerce).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 10, 11, considered and passed House.
Dec. 11, considered and passed Senate.

Public Law 113–264
113th Congress

An Act

To amend the Migratory Bird Hunting and Conservation Stamp Act to increase in the price of Migratory Bird Hunting and Conservation Stamps to fund the acquisition of conservation easements for migratory birds, and for other purposes.

Dec. 18, 2014
[H.R. 5069]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Federal Duck Stamp Act of 2014.
16 USC 718 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Duck Stamp Act of 2014".

SEC. 2. INCREASE IN PRICE OF MIGRATORY BIRD HUNTING AND CONSERVATION STAMP TO FUND ACQUISITION OF CONSERVATION EASEMENTS FOR MIGRATORY BIRDS.

The Migratory Bird Hunting and Conservation Stamp Act is amended—

(1) in section 2(b) (16 U.S.C. 718b(b))—

(A) by striking "1990, and" and inserting "1990,"; and

(B) by striking "for each hunting year thereafter" and inserting "for hunting years 1991 through 2013, and $25 for each hunting year thereafter";

(2) by adding at the end of section 2 (16 U.S.C. 718b) the following:

"(c) REDUCTION IN PRICE OF STAMP.—The Secretary may reduce the price of each stamp sold under the provisions of this section for a hunting year if the Secretary determines that the increase in the price of the stamp after hunting year 2013 resulted in a reduction in revenues deposited into the fund."; and

Determination.

(3) in section 4 (16 U.S.C. 718d)—

(A) in subsection (a)(3), by inserting before the period the following: ", in which there shall be a subaccount to which the Secretary of the Treasury shall transfer all amounts in excess of $15 that are received from the sale of each stamp sold for each hunting year after hunting year 2013";

(B) in subsection (b)(1), by striking "So much" and inserting "Except as provided in paragraph (4), so much";

(C) in subsection (b)(2), by striking "paragraph (3)" and inserting "paragraphs (3) and (4)"; and

(D) by adding at the end of subsection (b) the following:

"(4) CONSERVATION EASEMENTS.—Amounts in the subaccount referred to in subsection (a)(3) shall be used by the Secretary solely to acquire easements in real property in the United States for conservation of migratory birds.".

SEC. 3. ANNUAL REPORT ON EXPENDITURES.

Section 4 of the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718d) is further amended—

(1) in subsection (c)—

(A) by striking so much as precedes "The Secretary may" and inserting the following:

"(c) PROMOTION OF STAMP SALES.—"; and

(B) by striking paragraph (2); and

(2) by adding at the end the following:

"(d) ANNUAL REPORT.—The Secretary shall include in each annual report of the Commission under section 3 of the Migratory Bird Conservation Act (16 U.S.C. 715b)—

"(1) a description of activities conducted under subsection (c) in the year covered by the report;

Assessment.

"(2) an annual assessment of the status of wetlands conservation projects for migratory bird conservation purposes, including a clear and accurate accounting of—

"(A) all expenditures by Federal and State agencies under this section; and

"(B) all expenditures made for fee-simple acquisition of Federal lands in the United States, including the amount paid and acreage of each parcel acquired in each acquisition;

Analysis.

"(3) an analysis of the refuge lands opened, and refuge lands closed, for hunting and fishing in the year covered by the report, including—

"(A) identification of the specific areas in each refuge and the reasons for the closure or opening; and

"(B) a detailed description of each closure including detailed justification for such closure;

"(4) the total number of acres of refuge land open for hunting and fishing, and the total number of acres of refuge land closed for hunting and fishing, in the year covered by the report; and

"(5) a separate report on the hunting and fishing status of those lands added to the system in the year covered by the report.".

SEC. 4. EXEMPTION FOR TAKINGS BY RURAL ALASKA SUBSISTENCE USERS.

Section 1(a)(2) of the Migratory Bird Hunting and Conservation Stamp Act (16 U.S.C. 718a(a)(2)) is amended by striking "or" after the semicolon at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting "; or", and by adding at the end the following:

"(D) by a rural Alaska resident for subsistence uses (as that term is defined in section 803 of the Alaska

National Interest Lands Conservation Act (16 U.S.C. 3113)).".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 5069:

HOUSE REPORTS: No. 113–622 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Nov. 17, considered and passed House.
Dec. 2, considered and passed Senate.

Public Law 113–265
113th Congress

An Act

Dec. 18, 2014
[H.R. 5185]

To reauthorize the Young Women's Breast Health Education and Awareness Requires Learning Young Act of 2009.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

EARLY Act Reauthorization of 2014.
42 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "EARLY Act Reauthorization of 2014".

SEC. 2. REAUTHORIZATION OF THE YOUNG WOMEN'S BREAST HEALTH EDUCATION AND AWARENESS REQUIRES LEARNING YOUNG ACT OF 2009.

Section 399NN(h) of the Public Health Service Act (42 U.S.C. 280m(h)) is amended by striking "$9,000,000 for each of the fiscal years 2010 through 2014" and inserting "$4,900,000 for each of fiscal years 2015 through 2019".

SEC. 3. GAO REPORT ON HHS ACTIVITIES TO PROVIDE BREAST CANCER EDUCATION.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of the Congress a report—

(1) listing and detailing the activities of the Department of Health and Human Services that provide or support breast cancer education described in subsection (a), (b), (c), or (d) of section 399NN of the Public Health Service Act (42 U.S.C. 280m); and

(2) identifying any such activities that are duplicative with each other or with other Federal breast cancer education efforts.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 5185:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 9, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–266
113th Congress

An Act

Dec. 18, 2014
[H.R. 5331]

To designate the facility of the United States Postal Service located at 73839 Gorgonio Drive in Twentynine Palms, California, as the "Colonel M.J. 'Mac' Dube, USMC Post Office Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COLONEL M.J. "MAC" DUBE, USMC POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 73839 Gorgonio Drive in Twentynine Palms, California, shall be known and designated as the "Colonel M.J. 'Mac' Dube, USMC Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Colonel M.J. 'Mac' Dube, USMC Post Office Building".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 5331:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Nov. 17, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–267
113th Congress

An Act

To designate the facility of the United States Postal Service located at 801 West Ocean Avenue in Lompoc, California, as the "Federal Correctional Officer Scott J. Williams Memorial Post Office Building".

Dec. 18, 2014
[H.R. 5562]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FEDERAL CORRECTIONAL OFFICER SCOTT J. WILLIAMS MEMORIAL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 801 West Ocean Avenue in Lompoc, California, shall be known and designated as the "Federal Correctional Officer Scott J. Williams Memorial Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Federal Correctional Officer Scott J. Williams Memorial Post Office Building".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 5562:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 8, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–268
113th Congress

An Act

Dec. 18, 2014
[H.R. 5687]

To designate the facility of the United States Postal Service located at 101 East Market Street in Long Beach, California, as the "Juanita Millender-McDonald Post Office".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JUANITA MILLENDER-MCDONALD POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 101 East Market Street in Long Beach, California, shall be known and designated as the "Juanita Millender-McDonald Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in section 1 shall be deemed to be a reference to the "Juanita Millender-McDonald Post Office".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 5687:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 8, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–269
113th Congress

An Act

Dec. 18, 2014
[H.R. 5705]

To modify certain provisions relating to the Propane Education and Research Council.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Propane Education and Research Enhancement Act of 2014.
15 USC 6401 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Propane Education and Research Enhancement Act of 2014".

SEC. 2. PROVISIONS RELATING TO THE PROPANE EDUCATION AND RESEARCH COUNCIL.

(a) FUNCTIONS OF PROPANE EDUCATION AND RESEARCH COUNCIL.—Section 5(f) of the Propane Education and Research Act of 1996 (15 U.S.C. 6404(f)) is amended in the first sentence by inserting "to train propane distributors and consumers in strategies to mitigate negative effects of future propane price spikes," after "to enhance consumer and employee safety and training,".

(b) MARKET SURVEY AND CONSUMER PROTECTION PRICE ANALYSIS.—Section 9(a) of the Propane Education and Research Act of 1996 (15 U.S.C. 6408(a)) is amended in the first sentence by striking "only data provided by the Energy Information Administration" and inserting "the refiner price to end users of consumer grade propane, as published by the Energy Information Administration".

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 5705:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 9, considered and passed House.
Dec. 10, considered and passed Senate.

Public Law 113–270
113th Congress

An Act

Dec. 18, 2014
[H.R. 5739]

To amend the Social Security Act to provide for the termination of social security benefits for individuals who participated in Nazi persecution, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

No Social Security for Nazis Act.
42 USC 1305 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "No Social Security for Nazis Act".

42 USC 402 note.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Congress enacted social security legislation to provide earned benefits for workers and their families, should they retire, become disabled, or die.

(2) Congress never intended for participants in Nazi persecution to be allowed to enter the United States or to reap the benefits of United States residency or citizenship, including participation in the Nation's Social Security program.

SEC. 3. TERMINATION OF BENEFITS.

(a) IN GENERAL.—Section 202(n)(3) of the Social Security Act (42 U.S.C. 402(n)(3)) is amended to read as follows:

"(3) For purposes of paragraphs (1) and (2) of this subsection—

"(A) an individual against whom a final order of removal has been issued under section 237(a)(4)(D) of the Immigration and Nationality Act on grounds of participation in Nazi persecution shall be considered to have been removed under such section as of the date on which such order became final;

"(B) an individual with respect to whom an order admitting the individual to citizenship has been revoked and set aside under section 340 of the Immigration and Nationality Act in any case in which the revocation and setting aside is based on conduct described in section 212(a)(3)(E)(i) of such Act (relating to participation in Nazi persecution), concealment of a material fact about such conduct, or willful misrepresentation about such conduct shall be considered to have been removed as described in paragraph (1) as of the date of such revocation and setting aside; and

"(C) an individual who pursuant to a settlement agreement with the Attorney General has admitted to conduct described in section 212(a)(3)(E)(i) of the Immigration and Nationality Act (relating to participation in Nazi persecution) and who pursuant to such settlement agreement has lost status as a national of the United States by a renunciation under section

349(a)(5) of the Immigration and Nationality Act shall be considered to have been removed as described in paragraph (1) as of the date of such renunciation.".

(b) OTHER BENEFITS.—Section 202(n) of such Act (42 U.S.C. 402(n)) is amended by adding at the end the following:

"(4) In the case of any individual described in paragraph (3) whose monthly benefits are terminated under paragraph (1)—

"(A) no benefits otherwise available under section 202 based on the wages and self-employment income of any other individual shall be paid to such individual for any month after such termination; and

"(B) no supplemental security income benefits under title XVI shall be paid to such individual for any such month, including supplementary payments pursuant to an agreement for Federal administration under section 1616(a) and payments pursuant to an agreement entered into under section 212(b) of Public Law 93–66".

SEC. 4. NOTIFICATIONS.

Section 202(n)(2) of the Social Security Act (42 U.S.C. 402(n)(2)) is amended to read as follows:

"(2)(A) In the case of the removal of any individual under any of the paragraphs of section 237(a) of the Immigration and Nationality Act (other than under paragraph (1)(C) of such section) or under section 212(a)(6)(A) of such Act, the revocation and setting aside of citizenship of any individual under section 340 of the Immigration and Nationality Act in any case in which the revocation and setting aside is based on conduct described in section 212(a)(3)(E)(i) of such Act (relating to participation in Nazi persecution), or the renunciation of nationality by any individual under section 349(a)(5) of such Act pursuant to a settlement agreement with the Attorney General where the individual has admitted to conduct described in section 212(a)(3)(E)(i) of the Immigration and Nationality Act (relating to participation in Nazi persecution) occurring after the date of the enactment of the No Social Security for Nazis Act, the Attorney General or the Secretary of Homeland Security shall notify the Commissioner of Social Security of such removal, revocation and setting aside, or renunciation of nationality not later than 7 days after such removal, revocation and setting aside, or renunciation of nationality (or, in the case of any such removal, revocation and setting aside, of renunciation of nationality that has occurred prior to the date of the enactment of the No Social Security for Nazis Act, not later than 7 days after such date of enactment). Deadlines.

"(B)(i) Not later than 30 days after the enactment of the No Social Security for Nazis Act, the Attorney General shall certify to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that the Commissioner of Social Security has been notified of each removal, revocation and setting aside, or renunciation of nationality described in subparagraph (A). Certifications.

"(ii) Not later than 30 days after each notification with respect to an individual under subparagraph (A), the Commissioner of Social Security shall certify to the Committee on Ways and Means of the House of Representatives and the

Committee on Finance of the Senate that such individual's benefits were terminated under this subsection.".

Applicability.
42 USC 402 note.

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to benefits paid for any month beginning after the date of the enactment of this Act.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 5739:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 2, considered and passed House.
Dec. 4, considered and passed Senate.

Public Law 113–271
113th Congress

An Act

To extend the authorization for the United States Commission on International Religious Freedom.

Dec. 18, 2014
[H.R. 5816]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION AND TERMINATION OF AUTHORITY.

The International Religious Freedom Act of 1998 is amended—

(1) in section 207(a) (22 U.S.C. 6435(a)), by striking "2014" and inserting "2015"; and

(2) in section 209 (22 U.S.C. 6436), by striking "September 30, 2014" and inserting "September 30, 2015".

SEC. 2. EFFECTIVE DATE.

22 USC 6435 note.

The amendments made by this Act shall take effect as if enacted on December 10, 2014.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 5816:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 10, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–272
113th Congress

An Act

Dec. 18, 2014
[H.R. 5859]

To impose sanctions with respect to the Russian Federation, to provide additional assistance to Ukraine, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Ukraine Freedom Support Act of 2014.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

22 USC 8921 note.

(a) SHORT TITLE.—This Act may be cited as the "Ukraine Freedom Support Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

22 USC 8921.

SEC. 2. DEFINITIONS.

In this Act:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms "account", "correspondent account", and "payable-through account" have the meanings given those terms in section 5318A of title 31, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(3) DEFENSE ARTICLE; DEFENSE SERVICE; TRAINING.—The terms "defense article", "defense service", and "training" have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(4) FINANCIAL INSTITUTION.—The term "financial institution" means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Y) of section 5312(a)(2) of title 31, United States Code.

(5) FOREIGN FINANCIAL INSTITUTION.—The term "foreign financial institution" has the meaning given that term in section 561.308 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(6) FOREIGN PERSON.—The term "foreign person" means any individual or entity that is not a United States citizen, a permanent resident alien, or an entity organized under the laws of the United States or any jurisdiction within the United States.

(7) KNOWINGLY.—The term "knowingly", with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(8) RUSSIAN PERSON.—The term "Russian person" means—

(A) an individual who is a citizen or national of the Russian Federation; or

(B) an entity organized under the laws of the Russian Federation.

(9) SPECIAL RUSSIAN CRUDE OIL PROJECT.—The term "special Russian crude oil project" means a project intended to extract crude oil from—

(A) the exclusive economic zone of the Russian Federation in waters more than 500 feet deep;

(B) Russian Arctic offshore locations; or

(C) shale formations located in the Russian Federation.

SEC. 3. STATEMENT OF POLICY REGARDING UKRAINE.

22 USC 8922.

It is the policy of the United States to further assist the Government of Ukraine in restoring its sovereignty and territorial integrity to deter the Government of the Russian Federation from further destabilizing and invading Ukraine and other independent countries in Central and Eastern Europe, the Caucasus, and Central Asia. That policy shall be carried into effect, among other things, through a comprehensive effort, in coordination with allies and partners of the United States where appropriate, that includes economic sanctions, diplomacy, assistance for the people of Ukraine, and the provision of military capabilities to the Government of Ukraine that will enhance the ability of that Government to defend itself and to restore its sovereignty and territorial integrity in the face of unlawful actions by the Government of the Russian Federation.

SEC. 4. SANCTIONS RELATING TO THE DEFENSE AND ENERGY SECTORS OF THE RUSSIAN FEDERATION.

President.
22 USC 8923.

(a) SANCTIONS RELATING TO THE DEFENSE SECTOR.—

Deadlines.

(1) ROSOBORONEXPORT.—Except as provided in subsection (d), not later than 30 days after the date of the enactment of this Act, the President shall impose 3 or more of the sanctions described in subsection (c) with respect to Rosoboronexport.

(2) RUSSIAN PRODUCERS, TRANSFERORS, OR BROKERS OF DEFENSE ARTICLES.—Except as provided in subsection (d), on and after the date that is 45 days after the date of the enactment of this Act, the President shall impose 3 or more of the sanctions described in subsection (c) with respect to a foreign person the President determines—

Determination.

(A) is an entity—

(i) owned or controlled by the Government of the Russian Federation or owned or controlled by nationals of the Russian Federation; and

(ii) that—

(I) knowingly manufactures or sells defense articles transferred into Syria or into the territory of a specified country without the consent of the internationally recognized government of that country;

(II) transfers defense articles into Syria or into the territory of a specified country without the consent of the internationally recognized government of that country; or

(III) brokers or otherwise assists in the transfer of defense articles into Syria or into the territory of a specified country without the consent of the internationally recognized government of that country; or

(B) knowingly, on or after the date of the enactment of this Act, assists, sponsors, or provides financial, material, or technological support for, or goods or services to or in support of, an entity described in subparagraph (A) with respect to an activity described in clause (ii) of that subparagraph.

(3) SPECIFIED COUNTRY DEFINED.—

(A) IN GENERAL.—In this subsection, the term "specified country" means—

(i) Ukraine, Georgia, and Moldova; and

(ii) any other country designated by the President as a country of significant concern for purposes of this subsection, such as Poland, Lithuania, Latvia, Estonia, and the Central Asia republics.

Deadline.

(B) NOTICE TO CONGRESS.—The President shall notify the appropriate congressional committees in writing not later than 15 days before—

(i) designating a country as a country of significant concern under subparagraph (A)(ii); or

(ii) terminating a designation under that subparagraph, including the termination of any such designation pursuant to subsection (h).

Deadlines.

(b) SANCTIONS RELATED TO THE ENERGY SECTOR.—

(1) DEVELOPMENT OF SPECIAL RUSSIAN CRUDE OIL PROJECTS.—Except as provided in subsection (d), on and after the date that is 45 days after the date of the enactment of this Act, the President may impose 3 or more of the sanctions described in subsection (c) with respect to a foreign person if the President determines that the foreign person knowingly makes a significant investment in a special Russian crude oil project.

(2) AUTHORIZATION FOR EXTENSION OF LICENSING LIMITATIONS ON CERTAIN EQUIPMENT.—The President, through the Bureau of Industry and Security of the Department of Commerce or the Office of Foreign Assets Control of the Department of the Treasury, as appropriate, may impose additional licensing requirements for or other restrictions on the export or reexport of items for use in the energy sector of the Russian Federation, including equipment used for tertiary oil recovery.

(3) CONTINGENT SANCTION RELATING TO GAZPROM.—If the President determines that Gazprom is withholding significant natural gas supplies from member countries of the North Atlantic Treaty Organization, or further withholds significant natural gas supplies from countries such as Ukraine, Georgia, or Moldova, the President shall, not later than 45 days after making that determination, impose the sanction described in subsection (c)(7) and at least one additional sanction described in subsection (c) with respect to Gazprom. Determination.

(c) SANCTIONS DESCRIBED.—The sanctions the President may impose with respect to a foreign person under subsection (a) or (b) are the following:

(1) EXPORT-IMPORT BANK ASSISTANCE.—The President may direct the Export-Import Bank of the United States not to approve the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit in connection with the export of any goods or services to the foreign person.

(2) PROCUREMENT SANCTION.—The President may prohibit the head of any executive agency (as defined in section 133 of title 41, United States Code) from entering into any contract for the procurement of any goods or services from the foreign person.

(3) ARMS EXPORT PROHIBITION.—The President may prohibit the exportation or provision by sale, lease or loan, grant, or other means, directly or indirectly, of any defense article or defense service to the foreign person and the issuance of any license or other approval to the foreign person under section 38 of the Arms Export Control Act (22 U.S.C. 2778).

(4) DUAL-USE EXPORT PROHIBITION.—The President may prohibit the issuance of any license and suspend any license for the transfer to the foreign person of any item the export of which is controlled under the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) or the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations.

(5) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(6) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the foreign person.

(7) PROHIBITION ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.—The President may, pursuant to such regulations as the President may prescribe, prohibit any United

States person from transacting in, providing financing for, or otherwise dealing in—

(A) debt—

Time periods.

(i) of longer than 30 days' maturity of a foreign person with respect to which sanctions are imposed under subsection (a) or of longer than 90 days' maturity of a foreign person with respect to which sanctions are imposed under subsection (b); and

(ii) issued on or after the date on which such sanctions are imposed with respect to the foreign person; or

(B) equity of the foreign person issued on or after that date.

(8) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of a foreign person who is an individual, the President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, the foreign person, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(9) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—In the case of a foreign person that is an entity, the President may impose on the principal executive officer or officers of the foreign person, or on individuals performing similar functions and with similar authorities as such officer or officers, any of the sanctions described in this subsection applicable to individuals.

(d) EXCEPTIONS.—

(1) IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authority to block and prohibit all transactions in all property and interests in property under subsection (c)(5) shall not include the authority to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term "good" has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(2) ADDITIONAL EXCEPTIONS.—The President shall not be required to apply or maintain the sanctions under subsection (a) or (b)—

(A) in the case of procurement of defense articles or defense services under existing contracts, subcontracts, or other business agreements, including ancillary or incidental contracts for goods, or for services or funding (including necessary financial services) associated with such goods, as necessary to give effect to such contracts, subcontracts, or other business agreements, and the exercise of options for production quantities to satisfy requirements essential to the national security of the United States—

Determination.

(i) if the President determines in writing that—

(I) the foreign person to which the sanctions would otherwise be applied is a sole source supplier of the defense articles or services;

(II) the defense articles or services are essential;

(III) alternative sources are not readily or reasonably available; and

(IV) the national interests of the United States would be adversely affected by the application or maintenance of such sanctions; or

(ii) if the President determines in writing that—

(I) such articles or services are essential to the national security under defense coproduction agreements; and

(II) the national interests of the United States would be adversely affected by the application or maintenance of such sanctions;

(B) in the case of procurement, to eligible products, as defined in section 308(4) of the Trade Agreements Act of 1979 (19 U.S.C. 2518(4)), of any foreign country or instrumentality designated under section 301(b)(1) of that Act (19 U.S.C. 2511(b)(1));

(C) to products, technology, or services provided under contracts, subcontracts, or other business agreements (including ancillary or incidental contracts for goods, or for services or funding (including necessary financial services) associated with such goods, as necessary to give effect to such contracts, subcontracts, or other business agreements) entered into before the date on which the President publishes in the Federal Register the name of the foreign person with respect to which the sanctions are to be imposed;

(D) to—

(i) spare parts that are essential to United States products or production;

(ii) component parts, but not finished products, essential to United States products or production; or

(iii) routine servicing and maintenance of United States products, to the extent that alternative sources are not readily or reasonably available;

(E) to information and technology essential to United States products or production; or

(F) to food, medicine, medical devices, or agricultural commodities (as those terms are defined in section 101 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8511)).

(e) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The President may waive the application of sanctions under subsection (a) or (b) with respect to a foreign person if the President—

(A) determines that the waiver is in the national security interest of the United States; and Determination.

(B) submits to the appropriate congressional committees a report on the determination and the reasons for the determination. Reports.

(2) FORM OF REPORT.—The report required by paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

(f) TRANSACTION-SPECIFIC NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The President may waive the application of sanctions under subsection (a) or (b) with respect to a specific transaction if the President—

Determination.

(A) determines that the transaction is in the national security interest of the United States; and

Reports.

(B) submits to the appropriate congressional committees a detailed report on the determination and the specific reasons for the determination that a waiver with respect to the transaction is necessary and appropriate.

(2) FORM OF REPORT.—The report required by paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

(g) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out the purposes of this section.

Applicability.

(2) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, or conspires to violate, or causes a violation of, subsection (a) or (b) of this section, or an order or regulation prescribed under either such subsection, to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of the International Emergency Economic Powers Act.

(h) TERMINATION.—

Certification.

(1) IN GENERAL.—Except as provided in paragraph (2), this section, and sanctions imposed under this section, shall terminate on the date on which the President submits to the appropriate congressional committees a certification that the Government of the Russian Federation has ceased ordering, controlling, or otherwise directing, supporting, or financing, significant acts intended to undermine the peace, security, stability, sovereignty, or territorial integrity of Ukraine, including through an agreement between the appropriate parties.

(2) APPLICABILITY WITH RESPECT TO SYRIA.—The termination date under paragraph (1) shall not apply with respect to the provisions of subsection (a) relating to the transfer of defense articles into Syria or sanctions imposed pursuant to such provisions.

President.
22 USC 8924.

SEC. 5. SANCTIONS ON RUSSIAN AND OTHER FOREIGN FINANCIAL INSTITUTIONS.

(a) FACILITATION OF CERTAIN DEFENSE- AND ENERGY-RELATED TRANSACTIONS.—The President may impose the sanction described in subsection (c) with respect to a foreign financial institution that the President determines knowingly engages, on or after the date of the enactment of this Act, in significant transactions involving activities described in subparagraph (A)(ii) or (B) of section 4(a)(2) or paragraph (1) or (3) of section 4(b) for persons with respect to which sanctions are imposed under section 4.

Determination.
Deadline.

(b) FACILITATION OF FINANCIAL TRANSACTIONS ON BEHALF OF SPECIALLY DESIGNATED NATIONALS.—The President may impose the sanction described in subsection (c) with respect to a foreign financial institution if the President determines that the foreign financial institution has, on or after the date that is 180 days

after the date of the enactment of this Act, knowingly facilitated a significant financial transaction on behalf of any Russian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, pursuant to—

(1) this Act;

(2) Executive Order No. 13660 (79 Fed. Reg. 13,493), 13661 (79 Fed. Reg. 15,535), or 13662 (79 Fed. Reg. 16,169); or

(3) any other Executive order addressing the crisis in Ukraine.

(c) SANCTION DESCRIBED.—The sanction described in this subsection is, with respect to a foreign financial institution, a prohibition on the opening, and a prohibition or the imposition of strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by the foreign financial institution.

(d) NATIONAL SECURITY WAIVER.—The President may waive the application of sanctions under this section with respect to a foreign financial institution if the President—

(1) determines that the waiver is in the national security interest of the United States; and Determination.

(2) submits to the appropriate congressional committees a report on the determination and the reasons for the determination.

(e) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out the purposes of this section.

(2) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, or conspires to violate, or causes a violation of, subsection (a) or (b) of this section, or an order or regulation prescribed under either such subsection, to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of the International Emergency Economic Powers Act.

(f) TERMINATION.—This section, and sanctions imposed under this section, shall terminate on the date on which the President submits to the appropriate congressional committees the certification described in section 4(h). Certification.

SEC. 6. INCREASED MILITARY ASSISTANCE FOR THE GOVERNMENT OF UKRAINE. 22 USC 8925.

(a) IN GENERAL.—The President is authorized to provide defense articles, defense services, and training to the Government of Ukraine for the purpose of countering offensive weapons and reestablishing the sovereignty and territorial integrity of Ukraine, including anti-tank and anti-armor weapons, crew weapons and ammunition, counter-artillery radars to identify and target artillery batteries, fire control, range finder, and optical and guidance and control equipment, tactical troop-operated surveillance drones, and secure command and communications equipment, pursuant to the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), and other relevant provisions of law. President.

President.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the President shall submit a report detailing the anticipated defense articles, defense services, and training to be provided pursuant to this section and a timeline for the provision of such defense articles, defense services, and training, to—

(1) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Armed Services of the House of Representatives.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of State $100,000,000 for fiscal year 2015, $125,000,000 for fiscal year 2016, and $125,000,000 for fiscal year 2017 to carry out activities under this section.

(2) AVAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated pursuant to paragraph (1) shall remain available for obligation and expenditure through the end of fiscal year 2018.

(d) AUTHORITY FOR THE USE OF FUNDS.—The funds made available pursuant to subsection (c) for provision of defense articles, defense services, and training may be used to procure such articles, services, and training from the United States Government or other appropriate sources.

(e) PROTECTION OF CIVILIANS.—It is the sense of Congress that the Government of Ukraine should take all appropriate steps to protect civilians.

22 USC 8926.

SEC. 7. EXPANDED NONMILITARY ASSISTANCE FOR UKRAINE.

(a) ASSISTANCE TO INTERNALLY DISPLACED PEOPLE IN UKRAINE.—

Deadline.
Plans.

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit a plan, including actions by the United States Government, other governments, and international organizations, to meet the need for protection of and assistance for internally displaced persons in Ukraine, to—

(A) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Energy and Commerce of the House of Representatives.

(2) ELEMENTS.—The plan required by paragraph (1) should include, as appropriate, activities in support of—

(A) helping to establish a functional and adequately resourced central registration system in Ukraine that can ensure coordination of efforts to provide assistance to internally displaced persons in different regions;

(B) encouraging adoption of legislation in Ukraine that protects internally displaced persons from discrimination based on their status and provides simplified procedures for obtaining the new residency registration or other official documentation that is a prerequisite to receiving appropriate social payments under the laws of Ukraine, such

as pensions and disability, child, and unemployment benefits; and

(C) helping to ensure that information is available to internally displaced persons about—

(i) government agencies and independent groups that can provide assistance to such persons in various regions; and

(ii) evacuation assistance available to persons seeking to flee armed conflict areas.

(3) ASSISTANCE THROUGH INTERNATIONAL ORGANIZATIONS.— President.
The President shall instruct the United States permanent representative or executive director, as the case may be, to the relevant United Nations voluntary agencies, including the United Nations High Commissioner for Refugees and the United Nations Office for the Coordination of Humanitarian Affairs, and other appropriate international organizations, to use the voice and vote of the United States to support appropriate assistance for internally displaced persons in Ukraine.

(b) ASSISTANCE TO THE DEFENSE SECTOR OF UKRAINE.—The Secretary of State and the Secretary of Defense should assist entities in the defense sector of Ukraine to reorient exports away from customers in the Russian Federation and to find appropriate alternative markets for those entities in the defense sector of Ukraine that have already significantly reduced exports to and cooperation with entities in the defense sector of the Russian Federation.

(c) ASSISTANCE TO ADDRESS THE ENERGY CRISIS IN UKRAINE.—

(1) EMERGENCY ENERGY ASSISTANCE.—

(A) PLAN REQUIRED.—The Secretary of State and the Secretary of Energy, in collaboration with the Administrator of the United States Agency for International Development and the Administrator of the Federal Emergency Management Agency, shall work with officials of the Government of Ukraine to develop a short-term emergency energy assistance plan designed to help Ukraine address the potentially severe short-term heating fuel and electricity shortages facing Ukraine in 2014 and 2015.

(B) ELEMENTS.—The plan required by subparagraph (A) should include strategies to address heating fuel and electricity shortages in Ukraine, including, as appropriate—

(i) the acquisition of short-term, emergency fuel supplies;

(ii) the repair or replacement of infrastructure that could impede the transmission of electricity or transportation of fuel;

(iii) the prioritization of the transportation of fuel supplies to the areas where such supplies are needed most;

(iv) streamlining emergency communications throughout national, regional, and local governments to manage the potential energy crisis resulting from heating fuel and electricity shortages;

(v) forming a crisis management team within the Government of Ukraine to specifically address the potential crisis, including ensuring coordination of the team's efforts with the efforts of outside governmental

and nongovernmental entities providing assistance to address the potential crisis; and

(vi) developing a public outreach strategy to facilitate preparation by the population and communication with the population in the event of a crisis.

(C) ASSISTANCE.—The Secretary of State, the Secretary of Energy, and the Administrator of the United States Agency for International Development are authorized to provide assistance in support of, and to invest in short-term solutions for, enabling Ukraine to secure the energy safety of the people of Ukraine during 2014 and 2015, including through—

(i) procurement and transport of emergency fuel supplies, including reverse pipeline flows from Europe;

(ii) provision of technical assistance for crisis planning, crisis response, and public outreach;

(iii) repair of infrastructure to enable the transport of fuel supplies;

(iv) repair of power generating or power transmission equipment or facilities;

(v) procurement and installation of compressors or other appropriate equipment to enhance short-term natural gas production;

(vi) procurement of mobile electricity generation units;

(vii) conversion of natural gas heating facilities to run on other fuels, including alternative energy sources; and

(viii) provision of emergency weatherization and winterization materials and supplies.

(2) REDUCTION OF UKRAINE'S RELIANCE ON ENERGY IMPORTS.—

(A) PLANS REQUIRED.—The Secretary of State, in collaboration with the Secretary of Energy and the Administrator of the United States Agency for International Development, shall work with officials of the Government of Ukraine to develop medium- and long-term plans to increase energy production and efficiency to increase energy security by helping Ukraine reduce its dependence on natural gas imported from the Russian Federation.

(B) ELEMENTS.—The medium- and long-term plans required by subparagraph (A) should include strategies, as appropriate, to—

(i) improve corporate governance and unbundling of state-owned oil and gas sector firms;

(ii) increase production from natural gas fields and from other sources, including renewable energy;

(iii) license new oil and gas blocks transparently and competitively;

(iv) modernize oil and gas upstream infrastructure; and

(v) improve energy efficiency.

Time period.

(C) PRIORITIZATION.—The Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of Energy should, during fiscal years 2015 through 2018, work with other

donors, including multilateral agencies and nongovernmental organizations, to prioritize, to the extent practicable and as appropriate, the provision of assistance from such donors to help Ukraine to improve energy efficiency, increase energy supplies produced in Ukraine, and reduce reliance on energy imports from the Russian Federation, including natural gas.

(D) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $50,000,000 in the aggregate for fiscal years 2016 through 2018 to carry out activities under this paragraph.

(3) SUPPORT FROM THE OVERSEAS PRIVATE INVESTMENT CORPORATION.—The Overseas Private Investment Corporation shall—

(A) prioritize, to the extent practicable, support for investments to help increase energy efficiency, develop domestic oil and natural gas reserves, improve and repair electricity infrastructure, and develop renewable and other sources of energy in Ukraine; and

(B) implement procedures for expedited review and, as appropriate, approval, of applications by eligible investors (as defined in section 238 of the Foreign Assistance Act of 1961 (22 U.S.C. 2198)) for loans, loan guarantees, and insurance for such investments. Procedures.

(4) SUPPORT BY THE WORLD BANK GROUP AND THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.—The President shall, to the extent practicable and as appropriate, direct the United States Executive Directors of the World Bank Group and the European Bank for Reconstruction and Development to use the voice, vote, and influence of the United States to encourage the World Bank Group and the European Bank for Reconstruction and Development and other international financial institutions— President.

(A) to invest in, and increase their efforts to promote investment in, projects to improve energy efficiency, improve and repair electricity infrastructure, develop domestic oil and natural gas reserves, and develop renewable and other sources of energy in Ukraine; and

(B) to stimulate private investment in such projects.

(d) ASSISTANCE TO CIVIL SOCIETY IN UKRAINE.—

(1) IN GENERAL.—The Secretary of State and the Administrator of the United States Agency for International Development shall, directly or through nongovernmental or international organizations, such as the Organization for Security and Co-operation in Europe, the National Endowment for Democracy, and related organizations—

(A) strengthen the organizational and operational capacity of democratic civil society in Ukraine;

(B) support the efforts of independent media outlets to broadcast, distribute, and share information in all regions of Ukraine;

(C) counter corruption and improve transparency and accountability of institutions that are part of the Government of Ukraine; and

(D) provide support for democratic organizing and election monitoring in Ukraine.

Deadline.
President.

(2) STRATEGY REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the President shall submit a strategy to carry out the activities described in paragraph (1) to—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of State $20,000,000 for fiscal year 2016 to carry out this subsection.

(4) TRANSPARENCY REQUIREMENTS.—Any assistance provided pursuant to this subsection shall be conducted in as transparent of a manner as possible, consistent with the nature and goals of this subsection. The President shall provide a briefing on the activities funded by this subsection at the request of the committees specified in paragraph (2).

President.
Briefing.

22 USC 8927.

SEC. 8. EXPANDED BROADCASTING IN COUNTRIES OF THE FORMER SOVIET UNION.

Deadline.
Plan.
Cost estimate.
Time period.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Chairman of the Broadcasting Board of Governors shall submit to Congress a plan, including a cost estimate, for immediately and substantially increasing, and maintaining through fiscal year 2017, the quantity of Russian-language broadcasting into the countries of the former Soviet Union funded by the United States in order to counter Russian Federation propaganda.

(b) PRIORITIZATION OF BROADCASTING INTO UKRAINE, GEORGIA, AND MOLDOVA.—The plan required by subsection (a) shall prioritize broadcasting into Ukraine, Georgia, and Moldova by the Voice of America and Radio Free Europe/Radio Liberty.

(c) ADDITIONAL PRIORITIES.—In developing the plan required by subsection (a), the Chairman shall consider—

(1) near-term increases in Russian-language broadcasting for countries of the former Soviet Union (other than the countries specified in subsection (b)), including Latvia, Lithuania, and Estonia; and

(2) increases in broadcasting in other critical languages, including Ukrainian and Romanian languages.

(d) BROADCASTING DEFINED.—In this section, the term "broadcasting" means the distribution of media content via radio broadcasting, television broadcasting, and Internet-based platforms, among other platforms.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Broadcasting Board of Governors $10,000,000 for each of fiscal years 2016 through 2018 to carry out activities under this section.

(2) SUPPLEMENT NOT SUPPLANT.—Amounts authorized to be appropriated pursuant to paragraph (1) shall supplement and not supplant other amounts made available for activities described in this section.

22 USC 8928.

SEC. 9. SUPPORT FOR RUSSIAN DEMOCRACY AND CIVIL SOCIETY ORGANIZATIONS.

(a) IN GENERAL.—The Secretary of State shall, directly or through nongovernmental or international organizations, such as

the Organization for Security and Co-operation in Europe, the National Endowment for Democracy, and related organizations—

(1) improve democratic governance, transparency, accountability, rule of law, and anti-corruption efforts in the Russian Federation;

(2) strengthen democratic institutions and political and civil society organizations in the Russian Federation;

(3) expand uncensored Internet access in the Russian Federation; and

(4) expand free and unfettered access to independent media of all kinds in the Russian Federation, including through increasing United States Government-supported broadcasting activities, and assist with the protection of journalists and civil society activists who have been targeted for free speech activities.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of State $20,000,000 for each of fiscal years 2016 through 2018 to carry out the activities set forth in subsection (a).

(c) STRATEGY REQUIREMENT.—Not later than 60 days after the date of the enactment of this Act, the President shall submit a strategy to carry out the activities set forth in subsection (a) to— Deadline. President.

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(d) TRANSPARENCY REQUIREMENTS.—Any assistance provided pursuant to this section shall be conducted in as transparent of a manner as possible, consistent with the nature and goals of this section. The President shall provide a briefing on the activities funded by this section at the request of the committees specified in subsection (c). President. Briefing.

SEC. 10. REPORT ON NON-COMPLIANCE BY THE RUSSIAN FEDERATION OF ITS OBLIGATIONS UNDER THE INF TREATY. 22 USC 8929.

(a) FINDINGS.—Congress makes the following findings:

(1) The Russian Federation is in violation of its obligations under the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly referred to as the "Intermediate-Range Nuclear Forces Treaty" or "INF Treaty").

(2) This behavior poses a threat to the United States, its deployed forces, and its allies.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should hold the Russian Federation accountable for being in violation of its obligations under the INF Treaty; and

(2) the President should demand the Russian Federation completely and verifiably eliminate the military systems that constitute the violation of its obligations under the INF Treaty.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the committees specified in subsection (d) a report that includes the following elements: President.

(A) A description of the status of the President's efforts, in cooperation with United States allies, to hold the Russian Federation accountable for being in violation of its obligations under the INF Treaty and obtain the complete and verifiable elimination of its military systems that constitute the violation of its obligations under the INF Treaty.

Assessment.

(B) The President's assessment as to whether it remains in the national security interests of the United States to remain a party to the INF Treaty, and other related treaties and agreements, while the Russian Federation is in violation of its obligations under the INF Treaty.

(C) Notification of any deployment by the Russian Federation of a ground launched ballistic or cruise missile system with a range of between 500 and 5,500 kilometers.

Plans.
Consultation.

(D) A plan developed by the Secretary of State, in consultation with the Director of National Intelligence and the Defense Threat Reduction Agency (DTRA), to verify that the Russian Federation has fully and completely dismantled any ground launched cruise missiles or ballistic missiles with a range of between 500 and 5,500 kilometers, including details on facilities that inspectors need access to, people inspectors need to talk with, how often inspectors need the accesses for, and how much the verification regime would cost.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(d) COMMITTEES SPECIFIED.—The committees specified in this subsection are—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

22 USC 8930.

SEC. 11. RULE OF CONSTRUCTION.

Nothing in this Act or an amendment made by this Act shall be construed as an authorization for the use of military force.

Approved December 18, 2014.

LEGISLATIVE HISTORY—H.R. 5859:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 11, considered and passed House.
Dec. 13, considered and passed Senate.

DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
Dec. 18, Presidential statement.

Public Law 113–273
113th Congress

An Act

To require the Director of the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed, and for other purposes.

Dec. 18, 2014
[S. 1000]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Chesapeake Bay Accountability and Recovery Act of 2014.
33 USC 1267 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Chesapeake Bay Accountability and Recovery Act of 2014".

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) CHESAPEAKE BAY STATE.—The term "Chesapeake Bay State" or "State" means any of—

(A) the States of Maryland, West Virginia, Delaware, and New York;

(B) the Commonwealths of Virginia and Pennsylvania; and

(C) the District of Columbia.

(3) CHESAPEAKE BAY WATERSHED.—The term "Chesapeake Bay watershed" means all tributaries, backwaters, and side channels, including watersheds, draining into the Chesapeake Bay.

(4) CHESAPEAKE EXECUTIVE COUNCIL.—The term "Chesapeake Executive Council" has the meaning given the term by section 117(a) of the Federal Water Pollution Control Act (33 U.S.C. 1267(a)).

(5) CHIEF EXECUTIVE.—The term "chief executive" means, in the case of a State or Commonwealth, the Governor of the State or Commonwealth and, in the case of the District of Columbia, the Mayor of the District of Columbia.

(6) DIRECTOR.—The term "Director" means the Director of the Office of Management and Budget.

(7) FEDERAL RESTORATION ACTIVITY.—

(A) IN GENERAL.—The term "Federal restoration activity" means a Federal program or project carried out under Federal authority in existence as of the date of enactment of this Act with the express intent to directly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that provide financial and technical assistance to promote responsible land use,

stewardship, and community engagement in the Chesapeake Bay watershed.

(B) CATEGORIZATION.—Federal restoration activities may be categorized as follows:

(i) Physical restoration.
(ii) Planning.
(iii) Feasibility studies.
(iv) Scientific research.
(v) Monitoring.
(vi) Education.
(vii) Infrastructure development.

(8) STATE RESTORATION ACTIVITY.—

(A) IN GENERAL.—The term "State restoration activity" means any State program or project carried out under State authority that directly or indirectly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed.

(B) CATEGORIZATION.—State restoration activities may be categorized as follows:

(i) Physical restoration.
(ii) Planning.
(iii) Feasibility studies.
(iv) Scientific research.
(v) Monitoring.
(vi) Education.
(vii) Infrastructure development.

SEC. 3. CHESAPEAKE BAY CROSSCUT BUDGET.

Consultation. Reports.

(a) IN GENERAL.—The Director, in consultation with the Chesapeake Executive Council, the chief executive of each Chesapeake Bay State, and the Chesapeake Bay Commission, shall submit to Congress a financial report containing—

(1) an interagency crosscut budget that displays, as applicable—

(A) the proposed funding for any Federal restoration activity to be carried out in the succeeding fiscal year, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carry out restoration activities;

(B) to the extent that information is available, the estimated funding for any State restoration activity to be carried out in the succeeding fiscal year;

(C) all expenditures for Federal restoration activities from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year;

(D) all expenditures, to the extent that information is available, for State restoration activities during the equivalent time period described in subparagraph (C); and

Evaluation. Recommendations.

(E) a section that identifies and evaluates, based on need and appropriateness, specific opportunities to consolidate similar programs and activities within the budget and recommendations to Congress for legislative action to streamline, consolidate, or eliminate similar programs and activities within the budget;

(2) a detailed accounting of all funds received and obligated by each Federal agency for restoration activities during the current and preceding fiscal years, including the identification of funds that were transferred to a Chesapeake Bay State for restoration activities;

(3) to the extent that information is available, a detailed accounting from each State of all funds received and obligated from a Federal agency for restoration activities during the current and preceding fiscal years; and

(4) a description of each of the proposed Federal and State restoration activities to be carried out in the succeeding fiscal year (corresponding to those activities listed in subparagraphs (A) and (B) of paragraph (1)), including—

(A) the project description;

(B) the current status of the project;

(C) the Federal or State statutory or regulatory authority, program, or responsible agency;

(D) the authorization level for appropriations;

(E) the project timeline, including benchmarks;

(F) references to project documents;

(G) descriptions of risks and uncertainties of project implementation;

(H) a list of coordinating entities; Lists.

(I) a description of the funding history for the project;

(J) cost sharing; and

(K) alignment with the existing Chesapeake Bay Agreement, Chesapeake Executive Council goals and priorities, and Annual Action Plan required by section 205 of Executive Order 13508 (33 U.S.C. 1267 note; relating to Chesapeake Bay protection and restoration).

(b) MINIMUM FUNDING LEVELS.—In describing restoration activities in the report required under subsection (a), the Director shall only include—

(1) for the first 3 years that the report is required, descriptions of—

(A) Federal restoration activities that have funding amounts greater than or equal to $300,000; and

(B) State restoration activities that have funding amounts greater than or equal to $300,000; and

(2) for every year thereafter, descriptions of—

(A) Federal restoration activities that have funding amounts greater than or equal to $100,000; and

(B) State restoration activities that have funding amounts greater than or equal to $100,000.

(c) DEADLINE.—The Director shall submit to Congress the report required by subsection (a) not later than September 30 of each year.

(d) REPORT.—Copies of the report required by subsection (a) shall be submitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations, Environment and Public Works, and Commerce, Science, and Transportation of the Senate.

(e) EFFECTIVE DATE.—This section shall apply beginning with the first fiscal year after the date of enactment of this Act.

SEC. 4. INDEPENDENT EVALUATOR FOR THE CHESAPEAKE BAY PROGRAM.

Review. Reports.

(a) IN GENERAL.—There shall be an Independent Evaluator for restoration activities in the Chesapeake Bay watershed, who shall review and report on—

(1) restoration activities; and

(2) any related topics that are suggested by the Chesapeake Executive Council.

(b) APPOINTMENT.—

Deadline.

(1) IN GENERAL.—Not later than 30 days after the date of submission of nominees by the Chesapeake Executive Council, the Independent Evaluator shall be appointed by the Administrator from among nominees submitted by the Chesapeake Executive Council with the consultation of the scientific community.

(2) NOMINATIONS.—The Chesapeake Executive Council may nominate for consideration as Independent Evaluator a science-based institution of higher education.

(3) REQUIREMENTS.—The Administrator shall only select as Independent Evaluator a nominee that the Administrator determines demonstrates excellence in marine science, policy evaluation, or other studies relating to complex environmental restoration activities.

(c) REPORTS.—Not later than 180 days after the date of appointment and once every 2 years thereafter, the Independent Evaluator shall submit to Congress a report describing the findings and recommendations of reviews conducted under subsection (a).

SEC. 5. PROHIBITION ON NEW FUNDING.

No additional funds are authorized to be appropriated to carry out this Act.

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 1000 (H.R. 739):

HOUSE REPORTS: No. 113–453, Pt. 1 (Comm. on Natural Resources) accompanying H.R. 739.

CONGRESSIONAL RECORD, Vol. 160 (2014):

Dec. 2, considered and passed Senate.

Dec. 9, 10, considered and passed House.

Public Law 113–274
113th Congress

An Act

To provide for an ongoing, voluntary public-private partnership to improve cybersecurity, and to strengthen cybersecurity research and development, workforce development and education, and public awareness and preparedness, and for other purposes.

Dec. 18, 2014
[S. 1353]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Cybersecurity Enhancement Act of 2014.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

15 USC 7421 note.

(a) SHORT TITLE.—This Act may be cited as the "Cybersecurity Enhancement Act of 2014".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. DEFINITIONS.

15 USC 7421.

In this Act:

(1) CYBERSECURITY MISSION.—The term "cybersecurity mission" means activities that encompass the full range of threat reduction, vulnerability reduction, deterrence, international engagement, incident response, resiliency, and recovery policies

and activities, including computer network operations, information assurance, law enforcement, diplomacy, military, and intelligence missions as such activities relate to the security and stability of cyberspace.

(2) INFORMATION SYSTEM.—The term "information system" has the meaning given that term in section 3502 of title 44, United States Code.

15 USC 7422.

SEC. 3. NO REGULATORY AUTHORITY.

Nothing in this Act shall be construed to confer any regulatory authority on any Federal, State, tribal, or local department or agency.

15 USC 7423.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out this Act, and the amendments made by this Act. This Act, and the amendments made by this Act, shall be carried out using amounts otherwise authorized or appropriated.

TITLE I—PUBLIC-PRIVATE COLLABORATION ON CYBERSECURITY

SEC. 101. PUBLIC-PRIVATE COLLABORATION ON CYBERSECURITY.

(a) CYBERSECURITY.—Section 2(c) of the National Institute of Standards and Technology Act (15 U.S.C. 272(c)) is amended—

(1) by redesignating paragraphs (15) through (22) as paragraphs (16) through (23), respectively; and

(2) by inserting after paragraph (14) the following:

"(15) on an ongoing basis, facilitate and support the development of a voluntary, consensus-based, industry-led set of standards, guidelines, best practices, methodologies, procedures, and processes to cost-effectively reduce cyber risks to critical infrastructure (as defined under subsection (e));".

(b) SCOPE AND LIMITATIONS.—Section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272) is amended by adding at the end the following:

"(e) CYBER RISKS.—

"(1) IN GENERAL.—In carrying out the activities under subsection (c)(15), the Director—

"(A) shall—

Coordination.

"(i) coordinate closely and regularly with relevant private sector personnel and entities, critical infrastructure owners and operators, and other relevant industry organizations, including Sector Coordinating Councils and Information Sharing and Analysis Centers, and incorporate industry expertise;

Consultation.

"(ii) consult with the heads of agencies with national security responsibilities, sector-specific agencies and other appropriate agencies, State and local governments, the governments of other nations, and international organizations;

"(iii) identify a prioritized, flexible, repeatable, performance-based, and cost-effective approach, including information security measures and controls,

that may be voluntarily adopted by owners and operators of critical infrastructure to help them identify, assess, and manage cyber risks;

"(iv) include methodologies—

"(I) to identify and mitigate impacts of the cybersecurity measures or controls on business confidentiality; and

"(II) to protect individual privacy and civil liberties;

"(v) incorporate voluntary consensus standards and industry best practices;

"(vi) align with voluntary international standards to the fullest extent possible;

"(vii) prevent duplication of regulatory processes and prevent conflict with or superseding of regulatory requirements, mandatory standards, and related processes; and

"(viii) include such other similar and consistent elements as the Director considers necessary; and

"(B) shall not prescribe or otherwise require—

"(i) the use of specific solutions;

"(ii) the use of specific information or communications technology products or services; or

"(iii) that information or communications technology products or services be designed, developed, or manufactured in a particular manner.

"(2) LIMITATION.—Information shared with or provided to the Institute for the purpose of the activities described under subsection (c)(15) shall not be used by any Federal, State, tribal, or local department or agency to regulate the activity of any entity. Nothing in this paragraph shall be construed to modify any regulatory requirement to report or submit information to a Federal, State, tribal, or local department or agency.

"(3) DEFINITIONS.—In this subsection:

"(A) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' has the meaning given the term in section 1016(e) of the USA PATRIOT Act of 2001 (42 U.S.C. 5195c(e)).

"(B) SECTOR-SPECIFIC AGENCY.—The term 'sector-specific agency' means the Federal department or agency responsible for providing institutional knowledge and specialized expertise as well as leading, facilitating, or supporting the security and resilience programs and associated activities of its designated critical infrastructure sector in the all-hazards environment.".

(c) STUDY AND REPORTS.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study that assesses—

(A) the progress made by the Director of the National Institute of Standards and Technology in facilitating the development of standards and procedures to reduce cyber risks to critical infrastructure in accordance with section 2(c)(15) of the National Institute of Standards and Technology Act, as added by this section;

(B) the extent to which the Director's facilitation efforts are consistent with the directive in such section that the

development of such standards and procedures be voluntary and led by industry representatives;

(C) the extent to which other Federal agencies have promoted and sectors of critical infrastructure (as defined in section 1016(e) of the USA PATRIOT Act of 2001 (42 U.S.C. 5195c(e))) have adopted a voluntary, industry-led set of standards, guidelines, best practices, methodologies, procedures, and processes to reduce cyber risks to critical infrastructure in accordance with such section 2(c)(15);

(D) the reasons behind the decisions of sectors of critical infrastructure (as defined in subparagraph (C)) to adopt or to not adopt the voluntary standards described in subparagraph (C); and

(E) the extent to which such voluntary standards have proved successful in protecting critical infrastructure from cyber threats.

(2) REPORTS.—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter for the following 6 years, the Comptroller General shall submit a report, which summarizes the findings of the study conducted under paragraph (1), to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

15 USC prec. 7431.

TITLE II—CYBERSECURITY RESEARCH AND DEVELOPMENT

15 USC 7431.

SEC. 201. FEDERAL CYBERSECURITY RESEARCH AND DEVELOPMENT.

(a) FUNDAMENTAL CYBERSECURITY RESEARCH.—

Deadline.

(1) FEDERAL CYBERSECURITY RESEARCH AND DEVELOPMENT STRATEGIC PLAN.—The heads of the applicable agencies and departments, working through the National Science and Technology Council and the Networking and Information Technology Research and Development Program, shall develop and update every 4 years a Federal cybersecurity research and development strategic plan (referred to in this subsection as the "strategic plan") based on an assessment of cybersecurity risk to guide the overall direction of Federal cybersecurity and information assurance research and development for information technology and networking systems. The heads of the applicable agencies and departments shall build upon existing programs and plans to develop the strategic plan to meet objectives in cybersecurity, such as—

(A) how to design and build complex software-intensive systems that are secure and reliable when first deployed;

(B) how to test and verify that software and hardware, whether developed locally or obtained from a third party, is free of significant known security flaws;

(C) how to test and verify that software and hardware obtained from a third party correctly implements stated functionality, and only that functionality;

(D) how to guarantee the privacy of an individual, including that individual's identity, information, and lawful transactions when stored in distributed systems or transmitted over networks;

(E) how to build new protocols to enable the Internet to have robust security as one of the key capabilities of the Internet;

(F) how to determine the origin of a message transmitted over the Internet;

(G) how to support privacy in conjunction with improved security;

(H) how to address the problem of insider threats;

(I) how improved consumer education and digital literacy initiatives can address human factors that contribute to cybersecurity;

(J) how to protect information processed, transmitted, or stored using cloud computing or transmitted through wireless services; and

(K) any additional objectives the heads of the applicable agencies and departments, in coordination with the head of any relevant Federal agency and with input from stakeholders, including appropriate national laboratories, industry, and academia, determine appropriate.

(2) REQUIREMENTS.—

(A) CONTENTS OF PLAN.—The strategic plan shall—

(i) specify and prioritize near-term, mid-term, and long-term research objectives, including objectives associated with the research identified in section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1));

(ii) specify how the near-term objectives described in clause (i) complement research and development areas in which the private sector is actively engaged;

(iii) describe how the heads of the applicable agencies and departments will focus on innovative, transformational technologies with the potential to enhance the security, reliability, resilience, and trustworthiness of the digital infrastructure, and to protect consumer privacy;

(iv) describe how the heads of the applicable agencies and departments will foster the rapid transfer of research and development results into new cybersecurity technologies and applications for the timely benefit of society and the national interest, including through the dissemination of best practices and other outreach activities;

(v) describe how the heads of the applicable agencies and departments will establish and maintain a national research infrastructure for creating, testing, and evaluating the next generation of secure networking and information technology systems; and

(vi) describe how the heads of the applicable agencies and departments will facilitate access by academic researchers to the infrastructure described in clause (v), as well as to relevant data, including event data.

(B) PRIVATE SECTOR EFFORTS.—In developing, implementing, and updating the strategic plan, the heads of the applicable agencies and departments, working through the National Science and Technology Council and Networking and Information Technology Research and Development Program, shall work in close cooperation with

industry, academia, and other interested stakeholders to ensure, to the extent possible, that Federal cybersecurity research and development is not duplicative of private sector efforts.

(C) RECOMMENDATIONS.—In developing and updating the strategic plan the heads of the applicable agencies and departments shall solicit recommendations and advice from—

(i) the advisory committee established under section 101(b)(1) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(b)(1)); and

(ii) a wide range of stakeholders, including industry, academia, including representatives of minority serving institutions and community colleges, National Laboratories, and other relevant organizations and institutions.

Deadline.

(D) IMPLEMENTATION ROADMAP.—The heads of the applicable agencies and departments, working through the National Science and Technology Council and Networking and Information Technology Research and Development Program, shall develop and annually update an implementation roadmap for the strategic plan. The implementation roadmap shall—

(i) specify the role of each Federal agency in carrying out or sponsoring research and development to meet the research objectives of the strategic plan, including a description of how progress toward the research objectives will be evaluated;

(ii) specify the funding allocated to each major research objective of the strategic plan and the source of funding by agency for the current fiscal year;

Time period.

(iii) estimate the funding required for each major research objective of the strategic plan for the following 3 fiscal years; and

(iv) track ongoing and completed Federal cybersecurity research and development projects.

(3) REPORTS TO CONGRESS.—The heads of the applicable agencies and departments, working through the National Science and Technology Council and Networking and Information Technology Research and Development Program, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives—

(A) the strategic plan not later than 1 year after the date of enactment of this Act;

(B) each quadrennial update to the strategic plan; and

(C) the implementation roadmap under subparagraph (D), and its annual updates, which shall be appended to the annual report required under section 101(a)(2)(D) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(2)(D)).

(4) DEFINITION OF APPLICABLE AGENCIES AND DEPARTMENTS.—In this subsection, the term "applicable agencies and departments" means the agencies and departments identified in clauses (i) through (x) of section 101(a)(3)(B) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(3)(B)) or designated under clause (xi) of that section.

(b) CYBERSECURITY PRACTICES RESEARCH.—The Director of the National Science Foundation shall support research that—

(1) develops, evaluates, disseminates, and integrates new cybersecurity practices and concepts into the core curriculum of computer science programs and of other programs where graduates of such programs have a substantial probability of developing software after graduation, including new practices and concepts relating to secure coding education and improvement programs; and

(2) develops new models for professional development of faculty in cybersecurity education, including secure coding development.

(c) CYBERSECURITY MODELING AND TEST BEDS.—

(1) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Director of the National Science Foundation, in coordination with the Director of the Office of Science and Technology Policy, shall conduct a review of cybersecurity test beds in existence on the date of enactment of this Act to inform the grants under paragraph (2). The review shall include an assessment of whether a sufficient number of cybersecurity test beds are available to meet the research needs under the Federal cybersecurity research and development strategic plan. Upon completion, the Director shall submit the review to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

Deadline.

Assessment.

(2) ADDITIONAL CYBERSECURITY MODELING AND TEST BEDS.—

Grants.

(A) IN GENERAL.—If the Director of the National Science Foundation, after the review under paragraph (1), determines that the research needs under the Federal cybersecurity research and development strategic plan require the establishment of additional cybersecurity test beds, the Director of the National Science Foundation, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, may award grants to institutions of higher education or research and development nonprofit institutions to establish cybersecurity test beds.

Determination.
Coordination.

(B) REQUIREMENT.—The cybersecurity test beds under subparagraph (A) shall be sufficiently robust in order to model the scale and complexity of real-time cyber attacks and defenses on real world networks and environments.

(C) ASSESSMENT REQUIRED.—The Director of the National Science Foundation, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, shall evaluate the effectiveness of any grants awarded under this subsection in meeting the objectives of the Federal cybersecurity research and development strategic plan not later than 2 years after the review under paragraph (1) of this subsection, and periodically thereafter.

Coordination.
Evaluation.
Deadlines.

(d) COORDINATION WITH OTHER RESEARCH INITIATIVES.—In accordance with the responsibilities under section 101 of the High-Performance Computing Act of 1991 (15 U.S.C. 5511), the Director of the Office of Science and Technology Policy shall coordinate, to the extent practicable, Federal research and development activities under this section with other ongoing research and development security-related initiatives, including research being conducted by—

(1) the National Science Foundation;
(2) the National Institute of Standards and Technology;
(3) the Department of Homeland Security;
(4) other Federal agencies;
(5) other Federal and private research laboratories, research entities, and universities;
(6) institutions of higher education;
(7) relevant nonprofit organizations; and
(8) international partners of the United States.

(e) NATIONAL SCIENCE FOUNDATION COMPUTER AND NETWORK SECURITY RESEARCH GRANT AREAS.—Section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)) is amended—

(1) in subparagraph (H), by striking "and" at the end;
(2) in subparagraph (I), by striking the period at the end and inserting a semicolon; and
(3) by adding at the end the following:
"(J) secure fundamental protocols that are integral to inter-network communications and data exchange;
"(K) secure software engineering and software assurance, including—
"(i) programming languages and systems that include fundamental security features;
"(ii) portable or reusable code that remains secure when deployed in various environments;
"(iii) verification and validation technologies to ensure that requirements and specifications have been implemented; and
"(iv) models for comparison and metrics to assure that required standards have been met;
"(L) holistic system security that—
"(i) addresses the building of secure systems from trusted and untrusted components;
"(ii) proactively reduces vulnerabilities;
"(iii) addresses insider threats; and
"(iv) supports privacy in conjunction with improved security;
"(M) monitoring and detection;
"(N) mitigation and rapid recovery methods;
"(O) security of wireless networks and mobile devices; and
"(P) security of cloud infrastructure and services.".

(f) RESEARCH ON THE SCIENCE OF CYBERSECURITY.—The head of each agency and department identified under section 101(a)(3)(B) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(3)(B)), through existing programs and activities, shall support research that will lead to the development of a scientific foundation for the field of cybersecurity, including research that increases understanding of the underlying principles of securing complex networked systems, enables repeatable experimentation, and creates quantifiable security metrics.

SEC. 202. COMPUTER AND NETWORK SECURITY RESEARCH CENTERS.

Section 4(b) of the Cyber Security Research and Development Act (15 U.S.C. 7403(b)) is amended—

(1) in paragraph (3), by striking "the research areas" and inserting the following: "improving the security and resiliency

of information technology, reducing cyber vulnerabilities, and anticipating and mitigating consequences of cyber attacks on critical infrastructure, by conducting research in the areas";

(2) by striking "the center" in paragraph (4)(D) and inserting "the Center"; and

(3) in paragraph (5)—

(A) by striking "and" at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting a semicolon; and

(C) by adding at the end the following:

"(E) the demonstrated capability of the applicant to conduct high performance computation integral to complex computer and network security research, through on-site or off-site computing;

"(F) the applicant's affiliation with private sector entities involved with industrial research described in subsection (a)(1);

"(G) the capability of the applicant to conduct research in a secure environment;

"(H) the applicant's affiliation with existing research programs of the Federal Government;

"(I) the applicant's experience managing public-private partnerships to transition new technologies into a commercial setting or the government user community;

"(J) the capability of the applicant to conduct interdisciplinary cybersecurity research, basic and applied, such as in law, economics, or behavioral sciences; and

"(K) the capability of the applicant to conduct research in areas such as systems security, wireless security, networking and protocols, formal methods and high-performance computing, nanotechnology, or industrial control systems.".

SEC. 203. CYBERSECURITY AUTOMATION AND CHECKLISTS FOR GOVERNMENT SYSTEMS.

Section 8(c) of the Cyber Security Research and Development Act (15 U.S.C. 7406(c)) is amended to read as follows:

"(c) SECURITY AUTOMATION AND CHECKLISTS FOR GOVERNMENT SYSTEMS.—

"(1) IN GENERAL.—The Director of the National Institute of Standards and Technology shall, as necessary, develop and revise security automation standards, associated reference materials (including protocols), and checklists providing settings and option selections that minimize the security risks associated with each information technology hardware or software system and security tool that is, or is likely to become, widely used within the Federal Government, thereby enabling standardized and interoperable technologies, architectures, and frameworks for continuous monitoring of information security within the Federal Government.

"(2) PRIORITIES FOR DEVELOPMENT.—The Director of the National Institute of Standards and Technology shall establish priorities for the development of standards, reference materials, and checklists under this subsection on the basis of—

"(A) the security risks associated with the use of the system;

"(B) the number of agencies that use a particular system or security tool;

"(C) the usefulness of the standards, reference materials, or checklists to Federal agencies that are users or potential users of the system;

"(D) the effectiveness of the associated standard, reference material, or checklist in creating or enabling continuous monitoring of information security; or

"(E) such other factors as the Director of the National Institute of Standards and Technology determines to be appropriate.

"(3) EXCLUDED SYSTEMS.—The Director of the National Institute of Standards and Technology may exclude from the application of paragraph (1) any information technology hardware or software system or security tool for which such Director determines that the development of a standard, reference material, or checklist is inappropriate because of the infrequency of use of the system, the obsolescence of the system, or the lack of utility or impracticability of developing a standard, reference material, or checklist for the system.

"(4) DISSEMINATION OF STANDARDS AND RELATED MATERIALS.—The Director of the National Institute of Standards and Technology shall ensure that Federal agencies are informed of the availability of any standard, reference material, checklist, or other item developed under this subsection.

"(5) AGENCY USE REQUIREMENTS.—The development of standards, reference materials, and checklists under paragraph (1) for an information technology hardware or software system or tool does not—

"(A) require any Federal agency to select the specific settings or options recommended by the standard, reference material, or checklist for the system;

"(B) establish conditions or prerequisites for Federal agency procurement or deployment of any such system;

"(C) imply an endorsement of any such system by the Director of the National Institute of Standards and Technology; or

"(D) preclude any Federal agency from procuring or deploying other information technology hardware or software systems for which no such standard, reference material, or checklist has been developed or identified under paragraph (1).".

SEC. 204. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY CYBERSECURITY RESEARCH AND DEVELOPMENT.

Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

"(e) INTRAMURAL SECURITY RESEARCH.—As part of the research activities conducted in accordance with subsection (d)(3), the Institute shall, to the extent practicable and appropriate—

"(1) conduct a research program to develop a unifying and standardized identity, privilege, and access control management framework for the execution of a wide variety of resource protection policies and that is amenable to implementation within

a wide variety of existing and emerging computing environments;

"(2) carry out research associated with improving the security of information systems and networks;

"(3) carry out research associated with improving the testing, measurement, usability, and assurance of information systems and networks;

"(4) carry out research associated with improving security of industrial control systems;

"(5) carry out research associated with improving the security and integrity of the information technology supply chain; and

"(6) carry out any additional research the Institute determines appropriate.".

TITLE III—EDUCATION AND WORKFORCE DEVELOPMENT

15 USC prec. 7441.

SEC. 301. CYBERSECURITY COMPETITIONS AND CHALLENGES.

15 USC 7441.

Consultation.

(a) IN GENERAL.—The Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security, in consultation with the Director of the Office of Personnel Management, shall—

(1) support competitions and challenges under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) (as amended by section 105 of the America COMPETES Reauthorization Act of 2010 (124 Stat. 3989)) or any other provision of law, as appropriate—

(A) to identify, develop, and recruit talented individuals to perform duties relating to the security of information technology in Federal, State, local, and tribal government agencies, and the private sector; or

(B) to stimulate innovation in basic and applied cybersecurity research, technology development, and prototype demonstration that has the potential for application to the information technology activities of the Federal Government; and

(2) ensure the effective operation of the competitions and challenges under this section.

(b) PARTICIPATION.—Participants in the competitions and challenges under subsection (a)(1) may include—

(1) students enrolled in grades 9 through 12;

(2) students enrolled in a postsecondary program of study leading to a baccalaureate degree at an institution of higher education;

(3) students enrolled in a postbaccalaureate program of study at an institution of higher education;

(4) institutions of higher education and research institutions;

(5) veterans; and

(6) other groups or individuals that the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security determine appropriate.

(c) AFFILIATION AND COOPERATIVE AGREEMENTS.—Competitions and challenges under this section may be carried out through affiliation and cooperative agreements with—

(1) Federal agencies;

(2) regional, State, or school programs supporting the development of cyber professionals;

(3) State, local, and tribal governments; or

(4) other private sector organizations.

(d) AREAS OF SKILL.—Competitions and challenges under subsection (a)(1)(A) shall be designed to identify, develop, and recruit exceptional talent relating to—

(1) ethical hacking;

(2) penetration testing;

(3) vulnerability assessment;

(4) continuity of system operations;

(5) security in design;

(6) cyber forensics;

(7) offensive and defensive cyber operations; and

(8) other areas the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security consider necessary to fulfill the cybersecurity mission.

(e) TOPICS.—In selecting topics for competitions and challenges under subsection (a)(1), the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security—

Consultation.

(1) shall consult widely both within and outside the Federal Government; and

(2) may empanel advisory committees.

(f) INTERNSHIPS.—The Director of the Office of Personnel Management may support, as appropriate, internships or other work experience in the Federal Government to the winners of the competitions and challenges under this section.

15 USC 7442.

SEC. 302. FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM.

Coordination.

(a) IN GENERAL.—The Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management and Secretary of Homeland Security, shall continue a Federal cyber scholarship-for-service program to recruit and train the next generation of information technology professionals, industrial control system security professionals, and security managers to meet the needs of the cybersecurity mission for Federal, State, local, and tribal governments.

(b) PROGRAM DESCRIPTION AND COMPONENTS.—The Federal Cyber Scholarship-for-Service Program shall—

(1) provide scholarships through qualified institutions of higher education, including community colleges, to students who are enrolled in programs of study at institutions of higher education leading to degrees or specialized program certifications in the cybersecurity field;

(2) provide the scholarship recipients with summer internship opportunities or other meaningful temporary appointments in the Federal information technology workforce; and

(3) prioritize the employment placement of scholarship recipients in the Federal Government.

Time period.

(c) SCHOLARSHIP AMOUNTS.—Each scholarship under subsection (b) shall be in an amount that covers the student's tuition and fees at the institution under subsection (b)(1) for not more than 3 years and provides the student with an additional stipend.

(d) POST-AWARD EMPLOYMENT OBLIGATIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the program, shall enter into an agreement under which the recipient agrees to work in the cybersecurity mission of a Federal, State, local, or tribal agency for a period equal to the length of the scholarship following receipt of the student's degree.

(e) HIRING AUTHORITY.—

(1) APPOINTMENT IN EXCEPTED SERVICE.—Notwithstanding any provision of chapter 33 of title 5, United States Code, governing appointments in the competitive service, an agency shall appoint in the excepted service an individual who has completed the eligible degree program for which a scholarship was awarded.

(2) NONCOMPETITIVE CONVERSION.—Except as provided in paragraph (4), upon fulfillment of the service term, an employee appointed under paragraph (1) may be converted noncompetitively to term, career-conditional or career appointment.

(3) TIMING OF CONVERSION.—An agency may noncompetitively convert a term employee appointed under paragraph (2) to a career-conditional or career appointment before the term appointment expires.

(4) AUTHORITY TO DECLINE CONVERSION.—An agency may decline to make the noncompetitive conversion or appointment under paragraph (2) for cause.

(f) ELIGIBILITY.—To be eligible to receive a scholarship under this section, an individual shall—

(1) be a citizen or lawful permanent resident of the United States;

(2) demonstrate a commitment to a career in improving the security of information technology;

(3) have demonstrated a high level of proficiency in mathematics, engineering, or computer sciences;

(4) be a full-time student in an eligible degree program at a qualified institution of higher education, as determined by the Director of the National Science Foundation; and

(5) accept the terms of a scholarship under this section.

(g) CONDITIONS OF SUPPORT.—

(1) IN GENERAL.—As a condition of receiving a scholarship under this section, a recipient shall agree to provide the qualified institution of higher education with annual verifiable documentation of post-award employment and up-to-date contact information.

(2) TERMS.—A scholarship recipient under this section shall be liable to the United States as provided in subsection (i) if the individual—

(A) fails to maintain an acceptable level of academic standing at the applicable institution of higher education, as determined by the Director of the National Science Foundation;

(B) is dismissed from the applicable institution of higher education for disciplinary reasons;

(C) withdraws from the eligible degree program before completing the program;

(D) declares that the individual does not intend to fulfill the post-award employment obligation under this section; or

(E) fails to fulfill the post-award employment obligation of the individual under this section.

(h) MONITORING COMPLIANCE.—As a condition of participating in the program, a qualified institution of higher education shall—

Contracts.

(1) enter into an agreement with the Director of the National Science Foundation, to monitor the compliance of scholarship recipients with respect to their post-award employment obligations; and

(2) provide to the Director of the National Science Foundation, on an annual basis, the post-award employment documentation required under subsection (g)(1) for scholarship recipients through the completion of their post-award employment obligations.

(i) AMOUNT OF REPAYMENT.—

(1) LESS THAN 1 YEAR OF SERVICE.—If a circumstance described in subsection (g)(2) occurs before the completion of 1 year of a post-award employment obligation under this section, the total amount of scholarship awards received by the individual under this section shall—

(A) be repaid; or

(B) be treated as a loan to be repaid in accordance with subsection (j).

(2) 1 OR MORE YEARS OF SERVICE.—If a circumstance described in subparagraph (D) or (E) of subsection (g)(2) occurs after the completion of 1 or more years of a post-award employment obligation under this section, the total amount of scholarship awards received by the individual under this section, reduced by the ratio of the number of years of service completed divided by the number of years of service required, shall—

(A) be repaid; or

(B) be treated as a loan to be repaid in accordance with subsection (j).

(j) REPAYMENTS.—A loan described subsection (i) shall—

(1) be treated as a Federal Direct Unsubsidized Stafford Loan under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.); and

(2) be subject to repayment, together with interest thereon accruing from the date of the scholarship award, in accordance with terms and conditions specified by the Director of the National Science Foundation (in consultation with the Secretary of Education) in regulations promulgated to carry out this subsection.

(k) COLLECTION OF REPAYMENT.—

Determinations.

(1) IN GENERAL.—In the event that a scholarship recipient is required to repay the scholarship award under this section, the qualified institution of higher education providing the scholarship shall—

Notification.

(A) determine the repayment amounts and notify the recipient and the Director of the National Science Foundation of the amounts owed; and

Time period.

(B) collect the repayment amounts within a period of time as determined by the Director of the National Science Foundation, or the repayment amounts shall be treated as a loan in accordance with subsection (j).

(2) RETURNED TO TREASURY.—Except as provided in paragraph (3), any repayment under this subsection shall be returned to the Treasury of the United States.

(3) RETAIN PERCENTAGE.—A qualified institution of higher education may retain a percentage of any repayment the institution collects under this subsection to defray administrative costs associated with the collection. The Director of the National Science Foundation shall establish a single, fixed percentage that will apply to all eligible entities. Applicability.

(l) EXCEPTIONS.—The Director of the National Science Foundation may provide for the partial or total waiver or suspension of any service or payment obligation by an individual under this section whenever compliance by the individual with the obligation is impossible or would involve extreme hardship to the individual, or if enforcement of such obligation with respect to the individual would be unconscionable.

(m) EVALUATION AND REPORT.—The Director of the National Science Foundation shall evaluate and report periodically to Congress on the success of recruiting individuals for scholarships under this section and on hiring and retaining those individuals in the public sector workforce.

TITLE IV—CYBERSECURITY AWARENESS AND PREPAREDNESS

15 USC prec. 7451.

SEC. 401. NATIONAL CYBERSECURITY AWARENESS AND EDUCATION PROGRAM.

15 USC 7451.

(a) NATIONAL CYBERSECURITY AWARENESS AND EDUCATION PROGRAM.—The Director of the National Institute of Standards and Technology (referred to in this section as the "Director"), in consultation with appropriate Federal agencies, industry, educational institutions, National Laboratories, the Networking and Information Technology Research and Development program, and other organizations shall continue to coordinate a national cybersecurity awareness and education program, that includes activities such as— Consultation.

(1) the widespread dissemination of cybersecurity technical standards and best practices identified by the Director;

(2) efforts to make cybersecurity best practices usable by individuals, small to medium-sized businesses, educational institutions, and State, local, and tribal governments;

(3) increasing public awareness of cybersecurity, cyber safety, and cyber ethics;

(4) increasing the understanding of State, local, and tribal governments, institutions of higher education, and private sector entities of—

(A) the benefits of ensuring effective risk management of information technology versus the costs of failure to do so; and

(B) the methods to mitigate and remediate vulnerabilities;

(5) supporting formal cybersecurity education programs at all education levels to prepare and improve a skilled cybersecurity and computer science workforce for the private sector and Federal, State, local, and tribal government; and

(6) promoting initiatives to evaluate and forecast future cybersecurity workforce needs of the Federal Government and develop strategies for recruitment, training, and retention.

Consultation.

(b) CONSIDERATIONS.—In carrying out the authority described in subsection (a), the Director, in consultation with appropriate Federal agencies, shall leverage existing programs designed to inform the public of safety and security of products or services, including self-certifications and independently verified assessments regarding the quantification and valuation of information security risk.

(c) STRATEGIC PLAN.—The Director, in cooperation with relevant Federal agencies and other stakeholders, shall build upon programs and plans in effect as of the date of enactment of this Act to develop and implement a strategic plan to guide Federal programs and activities in support of the national cybersecurity awareness and education program under subsection (a).

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director shall transmit the strategic plan under subsection (c) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

15 USC prec. 7461.

TITLE V—ADVANCEMENT OF CYBERSECURITY TECHNICAL STANDARDS

15 USC 7461.

SEC. 501. DEFINITIONS.

In this title:

(1) DIRECTOR.—The term "Director" means the Director of the National Institute of Standards and Technology.

(2) INSTITUTE.—The term "Institute" means the National Institute of Standards and Technology.

15 USC 7462.

SEC. 502. INTERNATIONAL CYBERSECURITY TECHNICAL STANDARDS.

Coordination.

(a) IN GENERAL.—The Director, in coordination with appropriate Federal authorities, shall—

(1) as appropriate, ensure coordination of Federal agencies engaged in the development of international technical standards related to information system security; and

Deadline. Plans.

(2) not later than 1 year after the date of enactment of this Act, develop and transmit to Congress a plan for ensuring such Federal agency coordination.

(b) CONSULTATION WITH THE PRIVATE SECTOR.—In carrying out the activities specified in subsection (a)(1), the Director shall ensure consultation with appropriate private sector stakeholders.

15 USC 7463.

SEC. 503. CLOUD COMPUTING STRATEGY.

Coordination. Collaboration. Consultation.

(a) IN GENERAL.—The Director, in coordination with the Office of Management and Budget, in collaboration with the Federal Chief Information Officers Council, and in consultation with other relevant Federal agencies and stakeholders from the private sector, shall continue to develop and encourage the implementation of a comprehensive strategy for the use and adoption of cloud computing services by the Federal Government.

(b) ACTIVITIES.—In carrying out the strategy described under subsection (a), the Director shall give consideration to activities that—

(1) accelerate the development, in collaboration with the private sector, of standards that address interoperability and portability of cloud computing services;

(2) advance the development of conformance testing performed by the private sector in support of cloud computing standardization; and

Coordination. Consultation.

(3) support, in coordination with the Office of Management and Budget, and in consultation with the private sector, the development of appropriate security frameworks and reference materials, and the identification of best practices, for use by Federal agencies to address security and privacy requirements to enable the use and adoption of cloud computing services, including activities—

(A) to ensure the physical security of cloud computing data centers and the data stored in such centers;

(B) to ensure secure access to the data stored in cloud computing data centers;

(C) to develop security standards as required under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3); and

(D) to support the development of the automation of continuous monitoring systems.

SEC. 504. IDENTITY MANAGEMENT RESEARCH AND DEVELOPMENT.

15 USC 7464.

The Director shall continue a program to support the development of voluntary and cost-effective technical standards, metrology, testbeds, and conformance criteria, taking into account appropriate user concerns—

(1) to improve interoperability among identity management technologies;

(2) to strengthen authentication methods of identity management systems;

(3) to improve privacy protection in identity management systems, including health information technology systems, through authentication and security protocols; and

(4) to improve the usability of identity management systems.

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 1353:

SENATE REPORTS: No. 113–270 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 160 (2014):

Dec. 11, considered and passed Senate and House.

Public Law 113–275
113th Congress

An Act

Dec. 18, 2014
[S. 1474]

To amend the Violence Against Women Reauthorization Act of 2013 to repeal a special rule for the State of Alaska, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

REPEAL OF SPECIAL RULE FOR STATE OF ALASKA.

Section 910 of the Violence Against Women Reauthorization Act of 2013 (18 U.S.C. 2265 note; Public Law 113–4) is repealed.

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 1474:

SENATE REPORTS: No. 113–260 (Comm. on Indian Affairs).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 9, considered and passed Senate.
Dec. 11, considered and passed House.

Public Law 113–276
113th Congress

An Act

To provide for the transfer of naval vessels to certain foreign recipients, and for other purposes.

Dec. 18, 2014
[S. 1683]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations of the Senate; and

(2) the Committee on Foreign Affairs of the House of Representatives.

TITLE I—TRANSFER OF EXCESS UNITED STATES NAVAL VESSELS

Naval Vessel Transfer Act of 2013.

SEC. 101. SHORT TITLE.

This title may be cited as the "Naval Vessel Transfer Act of 2013".

SEC. 102. TRANSFER OF NAVAL VESSELS TO CERTAIN FOREIGN RECIPIENTS.

President.

(a) TRANSFERS BY GRANT TO MEXICO.—The President is authorized to transfer to the Government of Mexico the OLIVER HAZARD PERRY class guided missile frigates USS CURTS (FFG–38) and USS MCCLUSKY (FFG–41) on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(b) TRANSFER BY SALE TO THE TAIPEI ECONOMIC AND CULTURAL REPRESENTATIVE OFFICE IN THE UNITED STATES.—The President is authorized to transfer the OLIVER HAZARD PERRY class guided missile frigates USS TAYLOR (FFG–50), USS GARY (FFG–51), USS CARR (FFG–52), and USS ELROD (FFG–55) to the Taipei Economic and Cultural Representative Office in the United States (which is the Taiwan instrumentality designated pursuant to section 10(a) of the Taiwan Relations Act (22 U.S.C. 3309(a))) on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(c) ALTERNATIVE TRANSFER AUTHORITY.—Notwithstanding the authority provided in subsections (a) and (b) and to transfer specific vessels to specific countries, the President is authorized to transfer any vessel named in this title to any country named in this section, subject to the same conditions that would apply for such country under this section, such that the total number of vessels transferred

to such country does not exceed the total number of vessels authorized for transfer to such country by this section.

(d) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis pursuant to authority provided by subsection (a) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

(e) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)).

(f) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the recipient to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that recipient, performed at a shipyard located in the United States.

Time period.

(g) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the 3-year period beginning on the date of the enactment of this Act.

TITLE II—ADDITIONAL PROVISIONS

SEC. 201. ENHANCED CONGRESSIONAL OVERSIGHT OF ARMS SALES, INCLUDING TO THE MIDDLE EAST.

Section 36 of the Arms Export Control Act (22 U.S.C. 2776) is amended by adding at the end the following new subsection:

Deadline. President.

"(i) PRIOR NOTIFICATION OF SHIPMENT OF ARMS.—At least 30 days prior to a shipment of defense articles subject to the requirements of subsection (b) at the joint request of the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives, the President shall provide notification of such pending shipment, in unclassified form, with a classified annex as necessary, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.".

SEC. 202. INCREASE IN ANNUAL LIMITATION ON TRANSFER OF EXCESS DEFENSE ARTICLES.

Section 516(g)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)(1)) is amended by striking "$425,000,000" and inserting "$500,000,000".

SEC. 203. INTEGRATED AIR AND MISSILE DEFENSE PROGRAMS AT TRAINING LOCATIONS IN SOUTHWEST ASIA.

Section 544(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2347c(c)) is amended by adding at the end the following new paragraph:

President. Reports. Deadline.

"(4) The President shall report to the appropriate congressional committees (as defined in section 656(e)) annually on the activities undertaken in the programs authorized under this subsection.".

SEC. 204. LICENSING OF CERTAIN COMMERCE-CONTROLLED ITEMS.

Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end the following new subsection:

"(k) LICENSING OF CERTAIN COMMERCE-CONTROLLED ITEMS.—

"(1) IN GENERAL.—A license or other approval from the Department of State granted in accordance with this section may also authorize the export of items subject to the Export Administration Regulations if such items are to be used in or with defense articles controlled on the United States Munitions List.

"(2) OTHER REQUIREMENTS.—The following requirements shall apply with respect to a license or other approval to authorize the export of items subject to the Export Administration Regulations under paragraph (1): Applicability.

"(A) Separate approval from the Department of Commerce shall not be required for such items if such items are approved for export under a Department of State license or other approval.

"(B) Such items subject to the Export Administration Regulations that are exported pursuant to a Department of State license or other approval would remain under the jurisdiction of the Department of Commerce with respect to any subsequent transactions.

"(C) The inclusion of the term 'subject to the EAR' or any similar term on a Department of State license or approval shall not affect the jurisdiction with respect to such items.

"(3) DEFINITION.—In this subsection, the term 'Export Administration Regulations' means—

"(A) the Export Administration Regulations as maintained and amended under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

"(B) any successor regulations.".

SEC. 205. AMENDMENTS RELATING TO REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.

(a) REQUIREMENTS FOR REMOVAL OF MAJOR DEFENSE EQUIPMENT FROM UNITED STATES MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)) is amended by adding at the end the following: President.

"(5)(A) Except as provided in subparagraph (B), the President shall take such actions as may be necessary to require that, at the time of export or reexport of any major defense equipment listed on the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subtitle B of title 15, Code of Federal Regulations, the major defense equipment will not be subsequently modified so as to transform such major defense equipment into a defense article.

"(B) The President may authorize the transformation of any major defense equipment described in subparagraph (A) into a defense article if the President—

"(i) determines that such transformation is appropriate and in the national interests of the United States; and Determination.

"(ii) provides notice of such transformation to the chairman of the Committee on Foreign Affairs of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate consistent with the notification requirements of section 36(b)(5)(A) of this Act. Notification.

Definition.

"(C) In this paragraph, the term 'defense article' means an item designated by the President pursuant to subsection (a)(1).".

(b) NOTIFICATION AND REPORTING REQUIREMENTS FOR MAJOR DEFENSE EQUIPMENT REMOVED FROM UNITED STATES MUNITIONS LIST.—Section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)), as amended by this section, is further amended by adding at the end the following:

President.

"(6) The President shall ensure that any major defense equipment that is listed on the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subtitle B of title 15, Code of Federal Regulations, shall continue to be subject to the notification and reporting requirements of the following provisions of law:

"(A) Section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)).

"(B) Section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415).

"(C) Section 3(d)(3)(A) of this Act.

"(D) Section 25 of this Act.

"(E) Section 36(b), (c), and (d) of this Act.".

SEC. 206. AMENDMENT TO DEFINITION OF "SECURITY ASSISTANCE" UNDER THE FOREIGN ASSISTANCE ACT OF 1961.

Section 502B(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)) is amended—

(1) in paragraph (1), by striking "and" at the end; and

(2) by amending paragraph (2)(C) to read as follows:

"(C) any license in effect with respect to the export to or for the armed forces, police, intelligence, or other internal security forces of a foreign country of—

"(i) defense articles or defense services under section 38 of the Armed Export Control Act (22 U.S.C. 2778); or

"(ii) items listed under the 600 series of the Commerce Control List contained in Supplement No. 1 to part 774 of subtitle B of title 15, Code of Federal Regulations;".

SEC. 207. AMENDMENTS TO DEFINITIONS OF "DEFENSE ARTICLE" AND "DEFENSE SERVICE" UNDER THE ARMS EXPORT CONTROL ACT.

Section 47 of the Arms Export Control Act (22 U.S.C. 2794) is amended—

(1) in the matter preceding subparagraph (A) of paragraph (3), by striking "includes" and inserting "means, with respect to a sale or transfer by the United States under the authority of this Act or any other foreign assistance or sales program of the United States"; and

(2) in paragraph (4), by striking "includes" and inserting "means, with respect to a sale or transfer by the United States under the authority of this Act or any other foreign assistance or sales program of the United States,".

SEC. 208. TECHNICAL AMENDMENTS.

(a) IN GENERAL.—The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in sections 3(a), 3(d)(1), 3(d)(3)(A), 3(e), 5(c), 6, 21(g), 36(a), 36(b)(1), 36(b)(5)(C), 36(c)(1), 36(f), 38(f)(1), 40(f)(1), 40(g)(2)(B), 101(b), and 102(a)(2), by striking "the Speaker of the House of Representatives and" each place it appears and inserting "the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and"; 22 USC 2753, 2755, 2756, 2761, 2776, 2778, 2780, 2799.

(2) in section 21(i)(1) by inserting after "the Speaker of the House of Representatives" the following ", the Committees on Foreign Affairs and Armed Services of the House of Representatives,"; 22 USC 2761.

(3) in sections 25(e), 38(f)(2), 38(j)(3), and 38(j)(4)(B), by striking "International Relations" each place it appears and inserting "Foreign Affairs"; 22 USC 2765, 2778.

(4) in sections 27(f) and 62(a), by inserting after "the Speaker of the House of Representatives," each place it appears the following: "the Committee on Foreign Affairs of the House of Representatives,"; and 22 USC 2767, 2796.

(5) in section 73(e)(2), by striking "the Committee on National Security and the Committee on International Relations of the House of Representatives" and inserting "the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives". 22 USC 2797.

(b) OTHER TECHNICAL AMENDMENTS.—

(1) ARMS EXPORT CONTROL ACT.—The Arms Export Control Act (22 U.S.C. 2751 et seq.), as amended by subsection (a), is further amended—

(A) in section 38— 22 USC 2778.

(i) in subsection (b)(1), by redesignating the second subparagraph (B) (as added by section 1255(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 101 Stat. 1431)) as subparagraph (C);

(ii) in subsection (g)(1)(A)—

(I) in clause (xi), by striking "; or" and inserting ", or"; and

(II) in clause (xii)—

(aa) by striking "section" and inserting "sections"; and

(bb) by striking "(18 U.S.C. 175b)" and inserting "(18 U.S.C. 175c)"; and

(iii) in subsection (j)(2), in the matter preceding subparagraph (A), by inserting "in" after "to"; and

(B) in section 47(2), in the matter preceding subparagraph (A), by striking "sec. 21(a),," and inserting "section 21(a),". 22 USC 2794.

(2) FOREIGN ASSISTANCE ACT OF 1961.—Section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304) is amended—

(A) in subsection (b), by striking "Wherever applicable, a description" and inserting "Wherever applicable, such report shall include a description"; and

(B) in subsection (d)(2)(B), by striking "credits" and inserting "credits)".

5 USC app. 2411 note.

SEC. 209. APPLICATION OF CERTAIN PROVISIONS OF EXPORT ADMINISTRATION ACT OF 1979.

(a) PROTECTION OF INFORMATION.—Section 12(c) of the Export Administration Act of 1979 (50 U.S.C. App. 2411(c)) has been in effect from August 20, 2001, and continues in effect on and after the date of the enactment of this Act, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and notwithstanding section 20 of the Export Administration Act of 1979 (50 U.S.C. App. 2419). Section 12(c)(1) of the Export Administration Act of 1979 is a statute covered by section 552(b)(3) of title 5, United States Code.

Time period.

(b) TERMINATION DATE.—Subsection (a) terminates at the end of the 4-year period beginning on the date of the enactment of this Act.

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 1683:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 4, considered and passed Senate.
Dec. 10, considered and passed House.

Public Law 113–277
113th Congress

An Act

To amend title 5, United States Code, to improve the security of the United States border and to provide for reforms and rates of pay for border patrol agents.

Dec. 18, 2014
[S. 1691]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

Border Patrol Agent Pay Reform Act of 2014.
5 USC 101 note.

This Act may be cited as the "Border Patrol Agent Pay Reform Act of 2014".

SEC. 2. BORDER PATROL RATE OF PAY.

5 USC 5542 note.

(a) PURPOSE.—The purposes of this Act are—

(1) to strengthen U.S. Customs and Border Protection and ensure that border patrol agents are sufficiently ready to conduct necessary work and will perform overtime hours in excess of a 40-hour workweek based on the needs of U.S. Customs and Border Protection; and

(2) to ensure U.S. Customs and Border Protection has the flexibility to cover shift changes and retains the right to assign scheduled and unscheduled work for mission requirements and planning based on operational need.

(b) RATES OF PAY.—Subchapter V of chapter 55 of title 5, United States Code, is amended by inserting after section 5549 the following:

"§ 5550. Border patrol rate of pay

5 USC 5550.

"(a) DEFINITIONS.—In this section—

"(1) the term 'basic border patrol rate of pay' means the hourly rate of basic pay of the applicable border patrol, as determined without regard to this section;

"(2) the term 'border patrol agent' means an individual who is appointed to a position assigned to the Border Patrol Enforcement classification series 1896 or any successor series, consistent with classification standards established by the Office of Personnel Management;

"(3) the term 'level 1 border patrol rate of pay' means the hourly rate of pay equal to 1.25 times the otherwise applicable hourly rate of basic pay of the applicable border patrol agent;

"(4) the term 'level 2 border patrol rate of pay' means the hourly rate of pay equal to 1.125 times the otherwise applicable hourly rate of basic pay of the applicable border patrol agent; and

"(5) the term 'work period' means a 14-day biweekly pay period.

"(b) RECEIPT OF BORDER PATROL RATE OF PAY.—

"(1) VOLUNTARY ELECTION.—

Deadline.
Effective date.

"(A) IN GENERAL.—Not later than 30 days before the first day of each year beginning after the date of enactment of this section, a border patrol agent shall make an election whether the border patrol agent shall, for that year, be assigned to—

"(i) the level 1 border patrol rate of pay;

"(ii) the level 2 border patrol rate of pay; or

"(iii) the basic border patrol rate of pay, with additional overtime assigned as needed by U.S. Customs and Border Protection.

Procedures.

"(B) REGULATIONS.—The Director of the Office of Personnel Management shall promulgate regulations establishing procedures for elections under subparagraph (A).

Deadline.
Effective date.

"(C) INFORMATION REGARDING ELECTION.—Not later than 60 days before the first day of each year beginning after the date of enactment of this section, U.S. Customs and Border Protection shall provide each border patrol agent with information regarding each type of election available under subparagraph (A) and how to make such an election.

"(D) ASSIGNMENT IN LIEU OF ELECTION.—Notwithstanding subparagraph (A)—

"(i) a border patrol agent who fails to make a timely election under subparagraph (A) shall be assigned to the level 1 border patrol rate of pay;

"(ii) a border patrol agent who is assigned a canine shall be assigned to the level 1 border patrol rate of pay;

"(iii) if at any time U.S. Customs and Border Protection concludes that a border patrol agent is unable to perform overtime on a daily basis in accordance with this section, U.S. Customs and Border Protection shall assign the border patrol agent to the basic border patrol rate of pay until such time as U.S. Customs and Border Protection determines that the border patrol agent is able to perform scheduled overtime on a daily basis;

"(iv) unless the analysis conducted under section 2(e) of the Border Patrol Agent Pay Reform Act of 2014 indicates that, in order to more adequately fulfill the operational requirements of U.S. Customs and Border Protection, such border patrol agents should be allowed to elect or be assigned to the level 1 border patrol rate of pay or the level 2 border patrol rate of pay, a border patrol agent shall be assigned to the basic border patrol rate of pay if the agent works—

"(I) at U.S. Customs and Border Protection headquarters;

"(II) as a training instructor at a U.S. Customs and Border Protection training facility;

"(III) in an administrative position; or

"(IV) as a fitness instructor; and

"(v) a border patrol agent may be assigned to the level 1 border patrol rate of pay or the level 2 border

patrol rate of pay in accordance with subparagraph (E).

"(E) FLEXIBILITY.—

"(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), and notwithstanding any other provision of law, U.S. Customs and Border Protection shall take such action as is necessary, including the unilateral assignment of border patrol agents to the level 1 border patrol rate of pay or the level 2 border patrol rate of pay, to ensure that not more than 10 percent of the border patrol agents stationed at a location are assigned to the level 2 border patrol rate of pay or the basic border patrol rate of pay.

"(ii) WAIVER.—U.S. Customs and Border Protection may waive the limitation under clause (i) on the percent of border patrol agents stationed at a location who are assigned to the level 2 border patrol rate of pay or the basic border patrol rate of pay if, based on the analysis conducted under section 2(e) of the Border Patrol Agent Pay Reform Act of 2014, U.S. Customs and Border Protection determines it may do so and adequately fulfill its operational requirements.

"(iii) CERTAIN LOCATIONS.—Clause (i) shall not apply to border patrol agents working at the headquarters of U.S. Customs and Border Protection or a training location of U.S. Customs and Border Protection.

"(F) CANINE CARE.—For a border patrol agent assigned to provide care for a canine and assigned to the level 1 border patrol rate of pay in accordance with subparagraph (D)(ii)—

"(i) that rate of pay covers all such care;

"(ii) for the purposes of scheduled overtime under paragraph (2)(A)(ii), such care shall be counted as 1 hour of scheduled overtime on each regular workday without regard to the actual duration of such care or whether such care occurs on the regular workday; and

"(iii) no other pay shall be paid to the border patrol agent for such care.

"(G) PAY ASSIGNMENT CONTINUITY.—

"(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Border Patrol Agent Pay Reform Act of 2014, and in consultation with the Office of Personnel Management, U.S. Customs and Border Protection shall develop and implement a plan to ensure, to the greatest extent practicable, that the assignment of a border patrol agent under this section during the 3 years of service before the border patrol agent becomes eligible for immediate retirement are consistent with the average border patrol rate of pay level to which the border patrol agent has been assigned during the course of the career of the border patrol agent.

Deadline. Consultation. Plan.

"(ii) IMPLEMENTATION.—Notwithstanding any other provision of law, U.S. Customs and Border Protection may take such action as is necessary,

including the unilateral assignment of border patrol agents to the level 1 border patrol rate of pay, the level 2 border patrol rate of pay, or the basic border patrol rate of pay, to implement the plan developed under this subparagraph.

"(iii) REPORTING.—U.S. Customs and Border Protection shall submit the plan developed under clause (i) to the appropriate committees of Congress.

Deadline. Reports.

"(iv) GAO REVIEW.—Not later than 6 months after U.S. Customs and Border Protection issues the plan required under clause (i), the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the effectiveness of the plan in ensuring that border patrol agents are not able to artificially enhance their retirement annuities.

"(v) DEFINITION.—In this subparagraph, the term 'appropriate committees of Congress' means—

"(I) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

"(II) the Committee on Homeland Security, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

"(vi) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to limit the ability of U.S. Customs and Border Protection to assign border patrol agents to border patrol rates of pay as necessary to meet operational requirements.

"(2) LEVEL 1 BORDER PATROL RATE OF PAY.—For a border patrol agent who is assigned to the level 1 border patrol rate of pay—

"(A) the border patrol agent shall have a regular tour of duty consisting of 5 workdays per week with—

"(i) 8 hours of regular time per workday, which may be interrupted by an unpaid off-duty meal break; and

"(ii) 2 additional hours of scheduled overtime during each day the agent performs work under clause (i);

"(B) for paid hours of regular time described in subparagraph (A)(i), the border patrol agent shall receive pay at the level 1 border patrol rate of pay;

"(C) compensation for the hours of regularly scheduled overtime work described in subparagraph (A)(ii) is provided indirectly through the 25 percent supplement within the level 1 border patrol rate of pay, and the border patrol agent may not receive for such hours—

"(i) any compensation in addition to the compensation under subparagraph (B) under this section or any other provision of law; or

"(ii) any compensatory time off;

"(D) the border patrol agent shall receive compensatory time off or pay at the overtime hourly rate of pay for hours of work in excess of 100 hours during a work period, as determined in accordance with section 5542(g);

"(E) the border patrol agent shall be charged corresponding amounts of paid leave, compensatory time off, or other paid time off for each hour (or part thereof) the agent is absent from work during regular time (except that full days off for military leave shall be charged when required);

"(F) if the border patrol agent is absent during scheduled overtime described in subparagraph (A)(ii)—

"(i) the border patrol agent shall accrue an obligation to perform other overtime work for each hour (or part thereof) the border patrol agent is absent; and

"(ii) any overtime work applied toward the obligation under clause (i) shall not be credited as overtime work under any other provision of law; and

"(G) for the purposes of advanced training, the border patrol agent—

"(i) shall be paid at the level 1 border patrol rate of pay for the first 60 days of advanced training in a calendar year; and Time period.

"(ii) for any advanced training in addition to the advanced training described in clause (i), shall be paid at the basic border patrol rate of pay.

"(3) LEVEL 2 BORDER PATROL RATE OF PAY.—For a border patrol agent who is assigned to the level 2 border patrol rate of pay—

"(A) the border patrol agent shall have a regular tour of duty consisting of 5 workdays per week with—

"(i) 8 hours of regular time per workday, which may be interrupted by an unpaid off-duty meal break; and

"(ii) 1 additional hour of scheduled overtime during each day the agent performs work under clause (i);

"(B) for paid hours of regular time described in subparagraph (A)(i), the border patrol agent shall receive pay at the level 2 border patrol rate of pay;

"(C) compensation for the hours of regularly scheduled overtime work described in subparagraph (A)(ii) is provided indirectly through the 12.5 percent supplement within the level 2 border patrol rate of pay, and the border patrol agent may not receive for such hours—

"(i) any compensation in addition to the compensation under subparagraph (B) under this section or any other provision of law; or

"(ii) any compensatory time off;

"(D) the border patrol agent shall receive compensatory time off or pay at the overtime hourly rate of pay for hours of work in excess of 90 hours during a work period, as determined in accordance with section 5542(g);

"(E) the border patrol agent shall be charged corresponding amounts of paid leave, compensatory time off, or other paid time off for each hour (or part thereof) the agent is excused from work during regular time (except that full days off for military leave shall be charged when required);

"(F) if the border patrol agent is absent during scheduled overtime described in subparagraph (A)(ii)—

"(i) the border patrol agent shall accrue an obligation to perform other overtime work for each hour (or part thereof) the border patrol agent is absent; and

"(ii) any overtime work applied toward the obligation under clause (i) shall not be credited as overtime work under any other provision of law; and

"(G) for the purposes of advanced training, the border patrol agent—

Time period.

"(i) shall be paid at the level 2 border patrol rate of pay for the first 60 days of advanced training in a calendar year; and

"(ii) for any advanced training in addition to the advanced training described in clause (i), shall be paid at the basic border patrol rate of pay.

"(4) BASIC BORDER PATROL RATE OF PAY.—For a border patrol agent who is assigned to the basic border patrol rate of pay—

"(A) the border patrol agent shall have a regular tour of duty consisting of 5 workdays per week with 8 hours of regular time per workday; and

"(B) the border patrol agent shall receive compensatory time off or pay at the overtime hourly rate of pay for hours of work in excess of 80 hours during a work period, as determined in accordance with section 5542(g).

"(c) ELIGIBILITY FOR OTHER PREMIUM PAY.—A border patrol agent—

"(1) shall receive premium pay for nightwork in accordance with subsections (a) and (b) of section 5545 and Sunday and holiday pay in accordance with section 5546, without regard to the rate of pay to which the border patrol agent is assigned under this section, except that—

"(A) no premium pay for night, Sunday, or holiday work shall be provided for hours of regularly scheduled overtime work described in paragraph (2)(A)(ii) or (3)(A)(ii) of subsection (b), consistent with the requirements of paragraph (2)(C) or (3)(C) of subsection (b); and

"(B) section 5546(d) shall not apply and instead eligibility for pay for, and the rate of pay for, any overtime work on a Sunday or a designated holiday shall be determined in accordance with this section and section 5542(g);

"(2) except as provided in paragraph (3) or section 5542(g), shall not be eligible for any other form of premium pay under this title; and

"(3) shall be eligible for hazardous duty pay in accordance with section 5545(d).

"(d) TREATMENT AS BASIC PAY.—Any pay in addition to the basic border patrol rate of pay for a border patrol agent resulting from application of the level 1 border patrol rate of pay or the level 2 border patrol rate of pay—

"(1) subject to paragraph (2), shall be treated as part of basic pay solely for—

"(A) purposes of sections 5595(c), 8114(e), 8331(3)(I), and 8704(c);

"(B) any other purpose that the Director of the Office of Personnel Management may by regulation prescribe; and

"(C) any other purpose expressly provided for by law; and

"(2) shall not be treated as part of basic pay for the purposes of calculating overtime pay, night pay, Sunday pay, or holiday pay under section 5542, 5545, or 5546.

"(e) TRAVEL TIME.—Travel time to and from home and duty station by a border patrol agent shall not be considered hours of work under any provision of law.

"(f) LEAVE WITHOUT PAY AND SUBSTITUTION OF HOURS.—

"(1) REGULAR TIME.—

"(A) IN GENERAL.—For a period of leave without pay during the regular time of a border patrol agent (as described in paragraph (2)(A)(i), (3)(A)(i), or (4)(A) of subsection (b)) within a work period, an equal period of work outside the regular time of the border patrol agent, but in the same work period—

"(i) shall be substituted and paid for at the rate applicable for the regular time; and

"(ii) shall not be credited as overtime hours for any purpose.

"(B) PRIORITY FOR SAME DAY WORK.—In substituting hours of work under subparagraph (A), work performed on the same day as the period of leave without pay shall be substituted first.

"(C) PRIORITY FOR REGULAR TIME SUBSTITUTION.—Hours of work shall be substituted for regular time work under this paragraph before being substituted for scheduled overtime under paragraphs (2), (3), and (4).

"(2) OVERTIME WORK.—

"(A) IN GENERAL.—For a period of absence during scheduled overtime (as described in paragraph (2)(F) or (3)(F) of subsection (b)) within a work period, an equal period of additional work in the same work period—

"(i) shall be substituted and credited as scheduled overtime; and

"(ii) shall not be credited as overtime hours under any other provision of law.

"(B) PRIORITY FOR SAME DAY WORK.—In substituting hours of work under subparagraph (A), work performed on the same day as the period of absence shall be substituted first.

"(3) APPLICATION OF COMPENSATORY TIME.—If a border patrol agent does not have sufficient additional work in a work period to substitute for all periods of absence during scheduled overtime (as described in paragraph (2)(F) or (3)(F) of subsection (b)) within that work period, any accrued compensatory time off under section 5542(g) shall be applied to satisfy the hours obligation.

"(4) INSUFFICIENT HOURS.—If a border patrol agent has a remaining hours obligation of scheduled overtime after applying paragraphs (2) and (3), any additional work in subsequent work periods that would otherwise be credited under section 5542(g) shall be applied towards the hours obligation until that obligation is satisfied.

"(g) AUTHORITY TO REQUIRE OVERTIME WORK.—Nothing in this section shall be construed to limit the authority of U.S. Customs and Border Protection to require a border patrol agent to perform

hours of overtime work in accordance with the needs of U.S. Customs and Border Protection, including if needed in the event of a local or national emergency.".

(c) OVERTIME WORK.—

(1) IN GENERAL.—Section 5542 of title 5, United States Code, is amended by adding at the end the following:

Applicability. Regulations.

"(g) In applying subsection (a) with respect to a border patrol agent covered by section 5550, the following rules apply:

"(1) Notwithstanding the matter preceding paragraph (1) in subsection (a), for a border patrol agent who is assigned to the level 1 border patrol rate of pay under section 5550—

"(A) hours of work in excess of 100 hours during a 14-day biweekly pay period shall be overtime work; and

"(B) the border patrol agent—

"(i) shall receive pay at the overtime hourly rate of pay (as determined in accordance with paragraphs (1) and (2) of subsection (a)) for hours of overtime work that are officially ordered or approved in advance of the workweek; and

"(ii) except as provided in paragraphs (4) and (5), shall receive compensatory time off for an equal amount of time spent performing overtime work that is not overtime work described in clause (i).

"(2) Notwithstanding the matter preceding paragraph (1) in subsection (a), for a border patrol agent who is assigned to the level 2 border patrol rate of pay under section 5550—

"(A) hours of work in excess of 90 hours during a 14-day biweekly pay period shall be overtime work; and

"(B) the border patrol agent—

"(i) shall receive pay at the overtime hourly rate of pay (as determined in accordance with paragraphs (1) and (2) of subsection (a)) for hours of overtime work that are officially ordered or approved in advance of the workweek; and

"(ii) except as provided in paragraphs (4) and (5), shall receive compensatory time off for an equal amount of time spent performing overtime work that is not overtime work described in clause (i).

"(3) Notwithstanding the matter preceding paragraph (1) in subsection (a), for a border patrol agent who is assigned to the basic border patrol rate of pay under section 5550—

"(A) hours of work in excess of 80 hours during a 14-day biweekly pay period shall be overtime work; and

"(B) the border patrol agent—

"(i) shall receive pay at the overtime hourly rate of pay (as determined in accordance with paragraphs (1) and (2) of subsection (a)) for hours of overtime work that are officially ordered or approved in advance of the workweek; and

"(ii) except as provided in paragraphs (4) and (5), shall receive compensatory time off for an equal amount of time spent performing overtime work that is not overtime work described in clause (i).

"(4)(A) Except as provided in subparagraph (B), during a 14-day biweekly pay period, a border patrol agent may not earn compensatory time off for more than 10 hours of overtime work.

"(B) U.S. Customs and Border Protection may, as it determines appropriate, waive the limitation under subparagraph (A) for an individual border patrol agent for hours of irregular or occasional overtime work, but such waiver must be approved in writing in advance of the performance of any such work for which compensatory time off is earned under paragraph (1)(B)(ii), (2)(B)(ii), or (3)(B)(ii). If a waiver request by a border patrol agent is denied, the border patrol agent may not be ordered to perform the associated overtime work. Waiver authority.

"(5) A border patrol agent—

"(A) may not earn more than 240 hours of compensatory time off during a leave year;

"(B) shall use any hours of compensatory time off not later than the end of the 26th pay period after the pay period during which the compensatory time off was earned;

"(C) shall be required to use 1 hour of compensatory time off for each hour of regular time not worked for which the border patrol agent is not on paid leave or other paid time off or does not substitute time in accordance with section 5550(f);

"(D) shall forfeit any compensatory time off not used in accordance with this paragraph and, regardless of circumstances, shall not be entitled to any cash value for compensatory time earned under section 5550;

"(E) shall not receive credit towards the computation of the annuity of the border patrol agent for compensatory time, whether used or not; and

"(F) shall not be credited with compensatory time off if the value of such time off would cause the aggregate premium pay of the border patrol agent to exceed the limitation established under section 5547 in the period in which it was earned.".

(2) MINIMIZATION OF OVERTIME.—U.S. Customs and Border Protection shall, to the maximum extent practicable, avoid the use of scheduled overtime work by border patrol agents. 5 USC 5550 note.

(d) RETIREMENT.—Section 8331(3) of title 5, United States Code, is amended—

(1) in subparagraph (G), by striking "and";

(2) in subparagraph (H), by inserting "and" after the semicolon;

(3) by inserting a new subparagraph after subparagraph (H) as follows:

"(I) with respect to a border patrol agent, the amount of supplemental pay received through application of the level 1 border patrol rate of pay or the level 2 border patrol rate of pay for scheduled overtime within the regular tour of duty of the border patrol agent as provided in section 5550;"; and

(4) in the undesignated matter following subparagraph (H), by striking "subparagraphs (B) through (H)" and inserting "subparagraphs (B) through (I)".

(e) COMPREHENSIVE STAFFING ANALYSIS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, U.S. Customs and Border Protection shall conduct a comprehensive analysis, and submit to the Comptroller General of the United States a report, that— Deadline. Reports.

(A) examines the staffing requirements for U.S. Border Patrol to most effectively meet its operational requirements at each Border Patrol duty station;

(B) estimates the cost of the staffing requirements at each Border Patrol duty station; and

(C) includes—

(i) a position-by-position review at each Border Patrol station to determine—

(I) the duties assigned to each position;

(II) how the duties relate to the operational requirements of U.S. Border Patrol; and

(III) the number of hours border patrol agents in that position would need to work each pay period to meet the operational requirements of U.S. Border Patrol;

(ii) the metrics used to determine the number of hours of work performed at each Border Patrol station, broken down by the type of hours worked;

(iii) a cost analysis of the most recent full fiscal year by the type of full-time equivalent hours worked;

(iv) a cost estimate by the type of full-time equivalent hours expected to be worked during the first full fiscal year after the date of enactment of this Act; and

(v) an analysis that compares the cost of assigning the full-time equivalent hours needed to meet the operational requirements of U.S. Border Patrol to existing border patrol agents through higher rates of pay versus recruiting, hiring, training, and deploying additional border patrol agents.

Deadline. Reports.

(2) INDEPENDENT VALIDATOR.—Not later than 90 days after the date on which the Comptroller General receives the report under paragraph (1), the Comptroller General shall submit to the appropriate committees of Congress a report that—

(A) examines the methodology used by U.S. Customs and Border Protection to carry out the analysis; and

(B) indicates whether the Comptroller General concurs with the findings in the report under paragraph (1).

(3) DEFINITION.—In this subsection, the term "appropriate committees of Congress" means—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Oversight and Government Reform and the Committee on Appropriations of the House of Representatives.

5 USC 5542 note.

(f) RULES OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to—

(1) limit the right of U.S. Customs and Border Protection to assign both scheduled and unscheduled work to a border patrol agent based on the needs of U.S. Customs and Border Protection in excess of the hours of work normally applicable under the election of the border patrol agent, regardless of what the border patrol agent might otherwise have elected;

(2) require compensation of a border patrol agent other than for hours during which the border patrol agent is actually

performing work or using approved paid leave or other paid time off; or

(3) exempt a border patrol agent from any limitations on pay, earnings, or compensation, including the limitations under section 5547 of title 5, United States Code.

(g) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 5547 of title 5, United States Code is amended by—

(A) in subsection (a), in the matter preceding paragraph (1)—

(i) by striking, "and" before "5546"; and

(ii) by inserting ", and 5550" after "5546 (a) and (b)"; and

(B) by adding at the end the following:

"(e) Any supplemental pay resulting from receipt of the level 1 border patrol rate of pay or the level 2 border patrol rate of pay under section 5550 shall be considered premium pay in applying this section.". Applicability.

(2) Section 13(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)) is amended—

(A) in paragraph (16), by striking "or" after the semicolon;

(B) in paragraph (17), by striking the period at the end and inserting "; or"; and

(C) by adding at the end the following:

"(18) any employee who is a border patrol agent, as defined in section 5550(a) of title 5, United States Code.".

(3) The table of sections for chapter 55 of title 5, United States Code, is amended by inserting after the item relating to section 5549 the following: 5 USC prec. 5501.

"5550. Border patrol rate of pay.".

(h) REGULATIONS.—The Director of the Office of Personnel Management shall promulgate regulations to carry out this Act and the amendments made by this Act. 5 USC 5542 note.

SEC. 3. CYBERSECURITY RECRUITMENT AND RETENTION.

(a) IN GENERAL.—At the end of subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.), add the following:

"SEC. 226. CYBERSECURITY RECRUITMENT AND RETENTION. 6 USC 147.

"(a) DEFINITIONS.—In this section:

"(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives.

"(2) COLLECTIVE BARGAINING AGREEMENT.—The term 'collective bargaining agreement' has the meaning given that term in section 7103(a)(8) of title 5, United States Code.

"(3) EXCEPTED SERVICE.—The term 'excepted service' has the meaning given that term in section 2103 of title 5, United States Code.

"(4) PREFERENCE ELIGIBLE.—The term 'preference eligible' has the meaning given that term in section 2108 of title 5, United States Code.

"(5) QUALIFIED POSITION.—The term 'qualified position' means a position, designated by the Secretary for the purpose of this section, in which the incumbent performs, manages, or supervises functions that execute the responsibilities of the Department relating to cybersecurity.

"(6) SENIOR EXECUTIVE SERVICE.—The term 'Senior Executive Service' has the meaning given that term in section 2101a of title 5, United States Code.

"(b) GENERAL AUTHORITY.—

"(1) ESTABLISH POSITIONS, APPOINT PERSONNEL, AND FIX RATES OF PAY.—

"(A) GENERAL AUTHORITY.—The Secretary may—

"(i) establish, as positions in the excepted service, such qualified positions in the Department as the Secretary determines necessary to carry out the responsibilities of the Department relating to cybersecurity, including positions formerly identified as—

"(I) senior level positions designated under section 5376 of title 5, United States Code; and

"(II) positions in the Senior Executive Service;

"(ii) appoint an individual to a qualified position (after taking into consideration the availability of preference eligibles for appointment to the position); and

"(iii) subject to the requirements of paragraphs (2) and (3), fix the compensation of an individual for service in a qualified position.

"(B) CONSTRUCTION WITH OTHER LAWS.—The authority of the Secretary under this subsection applies without regard to the provisions of any other law relating to the appointment, number, classification, or compensation of employees.

"(2) BASIC PAY.—

"(A) AUTHORITY TO FIX RATES OF BASIC PAY.—In accordance with this section, the Secretary shall fix the rates of basic pay for any qualified position established under paragraph (1) in relation to the rates of pay provided for employees in comparable positions in the Department of Defense and subject to the same limitations on maximum rates of pay established for such employees by law or regulation.

"(B) PREVAILING RATE SYSTEMS.—The Secretary may, consistent with section 5341 of title 5, United States Code, adopt such provisions of that title as provide for prevailing rate systems of basic pay and may apply those provisions to qualified positions for employees in or under which the Department may employ individuals described by section 5342(a)(2)(A) of that title.

"(3) ADDITIONAL COMPENSATION, INCENTIVES, AND ALLOWANCES.—

"(A) ADDITIONAL COMPENSATION BASED ON TITLE 5 AUTHORITIES.—The Secretary may provide employees in qualified positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5, United States Code.

"(B) ALLOWANCES IN NONFOREIGN AREAS.—An employee in a qualified position whose rate of basic pay

is fixed under paragraph (2)(A) shall be eligible for an allowance under section 5941 of title 5, United States Code, on the same basis and to the same extent as if the employee was an employee covered by such section 5941, including eligibility conditions, allowance rates, and all other terms and conditions in law or regulation.

"(4) PLAN FOR EXECUTION OF AUTHORITIES.—Not later than 120 days after the date of enactment of this section, the Secretary shall submit a report to the appropriate committees of Congress with a plan for the use of the authorities provided under this subsection. Deadline. Reports.

"(5) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in paragraph (1) may be construed to impair the continued effectiveness of a collective bargaining agreement with respect to an office, component, subcomponent, or equivalent of the Department that is a successor to an office, component, subcomponent, or equivalent of the Department covered by the agreement before the succession.

"(6) REQUIRED REGULATIONS.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall prescribe regulations for the administration of this section. Coordination.

"(c) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this section, and every year thereafter for 4 years, the Secretary shall submit to the appropriate committees of Congress a detailed report that—

"(1) discusses the process used by the Secretary in accepting applications, assessing candidates, ensuring adherence to veterans' preference, and selecting applicants for vacancies to be filled by an individual for a qualified position;

"(2) describes—

"(A) how the Secretary plans to fulfill the critical need of the Department to recruit and retain employees in qualified positions;

"(B) the measures that will be used to measure progress; and

"(C) any actions taken during the reporting period to fulfill such critical need;

"(3) discusses how the planning and actions taken under paragraph (2) are integrated into the strategic workforce planning of the Department;

"(4) provides metrics on actions occurring during the reporting period, including—

"(A) the number of employees in qualified positions hired by occupation and grade and level or pay band;

"(B) the placement of employees in qualified positions by directorate and office within the Department;

"(C) the total number of veterans hired;

"(D) the number of separations of employees in qualified positions by occupation and grade and level or pay band;

"(E) the number of retirements of employees in qualified positions by occupation and grade and level or pay band; and

"(F) the number and amounts of recruitment, relocation, and retention incentives paid to employees in qualified positions by occupation and grade and level or pay band; and

"(5) describes the training provided to supervisors of employees in qualified positions at the Department on the use of the new authorities.

"(d) THREE-YEAR PROBATIONARY PERIOD.—The probationary period for all employees hired under the authority established in this section shall be 3 years.

"(e) INCUMBENTS OF EXISTING COMPETITIVE SERVICE POSITIONS.—

"(1) IN GENERAL.—An individual serving in a position on the date of enactment of this section that is selected to be converted to a position in the excepted service under this section shall have the right to refuse such conversion.

"(2) SUBSEQUENT CONVERSION.—After the date on which an individual who refuses a conversion under paragraph (1) stops serving in the position selected to be converted, the position may be converted to a position in the excepted service.

"(f) STUDY AND REPORT.—Not later than 120 days after the date of enactment of this section, the National Protection and Programs Directorate shall submit a report regarding the availability of, and benefits (including cost savings and security) of using, cybersecurity personnel and facilities outside of the National Capital Region (as defined in section 2674 of title 10, United States Code) to serve the Federal and national need to—

"(1) the Subcommittee on Homeland Security of the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate; and

"(2) the Subcommittee on Homeland Security of the Committee on Appropriations and the Committee on Homeland Security of the House of Representatives.".

(b) CONFORMING AMENDMENT.—Section 3132(a)(2) of title 5, United States Code, is amended in the matter following subparagraph (E)—

(1) in clause (i), by striking "or" at the end;

(2) in clause (ii), by inserting "or" after the semicolon; and

(3) by inserting after clause (ii) the following:

"(iii) any position established as a qualified position in the excepted service by the Secretary of Homeland Security under section 226 of the Homeland Security Act of 2002;".

(c) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 225 the following:

"Sec. 226. Cybersecurity recruitment and retention.".

Homeland Security Cybersecurity Workforce Assessment Act. 6 USC 146 note.

SEC. 4. HOMELAND SECURITY CYBERSECURITY WORKFORCE ASSESSMENT.

(a) SHORT TITLE.—This section may be cited as the "Homeland Security Cybersecurity Workforce Assessment Act".

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives; and

(C) the Committee on House Administration of the House of Representatives.

(2) CYBERSECURITY WORK CATEGORY; DATA ELEMENT CODE; SPECIALTY AREA.—The terms "Cybersecurity Work Category", "Data Element Code", and "Specialty Area" have the meanings given such terms in the Office of Personnel Management's Guide to Data Standards.

(3) DEPARTMENT.—The term "Department" means the Department of Homeland Security.

(4) DIRECTOR.—The term "Director" means the Director of the Office of Personnel Management.

(5) SECRETARY.—The term "Secretary" means the Secretary of Homeland Security.

(c) NATIONAL CYBERSECURITY WORKFORCE MEASUREMENT INITIATIVE.—

(1) IN GENERAL.—The Secretary shall—

(A) identify all cybersecurity workforce positions within the Department;

(B) determine the primary Cybersecurity Work Category and Specialty Area of such positions; and Determination.

(C) assign the corresponding Data Element Code, as set forth in the Office of Personnel Management's Guide to Data Standards which is aligned with the National Initiative for Cybersecurity Education's National Cybersecurity Workforce Framework report, in accordance with paragraph (2).

(2) EMPLOYMENT CODES.— Deadlines.

(A) PROCEDURES.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish procedures—

(i) to identify open positions that include cybersecurity functions (as defined in the OPM Guide to Data Standards); and

(ii) to assign the appropriate employment code to each such position, using agreed standards and definitions.

(B) CODE ASSIGNMENTS.—Not later than 9 months after the date of the enactment of this Act, the Secretary shall assign the appropriate employment code to—

(i) each employee within the Department who carries out cybersecurity functions; and

(ii) each open position within the Department that have been identified as having cybersecurity functions.

(3) PROGRESS REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit a progress report on the implementation of this subsection to the appropriate congressional committees.

(d) IDENTIFICATION OF CYBERSECURITY SPECIALTY AREAS OF CRITICAL NEED.—

(1) IN GENERAL.—Beginning not later than 1 year after the date on which the employment codes are assigned to employees pursuant to subsection (c)(2)(B), and annually through 2021, the Secretary, in consultation with the Director, shall— Effective date. Deadline.

(A) identify Cybersecurity Work Categories and Specialty Areas of critical need in the Department's cybersecurity workforce; and

Reports.

(B) submit a report to the Director that—

(i) describes the Cybersecurity Work Categories and Specialty Areas identified under subparagraph (A); and

(ii) substantiates the critical need designations.

(2) GUIDANCE.—The Director shall provide the Secretary with timely guidance for identifying Cybersecurity Work Categories and Specialty Areas of critical need, including—

(A) current Cybersecurity Work Categories and Specialty Areas with acute skill shortages; and

(B) Cybersecurity Work Categories and Specialty Areas with emerging skill shortages.

Deadline.
Consultation.
Reports.

(3) CYBERSECURITY CRITICAL NEEDS REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in consultation with the Director, shall—

(A) identify Specialty Areas of critical need for cybersecurity workforce across the Department; and

(B) submit a progress report on the implementation of this subsection to the appropriate congressional committees.

(e) GOVERNMENT ACCOUNTABILITY OFFICE STATUS REPORTS.—The Comptroller General of the United States shall—

(1) analyze and monitor the implementation of subsections (c) and (d); and

(2) not later than 3 years after the date of the enactment of this Act, submit a report to the appropriate congressional committees that describes the status of such implementation.

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 1691:

SENATE REPORTS: No. 113–248 (Comm. on Homeland Security and Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 18, considered and passed Senate.
Dec. 10, considered and passed House.

Public Law 113–278
113th Congress

An Act

To impose targeted sanctions on persons responsible for violations of human rights of antigovernment protesters in Venezuela, to strengthen civil society in Venezuela, and for other purposes.

Dec. 18, 2014
[S. 2142]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Venezuela Defense of Human Rights and Civil Society Act of 2014. 50 USC 1701 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Venezuela Defense of Human Rights and Civil Society Act of 2014".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Central Bank of Venezuela and the National Statistical Institute of Venezuela stated that the annual inflation rate in Venezuela in 2013 was 56.30, the highest level of inflation in the Western Hemisphere and the third highest level of inflation in the world behind South Sudan and Syria.

(2) The Central Bank of Venezuela and the Government of Venezuela have imposed a series of currency controls that has exacerbated economic problems and, according to the World Economic Forum, has become the most problematic factor for doing business in Venezuela.

(3) The Central Bank of Venezuela declared that the scarcity index of Venezuela reached 29.4 percent in March 2014, which signifies that fewer than one in 4 basic goods is unavailable at any given time. The Central Bank has not released any information on the scarcity index since that time.

(4) Since 1999, violent crime in Venezuela has risen sharply and the Venezuelan Violence Observatory, an independent nongovernmental organization, found the national per capita murder rate to be 79 per 100,000 people in 2013.

(5) The international nongovernmental organization Human Rights Watch recently stated, "Under the leadership of President Chàvez and now President Maduro, the accumulation of power in the executive branch and the erosion of human rights guarantees have enabled the government to intimidate, censor, and prosecute its critics.".

(6) The Country Reports on Human Rights Practices for 2013 of the Department of State maintained that in Venezuela "the government did not respect judicial independence or permit judges to act according to the law without fear of retaliation" and "the government used the judiciary to intimidate and selectively prosecute political, union, business, and civil society leaders who were critical of government policies or actions".

(7) The Government of Venezuela has detained foreign journalists and threatened and expelled international media outlets operating in Venezuela, and the international nongovernmental organization Freedom House declared that Venezuela's "media climate is permeated by intimidation, sometimes including physical attacks, and strong antimedia rhetoric by the government is common".

(8) Since February 4, 2014, the Government of Venezuela has responded to antigovernment protests with violence and killings perpetrated by its public security forces.

(9) In May 2014, Human Rights Watch found that the unlawful use of force perpetrated against antigovernment protesters was "part of a systematic practice by the Venezuelan security forces".

(10) As of September 1, 2014, 41 people had been killed, approximately 3,000 had been arrested unjustly, and more than 150 remained in prison and faced criminal charges as a result of antigovernment demonstrations throughout Venezuela.

(11) Opposition leader Leopoldo Lopez was arrested on February 18, 2014, in relation to the protests and was unjustly charged with criminal incitement, conspiracy, arson, and property damage. Since his arrest, Lopez has been held in solitary confinement and has been denied 58 out of 60 of his proposed witnesses at his ongoing trial.

(12) As of September 1, 2014, not a single member of the public security forces of the Government of Venezuela had been held accountable for acts of violence perpetrated against antigovernment protesters.

SEC. 3. SENSE OF CONGRESS REGARDING ANTIGOVERNMENT PROTESTS IN VENEZUELA AND THE NEED TO PREVENT FURTHER VIOLENCE IN VENEZUELA.

It is the sense of Congress that—

(1) the United States aspires to a mutually beneficial relationship with Venezuela based on respect for human rights and the rule of law and a functional and productive relationship on issues of public security, including counternarcotics and counterterrorism;

(2) the United States supports the people of Venezuela in their efforts to realize their full economic potential and to advance representative democracy, human rights, and the rule of law within their country;

(3) the chronic mismanagement by the Government of Venezuela of its economy has produced conditions of economic hardship and scarcity of basic goods and foodstuffs for the people of Venezuela;

(4) the failure of the Government of Venezuela to guarantee minimal standards of public security for its citizens has led the country to become one of the most violent and corrupt in the world;

(5) the Government of Venezuela continues to take steps to remove checks and balances on the executive, politicize the judiciary, undermine the independence of the legislature through use of executive decree powers, persecute and prosecute its political opponents, curtail freedom of the press, and limit the free expression of its citizens;

(6) Venezuelans, responding to ongoing economic hardship, high levels of crime and violence, and the lack of basic political rights and individual freedoms, have turned out in demonstrations in Caracas and throughout the country to protest the failure of the Government of Venezuela to protect the political and economic well-being of its citizens; and

(7) the repeated use of violence perpetrated by the National Guard and security personnel of Venezuela, as well as persons acting on behalf of the Government of Venezuela, against antigovernment protesters that began on February 4, 2014, is intolerable and the use of unprovoked violence by protesters is also a matter of serious concern.

SEC. 4. UNITED STATES POLICY TOWARD VENEZUELA.

It is the policy of the United States—

(1) to support the people of Venezuela in their aspiration to live under conditions of peace and representative democracy as defined by the Inter-American Democratic Charter of the Organization of American States;

(2) to work in concert with the other member states within the Organization of American States, as well as the countries of the European Union, to ensure the peaceful resolution of the current situation in Venezuela and the immediate cessation of violence against antigovernment protestors;

(3) to hold accountable government and security officials in Venezuela responsible for or complicit in the use of force in relation to antigovernment protests and similar future acts of violence; and

(4) to continue to support the development of democratic political processes and independent civil society in Venezuela.

SEC. 5. SANCTIONS ON PERSONS RESPONSIBLE FOR VIOLENCE IN VENEZUELA.

President. Determination.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to any foreign person, including any current or former official of the Government of Venezuela or any person acting on behalf of that Government, that the President determines—

(1) has perpetrated, or is responsible for ordering or otherwise directing, significant acts of violence or serious human rights abuses in Venezuela against persons associated with the antigovernment protests in Venezuela that began on February 4, 2014;

(2) has ordered or otherwise directed the arrest or prosecution of a person in Venezuela primarily because of the person's legitimate exercise of freedom of expression or assembly; or

(3) has knowingly materially assisted, sponsored, or provided significant financial, material, or technological support for, or goods or services in support of, the commission of acts described in paragraph (1) or (2).

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions described in this subsection are the following:

(A) ASSET BLOCKING.—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by

the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or any regulation, license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—The requirement to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

(4) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(c) WAIVER.—The President may waive the application of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national interest of the United States; and

Deadline.
Notification.

(2) on or before the date on which the waiver takes effect, submits to the Committee on Foreign Relations and the Committee on Banking Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives a notice of and justification for the waiver.

(d) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(e) TERMINATION.—The requirement to impose sanctions under this section shall terminate on December 31, 2016.

(f) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms "admitted" and "alien" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FINANCIAL INSTITUTION.—The term "financial institution" has the meaning given that term in section 5312 of title 31, United States Code.

(3) FOREIGN PERSON.—The term "foreign person" means a person that is not a United States person.

(4) GOOD.—The term "good" has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(5) KNOWINGLY.—The term "knowingly", with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(6) MATERIALLY ASSISTED.—The term "materially assisted" means the provision of assistance that is significant and of a kind directly relevant to acts described in paragraph (1) or (2) of subsection (a).

(7) UNITED STATES PERSON.—The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 6. REPORT ON BROADCASTING, INFORMATION DISTRIBUTION, AND CIRCUMVENTION TECHNOLOGY DISTRIBUTION IN VENEZUELA.

Assessment. Recommendations.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Chairman of the Broadcasting Board of Governors (in this section referred to as the "Board") shall submit to Congress a report that includes—

(1) a thorough evaluation of the governmental, political, and technological obstacles faced by the people of Venezuela in their efforts to obtain accurate, objective, and comprehensive news and information about domestic and international affairs; Evaluation.

(2) an assessment of current efforts relating to broadcasting, information distribution, and circumvention technology distribution in Venezuela, by the United States Government and otherwise; and

(3) a strategy for expanding such efforts in Venezuela, including recommendations for additional measures to expand upon current efforts.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an assessment of the current level of Federal funding dedicated to broadcasting, information distribution, and circumvention technology distribution in Venezuela by the Board before the date of the enactment of this Act;

(2) an assessment of the extent to which the current level and type of news and related programming and content provided by the Voice of America and other sources is addressing the informational needs of the people of Venezuela; and

(3) recommendations for increasing broadcasting, information distribution, and circumvention technology distribution in Venezuela.

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 2142:

SENATE REPORTS: No. 113–175 (Comm. on Foreign Relations).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 8, considered and passed Senate.
Dec. 10, considered and passed House.

Public Law 113–279
113th Congress

An Act

To clarify the application of certain leverage and risk-based requirements under the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Dec. 18, 2014
[S. 2270]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Insurance Capital Standards Clarification Act of 2014.
12 USC 5301 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Insurance Capital Standards Clarification Act of 2014".

SEC. 2. CLARIFICATION OF APPLICATION OF LEVERAGE AND RISK-BASED CAPITAL REQUIREMENTS.

Section 171 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5371) is amended—

(1) in subsection (a), by adding at the end the following:

Definitions.

"(4) BUSINESS OF INSURANCE.—The term 'business of insurance' has the same meaning as in section 1002(3).

"(5) PERSON REGULATED BY A STATE INSURANCE REGULATOR.—The term 'person regulated by a State insurance regulator' has the same meaning as in section 1002(22).

"(6) REGULATED FOREIGN SUBSIDIARY AND REGULATED FOREIGN AFFILIATE.—The terms 'regulated foreign subsidiary' and 'regulated foreign affiliate' mean a person engaged in the business of insurance in a foreign country that is regulated by a foreign insurance regulatory authority that is a member of the International Association of Insurance Supervisors or other comparable foreign insurance regulatory authority as determined by the Board of Governors following consultation with the State insurance regulators, including the lead State insurance commissioner (or similar State official) of the insurance holding company system as determined by the procedures within the Financial Analysis Handbook adopted by the National Association of Insurance Commissioners, where the person, or its principal United States insurance affiliate, has its principal place of business or is domiciled, but only to the extent that—

"(A) such person acts in its capacity as a regulated insurance entity; and

"(B) the Board of Governors does not determine that the capital requirements in a specific foreign jurisdiction are inadequate.

"(7) CAPACITY AS A REGULATED INSURANCE ENTITY.—The term 'capacity as a regulated insurance entity'—

"(A) includes any action or activity undertaken by a person regulated by a State insurance regulator or a regulated foreign subsidiary or regulated foreign affiliate of such person, as those actions relate to the provision of insurance, or other activities necessary to engage in the business of insurance; and

"(B) does not include any action or activity, including any financial activity, that is not regulated by a State insurance regulator or a foreign agency or authority and subject to State insurance capital requirements or, in the case of a regulated foreign subsidiary or regulated foreign affiliate, capital requirements imposed by a foreign insurance regulatory authority."; and

(2) by adding at the end the following new subsection:

"(c) CLARIFICATION.—

"(1) IN GENERAL.—In establishing the minimum leverage capital requirements and minimum risk-based capital requirements on a consolidated basis for a depository institution holding company or a nonbank financial company supervised by the Board of Governors as required under paragraphs (1) and (2) of subsection (b), the appropriate Federal banking agencies shall not be required to include, for any purpose of this section (including in any determination of consolidation), a person regulated by a State insurance regulator or a regulated foreign subsidiary or a regulated foreign affiliate of such person engaged in the business of insurance, to the extent that such person acts in its capacity as a regulated insurance entity.

"(2) RULE OF CONSTRUCTION ON BOARD'S AUTHORITY.—This subsection shall not be construed to prohibit, modify, limit, or otherwise supersede any other provision of Federal law that provides the Board of Governors authority to issue regulations and orders relating to capital requirements for depository institution holding companies or nonbank financial companies supervised by the Board of Governors.

"(3) RULE OF CONSTRUCTION ON ACCOUNTING PRINCIPLES.—

"(A) IN GENERAL.—A depository institution holding company or nonbank financial company supervised by the Board of Governors of the Federal Reserve that is also a person regulated by a State insurance regulator that is engaged in the business of insurance that files financial statements with a State insurance regulator or the National Association of Insurance Commissioners utilizing only Statutory Accounting Principles in accordance with State law, shall not be required by the Board under the authority of this section or the authority of the Home Owners' Loan Act to prepare such financial statements in accordance with Generally Accepted Accounting Principles.

"(B) PRESERVATION OF AUTHORITY.—Nothing in subparagraph (A) shall limit the authority of the Board under any other applicable provision of law to conduct any regulatory or supervisory activity of a depository institution holding company or non-bank financial company supervised by the Board of Governors, including the collection or reporting of any information on an entity or group-wide basis. Nothing in this paragraph shall excuse the Board from its obligations to comply with section 161(a)

of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5361(a)) and section 10(b)(2) of the Home Owners' Loan Act (12 U.S.C. 1467a(b)(2)), as appropriate.".

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 2270:

CONGRESSIONAL RECORD, Vol. 160 (2014):
June 3, considered and passed Senate.
Dec. 10, considered and passed House.

Public Law 113–280
113th Congress

An Act

Dec. 18, 2014
[S. 2338]

To reauthorize the United States Anti-Doping Agency, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

United States Anti-Doping Agency Reauthorization Act.
21 USC 2001 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States Anti-Doping Agency Reauthorization Act".

SEC. 2. PROHIBIT PERFORMANCE-ENHANCING METHODS.

Section 701 of title VII of the Office of National Drug Control Policy Reauthorization Act of 2006 (21 U.S.C. 2001) is amended—

(1) in subsection (a), by striking paragraph (4); and

(2) in subsection (b)—

(A) in paragraph (1), by inserting "and be recognized worldwide as the independent national anti-doping organization for the United States" after "Committee";

(B) in paragraph (2), by striking ", or performance-enhancing genetic modifications accomplished through gene-doping" and inserting "or prohibited performance-enhancing methods adopted by the Agency";

(C) in paragraph (3), by striking ", or performance-enhancing genetic modifications accomplished through gene-doping" and inserting "or prohibited performance-enhancing methods adopted by the Agency";

(D) in paragraph (4), by striking "and the prevention of use of performance-enhancing drugs, or performance-enhancing genetic modifications accomplished through gene-doping by United States amateur athletes; and" and inserting ", and the prevention of use by United States amateur athletes of performance-enhancing drugs or prohibited performance-enhancing methods adopted by the Agency."; and

(E) by striking paragraph (5).

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 703 of title VII of the Office of National Drug Control Policy Reauthorization Act of 2006 (21 U.S.C. 2003) is amended to read as follows:

"SEC. 703. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to the United States Anti-Doping Agency—

"(1) for fiscal year 2014, $11,300,000;

"(2) for fiscal year 2015, $11,700,000;

"(3) for fiscal year 2016, $12,300,000;
"(4) for fiscal year 2017, $12,900,000;
"(5) for fiscal year 2018, $13,500,000;
"(6) for fiscal year 2019, $14,100,000; and
"(7) for fiscal year 2020, $14,800,000.".

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 2338:

HOUSE REPORTS: No. 113–281 (Comm. on Commerce, Science, and Transportation).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 11, considered and passed Senate.
Dec. 12, considered and passed House.

Public Law 113–281
113th Congress

An Act

Dec. 18, 2014
[S. 2444]

To authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Howard Coble Coast Guard and Maritime Transportation Act of 2014.
14 USC 1 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Howard Coble Coast Guard and Maritime Transportation Act of 2014".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is the following:

TITLE I—AUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are authorized to be appropriated for fiscal year 2015 for necessary expenses of the Coast Guard as follows:

(1) For the operation and maintenance of the Coast Guard, $6,981,036,000.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto, $1,546,448,000, to remain available until expended.

(3) For the Coast Guard Reserve program, including personnel and training costs, equipment, and services, $140,016,000.

(4) For environmental compliance and restoration of Coast Guard vessels, aircraft, and facilities (other than parts and equipment associated with operation and maintenance), $16,701,000, to remain available until expended.

(5) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard's mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, $19,890,000.

(6) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Alteration of Bridges Program, $16,000,000.

SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

(a) ACTIVE DUTY STRENGTH.—The Coast Guard is authorized an end-of-year strength for active duty personnel of 43,000 for fiscal year 2015.

(b) MILITARY TRAINING STUDENT LOADS.—The Coast Guard is authorized average military training student loads for fiscal year 2015 as follows:

(1) For recruit and special training, 2,500 student years.

(2) For flight training, 165 student years.

(3) For professional training in military and civilian institutions, 350 student years.

(4) For officer acquisition, 1,200 student years.

TITLE II—COAST GUARD

SEC. 201. COMMISSIONED OFFICERS.

14 USC 42.

Section 42(a) of title 14, United States Code, is amended by striking "7,200" and inserting "6,900".

SEC. 202. COMMANDANT; APPOINTMENT.

Time period.

Section 44 of title 14, United States Code, is amended by inserting after the first sentence the following: "The term of an appointment, and any reappointment, shall begin on June 1 of the appropriate year and end on May 31 of the appropriate year, except that, in the event of death, retirement, resignation, or reassignment, or when the needs of the Service demand, the Secretary may alter the date on which a term begins or ends if the alteration does not result in the term exceeding a period of 4 years.".

SEC. 203. PREVENTION AND RESPONSE WORKFORCES.

Section 57 of title 14, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2) by striking "or" at the end;

(B) in paragraph (3) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

"(4) waterways operations manager shall have knowledge, skill, and practical experience with respect to marine transportation system management; or

"(5) port and facility safety and security specialist shall have knowledge, skill, and practical experience with respect to the safety, security, and environmental protection responsibilities associated with maritime ports and facilities.";

(2) in subsection (c) by striking "or marine safety engineer" and inserting "marine safety engineer, waterways operations manager, or port and facility safety and security specialist"; and

(3) in subsection (f)(2) by striking "investigator or marine safety engineer." and inserting "investigator, marine safety engineer, waterways operations manager, or port and facility safety and security specialist.".

SEC. 204. CENTERS OF EXPERTISE.

Section 58(b) of title 14, United States Code, is amended to read as follows: 14 USC 58.

"(b) MISSIONS.—Any center established under subsection (a) shall—

"(1) promote, facilitate, and conduct—

"(A) education;

"(B) training; and

"(C) activities authorized under section 93(a)(4);

"(2) be a repository of information on operations, practices, and resources related to the mission for which the center was established; and

"(3) perform and support the mission for which the center was established.".

SEC. 205. PENALTIES.

(a) AIDS TO NAVIGATION AND FALSE DISTRESS MESSAGES.—Chapter 5 of title 14, United States Code, is amended—

(1) in section 83 by striking "$100" and inserting "$1,500";

(2) in section 84 by striking "$500" and inserting "$1,500";

(3) in section 85 by striking "$100" and inserting "$1,500"; and

(4) in section 88(c)(2) by striking "$5,000" and inserting "$10,000".

(b) UNAUTHORIZED USE OF WORDS "COAST GUARD".—Section 639 of title 14, United States Code, is amended by striking "$1,000" and inserting "$10,000".

SEC. 206. AGREEMENTS.

(a) IN GENERAL.—Section 93(a)(4) of title 14, United States Code, is amended—

(1) by striking ", investigate" and inserting "and investigate"; and

(2) by striking ", and cooperate and coordinate such activities with other Government agencies and with private agencies".

(b) AUTHORITY.—Chapter 5 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

14 USC 102.

"§ 102. Agreements

"(a) IN GENERAL.—In carrying out section 93(a)(4), the Commandant may—

"(1) enter into cooperative agreements, contracts, and other agreements with—

"(A) Federal entities;

"(B) other public or private entities in the United States, including academic entities; and

"(C) foreign governments with the concurrence of the Secretary of State; and

"(2) impose on and collect from an entity subject to an agreement or contract under paragraph (1) a fee to assist with expenses incurred in carrying out such section.

"(b) DEPOSIT AND USE OF FEES.—Fees collected under this section shall be deposited in the general fund of the Treasury as offsetting receipts. The fees may be used, to the extent provided in advance in an appropriation law, only to carry out activities under section 93(a)(4).".

14 USC prec. 81.

(c) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

"102. Agreements.".

SEC. 207. TUITION ASSISTANCE PROGRAM COVERAGE OF TEXTBOOKS AND OTHER EDUCATIONAL MATERIALS.

14 USC 93.

Section 93(a)(7) of title 14, United States Code, is amended by inserting "and the textbooks, manuals, and other materials required as part of such training or course of instruction" after "correspondence courses".

SEC. 208. COAST GUARD HOUSING.

(a) COMMANDANT; GENERAL POWERS.—Section 93(a)(13) of title 14, United States Code, is amended by striking "the Treasury" and inserting "the fund established under section 687".

(b) LIGHTHOUSE PROPERTY.—Section 672a(b) of title 14, United States Code, is amended by striking "the Treasury" and inserting "the fund established under section 687".

(c) CONFORMING AMENDMENT.—Section 687(b) of title 14, United States Code, is amended by adding at the end the following:

"(4) Monies received under section 93(a)(13).

"(5) Amounts received under section 672a(b).".

SEC. 209. LEASE AUTHORITY.

Section 93 of title 14, United States Code, is amended by adding at the end the following:

"(f) LEASING OF TIDELANDS AND SUBMERGED LANDS.—

"(1) AUTHORITY.—The Commandant may lease under subsection (a)(13) submerged lands and tidelands under the control of the Coast Guard without regard to the limitation under that subsection with respect to lease duration.

"(2) LIMITATION.—The Commandant may lease submerged lands and tidelands under paragraph (1) only if—

"(A) lease payments are—

"(i) received exclusively in the form of cash;

"(ii) equal to the fair market value of the use of the leased submerged lands or tidelands for the period during which such lands are leased, as determined by the Commandant; and

"(iii) deposited in the fund established under section 687; and

"(B) the lease does not provide authority to or commit the Coast Guard to use or support any improvements to such submerged lands or tidelands, or obtain goods or services from the lessee.".

SEC. 210. NOTIFICATION OF CERTAIN DETERMINATIONS.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

"§ 103. Notification of certain determinations

14 USC 103.

"(a) IN GENERAL.—At least 90 days prior to making a final determination that a waterway, or a portion thereof, is navigable for purposes of the jurisdiction of the Coast Guard, the Commandant shall provide notification regarding the proposed determination to— Deadline. Public information.

"(1) the Governor of each State in which such waterway, or portion thereof, is located;

"(2) the public; and

"(3) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

"(b) CONTENT REQUIREMENT.—Each notification provided under subsection (a) to an entity specified in paragraph (3) of that subsection shall include— Analyses.

"(1) an analysis of whether vessels operating on the waterway, or portion thereof, subject to the proposed determination are subject to inspection or similar regulation by State or local officials;

"(2) an analysis of whether operators of commercial vessels on such waterway, or portion thereof, are subject to licensing or similar regulation by State or local officials; and

"(3) an estimate of the annual costs that the Coast Guard may incur in conducting operations on such waterway, or portion thereof.". Cost estimate.

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by adding at the end the following:

"103. Notification of certain determinations.".

SEC. 211. ANNUAL BOARD OF VISITORS.

Section 194 of title 14, United States Code, is amended to read as follows:

"§ 194. Annual Board of Visitors

14 USC 194.

"(a) IN GENERAL.—A Board of Visitors to the Coast Guard Academy is established to review and make recommendations on the operation of the Academy.

"(b) MEMBERSHIP.—

"(1) IN GENERAL.—The membership of the Board shall consist of the following:

"(A) The chairman of the Committee on Commerce, Science, and Transportation of the Senate, or the chairman's designee.

"(B) The chairman of the Committee on Transportation and Infrastructure of the House of Representatives, or the chairman's designee.

"(C) 3 Members of the Senate designated by the Vice President.

"(D) 4 Members of the House of Representatives designated by the Speaker of the House of Representatives.

"(E) 6 individuals designated by the President.

"(2) LENGTH OF SERVICE.—

"(A) MEMBERS OF CONGRESS.—A Member of Congress designated under subparagraph (C) or (D) of paragraph (1) as a member of the Board shall be designated as a member in the First Session of a Congress and serve for the duration of that Congress.

"(B) INDIVIDUALS DESIGNATED BY THE PRESIDENT.—Each individual designated by the President under subparagraph (E) of paragraph (1) shall serve as a member of the Board for 3 years, except that any such member whose term of office has expired shall continue to serve until a successor is appointed.

"(3) DEATH OR RESIGNATION OF A MEMBER.—If a member of the Board dies or resigns, a successor shall be designated for any unexpired portion of the term of the member by the official who designated the member.

"(c) ACADEMY VISITS.—

"(1) ANNUAL VISIT.—The Board shall visit the Academy annually to review the operation of the Academy.

"(2) ADDITIONAL VISITS.—With the approval of the Secretary, the Board or individual members of the Board may make other visits to the Academy in connection with the duties of the Board or to consult with the Superintendent of the Academy.

"(d) SCOPE OF REVIEW.—The Board shall review, with respect to the Academy—

"(1) the state of morale and discipline;

"(2) the curriculum;

"(3) instruction;

"(4) physical equipment;

"(5) fiscal affairs; and

"(6) other matters relating to the Academy that the Board determines appropriate.

Recommendations.

"(e) REPORT.—Not later than 60 days after the date of an annual visit of the Board under subsection (c)(1), the Board shall submit to the Secretary, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the actions of the Board during such visit and the recommendations of the Board pertaining to the Academy.

"(f) ADVISORS.—If approved by the Secretary, the Board may consult with advisors in carrying out this section.

"(g) REIMBURSEMENT.—Each member of the Board and each adviser consulted by the Board under subsection (f) shall be reimbursed, to the extent permitted by law, by the Coast Guard for actual expenses incurred while engaged in duties as a member or adviser.".

SEC. 212. FLAG OFFICERS.

(a) IN GENERAL.—Title 14, United States Code, is amended by inserting after section 295 the following:

"§ 296. Flag officers 14 USC 296.

"During any period in which the Coast Guard is not operating as a service in the Navy, section 1216(d) of title 10 does not apply with respect to flag officers of the Coast Guard.".

(b) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 295 the following: 14 USC prec. 211.

"296. Flag officers.".

SEC. 213. REPEAL OF LIMITATION ON MEDALS OF HONOR.

Section 494 of title 14, United States Code, is amended by striking "medal of honor," each place it appears.

SEC. 214. COAST GUARD FAMILY SUPPORT AND CHILD CARE.

(a) IN GENERAL.—Title 14, United States Code, as amended by this Act, is further amended by inserting after chapter 13 the following:

"CHAPTER 14—COAST GUARD FAMILY SUPPORT AND CHILD CARE 14 USC prec. 531.

"SUBCHAPTER I—GENERAL PROVISIONS

"Sec.
"531. Work-life policies and programs.
"532. Surveys of Coast Guard families.

"SUBCHAPTER II—COAST GUARD FAMILY SUPPORT

"542. Education and training opportunities for Coast Guard spouses.
"543. Youth sponsorship initiatives.

"SUBCHAPTER III—COAST GUARD CHILD CARE

"551. Definitions.
"553. Child development center standards and inspections.
"554. Child development center employees.
"555. Parent partnerships with child development centers.

"SUBCHAPTER I—GENERAL PROVISIONS

"§ 531. Work-life policies and programs 14 USC 531.

"The Commandant is authorized—

"(1) to establish an office for the purpose of developing, promulgating, and coordinating policies, programs, and activities related to the families of Coast Guard members;

"(2) to implement and oversee policies, programs, and activities described in paragraph (1) as the Commandant considers necessary; and

"(3) to perform such other duties as the Commandant considers necessary.

"§ 532. Surveys of Coast Guard families 14 USC 532.

"(a) AUTHORITY.—The Commandant, in order to determine the effectiveness of Federal policies, programs, and activities related to the families of Coast Guard members, may survey—

"(1) any Coast Guard member;

"(2) any retired Coast Guard member;

"(3) the immediate family of any Coast Guard member or retired Coast Guard member; and

"(4) any survivor of a deceased Coast Guard member.

"(b) VOLUNTARY PARTICIPATION.—Participation in any survey conducted under subsection (a) shall be voluntary.

"(c) FEDERAL RECORDKEEPING.—Each person surveyed under subsection (a) shall be considered an employee of the United States for purposes of section 3502(3)(A)(i) of title 44.

14 USC prec. 542.

"SUBCHAPTER II—COAST GUARD FAMILY SUPPORT

14 USC 542.

"§ 542. Education and training opportunities for Coast Guard spouses

"(a) TUITION ASSISTANCE.—The Commandant may provide, subject to the availability of appropriations, tuition assistance to an eligible spouse to facilitate the acquisition of—

"(1) education and training required for a degree or credential at an accredited college, university, or technical school in the United States that expands employment and portable career opportunities for the spouse; or

"(2) education prerequisites and a professional license or credential required, by a government or government-sanctioned licensing body, for an occupation that expands employment and portable career opportunities for the spouse.

"(b) DEFINITIONS.—In this section, the following definitions apply:

"(1) ELIGIBLE SPOUSE.—

"(A) IN GENERAL.—The term 'eligible spouse' means the spouse of a member of the Coast Guard who is serving on active duty and includes a spouse who receives transitional compensation under section 1059 of title 10.

"(B) EXCLUSION.—The term 'eligible spouse' does not include a person who—

"(i) is married to, but legally separated from, a member of the Coast Guard under a court order or statute of any State or territorial possession of the United States; or

"(ii) is eligible for tuition assistance as a member of the Armed Forces.

"(2) PORTABLE CAREER.—The term 'portable career' includes an occupation that requires education, training, or both that results in a credential that is recognized by an industry, profession, or specific type of business.

14 USC 543.

"§ 543. Youth sponsorship initiatives

"(a) IN GENERAL.—The Commandant is authorized to establish, within any Coast Guard unit, an initiative to help integrate into new surroundings the dependent children of members of the Coast Guard who received permanent change of station orders.

"(b) DESCRIPTION OF INITIATIVE.—An initiative established under subsection (a) shall—

"(1) provide for the involvement of a dependent child of a member of the Coast Guard in the dependent child's new Coast Guard community; and

"(2) primarily focus on preteen and teenaged children.

"(c) AUTHORITY.—In carrying out an initiative under subsection (a), the Commandant may—

"(1) provide to a dependent child of a member of the Coast Guard information on youth programs and activities available in the dependent child's new Coast Guard community; and

"(2) enter into agreements with nonprofit entities to provide youth programs and activities to such child.

"SUBCHAPTER III—COAST GUARD CHILD CARE

14 USC prec. 551.

"§ 551. Definitions

14 USC 551.

"In this subchapter, the following definitions apply:

"(1) CHILD ABUSE AND NEGLECT.—The term 'child abuse and neglect' has the meaning given that term in section 3 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note).

"(2) CHILD DEVELOPMENT CENTER EMPLOYEE.—The term 'child development center employee' means a civilian employee of the Coast Guard who is employed to work in a Coast Guard child development center without regard to whether the employee is paid from appropriated or nonappropriated funds.

"(3) COAST GUARD CHILD DEVELOPMENT CENTER.—The term 'Coast Guard child development center' means a facility on Coast Guard property or on property under the jurisdiction of the commander of a Coast Guard unit at which child care services are provided for members of the Coast Guard.

"(4) COMPETITIVE SERVICE POSITION.—The term 'competitive service position' means a position in the competitive service (as defined in section 2102 of title 5).

"(5) FAMILY HOME DAYCARE.—The term 'family home daycare' means home-based child care services provided for a member of the Coast Guard by an individual who—

"(A) is certified by the Commandant as qualified to provide home-based child care services; and

"(B) provides home-based child care services on a regular basis in exchange for monetary compensation.

"§ 553. Child development center standards and inspections

14 USC 553.

"(a) STANDARDS.—The Commandant shall require each Coast Guard child development center to meet standards that the Commandant considers appropriate to ensure the health, safety, and welfare of the children and employees at the center.

"(b) INSPECTIONS.—The Commandant shall provide for regular and unannounced inspections of each Coast Guard child development center to ensure compliance with this section.

"(c) NATIONAL REPORTING.—

"(1) IN GENERAL.—The Commandant shall maintain and publicize a means by which an individual can report, with respect to a Coast Guard child development center or a family home daycare—

"(A) any suspected violation of—

"(i) standards established under subsection (a); or

"(ii) any other applicable law or standard;

"(B) suspected child abuse or neglect; or

"(C) any other deficiency.

"(2) ANONYMOUS REPORTING.—The Commandant shall ensure that an individual making a report pursuant to paragraph (1) may do so anonymously if so desired by the individual.

"(3) PROCEDURES.—The Commandant shall establish procedures for investigating reports made pursuant to paragraph (1).

14 USC 554.

"§ 554. Child development center employees

"(a) TRAINING.—

"(1) IN GENERAL.—The Commandant shall establish a training program for Coast Guard child development center employees and satisfactory completion of the training program shall be a condition of employment for each employee of a Coast Guard child development center.

"(2) TIMING FOR NEW HIRES.—The Commandant shall require each employee of a Coast Guard child development center to complete the training program established under paragraph (1) not later than 6 months after the date on which the employee is hired.

"(3) MINIMUM REQUIREMENTS.—The training program established under paragraph (1) shall include, at a minimum, instruction with respect to—

"(A) early childhood development;

"(B) activities and disciplinary techniques appropriate to children of different ages;

"(C) child abuse and neglect prevention and detection; and

"(D) cardiopulmonary resuscitation and other emergency medical procedures.

"(4) USE OF DEPARTMENT OF DEFENSE PROGRAMS.—The Commandant may use Department of Defense training programs, on a reimbursable or nonreimbursable basis, for purposes of this subsection.

"(b) TRAINING AND CURRICULUM SPECIALISTS.—

"(1) SPECIALIST REQUIRED.—The Commandant shall require that at least 1 employee at each Coast Guard child development center be a specialist in training and curriculum development with appropriate credentials and experience.

"(2) DUTIES.—The duties of the specialist described in paragraph (1) shall include—

"(A) special teaching activities;

"(B) daily oversight and instruction of other child care employees;

"(C) daily assistance in the preparation of lesson plans;

"(D) assisting with child abuse and neglect prevention and detection; and

"(E) advising the director of the center on the performance of the other child care employees.

"(3) COMPETITIVE SERVICE.—Each specialist described in paragraph (1) shall be an employee in a competitive service position.

14 USC 555.

"§ 555. Parent partnerships with child development centers

"(a) PARENT BOARDS.—

"(1) FORMATION.—The Commandant shall require that there be formed at each Coast Guard child development center

a board of parents, to be composed of parents of children attending the center.

"(2) FUNCTIONS.—Each board of parents formed under paragraph (1) shall—

"(A) meet periodically with the staff of the center at which the board is formed and the commander of the unit served by the center, for the purpose of discussing problems and concerns; and

"(B) be responsible, together with the staff of the center, for coordinating any parent participation initiative established under subsection (b).

"(3) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to a board of parents formed under paragraph (1).

"(b) PARENT PARTICIPATION INITIATIVE.—The Commandant is authorized to establish a parent participation initiative at each Coast Guard child development center to encourage and facilitate parent participation in educational and related activities at the center.".

(b) TRANSFER OF PROVISIONS.—

(1) IN GENERAL.—

(A) REIMBURSEMENT FOR ADOPTION EXPENSES.—Section 514 of title 14, United States Code, is redesignated as section 541 and transferred to appear before section 542 of such title, as added by subsection (a) of this section. 14 USC 541.

(B) CHILD DEVELOPMENT SERVICES.—Section 515 of title 14, United States Code— 14 USC 552.

(i) is redesignated as section 552 and transferred to appear after section 551 of such title, as added by subsection (a) of this section; and

(ii) is amended—

(I) in subsection (b)(2)(B) by inserting "and whether a family is participating in an initiative established under section 555(b)" after "family income";

(II) by striking subsections (c) and (e); and

(III) by redesignating subsection (d) as subsection (c).

(C) DEPENDENT SCHOOL CHILDREN.—Section 657 of title 14, United States Code— 14 USC 657.

(i) is redesignated as section 544 and transferred to appear after section 543 of such title, as added by subsection (a) of this section; and

(ii) is amended in subsection (a) by striking "Except as otherwise" and all that follows through "the Secretary may" and inserting "The Secretary may".

(2) CONFORMING AMENDMENTS.—

(A) PART I.—The analysis for part I of title 14, United States Code, is amended by inserting after the item relating to chapter 13 the following: 14 USC prec. 1.

"14. Coast Guard Family Support and Child Care ..... 531".

(B) CHAPTER 13.—The analysis for chapter 13 of title 14, United States Code, is amended— 14 USC prec. 461.

(i) by striking the item relating to section 514; and

(ii) by striking the item relating to section 515.

(C) CHAPTER 14.—The analysis for chapter 14 of title 14, United States Code, as added by subsection (a) of this section, is amended by inserting—

14 USC prec. 531.

(i) before the item relating to section 542 the following:

"541. Reimbursement for adoption expenses.";

(ii) after the item relating to section 551 the following:

"552. Child development services."; and

(iii) after the item relating to section 543 the following:

"544. Dependent school children.".

(D) CHAPTER 17.—The analysis for chapter 17 of title 14, United States Code, is amended by striking the item relating to section 657.

14 USC prec. 631.

(c) COMMANDANT; GENERAL POWERS.—Section 93(a)(7) of title 14, United States Code, as amended by this Act, is further amended by inserting ", and to eligible spouses as defined under section 542," after "Coast Guard".

(d) SENSE OF CONGRESS.—

(1) IN GENERAL.—It is the sense of Congress that the amount of funds appropriated for a fiscal year for operating expenses related to Coast Guard child development services should not be less than the amount of the child development center fee receipts estimated to be collected by the Coast Guard during that fiscal year.

(2) CHILD DEVELOPMENT CENTER FEE RECEIPTS DEFINED.—In this subsection, the term "child development center fee receipts" means fees paid by members of the Coast Guard for child care services provided at Coast Guard child development centers.

SEC. 215. MISSION NEED STATEMENT.

(a) IN GENERAL.—Section 569 of title 14, United States Code, is amended to read as follows:

14 USC 569.

"§ 569. Mission need statement

Deadlines.

"(a) IN GENERAL.—On the date on which the President submits to Congress a budget for fiscal year 2016 under section 1105 of title 31, on the date on which the President submits to Congress a budget for fiscal year 2019 under such section, and every 4 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an integrated major acquisition mission need statement.

"(b) DEFINITIONS.—In this section, the following definitions apply:

"(1) INTEGRATED MAJOR ACQUISITION MISSION NEED STATEMENT.—The term 'integrated major acquisition mission need statement' means a document that—

"(A) identifies current and projected gaps in Coast Guard mission capabilities using mission hour targets;

"(B) explains how each major acquisition program addresses gaps identified under subparagraph (A) if funded at the levels provided for such program in the most recently submitted capital investment plan; and

"(C) describes the missions the Coast Guard will not be able to achieve, by fiscal year, for each gap identified under subparagraph (A).

"(2) MAJOR ACQUISITION PROGRAM.—The term 'major acquisition program' has the meaning given that term in section 569a(e).

"(3) CAPITAL INVESTMENT PLAN.—The term 'capital investment plan' means the plan required under section 663(a)(1).".

(b) CLERICAL AMENDMENT.—The analysis for chapter 15 of title 14, United States Code, is amended by striking the item relating to section 569 and inserting the following:

14 USC prec. 561.

"569. Mission need statement.".

SEC. 216. TRANSMISSION OF ANNUAL COAST GUARD AUTHORIZATION REQUEST.

(a) IN GENERAL.—Title 14, United States Code, as amended by this Act, is further amended by inserting after section 662 the following:

"§ 662a. Transmission of annual Coast Guard authorization request

14 USC 662a.

"(a) IN GENERAL.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a Coast Guard authorization request with respect to such fiscal year.

Deadline.

"(b) COAST GUARD AUTHORIZATION REQUEST DEFINED.—In this section, the term 'Coast Guard authorization request' means a proposal for legislation that, with respect to the Coast Guard for the relevant fiscal year—

"(1) recommends end strengths for personnel for that fiscal year, as described in section 661;

"(2) recommends authorizations of appropriations for that fiscal year, including with respect to matters described in section 662; and

"(3) addresses any other matter that the Secretary determines is appropriate for inclusion in a Coast Guard authorization bill.".

(b) CLERICAL AMENDMENT.—The analysis for chapter 17 of title 14, United States Code, as amended by this Act, is further amended by inserting after the item relating to section 662 the following:

"662a. Transmission of annual Coast Guard authorization request.".

SEC. 217. INVENTORY OF REAL PROPERTY.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following:

"§ 679. Inventory of real property

Deadlines. 14 USC 679.

"(a) IN GENERAL.—Not later than September 30, 2015, the Commandant shall establish an inventory of all real property,

including submerged lands, under the control of the Coast Guard, which shall include—

"(1) the size, the location, and any other appropriate description of each unit of such property;

"(2) an assessment of the physical condition of each unit of such property, excluding lands;

"(3) a determination of whether each unit of such property should be—

"(A) retained to fulfill a current or projected Coast Guard mission requirement; or

"(B) subject to divestiture; and

"(4) other information the Commandant considers appropriate.

"(b) INVENTORY MAINTENANCE.—The Commandant shall—

"(1) maintain the inventory required under subsection (a) on an ongoing basis; and

"(2) update information on each unit of real property included in such inventory not later than 30 days after any change relating to the control of such property.

"(c) RECOMMENDATIONS TO CONGRESS.—Not later than March 30, 2016, and every 5 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

"(1) a list of all real property under the control of the Coast Guard and the location of such property by property type;

"(2) recommendations for divestiture with respect to any units of such property; and

"(3) recommendations for consolidating any units of such property, including—

"(A) an estimate of the costs or savings associated with each recommended consolidation; and

"(B) a discussion of the impact that such consolidation would have on Coast Guard mission effectiveness.".

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by adding at the end the following:

"679. Inventory of real property.".

SEC. 218. RETIRED SERVICE MEMBERS AND DEPENDENTS SERVING ON ADVISORY COMMITTEES.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

14 USC 680.

"§ 680. Retired service members and dependents serving on advisory committees

"A committee that—

"(1) advises or assists the Coast Guard with respect to a function that affects a member of the Coast Guard or a dependent of such a member; and

"(2) includes in its membership a retired Coast Guard member or a dependent of such a retired member;

shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.) solely because of such membership.".

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by inserting after the item relating to section 679 the following:

"680. Retired service members and dependents serving on advisory committees.".

SEC. 219. ACTIVE DUTY FOR EMERGENCY AUGMENTATION OF REGULAR FORCES.

Section 712(a) of title 14, United States Code, is amended by striking "not more than 60 days in any 4-month period and". 14 USC 712.

SEC. 220. ACQUISITION WORKFORCE EXPEDITED HIRING AUTHORITY.

Section 404(b) of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2951) is amended by striking "2015" and inserting "2017".

SEC. 221. COAST GUARD ADMINISTRATIVE SAVINGS.

(a) ELIMINATION OF OUTDATED AND DUPLICATIVE REPORTS.—

(1) MARINE INDUSTRY TRAINING.—Section 59 of title 14, United States Code, is amended—

(A) by striking "(a) IN GENERAL.—The Commandant" and inserting "The Commandant"; and

(B) by striking subsection (b).

(2) OPERATIONS AND EXPENDITURES.—Section 651 of title 14, United States Code, and the item relating to such section in the analysis for chapter 17 of such title, are repealed.

(3) DRUG INTERDICTION.—Section 103 of the Coast Guard Authorization Act of 1996 (14 U.S.C. 89 note), and the item relating to that section in the table of contents in section 2 of that Act, are repealed.

(4) NATIONAL DEFENSE.—Section 426 of the Maritime Transportation Security Act of 2002 (14 U.S.C. 2 note), and the item relating to that section in the table of contents in section 1(b) of that Act, are repealed. 14 USC prec. 631, 651.

(5) LIVING MARINE RESOURCES.—Section 4(b) of the Cruise Vessel Security and Safety Act of 2010 (16 U.S.C. 1828 note) is amended by adding at the end the following: "No report shall be required under this subsection, including that no report shall be required under section 224 of the Coast Guard and Maritime Transportation Act of 2004 or section 804 of the Coast Guard and Maritime Transportation Act of 2006, for fiscal years beginning after fiscal year 2014.".

(b) CONSOLIDATION AND REFORM OF REPORTING REQUIREMENTS.—

(1) MARINE SAFETY.—

(A) IN GENERAL.—Section 2116(d)(2)(B) of title 46, United States Code, is amended to read as follows:

"(B) on the program's mission performance in achieving numerical measurable goals established under subsection (b), including—

"(i) the number of civilian and military Coast Guard personnel assigned to marine safety positions; and

"(ii) an identification of marine safety positions that are understaffed to meet the workload required to accomplish each activity included in the strategy and plans under subsection (a); and".

(B) CONFORMING AMENDMENT.—Section 57 of title 14, United States Code, as amended by this Act, is further amended—

(i) by striking subsection (e); and

(ii) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g) respectively.

(2) MINOR CONSTRUCTION.—Section 656(d)(2) of title 14, United States Code, is amended to read as follows:

14 USC 656.

"(2) REPORT.—Not later than the date on which the President submits to Congress a budget under section 1105 of title 31 each year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing each project carried out under paragraph (1), in the most recently concluded fiscal year, for which the amount expended under such paragraph for such project was more than $1,000,000. If no such project was carried out during a fiscal year, no report under this paragraph shall be required with respect to that fiscal year.".

SEC. 222. TECHNICAL CORRECTIONS TO TITLE 14.

Title 14, United States Code, as amended by this Act, is further amended—

(1) in section 93(b)(1) by striking "Notwithstanding subsection (a)(14)" and inserting "Notwithstanding subsection (a)(13)"; and

(2) in section 197(b) by striking "of Homeland Security".

14 USC 577 note.

SEC. 223. MULTIYEAR PROCUREMENT AUTHORITY FOR OFFSHORE PATROL CUTTERS.

In fiscal year 2015 and each fiscal year thereafter, the Secretary of the department in which the Coast Guard is operating may enter into, in accordance with section 2306b of title 10, United States Code, multiyear contracts for the procurement of Offshore Patrol Cutters and associated equipment.

SEC. 224. MAINTAINING MEDIUM ENDURANCE CUTTER MISSION CAPABILITY.

Deadlines. Reports. Plans.

Not later than 120 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) a schedule and plan for decommissioning, not later than September 30, 2029, each of the 210-foot, Reliance-Class Cutters operated by the Coast Guard on the date of enactment of this Act;

(2) a schedule and plan for enhancing the maintenance or extending the service life of each of the 270-foot, Famous-Class Cutters operated by the Coast Guard on the date of enactment of this Act—

(A) to maintain the capability of the Coast Guard to carry out sea-going missions with respect to such Cutters at the level of capability existing on September 30, 2013; and

(B) for the period beginning on the date of enactment of this Act and ending on the date on which the final Offshore Patrol Cutter is scheduled to be commissioned under paragraph (4); Time period.

(3) an identification of the number of Offshore Patrol Cutters capable of sea state 5 operations that, if 8 National Security Cutters are commissioned, are necessary to return the sea state 5 operating capability of the Coast Guard to the level of capability that existed prior to the decommissioning of the first High Endurance Cutter in fiscal year 2011;

(4) a schedule and plan for commissioning the number of Offshore Patrol Cutters identified under paragraph (3); and

(5) a schedule and plan for commissioning, not later than September 30, 2034, a number of Offshore Patrol Cutters not capable of sea state 5 operations that is equal to—

(A) 25; less

(B) the number of Offshore Patrol Cutters identified under paragraph (3).

SEC. 225. AVIATION CAPABILITY.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may—

(1) request and accept through a direct military-to-military transfer under section 2571 of title 10, United States Code, such H–60 helicopters as may be necessary to establish a year-round operational capability in the Coast Guard's Ninth District; and

(2) use funds provided under section 101 of this Act to convert such helicopters to Coast Guard MH–60T configuration.

(b) PROHIBITION.—

(1) IN GENERAL.—The Coast Guard may not—

(A) close a Coast Guard air facility that was in operation on November 30, 2014; or

(B) retire, transfer, relocate, or deploy an aviation asset from an air facility described in subparagraph (A) for the purpose of closing such facility.

(2) SUNSET.—This subsection is repealed effective January 1, 2016.

SEC. 226. GAPS IN WRITINGS ON COAST GUARD HISTORY.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any gaps that exist in writings on the history of the Coast Guard. The report shall address, at a minimum, operations, broad topics, and biographies with respect to the Coast Guard. Deadline. Reports.

SEC. 227. OFFICER EVALUATION REPORTS.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written assessment of the Coast Guard's officer evaluation reporting system.

(b) CONTENTS OF ASSESSMENT.—The assessment required under subsection (a) shall include, at a minimum, an analysis of—

(1) the extent to which the Coast Guard's officer evaluation reports differ in length, form, and content from the officer fitness reports used by the Navy and other branches of the Armed Forces;

(2) the extent to which differences determined pursuant to paragraph (1) are the result of inherent differences between—

(A) the Coast Guard and the Navy; and

(B) the Coast Guard and other branches of the Armed Forces;

(3) the feasibility of more closely aligning and conforming the Coast Guard's officer evaluation reports with the officer fitness reports of the Navy and other branches of the Armed Forces; and

(4) the costs and benefits of the alignment and conformity described in paragraph (3), including with respect to—

(A) Coast Guard administrative efficiency;

(B) fairness and equity for Coast Guard officers; and

(C) carrying out the Coast Guard's statutory mission of defense readiness, including when operating as a service in the Navy.

14 USC 81.

SEC. 228. IMPROVED SAFETY INFORMATION FOR VESSELS.

Deadline.

Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process that allows an operator of a marine exchange or other non-Federal vessel traffic information service to use the automatic identification system to transmit weather, ice, and other important navigation safety information to vessels.

SEC. 229. E–LORAN.

Deadlines.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may not carry out activities related to the dismantling or disposal of infrastructure that supported the former LORAN system until the later of—

(1) the date that is 1 year after the date of enactment of this Act; or

(2) the date on which the Secretary provides to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate notice of a determination by the Secretary that such infrastructure is not required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted.

(b) EXCEPTION.—Subsection (a) does not apply to activities necessary for the safety of human life.

(c) AGREEMENTS.—The Secretary may enter into cooperative agreements, contracts, and other agreements with Federal entities and other public or private entities, including academic entities, to develop a positioning, navigation, and timing system, including an enhanced LORAN system, to provide redundant capability in the event GPS signals are disrupted.

SEC. 230. ANALYSIS OF RESOURCE DEFICIENCIES WITH RESPECT TO MARITIME BORDER SECURITY.

Deadline.
Reports.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Commandant of the Coast Guard shall

provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report describing any Coast Guard resource deficiencies related to—

(1) securing maritime borders with respect to the Great Lakes and the coastal areas of the Southeastern and Southwestern United States, including with respect to Florida, California, Puerto Rico, and the United States Virgin Islands;

(2) patrolling and monitoring maritime approaches to the areas described in paragraph (1); and

(3) patrolling and monitoring relevant portions of the Western Hemisphere Drug Transit Zone.

(b) SCOPE.—In preparing the report under subsection (a), the Commandant shall consider, at a minimum—

(1) the Coast Guard's statutory missions with respect to migrant interdiction, drug interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;

(2) whether Coast Guard missions are being executed to meet national performance targets set under the National Drug Control Strategy;

(3) the number and types of cutters and other vessels required to effectively execute Coast Guard missions;

(4) the number and types of aircraft, including unmanned aircraft, required to effectively execute Coast Guard missions;

(5) the number of assets that require upgraded sensor and communications systems to effectively execute Coast Guard missions;

(6) the Deployable Specialized Forces required to effectively execute Coast Guard missions; and

(7) whether additional shoreside facilities are required to accommodate Coast Guard personnel and assets in support of Coast Guard missions.

SEC. 231. MODERNIZATION OF NATIONAL DISTRESS AND RESPONSE SYSTEM.

(a) REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the implementation of the Rescue 21 project in Alaska and in Coast Guard sectors Upper Mississippi River, Lower Mississippi River, and Ohio River Valley.

(b) CONTENTS.—The report required under subsection (a) shall—

(1) describe what improvements are being made to the distress response system in the areas specified in subsection (a), including information on which areas will receive digital selective calling and direction finding capability;

(2) describe the impediments to installing digital selective calling and direction finding capability in areas where such technology will not be installed;

(3) identify locations in the areas specified in subsection (a) where communication gaps will continue to present a risk to mariners after completion of the Rescue 21 project;

(4) include a list of all reported marine accidents, casualties, and fatalities occurring in the locations identified under paragraph (3) since 1990; and

(5) provide an estimate of the costs associated with installing the technology necessary to close communication gaps in the locations identified under paragraph (3).

SEC. 232. REPORT RECONCILING MAINTENANCE AND OPERATIONAL PRIORITIES ON THE MISSOURI RIVER.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that outlines a course of action to reconcile general maintenance priorities for cutters with operational priorities on the Missouri River.

SEC. 233. MARITIME SEARCH AND RESCUE ASSISTANCE POLICY ASSESSMENT.

(a) IN GENERAL.—The Commandant of the Coast Guard shall assess the Maritime Search and Rescue Assistance Policy as it relates to State and local responders.

(b) SCOPE.—The assessment under subsection (a) shall consider, at a minimum—

(1) the extent to which Coast Guard search and rescue coordinators have entered into domestic search and rescue agreements with State and local responders under the National Search and Rescue Plan;

(2) whether the domestic search and rescue agreements include the Maritime Search and Rescue Assistance Policy; and

(3) the extent to which Coast Guard sectors coordinate with 911 emergency centers, including ensuring the dissemination of appropriate maritime distress check-sheets.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit a report on the assessment under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE III—SHIPPING AND NAVIGATION

SEC. 301. REPEAL.

Chapter 555 of title 46, United States Code, is amended—

46 USC 55501.

(1) by repealing section 55501;

(2) by redesignating section 55502 as section 55501; and

(3) in the analysis by striking the items relating to sections 55501 and 55502 and inserting the following:

46 USC prec. 55501.

"55501. United States Committee on the Marine Transportation System.".

SEC. 302. DONATION OF HISTORICAL PROPERTY.

Section 51103 of title 46, United States Code, is amended by adding at the end the following:

"(e) DONATION FOR HISTORICAL PURPOSES.—

"(1) IN GENERAL.—The Secretary may convey the right, title, and interest of the United States Government in any property administered by the Maritime Administration, except real estate or vessels, if—

"(A) the Secretary determines that such property is not needed by the Maritime Administration; and Determination.

"(B) the recipient—

"(i) is a nonprofit organization, a State, or a political subdivision of a State;

"(ii) agrees to hold the Government harmless for any claims arising from exposure to hazardous materials, including asbestos, polychlorinated biphenyls, or lead paint, after conveyance of the property;

"(iii) provides a description and explanation of the intended use of the property to the Secretary for approval;

"(iv) has provided to the Secretary proof, as determined by the Secretary, of resources sufficient to accomplish the intended use provided under clause (iii) and to maintain the property;

"(v) agrees that when the recipient no longer requires the property, the recipient shall—

"(I) return the property to the Secretary, at the recipient's expense and in the same condition as received except for ordinary wear and tear; or

"(II) subject to the approval of the Secretary, retain, sell, or otherwise dispose of the property in a manner consistent with applicable law; and

"(vi) agrees to any additional terms the Secretary considers appropriate.

"(2) REVERSION.—The Secretary shall include in any conveyance under this subsection terms under which all right, title, and interest conveyed by the Secretary shall revert to the Government if the Secretary determines the property has been used other than as approved by the Secretary under paragraph (1)(B)(iii).". Determination.

SEC. 303. SMALL SHIPYARDS.

Section 54101(i) of title 46, United States Code, is amended by striking "2009 through 2013" and inserting "2015 through 2017". 46 USC 54101.

SEC. 304. DRUG TESTING REPORTING.

Section 7706 of title 46, United States Code, is amended—

(1) in subsection (a), by inserting "an applicant for employment by a Federal agency," after "Federal agency,"; and

(2) in subsection (c), by—

(A) inserting "or an applicant for employment by a Federal agency" after "an employee"; and

(B) striking "the employee." and inserting "the employee or the applicant.".

SEC. 305. OPPORTUNITIES FOR SEA SERVICE VETERANS.

(a) ENDORSEMENTS FOR VETERANS.—Section 7101 of title 46, United States Code, is amended by adding at the end the following:

"(j) The Secretary may issue a license under this section in a class under subsection (c) to an applicant that—

Time period.

"(1) has at least 3 months of qualifying service on vessels of the uniformed services (as that term is defined in section 101(a) of title 10) of appropriate tonnage or horsepower within the 7-year period immediately preceding the date of application; and

"(2) satisfies all other requirements for such a license.".

(b) SEA SERVICE LETTERS.—

(1) IN GENERAL.—Title 14, United States Code, is amended by inserting after section 427 the following:

14 USC 428.

"§ 428. Sea service letters

"(a) IN GENERAL.—The Secretary shall provide a sea service letter to a member or former member of the Coast Guard who—

"(1) accumulated sea service on a vessel of the armed forces (as such term is defined in section 101(a) of title 10); and

"(2) requests such letter.

"(b) DEADLINE.—Not later than 30 days after receiving a request for a sea service letter from a member or former member of the Coast Guard under subsection (a), the Secretary shall provide such letter to such member or former member if such member or former member satisfies the requirement under subsection (a)(1).".

(2) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 427 the following:

14 USC prec. 211.

"428. Sea service letters.".

46 USC 7302 note.

(c) CREDITING OF UNITED STATES ARMED FORCES SERVICE, TRAINING, AND QUALIFICATIONS.—

(1) MAXIMIZING CREDITABILITY.—The Secretary of the department in which the Coast Guard is operating, in implementing United States merchant mariner license, certification, and document laws and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, shall maximize the extent to which United States Armed Forces service, training, and qualifications are creditable toward meeting the requirements of such laws and such Convention.

Deadline.

(2) NOTIFICATION.—Not later than 90 days after the date of enactment of this Act, the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the steps taken to implement this subsection.

46 USC 7301 note. Deadline.

(d) MERCHANT MARINE POST-SERVICE CAREER OPPORTUNITIES.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall take steps to promote better awareness, on an ongoing basis, among Coast Guard personnel regarding post-service use of Coast Guard training, education, and practical experience in satisfaction of requirements for merchant mariner credentials under section 11.213 of title 46, Code of Federal Regulations.

SEC. 306. CLARIFICATION OF HIGH-RISK WATERS.

Section 55305(e) of title 46, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "provide armed personnel aboard" and inserting "reimburse, subject to the availability of appropriations, the owners or operators of"; and

(B) by inserting "for the cost of providing armed personnel aboard such vessels" before "if"; and

(2) by striking paragraphs (2) and (3) and inserting the following:

"(2) In this subsection, the term 'high-risk waters' means waters so designated by the Commandant of the Coast Guard in the maritime security directive issued by the Commandant and in effect on the date on which an applicable voyage begins, if the Secretary of Transportation—

"(A) determines that an act of piracy occurred in the 12-month period preceding the date the voyage begins; or

"(B) in such period, issued an advisory warning that an act of piracy is possible in such waters.".

SEC. 307. TECHNICAL CORRECTIONS.

(a) TITLE 46.—Section 2116(b)(1)(D) of title 46, United States Code, is amended by striking "section 93(c)" and inserting "section 93(c) of title 14". 46 USC 2116.

(b) COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2006.—Section 304(a) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109–241; 33 U.S.C. 1503 note) is amended by inserting "and from" before "the United States".

(c) DEEPWATER PORT ACT OF 1974.—Section 4(i) of the Deepwater Port Act of 1974 (33 U.S.C. 1503(i)) is amended by inserting "or that will supply" after "be supplied with".

SEC. 308. REPORT.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the number of jobs, including vessel construction and vessel operating jobs, that would be created in the United States maritime industry each year in 2015 through 2025 if liquified natural gas exported from the United States were required to be carried—

(1) before December 31, 2018, on vessels documented under the laws of the United States; and

(2) on and after such date, on vessels documented under the laws of the United States and constructed in the United States.

SEC. 309. FISHING SAFETY GRANT PROGRAMS.

(a) FISHING SAFETY TRAINING GRANT PROGRAM.—Section 4502(i)(4) of title 46, United States Code, is amended by striking "2010 through 2014" and inserting "2015 through 2017".

(b) FISHING SAFETY RESEARCH GRANT PROGRAM.—Section 4502(j)(4) of title 46, United States Code, is amended by striking "2010 through 2014" and inserting "2015 through 2017".

SEC. 310. ESTABLISHMENT OF MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Chapter 81 of title 46, United States Code, is amended by adding at the end the following:

46 USC 8108.

"§ 8108. Merchant Marine Personnel Advisory Committee

"(a) ESTABLISHMENT.—The Secretary shall establish a Merchant Marine Personnel Advisory Committee (in this section referred to as 'the Committee'). The Committee—

"(1) shall act solely in an advisory capacity to the Secretary through the Commandant of the Coast Guard on matters relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards, and other matters as assigned by the Commandant;

"(2) shall review and comment on proposed Coast Guard regulations and policies relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards;

"(3) may be given special assignments by the Secretary and may conduct studies, inquiries, workshops, and fact finding in consultation with individuals and groups in the private sector and with State or local governments;

"(4) shall advise, consult with, and make recommendations reflecting its independent judgment to the Secretary;

"(5) shall meet not less than twice each year; and

"(6) may make available to Congress recommendations that the Committee makes to the Secretary.

"(b) MEMBERSHIP.—

Notice.
Federal Register, publication.

"(1) IN GENERAL.—The Committee shall consist of not more than 19 members who are appointed by and serve terms of a duration determined by the Secretary. Before filling a position on the Committee, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the Committee.

"(2) REQUIRED MEMBERS.—Subject to paragraph (3), the Secretary shall appoint as members of the Committee—

"(A) 9 United States citizens with active licenses or certificates issued under chapter 71 or merchant mariner documents issued under chapter 73, including—

"(i) 3 deck officers who represent the viewpoint of merchant marine deck officers, of whom—

"(I) 2 shall be licensed for oceans any gross tons;

"(II) 1 shall be licensed for inland river route with a limited or unlimited tonnage;

"(III) 2 shall have a master's license or a master of towing vessels license;

"(IV) 1 shall have significant tanker experience; and

"(V) to the extent practicable—

"(aa) 1 shall represent the viewpoint of labor; and

"(bb) another shall represent a management perspective;

"(ii) 3 engineering officers who represent the viewpoint of merchant marine engineering officers, of whom—

"(I) 2 shall be licensed as chief engineer any horsepower;

"(II) 1 shall be licensed as either a limited chief engineer or a designated duty engineer; and

"(III) to the extent practicable—

"(aa) 1 shall represent a labor viewpoint; and

"(bb) another shall represent a management perspective;

"(iii) 2 unlicensed seamen, of whom—

"(I) 1 shall represent the viewpoint of able-bodied seamen; and

"(II) another shall represent the viewpoint of qualified members of the engine department; and

"(iv) 1 pilot who represents the viewpoint of merchant marine pilots;

"(B) 6 marine educators, including—

"(i) 3 marine educators who represent the viewpoint of maritime academies, including—

"(I) 2 who represent the viewpoint of State maritime academies and are jointly recommended by such State maritime academies; and

"(II) 1 who represents either the viewpoint of the State maritime academies or the United States Merchant Marine Academy; and

"(ii) 3 marine educators who represent the viewpoint of other maritime training institutions, 1 of whom shall represent the viewpoint of the small vessel industry;

"(C) 2 individuals who represent the viewpoint of shipping companies employed in ship operation management; and

"(D) 2 members who are appointed from the general public.

"(3) CONSULTATION.—The Secretary shall consult with the Secretary of Transportation in making an appointment under paragraph (2)(B)(i)(II).

"(c) CHAIRMAN AND VICE CHAIRMAN.—The Secretary shall designate one member of the Committee as the Chairman and one member of the Committee as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of the Chairman, or in the event of a vacancy in the office of the Chairman.

"(d) SUBCOMMITTEES.—The Committee may establish and disestablish subcommittees and working groups for any purpose consistent with this section, subject to conditions imposed by the Committee. Members of the Committee and additional persons drawn from the general public may be assigned to such subcommittees and working groups. Only Committee members may chair subcommittee or working groups.

"(e) TERMINATION.—The Committee shall terminate on September 30, 2020.".

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

46 USC prec. 8101.

"8108. Merchant Marine Personnel Advisory Committee.".

SEC. 311. TRAVEL AND SUBSISTENCE.

(a) TITLE 46, UNITED STATES CODE.—Section 2110 of title 46, United States Code, is amended—

46 USC 2110.

(1) by amending subsection (b) to read as follows:

"(b)(1) In addition to the collection of fees and charges established under subsection (a), in providing a service or thing of value

under this subtitle the Secretary may accept in-kind transportation, travel, and subsistence.

"(2) The value of in-kind transportation, travel, and subsistence accepted under this paragraph may not exceed applicable per diem rates set forth in regulations prescribed under section 464 of title 37."; and

(2) in subsection (c), by striking "subsections (a) and (b)," and inserting "subsection (a),".

14 USC 664.

(b) TITLE 14, UNITED STATES CODE.—Section 664 of title 14, United States Code, is amended by redesignating subsections (e) though (g) as subsections (f) through (h), respectively, and by inserting after subsection (d) the following:

"(e)(1) In addition to the collection of fees and charges established under this section, in the provision of a service or thing of value by the Coast Guard the Secretary may accept in-kind transportation, travel, and subsistence.

"(2) The value of in-kind transportation, travel, and subsistence accepted under this paragraph may not exceed applicable per diem rates set forth in regulations prescribed under section 464 of title 37.".

14 USC 664 note.

(c) LIMITATION.—The Secretary of the Department in which the Coast Guard is operating may not accept in-kind transportation, travel, or subsistence under section 664(e) of title 14, United States Code, or section 2110(d)(4) of title 46, United States Code, as amended by this section, until the Commandant of the Coast Guard—

(1) amends the Standards of Ethical Conduct for members and employees of the Coast Guard to include regulations governing the acceptance of in-kind reimbursements; and

Notification.

(2) notifies the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the amendments made under paragraph (1).

SEC. 312. PROMPT INTERGOVERNMENTAL NOTICE OF MARINE CASUALTIES.

Section 6101 of title 46, United States Code, is amended—

(1) by inserting after subsection (b) the following:

Deadline.

"(c) NOTICE TO STATE AND TRIBAL GOVERNMENTS.—Not later than 24 hours after receiving a notice of a major marine casualty under this section, the Secretary shall notify each State or federally recognized Indian tribe that is, or may reasonably be expected to be, affected by such marine casualty.";

(2) in subsection (h)—

(A) by striking "(1)"; and

(B) by redesignating subsection (h)(2) as subsection (i) of section 6101, and in such subsection—

(i) by striking "paragraph," and inserting "section,"; and

(ii) by redesignating subparagraphs (A) through (D) as paragraphs (1) through (4); and

(3) by redesignating the last subsection as subsection (j).

SEC. 313. AREA CONTINGENCY PLANS.

Section 311(j)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(4)) is amended—

(1) in subparagraph (A), by striking "qualified personnel of Federal, State, and local agencies." and inserting "qualified—

"(i) personnel of Federal, State, and local agencies; and

"(ii) members of federally recognized Indian tribes, where applicable.";

(2) in subparagraph (B)(ii)—

(A) by striking "and local" and inserting ", local, and tribal"; and

(B) by striking "wildlife;" and inserting "wildlife, including advance planning with respect to the closing and reopening of fishing areas following a discharge;";

(3) in subparagraph (B)(iii), by striking "and local" and inserting ", local, and tribal"; and

(4) in subparagraph (C)—

(A) in clause (iv), by striking "and Federal, State, and local agencies" and inserting ", Federal, State, and local agencies, and tribal governments";

(B) by redesignating clauses (vii) and (viii) as clauses (viii) and (ix), respectively; and

(C) by inserting after clause (vi) the following:

"(vii) include a framework for advance planning and decisionmaking with respect to the closing and reopening of fishing areas following a discharge, including protocols and standards for the closing and reopening of fishing areas;".

SEC. 314. INTERNATIONAL ICE PATROL REFORM.

(a) IN GENERAL.—Chapter 803 of title 46, United States Code, is amended—

(1) in section 80301, by adding at the end the following: 46 USC 80301.

"(c) PAYMENTS.—Payments received pursuant to subsection (b)(1) shall be credited to the appropriation for operating expenses of the Coast Guard.";

(2) in section 80302—

(A) in subsection (b), by striking "An ice patrol vessel" and inserting "The ice patrol";

(B) in subsection (c)(1), by striking "An ice patrol vessel" and inserting "The ice patrol"; and

(C) in the first sentence of subsection (d), by striking "vessels" and inserting "aircraft"; and

(3) by adding at the end the following:

"§ 80304. Limitation on ice patrol data

"Notwithstanding sections 80301 and 80302, data collected by an ice patrol conducted by the Coast Guard under this chapter may not be disseminated to a vessel unless such vessel is—

"(1) documented under the laws of the United States; or

"(2) documented under the laws of a foreign country that made the payment or contribution required under section 80301(b) for the year preceding the year in which the data is collected.".

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following: 46 USC prec. 80301.

"80304. Limitation on ice patrol data.".

(c) EFFECTIVE DATE.—This section shall take effect on January 1, 2017. 46 USC 80301 note.

SEC. 315. OFFSHORE SUPPLY VESSEL THIRD-PARTY INSPECTION.

46 USC 3316.

Section 3316 of title 46, United States Code, is amended by redesignating subsection (f) as subsection (g), and by inserting after subsection (e) the following:

Delegation authority.

"(f)(1) Upon request of an owner or operator of an offshore supply vessel, the Secretary shall delegate the authorities set forth in paragraph (1) of subsection (b) with respect to such vessel to a classification society to which a delegation is authorized under that paragraph. A delegation by the Secretary under this subsection shall be used for any vessel inspection and examination function carried out by the Secretary, including the issuance of certificates of inspection and all other related documents.

Determination.

"(2) If the Secretary determines that a certificate of inspection or related document issued under authority delegated under paragraph (1) of this subsection with respect to a vessel has reduced the operational safety of that vessel, the Secretary may terminate the certificate or document, respectively.

Deadline. Reports.

"(3) Not later than 2 years after the date of the enactment of the Howard Coble Coast Guard and Maritime Transportation Act of 2014, and for each year of the subsequent 2-year period, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing—

"(A) the number of vessels for which a delegation was made under paragraph (1);

"(B) any savings in personnel and operational costs incurred by the Coast Guard that resulted from the delegations; and

"(C) based on measurable marine casualty and other data, any impacts of the delegations on the operational safety of vessels for which the delegations were made, and on the crew on those vessels.".

SEC. 316. WATCHES.

Section 8104 of title 46, United States Code, is amended—

(1) in subsection (d), by striking "coal passers, firemen, oilers, and water tenders" and inserting "and oilers"; and

(2) in subsection (g)(1), by striking "(except the coal passers, firemen, oilers, and water tenders)".

33 USC 1321 note.

SEC. 317. COAST GUARD RESPONSE PLAN REQUIREMENTS.

(a) VESSEL RESPONSE PLAN CONTENTS.—The Secretary of the department in which the Coast Guard is operating shall require that each vessel response plan prepared for a mobile offshore drilling unit includes information from the facility response plan prepared for the mobile offshore drilling unit regarding the planned response to a worst case discharge, and to a threat of such a discharge.

(b) DEFINITIONS.—In this section:

(1) MOBILE OFFSHORE DRILLING UNIT.—The term "mobile offshore drilling unit" has the meaning given that term in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

(2) RESPONSE PLAN.—The term "response plan" means a response plan prepared under section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

(3) WORST CASE DISCHARGE.—The term "worst case discharge" has the meaning given that term under section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Coast Guard to review or approve a facility response plan for a mobile offshore drilling unit.

SEC. 318. REGIONAL CITIZENS' ADVISORY COUNCIL.

Section 5002(k)(3) of the Oil Pollution Act of 1990 (33 U.S.C. 2732(k)(3)) is amended by striking "not more than $1,000,000" and inserting "not less than $1,400,000".

SEC. 319. UNINSPECTED PASSENGER VESSELS IN THE UNITED STATES VIRGIN ISLANDS.

(a) IN GENERAL.—Section 4105 of title 46, United States Code, is amended— 46 USC 4105.

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

"(b)(1) In applying this title with respect to an uninspected vessel of less than 24 meters overall in length that carries passengers to or from a port in the United States Virgin Islands, the Secretary shall substitute '12 passengers' for '6 passengers' each place it appears in section 2101(42) if the Secretary determines that the vessel complies with, as applicable to the vessel— Applicability. Determination.

"(A) the Code of Practice for the Safety of Small Commercial Motor Vessels (commonly referred to as the 'Yellow Code'), as published by the U.K. Maritime and Coastguard Agency and in effect on January 1, 2014; or

"(B) the Code of Practice for the Safety of Small Commercial Sailing Vessels (commonly referred to as the 'Blue Code'), as published by such agency and in effect on such date.

"(2) If the Secretary establishes standards to carry out this subsection— Standards.

"(A) such standards shall be identical to those established in the Codes of Practice referred to in paragraph (1); and

"(B) on any dates before the date on which such standards are in effect, the Codes of Practice referred to in paragraph (1) shall apply with respect to the vessels referred to in paragraph (1).". Applicability.

(b) TECHNICAL CORRECTION.—Section 4105(c) of title 46, United States Code, as redesignated by subsection (a)(1) of this section, is amended by striking "Within twenty-four months of the date of enactment of this subsection, the" and inserting "The".

SEC. 320. TREATMENT OF ABANDONED SEAFARERS.

(a) IN GENERAL.—Chapter 111 of title 46, United States Code, is amended by adding at the end the following:

"§ 11113. Treatment of abandoned seafarers 46 USC 11113.

"(a) ABANDONED SEAFARERS FUND.—

"(1) ESTABLISHMENT.—There is established in the Treasury a separate account to be known as the Abandoned Seafarers Fund.

"(2) AUTHORIZED USES.—Amounts in the Fund may be appropriated to the Secretary for use—

"(A) to pay necessary support of a seafarer—

"(i) who—

"(I) was paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)), or for whom the Secretary has requested parole under such section; and

"(II) is involved in an investigation, reporting, documentation, or adjudication of any matter that is related to the administration or enforcement of law by the Coast Guard; or

"(ii) who—

"(I) is physically present in the United States;

"(II) the Secretary determines was abandoned in the United States; and

"(III) has not applied for asylum under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); and

"(B) to reimburse a vessel owner or operator for the costs of necessary support of a seafarer who has been paroled into the United States to facilitate an investigation, reporting, documentation, or adjudication of any matter that is related to the administration or enforcement of law by the Coast Guard, if—

"(i) the vessel owner or operator is not convicted of a criminal offense related to such matter; or

"(ii) the Secretary determines that reimbursement is appropriate.

"(3) CREDITING OF AMOUNTS TO FUND.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), there shall be credited to the Fund the following:

"(i) Penalties deposited in the Fund under section 9 of the Act to Prevent Pollution from Ships (33 U.S.C. 1908).

"(ii) Amounts reimbursed or recovered under subsection (c).

"(B) LIMITATION.—Amounts may be credited to the Fund under subparagraph (A) only if the unobligated balance of the Fund is less than $5,000,000.

"(4) REPORT REQUIRED.—On the date on which the President submits each budget for a fiscal year pursuant to section 1105 of title 31, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes—

"(A) the amounts credited to the Fund under paragraph (2) for the preceding fiscal year; and

"(B) amounts in the Fund that were expended for the preceding fiscal year.

"(b) LIMITATION.—Nothing in this section shall be construed—

"(1) to create a private right of action or any other right, benefit, or entitlement to necessary support for any person; or

"(2) to compel the Secretary to pay or reimburse the cost of necessary support.

"(c) REIMBURSEMENT; RECOVERY.—

"(1) IN GENERAL.—A vessel owner or operator shall reimburse the Fund an amount equal to the total amount paid from the Fund for necessary support of a seafarer, if—

"(A) the vessel owner or operator—

"(i) during the course of an investigation, reporting, documentation, or adjudication of any matter under this Act that the Coast Guard referred to a United States attorney or the Attorney General, fails to provide necessary support of a seafarer who was paroled into the United States to facilitate the investigation, reporting, documentation, or adjudication; and

"(ii) subsequently is—

"(I) convicted of a criminal offense related to such matter; or

"(II) required to reimburse the Fund pursuant to a court order or negotiated settlement related to such matter; or

"(B) the vessel owner or operator abandons a seafarer in the United States, as determined by the Secretary based on substantial evidence.

"(2) ENFORCEMENT.—If a vessel owner or operator fails to reimburse the Fund under paragraph (1) within 60 days after receiving a written, itemized description of reimbursable expenses and a demand for payment, the Secretary may— Deadline.

"(A) proceed in rem against the vessel on which the seafarer served in the Federal district court for the district in which the vessel is found; and

"(B) withhold or revoke the clearance required under section 60105 for the vessel and any other vessel operated by the same operator (as that term is defined in section 2(9)(a) of the Act to Prevent Pollution from Ships (33 U.S.C. 1901(9)(a)) as the vessel on which the seafarer served.

"(3) OBTAINING CLEARANCE.—A vessel may obtain clearance from the Secretary after it is withheld or revoked under paragraph (2)(B) if the vessel owner or operator—

"(A) reimburses the Fund the amount required under paragraph (1); or

"(B) provides a bond, or other evidence of financial responsibility, sufficient to meet the amount required to be reimbursed under paragraph (1).

"(4) NOTIFICATION REQUIRED.—The Secretary shall notify the vessel at least 72 hours before taking any action under paragraph (2)(B). Deadline.

"(d) DEFINITIONS.—In this section:

"(1) ABANDONS; ABANDONED.—Each of the terms 'abandons' and 'abandoned' means—

"(A) a vessel owner's or operator's unilateral severance of ties with a seafarer; or

"(B) a vessel owner's or operator's failure to provide necessary support of a seafarer.

"(2) FUND.—The term 'Fund' means the Abandoned Seafarers Fund established under this section.

"(3) NECESSARY SUPPORT.—The term 'necessary support' means normal wages and expenses the Secretary considers reasonable for lodging, subsistence, clothing, medical care (including hospitalization), repatriation, and any other support the Secretary considers to be appropriate.

"(4) SEAFARER.—The term 'seafarer' means an alien crew member who is employed or engaged in any capacity on board a vessel subject to the jurisdiction of the United States.

"(5) VESSEL SUBJECT TO THE JURISDICTION OF THE UNITED STATES.—The term 'vessel subject to the jurisdiction of the United States' has the meaning given that term in section 70502(c), except that it does not include a vessel that is—

"(A) owned, or operated under a bareboat charter, by the United States, a State or political subdivision thereof, or a foreign nation; and

"(B) not engaged in commerce.".

46 USC prec. 11101.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

"11113. Treatment of abandoned seafarers.".

(c) CONFORMING AMENDMENT.—Section 9 of the Act to Prevent Pollution from Ships (33 U.S.C. 1908) is amended by adding at the end the following:

"(g) Any penalty collected under subsection (a) or (b) that is not paid under that subsection to the person giving information leading to the conviction or assessment of such penalties shall be deposited in the Abandoned Seafarers Fund established under section 11113 of title 46, United States Code.".

SEC. 321. WEBSITE.

46 USC 3507.

(a) REPORTS TO SECRETARY OF TRANSPORTATION; INCIDENTS AND DETAILS.—Section 3507(g)(3)(A) of title 46, United States Code, is amended—

(1) in clause (ii) by striking "the incident to an Internet based portal maintained by the Secretary" and inserting "each incident specified in clause (i) to the Internet website maintained by the Secretary of Transportation under paragraph (4)(A)"; and

(2) in clause (iii) by striking "based portal maintained by the Secretary" and inserting "website maintained by the Secretary of Transportation under paragraph (4)(A)".

(b) AVAILABILITY OF INCIDENT DATA ON INTERNET.—Section 3507(g)(4) of title 46, United States Code, is amended—

(1) by striking subparagraph (A) and inserting the following:

"(A) WEBSITE.—

"(i) IN GENERAL.—The Secretary of Transportation shall maintain a statistical compilation of all incidents on board a cruise vessel specified in paragraph (3)(A)(i) on an Internet website that provides a numerical accounting of the missing persons and alleged crimes reported under that paragraph without regard to the investigative status of the incident.

Deadlines.

"(ii) UPDATES AND OTHER REQUIREMENTS.—The compilation under clause (i) shall—

"(I) be updated not less frequently than quarterly;

"(II) be able to be sorted by cruise line;

"(III) identify each cruise line by name;

"(IV) identify each crime or alleged crime committed or allegedly committed by a passenger or crewmember;

"(V) identify the number of individuals alleged overboard; and

"(VI) include the approximate number of passengers and crew carried by each cruise line during each quarterly reporting period.

"(iii) USER-FRIENDLY FORMAT.—The Secretary of Transportation shall ensure that the compilation, data, and any other information provided on the Internet website maintained under this subparagraph are in a user-friendly format. The Secretary shall, to the greatest extent practicable, use existing commercial off the shelf technology to transfer and establish the website, and shall not independently develop software, or acquire new hardware in operating the site."; and

(2) in subparagraph (B) by striking "Secretary" and inserting "Secretary of Transportation".

SEC. 322. COAST GUARD REGULATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an analysis of the Coast Guard's proposed promulgation of safety and environmental management system requirements for vessels engaged in Outer Continental Shelf activities. The analysis shall include— Deadline. Analysis.

(1) a discussion of any new operational, management, design and construction, financial, and other mandates that would be imposed on vessel owners and operators;

(2) an estimate of all associated direct and indirect operational, management, personnel, training, vessel design and construction, record keeping, and other costs;

(3) an identification and justification of any of such proposed requirements that exceed those in international conventions applicable to the design, construction, operation, and management of vessels engaging in United States Outer Continental Shelf activities; and

(4) an identification of exemptions to the proposed requirements, that are based upon vessel classification, tonnage, offshore activity or function, alternative certifications, or any other appropriate criteria.

(b) LIMITATION.—The Secretary may not issue proposed regulations relating to safety and environmental management system requirements for vessels on the United States Outer Continental Shelf for which noticed was published on September 10, 2013 (78 Fed. Reg. 55230) earlier than 6 months after the submittal of the analysis required by subsection (a). Deadline.

TITLE IV—FEDERAL MARITIME COMMISSION

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Federal Maritime Commission $24,700,000 for fiscal year 2015.

SEC. 402. AWARD OF REPARATIONS.

Section 41305 of title 46, United States Code, is amended—

(1) in subsection (b), by striking ", plus reasonable attorney fees"; and

(2) by adding at the end the following:

"(e) ATTORNEY FEES.—In any action brought under section 41301, the prevailing party may be awarded reasonable attorney fees.".

SEC. 403. TERMS OF COMMISSIONERS.

(a) IN GENERAL.—Section 301(b) of title 46, United States Code, is amended—

(1) by amending paragraph (2) to read as follows:

"(2) TERMS.—The term of each Commissioner is 5 years. When the term of a Commissioner ends, the Commissioner may continue to serve until a successor is appointed and qualified, but for a period not to exceed one year. Except as provided in paragraph (3), no individual may serve more than 2 terms."; and

(2) by redesignating paragraph (3) as paragraph (5), and inserting after paragraph (2) the following:

"(3) VACANCIES.—A vacancy shall be filled in the same manner as the original appointment. An individual appointed to fill a vacancy is appointed only for the unexpired term of the individual being succeeded. An individual appointed to fill a vacancy may serve 2 terms in addition to the remainder of the term for which the predecessor of that individual was appointed.

"(4) CONFLICTS OF INTEREST.—

"(A) LIMITATION ON RELATIONSHIPS WITH REGULATED ENTITIES.—A Commissioner may not have a pecuniary interest in, hold an official relation to, or own stocks or bonds of any entity the Commission regulates under chapter 401 of this title.

"(B) LIMITATION ON OTHER ACTIVITIES.—A Commissioner may not engage in another business, vocation, or employment.".

46 USC 301 note.

(b) APPLICABILITY.—The amendment made by subsection (a)(1) does not apply with respect to a Commissioner of the Federal Maritime Commission appointed and confirmed by the Senate before the date of the enactment of this Act.

TITLE V—ARCTIC MARITIME TRANSPORTATION

SEC. 501. ARCTIC MARITIME TRANSPORTATION.

(a) ARCTIC MARITIME TRANSPORTATION.—Chapter 5 of title 14, United States Code, is amended by inserting after section 89 the following:

Safety.
14 USC 90.

"§ 90. Arctic maritime transportation

"(a) PURPOSE.—The purpose of this section is to ensure safe and secure maritime shipping in the Arctic including the availability of aids to navigation, vessel escorts, spill response capability, and maritime search and rescue in the Arctic.

"(b) INTERNATIONAL MARITIME ORGANIZATION AGREEMENTS.— To carry out the purpose of this section, the Secretary is encouraged to enter into negotiations through the International Maritime Organization to conclude and execute agreements to promote coordinated action among the United States, Russia, Canada, Iceland, Norway, and Denmark and other seafaring and Arctic nations to ensure, in the Arctic— Foreign nations.

"(1) placement and maintenance of aids to navigation;

"(2) appropriate marine safety, tug, and salvage capabilities;

"(3) oil spill prevention and response capability;

"(4) maritime domain awareness, including long-range vessel tracking; and

"(5) search and rescue.

"(c) COORDINATION BY COMMITTEE ON THE MARITIME TRANSPORTATION SYSTEM.—The Committee on the Maritime Transportation System established under section 55501 of title 46, United States Code, shall coordinate the establishment of domestic transportation policies in the Arctic necessary to carry out the purpose of this section.

"(d) AGREEMENTS AND CONTRACTS.—The Secretary may, subject to the availability of appropriations, enter into cooperative agreements, contracts, or other agreements with, or make grants to, individuals and governments to carry out the purpose of this section or any agreements established under subsection (b).

"(e) ICEBREAKING.—The Secretary shall promote safe maritime navigation by means of icebreaking where necessary, feasible, and effective to carry out the purposes of this section.

"(f) ARCTIC DEFINITION.—In this section, the term 'Arctic'? has the meaning given such term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).".

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 89 the following: 14 USC prec. 81.

"90. Arctic maritime transportation".

(c) CONFORMING AMENDMENT.—Section 307 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 14 U.S.C. 92 note) is repealed.

SEC. 502. ARCTIC MARITIME DOMAIN AWARENESS.

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

"§ 154. Arctic maritime domain awareness 14 USC 154.

"(a) IN GENERAL.—The Commandant shall improve maritime domain awareness in the Arctic—

"(1) by promoting interagency cooperation and coordination;

"(2) by employing joint, interagency, and international capabilities; and

"(3) by facilitating the sharing of information, intelligence, and data related to the Arctic maritime domain between the Coast Guard and departments and agencies listed in subsection (b).

"(b) COORDINATION.—The Commandant shall seek to coordinate the collection, sharing, and use of information, intelligence, and

data related to the Arctic maritime domain between the Coast Guard and the following:

"(1) The Department of Homeland Security.
"(2) The Department of Defense.
"(3) The Department of Transportation.
"(4) The Department of State.
"(5) The Department of the Interior.
"(6) The National Aeronautics and Space Administration.
"(7) The National Oceanic and Atmospheric Administration.
"(8) The Environmental Protection Agency.
"(9) The National Science Foundation.
"(10) The Arctic Research Commission.
"(11) Any Federal agency or commission or State the Commandant determines is appropriate.

"(c) COOPERATION.—The Commandant and the head of a department or agency listed in subsection (b) may by agreement, on a reimbursable basis or otherwise, share personnel, services, equipment, and facilities to carry out the requirements of this section.

Deadlines.

"(d) 5-YEAR STRATEGIC PLAN.—Not later than January 1, 2016 and every 5 years thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a 5-year strategic plan to guide interagency and international intergovernmental cooperation and coordination for the purpose of improving maritime domain awareness in the Arctic.

"(e) DEFINITIONS.—In this section the term 'Arctic' has the meaning given that term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).".

14 USC prec. 141.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 153 the following:

"154. Arctic maritime domain awareness.".

SEC. 503. IMO POLAR CODE NEGOTIATIONS.

Deadline. Reports.

Not later than 30 days after the date of the enactment of this Act, and thereafter with the submission of the budget proposal submitted for each of fiscal years 2016, 2017, and 2018 under section 1105 of title 31, United States Code, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on—

(1) the status of the negotiations at the International Maritime Organization regarding the establishment of a draft international code of safety for ships operating in polar waters, popularly known as the Polar Code, and any amendments proposed by such a code to be made to the International Convention for the Safety of Life at Sea and the International Convention for the Prevention of Pollution from Ships;

(2) the coming into effect of such a code and such amendments for nations that are parties to those conventions;

(3) impacts, for coastal communities located in the Arctic (as that term is defined in the section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111)) of such a code or such amendments, on—

(A) the costs of delivering fuel and freight; and

(B) the safety of maritime transportation; and

(4) actions the Secretary must take to implement the requirements of such a code and such amendments.

SEC. 504. FORWARD OPERATING FACILITIES.

The Secretary of the department in which the Coast Guard is operating may construct facilities in the Arctic (as that term is defined in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111). The facilities shall—

(1) support aircraft maintenance, including exhaust ventilation, heat, an engine wash system, fuel, ground support services, and electrical power;

(2) provide shelter for both current helicopter assets and those projected to be located at Air Station Kodiak, Alaska, for at least 20 years; and

(3) include accommodations for personnel.

SEC. 505. ICEBREAKERS.

(a) COAST GUARD POLAR ICEBREAKERS.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213; 126 Stat. 1560) is amended—

(1) in subsection (d)(2)—

(A) in the paragraph heading by striking "; BRIDGING STRATEGY"; and

(B) by striking "Commandant of the Coast Guard" and all that follows through the period at the end and inserting "Commandant of the Coast Guard may decommission the Polar Sea.";

(2) by adding at the end of subsection (d) the following:

"(3) RESULT OF NO DETERMINATION.—If in the analysis submitted under this section the Secretary does not make a determination under subsection (a)(5) regarding whether it is cost effective to reactivate the Polar Sea, then—

"(A) the Commandant of the Coast Guard may decommission the Polar Sea; or

"(B) the Secretary may make such determination, not later than 90 days after the date of the enactment of Howard Coble Coast Guard and Maritime Transportation Act of 2014, and take actions in accordance with this subsection as though such determination was made in the analysis previously submitted."; Deadline.

(3) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(4) by inserting after subsection (d) the following:

"(e) STRATEGIES.—

"(1) IN GENERAL.—Not later than 180 days after the date on which the analysis required under subsection (a) is submitted, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate— Deadline.

"(A) unless the Secretary makes a determination under this section that it is cost effective to reactivate the Polar Sea, a bridging strategy for maintaining the Coast Guard's polar icebreaking services until at least September 30, 2024;

"(B) a strategy to meet the Coast Guard's Arctic ice operations needs through September 30, 2050; and

"(C) a strategy to meet the Coast Guard's Antarctic ice operations needs through September 30, 2050

Analysis.

"(2) REQUIREMENT.—The strategies required under paragraph (1) shall include a business case analysis comparing the leasing and purchasing of icebreakers to maintain the needs and services described in that paragraph.".

Plans.
Time period.

(b) CUTTER "POLAR SEA".—Upon the submission of a service life extension plan in accordance with section 222(d)(1)(C) of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213; 126 Stat. 1560), the Secretary of the department in which the Coast Guard is operating may use funds authorized under section 101 of this Act to conduct a service life extension of 7 to 10 years for the Coast Guard Cutter *Polar Sea* (WAGB 11) in accordance with such plan.

(c) LIMITATION.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may not expend amounts appropriated for the Coast Guard for any of fiscal years 2015 through 2024, for—

(A) design activities related to a capability of a Polar-Class Icebreaker that is based solely on an operational requirement of another Federal department or agency, except for amounts appropriated for design activities for a fiscal year before fiscal year 2016; or

(B) long-lead-time materials, production, or post-delivery activities related to such a capability.

(2) OTHER AMOUNTS.—Amounts made available to the Secretary under an agreement with another Federal department or agency and expended on a capability of a Polar-Class Icebreaker that is based solely on an operational requirement of that or another Federal department or agency shall not be treated as amounts expended by the Secretary for purposes of the limitation established under paragraph (1).

SEC. 506. ICEBREAKING IN POLAR REGIONS.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, is amended by inserting after section 86 the following:

14 USC 87.

"§ 87. Icebreaking in polar regions

President.

"The President shall facilitate planning for the design, procurement, maintenance, deployment, and operation of icebreakers as needed to support the statutory missions of the Coast Guard in the polar regions by allocating all funds to support icebreaking operations in such regions, except for recurring incremental costs associated with specific projects, to the Coast Guard.".

14 USC prec. 81.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 86 the following:

"87. Icebreaking in polar regions.".

TITLE VI—MISCELLANEOUS

SEC. 601. DISTANT WATER TUNA FLEET.

Section 421 of the Coast Guard and Maritime Transportation Act of 2006 (46 U.S.C. 8103 note) is amended—

(1) by striking subsections (c) and (e); and

(2) by redesignating subsections (d) and (f) as subsections (c) and (d), respectively.

SEC. 602. EXTENSION OF MORATORIUM.

Section 2(a) of Public Law 110–299 (33 U.S.C. 1342 note) is amended by striking "2014" and inserting "2017".

SEC. 603. NATIONAL MARITIME STRATEGY.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a national maritime strategy. Deadline. Consultation.

(b) CONTENTS.—The strategy required under subsection (a) shall—

(1) identify—

(A) Federal regulations and policies that reduce the competitiveness of United States flag vessels in international transportation markets; and

(B) the impact of reduced cargo flow due to reductions in the number of members of the United States Armed Forces stationed or deployed outside of the United States; and

(2) include recommendations to— Recommendations.

(A) make United States flag vessels more competitive in shipping routes between United States and foreign ports;

(B) increase the use of United States flag vessels to carry cargo imported to and exported from the United States;

(C) ensure compliance by Federal agencies with chapter 553 of title 46, United States Code;

(D) increase the use of third-party inspection and certification authorities to inspect and certify vessels;

(E) increase the use of short sea transportation routes, including routes designated under section 55601(c) of title 46, United States Code, to enhance intermodal freight movements; and

(F) enhance United States shipbuilding capability.

SEC. 604. WAIVERS.

(a) "JOHN CRAIG".—

(1) IN GENERAL.—Section 8902 of title 46, United States Code, shall not apply to the vessel *John Craig* (United States official number D1110613) when such vessel is operating on the portion of the Kentucky River, Kentucky, located at approximately mile point 158, in Pool Number 9, between Lock and Dam Number 9 and Lock and Dam Number 10.

(2) APPLICATION.—Paragraph (1) shall apply on and after the date on which the Secretary of the department in which the Coast Guard is operating determines that a licensing requirement has been established under Kentucky State law that applies to an operator of the vessel *John Craig*.

(b) "F/V WESTERN CHALLENGER".—Notwithstanding section 12132 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate

of documentation with a coastwise endorsement for the *F/V Western Challenger* (IMO number 5388108).

SEC. 605. COMPETITION BY UNITED STATES FLAG VESSELS.

Contracts.
Assessment.

(a) IN GENERAL.—The Commandant of the Coast Guard shall enter into an arrangement with the National Academy of Sciences to conduct an assessment of authorities under subtitle II of title 46, United States Code, that have been delegated to the Coast Guard and that impact the ability of vessels documented under the laws of the United States to effectively compete in international transportation markets.

(b) REVIEW OF DIFFERENCES WITH IMO STANDARDS.—The assessment under subsection (a) shall include a review of differences between United States laws, policies, regulations, and guidance governing the inspection of vessels documented under the laws of the United States and standards set by the International Maritime Organization governing the inspection of vessels.

(c) DEADLINE.—Not later than 180 days after the date on which the Commandant enters into an arrangement with the National Academy of Sciences under subsection (a), the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the assessment required under such subsection.

SEC. 606. VESSEL REQUIREMENTS FOR NOTICES OF ARRIVAL AND DEPARTURE AND AUTOMATIC IDENTIFICATION SYSTEM.

Deadline.
Notification.
Regulations.

Not later than 30 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the status of the final rule that relates to the notice of proposed rulemaking titled "Vessel Requirements for Notices of Arrival and Departure, and Automatic Identification System" and published in the Federal Register on December 16, 2008 (73 Fed. Reg. 76295).

SEC. 607. CONVEYANCE OF COAST GUARD PROPERTY IN ROCHESTER, NEW YORK.

(a) CONVEYANCE AUTHORIZED.—The Commandant of the Coast Guard is authorized to convey, at fair market value, all right, title, and interest of the United States in and to a parcel of real property, consisting of approximately 0.2 acres, that is under the administrative control of the Coast Guard and located at 527 River Street in Rochester, New York.

(b) RIGHT OF FIRST REFUSAL.—The City of Rochester, New York, shall have the right of first refusal with respect to the purchase, at fair market value, of the real property described in subsection (a).

(c) SURVEY.—The exact acreage and legal description of the property described in subsection (a) shall be determined by a survey satisfactory to the Commandant.

(d) FAIR MARKET VALUE.—The fair market value of the property described in subsection (a) shall—

(1) be determined by appraisal; and

(2) be subject to the approval of the Commandant.

(e) COSTS OF CONVEYANCE.—The responsibility for all reasonable and necessary costs, including real estate transaction and

environmental documentation costs, associated with a conveyance under subsection (a) shall be determined by the Commandant and the purchaser.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Commandant may require such additional terms and conditions in connection with a conveyance under subsection (a) as the Commandant considers appropriate and reasonable to protect the interests of the United States.

(g) DEPOSIT OF PROCEEDS.—Any proceeds from a conveyance under subsection (a) shall be deposited in the fund established under section 687 of title 14, United States Code.

SEC. 608. CONVEYANCE OF CERTAIN PROPERTY IN GIG HARBOR, WASHINGTON.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) CITY.—The term "City" means the city of Gig Harbor, Washington.

(2) PROPERTY.—The term "Property" means the parcel of real property, together with any improvements thereon, consisting of approximately 0.86 acres of fast lands commonly identified as tract 65 of lot 1 of section 8, township 21 north, range 2 east, Willamette Meridian, on the north side of the entrance of Gig Harbor, narrows of Puget Sound, Washington.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) CONVEYANCE.—

(1) AUTHORITY TO CONVEY.—Not later than 30 days after the date on which the Secretary of the department in which the Coast Guard is operating relinquishes the reservation of the Property for lighthouse purposes, at the request of the City and subject to the requirements of this section, the Secretary shall convey to the City all right, title, and interest of the United States in and to the Property, notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713). Deadline.

(2) TERMS OF CONVEYANCE.—A conveyance made under paragraph (1) shall be made—

(A) subject to valid existing rights;

(B) at the fair market value as described in subsection (c); and

(C) subject to any other condition that the Secretary may consider appropriate to protect the interests of the United States.

(3) COSTS.—The City shall pay any transaction or administrative costs associated with a conveyance under paragraph (1), including the costs of the appraisal, title searches, maps, and boundary and cadastral surveys.

(4) CONVEYANCE IS NOT A MAJOR FEDERAL ACTION.—A conveyance under paragraph (1) shall not be considered a major Federal action for purposes of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

(c) FAIR MARKET VALUE.—

(1) DETERMINATION.—The fair market value of the Property shall be—

(A) determined by an appraisal conducted by an independent appraiser selected by the Secretary; and

(B) approved by the Secretary in accordance with paragraph (3).

(2) REQUIREMENTS.—An appraisal conducted under paragraph (1) shall—

(A) be conducted in accordance with nationally recognized appraisal standards, including—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice; and

(B) shall reflect the equitable considerations described in paragraph (3).

(3) EQUITABLE CONSIDERATIONS.—In approving the fair market value of the Property under this subsection, the Secretary shall take into consideration matters of equity and fairness, including the City's past and current lease of the Property, any maintenance or improvements by the City to the Property, and such other factors as the Secretary considers appropriate.

Effective date.

(d) REVOCATION; REVERSION.—Effective on and after the date on which a conveyance of the Property is made under subsection (b)(1)—

(1) Executive Order 3528, dated August 9, 1921, is revoked; and

(2) the use of the tide and shore lands belonging to the State of Washington and adjoining and bordering the Property, that were granted to the Government of the United States pursuant to the Act of the Legislature, State of Washington, approved March 13, 1909, the same being chapter 110 of the Session Laws of 1909, shall revert to the State of Washington.

SEC. 609. VESSEL DETERMINATION.

Effective date.

The vessel assigned United States official number 1205366 is deemed a new vessel effective on the date of delivery of the vessel after January 1, 2012, from a privately owned United States shipyard, if no encumbrances are on record with the Coast Guard at the time of the issuance of the new certificate of documentation for the vessel.

SEC. 610. SAFE VESSEL OPERATION IN THUNDER BAY.

The Secretary of the department in which the Coast Guard is operating and the Administrator of the Environmental Protection Agency may not prohibit a vessel operating within the existing boundaries and any future expanded boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve from taking up or discharging ballast water to allow for safe and efficient vessel operation if the uptake or discharge meets all Federal and State ballast water management requirements that would apply if the area were not a marine sanctuary.

District of Columbia.

SEC. 611. PARKING FACILITIES.

(a) ALLOCATION AND ASSIGNMENT.—

Coordination.

(1) IN GENERAL.—Subject to the requirements of this section, the Administrator of General Services, in coordination with the Commandant of the Coast Guard, shall allocate and assign the spaces in parking facilities at the Department of Homeland Security St. Elizabeths Campus to allow any member

or employee of the Coast Guard, who is assigned to the Campus, to use such spaces.

(2) TIMING.—In carrying out paragraph (1), and in addition to the parking spaces allocated and assigned to Coast Guard members and employees in fiscal year 2014, the Administrator shall allocate and assign not less than— Deadlines.

(A) 300 parking spaces not later than September 30, 2015;

(B) 700 parking spaces not later than September 30, 2016; and

(C) 1,042 parking spaces not later than September 30, 2017.

(b) TRANSPORTATION MANAGEMENT REPORT.—Not later than 1 year after the date of the enactment of this Act, and each fiscal year thereafter in which spaces are allocated and assigned under subsection (a)(2), the Administrator shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the impact of assigning and allocating parking spaces under subsection (a) on the congestion of roads connecting the St. Elizabeths Campus to the portions of Suitland Parkway and I–295 located in the Anacostia section of the District of Columbia; and

(2) progress made toward completion of essential transportation improvements identified in the Transportation Management Program for the St. Elizabeths Campus.

(c) REALLOCATION.—Notwithstanding subsection (a), the Administrator may revise the allocation and assignment of spaces to members and employees of the Coast Guard made under subsection (a) as necessary to accommodate employees of the Department of Homeland Security, other than the Coast Guard, when such employees are assigned to the St. Elizabeths Campus.

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 2444 (H.R. 5769):

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 10, considered and passed Senate and House.

Public Law 113–282
113th Congress

An Act

Dec. 18, 2014
[S. 2519]

To codify an existing operations center for cybersecurity.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National Cybersecurity Protection Act of 2014.
6 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Cybersecurity Protection Act of 2014".

6 USC 148 note.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term "Center" means the national cybersecurity and communications integration center under section 226 of the Homeland Security Act of 2002, as added by section 3;

(2) the term "critical infrastructure" has the meaning given that term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101);

(3) the term "cybersecurity risk" has the meaning given that term in section 226 of the Homeland Security Act of 2002, as added by section 3;

(4) the term "information sharing and analysis organization" has the meaning given that term in section 212(5) of the Homeland Security Act of 2002 (6 U.S.C. 131(5));

(5) the term "information system" has the meaning given that term in section 3502(8) of title 44, United States Code; and

(6) the term "Secretary" means the Secretary of Homeland Security.

SEC. 3. NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER.

(a) IN GENERAL.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.) is amended by adding at the end the following:

6 USC 148.

"SEC. 226. NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER.

"(a) DEFINITIONS.—In this section—

"(1) the term 'cybersecurity risk' means threats to and vulnerabilities of information or information systems and any related consequences caused by or resulting from unauthorized access, use, disclosure, degradation, disruption, modification, or destruction of information or information systems, including such related consequences caused by an act of terrorism;

"(2) the term 'incident' means an occurrence that—

"(A) actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information on an information system; or

"(B) constitutes a violation or imminent threat of violation of law, security policies, security procedures, or acceptable use policies;

"(3) the term 'information sharing and analysis organization' has the meaning given that term in section 212(5); and

"(4) the term 'information system' has the meaning given that term in section 3502(8) of title 44, United States Code.

"(b) CENTER.—There is in the Department a national cybersecurity and communications integration center (referred to in this section as the 'Center') to carry out certain responsibilities of the Under Secretary appointed under section 103(a)(1)(H).

"(c) FUNCTIONS.—The cybersecurity functions of the Center shall include—

"(1) being a Federal civilian interface for the multi-directional and cross-sector sharing of information related to cybersecurity risks, incidents, analysis, and warnings for Federal and non-Federal entities;

"(2) providing shared situational awareness to enable real-time, integrated, and operational actions across the Federal Government and non-Federal entities to address cybersecurity risks and incidents to Federal and non-Federal entities;

"(3) coordinating the sharing of information related to cybersecurity risks and incidents across the Federal Government;

"(4) facilitating cross-sector coordination to address cybersecurity risks and incidents, including cybersecurity risks and incidents that may be related or could have consequential impacts across multiple sectors;

"(5)(A) conducting integration and analysis, including cross-sector integration and analysis, of cybersecurity risks and incidents; and

"(B) sharing the analysis conducted under subparagraph (A) with Federal and non-Federal entities;

"(6) upon request, providing timely technical assistance, risk management support, and incident response capabilities to Federal and non-Federal entities with respect to cybersecurity risks and incidents, which may include attribution, mitigation, and remediation; and

"(7) providing information and recommendations on security and resilience measures to Federal and non-Federal entities, including information and recommendations to—

"(A) facilitate information security; and

"(B) strengthen information systems against cybersecurity risks and incidents.

"(d) COMPOSITION.—

"(1) IN GENERAL.—The Center shall be composed of—

"(A) appropriate representatives of Federal entities, such as—

"(i) sector-specific agencies;

"(ii) civilian and law enforcement agencies; and

"(iii) elements of the intelligence community, as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4));

"(B) appropriate representatives of non-Federal entities, such as—

"(i) State and local governments;

"(ii) information sharing and analysis organizations; and

"(iii) owners and operators of critical information systems;

"(C) components within the Center that carry out cybersecurity and communications activities;

"(D) a designated Federal official for operational coordination with and across each sector; and

"(E) other appropriate representatives or entities, as determined by the Secretary.

"(2) INCIDENTS.—In the event of an incident, during exigent circumstances the Secretary may grant a Federal or non-Federal entity immediate temporary access to the Center.

"(e) PRINCIPLES.—In carrying out the functions under subsection (c), the Center shall ensure—

"(1) to the extent practicable, that—

"(A) timely, actionable, and relevant information related to cybersecurity risks, incidents, and analysis is shared;

"(B) when appropriate, information related to cybersecurity risks, incidents, and analysis is integrated with other relevant information and tailored to the specific characteristics of a sector;

"(C) activities are prioritized and conducted based on the level of risk;

"(D) industry sector-specific, academic, and national laboratory expertise is sought and receives appropriate consideration;

"(E) continuous, collaborative, and inclusive coordination occurs—

"(i) across sectors; and

"(ii) with—

"(I) sector coordinating councils;

"(II) information sharing and analysis organizations; and

"(III) other appropriate non-Federal partners;

"(F) as appropriate, the Center works to develop and use mechanisms for sharing information related to cybersecurity risks and incidents that are technology-neutral, interoperable, real-time, cost-effective, and resilient; and

"(G) the Center works with other agencies to reduce unnecessarily duplicative sharing of information related to cybersecurity risks and incidents;

"(2) that information related to cybersecurity risks and incidents is appropriately safeguarded against unauthorized access; and

"(3) that activities conducted by the Center comply with all policies, regulations, and laws that protect the privacy and civil liberties of United States persons.

"(f) NO RIGHT OR BENEFIT.—

"(1) IN GENERAL.—The provision of assistance or information to, and inclusion in the Center of, governmental or private entities under this section shall be at the sole and unreviewable

discretion of the Under Secretary appointed under section 103(a)(1)(H).

"(2) CERTAIN ASSISTANCE OR INFORMATION.—The provision of certain assistance or information to, or inclusion in the Center of, one governmental or private entity pursuant to this section shall not create a right or benefit, substantive or procedural, to similar assistance or information for any other governmental or private entity.".

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by inserting after the item relating to section 225 the following:

"Sec. 226. National cybersecurity and communications integration center.".

SEC. 4. RECOMMENDATIONS REGARDING NEW AGREEMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit recommendations on how to expedite the implementation of information-sharing agreements for cybersecurity purposes between the Center and non-Federal entities (referred to in this section as "cybersecurity information-sharing agreements") to— Deadline.

(1) the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate; and

(2) the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives.

(b) CONTENTS.—In submitting recommendations under subsection (a), the Secretary shall—

(1) address the development and utilization of a scalable form that retains all privacy and other protections in cybersecurity information-sharing agreements that are in effect as of the date on which the Secretary submits the recommendations, including Cooperative Research and Development Agreements; and

(2) include in the recommendations any additional authorities or resources that may be needed to carry out the implementation of any new cybersecurity information-sharing agreements.

SEC. 5. ANNUAL REPORT.

Not later than 1 year after the date of enactment of this Act, and every year thereafter for 3 years, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate, the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives, and the Comptroller General of the United States a report on the Center, which shall include—

(a) information on the Center, including—

(1) an assessment of the capability and capacity of the Center to carry out its cybersecurity mission under this Act;

(2) the number of representatives from non-Federal entities that are participating in the Center, including the number of representatives from States, nonprofit organizations, and private sector entities, respectively;

(3) the number of requests from non-Federal entities to participate in the Center and the response to such requests;

(4) the average length of time taken to resolve requests described in paragraph (3);

(5) the identification of—

(A) any delay in resolving requests described in paragraph (3) involving security clearance processing; and

(B) the agency involved with a delay described in subparagraph (A);

(6) a description of any other obstacles or challenges to resolving requests described in paragraph (3) and a summary of the reasons for denials of any such requests;

(7) the extent to which the Department is engaged in information sharing with each critical infrastructure sector, including—

(A) the extent to which each sector has representatives at the Center;

(B) the extent to which owners and operators of critical infrastructure in each critical infrastructure sector participate in information sharing at the Center; and

(C) the volume and range of activities with respect to which the Secretary has collaborated with the sector coordinating councils and the sector-specific agencies to promote greater engagement with the Center; and

(8) the policies and procedures established by the Center to safeguard privacy and civil liberties.

SEC. 6. GAO REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the effectiveness of the Center in carrying out its cybersecurity mission.

SEC. 7. CYBER INCIDENT RESPONSE PLAN; CLEARANCES; BREACHES.

(a) CYBER INCIDENT RESPONSE PLAN; CLEARANCES.—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.), as amended by section 3, is amended by adding at the end the following:

6 USC 149.

"SEC. 227. CYBER INCIDENT RESPONSE PLAN.

"The Under Secretary appointed under section 103(a)(1)(H) shall, in coordination with appropriate Federal departments and agencies, State and local governments, sector coordinating councils, information sharing and analysis organizations (as defined in section 212(5)), owners and operators of critical infrastructure, and other appropriate entities and individuals, develop, regularly update, maintain, and exercise adaptable cyber incident response plans to address cybersecurity risks (as defined in section 226) to critical infrastructure.

6 USC 150.

"SEC. 228. CLEARANCES.

"The Secretary shall make available the process of application for security clearances under Executive Order 13549 (75 Fed. Reg. 162; relating to a classified national security information program) or any successor Executive Order to appropriate representatives

of sector coordinating councils, sector information sharing and analysis organizations (as defined in section 212(5)), owners and operators of critical infrastructure, and any other person that the Secretary determines appropriate.".

(b) BREACHES.— 44 USC 3543 note.

(1) REQUIREMENTS.—The Director of the Office of Management and Budget shall ensure that data breach notification policies and guidelines are updated periodically and require—

(A) except as provided in paragraph (4), notice by the affected agency to each committee of Congress described in section 3544(c)(1) of title 44, United States Code, the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives, which shall— Notifications.

(i) be provided expeditiously and not later than 30 days after the date on which the agency discovered the unauthorized acquisition or access; and Deadline.

(ii) include—

(I) information about the breach, including a summary of any information that the agency knows on the date on which notification is provided about how the breach occurred;

(II) an estimate of the number of individuals affected by the breach, based on information that the agency knows on the date on which notification is provided, including an assessment of the risk of harm to affected individuals;

(III) a description of any circumstances necessitating a delay in providing notice to affected individuals; and

(IV) an estimate of whether and when the agency will provide notice to affected individuals; and

(B) notice by the affected agency to affected individuals, pursuant to data breach notification policies and guidelines, which shall be provided as expeditiously as practicable and without unreasonable delay after the agency discovers the unauthorized acquisition or access.

(2) NATIONAL SECURITY; LAW ENFORCEMENT; REMEDIATION.—The Attorney General, the head of an element of the intelligence community (as such term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)), or the Secretary may delay the notice to affected individuals under paragraph (1)(B) if the notice would disrupt a law enforcement investigation, endanger national security, or hamper security remediation actions.

(3) OMB REPORT.—During the first 2 years beginning after the date of enactment of this Act, the Director of the Office of Management and Budget shall, on an annual basis— Time period. Effective date.

(A) assess agency implementation of data breach notification policies and guidelines in aggregate; and

(B) include the assessment described in clause (i) in the report required under section 3543(a)(8) of title 44, United States Code.

(4) EXCEPTION.—Any element of the intelligence community (as such term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) that is required to

provide notice under paragraph (1)(A) shall only provide such notice to appropriate committees of Congress.

6 USC 149 note.

(c) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (a) or in subsection (b)(1) shall be construed to alter any authority of a Federal agency or department.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note), as amended by section 3, is amended by inserting after the item relating to section 226 the following:

"Sec. 227. Cyber incident response plan.
"Sec. 228. Clearances.".

6 USC 148 note.

SEC. 8. RULES OF CONSTRUCTION.

(a) PROHIBITION ON NEW REGULATORY AUTHORITY.—Nothing in this Act or the amendments made by this Act shall be construed to grant the Secretary any authority to promulgate regulations or set standards relating to the cybersecurity of private sector critical infrastructure that was not in effect on the day before the date of enactment of this Act.

(b) PRIVATE ENTITIES.—Nothing in this Act or the amendments made by this Act shall be construed to require any private entity—

(1) to request assistance from the Secretary; or

(2) that requested such assistance from the Secretary to implement any measure or recommendation suggested by the Secretary.

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 2519:

SENATE REPORTS: No. 113–240 (Comm. on Homeland Security and Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 10, considered and passed Senate.
Dec. 11, considered and passed House.

Public Law 113–283
113th Congress

An Act

To amend chapter 35 of title 44, United States Code, to provide for reform to Federal information security.

Dec. 18, 2014
[S. 2521]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

Federal Information Security Modernization Act of 2014.
44 USC 101 note.

This Act may be cited as the "Federal Information Security Modernization Act of 2014".

SEC. 2. FISMA REFORM.

(a) IN GENERAL.—Chapter 35 of title 44, United States Code, is amended by striking subchapters II and III and inserting the following:

44 USC prec. 3531, 3531–3538, 3541 prec., 3541–3549.

"SUBCHAPTER II—INFORMATION SECURITY

44 USC prec. 3551.

"§ 3551. Purposes

44 USC 3551.

"The purposes of this subchapter are to—

"(1) provide a comprehensive framework for ensuring the effectiveness of information security controls over information resources that support Federal operations and assets;

"(2) recognize the highly networked nature of the current Federal computing environment and provide effective governmentwide management and oversight of the related information security risks, including coordination of information security efforts throughout the civilian, national security, and law enforcement communities;

"(3) provide for development and maintenance of minimum controls required to protect Federal information and information systems;

"(4) provide a mechanism for improved oversight of Federal agency information security programs, including through automated security tools to continuously diagnose and improve security;

"(5) acknowledge that commercially developed information security products offer advanced, dynamic, robust, and effective information security solutions, reflecting market solutions for the protection of critical information infrastructures important to the national defense and economic security of the nation that are designed, built, and operated by the private sector; and

"(6) recognize that the selection of specific technical hardware and software information security solutions should be

left to individual agencies from among commercially developed products.

44 USC 3552.

"§ 3552. Definitions

Applicability.

"(a) IN GENERAL.—Except as provided under subsection (b), the definitions under section 3502 shall apply to this subchapter.

"(b) ADDITIONAL DEFINITIONS.—As used in this subchapter:

"(1) The term 'binding operational directive' means a compulsory direction to an agency that—

"(A) is for purposes of safeguarding Federal information and information systems from a known or reasonably suspected information security threat, vulnerability, or risk;

"(B) shall be in accordance with policies, principles, standards, and guidelines issued by the Director; and

"(C) may be revised or repealed by the Director if the direction issued on behalf of the Director is not in accordance with policies and principles developed by the Director.

"(2) The term 'incident' means an occurrence that—

"(A) actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information or an information system; or

"(B) constitutes a violation or imminent threat of violation of law, security policies, security procedures, or acceptable use policies.

"(3) The term 'information security' means protecting information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction in order to provide—

"(A) integrity, which means guarding against improper information modification or destruction, and includes ensuring information nonrepudiation and authenticity;

"(B) confidentiality, which means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information; and

"(C) availability, which means ensuring timely and reliable access to and use of information.

"(4) The term 'information technology' has the meaning given that term in section 11101 of title 40.

"(5) The term 'intelligence community' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

"(6)(A) The term 'national security system' means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency—

"(i) the function, operation, or use of which—

"(I) involves intelligence activities;

"(II) involves cryptologic activities related to national security;

"(III) involves command and control of military forces;

"(IV) involves equipment that is an integral part of a weapon or weapons system; or

"(V) subject to subparagraph (B), is critical to the direct fulfillment of military or intelligence missions; or

"(ii) is protected at all times by procedures established for information that have been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

"(B) Subparagraph (A)(i)(V) does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

"(7) The term 'Secretary' means the Secretary of Homeland Security.

"§ 3553. Authority and functions of the Director and the Secretary

44 USC 3553.

"(a) DIRECTOR.—The Director shall oversee agency information security policies and practices, including—

"(1) developing and overseeing the implementation of policies, principles, standards, and guidelines on information security, including through ensuring timely agency adoption of and compliance with standards promulgated under section 11331 of title 40;

"(2) requiring agencies, consistent with the standards promulgated under such section 11331 and the requirements of this subchapter, to identify and provide information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of—

"(A) information collected or maintained by or on behalf of an agency; or

"(B) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

"(3) ensuring that the Secretary carries out the authorities and functions under subsection (b);

"(4) coordinating the development of standards and guidelines under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) with agencies and offices operating or exercising control of national security systems (including the National Security Agency) to assure, to the maximum extent feasible, that such standards and guidelines are complementary with standards and guidelines developed for national security systems;

"(5) overseeing agency compliance with the requirements of this subchapter, including through any authorized action under section 11303 of title 40, to enforce accountability for compliance with such requirements; and

"(6) coordinating information security policies and procedures with related information resources management policies and procedures.

"(b) SECRETARY.—The Secretary, in consultation with the Director, shall administer the implementation of agency information security policies and practices for information systems, except for national security systems and information systems described in paragraph (2) or (3) of subsection (e), including—

Consultation.

"(1) assisting the Director in carrying out the authorities and functions under paragraphs (1), (2), (3), (5), and (6) of subsection (a);

"(2) developing and overseeing the implementation of binding operational directives to agencies to implement the policies, principles, standards, and guidelines developed by the Director under subsection (a)(1) and the requirements of this subchapter, which may be revised or repealed by the Director if the operational directives issued on behalf of the Director are not in accordance with policies, principles, standards, and guidelines developed by the Director, including—

"(A) requirements for reporting security incidents to the Federal information security incident center established under section 3556;

"(B) requirements for the contents of the annual reports required to be submitted under section 3554(c)(1);

"(C) requirements for the mitigation of exigent risks to information systems; and

Consultation.

"(D) other operational requirements as the Director or Secretary, in consultation with the Director, may determine necessary;

"(3) monitoring agency implementation of information security policies and practices;

"(4) convening meetings with senior agency officials to help ensure effective implementation of information security policies and practices;

"(5) coordinating Government-wide efforts on information security policies and practices, including consultation with the Chief Information Officers Council established under section 3603 and the Director of the National Institute of Standards and Technology;

"(6) providing operational and technical assistance to agencies in implementing policies, principles, standards, and guidelines on information security, including implementation of standards promulgated under section 11331 of title 40, including by—

"(A) operating the Federal information security incident center established under section 3556;

"(B) upon request by an agency, deploying technology to assist the agency to continuously diagnose and mitigate against cyber threats and vulnerabilities, with or without reimbursement;

"(C) compiling and analyzing data on agency information security; and

"(D) developing and conducting targeted operational evaluations, including threat and vulnerability assessments, on the information systems; and

Consultation.

"(7) other actions as the Director or the Secretary, in consultation with the Director, may determine necessary to carry out this subsection.

Consultation.

"(c) REPORT.—Not later than March 1 of each year, the Director, in consultation with the Secretary, shall submit to Congress a report on the effectiveness of information security policies and practices during the preceding year, including—

"(1) a summary of the incidents described in the annual reports required to be submitted under section 3554(c)(1),

including a summary of the information required under section 3554(c)(1)(A)(iii);

"(2) a description of the threshold for reporting major information security incidents;

"(3) a summary of the results of evaluations required to be performed under section 3555;

"(4) an assessment of agency compliance with standards promulgated under section 11331 of title 40; and Assessment.

"(5) an assessment of agency compliance with data breach notification policies and procedures issued by the Director. Assessment.

"(d) NATIONAL SECURITY SYSTEMS.—Except for the authorities and functions described in subsection (a)(5) and subsection (c), the authorities and functions of the Director and the Secretary under this section shall not apply to national security systems.

"(e) DEPARTMENT OF DEFENSE AND INTELLIGENCE COMMUNITY SYSTEMS.—(1) The authorities of the Director described in paragraphs (1) and (2) of subsection (a) shall be delegated to the Secretary of Defense in the case of systems described in paragraph (2) and to the Director of National Intelligence in the case of systems described in paragraph (3). Delegated authority.

"(2) The systems described in this paragraph are systems that are operated by the Department of Defense, a contractor of the Department of Defense, or another entity on behalf of the Department of Defense that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of the Department of Defense.

"(3) The systems described in this paragraph are systems that are operated by an element of the intelligence community, a contractor of an element of the intelligence community, or another entity on behalf of an element of the intelligence community that processes any information the unauthorized access, use, disclosure, disruption, modification, or destruction of which would have a debilitating impact on the mission of an element of the intelligence community.

"(f) CONSIDERATION.—

"(1) IN GENERAL.—In carrying out the responsibilities under subsection (b), the Secretary shall consider any applicable standards or guidelines developed by the National Institute of Standards and Technology and issued by the Secretary of Commerce under section 11331 of title 40.

"(2) DIRECTIVES.—The Secretary shall—

"(A) consult with the Director of the National Institute of Standards and Technology regarding any binding operational directive that implements standards and guidelines developed by the National Institute of Standards and Technology; and Consultation.

"(B) ensure that binding operational directives issued under subsection (b)(2) do not conflict with the standards and guidelines issued under section 11331 of title 40.

"(3) RULE OF CONSTRUCTION.—Nothing in this subchapter shall be construed as authorizing the Secretary to direct the Secretary of Commerce in the development and promulgation of standards and guidelines under section 11331 of title 40.

"(g) EXERCISE OF AUTHORITY.—To ensure fiscal and policy consistency, the Secretary shall exercise the authority under this President. Coordination.

section subject to direction by the President, in coordination with the Director.

44 USC 3554.

"§ 3554. Federal agency responsibilities

"(a) IN GENERAL.—The head of each agency shall—

"(1) be responsible for—

"(A) providing information security protections commensurate with the risk and magnitude of the harm resulting from unauthorized access, use, disclosure, disruption, modification, or destruction of—

"(i) information collected or maintained by or on behalf of the agency; and

"(ii) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

"(B) complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines, including—

"(i) information security standards promulgated under section 11331 of title 40;

"(ii) operational directives developed by the Secretary under section 3553(b);

"(iii) policies and procedures issued by the Director; and

President.

"(iv) information security standards and guidelines for national security systems issued in accordance with law and as directed by the President; and

"(C) ensuring that information security management processes are integrated with agency strategic, operational, and budgetary planning processes;

"(2) ensure that senior agency officials provide information security for the information and information systems that support the operations and assets under their control, including through—

"(A) assessing the risk and magnitude of the harm that could result from the unauthorized access, use, disclosure, disruption, modification, or destruction of such information or information systems;

"(B) determining the levels of information security appropriate to protect such information and information systems in accordance with standards promulgated under section 11331 of title 40, for information security classifications and related requirements;

"(C) implementing policies and procedures to cost-effectively reduce risks to an acceptable level; and

"(D) periodically testing and evaluating information security controls and techniques to ensure that they are effectively implemented;

Delegated authority.

"(3) delegate to the agency Chief Information Officer established under section 3506 (or comparable official in an agency not covered by such section) the authority to ensure compliance with the requirements imposed on the agency under this subchapter, including—

"(A) designating a senior agency information security officer who shall—

"(i) carry out the Chief Information Officer's responsibilities under this section;

"(ii) possess professional qualifications, including training and experience, required to administer the functions described under this section;

"(iii) have information security duties as that official's primary duty; and

"(iv) head an office with the mission and resources to assist in ensuring agency compliance with this section;

"(B) developing and maintaining an agencywide information security program as required by subsection (b);

"(C) developing and maintaining information security policies, procedures, and control techniques to address all applicable requirements, including those issued under section 3553 of this title and section 11331 of title 40;

"(D) training and overseeing personnel with significant responsibilities for information security with respect to such responsibilities; and

"(E) assisting senior agency officials concerning their responsibilities under paragraph (2);

"(4) ensure that the agency has trained personnel sufficient to assist the agency in complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines;

Coordination. Reports. Deadline.

"(5) ensure that the agency Chief Information Officer, in coordination with other senior agency officials, reports annually to the agency head on the effectiveness of the agency information security program, including progress of remedial actions;

"(6) ensure that senior agency officials, including chief information officers of component agencies or equivalent officials, carry out responsibilities under this subchapter as directed by the official delegated authority under paragraph (3); and

"(7) ensure that all personnel are held accountable for complying with the agency-wide information security program implemented under subsection (b).

"(b) AGENCY PROGRAM.—Each agency shall develop, document, and implement an agency-wide information security program to provide information security for the information and information systems that support the operations and assets of the agency, including those provided or managed by another agency, contractor, or other source, that includes—

Risk assessments.

"(1) periodic assessments of the risk and magnitude of the harm that could result from the unauthorized access, use, disclosure, disruption, modification, or destruction of information and information systems that support the operations and assets of the agency, which may include using automated tools consistent with standards and guidelines promulgated under section 11331 of title 40;

Procedures.

"(2) policies and procedures that—

"(A) are based on the risk assessments required by paragraph (1);

"(B) cost-effectively reduce information security risks to an acceptable level;

"(C) ensure that information security is addressed throughout the life cycle of each agency information system; and

"(D) ensure compliance with—

"(i) the requirements of this subchapter;

"(ii) policies and procedures as may be prescribed by the Director, and information security standards promulgated under section 11331 of title 40;

"(iii) minimally acceptable system configuration requirements, as determined by the agency; and

President.

"(iv) any other applicable requirements, including standards and guidelines for national security systems issued in accordance with law and as directed by the President;

"(3) subordinate plans for providing adequate information security for networks, facilities, and systems or groups of information systems, as appropriate;

"(4) security awareness training to inform personnel, including contractors and other users of information systems that support the operations and assets of the agency, of—

"(A) information security risks associated with their activities; and

"(B) their responsibilities in complying with agency policies and procedures designed to reduce these risks;

Evaluation.

"(5) periodic testing and evaluation of the effectiveness of information security policies, procedures, and practices, to be performed with a frequency depending on risk, but no less than annually, of which such testing—

"(A) shall include testing of management, operational, and technical controls of every information system identified in the inventory required under section 3505(c);

"(B) may include testing relied on in an evaluation under section 3555; and

"(C) shall include using automated tools, consistent with standards and guidelines promulgated under section 11331 of title 40;

"(6) a process for planning, implementing, evaluating, and documenting remedial action to address any deficiencies in the information security policies, procedures, and practices of the agency;

Procedures.

"(7) procedures for detecting, reporting, and responding to security incidents, which—

"(A) shall be consistent with the standards and guidelines described in section 3556(b);

"(B) may include using automated tools; and

Notification.
Consultation.

"(C) shall include—

"(i) mitigating risks associated with such incidents before substantial damage is done;

"(ii) notifying and consulting with the Federal information security incident center established in section 3556; and

"(iii) notifying and consulting with, as appropriate—

"(I) law enforcement agencies and relevant Offices of Inspector General and Offices of General Counsel;

President.

"(II) an office designated by the President for any incident involving a national security system;

"(III) for a major incident, the committees of Congress described in subsection (c)(1)—

"(aa) not later than 7 days after the date on which there is a reasonable basis to conclude that the major incident has occurred; and Deadline.

"(bb) after the initial notification under item (aa), within a reasonable period of time after additional information relating to the incident is discovered, including the summary required under subsection (c)(1)(A)(i); and

"(IV) any other agency or office, in accordance with law or as directed by the President; and President.

"(8) plans and procedures to ensure continuity of operations for information systems that support the operations and assets of the agency. Plans. Procedures.

"(c) AGENCY REPORTING.—

"(1) ANNUAL REPORT.—

"(A) IN GENERAL.—Each agency shall submit to the Director, the Secretary, the Committee on Government Reform, the Committee on Homeland Security, and the Committee on Science of the House of Representatives, the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate, the appropriate authorization and appropriations committees of Congress, and the Comptroller General a report on the adequacy and effectiveness of information security policies, procedures, and practices, including—

"(i) a description of each major information security incident or related sets of incidents, including summaries of—

"(I) the threats and threat actors, vulnerabilities, and impacts relating to the incident;

"(II) the risk assessments conducted under section 3554(a)(2)(A) of the affected information systems before the date on which the incident occurred; Risk assessments. Deadline.

"(III) the status of compliance of the affected information systems with applicable security requirements at the time of the incident; and

"(IV) the detection, response, and remediation actions;

"(ii) the total number of information security incidents, including a description of incidents resulting in significant compromise of information security, system impact levels, types of incident, and locations of affected systems;

"(iii) a description of each major information security incident that involved a breach of personally identifiable information, as defined by the Director, including—

"(I) the number of individuals whose information was affected by the major information security incident; and

"(II) a description of the information that was breached or exposed; and

Consultation.

"(iv) any other information as the Director or the Secretary, in consultation with the Director, may require.

"(B) UNCLASSIFIED REPORT.—

"(i) IN GENERAL.—Each report submitted under subparagraph (A) shall be in unclassified form, but may include a classified annex.

"(ii) ACCESS TO INFORMATION.—The head of an agency shall ensure that, to the greatest extent practicable, information is included in the unclassified version of the reports submitted by the agency under subparagraph (A).

"(2) OTHER PLANS AND REPORTS.—Each agency shall address the adequacy and effectiveness of information security policies, procedures, and practices in management plans and reports.

Consultation.

"(d) PERFORMANCE PLAN.—(1) In addition to the requirements of subsection (c), each agency, in consultation with the Director, shall include as part of the performance plan required under section 1115 of title 31 a description of—

"(A) the time periods; and

"(B) the resources, including budget, staffing, and training, that are necessary to implement the program required under subsection (b).

"(2) The description under paragraph (1) shall be based on the risk assessments required under subsection (b)(1).

"(e) PUBLIC NOTICE AND COMMENT.—Each agency shall provide the public with timely notice and opportunities for comment on proposed information security policies and procedures to the extent that such policies and procedures affect communication with the public.

42 USC 3555.

"§ 3555. Annual independent evaluation

"(a) IN GENERAL.—(1) Each year each agency shall have performed an independent evaluation of the information security program and practices of that agency to determine the effectiveness of such program and practices.

"(2) Each evaluation under this section shall include—

Testing.

"(A) testing of the effectiveness of information security policies, procedures, and practices of a representative subset of the agency's information systems;

Assessment.

"(B) an assessment of the effectiveness of the information security policies, procedures, and practices of the agency; and

"(C) separate presentations, as appropriate, regarding information security relating to national security systems.

"(b) INDEPENDENT AUDITOR.—Subject to subsection (c)—

"(1) for each agency with an Inspector General appointed under the Inspector General Act of 1978, the annual evaluation required by this section shall be performed by the Inspector General or by an independent external auditor, as determined by the Inspector General of the agency; and

"(2) for each agency to which paragraph (1) does not apply, the head of the agency shall engage an independent external auditor to perform the evaluation.

"(c) NATIONAL SECURITY SYSTEMS.—For each agency operating or exercising control of a national security system, that portion

of the evaluation required by this section directly relating to a national security system shall be performed—

"(1) only by an entity designated by the agency head; and

"(2) in such a manner as to ensure appropriate protection for information associated with any information security vulnerability in such system commensurate with the risk and in accordance with all applicable laws.

"(d) EXISTING EVALUATIONS.—The evaluation required by this section may be based in whole or in part on an audit, evaluation, or report relating to programs or practices of the applicable agency.

"(e) AGENCY REPORTING.—(1) Each year, not later than such date established by the Director, the head of each agency shall submit to the Director the results of the evaluation required under this section.

"(2) To the extent an evaluation required under this section directly relates to a national security system, the evaluation results submitted to the Director shall contain only a summary and assessment of that portion of the evaluation directly relating to a national security system. Assessment.

"(f) PROTECTION OF INFORMATION.—Agencies and evaluators shall take appropriate steps to ensure the protection of information which, if disclosed, may adversely affect information security. Such protections shall be commensurate with the risk and comply with all applicable laws and regulations.

"(g) OMB REPORTS TO CONGRESS.—(1) The Director shall summarize the results of the evaluations conducted under this section in the report to Congress required under section 3553(c).

"(2) The Director's report to Congress under this subsection shall summarize information regarding information security relating to national security systems in such a manner as to ensure appropriate protection for information associated with any information security vulnerability in such system commensurate with the risk and in accordance with all applicable laws.

"(3) Evaluations and any other descriptions of information systems under the authority and control of the Director of National Intelligence or of National Foreign Intelligence Programs systems under the authority and control of the Secretary of Defense shall be made available to Congress only through the appropriate oversight committees of Congress, in accordance with applicable laws. Evaluations.

"(h) COMPTROLLER GENERAL.—The Comptroller General shall periodically evaluate and report to Congress on— Evaluation. Reports.

"(1) the adequacy and effectiveness of agency information security policies and practices; and

"(2) implementation of the requirements of this subchapter.

"(i) ASSESSMENT TECHNICAL ASSISTANCE.—The Comptroller General may provide technical assistance to an Inspector General or the head of an agency, as applicable, to assist the Inspector General or head of an agency in carrying out the duties under this section, including by testing information security controls and procedures. Testing.

"(j) GUIDANCE.—The Director, in consultation with the Secretary, the Chief Information Officers Council established under section 3603, the Council of the Inspectors General on Integrity and Efficiency, and other interested parties as appropriate, shall ensure the development of guidance for evaluating the effectiveness of an information security program and practices. Consultation.

44 USC 3556.

"§ 3556. Federal information security incident center

"(a) IN GENERAL.—The Secretary shall ensure the operation of a central Federal information security incident center to—

"(1) provide timely technical assistance to operators of agency information systems regarding security incidents, including guidance on detecting and handling information security incidents;

Analysis.

"(2) compile and analyze information about incidents that threaten information security;

"(3) inform operators of agency information systems about current and potential information security threats, and vulnerabilities;

"(4) provide, as appropriate, intelligence and other information about cyber threats, vulnerabilities, and incidents to agencies to assist in risk assessments conducted under section 3554(b); and

Consultation.
President.

"(5) consult with the National Institute of Standards and Technology, agencies or offices operating or exercising control of national security systems (including the National Security Agency), and such other agencies or offices in accordance with law and as directed by the President regarding information security incidents and related matters.

"(b) NATIONAL SECURITY SYSTEMS.—Each agency operating or exercising control of a national security system shall share information about information security incidents, threats, and vulnerabilities with the Federal information security incident center to the extent consistent with standards and guidelines for national security systems, issued in accordance with law and as directed by the President.

44 USC 3557.

"§ 3557. National security systems

"The head of each agency operating or exercising control of a national security system shall be responsible for ensuring that the agency—

"(1) provides information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of the information contained in such system;

President.

"(2) implements information security policies and practices as required by standards and guidelines for national security systems, issued in accordance with law and as directed by the President; and

Compliance.

"(3) complies with the requirements of this subchapter.

44 USC 3558.

"§ 3558. Effect on existing law

"Nothing in this subchapter, section 11331 of title 40, or section 20 of the National Standards and Technology Act (15 U.S.C. 278g–3) may be construed as affecting the authority of the President, the Office of Management and Budget or the Director thereof, the National Institute of Standards and Technology, or the head of any agency, with respect to the authorized use or disclosure of information, including with regard to the protection of personal privacy under section 552a of title 5, the disclosure of information under section 552 of title 5, the management and disposition of records under chapters 29, 31, or 33 of title 44, the management of information resources under subchapter I of chapter 35 of this

title, or the disclosure of information to the Congress or the Comptroller General of the United States.".

(b) MAJOR INCIDENT.—The Director of the Office of Management and Budget shall— 44 USC 3554 note.

(1) develop guidance on what constitutes a major incident for purposes of section 3554(b) of title 44, United States Code, as added by subsection (a); and Guidance.

(2) provide to Congress periodic briefings on the status of the developing of the guidance until the date on which the guidance is issued. Briefings. Deadline.

(c) CONTINUOUS DIAGNOSTICS.—During the 2 year period beginning on the date of enactment of this Act, the Director of the Office of Management and Budget, with the assistance of the Secretary of Homeland Security, shall include in each report submitted under section 3553(c) of title 44, United States Code, as added by subsection (a), an assessment of the adoption by agencies of continuous diagnostics technologies, including through the Continuous Diagnostics and Mitigation program, and other advanced security tools to provide information security, including challenges to the adoption of such technologies or security tools. Time period. Assessment.

(d) BREACHES.— 44 USC 3553 note.

(1) REQUIREMENTS.—The Director of the Office of Management and Budget shall ensure that data breach notification policies and guidelines are updated periodically and require— Notification.

(A) except as provided in paragraph (4), notice by the affected agency to each committee of Congress described in section 3554(c)(1) of title 44, United States Code, as added by subsection (a), the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives, which shall—

(i) be provided expeditiously and not later than 30 days after the date on which the agency discovered the unauthorized acquisition or access; and Deadline.

(ii) include—

(I) information about the breach, including a summary of any information that the agency knows on the date on which notification is provided about how the breach occurred;

(II) an estimate of the number of individuals affected by the breach, based on information that the agency knows on the date on which notification is provided, including an assessment of the risk of harm to affected individuals; Estimate. Risk assessment.

(III) a description of any circumstances necessitating a delay in providing notice to affected individuals; and

(IV) an estimate of whether and when the agency will provide notice to affected individuals; and Estimate.

(B) notice by the affected agency to affected individuals, pursuant to data breach notification policies and guidelines, which shall be provided as expeditiously as practicable and without unreasonable delay after the agency discovers the unauthorized acquisition or access.

(2) NATIONAL SECURITY; LAW ENFORCEMENT; REMEDIATION.—The Attorney General, the head of an element of the intelligence community (as such term is defined under section

3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)), or the Secretary of Homeland Security may delay the notice to affected individuals under paragraph (1)(B) if the notice would disrupt a law enforcement investigation, endanger national security, or hamper security remediation actions.

Time period.
Effective date.

(3) REPORTS.—

(A) DIRECTOR OF OMB.—During the first 2 years beginning after the date of enactment of this Act, the Director of the Office of Management and Budget shall, on an annual basis—

Assessment.

(i) assess agency implementation of data breach notification policies and guidelines in aggregate; and

(ii) include the assessment described in clause (i) in the report required under section 3553(c) of title 44, United States Code.

(B) SECRETARY OF HOMELAND SECURITY.—During the first 2 years beginning after the date of enactment of this Act, the Secretary of Homeland Security shall include an assessment of the status of agency implementation of data breach notification policies and guidelines in the requirements under section 3553(b)(2)(B) of title 44, United States Code.

Notification.

(4) EXCEPTION.—Any element of the intelligence community (as such term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) that is required to provide notice under paragraph (1)(A) shall only provide such notice to appropriate committees of Congress.

(5) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to alter any authority of a Federal agency or department.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 35 of title 44, United States Code is amended by striking the matter relating to subchapters II and III and inserting the following:

44 USC prec. 3501.

"SUBCHAPTER II—INFORMATION SECURITY

"3551. Purposes.
"3552. Definitions.
"3553. Authority and functions of the Director and the Secretary.
"3554. Federal agency responsibilities.
"3555. Annual independent evaluation.
"3556. Federal information security incident center.
"3557. National security systems.
"3558. Effect on existing law.".

(2) CYBERSECURITY RESEARCH AND DEVELOPMENT ACT.—Section 8(d)(1) of the Cybersecurity Research and Development Act (15 U.S.C. 7406) is amended by striking "section 3534" and inserting "section 3554".

(3) HOMELAND SECURITY ACT OF 2002.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(A) in section 223 (6 U.S.C. 143)

(i) in the section heading, by inserting "**FEDERAL AND**" before "**NON-FEDERAL**";

(ii) in the matter preceding paragraph (1), by striking "the Under Secretary for Intelligence and Analysis, in cooperation with the Assistant Secretary for Infrastructure Protection" and inserting "the Under Secretary appointed under section 103(a)(1)(H)";

(iii) in paragraph (2), by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following:

"(3) fulfill the responsibilities of the Secretary to protect Federal information systems under subchapter II of chapter 35 of title 44, United States Code.";

(B) in section 1001(c)(1)(A) (6 U.S.C. 511(c)(1)(A)), by striking "section 3532(3)" and inserting "section 3552(b)(5)"; and

(C) in the table of contents in section 1(b), by striking the item relating to section 223 and inserting the following:

"Sec. 223. Enhancement of Federal and non-Federal cybersecurity.".

(4) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACT.—Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) is amended—

(A) in subsection (a)(2), by striking "section 3532(b)(2)" and inserting "section 3552(b)(5)"; and

(B) in subsection (e)—

(i) in paragraph (2), by striking "section 3532(1)" and inserting "section 3552(b)(2)"; and

(ii) in paragraph (5), by striking "section 3532(b)(2)" and inserting "section 3552(b)(5)".

(5) TITLE 10.—Title 10, United States Code, is amended—

(A) in section 2222(j)(5), by striking "section 3542(b)(2)" and inserting "section 3552(b)(5)"; 10 USC 2222.

(B) in section 2223(c)(3), by striking "section 3542(b)(2)" and inserting "section 3552(b)(5)"; and

(C) in section 2315, by striking "section 3542(b)(2)" and inserting "section 3552(b)(5)".

(f) OTHER PROVISIONS.—

(1) CIRCULAR A–130.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget shall amend or revise Office of Management and Budget Circular A–130 to eliminate inefficient or wasteful reporting. The Director of the Office of Management and Budget shall provide quarterly briefings to Congress on the status of the amendment or revision required under this paragraph. Reports. Deadline. Deadline. Briefings.

(2) ISPAB.—Section 21(b) of the National Institute of Standards and Technology Act (15 U.S.C. 278g–4(b)) is amended—

(A) in paragraph (2), by inserting ", the Secretary of Homeland Security," after "the Institute"; and

(B) in paragraph (3), by inserting "the Secretary of Homeland Security," after "the Secretary of Commerce,".

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 2521:

SENATE REPORTS: No. 113–256 (Comm. on Homeland Security and Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 8, considered and passed Senate.
Dec. 10, considered and passed House.

Public Law 113–284
113th Congress

An Act

To repeal certain mandates of the Department of Homeland Security Office of Inspector General.

Dec. 18, 2014
[S. 2651]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DHS OIG Mandates Revision Act of 2014.
6 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "DHS OIG Mandates Revision Act of 2014".

SEC. 2. REPEAL OF REPORTING REQUIREMENTS.

(a) REPEAL OF REQUIREMENT TO CONDUCT AN ANNUAL EVALUATION OF THE CARGO INSPECTION TARGETING SYSTEM.—

(1) REPEAL.—Subsections (g) and (h) of section 809 of the Coast Guard and Maritime Transportation Act of 2004 (Public Law 108–293; 46 U.S.C. 70101 note) are repealed.

(2) CONFORMING AMENDMENTS.—Section 809 of the Coast Guard and Maritime Transportation Act of 2004 (Public Law 108–293; 118 Stat. 1085), as amended by paragraph (1), is amended—

46 USC 70101 note.

(A) in subsection (a), by striking "and (j)" and inserting "and (h)"; and

(B) by redesignating subsections (i), (j), and (k) as subsections (g), (h), and (i), respectively.

(b) REPEAL OF REQUIREMENT TO CONDUCT AN ANNUAL REVIEW OF COAST GUARD PERFORMANCE.—

(1) REPEAL.—Section 888(f) of the Homeland Security Act of 2002 (6 U.S.C. 468(f)) is repealed.

(2) CONFORMING AMENDMENTS.—Section 888 of the Homeland Security Act of 2002 (6 U.S.C. 468), as amended by paragraph (1), is amended by redesignating subsections (g), (h), and (i) as subsections (f), (g), and (h), respectively.

(c) ANNUAL REVIEW OF GRANTS TO STATES AND HIGH-RISK URBAN AREAS.—

(1) REPEAL.—Section 2022(a)(3) of the Homeland Security Act of 2002 (6 U.S.C. 612(a)(3)) is repealed.

(2) CONFORMING AMENDMENTS.—Section 2022(a) of the Homeland Security Act of 2002 (6 U.S.C. 612(a)), as amended by paragraph (1), is amended—

(A) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (3), (4), (5), and (6), respectively;

(B) in paragraph (4), as redesignated—

(i) by striking "paragraphs (2) and (3)" and inserting "paragraph (2)"; and

(ii) by striking "paragraph (4)" and inserting "paragraph (3)".

6 USC 612 note.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on January 1, 2015.

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 2651:

SENATE REPORTS: No. 113–261 (Comm. on Homeland Security and Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 17, considered and passed Senate.
Dec. 10, considered and passed House.

Public Law 113–285
113th Congress

An Act

To release the City of St. Clair, Missouri, from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the St. Clair Regional Airport.

Dec. 18, 2014
[S. 2759]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RELEASE OF RESTRICTIONS, CONDITIONS, AND LIMITATIONS ON THE USE, ENCUMBRANCE, CONVEYANCE, AND CLOSURE OF THE ST. CLAIR REGIONAL AIRPORT.

(a) IN GENERAL.—The United States, acting through the Administrator of the Federal Aviation Administration, shall release the City of St. Clair, Missouri, from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the St. Clair Regional Airport, as described in the most recent airport layout plan approved by the Federal Aviation Administration, to the extent such restrictions, conditions, and limitations are enforceable by the Administrator.

(b) LIMITATION.—The release under subsection (a) shall not be executed before the City of St. Clair, or its designee, transfers to the Department of Transportation of the State of Missouri—

(1) the amounts described in subsection (c), to be used for capital improvements within the meaning of airport development (as defined in section 47102(3) of title 49, United States Code) and consistent with the obligations of the Department of Transportation of the State of Missouri under the State block grant program of the Federal Aviation Administration; and

(2) for no consideration, all airport and aviation-related equipment of the St. Clair Regional Airport owned by the City of St. Clair and determined by the Department of Transportation of the State of Missouri to be salvageable for use.

(c) AMOUNTS DESCRIBED.—The amounts described in this subsection are the following:

(1) An amount equal to the fair market value for the highest and best use of the St. Clair Regional Airport property determined in good faith by an independent and qualified real estate appraiser on or after the date of the enactment of this Act.

(2) An amount equal to the unamortized portion of any Federal development grants other than land paid to the City of St. Clair for use at the St. Clair Regional Airport, which may be paid with, and shall be an allowable use of, airport

revenue notwithstanding section 47107 or 47133 of title 49, United States Code.

(3) An amount equal to the airport revenues remaining in the airport account for the St. Clair Regional Airport as of the date of the enactment of this Act and otherwise due to or received by the City of St. Clair after such date of enactment pursuant to sections 47107(b) and 47133 of title 49, United States Code.

(d) REQUIREMENT TO REMOVE RUNWAY LIGHTING SYSTEM.—The Federal Aviation Administration shall remove the runway end indicator lighting system at St. Clair Regional Airport.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the applicability of—

(1) the requirements and processes under section 46319 of title 49, United States Code;

(2) the requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(3) the requirements and processes under part 157 of title 14, Code of Federal Regulations; or

(4) the public notice requirements under section 47107(h)(2) of title 49, United States Code.

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 2759:

SENATE REPORTS: No. 113–282 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 160 (2014):

Dec. 3, considered and passed Senate.

Dec. 9, considered and passed House.

Public Law 113–286
113th Congress

An Act

To extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

Dec. 18, 2014
[S. 3008]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

Foreclosure Relief and Extension for Servicemembers Act of 2014.
50 USC app. 501 note.

This Act may be cited as the "Foreclosure Relief and Extension for Servicemembers Act of 2014".

SEC. 2. TEMPORARY EXTENSION OF EXTENDED PERIOD OF PROTECTIONS FOR MEMBERS OF UNIFORMED SERVICES RELATING TO MORTGAGES, MORTGAGE FORECLOSURE, AND EVICTION.

50 USC app. 503 note.

Section 710(d) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112–154; 126 Stat. 1208) is amended—

(1) in paragraph (1), by striking "December 31, 2014" and inserting "December 31, 2015"; and

(2) in paragraph (3), by striking "January 1, 2015" and inserting "January 1, 2016".

Approved December 18, 2014.

LEGISLATIVE HISTORY—S. 3008:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 11, considered and passed Senate.
Dec. 12, considered and passed House.

Public Law 113–287
113th Congress

An Act

Dec. 19, 2014
[H.R. 1068]

To enact title 54, United States Code, "National Park Service and Related Programs", as positive law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

54 USC note prec. 100101.

SEC. 2. PURPOSE; CONFORMITY WITH ORIGINAL INTENT.

(a) PURPOSE.—The purpose of this Act is to codify certain existing laws relating to the National Park System as title 54, United States Code, "National Park Service and Related Programs".

(b) CONFORMITY WITH ORIGINAL INTENT.—In the codification of laws by this Act, the intent is to conform to the understood policy, intent, and purpose of Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections, in accordance with section 205(c)(1) of House Resolution No. 988, 93d Congress, as enacted into law by Public Law 93–554 (2 U.S.C. 285b(1)).

54 USC note prec. 100101.

SEC. 3. ENACTMENT OF TITLE 54, UNITED STATES CODE.

Title 54, United States Code, "National Park Service and Related Programs", is enacted as follows:

TITLE 54—NATIONAL PARK SERVICE AND RELATED PROGRAMS

Subtitle I—National Park System

Division A—Establishment and General Administration

Chapter 1001—General Provisions

§ 100101. Promotion and regulation

(a) IN GENERAL.—The Secretary, acting through the Director of the National Park Service, shall promote and regulate the use of the National Park System by means and measures that conform to the fundamental purpose of the System units, which purpose is to conserve the scenery, natural and historic objects, and wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

(b) DECLARATIONS.—

(1) 1970 DECLARATIONS.—Congress declares that—

(A) the National Park System, which began with establishment of Yellowstone National Park in 1872, has since grown to include superlative natural, historic, and recreation areas in every major region of the United States and its territories and possessions;

(B) these areas, though distinct in character, are united through their interrelated purposes and resources into one National Park System as cumulative expressions of a single national heritage;

(C) individually and collectively, these areas derive increased national dignity and recognition of their superb environmental quality through their inclusion jointly with each other in one System preserved and managed for the benefit and inspiration of all the people of the United States; and

(D) it is the purpose of this division to include all these areas in the System and to clarify the authorities applicable to the System.

(2) 1978 REAFFIRMATION.—Congress reaffirms, declares, and directs that the promotion and regulation of the various System units shall be consistent with and founded in the purpose established by subsection (a), to the common benefit of all the people of the United States. The authorization of activities shall be construed and the protection, management, and administration of the System units shall be conducted in light of the high public value and integrity of the System and shall not be exercised in derogation of the values and purposes for which the System units have been established, except as directly and specifically provided by Congress.

§ 100102. Definitions

In this title:

(1) DIRECTOR.—The term "Director" means the Director of the National Park Service.

(2) NATIONAL PARK SYSTEM.—The term "National Park System" means the areas of land and water described in section 100501 of this title.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) SERVICE.—The term "Service" means the National Park Service.

(5) SYSTEM.—The term "System" means the National Park System.

(6) SYSTEM UNIT.—The term "System unit" means one of the areas described in section 100501 of this title.

Chapter 1003—Establishment, Directors, and Other Employees

Sec.

§ 100301. Establishment

There is in the Department of the Interior a service called the National Park Service.

§ 100302. Directors and other employees

(a) DIRECTOR.—

(1) APPOINTMENT.—The Service shall be under the charge of a director who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) QUALIFICATIONS.—The Director shall have substantial experience and demonstrated competence in land management and natural or cultural resource conservation.

(3) AUTHORITY.—Under the direction of the Secretary, the Director shall have the supervision, management, and control of System units. In the supervision, management, and control of System units contiguous to national forests the Secretary of Agriculture may cooperate with the Service to such extent as may be requested by the Secretary.

(b) DEPUTY DIRECTORS.—The Director shall select 2 Deputy Directors. One Deputy Director shall have responsibility for Service operations, and the other Deputy Director shall have responsibility for other programs assigned to the Service.

(c) OTHER EMPLOYEES.—The Service shall have such subordinate officers and employees as may be appropriated for by Congress.

§ 100303. Effect on other laws

This chapter and sections 100101(a), 100751(a), 100752, 100753, and 102101 of this title do not affect or modify section 100902(a) of this title.

Chapter 1005—Areas of National Park System

§ 100501. Areas included in System

The System shall include any area of land and water administered by the Secretary, acting through the Director, for park, monument, historic, parkway, recreational, or other purposes.

§ 100502. General management plans

General management plans for the preservation and use of each System unit, including areas within the national capital area, shall be prepared and revised in a timely manner by the Director. On January 1 of each year, the Secretary shall submit to Congress a list indicating the current status of completion or revision of general management plans for each System unit. General management plans for each System unit shall include—

(1) measures for the preservation of the area's resources;

(2) indications of types and general intensities of development (including visitor circulation and transportation patterns, systems, and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and anticipated costs;

(3) identification of and implementation commitments for visitor carrying capacities for all areas of the System unit; and

(4) indications of potential modifications to the external boundaries of the System unit, and the reasons for the modifications.

§ 100503. Five-year strategic plans

(a) STRATEGIC AND PERFORMANCE PLANS.—Each System unit shall prepare and make available to the public a 5-year strategic plan and an annual performance plan. The plans shall reflect the Service policies, goals, and outcomes represented in the Service-wide strategic plan prepared pursuant to section 306 of title 5.

(b) ANNUAL BUDGET.—

(1) IN GENERAL.—As a part of the annual performance plan for a System unit prepared pursuant to subsection (a), following receipt of the appropriation for the unit from the Operations of the National Park System account (but not later than January 1 of each year), the superintendent of the System unit shall develop and make available to the public the budget for the current fiscal year for that System unit.

(2) CONTENTS.—The budget shall include—

(A) funding allocations for resource preservation (including resource management), visitor services (including maintenance, interpretation, law enforcement, and search and rescue), and administration; and

(B) allocations into each of the categories in subparagraph (A) of all funds retained from fees collected for that year, including special use permits, concession franchise fees, and recreation use and entrance fees.

§ 100504. Study and planning of park, parkway, and recreational-area facilities

(a) IN GENERAL.—

(1) DEFINITION.—In this subsection, the term "State" means a State, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands.

(2) STUDY.—The Secretary shall cause the Service to make a comprehensive study, other than on land under the jurisdiction of the Secretary of Agriculture, of the public park, parkway, and recreational area programs of the United States, States, and political subdivisions of States and of areas of land throughout the United States that are or may be chiefly valuable as public park, parkway, or recreational areas. A study shall not be made in any State without the consent and approval of the State officials, boards, or departments having jurisdiction over the land. The study shall be such as, in the judgment of the Secretary, will provide data helpful in developing a plan for coordinated and adequate public park, parkway, and recreational-area facilities for the people of the United States.

(3) COOPERATION AND AGREEMENTS WITH OTHER ENTITIES.—In making the study and to accomplish the purposes of this section, the Secretary, acting through the Director—

(A) shall seek and accept the cooperation and assistance of Federal departments or agencies having jurisdiction of land belonging to the United States; and

(B) may cooperate and make agreements with and seek and accept the assistance of—

(i) other Federal agencies and instrumentalities; and

(ii) States, political subdivisions of States, and agencies and instrumentalities of either of them.

(4) STATE PLANNING.—For the purpose of developing coordinated and adequate public park, parkway, and recreational-area facilities for the people of the United States, the Secretary may aid States and political subdivisions of States in planning public park, parkway, and recreational areas and in cooperating with one another to accomplish these ends. Aid shall be made available through the Service acting in cooperation with such State agencies or agencies of political subdivisions of States as the Secretary considers best.

(b) CONSENT OF CONGRESS TO AGREEMENTS BETWEEN STATES.—The consent of Congress is given to any 2 or more States to negotiate and enter into compacts or agreements with one another with reference to planning, establishing, developing, improving, and maintaining any park, parkway, or recreational area. No compact or agreement shall be effective until approved by the legislatures of the States that are parties to the compact or agreement and by Congress.

§ 100505. Periodic review of System

(a) AUTHORITY OF SECRETARY TO CONDUCT REVIEW.—The Secretary shall conduct a systematic and comprehensive review of certain aspects of the System and on a periodic basis (but not

less often than every 3 years) submit to the Committee on Natural Resources and the Committee on Appropriations of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Appropriations of the Senate a report on the findings of the review, together with recommendations as the Secretary determines to be necessary.

(b) CONSULTATION.—In conducting and preparing the report, the Secretary shall consult with appropriate officials of affected Federal, State, and local agencies and national, regional, and local organizations. The consultation shall include holding public hearings that the Secretary determines to be appropriate to provide a full opportunity for public comment.

(c) CONTENTS OF REPORT.—The report shall contain the following:

(1) A comprehensive listing of all authorized but unacquired parcels of land within the exterior boundaries of each System unit as of November 28, 1990.

(2) A priority listing of all those unacquired parcels by System unit and for the System as a whole. The list shall describe the acreage and ownership of each parcel, the estimated cost of acquisition for each parcel (subject to any statutory acquisition limitations for the land), and the basis for the estimate.

(3) An analysis and evaluation of the current and future needs of each System unit for resource management, interpretation, construction, operation and maintenance, personnel, and housing, together with an estimate of the costs.

§ 100506. Boundary changes to System units

(a) CRITERIA FOR EVALUATION.—The Secretary shall maintain criteria to evaluate any proposed changes to the boundaries of System units, including—

(1) analysis of whether or not an existing boundary provides for the adequate protection and preservation of the natural, historic, cultural, scenic and recreational resources integral to the System unit;

(2) an evaluation of each parcel proposed for addition or deletion to a System unit based on the analysis under paragraph (1); and

(3) an assessment of the impact of potential boundary adjustments taking into consideration the factors in section 100505(c)(3) of this title and the effect of the adjustments on the local communities and surrounding area.

(b) PROPOSAL OF SECRETARY.—In proposing a boundary change to a System unit, the Secretary shall—

(1) consult with affected agencies of State and local governments, surrounding communities, affected landowners, and private national, regional, and local organizations;

(2) apply the criteria developed pursuant to subsection (a) and accompany the proposal with a statement reflecting the results of the application of the criteria; and

(3) include with the proposal an estimate of the cost for acquiring any parcels proposed for acquisition, the basis for the estimate, and a statement on the relative priority for the acquisition of each parcel within the priorities for acquisition of other parcels for the System unit and for the System.

(c) MINOR BOUNDARY CHANGES.—

(1) IN GENERAL.—When the Secretary determines that to do so will contribute to, and is necessary for, the proper

preservation, protection, interpretation, or management of a System unit, the Secretary may, following timely notice in writing to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate of the Secretary's intention to do so, and by publication of a revised boundary map or other description in the Federal Register—

(A) make minor changes to the boundary of the System unit, and amounts appropriated from the Fund shall be available for acquisition of any land, water, and interests in land or water added to the System unit by the boundary change subject to such statutory limitations, if any, on methods of acquisition and appropriations thereof as may be specifically applicable to the System unit; and

(B) acquire by donation, purchase with donated funds, transfer from any other Federal agency, or exchange, land, water, or interests in land or water adjacent to the System unit, except that in exercising the Secretary's authority under this subparagraph the Secretary—

(i) shall not alienate property administered as part of the System to acquire land by exchange;

(ii) shall not acquire property without the consent of the owner; and

(iii) may acquire property owned by a State or political subdivision of a State only by donation.

(2) CONSULTATION.—Prior to making a determination under this subsection, the Secretary shall consult with the governing body of the county, city, town, or other jurisdiction or jurisdictions having primary taxing authority over the land or interest to be acquired as to the impacts of the proposed action.

(3) ACTION TO ADVANCE LOCAL PUBLIC AWARENESS.—The Secretary shall take such steps as the Secretary considers appropriate to advance local public awareness of the proposed action.

(4) ADMINISTRATION OF ACQUISITIONS.—Land, water, and interests in land or water acquired in accordance with this subsection shall be administered as part of the System unit to which they are added, subject to the laws and regulations applicable to the System unit.

(5) WHEN AUTHORITY APPLIES.—For the purposes of paragraph (1)(A), in all cases except the case of technical boundary changes (resulting from such causes as survey error or changed road alignments), the authority of the Secretary under paragraph (1)(A) shall apply only if each of the following conditions is met:

(A) The sum of the total acreage of the land, water, and interests in land or water to be added to the System unit and the total acreage of the land, water, and interests in land or water to be deleted from the System unit is not more than 5 percent of the total Federal acreage authorized to be included in the System unit and is less than 200 acres.

(B) The acquisition, if any, is not a major Federal action significantly affecting the quality of the human environment, as determined by the Secretary.

(C) The sum of the total appraised value of the land, water, and interests in land or water to be added to the System unit and the total appraised value of the land,

water, and interests in land or water to be deleted from the System unit does not exceed $750,000.

(D) The proposed boundary change is not an element of a more comprehensive boundary change proposal.

(E) The proposed boundary has been subject to a public review and comment period.

(F) The Director obtains written consent for the boundary change from all property owners whose land, water, or interests in land or water, or a portion of whose land, water, or interests in land or water, will be added to or deleted from the System unit by the boundary change.

(G) The land abuts other Federal land administered by the Director.

(6) ACT OF CONGRESS REQUIRED.—Minor boundary changes involving only deletions of acreage owned by the Federal Government and administered by the Service may be made only by Act of Congress.

§ 100507. Additional areas for System

(a) MONITORING AREAS FOR INCLUSION IN SYSTEM.—The Secretary shall investigate, study, and continually monitor the welfare of areas whose resources exhibit qualities of national significance and that may have potential for inclusion in the System.

(b) SUBMISSION OF LIST OF AREAS RECOMMENDED FOR STUDY FOR POTENTIAL INCLUSION.—

(1) WHEN LIST IS TO BE SUBMITTED.—At the beginning of each calendar year, with the annual budget submission, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a list of areas recommended for study for potential inclusion in the System.

(2) FACTORS TO BE CONSIDERED.—In developing the list to be submitted under this subsection, the Secretary shall consider—

(A) the areas that have the greatest potential to meet the established criteria of national significance, suitability, and feasibility;

(B) themes, sites, and resources not already adequately represented in the System; and

(C) public petitions and Congressional resolutions.

(3) ACCOMPANYING SYNOPSIS.—Accompanying the annual listing of areas shall be a synopsis, for each report previously submitted, of the current and changed condition of the resource integrity of the area and other relevant factors, compiled as a result of continual periodic monitoring and embracing the period since the previous submission or initial report submission one year earlier.

(4) CONGRESSIONAL AUTHORIZATION REQUIRED.—No study of the potential of an area for inclusion in the System may be initiated except as provided by specific authorization of an Act of Congress.

(5) AUTHORITY TO CONDUCT CERTAIN ACTIVITIES NOT LIMITED.—This section and sections 100901(b), 101702(b) and (c), and 102102 of this title do not limit the authority of the Service to conduct preliminary resource assessments, gather data on potential study areas, provide technical and planning assistance, prepare or process nominations for administrative

designations, update previous studies, or complete reconnaissance surveys of individual areas requiring a total expenditure of less than $25,000.

(6) STUDY OF RIVERS OR TRAILS NOT AFFECTED.—This section does not apply to or affect or alter the study of—

(A) any river segment for potential addition to the national wild and scenic rivers system; or

(B) any trail for potential addition to the national trails system.

(c) STUDY OF AREAS FOR POTENTIAL INCLUSION.—

(1) STUDY TO BE COMPLETED WITHIN 3 YEARS.—The Secretary shall complete the study for each area for potential inclusion in the System within 3 complete fiscal years following the date on which funds are first made available for that purpose.

(2) OPPORTUNITY FOR PUBLIC INVOLVEMENT REQUIRED.—Each study under this section shall be prepared with appropriate opportunity for public involvement, including at least one public meeting in the vicinity of the area under study, and after reasonable efforts to notify potentially affected landowners and State and local governments.

(3) CONSIDERATIONS.—In conducting the study, the Secretary shall consider whether the area under study—

(A) possesses nationally significant natural or cultural resources and represents one of the most important examples of a particular resource type in the country; and

(B) is a suitable and feasible addition to the System.

(4) SCOPE OF STUDY.—Each study—

(A) with regard to the area being studied, shall consider—

(i) the rarity and integrity of the resources;

(ii) the threats to those resources;

(iii) whether similar resources are already protected in the System or in other public or private ownership;

(iv) the public use potential;

(v) the interpretive and educational potential;

(vi) costs associated with acquisition, development, and operation;

(vii) the socioeconomic impacts of any designation;

(viii) the level of local and general public support; and

(ix) whether the area is of appropriate configuration to ensure long-term resource protection and visitor use;

(B) shall consider whether direct Service management or alternative protection by other public agencies or the private sector is appropriate for the area;

(C) shall identify what alternative or combination of alternatives would in the professional judgment of the Director be most effective and efficient in protecting significant resources and providing for public enjoyment; and

(D) may include any other information that the Secretary considers to be relevant.

(5) COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—Each study shall be completed in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(6) RECOMMENDATION OF PREFERRED MANAGEMENT OPTION.—The letter transmitting each completed study to Congress shall

contain a recommendation regarding the Secretary's preferred management option for the area.

(d) LIST OF AREAS PREVIOUSLY STUDIED.—

(1) SUBMISSION OF LIST.—At the beginning of each calendar year, with the annual budget submission, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, in numerical order of priority for addition to the System—

(A) a list of areas that have been previously studied that contain primarily historical resources; and

(B) a list of areas that have been previously studied that contain primarily natural resources.

(2) CONSIDERATIONS.—In developing the lists, the Secretary should consider threats to resource values, cost escalation factors, and other factors listed in subsection (c).

(3) AREAS ELIGIBLE FOR INCLUSION.—The Secretary should include on the lists only areas for which the supporting data are current and accurate.

(e) LIST OF AREAS THAT EXHIBIT DANGER OR THREATS TO THE INTEGRITY OF THEIR RESOURCES.—At the beginning of each fiscal year, the Secretary shall submit to the Speaker of the House of Representatives and the President of the Senate a complete and current list of all areas listed on the Registry of Natural Landmarks, and areas of national significance listed on the National Register of Historic places, that exhibit known or anticipated damage or threats to the integrity of their resources, with notations as to the nature and severity of the damage or threats.

(f) REPORTS AND LISTINGS PRINTED AS HOUSE DOCUMENTS.—Each report and annual listing described in this section shall be printed as a House document. If adequate supplies of previously printed identical reports remain available, newly submitted identical reports shall be omitted from printing on receipt by the Speaker of the House of Representatives of a joint letter from the chairman of the Committee on Natural Resources of the House of Representatives and the chairman of the Committee on Energy and Natural Resources of Senate indicating that to be the case.

(g) DESIGNATION OF OFFICE.—The Secretary shall designate a single office to prepare all new area studies and to implement other functions under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) STUDIES OF POTENTIAL NEW SYSTEM UNITS AND MONITORING THE WELFARE OF SYSTEM UNIT RESOURCES.—To carry out studies for potential new System units and for monitoring the welfare of historical and natural resources referred to in subparagraphs (A) and (B) of subsection (d)(1), there is authorized to be appropriated not more than $1,000,000 for each fiscal year.

(2) MONITORING WELFARE AND INTEGRITY OF NATIONAL LANDMARKS.—To monitor the welfare and integrity of the national landmarks, there is authorized to be appropriated not more than $1,500,000 for each fiscal year.

(3) CARRYING OUT SUBSECTIONS (b), (c), and (g).—To carry out subsections (b), (c), and (g), there is authorized to be appropriated $2,000,000 for each fiscal year.

Chapter 1007—Resource Management

Subchapter I—System Resource Inventory and Management

§ 100701. Protection, interpretation, and research in System

Recognizing the ever increasing societal pressures being placed upon America's unique natural and cultural resources contained in the System, the Secretary shall continually improve the ability of the Service to provide state-of-the-art management, protection, and interpretation of, and research on, the resources of the System.

§ 100702. Research mandate

The Secretary shall ensure that management of System units is enhanced by the availability and utilization of a broad program of the highest quality science and information.

§ 100703. Cooperative study units

The Secretary shall enter into cooperative agreements with colleges and universities, including land grant schools, in partnership with other Federal and State agencies, to establish cooperative study units to conduct multi-disciplinary research and develop integrated information products on the resources of the System, or the larger region of which System units are a part.

§ 100704. Inventory and monitoring program

The Secretary shall undertake a program of inventory and monitoring of System resources to establish baseline information and to provide information on the long-term trends in the condition

of System resources. The monitoring program shall be developed in cooperation with other Federal monitoring and information collection efforts to ensure a cost-effective approach.

§ 100705. Availability of System units for scientific study

(a) IN GENERAL.—The Secretary may solicit, receive, and consider requests from Federal or non-Federal public or private agencies, organizations, individuals, or other entities for the use of any System unit for purposes of scientific study.

(b) CRITERIA.—A request for use of a System unit under subsection (a) may be approved only if the Secretary determines that the proposed study—

(1) is consistent with applicable laws and Service management policies; and

(2) will be conducted in a manner that poses no threat to the System unit resources or public enjoyment derived from System unit resources.

(c) FEE WAIVER.—The Secretary may waive any System unit admission or recreational use fee in order to facilitate the conduct of scientific study under this section.

(d) BENEFIT-SHARING ARRANGEMENTS.—The Secretary may negotiate for and enter into equitable, efficient benefit-sharing arrangements with the research community and private industry.

§ 100706. Integration of study results into management decisions

The Secretary shall take such measures as are necessary to ensure the full and proper utilization of the results of scientific study for System unit management decisions. In each case in which an action undertaken by the Service may cause a significant adverse effect on a System unit resource, the administrative record shall reflect the manner in which System unit resource studies have been considered. The trend in the condition of resources of the System shall be a significant factor in the annual performance evaluation of each superintendent of a System unit.

§ 100707. Confidentiality of information

Information concerning the nature and specific location of a System resource that is endangered, threatened, rare, or commercially valuable, of mineral or paleontological objects within System units, or of objects of cultural patrimony within System units, may be withheld from the public in response to a request under section 552 of title 5 unless the Secretary determines that—

(1) disclosure of the information would further the purposes of the System unit in which the resource or object is located and would not create an unreasonable risk of harm, theft, or destruction of the resource or object, including individual organic or inorganic specimens; and

(2) disclosure is consistent with other laws protecting the resource or object.

Subchapter II—System Unit Resource Protection

§ 100721. Definitions

In this subchapter:

(1) DAMAGES.—The term "damages" includes—

(A) compensation for—

(i)(I) the cost of replacing, restoring, or acquiring the equivalent of a System unit resource; and

(II) the value of any significant loss of use of a System unit resource pending its restoration or replacement or the acquisition of an equivalent resource; or

(ii) the value of the System unit resource if the System unit resource cannot be replaced or restored; and

(B) the cost of a damage assessment under section 100723(b) of this title.

(2) RESPONSE COSTS.—The term "response costs" means the costs of actions taken by the Secretary to—

(A) prevent or minimize destruction or loss of or injury to a System unit resource;

(B) abate or minimize the imminent risk of the destruction, loss, or injury; or

(C) monitor ongoing effects of incidents causing the destruction, loss, or injury.

(3) SYSTEM UNIT RESOURCE.—

(A) IN GENERAL.—The term "System unit resource" means any living or non-living resource that is located within the boundaries of a System unit.

(B) EXCLUSION.—The term "System unit resource" does not include a resource owned by a non-Federal entity.

§ 100722. Liability

(a) IN GENERAL.—Subject to subsection (c), any person that destroys, causes the loss of, or injures any System unit resource is liable to the United States for response costs and damages resulting from the destruction, loss, or injury.

(b) LIABILITY IN REM.—Any instrumentality, including a vessel, vehicle, aircraft, or other equipment, that destroys, causes the loss of, or injures any System unit resource shall be liable in rem to the United States for response costs and damages resulting from the destruction, loss, or injury to the same extent as a person is liable under subsection (a).

(c) DEFENSES.—A person is not liable under this section if the person establishes that—

(1) the destruction, loss of, or injury to the System unit resource was caused solely by an act of God or an act of war;

(2) the person acted with due care, and the destruction, loss of, or injury to the System unit resource was caused solely by an act or omission of a 3d party, other than an employee or agent of the person; or

(3) the destruction, loss, or injury to the System unit resource was caused by an activity authorized by Federal or State law.

(d) SCOPE.—Liability under this section is in addition to any other liability that may arise under Federal or State law.

§ 100723. Actions

(a) CIVIL ACTION FOR RESPONSE COSTS AND DAMAGES.—The Attorney General, on request of the Secretary after a finding by the Secretary of destruction, loss, or injury to a System unit resource or a finding that absent the undertaking of a response action,

destruction, loss, or injury to a System unit resource would have occurred, may bring a civil action in United States district court against any person or instrumentality that may be liable under section 100722 of this title for response costs and damages. The Secretary shall submit a request for the civil action to the Attorney General whenever a person may be liable or an instrumentality may be liable in rem for those costs and damages under section 100722 of this title.

(b) RESPONSE ACTIONS AND ASSESSMENT OF DESTRUCTION, LOSS, OR INJURY.—

(1) ACTIONS TO PREVENT OR MINIMIZE DESTRUCTION, LOSS, OR INJURY.—The Secretary shall undertake all necessary actions to—

(A) prevent or minimize the destruction, loss of, or injury to System unit resources; or

(B) minimize the imminent risk of destruction, loss, or injury to System unit resources.

(2) ASSESSMENT AND MONITORING.—The Secretary shall assess and monitor destruction, loss, or injury to System unit resources.

§ 100724. Use of recovered amounts

(a) LIMITATION ON USE.—Response costs and damages recovered by the Secretary under this subchapter or amounts recovered by the Federal Government under any Federal, State, or local law or regulation or otherwise as a result of destruction, loss of, or injury to any System unit resource shall be available to the Secretary and without further Congressional action may be used only as follows:

(1) REIMBURSEMENT.—To reimburse response costs and damage assessments by the Secretary or other Federal agencies as the Secretary considers appropriate.

(2) RESTORATION AND REPLACEMENT.—To restore, replace, or acquire the equivalent of System unit resources that were the subject of the action and to monitor and study those System unit resources. The funds may not be used to acquire any land or water, interest in land or water, or right to land or water unless the acquisition is specifically approved in advance in appropriations Acts. The acquisition shall be subject to any limitations contained in the legislation establishing the System unit.

(b) EXCESS AMOUNTS.—Any amounts remaining after expenditures pursuant to paragraphs (1) and (2) of subsection (a) shall be deposited in the Treasury.

§ 100725. Donations

The Secretary may accept donations of money or services for expenditure or employment to meet expected, immediate, or ongoing response costs. The donations may be expended or employed at any time after their acceptance, without further Congressional action.

Subchapter III—Mining Activity Within System Units

§ 100731. Findings and declaration

Congress finds and declares that—

(1) the level of technology of mineral exploration and development has changed radically, and continued application of the mining laws of the United States to System units to which the mining laws apply conflicts with the purposes for which the System units were established; and

(2) all mining operations in System units should be conducted so as to prevent or minimize damage to the environment and other resource values.

§ 100732. Preservation and management of System units by Secretary; promulgation of regulations

To preserve for the benefit of present and future generations the pristine beauty of System units, and to further the purposes of section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of this title and the individual organic Acts for the System units, all activities resulting from the exercise of mineral rights on patented or unpatented mining claims within any System unit shall be subject to such regulations prescribed by the Secretary as the Secretary considers necessary or desirable for the preservation and management of the System units.

§ 100733. Recordation of mining claims; publication of notice

All mining claims under the Mining Law of 1872 (30 U.S.C. chapter 2, sections 161 and 162, and chapters 12A and 16) that lie within the boundaries of System units in existence on September 28, 1976, that were not recorded with the Secretary within one year after September 28, 1976, shall be conclusively presumed to be abandoned and shall be void. The recordation does not render valid any claim that was not valid on September 28, 1976, or that becomes invalid after that date.

§ 100734. Report on finding or notification of potential damage to natural and historical landmarks

When the Secretary finds on the Secretary's own motion or on being notified in writing by an appropriate scientific, historical, or archeological authority that a district, site, building, structure, or object that has been found to be nationally significant in illustrating natural history or the history of the United States and that has been designated as a natural or historic landmark may be irreparably lost or destroyed in whole or in part by any surface mining activity, including exploration for or removal or production of minerals or materials, the Secretary shall notify the person conducting the activity and submit a report on the findings or notification, including the basis for the Secretary's finding that the activity may cause irreparable loss or destruction of a national landmark, to the Advisory Council on Historic Preservation, with a request for advice of the Council as to alternative measures that may be taken by the United States to mitigate or abate the activity.

§ 100735. Civil actions for just compensation by mining claim holders

The holder of any patented or unpatented mining claim subject to this subchapter that believes the holder has suffered a loss by operation of this subchapter, or by orders or regulations issued pursuant to this subchapter, may bring a civil action in United States district court to recover just compensation, which shall be awarded if the court finds that the loss constitutes a taking of property compensable under the Constitution.

§ 100736. Acquisition of land by Secretary

Nothing in this subchapter shall be construed to limit the authority of the Secretary to acquire land and interests in land within the boundary of any System unit. The Secretary shall give prompt and careful consideration to any offer made by the owner of any valid right or other property in Glacier Bay National Monument, Death Valley National Monument, Organ Pipe Cactus National Monument, or Mount McKinley National Park to sell the right or other property if the owner notifies the Secretary that the continued ownership of the right or property is causing, or would result in, undue hardship.

§ 100737. Financial disclosure by officer or employee of Secretary

(a) WRITTEN STATEMENTS.—Each officer or employee of the Secretary who—

(1) performs any function or duty under this subchapter, or any Act amended by the Mining in the Parks Act (Public Law 94–429, 90 Stat. 1342) concerning the regulation of mining in the System; and

(2) has any known financial interest—

(A) in any person subject to this subchapter or any Act amended by the Mining in the Parks Act (Public Law 94–429, 90 Stat. 1342); or

(B) in any person who holds a mining claim within the boundary of any System unit;

shall annually file with the Secretary a written statement concerning all such interests held by the officer or employee during the preceding calendar year. The statement shall be available to the public.

(b) MONITORING AND ENFORCEMENT PROCEDURES.—The Secretary shall—

(1) define the term "known financial interest" for purposes of subsection (a);

(2) establish the methods by which the requirement to file written statements specified in subsection (a) will be monitored and enforced, including appropriate provisions for the filing by the officers and employees of the statements and the review by the Secretary of the statements; and

(3) submit to Congress on June 1 of each year a report with respect to the disclosures and the actions taken in regard to the disclosures during the preceding calendar year.

(c) EXEMPTIONS.—In the rules prescribed under subsection (b), the Secretary may identify specific positions within the Department of the Interior that are of a nonregulatory or nonpolicymaking nature and provide that officers or employees occupying those positions shall be exempt from the requirements of this section.

(d) CRIMINAL PENALTIES.—Criminal penalties for a violation of this section are provided by section 1865 of title 18.

Subchapter IV—Administration

§ 100751. Regulations

(a) IN GENERAL.—The Secretary shall prescribe such regulations as the Secretary considers necessary or proper for the use and management of System units.

(b) BOATING AND OTHER ACTIVITIES ON OR RELATING TO WATER.—The Secretary, under such terms and conditions as the Secretary considers advisable, may prescribe regulations under subsection (a) concerning boating and other activities on or relating to water located within System units, including water subject to the jurisdiction of the United States. Any regulation under this subsection shall be complementary to, and not in derogation of, the authority of the Coast Guard to regulate the use of water subject to the jurisdiction of the United States.

(c) CRIMINAL PENALTIES.—Criminal penalties for a violation of a regulation prescribed under this section are provided by section 1865 of title 18.

§ 100752. Destruction of animals and plant life

The Secretary may provide for the destruction of such animals and plant life as may be detrimental to the use of any System unit.

§ 100753. Disposal of timber

The Secretary, on terms and conditions to be fixed by the Secretary, may sell or dispose of timber in cases where, in the judgment of the Secretary, the cutting of timber is required to control attacks of insects or diseases or otherwise conserve the scenery or the natural or historic objects in any System unit.

§ 100754. Relinquishment of legislative jurisdiction

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may relinquish to a State or a territory (including a possession) of the United States part of the legislative jurisdiction of the United States over System land or interests in land in that State or territory. Relinquishment may be accomplished—

(1) by filing with the chief executive official of the State or territory a notice of relinquishment to take effect on acceptance; or

(2) as the laws of the State or territory may otherwise provide.

(b) SUBMISSION OF AGREEMENT TO CONGRESS.—Prior to consummating a relinquishment under subsection (a), the Secretary shall submit the proposed agreement to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives. The Secretary shall not finalize the agreement until 60 calendar days after the submission has elapsed.

(c) CONCURRENT LEGISLATIVE JURISDICTION.—The Secretary shall diligently pursue the consummation of arrangements with each State or territory within which a System unit is located so that insofar as practicable the United States shall exercise concurrent legislative jurisdiction within System units.

§ 100755. Applicability of other laws

(a) IN GENERAL.—This section and sections 100501, 100901(d) to (h), 101302(b)(2), 101901(c), and 102711 of this title, and the various authorities relating to the administration and protection of System units, including the provisions of law listed in subsection (b), shall, to the extent that those provisions are not in conflict with any such specific provision, be applicable to System units, and any reference in any of these provisions to a System unit does not limit those provisions to that System unit.

(b) APPLICABLE PROVISIONS.—The provisions of law referred to in subsection (a) are—

(1) section 100101(a), chapter 1003, sections 100751(a), 100752, 100753, 101101, 101102, 101511, 102101, 102712, 102901, 104905, and 104906, and chapter 2003 of this title;

(2) the Act of March 4, 1911 (43 U.S.C. 961); and

(3) chapter 3201 of this title.

Chapter 1009—Administration

Sec.
100901. Authority of Secretary to carry out certain activities.
100902. Rights of way for public utilities and power and communication facilities.
100903. Solid waste disposal operations.
100904. Admission and special recreation use fees.
100905. Commercial filming.
100906. Advisory committees.

§ 100901. Authority of Secretary to carry out certain activities

(a) IN GENERAL.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary may consider advisable, may carry out the activities described in this section.

(b) SERVICES, RESOURCES, OR WATER CONTRACTS.—The Secretary may enter into contracts that provide for the sale or lease to persons, States, or political subdivisions of States, of services, resources, or water available within a System unit, as long as the activity does not jeopardize or unduly interfere with the primary natural or historic resource of the System unit, if the person, State, or political subdivision—

(1) provides public accommodations or services within the immediate vicinity of the System unit to individuals visiting the System unit; and

(2) demonstrates to the Secretary that there are no reasonable alternatives by which to acquire or perform the necessary services, resources, or water.

(c) VEHICULAR AIR CONDITIONING.—The Secretary may acquire, and have installed, air conditioning units for any Government-owned passenger motor vehicles used by the Service, where assigned duties necessitate long periods in automobiles or in regions of the United States where high temperatures and humidity are common and prolonged.

(d) UTILITY FACILITIES.—The Secretary may erect and maintain fire protection facilities, water lines, telephone lines, electric lines, and other utility facilities adjacent to any System unit, where necessary, to provide service in the System unit.

(e) SUPPLIES AND RENTAL OF EQUIPMENT.—The Secretary may furnish, on a reimbursement of appropriation basis, supplies, and

rent equipment, to persons and agencies that, in cooperation with and subject to the approval of the Secretary, render services or perform functions that facilitate or supplement the activities of the Department of the Interior in the administration of the System. The reimbursements may be credited to the appropriation current at the time reimbursements are received.

(f) CONTRACTS FOR UTILITY FACILITIES.—The Secretary may contract, under terms and conditions that the Secretary considers to be in the interest of the Federal Government, for the sale, operation, maintenance, repair, or relocation of Government-owned electric and telephone lines and other utility facilities used for the administration and protection of the System, regardless of whether the lines and facilities are located within or outside the System.

(g) RIGHTS OF WAY NECESSARY TO CONSTRUCT, IMPROVE, AND MAINTAIN ROADS.—The Secretary may acquire—

(1) rights of way necessary to construct, improve, and maintain roads within the authorized boundaries of any System unit; and

(2) land and interests in land adjacent to the rights of way, when—

(A) considered necessary by the Secretary—

(i) to provide adequate protection of natural features; or

(ii) to avoid traffic and other hazards resulting from private road access connections; or

(B) the acquisition of adjacent residual tracts, which otherwise would remain after acquiring the rights of way, would be in the public interest.

(h) OPERATION AND MAINTENANCE OF MOTOR AND OTHER EQUIPMENT.—

(1) IN GENERAL.—The Secretary may operate, repair, maintain, and replace motor and other equipment on a reimbursable basis when the equipment is used on Federal projects of the System, chargeable to other appropriations, or on work of other Federal agencies, when requested by the agencies.

(2) REIMBURSEMENT.—Reimbursement shall be—

(A) made from appropriations applicable to the work on which the equipment is used at rental rates established by the Secretary, based on actual or estimated cost of operation, repair, maintenance, depreciation, and equipment management control; and

(B) credited to appropriations currently available at the time adjustment is effected.

(3) RENTAL OF EQUIPMENT FOR FIRE CONTROL PURPOSES.—The Secretary may rent equipment for fire control purposes to State, county, private, or other non-Federal agencies that cooperate with the Secretary in the administration of the System and other areas in fire control. The rental shall be under the terms of written cooperative agreements. The amount collected for the rentals shall be credited to appropriations currently available at the time payment is received.

§ 100902. Rights of way for public utilities and power and communication facilities

(a) PUBLIC UTILITIES.—

(1) IN GENERAL.—Under regulations the Secretary prescribes, the Secretary may grant a right of way through a System unit to a citizen, association, or corporation of the United States that intends to use the right of way for—

(A) electrical plants, poles, and lines for the generation and distribution of electrical power;

(B) telephone and telegraph purposes; and

(C) canals, ditches, pipes and pipe lines, flumes, tunnels, or other water conduits and water plants, dams, and reservoirs used to promote irrigation or mining or quarrying, or the manufacturing or cutting of timber or lumber, or the supplying of water for domestic, public, or any other beneficial uses.

(2) EXTENT OF RIGHT OF WAY.—A right of way under this subsection shall be for—

(A) the ground occupied by the canals, ditches, flumes, tunnels, reservoirs, or other water conduits or water plants, or electrical or other works permitted under paragraph (1); and

(B) not more than 50 feet—

(i) on each side of the marginal limits of the ground; or

(ii) on each side of the center line of the pipes and pipe lines, electrical, telegraph, and telephone lines and poles.

(3) APPROVAL.—A right of way under this subsection shall be allowed within or through a System unit only on the approval of the Secretary and on a finding that the right of way is not incompatible with the public interest.

(4) REVOCATION.—The Secretary may revoke a right of way under this subsection.

(5) RIGHT, EASEMENT, OR INTEREST NOT CONFERRED.—A right of way under this subsection does not confer any right, easement, or interest in, to, or over a System unit.

(b) POWER AND COMMUNICATION FACILITIES.—

(1) IN GENERAL.—Under regulations the Secretary prescribes, the Secretary may grant a right of way over, across, and on through a System unit to a citizen, association, or corporation of the United States that intends to use the right of way for—

(A) electrical poles and lines for the transmission and distribution of electrical power;

(B) poles and lines for communication purposes; and

(C) radio, television, and other forms of communication transmitting, relay, and receiving structures and facilities.

(2) EXTENT OF RIGHT OF WAY.—A right of way under this subsection—

(A) shall be for not more than 50 years from the date the right of way is granted; and

(B) for—

(i) lines and poles shall be for 200 feet on each side of the center line of the lines and poles; and

(ii) radio, television, and other forms of communication transmitting, relay, and receiving structures and facilities shall be for not more than 400 feet by 400 feet.

(3) APPROVAL.—A right of way under this subsection shall be allowed within or through a System unit only on the approval of the Secretary and on a finding that the right of way is not incompatible with the public interest.

(4) FORFEITURE AND ANNULMENT.—The Secretary may forfeit and annul any part of a right of way under this subsection for—

(A) nonuse for a period of 2 years; or

(B) abandonment.

§ 100903. Solid waste disposal operations

(a) IN GENERAL—To protect the air, land, water, and natural and cultural values of the System and the property of the United States in the System, no solid waste disposal site (including any site for the disposal of domestic or industrial solid waste) may be operated within the boundary of any System unit, other than—

(1) a site that was operating as of September 1, 1984; or

(2) a site used only for disposal of waste generated within that System unit so long as the site will not degrade any of the natural or cultural resources of the System unit.

(b) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section, including reasonable regulations to mitigate the adverse effects of solid waste disposal sites in operation as of September 1, 1984, on property of the United States.

§ 100904. Admission and special recreation use fees

(a) SYSTEM UNITS AT WHICH ENTRANCE FEES OR ADMISSIONS FEES CANNOT BE COLLECTED.—

(1) WITHHOLDING OF AMOUNTS.—Notwithstanding section 107 of the Department of the Interior and Related Agencies Appropriations Act, 1998 (Public Law 105–83, 111 Stat. 1561), the Secretary shall withhold from the special account under section 807(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6806(a)) 100 percent of the fees and charges collected in connection with any System unit at which entrance fees or admission fees cannot be collected by reason of deed restrictions.

(2) USE OF AMOUNTS.—Amounts withheld under paragraph (1) shall be retained by the Secretary and shall be available, without further appropriation, for expenditure by the Secretary for the System unit with respect to which the amounts were collected for the purposes of enhancing the quality of the visitor experience, protection of resources, repair and maintenance, interpretation, signage, habitat or facility enhancement, resource preservation, annual operation (including fee collection), maintenance, and law enforcement.

(b) ALLOCATION OF FUNDS TO SYSTEM UNITS.—

(1) ALLOCATION OF FUNDS ON BASIS OF NEED.—Ten percent of the funds made available to the Director under subsection (a) in each fiscal year shall be allocated among System units on the basis of need in a manner to be determined by the Director.

(2) ALLOCATION OF FUNDS BASED ON EXPENSES AND BASED ON FEES COLLECTED.—

(A) IN GENERAL.—Forty percent of the funds made available to the Director under subsection (a) in each fiscal year shall be allocated among System units in accordance

with subparagraph (B) of this subsection and 50 percent shall be allocated in accordance with subparagraph (C).

(B) ALLOCATION BASED ON EXPENSES.—The amount allocated to each System unit under this paragraph for each fiscal year based on expenses shall be a fraction of the total allocation to all System units under this paragraph. The fraction for each System unit shall be determined by dividing the operating expenses at that System unit during the prior fiscal year by the total operating expenses at all System units during the prior fiscal year.

(C) ALLOCATION BASED ON FEES COLLECTED.—The amount allocated to each System unit under this paragraph for each fiscal year based on fees collected shall be a fraction of the total allocation to all System units under this paragraph. The fraction for each System unit shall be determined by dividing the user fees and admission fees collected under this section at that System unit during the prior fiscal year by the total of user fees and admission fees collected under this section at all System units during the prior fiscal year.

(3) AVAILABILITY OF AMOUNTS.—Amounts allocated under this subsection to any System unit for any fiscal year and not expended in that fiscal year shall remain available for expenditure at that System unit until expended.

(c) SELLING OF PERMITS.—

(1) AUTHORITY TO SELL PERMITS.—When authorized by the Secretary, volunteers at System units may sell permits and collect fees authorized or established pursuant to this section. The Secretary shall ensure that the volunteers have adequate training regarding—

(A) the sale of permits and the collection of fees;

(B) the purposes and resources of the System units in which they are assigned; and

(C) the provision of assistance and information to visitors to the System unit.

(2) SURETY BOND REQUIRED.—The Secretary shall require a surety bond for any such volunteer performing services under this subsection. Funds available to the Service may be used to cover the cost of the surety bond. The Secretary may enter into arrangements with qualified public or private entities pursuant to which the entities may sell (without cost to the United States) annual admission permits (including Golden Eagle Passports) at any appropriate location. The arrangements shall require each such entity to reimburse the United States for the full amount to be received from the sale of the permits at or before the Secretary delivers the permits to the entity for sale.

(d) CHARGE FOR TRANSPORTATION PROVIDED BY SERVICE FOR VIEWING SYSTEM UNITS.—

(1) CHARGE WHEN TRANSPORTATION PROVIDED.—Where the Service provides transportation to view all or a portion of any System unit, the Director may impose a charge for the service in lieu of an admission fee under this section.

(2) RETENTION OF CHARGE AND USE OF RETAINED AMOUNT.—Notwithstanding any other provision of law, half of the charges imposed under paragraph (1) shall be retained by the System unit at which the service was provided. The remainder shall

be deposited in the same manner as receipts from fees collected pursuant to this section. Fifty percent of the amount retained shall be expended only for maintenance of transportation systems at the System unit where the charge was imposed. The remaining 50 percent of the retained amount shall be expended only for activities related to resource protection at those System units.

(e) ADMISSION FEES.—Where the primary public access to a System unit is provided by a concessioner, the Secretary may charge an admission fee at the System unit only to the extent that the total of the fee charged by the concessioner for access to the System unit and the admission fee does not exceed the maximum amount of the admission fee that could otherwise be imposed.

(f) COMMERCIAL TOUR USE FEES.—

(1) ESTABLISHMENT.—In the case of each System unit for which an admission fee is charged under this section, the Secretary shall establish a commercial tour use fee to be imposed on each vehicle entering the System unit for the purpose of providing commercial tour services within the System unit.

(2) AMOUNT.—The Secretary shall establish the amount of fee per entry as follows:

(A) Twenty-five dollars per vehicle with a passenger capacity of 25 individuals or less.

(B) Fifty dollars per vehicle with a passenger capacity of more than 25 individuals.

(3) ADJUSTMENTS.—The Secretary may periodically make reasonable adjustments to the commercial tour use fee imposed under this subsection.

(4) NONAPPLICABILITY.—The commercial tour use fee imposed under this subsection shall not apply to the following:

(A) Any vehicle transporting organized school groups or outings conducted for educational purposes by schools or other bona fide educational institutions.

(B) Any vehicle entering a System unit pursuant to a contract issued under subchapter II of chapter 1019 of this title.

(5) APPLICABILITY.—This subsection shall apply to aircraft entering the airspace of—

(A) Haleakalā Crater, Crater Cabins, the Scientific Research Reserve, Halemauu Trail, Kaupo Gap Trail, or any designated tourist viewpoint in Haleakalā National Park or of Grand Canyon National Park; or

(B) any other System unit for the specific purpose of providing commercial tour services if the Secretary determines that the level of the services is equal to or greater than the level at the System units specified in subparagraph (A).

§ 100905. Commercial filming

(a) COMMERCIAL FILMING FEE.—

(1) IN GENERAL.—The Secretary shall require a permit and shall establish a reasonable fee for commercial filming activities or similar projects in a System unit. The fee shall provide a fair return to the United States and shall be based on the following criteria:

(A) The number of days the filming activity or similar project takes place in the System unit.

(B) The size of the film crew present in the System unit.

(C) The amount and type of equipment present in the System unit.

(2) OTHER FACTORS.—The Secretary may include other factors in determining an appropriate fee as the Secretary considers necessary.

(b) RECOVERY OF COSTS.—The Secretary shall collect any costs incurred as a result of filming activities or similar projects, including administrative and personnel costs. All costs recovered shall be in addition to the fee assessed in subsection (a).

(c) STILL PHOTOGRAPHY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall not require a permit or assess a fee for still photography in a System unit if the photography takes place where members of the public are generally allowed. The Secretary may require a permit, assess a fee, or both, if the photography takes place at other locations where members of the public are generally not allowed, or where additional administrative costs are likely.

(2) EXCEPTION.—The Secretary shall require and shall establish a reasonable fee for still photography that uses models or props that are not a part of the site's natural or cultural resources or administrative facilities.

(d) PROTECTION OF RESOURCES.—The Secretary shall not permit any filming, still photography or other related activity if the Secretary determines that—

(1) there is a likelihood of resource damage;

(2) there would be an unreasonable disruption of the public's use and enjoyment of the site; or

(3) the activity poses health or safety risks to the public.

(e) USE OF PROCEEDS.—

(1) FEES.—All fees collected under this section shall be available for expenditure by the Secretary, without further appropriation and shall remain available until expended.

(2) COSTS.—All costs recovered under this section shall be available for expenditure by the Secretary, without further appropriation, at the site where the costs are collected and shall remain available until expended.

(f) PROCESSING OF PERMIT APPLICATIONS.—The Secretary shall establish a process to ensure that the Secretary responds in a timely manner to permit applicants for commercial filming, still photography, or other activity.

§ 100906. Advisory committees

(a) ESTABLISHMENT.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary may consider advisable, may appoint and establish advisory committees in regard to the functions of the Service as the Secretary considers advisable.

(b) CHARTER EXCEPTION ON RENEWAL.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) is waived with respect to any advisory commission or advisory committee established by law in connection with any System unit during the period for which the commission or committee is authorized by law.

(c) SERVICE OF MEMBERS.—Any member of any advisory commission or advisory committee established in connection with any System unit may serve after the expiration of the member's term until a successor is appointed.

(d) COMPENSATION AND TRAVEL EXPENSES.—Members of an advisory committee established under subsection (a) shall receive no compensation for their services as such but shall be allowed necessary travel expenses as authorized by section 5703 of title 5.

Chapter 1011—Donations

Subchapter I—Authority of Secretary

§ 101101. Authority to accept land, rights-of-way, buildings, other property, and money

The Secretary in the administration of the Service may accept—

(1) patented land, rights-of-way over patented land or other land, buildings, or other property within a System unit; and

(2) money that may be donated for the purposes of the System.

§ 101102. Authority to accept and use funds to consolidate Federal land ownership

(a) IN GENERAL.—The Secretary may—

(1) accept and use funds that may be donated in order to consolidate Federal land ownership within the existing boundaries of any System unit; and

(2) encourage the donation of funds for that purpose, subject to the condition that donated funds are to be expended for purposes of this section only if Federal funds in an amount equal to the amount of the donated funds are appropriated for the purposes of this section.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each fiscal year not more than $500,000 to match funds that are donated for those purposes.

Subchapter II—National Park Foundation

§ 101111. Purpose and establishment of Foundation

To encourage private gifts of real and personal property, or any income from, or other interest in, the property, for the benefit of, or in connection with, the Service, its activities, or its services, and thereby to further the conservation of natural, scenic, historic, scientific, educational, inspirational, or recreational resources for future generations of Americans, there is established a charitable and nonprofit corporation to be known as the National Park Foundation to accept and administer those gifts.

§ 101112. Board

(a) MEMBERSHIP.—The National Park Foundation shall consist of a Board having as members the Secretary, the Director, and no fewer than 6 private citizens of the United States appointed by the Secretary.

(b) TERM OF OFFICE AND VACANCIES.—The term of the private citizen members of the Board is 6 years. If a successor is chosen to fill a vacancy occurring prior to the expiration of a term, the successor shall be chosen only for the remainder of that term.

(c) CHAIRMAN AND SECRETARY.—The Secretary shall be the Chairman of the Board and the Director shall be the Secretary of the Board.

(d) BOARD MEMBERSHIP NOT AN OFFICE.—Membership on the Board shall not be an office within the meaning of the statutes of the United States.

(e) QUORUM.—A majority of the members of the Board serving at any time shall constitute a quorum for the transaction of business.

(f) SEAL.—The National Park Foundation shall have an official seal, which shall be judicially noticed.

(g) MEETINGS.—The Board shall meet at the call of the Chairman and there shall be at least one meeting each year.

(h) COMPENSATION AND REIMBURSEMENT.—No compensation shall be paid to the members of the Board for their services as members, but they shall be reimbursed for actual and necessary traveling and subsistence expenses incurred by them in the performance of their duties as members out of National Park Foundation funds available to the Board for those purposes.

§ 101113. Gifts, devises, or bequests

(a) AUTHORITY TO ACCEPT GIFTS, DEVISES, OR BEQUESTS.—

(1) IN GENERAL.—The National Park Foundation may accept, receive, solicit, hold, administer, and use any gifts, devises, or bequests, either absolutely or in trust of real or personal property, or any income from, or other interest in, the gift, devise, or bequest, for the benefit of, or in connection with, the Service, its activities, or its services.

(2) GIFT, DEVISE, OR BEQUEST THAT IS ENCUMBERED, RESTRICTED, OR SUBJECT TO BENEFICIAL INTERESTS.—A gift, devise, or bequest may be accepted by the National Park Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest in the gift, devise, or bequest is for the benefit of the Service, its activities, or its services.

(b) WHEN GIFT, DEVISE, OR BEQUEST MAY NOT BE ACCEPTED.—The National Park Foundation may not accept any gift, devise, or bequest that entails any expenditure other than from the resources of the Foundation.

(c) INTEREST IN REAL PROPERTY.—For purposes of this section, an interest in real property includes easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources.

§ 101114. Disposition of property or income

(a) AUTHORITY TO DISPOSE OR DEAL WITH PROPERTY OR INCOME.—Except as otherwise required by the instrument of transfer, the National Park Foundation may sell, lease, invest, reinvest, retain, or otherwise dispose of or deal with any property or income from the property as the Board may determine.

(b) RESTRICTION.—The National Park Foundation shall not engage in any business or make any investment that may not lawfully be made by a trust company in the District of Columbia, except that the Foundation may make any investment authorized by the instrument of transfer, and may retain any property accepted by the Foundation.

(c) USE OF SERVICES AND FACILITIES OF THE DEPARTMENTS OF THE INTERIOR AND JUSTICE.—The National Park Foundation may utilize the services and facilities of the Department of the Interior and the Department of Justice, and the services and facilities may be made available on request to the extent practicable with or without reimbursement. Amounts reimbursed to either Department shall be returned by the Department to the account from which the funds for which the reimbursement is made were drawn and may, without further appropriation, be expended for any purpose for which the account is authorized.

§ 101115. Corporate succession and powers and duties acting as trustee; personal liability for malfeasance

(a) PERPETUAL SUCCESSION.—The National Park Foundation shall have perpetual succession.

(b) POWERS AND DUTIES OF TRUSTEE.—The National Park Foundation shall have all the usual powers and obligations of a corporation acting as a trustee, including the power to sue and to be sued in its own name.

(c) PERSONAL LIABILITY OF BOARD MEMBERS.—The members of the Board shall not be personally liable, except for malfeasance.

§ 101116. Corporate powers

The National Park Foundation shall have the power to enter into contracts, to execute instruments, and generally to do any and all lawful acts necessary or appropriate to its purposes.

§ 101117. Authority of Board

In carrying out this chapter, the Board may—

(1) adopt bylaws and regulations necessary for the administration of its functions; and

(2) contract for any necessary services.

§ 101118. Tax exemptions; contributions toward costs of local government; contributions, gifts, or transfers to or for use of United States

(a) TAX EXEMPTION.—The National Park Foundation and any income or property received or owned by it, and all transactions relating to that income or property, shall be exempt from all Federal, State, and local taxation.

(b) CONTRIBUTIONS IN LIEU OF TAXES.—The National Park Foundation may—

(1) contribute toward the costs of local government in amounts not in excess of those which it would be obligated to pay that government if it were not exempt from taxation by virtue of subsection (a) or by virtue of its being a charitable and nonprofit corporation; and

(2) agree to contribute with respect to property transferred to it and the income derived from the property if the agreement is a condition of the transfer.

(c) TRANSFERS DEEMED TO BE TO OR FOR THE USE OF UNITED STATES.—Contributions, gifts, and other transfers made to or for the use of the Foundation shall be deemed to be contributions, gifts, or transfers to or for the use of the United States.

§ 101119. Liability of United States

The United States shall not be liable for any debts, defaults, acts, or omissions of the National Park Foundation.

§ 101120. Promotion of local fundraising support

(a) PROGRAM.—The National Park Foundation shall design and implement a comprehensive program to assist and promote philanthropic programs of support at the individual System unit level.

(b) IMPLEMENTATION.—The program under subsection (a) shall be implemented to—

(1) assist in the creation of local nonprofit support organizations; and

(2) provide support, national consistency, and management-improving suggestions for local nonprofit support organizations.

(c) PROGRAM.—The program under subsection (a)—

(1) shall include the greatest number of System units as is practicable; and

(2) at a minimum shall include—

(A) a standard adaptable organizational design format to establish and sustain responsible management of a local nonprofit support organization for support of a System unit;

(B) standard and legally tenable bylaws and recommended money-handling procedures that can easily be adapted as applied to individual System units; and

(C) a standard training curriculum to orient and expand the operating expertise of personnel employed by local nonprofit support organizations.

(d) ANNUAL REPORT.—The National Park Foundation shall report the progress of the program under subsection (a) in the annual report of the Foundation.

(e) AFFILIATIONS.—

(1) CHARTER OR CORPORATE BYLAWS.—Nothing in this section requires—

(A) a nonprofit support organization or friends group to modify current practices or to affiliate with the National Park Foundation; or

(B) a local nonprofit support organization, established as a result of this section, to be bound through its charter or corporate bylaws to be permanently affiliated with the National Park Foundation.

(2) ESTABLISHMENT.—An affiliation with the National Park Foundation shall be established only at the discretion of the governing board of a nonprofit organization.

Chapter 1013—Employees

Subchapter I—General Provisions

§ 101301. Maintenance management system

The Service shall implement a maintenance management system in the maintenance and operations programs of the System. The system shall include the following elements:

(1) A workload inventory of assets including detailed information that quantifies for all assets (including buildings, roads, utility systems, and grounds that must be maintained) the characteristics affecting the type of maintenance work performed.

(2) A set of maintenance tasks that describe the maintenance work in each System unit.

(3) A description of work standards including—

(A) frequency of maintenance;

(B) measurable quality standard to which assets should be maintained;

(C) methods for accomplishing work;

(D) required labor, equipment, and material resources; and

(E) expected worker production for each maintenance task.

(4) A work program and performance budget that develops an annual work plan identifying maintenance needs and financial resources to be devoted to each maintenance task.

(5) A work schedule that identifies and prioritizes tasks to be done in a specific time period and specifies required labor resources.

(6) Work orders specifying job authorizations and a record of work accomplished that can be used to record actual labor and material costs.

(7) Reports and special analyses that compare planned versus actual accomplishments and costs and that can be used to evaluate maintenance operations.

§ 101302. Authority of Secretary to carry out certain activities

(a) IN GENERAL.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary may consider advisable, may carry out the activities described in this section.

(b) TRANSPORTATION.—The Secretary may provide transportation of employees located at an isolated area of the System and to members of their families, if—

(1) the area is not adequately served by commercial transportation; and

(2) the transportation is incidental to official transportation services.

(c) RECREATION FACILITIES, EQUIPMENT, AND SERVICES.—The Secretary may provide recreation facilities, equipment, and services for use by employees and their families located at an isolated area of the System.

(d) FIELD AND SPECIAL PURPOSE EQUIPMENT.—The Secretary may purchase field and special purpose equipment required by employees for the performance of assigned functions. The purchased equipment shall be regarded and listed as System equipment.

(e) MEALS AND LODGING.—The Secretary may provide meals and lodging, as the Secretary considers appropriate, for members of the United States Park Police and other employees of the Service, as the Secretary may designate, serving temporarily on extended special duty in System units. For this purpose the Secretary may use funds appropriated for the expenses of the Department of the Interior.

§ 101303. Medical attention for employees

(a) IN GENERAL.—In the administration of the Service, the Secretary may contract for medical attention and service for employees and to make necessary payroll deductions agreed to by the employees for that medical attention and service.

(b) EMPLOYEES LOCATED AT ISOLATED SITUATIONS.—The Secretary may provide, out of amounts appropriated for the general expense of the System units, medical attention for employees of the Service located at isolated situations, including—

(1) moving the employees to hospitals or other places where medical assistance is available; and

(2) in case of death, to remove the bodies of deceased employees to the nearest place where they can be prepared for shipment or for burial.

§ 101304. Personal equipment and property

(a) PURCHASE OF PERSONAL EQUIPMENT AND SUPPLIES.—The Secretary may purchase personal equipment and supplies for employees

of the Service and make deductions for the equipment and supplies from amounts appropriated for salary payments or otherwise due the employees.

(b) LOST, DAMAGED, OR DESTROYED PROPERTY.—The Secretary, in the administration of the Service, may reimburse employees and other owners of horses, vehicles, and other equipment lost, damaged, or destroyed while in the custody of the employee or the Department of the Interior, under authorization, contract, or loan, for necessary firefighting, trail, or other official business. Reimbursement shall be made from any available funds in the appropriation to which the hire of the equipment would be properly chargeable.

(c) EQUIPMENT REQUIRED TO BE FURNISHED BY FIELD EMPLOYEES.—The Secretary may—

(1) require field employees of the Service to furnish horses, motor and other vehicles, and miscellaneous equipment necessary for the performance of their official work; and

(2) provide, at Federal Government expense, forage, care, and housing for animals, and housing or storage and fuel for vehicles and other equipment required to be furnished.

(d) HIRE, RENTAL, AND PURCHASE OF PROPERTY.—The Secretary, under regulations the Secretary may prescribe, may authorize the hire, rental, or purchase of property from employees of the Service whenever it would promote the public interest to do so.

§ 101305. Travel expenses of System employees and dependents of deceased employees

In the administration of the System, the Secretary may, under regulations the Secretary may prescribe, pay the travel expenses (including the costs of packing, crating, and transporting (including draying) personal property) of—

(1) employees, on permanent change of station of the employees; and

(2) dependents of deceased employees—

(A) to the nearest housing reasonably available that is of a standard not less than that which is vacated, including compensation for not to exceed 60 days rental cost, in the case of an employee who occupied Federal Government housing and whose death requires the housing to be promptly vacated; and

(B) to the nearest port of entry in the conterminous 48 States in the case of an employee whose last permanent station was outside the conterminous 48 States.

Subchapter II—Service Career Development, Training, and Management

§ 101321. Service employee training

The Secretary shall develop a comprehensive training program for employees in all professional careers in the workforce of the Service for the purpose of ensuring that the workforce has available the best up-to-date knowledge, skills, and abilities with which to manage, interpret, and protect the resources of the System.

§ 101322. Management development and training

The Secretary shall maintain a clear plan for management training and development under which career professional Service employees from any appropriate academic field may obtain sufficient training, experience, and advancement opportunity to enable those qualified to move into System unit management positions, including the position of superintendent of a System unit.

Subchapter III—Housing Improvement

§ 101331. Definitions

In this subchapter:

(1) FIELD EMPLOYEE.—The term "field employee" means—

(A) an employee of the Service who is exclusively assigned by the Service to perform duties at a field unit, and the members of the employee's family; and

(B) any other individual who is authorized to occupy Federal Government quarters under section 5911 of title 5, and for whom there is no feasible alternative to the provision of Federal Government housing, and the members of the individual's family.

(2) PRIMARY RESOURCE VALUES.—The term "primary resource values" means resources that are specifically mentioned in the enabling legislation for that field unit or other resource value recognized under Federal statute.

(3) QUARTERS.—The term "quarters" means quarters owned or leased by the Federal Government.

(4) SEASONAL QUARTERS.—The term "seasonal quarters" means quarters typically occupied by field employees who are hired on assignments of 6 months or less.

§ 101332. General authority of Secretary

(a) RENTAL HOUSING.—To enhance the ability of the Secretary, acting through the Director, to effectively manage System units, the Secretary may where necessary and justified—

(1) make available employee housing, on or off land under the administrative jurisdiction of the Service; and

(2) rent that housing to field employees at rates based on the reasonable value of the housing in accordance with requirements applicable under section 5911 of title 5.

(b) JOINT DEVELOPMENT AUTHORITY.—The Secretary may use authorities granted by statute in combination with one another in the furtherance of providing where necessary and justified affordable field employee housing.

(c) CONSTRUCTION LIMITATIONS ON FEDERAL LAND.—The Secretary may not utilize any land for the purposes of providing field employee housing under this subchapter that will affect a primary resource value of the area or adversely affect the mission of the Service.

(d) RENTAL RATES.—To the extent practicable, the Secretary shall establish rental rates for all quarters occupied by field employees of the Service that are based on the reasonable value of the quarters in accordance with requirements applicable under section 5911 of title 5.

§ 101333. Criteria for providing housing

The Secretary shall maintain criteria under which housing is provided to employees of the Service. The Secretary shall examine the criteria with respect to the circumstances under which the Service requires an employee to occupy Federal Government quarters, so as to provide necessary services or protect Federal Government property or because of a lack of availability of non-Federal housing in a geographic area.

§ 101334. Authorization for housing agreements

The Secretary may, pursuant to the authorities contained in this subchapter and subject to the appropriation of necessary funds in advance, enter into housing agreements with housing entities under which the housing entities may develop, construct, rehabilitate, or manage housing, located on or off public land, for rent to Service employees who meet the housing eligibility criteria developed by the Secretary pursuant to this subchapter.

§ 101335. Housing programs

(a) JOINT PUBLIC-PRIVATE SECTOR HOUSING PROGRAM.—

(1) LEASE-TO-BUILD PROGRAM.—Subject to the appropriation of necessary funds in advance, the Secretary may lease—

(A) Federal land and interests in land to qualified persons for the construction of field employee quarters for any period not to exceed 50 years; and

(B) developed and undeveloped non-Federal land for providing field employee quarters.

(2) COMPETITIVE LEASING.—Each lease under paragraph (1)(A) shall be awarded through the use of publicly advertised, competitively bid, or competitively negotiated contracting procedures.

(3) TERMS AND CONDITIONS.—Each lease under paragraph (1)(A)—

(A) shall stipulate whether operation and maintenance of field employee quarters is to be provided by the lessee, field employees, or the Federal Government;

(B) shall require that the construction and rehabilitation of field employee quarters be done in accordance with the requirements of the Service and local applicable building codes and industry standards;

(C) shall contain additional terms and conditions as may be appropriate to protect the Federal interest, including limits on rents that the lessee may charge field employees for the occupancy of quarters, conditions on maintenance and repairs, and agreements on the provision of charges for utilities and other infrastructure; and

(D) may be granted at less than fair market value if the Secretary determines that the lease will improve the quality and availability of field employee quarters.

(4) CONTRIBUTIONS BY FEDERAL GOVERNMENT.—The Secretary may make payments, subject to appropriations, or contributions in kind, in advance or on a continuing basis, to reduce the costs of planning, construction, or rehabilitation of quarters on or off Federal land under a lease under this subsection.

(b) RENTAL GUARANTEE PROGRAM.—

(1) GENERAL AUTHORITY.—Subject to the appropriation of necessary funds in advance, the Secretary may enter into a lease-

to-build arrangement as set forth in subsection (a) with further agreement to guarantee the occupancy of field employee quarters constructed or rehabilitated under the lease. A guarantee made under this paragraph shall be in writing.

(2) LIMITATIONS ON GUARANTEES.—

(A) SPECIFIC GUARANTEES.—The Secretary may not guarantee—

(i) the occupancy of more than 75 percent of the units constructed or rehabilitated under the lease; and

(ii) at a rental rate that exceeds the rate based on the reasonable value of the housing in accordance with requirements applicable under section 5911 of title 5.

(B) TOTAL OF OUTSTANDING GUARANTEES.—Outstanding guarantees shall not be in excess of $3,000,000.

(3) AGREEMENT TO RENT TO FEDERAL GOVERNMENT EMPLOYEES.—A guarantee may be made under this subsection only if the lessee agrees to permit the Secretary to utilize for housing purposes any units for which the guarantee is made.

(4) OPERATION AND MAINTENANCE.—A lease shall be void if the lessee fails to maintain a satisfactory level of operation and maintenance.

§ 101336. Contracts for the management of field employee quarters

Subject to the appropriation of necessary funds in advance, the Secretary may enter into contracts of any duration for the management, repair, and maintenance of field employee quarters. The contract shall contain terms and conditions that the Secretary considers necessary or appropriate to protect the interests of the United States and ensure that necessary quarters are available to field employees.

§ 101337. Leasing of seasonal employee quarters

(a) GENERAL AUTHORITY.—The Secretary may lease quarters at or near a System unit for use as seasonal quarters for field employees if the Secretary finds that there is a shortage of adequate and affordable seasonal quarters at or near the System unit and that—

(1) the requirement for the seasonal field employee quarters is temporary; or

(2) leasing would be more cost-effective than construction of new seasonal field employee quarters.

(b) RENT.—The rent charged to field employees under the lease shall be a rate based on the reasonable value of the quarters in accordance with requirements applicable under section 5911 of title 5.

(c) UNRECOVERED COSTS.—The Secretary may pay the unrecovered costs of leasing seasonal quarters under this section from annual appropriations for the year in which the lease is made.

§ 101338. General leasing provisions

(a) EXEMPTION FROM LEASING REQUIREMENTS.—Section 102901 of this title and section 1302 of title 40 shall not apply to leases issued by the Secretary under this section.

(b) PROCEEDS FROM LEASES.—The proceeds from any lease under section 101335(a)(1) of this title and any lease under section 101337 of this title shall be retained by the Service and deposited in the special fund established for maintenance and operation of quarters.

§ 101339. Assessment and priority listing

The Secretary shall—

(1) complete a condition assessment for all field employee housing, including the physical condition of the housing and the necessity and suitability of the housing for carrying out the mission of the Service, using existing information; and

(2) develop a Service-wide priority listing, by structure, identifying the units in greatest need for repair, rehabilitation, replacement, or initial construction.

§ 101340. Use of funds

(a) EXPENDITURE SHALL FOLLOW PRIORITY LISTING.—Expenditure of any funds authorized and appropriated for new construction, repair, or rehabilitation of housing under this chapter shall follow the housing priority listing established by the Secretary under section 101339 of this title, in sequential order, to the maximum extent practicable.

(b) NONCONSTRUCTION FUNDS IN ANNUAL BUDGET SUBMITTAL.—Each fiscal year the President's proposed budget to Congress shall include identification of nonconstruction funds to be spent for Service housing maintenance and operations that are in addition to rental receipts collected.

Chapter 1015—Transportation

Subchapter I—Airports

§ 101501. Airports in or near System units

(a) DEFINITIONS.—In this section, the terms "airport", "project", "project costs", "public agency", and "sponsor" have the meanings given the terms in section 47102 of title 49.

(b) ACQUISITION, OPERATION, AND MAINTENANCE OF AIRPORTS.—

(1) AUTHORIZATION.—The Secretary may plan, acquire, establish, construct, enlarge, improve, maintain, equip, operate, regulate, and protect airports in the continental United States in, or in close proximity to, System units, when the Secretary determines that the airports are necessary to the proper performance of the functions of the Department of the Interior.

(2) INCLUSION IN NATIONAL PLAN.—The Secretary shall not acquire, establish, or construct an airport under this section unless the airport is included in the national plan of integrated airport systems formulated by the Secretary of Transportation pursuant to section 47103 of title 49.

(3) OPERATION AND MAINTENANCE MUST ACCORD WITH STANDARDS AND REGULATIONS OF SECRETARY OF TRANSPORTATION.—The operation and maintenance of airports under this section shall be in accordance with the standards and regulations prescribed by the Secretary of Transportation.

(c) AUTHORITY OF SECRETARY.—

(1) IN GENERAL.—To carry out this section, the Secretary may—

(A) acquire necessary land and interests in or over land;

(B) contract for the construction, improvement, operation, and maintenance of airports and incidental facilities;

(C) enter into agreements with other public agencies providing for the construction, operation, or maintenance of airports by those agencies or jointly by the Secretary and those agencies on mutually satisfactory terms; and

(D) enter into other agreements and take other action with respect to the airports as may be necessary to carry out this section.

(2) CONSENT REQUIRED.—This section does not authorize the Secretary to acquire any land, or interest in or over land, by purchase, condemnation, grant, or lease, without first obtaining the consent of the Governor of the State, and the consent of the chief executive official of the State political subdivision, in which the land is located.

(d) AUTHORIZATION TO SPONSOR AIRPORT PROJECTS.—To carry out this section, the Secretary may—

(1) sponsor projects under subchapter I of chapter 471 of title 49 independently or jointly with other public agencies; and

(2) use, for payment of the sponsor's share of the project costs of those projects, any funds that may be—

(A) contributed or otherwise made available to the Secretary for those purposes; or

(B) appropriated or otherwise specifically authorized for that purpose.

(e) JURISDICTION OVER AIRPORTS.—All airports under the jurisdiction of the Secretary, unless otherwise specifically provided by law, shall be operated as public airports, available for public use on fair and reasonable terms and without unjust discrimination.

Subchapter II—Roads and Trails

§ 101511. Authority of Secretary

(a) ROADS AND TRAILS IN SYSTEM UNITS.—The Secretary may construct, reconstruct, and improve roads and trails, including bridges, in System units.

(b) APPROACH ROADS.—

(1) IN GENERAL.—

(A) DESIGNATION.—When the Secretary determines it to be in the public interest, the Secretary may designate, as System unit approach roads, roads whose primary value

is to carry System unit travel and that lead across land at least 90 percent owned by the Federal Government and that will connect the highways within a System unit with a convenient point on or leading to the National Highway System.

(B) LIMIT ON LENGTH OF APPROACH ROADS.—

(i) IN GENERAL.—A designated approach road shall not exceed—

(I) 60 miles in length between a System unit gateway and a point on or leading to the nearest convenient National Highway System road; or

(II) 30 miles in length if the approach road is on the National Highway System.

(ii) COUNTY LIMIT.—Not to exceed 40 miles of any one approach road shall be designated in any one county.

(C) SUPPLEMENTARY PART OF SYSTEM UNIT HIGHWAY SYSTEM.—An approach road designated for a System unit shall be treated as a supplementary part of the highway system of the System unit.

(2) CONSTRUCTION, RECONSTRUCTION, AND IMPROVEMENT.—

(A) IN GENERAL.—The Secretary may construct, reconstruct, and improve approach roads designated under paragraph (1) (including bridges) and enter into agreements for the maintenance of the approach roads by State or county authorities or to maintain the approach roads when otherwise necessary.

(B) ANNUAL ALLOCATION.—Not more than $1,500,000 shall be allocated annually for the construction, reconstruction, and improvement of System unit approach roads.

(3) APPROVAL OF SECRETARY OF AGRICULTURE REQUIRED.—When an approach road is proposed under this section across or within any national forest, the Secretary shall secure the approval of the Secretary of Agriculture before construction begins.

(c) AGREEMENT WITH SECRETARY OF TRANSPORTATION.—Under agreement with the Secretary, the Secretary of Transportation may carry out any provision of this section.

§ 101512. Conveyance to States of roads leading to certain historical areas

(a) DEFINITION.—In this section, the term "State" means a State, Puerto Rico, Guam, and the Virgin Islands.

(b) AUTHORITY OF SECRETARY.—The Secretary may, subject to conditions as seem proper to the Secretary, convey by proper quitclaim deed to any State, county, municipality, or agency of a State, county, or municipality in which the road is located, all right, title, and interest of the United States in and to any Federal Government owned or controlled road leading to any national cemetery, national military park, national historical park, national battlefield park, or national historic site administered by the Service.

(c) NOTIFICATION BY STATE, AGENCY, OR MUNICIPALITY.—Prior to the delivery of any conveyance of a road under this section, the State, county, or municipality to which the conveyance is to be made shall notify the Secretary in writing of its willingness to accept and maintain the road.

(d) TRANSFER OF JURISDICTION.—On the execution and delivery of the conveyance of a road under this section, any jurisdiction previously ceded to the United States by a State over the road is retroceded and shall vest in the State in which the road is located.

Subchapter III—Public Transportation Programs for System Units

§ 101521. Transportation service and facility programs

(a) FORMULATION OF PLANS AND IMPLEMENTATION OF PROJECTS.—The Secretary may formulate transportation plans and implement transportation projects where feasible pursuant to those plans for System units.

(b) CONTRACTS, OPERATIONS, AND ACQUISITIONS FOR IMPROVEMENT OF ACCESS TO SYSTEM UNITS.—

(1) AUTHORITY OF SECRETARY.—To carry out subsection (a), the Secretary may—

(A) contract with public or private agencies or carriers to provide transportation services, capital equipment, or facilities to improve access to System units;

(B) operate those services directly in the absence of suitable and adequate agencies or carriers;

(C) acquire, by purchase, lease, or agreement, capital equipment for those services; and

(D) where necessary to carry out this subchapter, acquire, by lease, purchase, donation, exchange, or transfer, land, water, or an interest in land or water that is situated outside the boundary of a System unit.

(2) SPECIFIC PROVISIONS RELATED TO PROPERTY ACQUISITION.—

(A) ADMINISTRATION.—The acquired property shall be administered as part of the System unit.

(B) ACQUISTION OF LAND OR INTERESTS IN LAND OWNED BY STATE OR POLITICAL SUBDIVISION.—Any land or interests in land owned by a State or any of its political subdivisions may be acquired only by donation.

(C) ACQUISITION SUBJECT TO STATUTORY LIMITATIONS.—Any land acquisition shall be subject to any statutory limitations on methods of acquisition and appropriations as may be specifically applicable to the area.

(c) ESTABLISHMENT OF INFORMATION PROGRAMS.—The Secretary shall establish information programs to inform the public of available System unit access opportunities and to promote the use of transportation modes other than personal motor vehicles for access to and travel within the System units.

(d) UNDERTAKING TRANSPORTATION FACILITIES AND SERVICES.—Transportation facilities and services provided pursuant to this subchapter may be undertaken by the Secretary directly or by contract without regard to any requirement of Federal, State, or local law respecting determinations of public convenience and necessity or other similar matters. The Secretary or contractor shall consult with the appropriate State or local public service commission or other body having authority to issue certificates of convenience

and necessity. A contractor shall be subject to applicable requirements of that body unless the Secretary determines that the requirements would not be consistent with the purposes and provisions of this subchapter.

(e) CONSTRUCTION OF GRANT OF AUTHORITY RESPECTING OPERATION OF MOTOR VEHICLES EXCEPTED FROM STATUTORY COVERAGE.—No grant of authority in this subchapter shall be deemed to expand the exemption of section 13506(a)(9) of title 49.

§ 101522. Transportation projects

(a) ASSISTANCE OF HEADS OF OTHER FEDERAL DEPARTMENTS AND AGENCIES IN FORMULATION AND IMPLEMENTATION.—To carry out this subchapter, the Secretary of Transportation, the Secretary of Housing and Urban Development, the Secretary of Health and Human Services, the Secretary of Commerce, and the heads of other Federal departments or agencies that the Secretary considers necessary shall assist the Secretary in the formulation and implementation of transportation projects.

(b) COMPILATION OF STATUTES AND PROGRAMS.—The Secretary shall maintain a compilation of Federal statutes and programs providing authority for the planning, funding, or operation of transportation projects that might be utilized by the Secretary to carry out this subchapter.

§ 101523. Procedures applicable to transportation plans and projects

(a) DURING FORMULATION OF PLAN.—The Secretary shall, during the formulation of any transportation plan authorized pursuant to section 101521 of this title—

(1) give public notice of intention to formulate the plan by publication in the Federal Register and in a newspaper or periodical having general circulation in the vicinity of the affected System unit; and

(2) following the notice, hold a public meeting at a location convenient to the affected System unit.

(b) PRIOR TO IMPLEMENTATION OF PROJECT.—Prior to the implementation of any project developed pursuant to the transportation plan formulated pursuant to subsection (a), the Secretary shall—

(1) establish procedures, including public meetings, to give State and local governments and the public adequate notice and an opportunity to comment on the proposed transportation project; and

(2) when the proposed project would involve an expenditure in excess of $100,000 in any fiscal year, submit a detailed report to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

(c) WAITING PERIOD.—When a report on a project is required under subsection (b)(2), the Secretary may proceed with the implementation of the project only after 60 days (not counting days on which the Senate or House of Representatives has adjourned for more than 3 consecutive days) have elapsed following submission of the report.

§ 101524. Special rule for service contract to provide transportation services

Notwithstanding any other provision of law, a service contract entered into by the Secretary for the provision solely of transportation services in a System unit shall be not more than 10 years in length, including a base period of 5 years and annual extensions for up to an additional 5 years based on satisfactory performance and approval by the Secretary.

Subchapter IV—Fees

§ 101531. Fee for use of transportation services

Notwithstanding any other provision of law, where the Service or an entity under a service contract, cooperative agreement, or other contractual agreement with the Service provides transportation to all or a portion of any System unit, the Secretary may impose a reasonable and appropriate charge to the public for the use of the transportation services in addition to any admission fee required to be paid. Collection of the transportation and admission fees may occur at the transportation staging area or any other reasonably convenient location determined by the Secretary. The Secretary may enter into agreements, with public or private entities that qualify to the Secretary's satisfaction, to collect the transportation and admission fee. Transportation fees collected pursuant to this section shall be retained by the System unit at which the transportation fee was collected, and the amount retained shall be expended only for costs associated with the transportation systems at the System unit where the charge was imposed.

Chapter 1017—Financial Agreements

Sec.

§ 101701. Challenge cost-share agreement authority

(a) DEFINITIONS.—In this section:

(1) CHALLENGE COST-SHARE AGREEMENT.—The term "challenge cost-share agreement" means any agreement entered into between the Secretary and any cooperator for the purpose of sharing costs or services in carrying out authorized functions and responsibilities of the Secretary with respect to any System unit or System program, any affiliated area, or any designated national scenic trail or national historic trail.

(2) COOPERATOR.—The term "cooperator" means any State or local government, public or private agency, organization, institution, corporation, individual, or other entity.

(b) AUTHORITY TO ENTER INTO CHALLENGE COST-SHARE AGREEMENTS.—The Secretary may negotiate and enter into challenge cost-share agreements with cooperators.

(c) SOURCE OF FEDERAL SHARE.—In carrying out challenge cost-share agreements, the Secretary may provide the Federal funding share from any funds available to the Service.

§ 101702. Cooperative agreements

(a) TRANSFER OF SERVICE APPROPRIATED FUNDS.—A cooperative agreement entered into by the Secretary that involves the transfer of Service appropriated funds to a State, local, or tribal government or other public entity, an educational institution, or a private nonprofit organization to carry out public purposes of a Service program is a cooperative agreement properly entered into under section 6305 of title 31.

(b) COOPERATIVE RESEARCH AND TRAINING PROGRAMS.—

(1) IN GENERAL.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary may consider advisable, may—

(A) enter into cooperative agreements with public or private educational institutions, States, and political subdivisions of States to develop adequate, coordinated, cooperative research and training programs concerning the resources of the System; and

(B) pursuant to an agreement, accept from and make available to the cooperator technical and support staff, financial assistance for mutually agreed upon research projects, supplies and equipment, facilities, and administrative services relating to cooperative research units that the Secretary considers appropriate.

(2) EFFECT OF SUBSECTION.—This subsection does not waive any requirements for research projects that are subject to Federal procurement regulations.

(c) SALE OF PRODUCTS AND SERVICES PRODUCED IN THE CONDUCT OF LIVING EXHIBITS AND INTERPRETIVE DEMONSTRATIONS.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary considers advisable, may—

(1) sell at fair market value, without regard to the requirements of chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, products and services produced in the conduct of living exhibits and interpretive demonstrations in System units;

(2) enter into contracts, including cooperative arrangements, with respect to living exhibits and interpretive demonstrations in System units; and

(3) credit the proceeds from those sales and contracts to the appropriation bearing the cost of the exhibits and demonstrations.

(d) COOPERATIVE AGREEMENTS FOR SYSTEM UNIT NATURAL RESOURCE PROTECTION.—

(1) IN GENERAL.—The Secretary may enter into cooperative agreements with State, local, or tribal governments, other Federal agencies, other public entities, educational institutions, private nonprofit organizations, or participating private landowners for the purpose of protecting natural resources of System units through collaborative efforts on land inside and outside the System units.

(2) TERMS AND CONDITIONS.—A cooperative agreement entered into under paragraph (1) shall provide clear and direct benefits to System unit natural resources and—

(A) provide for—

(i) the preservation, conservation, and restoration of coastal and riparian systems, watersheds, and wetlands;

(ii) preventing, controlling, or eradicating invasive exotic species that are within a System unit or adjacent to a System unit; or

(iii) restoration of natural resources, including native wildlife habitat or ecosystems;

(B) include a statement of purpose demonstrating how the agreement will—

(i) enhance science-based natural resource stewardship at the System unit; and

(ii) benefit the parties to the agreement;

(C) specify any staff required and technical assistance to be provided by the Secretary or other parties to the agreement in support of activities inside and outside the System unit that will—

(i) protect natural resources of the System unit; and

(ii) benefit the parties to the agreement;

(D) identify any materials, supplies, or equipment and any other resources that will be contributed by the parties to the agreement or by other Federal agencies;

(E) describe any financial assistance to be provided by the Secretary or the partners to implement the agreement;

(F) ensure that any expenditure by the Secretary pursuant to the agreement is determined by the Secretary to support the purposes of natural resource stewardship at a System unit; and

(G) include such other terms and conditions as are agreed to by the Secretary and the other parties to the agreement.

(3) LIMITATIONS.—The Secretary shall not use any funds associated with an agreement entered into under paragraph (1) for the purposes of land acquisition, regulatory activity, or the development, maintenance, or operation of infrastructure, except for ancillary support facilities that the Secretary determines to be necessary for the completion of projects or activities identified in the agreement.

§ 101703. Cooperative management agreements

(a) IN GENERAL.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary considers advisable, may enter into an agreement with a State or local government agency to provide for the cooperative management of the Federal and State or local park areas where a System unit is located adjacent to or near a State or local park area, and cooperative management between the Service and a State or local government agency of a portion of either the System unit or State or local park will allow for more effective and efficient management of the System unit and State or local park. The Secretary may not transfer administration responsibilities for any System unit under this paragraph.

(b) PROVISION OF GOODS AND SERVICES.—Under a cooperative management agreement, the Secretary may acquire from and provide to a State or local government agency goods and services to be used by the Secretary and the State or local governmental agency in the cooperative management of land.

(c) ASSIGNMENT OF EMPLOYEE.—An assignment arranged by the Secretary under section 3372 of title 5 of a Federal, State, or local employee for work on any Federal, State, or local land or an extension of the assignment may be for any period of time determined by the Secretary and the State or local agency to be mutually beneficial.

§ 101704. Reimbursable agreements

(a) IN GENERAL.—In carrying out work under reimbursable agreements with any State, local, or tribal government, the Secretary, without regard to any provision of law or a regulation—

(1) may record obligations against accounts receivable from those governments; and

(2) shall credit amounts received from those governments to the appropriate account.

(b) WHEN AMOUNTS SHALL BE CREDITED.—Amounts shall be credited within 90 days of the date of the original request by the Service for payment.

Chapter 1019—Concessions and Commercial Use Authorizations

Subchapter I—Authority of Secretary

§ 101901. Utility services

To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary considers advisable, may furnish, on a reimbursement of appropriation basis, all types of utility services to concessioners, contractors, permittees, or other users of the services, within the System. The reimbursements for cost of the services may be credited to the appropriation current at the time reimbursements are received.

Subchapter II—Commercial Visitor Services

§ 101911. Definitions

In this subchapter:

(1) ADVISORY BOARD.—The term "Advisory Board" means the National Park Service Concessions Management Advisory Board established under section 101919 of this title.

(2) PREFERENTIAL RIGHT OF RENEWAL.—The term "preferential right of renewal" means the right of a concessioner, subject to a determination by the Secretary that the facilities or services authorized by a prior contract continue to be necessary and appropriate within the meaning of section 101912 of this title, to match the terms and conditions of any competing proposal that the Secretary determines to be the best proposal for a proposed new concession contract that authorizes the continuation of the facilities and services provided by the concessioner under its prior contract.

§ 101912. Findings and declaration of policy

(a) FINDINGS.—In furtherance of section 100101(a), Congress finds that the preservation and conservation of System unit resources and values requires that public accommodations, facilities, and services that have to be provided within those System units should be provided only under carefully controlled safeguards against unregulated and indiscriminate use, so that—

(1) visitation will not unduly impair those resources and values; and

(2) development of public accommodations, facilities, and services within System units can best be limited to locations that are consistent to the highest practicable degree with the preservation and conservation of the resources and values of the System units.

(b) DECLARATION OF POLICY.—It is the policy of Congress that the development of public accommodations, facilities, and services in System units shall be limited to accommodations, facilities, and services that—

(1) are necessary and appropriate for public use and enjoyment of the System unit in which they are located; and

(2) are consistent to the highest practicable degree with the preservation and conservation of the resources and values of the System unit.

§ 101913. Award of concession contracts

In furtherance of the findings and policy stated in section 101912 of this title, and except as provided by this subchapter or otherwise authorized by law, the Secretary shall utilize concession contracts to authorize a person, corporation, or other entity to provide accommodations, facilities, and services to visitors to System units. Concession contracts shall be awarded as follows:

(1) COMPETITIVE SELECTION PROCESS.—Except as otherwise provided in this section, all proposed concession contracts shall be awarded by the Secretary to the person, corporation, or other entity submitting the best proposal, as determined by the Secretary through a competitive selection process. The competitive process shall include simplified procedures for

small, individually-owned entities seeking award of a concession contract.

(2) SOLICITATION OF PROPOSALS.—Except as otherwise provided in this section, prior to awarding a new concession contract (including renewals or extensions of existing concession contracts) the Secretary—

(A) shall publicly solicit proposals for the concession contract; and

(B) in connection with the solicitation, shall—

(i) prepare a prospectus and publish notice of its availability at least once in local or national newspapers or trade publications, by electronic means, or both, as appropriate; and

(ii) make the prospectus available on request to all interested persons.

(3) INFORMATION TO BE INCLUDED IN PROSPECTUS.—The prospectus shall include the following information:

(A) The minimum requirements for the contract as set forth in paragraph (4).

(B) The terms and conditions of any existing concession contract relating to the services and facilities to be provided, including all fees and other forms of compensation provided to the United States by the concessioner.

(C) Other authorized facilities or services that may be provided in a proposal.

(D) Facilities and services to be provided by the Secretary to the concessioner, including public access, utilities, and buildings.

(E) An estimate of the amount of compensation due an existing concessioner from a new concessioner under the terms of a prior concession contract.

(F) A statement as to the weight to be given to each selection factor identified in the prospectus and the relative importance of those factors in the selection process.

(G) Other information related to the proposed concession operation that is provided to the Secretary pursuant to a concession contract or is otherwise available to the Secretary, as the Secretary determines is necessary to allow for the submission of competitive proposals.

(H) Where applicable, a description of a preferential right to the renewal of the proposed concession contract held by an existing concessioner as set forth in paragraph (7).

(4) CONSIDERATION OF PROPOSALS.—

(A) MINIMUM REQUIREMENTS.—No proposal shall be considered that fails to meet the minimum requirements as determined by the Secretary. The minimum requirements shall include the following:

(i) The minimum acceptable franchise fee or other forms of consideration to the Federal Government.

(ii) Any facilities, services, or capital investment required to be provided by the concessioner.

(iii) Measures necessary to ensure the protection, conservation, and preservation of resources of the System unit.

(B) REJECTION OF PROPOSAL.—The Secretary shall reject any proposal, regardless of the franchise fee offered, if the Secretary determines that—

(i) the person, corporation, or entity is not qualified or is not likely to provide satisfactory service; or

(ii) the proposal is not responsive to the objectives of protecting and preserving resources of the System unit and of providing necessary and appropriate facilities and services to the public at reasonable rates.

(C) ALL PROPOSALS FAIL TO MEET MIMIMUM REQUIREMENTS OR ARE REJECTED.—If all proposals submitted to the Secretary fail to meet the minimum requirements or are rejected by the Secretary, the Secretary shall establish new minimum contract requirements and re-initiate the competitive selection process pursuant to this section.

(D) TERMS AND CONDITIONS MATERIALLY AMENDED OR NOT INCORPORATED IN CONTRACT.—The Secretary may not execute a concession contract that materially amends or does not incorporate the proposed terms and conditions of the concession contract as set forth in the applicable prospectus. If proposed material amendments or changes are considered appropriate by the Secretary, the Secretary shall resolicit offers for the concession contract incorporating the material amendments or changes.

(5) SELECTION OF THE BEST PROPOSAL.—

(A) FACTORS IN SELECTION.—In selecting the best proposal, the Secretary shall consider the following principal factors:

(i) The responsiveness of the proposal to the objectives of protecting, conserving, and preserving resources of the System unit and of providing necessary and appropriate facilities and services to the public at reasonable rates.

(ii) The experience and related background of the person, corporation, or entity submitting the proposal, including the past performance and expertise of the person, corporation or entity in providing the same or similar facilities or services.

(iii) The financial capability of the person, corporation, or entity submitting the proposal.

(iv) The proposed franchise fee, except that consideration of revenue to the United States shall be subordinate to the objectives of protecting, conserving, and preserving resources of the System unit and of providing necessary and appropriate facilities to the public at reasonable rates.

(B) SECONDARY FACTORS.—The Secretary may also consider such secondary factors as the Secretary considers appropriate.

(C) DEVELOPMENT OF REGULATIONS.—In developing regulations to implement this subchapter, the Secretary shall consider the extent to which plans for employment of Indians (including Native Alaskans) and involvement of businesses owned by Indians, Indian tribes, or Native Alaskans in the operation of a concession contract should be identified as a factor in the selection of a best proposal under this section.

(6) CONGRESSIONAL NOTIFICATION.—

(A) IN GENERAL.—The Secretary shall submit any proposed concession contract with anticipated annual gross

receipts in excess of $5,000,000 or a duration of more than 10 years to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(B) WAITING PERIOD.—The Secretary shall not award any proposed concession contract to which subparagraph (A) applies until at least 60 days subsequent to the notification of both Committees.

(7) PREFERENTIAL RIGHT OF RENEWAL.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall not grant a concessioner a preferential right to renew a concession contract, or any other form of preference to a concession contract.

(B) EXCEPTION.—The Secretary shall grant a preferential right of renewal to an existing concessioner with respect to proposed renewals of the categories of concession contracts described by paragraph (8), subject to the requirements of that paragraph.

(C) ENTITLEMENT TO AWARD OF NEW CONTRACT.—A concessioner that successfully exercises a preferential right of renewal in accordance with the requirements of this subchapter shall be entitled to award of the proposed new concession contract to which the preference applies.

(8) OUTFITTER AND GUIDE SERVICES AND SMALL CONTRACTS.—

(A) APPLICATION.—Paragraph (7) shall apply only to the following:

(i) Subject to subparagraph (B), concession contracts that solely authorize the provision of specialized backcountry outdoor recreation guide services that require the employment of specially trained and experienced guides to accompany System unit visitors in the backcountry so as to provide a safe and enjoyable experience for visitors who otherwise may not have the skills and equipment to engage in that activity.

(ii) Subject to subparagraph (C), concession contracts with anticipated annual gross receipts under $500,000.

(B) OUTFITTING AND GUIDE CONCESSIONERS.—

(i) DESCRIPTION.—Outfitting and guide concessioners, where otherwise qualified, include concessioners that provide guided river running, hunting, fishing, horseback, camping, and mountaineering experiences.

(ii) WHEN ENTITLED TO PREFERENTIAL RIGHT.—An outfitting and guide concessioner is entitled to a preferential right of renewal under this subchapter only if—

(I) the contract with the outfitting and guide concessioner does not grant the concessioner any interest, including any leasehold surrender interest or possessory interest, in capital improvements on land owned by the United States within a System unit, other than a capital improvement constructed by a concessioner pursuant to the terms of a concession contract prior to November 13, 1998, or constructed or owned by a concessioner or the concessioner's predecessor before the subject land was incorporated into the System;

(II) the Secretary determines that the concessioner has operated satisfactorily during the term of the contract (including any extension); and

(III) the concessioner has submitted a responsive proposal for a proposed new concession contract that satisfies the minimum requirements established by the Secretary pursuant to paragraph (4).

(C) CONTRACT WITH ESTIMATED GROSS RECEIPTS OF LESS THAN $500,000.—A concessioner that holds a concession contract that the Secretary estimates will result in gross annual receipts of less than $500,000 if renewed shall be entitled to a preferential right of renewal under this subchapter if—

(i) the Secretary has determined that the concessioner has operated satisfactorily during the term of the contract (including any extension); and

(ii) the concessioner has submitted a responsive proposal for a proposed new concession contract that satisfies the minimum requirements established by the Secretary pursuant to paragraph (4).

(9) NEW OR ADDITIONAL SERVICES.—The Secretary shall not grant a preferential right to a concessioner to provide new or additional services in a System unit.

(10) AUTHORITY OF SECRETARY NOT LIMITED.—Nothing in this subchapter shall be construed as limiting the authority of the Secretary to determine whether to issue a concession contract or to establish its terms and conditions in furtherance of the policies expressed in this subchapter.

(11) EXCEPTIONS.—Notwithstanding this section, the Secretary may award, without public solicitation, the following:

(A) TEMPORARY CONTRACT.—To avoid interruption of services to the public at a System unit, the Secretary may award a temporary concession contract or an extension of an existing concessions contract for a term not to exceed 3 years, except that prior to making the award, the Secretary shall take all reasonable and appropriate steps to consider alternatives to avoid the interruption.

(B) CONTRACT IN EXTRAORDINARY CIRCUMSTANCES.—The Secretary may award a concession contract in extraordinary circumstances where compelling and equitable considerations require the award of a concession contract to a particular party in the public interest. Award of a concession contract under this subparagraph shall not be made by the Secretary until at least 30 days after—

(i) publication in the Federal Register of notice of the Secretary's intention to award the contract and the reasons for the action; and

(ii) submission of notice to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

§ 101914. Term of concession contracts

A concession contract entered into pursuant to this subchapter shall generally be awarded for a term of 10 years or less. The Secretary may award a contract for a term of up to 20 years if the Secretary determines that the contract terms and conditions,

including the required construction of capital improvements, warrant a longer term.

§ 101915. Protection of concessioner investment

(a) DEFINITIONS.—In this section:

(1) CAPITAL IMPROVEMENT.—The term "capital improvement" means a structure, a fixture, or nonremovable equipment provided by a concessioner pursuant to the terms of a concession contract and located on land of the United States within a System unit.

(2) CONSUMER PRICE INDEX.—The term "Consumer Price Index" means—

(A) the "Consumer Price Index—All Urban Consumers" published by the Bureau of Labor Statistics of the Department of Labor; or

(B) if the Index is not published, another regularly published cost-of-living index approximating the Consumer Price Index.

(b) LEASEHOLD SURRENDER INTEREST IN CAPITAL IMPROVEMENTS.—A concessioner that constructs a capital improvement on land owned by the United States within a System unit pursuant to a concession contract shall have a leasehold surrender interest in the capital improvement subject to the following terms and conditions:

(1) IN GENERAL.—A concessioner shall have a leasehold surrender interest in each capital improvement constructed by a concessioner under a concession contract, consisting solely of a right to compensation for the capital improvement to the extent of the value of the concessioner's leasehold surrender interest in the capital improvement.

(2) PLEDGE AS SECURITY.—A leasehold surrender interest may be pledged as security for financing of a capital improvement or the acquisition of a concession contract when approved by the Secretary pursuant to this subchapter.

(3) TRANSFER AND RELINQUISHMENT OR WAIVER OF INTEREST.—A leasehold surrender interest shall be transferred by the concessioner in connection with any transfer of the concession contract and may be relinquished or waived by the concessioner.

(4) LIMIT ON EXTINGUISHING OR TAKING INTEREST.—A leasehold surrender interest shall not be extinguished by the expiration or other termination of a concession contract and may not be taken for public use except on payment of just compensation.

(5) VALUE OF INTEREST.—The value of a leasehold surrender interest in a capital improvement shall be an amount equal to the initial value (construction cost of the capital improvement), increased (or decreased) by the same percentage increase (or decrease) as the percentage increase (or decrease) in the Consumer Price Index, from the date of making the investment in the capital improvement by the concessioner to the date of payment of the value of the leasehold surrender interest, less depreciation of the capital improvement as evidenced by the condition and prospective serviceability in comparison with a new unit of like kind.

(6) VALUE OF INTEREST IN CERTAIN NEW CONCESSION CONTRACTS.—

(A) HOW VALUE IS DETERMINED.—The Secretary may provide, in any new concession contract that the Secretary estimates will have a leasehold surrender interest of more than $10,000,000, that the value of any leasehold surrender interest in a capital improvement shall be based on—

(i) a reduction on an annual basis, in equal portions, over the same number of years as the time period associated with the straight line depreciation of the initial value (construction cost of the capital improvement), as provided by applicable Federal income tax laws and regulations in effect on November 12, 1998; or

(ii) an alternative formula that is consistent with the objectives of this subchapter.

(B) WHEN ALTERNATIVE FORMULA MAY BE USED.—The Secretary may use an alternative formula under subparagraph (A)(ii) only if the Secretary determines, after scrutiny of the financial and other circumstances involved in the particular concession contract (including providing notice in the Federal Register and opportunity for comment), that the alternative formula is, compared to the standard method of determining value provided for in paragraph (5), necessary to provide a fair return to the Federal Government and to foster competition for the new contract by providing a reasonable opportunity to make a profit under the new contract. If no responsive offers are received in response to a solicitation that includes the alternative formula, the concession opportunity shall be resolicited with the leasehold surrender interest value as described in paragraph (5).

(7) INCREASE IN VALUE OF INTEREST.—Where a concessioner, pursuant to the terms of a concession contract, makes a capital improvement to an existing capital improvement in which the concessioner has a leasehold surrender interest, the cost of the additional capital improvement shall be added to the then-current value of the concessioner's leasehold surrender interest.

(c) SPECIAL RULE FOR POSSESSORY INTEREST EXISTING BEFORE NOVEMBER 13, 1998.—

(1) IN GENERAL.—A concessioner that has obtained a possessory interest (as defined pursuant to the Act of October 9, 1965 (known as the National Park Service Concessions Policy Act; Public Law 89–249, 79 Stat. 969), as in effect on November 12, 1998) under the terms of a concession contract entered into before November 13, 1998, shall, on the expiration or termination of the concession contract, be entitled to receive compensation for the possessory interest improvements in the amount and manner as described by the concession contract. Where that possessory interest is not described in the existing concession contract, compensation of possessory interest shall be determined in accordance with the laws in effect on November 12, 1998.

(2) EXISTING CONCESSIONER AWARDED A NEW CONTRACT.—A concessioner awarded a new concession contract to replace an existing concession contract after November 13, 1998, instead of directly receiving the possessory interest compensation, shall have a leasehold surrender interest in its existing possessory interest improvements under the terms of the new

concession contract and shall carry over as the initial value of the leasehold surrender interest (instead of construction cost) an amount equal to the value of the existing possessory interest as of the termination date of the previous concession contract. In the event of a dispute between the concessioner and the Secretary as to the value of the possessory interest, the matter shall be resolved through binding arbitration.

(3) NEW CONCESSIONER AWARDED A CONTRACT.—A new concessioner awarded a concession contract and required to pay a prior concessioner for possessory interest in prior improvements shall have a leasehold surrender interest in the prior improvements. The initial value in the leasehold surrender interest (instead of construction cost) shall be an amount equal to the value of the existing possessory interest as of the termination date of the previous concession contract.

(4) DE NOVO REVIEW OF VALUE DETERMINATION.—If the Secretary, or either party to a value determination proceeding conducted under a Service concession contract issued before November 13, 1998, considers that the value determination decision issued pursuant to the proceeding misinterprets or misapplies relevant contractual requirements or their underlying legal authority, the Secretary or either party may seek, within 180 days after the date of the decision, de novo review of the value determination decision by the United States Court of Federal Claims. The Court of Federal Claims may make an order affirming, vacating, modifying or correcting the determination decision.

(d) TRANSITION TO SUCCESSOR CONCESSIONER.—On expiration or termination of a concession contract entered into after November 13, 1998, a concessioner shall be entitled under the terms of the concession contract to receive from the United States or a successor concessioner the value of any leasehold surrender interest in a capital improvement as of the date of the expiration or termination. A successor concessioner shall have a leasehold surrender interest in the capital improvement under the terms of a new concession contract and the initial value of the leasehold surrender interest in the capital improvement (instead of construction cost) shall be the amount of money the new concessioner is required to pay the prior concessioner for its leasehold surrender interest under the terms of the prior concession contract.

(e) TITLE TO IMPROVEMENTS.—Title to any capital improvement constructed by a concessioner on land owned by the United States in a System unit shall be vested in the United States.

§ 101916. Reasonableness of rates and charges

(a) IN GENERAL.—A concession contract shall permit the concessioner to set reasonable and appropriate rates and charges for facilities, goods, and services provided to the public, subject to approval under subsection (b).

(b) APPROVAL BY SECRETARY REQUIRED.—

(1) FACTORS TO CONSIDER.—A concessioner's rates and charges to the public shall be subject to approval by the Secretary. The approval process utilized by the Secretary shall be as prompt and as unburdensome to the concessioner as possible and shall rely on market forces to establish reasonableness of rates and charges to the maximum extent practicable.

The Secretary shall approve rates and charges that the Secretary determines to be reasonable and appropriate. Unless otherwise provided in the concession contract, the reasonableness and appropriateness of rates and charges shall be determined primarily by comparison with those rates and charges for facilities, goods, and services of comparable character under similar conditions, with due consideration to the following factors and other factors deemed relevant by the Secretary:

(A) Length of season.
(B) Peakloads.
(C) Average percentage of occupancy.
(D) Accessibility.
(E) Availability and costs of labor and materials.
(F) Type of patronage.

(2) RATES AND CHARGES NOT TO EXCEED MARKET RATES AND CHARGES.—Rates and charges may not exceed the market rates and charges for comparable facilities, goods, and services, after taking into account the factors referred to in paragraph (1).

(c) IMPLEMENTATION OF RECOMMENDATIONS.—Not later than 6 months after receiving recommendations from the Advisory Board regarding concessioner rates and charges to the public, the Secretary shall implement the recommendations or report to Congress the reasons for not implementing the recommendations.

§ 101917. Franchise fees

(a) IN GENERAL.—A concession contract shall provide for payment to the Federal Government of a franchise fee or other monetary consideration as determined by the Secretary, on consideration of the probable value to the concessioner of the privileges granted by the particular contract involved. Probable value shall be based on a reasonable opportunity for net profit in relation to capital invested and the obligations of the concession contract. Consideration of revenue to the United States shall be subordinate to the objectives of protecting and preserving System units and of providing necessary and appropriate services for visitors at reasonable rates.

(b) PROVISIONS TO BE SPECIFIED IN CONTRACT.—The amount of the franchise fee or other monetary consideration paid to the United States for the term of the concession contract shall be specified in the concession contract and may be modified only to reflect extraordinary unanticipated changes from the conditions anticipated as of the effective date of the concession contract. The Secretary shall include in concession contracts with a term of more than 5 years a provision that allows reconsideration of the franchise fee at the request of the Secretary or the concessioner in the event of extraordinary unanticipated changes. The provision shall provide for binding arbitration in the event that the Secretary and the concessioner are unable to agree on an adjustment to the franchise fee in those circumstances.

(c) SPECIAL ACCOUNT IN TREASURY.—

(1) DEPOSIT AND AVAILABILITY.—All franchise fees (and other monetary consideration) paid to the United States pursuant to concession contracts shall be deposited in a special account established in the Treasury. Twenty percent of the funds deposited in the special account shall be available for expenditure by the Secretary, without further appropriation, to support activities throughout the System regardless of the System unit

in which the funds were collected. The funds deposited in the special account shall remain available until expended.

(2) SUBACCOUNT FOR EACH SYSTEM UNIT.—There shall be established within the special account a subaccount for each System unit. Each subaccount shall be credited with 80 percent of the franchise fees (and other monetary consideration) collected at a single System unit under concession contracts. The funds credited to the subaccount for a System unit shall be available for expenditure by the Secretary, without further appropriation, for use at the System unit for visitor services and for purposes of funding high-priority and urgently necessary resource management programs and operations. The funds credited to a subaccount shall remain available until expended.

§ 101918. Transfer or conveyance of concession contracts or leasehold surrender interests

(a) APPROVAL OF SECRETARY.—No concession contract or leasehold surrender interest may be transferred, assigned, sold, or otherwise conveyed or pledged by a concessioner without prior written notification to, and approval by, the Secretary.

(b) CONDITIONS.—The Secretary shall approve a transfer or conveyance described in subsection (a) unless the Secretary finds that—

(1) the individual, corporation, or other entity seeking to acquire a concession contract is not qualified or able to satisfy the terms and conditions of the concession contract;

(2) the transfer or conveyance would have an adverse impact on—

(A) the protection, conservation, or preservation of the resources of the System unit; or

(B) the provision of necessary and appropriate facilities and services to visitors at reasonable rates and charges; and

(3) the terms of the transfer or conveyance are likely, directly or indirectly, to—

(A) reduce the concessioner's opportunity for a reasonable profit over the remaining term of the concession contract;

(B) adversely affect the quality of facilities and services provided by the concessioner; or

(C) result in a need for increased rates and charges to the public to maintain the quality of the facilities and services.

(c) MODIFICATION OR RENEGOTIATION OF TERMS.—The terms and conditions of any concession contract under this section shall not be subject to modification or open to renegotiation by the Secretary because of a transfer or conveyance described in subsection (a) unless the transfer or conveyance would have an adverse impact as described in subsection (b)(2).

§ 101919. National Park Service Concessions Management Advisory Board

(a) ESTABLISHMENT AND PURPOSE.—There is a National Park Service Concessions Management Advisory Board whose purpose shall be to advise the Secretary and Service on matters relating to management of concessions in the System.

(b) DUTIES.—

(1) ADVICE.—The Advisory Board shall advise on each of the following:

(A) Policies and procedures intended to ensure that services and facilities provided by concessioners—

(i) are necessary and appropriate;

(ii) meet acceptable standards at reasonable rates with a minimum of impact on System unit resources and values; and

(iii) provide the concessioners with a reasonable opportunity to make a profit.

(B) Ways to make Service concession programs and procedures more cost effective, more process efficient, less burdensome, and timelier.

(2) RECOMMENDATIONS.—The Advisory Board shall make recommendations to the Secretary regarding each of the following:

(A) The Service contracting with the private sector to conduct appropriate elements of concession management.

(B) Ways to make the review or approval of concessioner rates and charges to the public more efficient, less burdensome, and timelier.

(C) The nature and scope of products that qualify as Indian, Alaska Native, and Native Hawaiian handicrafts within the meaning of this subchapter.

(D) The allocation of concession fees.

(3) ANNUAL REPORT.—The Advisory Board shall provide an annual report on its activities to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(c) ADVISORY BOARD MEMBERSHIP.—Members of the Advisory Board shall be appointed on a staggered basis by the Secretary for a term not to exceed 4 years and shall serve at the pleasure of the Secretary. The Advisory Board shall be comprised of not more than 7 individuals appointed from among citizens of the United States not in the employment of the Federal Government and not in the employment of or having an interest in a Service concession. Of the 7 members of the Advisory Board—

(1) one member shall be privately employed in the hospitality industry and have both broad knowledge of hotel or food service management and experience in the parks and recreation concession business;

(2) one member shall be privately employed in the tourism industry;

(3) one member shall be privately employed in the accounting industry;

(4) one member shall be privately employed in the outfitting and guide industry;

(5) one member shall be a State government employee with expertise in park concession management;

(6) one member shall be active in promotion of traditional arts and crafts; and

(7) one member shall be active in a nonprofit conservation organization involved in parks and recreation programs.

(d) SERVICE ON ADVISORY BOARD.—Service of an individual as a member of the Advisory Board shall not be deemed to be service or employment bringing the individual within the provisions of any Federal law relating to conflicts of interest or otherwise imposing restrictions, requirements, or penalties in relation to the

employment of individuals, the performance of services, or the payment or receipt of compensation in connection with claims, proceedings, or matters involving the United States. Service as a member of the Advisory Board shall not be deemed service in an appointive or elective position in the Federal Government for purposes of section 8344 of title 5 or other comparable provisions of Federal law.

(e) TERMINATION.—The Advisory Board shall continue to exist until December 31, 2009. In all other respects, it shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

§ 101920. Contracting for services

(a) CONTRACTING AUTHORIZED.—

(1) MANAGEMENT ELEMENTS FOR WHICH CONTRACT REQUIRED TO MAXIMUM EXTENT PRACTICABLE.—To the maximum extent practicable, the Secretary shall contract with private entities to conduct or assist in elements of the management of the Service concession program considered by the Secretary to be suitable for non-Federal performance. Those management elements shall include each of the following:

(A) Health and safety inspections.

(B) Quality control of concession operations and facilities.

(C) Strategic capital planning for concession facilities.

(D) Analysis of rates and charges to the public.

(2) MANAGEMENT ELEMENTS FOR WHICH CONTRACT ALLOWED.—The Secretary may also contract with private entities to assist the Secretary with each of the following:

(A) Preparation of the financial aspects of prospectuses for Service concession contracts.

(B) Development of guidelines for a System capital improvement and maintenance program for all concession occupied facilities.

(C) Making recommendations to the Director regarding the conduct of annual audits of concession fee expenditures.

(b) OTHER MANAGEMENT ELEMENTS.—The Secretary shall consider, taking into account the recommendations of the Advisory Board, contracting out other elements of the concessions management program, as appropriate.

(c) AUTHORITY OF SECRETARY NOT DIMINISHED.—Nothing in this section shall diminish the governmental responsibilities and authority of the Secretary to administer concession contracts and activities pursuant to this subchapter and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of this title. The Secretary reserves the right to make the final decision or contract approval on contracting services dealing with the management of the Service concessions program under this section.

§ 101921. Multiple contracts within a System unit

If multiple concession contracts are awarded to authorize concessioners to provide the same or similar outfitting, guiding, river running, or other similar services at the same approximate location or resource within a System unit, the Secretary shall establish a comparable franchise fee structure for those contracts or similar contracts, except that the terms and conditions of any existing concession contract shall not be subject to modification or open

to renegotiation by the Secretary because of an award of a new contract at the same approximate location or resource.

§ 101922. Use of nonmonetary consideration in concession contracts

Section 1302 of title 40 shall not apply to concession contracts awarded by the Secretary pursuant to this subchapter.

§ 101923. Recordkeeping requirements

(a) IN GENERAL.—A concessioner and any subconcessioner shall keep such records as the Secretary may prescribe to enable the Secretary to determine that all terms of a concession contract have been and are being faithfully performed. The Secretary and any authorized representative of the Secretary shall, for the purpose of audit and examination, have access to those records and to other records of the concessioner or subconcessioner pertinent to the concession contract and all terms and conditions of the concession contract.

(b) ACCESS TO RECORDS BY COMPTROLLER GENERAL.—The Comptroller General and any authorized representative of the Comptroller General shall, until the expiration of 5 calendar years after the close of the business year of each concessioner or subconcessioner, have access to and the right to examine any pertinent records described in subsection (a) of the concessioner or subconcessioner related to the contract involved.

§ 101924. Promotion of sale of Indian, Alaska Native, Native Samoan, and Native Hawaiian handicrafts

(a) IN GENERAL.—Promoting the sale of authentic United States Indian, Alaskan Native, Native Samoan, and Native Hawaiian handicrafts relating to the cultural, historical, and geographic characteristics of System units is encouraged, and the Secretary shall ensure that there is a continuing effort to enhance the handicraft trade where it exists and establish the trade in appropriate areas where the trade does not exist.

(b) EXEMPTION FROM FRANCHISE FEE.—In furtherance of the purposes of subsection (a), the revenue derived from the sale of United States Indian, Alaska Native, Native Samoan, and Native Hawaiian handicrafts shall be exempt from any franchise fee payments under this subchapter.

§ 101925. Commercial use authorizations

(a) IN GENERAL.—To the extent specified in this section, the Secretary, on request, may authorize a private person, corporation, or other entity to provide services to visitors to System units through a commercial use authorization. A commercial use authorization shall not be considered to be a concession contract under this subchapter and no other section of this subchapter shall be applicable to a commercial use authorization except where expressly stated.

(b) CRITERIA FOR ISSUANCE OF COMMERCIAL USE AUTHORIZATIONS.—

(1) REQUIRED DETERMINATIONS.—The authority of this section may be used only to authorize provision of services that the Secretary determines—

(A) will have minimal impact on resources and values of a System unit; and

(B) are consistent with the purpose for which the System unit was established and with all applicable management plans and Service policies and regulations.

(2) ELEMENTS OF COMMERCIAL USE AUTHORIZATION.—The Secretary shall—

(A) require payment of a reasonable fee for issuance of a commercial use authorization, the fees to remain available without further appropriation to be used, at a minimum, to recover associated management and administrative costs;

(B) require that the provision of services under a commercial use authorization be accomplished in a manner consistent to the highest practicable degree with the preservation and conservation of System unit resources and values;

(C) take appropriate steps to limit the liability of the United States arising from the provision of services under a commercial use authorization;

(D) have no authority under this section to issue more commercial use authorizations than are consistent with the preservation and proper management of System unit resources and values; and

(E) shall establish other conditions for issuance of a commercial use authorization that the Secretary determines to be appropriate for the protection of visitors, provision of adequate and appropriate visitor services, and protection and proper management of System unit resources and values.

(c) LIMITATIONS.—Any commercial use authorization shall be limited to—

(1) commercial operations with annual gross receipts of not more than $25,000 resulting from services originating and provided solely within a System unit pursuant to the commercial use authorization;

(2) the incidental use of resources of the System unit by commercial operations that provide services originating and terminating outside the boundaries of the System unit; or

(3)(A) uses by organized children's camps, outdoor clubs, and nonprofit institutions (including back country use); and

(B) other uses, as the Secretary determines to be appropriate.

(d) NONPROFIT INSTITUTIONS.—Nonprofit institutions are not required to obtain commercial use authorizations unless taxable income is derived by the institution from the authorized use.

(e) PROHIBITION ON CONSTRUCTION.—A commercial use authorization shall not provide for the construction of any structure, fixture, or improvement on federally-owned land within the boundaries of a System unit.

(f) DURATION.—The term of any commercial use authorization shall not exceed 2 years. No preferential right of renewal or similar provisions for renewal shall be granted by the Secretary.

(g) OTHER CONTRACTS.—A person, corporation, or other entity seeking or obtaining a commercial use authorization shall not be precluded from submitting a proposal for concession contracts.

§ 101926. Regulations

(a) IN GENERAL.—The Secretary shall prescribe regulations appropriate for the implementation of this subchapter.

(b) CONTENTS.—The regulations—

(1) shall include appropriate provisions to ensure that concession services and facilities to be provided in a System unit are not segmented or otherwise split into separate concession contracts for the purposes of seeking to reduce anticipated annual gross receipts of a concession contract below $500,000; and

(2) shall further define the term "United States Indian, Alaskan Native, and Native Hawaiian handicrafts" for the purposes of this subchapter.

Chapter 1021—Privileges and Leases

Sec.

§ 102101. General provisions

(a) LIMITATION.—

(1) NO LEASE OR GRANT OF A PRIVILEGE THAT INTERFERES WITH FREE ACCESS.—No natural curiosity, wonder, or object of interest shall be leased or granted to anyone on such terms as to interfere with free access by the public to any System unit.

(2) EXCEPTION FOR GRAZING LIVESTOCK.—The Secretary, under such regulations and on such terms as the Secretary may prescribe, may grant the privilege to graze livestock within a System unit when, in the Secretary's judgment, the use is not detrimental to the primary purpose for which the System unit was created. This paragraph does not apply to Yellowstone National Park.

(b) ADVERTISING AND COMPETITIVE BIDS NOT REQUIRED.—The Secretary may grant privileges and enter into leases described in subsection (a), and enter into related contracts with responsible persons, firms, or corporations, without advertising and without securing competitive bids.

(c) ASSIGNMENT OR TRANSFER.—No contract, lease, or privilege described in subsection (a) or (b) that is entered into or granted shall be assigned or transferred by the grantee, lessee, or licensee without the prior written approval of the Secretary.

§ 102102. Authority of Secretary to enter into lease for buildings and associated property

(a) IN GENERAL.—To facilitate the administration of the System, the Secretary, under such terms and conditions as the Secretary may consider advisable, and except as provided in subsection (b) and subject to subsection (c), may enter into a lease with any person or government entity for the use of buildings and associated property administered by the Secretary as part of the System.

(b) PROHIBITED ACTIVITIES.—The Secretary may not use a lease under subsection (a) to authorize the lessee to engage in activities that are subject to authorization by the Secretary through a concession contract, commercial use authorization, or similar instrument.

(c) USE.—Buildings and associated property leased under subsection (a)—

(1) shall be used for an activity that is consistent with the purposes established by law for the System unit in which the building is located;

(2) shall not result in degradation of the purposes and values of the System unit; and

(3) shall be compatible with Service programs.

(d) RENTAL AMOUNTS.—

(1) IN GENERAL.—With respect to a lease under subsection (a)—

(A) payment of fair market value rental shall be required; and

(B) section 1302 of title 40 shall not apply.

(2) ADJUSTMENT.—The Secretary may adjust the rental amount as appropriate to take into account any amounts to be expended by the lessee for preservation, maintenance, restoration, improvement, or repair and related expenses.

(e) SPECIAL ACCOUNT.—

(1) DEPOSITS.—Rental payments under a lease under subsection (a) shall be deposited in a special account in the Treasury.

(2) AVAILABILITY.—Amounts in the special account shall be available until expended, without further appropriation, for infrastructure needs at System units, including—

(A) facility refurbishment;

(B) repair and replacement;

(C) infrastructure projects associated with System unit resource protection; and

(D) direct maintenance of the leased buildings and associated property.

(3) ACCOUNTABILITY AND RESULTS.—The Secretary shall develop procedures for the use of the special account that ensure accountability and demonstrated results consistent with this section and sections 100101(b), 100502, 100507, 100751(b), 100754, 100901(b) and (c), 100906(a) and (d), 101302(b)(1) and (c) to (e), 101306, 101702(b) and (c), 101901, 102701, and 102702 of this title.

(f) REGULATIONS.—The Secretary shall prescribe regulations implementing this section that include provisions to encourage and facilitate competition in the leasing process and provide for timely and adequate public comment.

Chapter 1023—Programs and Organizations

Sec.

§ 102301. Volunteers in parks program

(a) ESTABLISHMENT.—The Secretary may recruit, train, and accept, without regard to chapter 51 and subchapter III of chapter 53 of title 5 or regulations prescribed under that chapter or subchapter, the services of individuals without compensation as volunteers for or in aid of interpretive functions or other visitor services or activities in and related to System units and related areas.

In accepting those services, the Secretary shall not permit the use of volunteers in hazardous duty or law enforcement work or in policymaking processes, or to displace any employee. The services of individuals whom the Secretary determines are skilled in performing hazardous activities may be accepted.

(b) INCIDENTAL EXPENSES.—The Secretary may provide for incidental expenses of volunteers, such as transportation, uniforms, lodging, and subsistence.

(c) FEDERAL EMPLOYEE STATUS FOR VOLUNTEERS.—

(1) EMPLOYMENT STATUS OF VOLUNTEERS.—Except as otherwise provided in this section, a volunteer shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(2) TORT CLAIMS.—For the purpose of sections 1346(b) and 2401(b) and chapter 171 of title 28, a volunteer under this chapter shall be deemed a Federal employee.

(3) VOLUNTEERS DEEMED CIVIL EMPLOYEES.—For the purposes of subchapter I of chapter 81 of title 5, volunteers under this chapter shall be deemed civil employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, and subchapter I of chapter 81 of title 5 shall apply.

(4) COMPENSATION FOR LOSSES AND DAMAGES.—For the purpose of claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, a volunteer under this chapter shall be deemed a Federal employee, and section 3721 of title 31 shall apply.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section not more than $3,500,000 for each fiscal year.

§ 102302. National Capital region arts and cultural affairs

(a) ESTABLISHMENT.—There is under the direction of the Service a program to support and enhance artistic and cultural activities in the National Capital region.

(b) GRANT ELIGIBILITY.—

(1) ELIGIBLE ORGANIZATIONS.—Eligibility for grants shall be limited to organizations—

(A) that are of demonstrated national significance; and

(B) that meet at least 2 of the criteria stated in paragraph (2).

(2) CRITERIA.—The criteria referred to in paragraph (1) are the following:

(A) The organization has an annual operating budget in excess of $1,000,000.

(B) The organization has an annual audience or visitation of at least 200,000 people.

(C) The organization has a paid staff of at least 100 individuals.

(D) The organization is eligible under section 320102(f) of this title.

(3) ORGANIZATIONS NOT ELIGIBLE.—Public or private colleges and universities are not eligible for grants under the program under this section.

(c) USE OF GRANTS.—Grants awarded under this section may be used to support general operations and maintenance, security, or special projects. No organization may receive a grant in excess of $500,000 in a single year.

(d) RESPONSBILITIES OF DIRECTOR.—The Director shall—

(1) establish an application process;

(2) appoint a review panel of 5 qualified individuals, at least a majority of whom reside in the National Capital region; and

(3) develop other program guidelines and definitions as required.

(e) FORD'S THEATER AND WOLF TRAP NATIONAL PARK FOR THE PERFORMING ARTS.—The contractual amounts required for the support of Ford's Theater and Wolf Trap National Park for the Performing Arts shall be available within the amount provided in this section without regard to any other provision of this section.

§ 102303. National Park System Advisory Board

(a) DEFINITION.—In this section, the term "Board" means the National Park System Advisory Board established under subsection (b).

(b) ESTABLISHMENT AND PURPOSE.—There is established a National Park System Advisory Board, whose purpose is to advise the Director on matters relating to the Service, the System, and programs administered by the Service. The Board shall advise the Director on matters submitted to the Board by the Director as well as any other issues identified by the Board.

(c) MEMBERSHIP.—

(1) APPOINTMENT AND TERM OF OFFICE.—Members of the Board shall be appointed on a staggered term basis by the Secretary for a term not to exceed 4 years and shall serve at the pleasure of the Secretary.

(2) COMPOSITION.—The Board shall be composed of no more than 12 persons, appointed from among citizens of the United States having a demonstrated commitment to the mission of the Service. Board members shall be selected to represent various geographic regions, including each of the administrative regions of the Service. At least 6 of the members shall have outstanding expertise in one or more of the following fields: history, archeology, anthropology, historical or landscape architecture, biology, ecology, geology, marine science, or social science. At least 4 of the members shall have outstanding expertise and prior experience in the management of national or State parks or protected areas, or natural or cultural resources management. The remaining members shall have outstanding expertise in one or more of the areas described above or in another professional or scientific discipline, such as financial management, recreation use management, land use planning, or business management, important to the mission of the Service. At least one individual shall be a locally elected official from an area adjacent to a park.

(3) FIRST MEETING.—The Board shall hold its 1st meeting no later than 60 days after the date on which all members of the Board who are to be appointed have been appointed.

(4) VACANCY.—Any vacancy in the Board shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(5) COMPENSATION.—All members of the Board shall be reimbursed for travel and per diem in lieu of subsistence expenses during the performance of duties of the Board while away from home or their regular place of business, in accordance with subchapter I of chapter 57 of title 5. With the exception of travel and per diem, a member of the Board who otherwise is an officer or employee of the United States Government shall serve on the Board without additional compensation.

(d) DUTIES AND POWERS OF BOARD.—

(1) ADOPT RULES.—The Board may adopt such rules as may be necessary to establish its procedures and to govern the manner of its operations, organization, and personnel.

(2) ADVICE AND RECOMMENDATIONS.—The Board shall advise the Secretary on matters relating to the System, to other related areas, and to the administration of chapter 3201 of this title, including matters submitted to it for consideration by the Secretary, but it shall not be required to provide recommendations as to the suitability or desirability of surplus real and related personal property for use as a historic monument. The Board shall also provide recommendations on the designation of national historic landmarks and national natural landmarks. The Board is strongly encouraged to consult with the major scholarly and professional organizations in the appropriate disciplines in making the recommendations.

(3) ACTIONS ON REQUEST OF DIRECTOR.—On request of the Director, the Board is authorized to—

(A) hold such hearings and sit and act at such times;
(B) take such testimony;
(C) have such printing and binding done;
(D) enter into such contracts and other arrangements;
(E) make such expenditures; and
(F) take such other actions

as the Board may consider advisable.

(4) OATHS OR AFFIRMATIONS.—Any member of the Board may administer oaths or affirmations to witnesses appearing before the Board.

(5) COMMITTEES AND SUBCOMMITTEES.—The Board may establish committees or subcommittees. The subcommittees or committees shall be chaired by a voting member of the Board.

(6) USE OF MAILS.—The Board may use the United States mails in the same manner and under the same conditions as other departments and agencies in the United States.

(e) STAFF.—The Secretary may hire 2 full-time staffers to meet the needs of the Board.

(f) FEDERAL LAW NOT APPLICABLE TO SERVICE.—Service as a member of the Board shall not be deemed service or employment bringing the individual within the provisions of any Federal law relating to conflicts of interest or otherwise imposing restrictions, requirements, or penalties relating to the employment of individuals, the performance of services, or the payment or receipt of compensation in connection with claims, proceedings, or matters involving the United States. Service as a member or an employee of the Board shall not be deemed service in an appointive or elective position in the Federal Government for purposes of section 8344 of title 5 or comparable provisions of Federal law.

(g) COOPERATION OF FEDERAL AGENCIES.—

(1) INFORMATION.—The Board may secure directly from any office, department, agency, establishment, or instrumentality of the Federal Government such information as the Board may require for the purpose of this section, and each office, department, agency, establishment, or instrumentality shall furnish, to the extent permitted by law, the information, suggestions, estimates, and statistics directly to the Board, on request made by a member of the Board.

(2) FACILITIES AND SERVICES.—On request of the Board, the head of any Federal department, agency, or instrumentality may make any of the facilities and services of the department, agency, or instrumentality available to the Board, on a nonreimbursable basis, to assist the Board in carrying out its duties under this section.

(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.), with the exception of section 14(b), applies to the Board.

(i) TERMINATION.—The Board continues to exist until January 1, 2010.

§ 102304. National Park Service Advisory Council

(a) DEFINITIONS.—In this section:

(1) BOARD.—The term "Board" means the National Park System Advisory Board established under section 102303 of this title.

(2) COUNCIL.—The term "Council" means the National Park Service Advisory Council established under subsection (b).

(b) ESTABLISHMENT AND PURPOSE.—There is established a National Park Service Advisory Council that shall provide advice and counsel to the Board.

(c) MEMBERSHIP.—

(1) ELIGIBILITY.—Membership on the Council shall be limited to individuals whose term on the Board has expired. Those individuals may serve as long as they remain active except that not more than 12 members may serve on the Council at any one time.

(2) COMPENSATION.—Members of the Council shall receive no salary but may be paid expenses incidental to travel when engaged in discharging their duties as members.

(d) VOTING RESTRICTION.—Members of the Council shall not have a vote on the Board.

Chapter 1025—Museums

§ 102501. Purpose

The purpose of this chapter is to increase the public benefits from museums established within System units as a means of informing the public concerning the areas and preserving valuable objects and relics relating to the areas.

§ 102502. Definition of museum object

In this chapter:

(1) IN GENERAL.—The term "museum object" means an object that—

(A) typically is movable; and

(B) is eligible to be, or is made part of, a museum, library, or archive collection through a formal procedure, such as accessioning.

(2) INCLUSIONS.—The term "museum object" includes a prehistoric or historic artifact, work of art, book, document, photograph, or natural history specimen.

§ 102503. Authority of Secretary

(a) IN GENERAL.—Notwithstanding other provisions or limitations of law, the Secretary may perform the functions described in this section in the manner that the Secretary considers to be in the public interest.

(b) DONATIONS AND BEQUESTS.—The Secretary may accept donations and bequests of money or other personal property, and hold, use, expend, and administer the money or other personal property for purposes of this chapter.

(c) PURCHASES.—The Secretary may purchase museum objects and other personal property at prices that the Secretary considers to be reasonable.

(d) EXCHANGES.—The Secretary may make exchanges by accepting museum objects and other personal property and by granting in exchange for the museum objects or other personal property museum property under the administrative jurisdiction of the Secretary that no longer is needed or that may be held in duplicate among the museum properties administered by the Secretary. Exchanges shall be consummated on a basis that the Secretary considers to be equitable and in the public interest.

(e) ACCEPTANCE OF LOANS OF PROPERTY.—The Secretary may accept the loan of museum objects and other personal property and pay transportation costs incidental to the museum objects or other personal property. Loans shall be accepted on terms and conditions that the Secretary considers necessary.

(f) LOANS OF PROPERTY.—The Secretary may loan to responsible public or private organizations, institutions, or agencies, without cost to the United States, such museum objects and other personal property as the Secretary shall consider advisable. Loans shall be made on terms and conditions that the Secretary considers necessary to protect the public interest in those properties.

(g) TRANSFER OF MUSEUM OBJECTS.—The Secretary may transfer museum objects that the Secretary determines are no longer needed for museum purposes to qualified Federal agencies, including the Smithsonian Institution, that have programs to preserve and interpret cultural or natural heritage, and accept the transfer of museum objects for the purposes of this chapter from any other Federal agency, without reimbursement. The head of any other Federal agency may transfer, without reimbursement, museum objects directly to the administrative jurisdiction of the Secretary for the purpose of this chapter.

(h) CONVEYANCE OF MUSEUM OBJECTS.—The Secretary may convey museum objects that the Secretary determines are no longer needed for museum purposes, without monetary consideration but subject to such terms and conditions as the Secretary considers necessary, to private institutions exempt from Federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986 (26

U.S.C. 501(c)(3)) and to non-Federal governmental entities if the Secretary determines that the recipient is dedicated to the preservation and interpretation of natural or cultural heritage and is qualified to manage the property, prior to any conveyance under this subsection and subsection (g).

(i) DESTRUCTION OF MUSEUM OBJECTS.—The Secretary may destroy or cause to be destroyed museum objects that the Secretary determines to have no scientific, cultural, historic, educational, esthetic, or monetary value.

§ 102504. Review and approval

The Secretary shall ensure that museum objects are treated in a careful and deliberate manner that protects the public interest. Prior to taking any action under subsection (g), (h), or (i) of section 102503 of this title, the Secretary shall establish a systematic review and approval process, including consultation with appropriate experts, that meets the highest standards of the museum profession for all actions taken under those subsections.

Chapter 1027—Law Enforcement and Emergency Assistance

Subchapter I—Law Enforcement

§ 102701. Law enforcement personnel within System

(a) OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF THE INTERIOR.—

(1) DESIGNATION AUTHORITY OF SECRETARY.—The Secretary, pursuant to standards prescribed in regulations by the Secretary, may designate certain officers or employees of the Department of the Interior who shall maintain law and order and protect individuals and property within System units.

(2) POWERS AND DUTIES OF DESIGNEES.—In the performance of the duties described in paragraph (1), the designated officers or employees may—

(A) carry firearms;

(B) make arrests without warrant for any offense against the United States committed in the presence of the officer or employee, or for any felony cognizable under the laws of the United States if the officer or employee has reasonable grounds to believe that the individual to be arrested has committed or is committing the felony, provided the arrests occur within the System or the individual to be arrested is fleeing from the System to avoid arrest;

(C) execute any warrant or other process issued by a court or officer of competent jurisdiction for the enforcement of the provisions of any Federal law or regulation issued

pursuant to law arising out of an offense committed in the System or, where the individual subject to the warrant or process is in the System, in connection with any Federal offense; and

(D) conduct investigations of offenses against the United States committed in the System in the absence of investigation of the offenses by any other Federal law enforcement agency having investigative jurisdiction over the offense committed or with the concurrence of the other agency.

(b) SPECIAL POLICE OFFICERS.—

(1) IN GENERAL.—The Secretary may designate officers and employees of any other Federal agency, or law enforcement personnel of a State or political subdivision of a State, when determined to be economical and in the public interest and with the concurrence of that agency, State, or subdivision, to—

(A) act as special police officers in System units when supplemental law enforcement personnel may be needed; and

(B) exercise the powers and authority provided by subparagraphs (A) to (D) of subsection (a)(2).

(2) COOPERATION WITH STATES AND POLITICAL SUBDIVISIONS.—The Secretary may—

(A) cooperate, within the System, with any State or political subdivision of a State in the enforcement of supervision of the laws or ordinances of that State or subdivision;

(B) mutually waive, in any agreement pursuant to subparagraph (A) and paragraph (1) or pursuant to subparagraphs (A) and (B) of subsection (a)(2) with any State or political subdivision of a State where State law requires the waiver and indemnification, all civil claims against all the other parties to the agreement and, subject to available appropriations, indemnify and save harmless the other parties to the agreement from all claims by third parties for property damage or personal injury, that may arise out of the parties' activities outside their respective jurisdictions under the agreement; and

(C) provide limited reimbursement, to a State or political subdivisions of a State, in accordance with such regulations as the Secretary may prescribe, where the State has ceded concurrent legislative jurisdiction over the affected area of the System, for expenditures incurred in connection with its activities within the System that were rendered pursuant to paragraph (1).

(3) SUPPLEMENTAL AUTHORITY; DELEGATION OF SERVICE LAW ENFORCEMENT RESPONSIBILITIES NOT AUTHORIZED.—Paragraphs (1) and (2) supplement the law enforcement responsibilities of the Service and do not authorize the delegation of law enforcement responsibilities of the Service to State or local governments.

(4) SPECIAL POLICE OFFICERS NOT DEEMED FEDERAL EMPLOYEES.—

(A) IN GENERAL.—Except as otherwise provided in this subsection, a law enforcement officer of a State or political subdivision of a State designated to act as a special police officer under paragraph (1) shall not be deemed a Federal employee and shall not be subject to the provisions of

law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal benefits.

(B) EXCEPTIONS.—A law enforcement officer of a State or political subdivision of a State, when acting as a special police officer under paragraph (1), is deemed to be—

(i) a Federal employee for purposes of sections 1346(b) and 2401(b) and chapter 171 of title 28; and

(ii) a civil service employee of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, for purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, and the provisions of subchapter I of chapter 81 of title 5 shall apply.

(c) FEDERAL INVESTIGATIVE JURISDICTION AND STATE CIVIL AND CRIMINAL JURISDICTION NOT PREEMPTED.—This section and sections 100101(b), 100502, 100507, 100751(b), 100754, 100901(b) and (c), 100906(a) and (d), 101302(b)(1) and (c) to (e), 101306, 101702(b) and (c), 101901, 102102, and 102702 of this title shall not be construed or applied to limit or restrict the investigative jurisdiction of any Federal law enforcement agency other than the Service, and nothing shall be construed or applied to affect any right of a State or political subdivision of a State to exercise civil and criminal jurisdiction within the System.

§ 102702. Crime prevention assistance

(a) RECOMMENDATIONS FOR IMPROVEMENT.—The Secretary shall direct the chief official responsible for law enforcement within the Service to—

(1) compile a list of System units with the highest rates of violent crime;

(2) make recommendations concerning capital improvements, and other measures, needed within the System to reduce the rates of violent crime, including the rate of sexual assault; and

(3) publish the information required by paragraphs (1) and (2) in the Federal Register.

(b) DISTRIBUTION OF FUNDS.—Based on the recommendations and list issued pursuant to subsection (a), the Secretary shall distribute the funds authorized by subsection (d) throughout the System. Priority shall be given to areas with the highest rates of sexual assault.

(c) USE OF FUNDS.—Funds provided under this section may be used—

(1) to increase lighting within or adjacent to System units;

(2) to provide emergency phone lines to contact law enforcement or security personnel in areas within or adjacent to System units;

(3) to increase security or law enforcement personnel within or adjacent to System units; or

(4) for any other project intended to increase the security and safety of System units.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Violent Crime Reduction Trust Fund not more than $10,000,000 for the Secretary to take all necessary

actions to seek to reduce the incidence of violent crime in the System.

Subchapter II—Emergency Assistance

§ 102711. Authority of Secretary to use applicable appropriations for the System to render assistance to nearby law enforcement and fire prevention agencies and for related activities outside the System

To facilitate the administration of the System, the Secretary may use applicable appropriations for the System to render emergency rescue, firefighting, and cooperative assistance to nearby law enforcement and fire prevention agencies and for related purposes outside the System.

§ 102712. Aid to visitors, grantees, permittees, or licensees in emergencies

(a) VISITORS.—The Secretary may aid visitors within a System unit in an emergency, when no other source is available for the procurement of food or supplies, by the sale, at cost, of food or supplies in quantities sufficient to enable the visitors to reach safely a point where food or supplies can be purchased. Receipts from the sales shall be deposited as a refund to the appropriation current at the date of the deposit and shall be available for the purchase of similar food or supplies.

(b) GRANTEES, PERMITTEES, AND LICENSEES.—The Secretary may in an emergency, when no other source is available for the immediate procurement of supplies, materials, or special services, aid grantees, permittees, or licensees conducting operations for the benefit of the public in a System unit by the sale, at cost, including transportation and handling, of supplies, materials, or special services as may be necessary to relieve the emergency and ensure uninterrupted service to the public. Receipts from the sales shall be deposited as a refund to the appropriation current at the date of the deposit and shall be available for expenditure for System unit purposes.

Chapter 1029—Land Transfers

Sec.
102901. Conveyance of property and interests in property in System units or related areas.

§ 102901. Conveyance of property and interests in property in System units or related areas

(a) FREEHOLD AND LEASEHOLD INTERESTS.—With respect to any property acquired by the Secretary within a System unit or related area, except property within national parks or within national monuments of scientific significance, the Secretary may convey a freehold or leasehold interest in the property, subject to such terms and conditions as will ensure the use of the property in a manner that is, in the judgment of the Secretary, consistent with the purpose for which the System unit or related area was authorized by Congress. The Secretary shall convey the interest to the highest bidder, in accordance with such regulations as the

Secretary may prescribe. The conveyance shall be at not less than the fair market value of the interest, as determined by the Secretary, except that if the conveyance is proposed within 2 years after the property to be conveyed is acquired by the Secretary, the Secretary shall allow the last owner of record of the property 30 days following the date on which the owner is notified by the Secretary in writing that the property is to be conveyed within which to notify the Secretary that the owner wishes to acquire the interest. On receiving the timely request, the Secretary shall convey the interest to the person, in accordance with such regulations as the Secretary may prescribe, on payment or agreement to pay an amount equal to the highest bid price.

(b) EXCHANGE OF LAND.—

(1) IN GENERAL.—The Secretary may accept title to any non-Federal property or interest in property within a System unit or related area under the Secretary's administration in exchange for any Federally-owned property or interest under the Secretary's jurisdiction that the Secretary determines is suitable for exchange or other disposal and that is located in the same State as the non-Federal property to be acquired.

(2) EXCEPTION.—Timberland subject to harvest under a sustained yield program shall not be exchanged under paragraph (1).

(3) PUBLIC HEARING.—On request of a State or a political subdivision thereof, or of a party in interest, prior to an exchange under this subsection the Secretary shall hold a public hearing in the area where the properties to be exchanged are located.

(4) VALUES OF PROPERTIES EXCHANGED.—The values of the properties exchanged—

(A) shall be approximately equal; or

(B) if they are not approximately equal, shall be equalized by the payment of cash to the grantor from funds appropriated for the acquisition of land for the area, or to the Secretary, as the circumstances require.

(c) PROCEEDS CREDITED TO LAND AND WATER CONSERVATION FUND.—The proceeds received from any conveyance under this section shall be credited to the Land and Water Conservation Fund.

Chapter 1031—Appropriations and Accounting

Sec.

§ 103101. Availability and use of appropriations

(a) CREDITS OF RECEIPTS FOR MEALS AND QUARTERS FURNISHED FEDERAL GOVERNMENT EMPLOYEES IN THE FIELD.—Cash collections and payroll deductions made for meals and quarters furnished by the Service to employees of the Federal Government in the field and to cooperating agencies may be credited as a reimbursement to the current appropriation for the administration of the System unit in which the accommodations are furnished.

(b) AVAILABILITY FOR EXPENSE OF RECORDING DONATED LAND.—Appropriations made for the Service shall be available for any expenses incident to the preparation and recording of title evidence covering land to be donated to the United States for administration by the Service.

(c) USE OF FUNDS FOR LAW ENFORCEMENT AND EMERGENCIES.—

(1) IN GENERAL.—Funds, not to exceed $250,000 per incident, available to the Service may be used, with the approval of the Secretary, to—

(A) maintain law and order in emergency and other unforeseen law enforcement situations; and

(B) conduct emergency search and rescue operations in the System.

(2) REPLENISHMENT OF FUNDS.—If the Secretary expends funds under paragraph (1), the funds shall be replenished by a supplemental appropriation for which the Secretary shall make a request as promptly as possible.

(d) CONTRIBUTION FOR ANNUITY BENEFITS.—

(1) IN GENERAL.—Necessary amounts are appropriated for reimbursement, pursuant to the Policemen and Firemen's Retirement and Disability Act amendments of 1957 (Public Law 85–157, 71 Stat. 391), to the District of Columbia on a monthly basis for benefit payments by the District of Columbia to United States Park Police annuitants under section 12 of the Policemen and Firemen's Retirement and Disability Act (ch. 433, 39 Stat. 718), to the extent that those payments exceed contributions made by active Park Police members covered under the Policemen and Firemen's Retirement and Disability Act.

(2) NONAVAILABILITY OF APPROPRIATIONS TO THE SERVICE.—Appropriations made to the Service are not available for the purpose of making reimbursements under paragraph (1).

(e) WATERPROOF FOOTWEAR.—Appropriations for the Service that are available for the purchase of equipment may be used for purchase of waterproof footwear, which shall be regarded and listed as System equipment.

§ 103102. Appropriations authorized and available for certain purposes

Appropriations for the Service are authorized and are available for—

(1) administration, protection, improvement, and maintenance of areas, under the jurisdiction of other Federal agencies, that are devoted to recreational use pursuant to cooperative agreements;

(2) necessary local transportation and subsistence in kind of individuals selected for employment or as cooperators, serving without other compensation, while attending fire protection training camps;

(3) administration, protection, maintenance, and improvement of the Chesapeake and Ohio Canal;

(4) educational lectures in or in the vicinity of and with respect to System units, and services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in System units as the Secretary may designate;

(5) travel expenses of employees attending—

(A) Federal Government camps for training in forest fire prevention and suppression;

(B) the Federal Bureau of Investigation National Police Academy; and

(C) Federal, State, or municipal schools for training in building fire prevention and suppression;

(6) investigation and establishment of water rights in accordance with local custom, laws, and decisions of courts, including the acquisition of water rights or of land or interests in land or rights-of-way for use and protection of water rights necessary or beneficial in the administration and public use of System units;

(7) official telephone service in the field in the case of official telephones installed in private houses when authorized under regulations established by the Secretary; and

(8) provision of transportation for children in nearby communities to and from any System unit used in connection with organized recreation and interpretive programs of the Service.

§ 103103. Amounts provided by private entities for utility services

Notwithstanding any other provision of law, amounts provided to the Service by private entities for utility services shall be credited to the appropriate account and remain available until expended.

§ 103104. Recovery of costs associated with special use permits

Notwithstanding any other provision of law, the Service may recover all costs of providing necessary services associated with special use permits. The reimbursements shall be credited to the appropriation current at that time.

Chapter 1033—National Military Parks

§ 103301. Military maneuvers

To obtain practical benefits of great value to the country from the establishment of national military parks, the parks and their approaches are declared to be national fields for military maneuvers for the Regular Army or Regular Air Force and the National Guard or militia of the States. National military parks shall be opened for those purposes only in the discretion of the Secretary, and under such regulations as the Secretary may prescribe.

§ 103302. Camps for military instruction

(a) ASSEMBLING OF FORCES AND DETAILING OF INSTRUCTORS.—The Secretary of the Army or Secretary of the Air Force, within the limits of appropriations that may be available for that purpose, may assemble in camp at such season of the year and for such period as the Secretary of the Army or Secretary of the Air Force may designate, at the field of military maneuvers, such portions

of the military forces of the United States as the Secretary of the Army or Secretary of the Air Force may think best, to receive military instruction there. The Secretary of the Army of Secretary of the Air Force may detail instructors from the Regular Army or Regular Air Force, respectively, for those forces during their exercises.

(b) REGULATIONS.—The Secretary of the Army or Secretary of the Air Force may prescribe regulations governing the assembling of the National Guard or militia of the States on the maneuvering grounds.

§ 103303. Performance of duties of commissions

The duties of commissions in charge of national military parks shall be performed under the direction of the Secretary.

§ 103304. Recovery of land withheld

(a) CIVIL ACTION.—The United States may bring a civil action in the courts of the United States against a person to whom land lying within a national military park has been leased that refuses to give up possession of the land to the United States after the termination of the lease, and after possession has been demanded for the United States by the park superintendent, or against a person retaining possession of land lying within the boundary of a national military park that the person has sold to the United States for park purposes and received payment therefor, after possession of the land has been demanded for the United States by the park superintendent, to recover possession of the land withheld. The civil action shall be brought according to the statutes of the State in which the national military park is situated.

(b) TRESPASS.—A person described in subsection (a) shall be guilty of trespass.

§ 103305. Travel expenses incident to study of battlefields

Mileage of officers of the Army and actual expenses of civilian employees traveling on duty in connection with the studies, surveys, and field investigations of battlefields shall be paid from the appropriations made to meet expenses for those purposes.

§ 103306. Studies

(a) STUDY OF BATTLEFIELDS FOR COMMEMORATIVE PURPOSES.—The Secretary of the Army may make studies and investigations and, where necessary, surveys of all battlefields within the continental limits of the United States on which troops of the United States or of the original 13 colonies have been engaged against a common enemy, with a view to preparing a general plan and such detailed projects as may be required for properly commemorating such battlefields or other adjacent points of historic and military interest.

(b) INCLUSION OF ESTIMATE OF COST OF PROJECTED SURVEYS IN APPROPRIATION ESTIMATES.—The Secretary of the Army shall include annually in the Department of the Interior appropriation estimates a list of the battlefields for which surveys or other field investigations are planned for the fiscal year in question, with the estimated cost of making each survey or other field investigation.

(c) PURCHASE OF REAL ESTATE FOR NATIONAL MILITARY PARK PURPOSES.—No real estate shall be purchased for national military

park purposes by the Federal Government unless a report on the real estate has been made by the Secretary of the Army through the President to Congress under subsection (d).

(d) REPORT TO CONGRESS.—The Secretary of the Army, through the President, shall annually submit to Congress a detailed report of progress made under this subchapter, with recommendations for further operations.

Chapters 1035 through 1047—Reserved

Chapter 1049—Miscellaneous

Sec.

§ 104901. Central warehouses at System units

(a) AUTHORITY OF SECRETARY.—The Secretary, in the administration of the System, may maintain central warehouses at System units.

(b) APPROPRIATIONS.—

(1) AVAILABILITY.—Appropriations made for the administration, protection, maintenance, and improvement of System units shall be available for the purchase of supplies and materials to be kept in central warehouses for distribution at cost, including transportation and handling, to projects under specific appropriations.

(2) TRANSFERS BETWEEN APPROPRIATIONS.—

(A) AUTHORIZATION.—Transfers between the various appropriations made for System units are authorized for the purpose of charging the cost of supplies and materials, including transportation and handling, drawn from central warehouses maintained under this authority to the particular appropriation benefited.

(B) AVAILABILITY OF SUPPLIES AND MATERIALS AND TRANSFERS IN SUBSEQUENT YEARS.—Supplies and materials that remain at the end of any fiscal year shall be continuously available for issuance during subsequent fiscal years and shall be charged for by transfers of funds between appropriations made for the administration, protection, maintenance, and improvement of System units for the fiscal year then current without decreasing the appropriations made for that fiscal year.

(c) LIMITATION ON PURCHASE OF SUPPLIES AND MATERIALS.—Supplies and materials shall not be purchased solely for the purpose of increasing the value of storehouse stock beyond reasonable requirements for any current fiscal year.

§ 104902. Services or other accommodations for public

The Secretary may contract for services or other accommodations provided in System units for the public under contract with the

Department of the Interior, as may be required in the administration of the Service, at rates approved by the Secretary for the furnishing of those services or accommodations to the Federal Government and without compliance with section 6101 of title 41.

§ 104903. Care, removal, and burial of indigents

The Secretary may provide, out of amounts appropriated for the general expenses of System units, for the temporary care and removal from a System unit of indigents, and in case of death to provide for their burial in System units not under local jurisdiction for these purposes. This section does not authorize transportation of indigents or deceased for a distance of more than 50 miles from the System unit.

§ 104904. Hire of work animals, vehicles, and equipment with or without personal services

The Secretary may hire, with or without personal services, work animals and animal-drawn and motor-propelled vehicles and equipment at rates to be approved by the Secretary and without compliance with section 6101 of title 41.

§ 104905. Preparation of mats for reproduction of photographs

The Secretary shall prepare mats that may be used for the reproduction in magazines and newspapers of photographs of scenery in a System unit that, in the opinion of the Secretary, would be of interest to the people of the United States and foreign nations. The mats may be furnished, without charge and under regulations the Secretary may prescribe, to the publishers of magazines, newspapers, and any other publications that may carry photographic reproductions.

§ 104906. Protection of right of individuals to bear arms

(a) FINDINGS.—Congress finds the following:

(1) The 2d amendment to the Constitution provides that "the right of the people to keep and bear Arms, shall not be infringed".

(2) Section 2.4(a)(1) of title 36, Code of Federal Regulations, provides that "except as otherwise provided in this section and parts 7 (special regulations) and 13 (Alaska regulations), the following are prohibited: (i) Possessing a weapon, trap or net (ii) Carrying a weapon, trap or net (iii) Using a weapon, trap or net".

(3) The regulations described in paragraph (2) prevent individuals complying with Federal and State laws from exercising the 2d amendment rights of the individuals while at System units.

(4) The existence of different laws relating to the transportation and possession of firearms at different System units entrapped law-abiding gun owners while at System units.

(5) Although the Bush administration issued new regulations relating to the 2d amendment rights of law-abiding citizens in System units that went into effect on January 9, 2009—

(A) on March 19, 2009, the United States District Court for the District of Columbia granted a preliminary injunction with respect to the implementation and enforcement of the new regulations; and

(B) the new regulations—

(i) are under review by the Obama administration; and

(ii) may be altered.

(6) Congress needs to weigh in on the new regulations to ensure that unelected bureaucrats and judges cannot again override the 2d amendment rights of law-abiding citizens on 83,600,000 acres of System land.

(7) Federal laws should make it clear that the 2d amendment rights of an individual at a System unit should not be infringed.

(b) PROTECTION OF RIGHT OF INDIVIDUALS TO BEAR ARMS IN SYSTEM UNITS.—The Secretary shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, in any System unit if—

(1) the individual is not otherwise prohibited by law from possessing the firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the System unit is located.

§ 104907. Limitation on extension or establishment of national parks in Wyoming

No extension or establishment of national parks in Wyoming may be undertaken except by express authorization of Congress.

Division B—System Units and Related Areas—Reserved

Subtitle II—Outdoor Recreation Programs

Chapter 2001—Coordination of Programs

§ 200101. Findings and declaration of policy

Congress finds and declares it is desirable—

(1) that all American people of present and future generations be assured adequate outdoor recreation resources; and

(2) for all levels of government and private interests to take prompt and coordinated action to the extent practicable without diminishing or affecting their respective powers and functions to conserve, develop, and utilize those resources for the benefit and enjoyment of the American people.

§ 200102. Definitions

As used in this chapter:

(1) STATE.—The term "State", to the extent practicable, as determined by the Secretary, includes Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

(2) UNITED STATES.—The term "United States"—

(A) includes the District of Columbia; and

(B) to the extent practicable, as determined by the Secretary, includes Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

§ 200103. Authority of Secretary to carry out certain functions and activities

(a) IN GENERAL.—To carry out this chapter, the Secretary may perform the functions and activities described in this section.

(b) INVENTORY AND EVALUATION.—The Secretary may prepare and maintain a continuing inventory and evaluation of outdoor recreation needs and resources of the United States.

(c) CLASSIFICATION SYSTEM.—The Secretary may prepare a system for classification of outdoor recreation resources to assist in the effective and beneficial use and management of such resources.

(d) RECREATION PLAN.—The Secretary may formulate and maintain a comprehensive nationwide outdoor recreation plan, taking into consideration the plans of the various Federal agencies, States, and their political subdivisions. The plan shall set forth the needs and demands of the public for outdoor recreation and the current and foreseeable availability in the future of outdoor recreation resources to meet those needs. The plan shall identify critical outdoor recreation problems, recommend solutions, and recommend desirable actions to be taken at each level of government and by private interests. The Secretary shall submit the plan to the President for transmittal to Congress. Revisions of the plan shall be similarly transmitted at succeeding 5-year intervals. When a plan or revision is transmitted to the Congress, the Secretary shall transmit copies to the chief executive officials of the States.

(e) TECHNICAL ASSISTANCE AND ADVICE.—The Secretary may provide technical assistance and advice to and cooperate with States, political subdivisions, and private interests, including nonprofit organizations, with respect to outdoor recreation.

(f) INTERSTATE AND REGIONAL COOPERATION.—The Secretary may encourage interstate and regional cooperation in the planning, acquisition, and development of outdoor recreation resources.

(g) RESEARCH, INFORMATION, AND EDUCATION PROGRAMS AND ACTIVITIES.—The Secretary may—

(1) sponsor, engage in, and assist in research relating to outdoor recreation, directly or by contract or cooperative agreements, and make payments for such purposes without regard to the limitations of section 3324(a) and (b) of title 31 concerning advances of funds when the Secretary considers such action to be in the public interest;

(2) undertake studies and assemble information concerning outdoor recreation, directly or by contract or cooperative agreement, and disseminate the information without regard to section 3204 of title 39; and

(3) cooperate with educational institutions and others to assist in establishing education programs and activities and to encourage public use and benefits from outdoor recreation.

(h) COOPERATION AND COORDINATION WITH FEDERAL AGENCIES.—

(1) IN GENERAL.—The Secretary may—

(A) cooperate with and provide technical assistance to Federal agencies and obtain from them information, data, reports, advice, and assistance that are needed and can

reasonably be furnished in carrying out the purposes of this chapter; and

(B) promote coordination of Federal plans and activities generally relating to outdoor recreation.

(2) FUNDING.—An agency furnishing advice or assistance under this paragraph may expend its own funds for those purposes, with or without reimbursement, as may be agreed to by that agency.

(i) DONATIONS.—The Secretary may accept and use donations of money, property, personal services, or facilities for the purposes of this chapter.

§ 200104. Consultations of Secretary with administrative officers; execution of administrative responsibilities in conformity with nationwide plan

To carry out the policy declared in section 200101 of this title, the heads of Federal agencies having administrative responsibility over activities or resources the conduct or use of which is pertinent to fulfillment of that policy shall, individually or as a group—

(1) consult with and be consulted by the Secretary from time to time both with respect to their conduct of those activities and their use of those resources and with respect to the activities that the Secretary carries on under authority of this chapter that are pertinent to their work; and

(2) carry out that responsibility in general conformance with the nationwide plan authorized under section 200103(d) of this title.

Chapter 2003—Land and Water Conservation Fund

Sec.
200301. Definitions.
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200308. Contracts for acquisition of land and water.
200309. Contracts for options to acquire land and water in System.
200310. Transfers to and from Fund.

§ 200301. Definitions

In this chapter:

(1) FUND.—The term "Fund" means the Land and Water Conservation Fund established under section 200302 of this title.

(2) STATE.—The term "State" means a State, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

§ 200302. Establishment of Land and Water Conservation Fund

(a) ESTABLISHMENT.—There is established in the Treasury the Land and Water Conservation Fund.

(b) DEPOSITS.—During the period ending September 30, 2015, there shall be deposited in the Fund the following revenues and collections:

(1) All proceeds (except so much thereof as may be otherwise obligated, credited, or paid under authority of the provisions of law set forth in section 572(a) or 574(a) to (c) of title 40 or under authority of any appropriation Act that appropriates an amount, to be derived from proceeds from the transfer of excess property and the disposal of surplus property, for necessary expenses, not otherwise provided for, incident to the utilization and disposal of excess and surplus property) received from any disposal of surplus real property and related personal property under chapter 5 of title 40, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury. Nothing in this chapter shall affect existing laws or regulations concerning disposal of real or personal surplus property to schools, hospitals, and States and their political subdivisions.

(2) The amounts provided for in section 200310 of this title.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—In addition to the sum of the revenues and collections estimated by the Secretary to be deposited in the Fund pursuant to this section, there are authorized to be appropriated annually to the Fund out of any money in the Treasury not otherwise appropriated such amounts as are necessary to make the income of the Fund not less than $900,000,000 for each fiscal year through September 30, 2015.

(2) RECEIPTS UNDER OUTER CONTINENTAL SHELF LANDS ACT.—To the extent that amounts appropriated under paragraph (1) are not sufficient to make the total annual income of the Fund equivalent to the amounts provided in paragraph (1), an amount sufficient to cover the remainder shall be credited to the Fund from revenues due and payable to the United States for deposit in the Treasury as miscellaneous receipts under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

(3) AVAILABILITY OF DEPOSITS.—Notwithstanding section 200303 of this title, money deposited in the Fund under this subsection shall remain in the Fund until appropriated by Congress to carry out this chapter.

§ 200303. Appropriations for expenditure of Fund amounts

Amounts deposited in the Fund shall be available for expenditure for the purposes of this chapter only when appropriated for those purposes. The appropriations may be made without fiscal-year limitation. Amounts made available for obligation or expenditure from the Fund may be obligated or expended only as provided in this chapter.

§ 200304. Statement of estimated requirements

There shall be submitted with the annual budget of the United States a comprehensive statement of estimated requirements during the ensuing fiscal year for appropriations from the Fund. Not less than 40 percent of such appropriations shall be available for Federal purposes.

§ 200305. Financial assistance to States

(a) AUTHORITY OF SECRETARY TO MAKE PAYMENTS.—The Secretary may provide financial assistance to the States from amounts available for State purposes. Payments may be made to the States

by the Secretary as provided in this section, subject to such terms and conditions as the Secretary considers appropriate and in the public interest to carry out the purposes of this chapter, for outdoor recreation:

(1) Planning.

(2) Acquisition of land, water, or interests in land or water.

(3) Development.

(b) APPORTIONMENT AMONG STATES.—Amounts appropriated and available for State purposes for each fiscal year shall be apportioned among the States by the Secretary, whose determination shall be final, in accordance with the following formula:

(1) Forty percent of the 1st $225,000,000; 30 percent of the next $275,000,000; and 20 percent of all additional appropriations shall be apportioned equally among the States.

(2) At any time, the remaining appropriation shall be apportioned on the basis of need to individual States by the Secretary in such amounts as in the Secretary's judgment will best accomplish the purposes of this chapter. The determination of need shall include consideration of——

(A) the proportion that the population of each State bears to the total population of the United States;

(B) the use of outdoor recreation resources of each State by persons from outside the State; and

(C) the Federal resources and programs in each State.

(3) The total allocation to a State under paragraphs (1) and (2) shall not exceed 10 percent of the total amount allocated to all of the States in any one year.

(4) The Secretary shall notify each State of its apportionments. The amounts shall be available for payment to the State for planning, acquisition, or development projects as prescribed. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which the notification is given and for 2 fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (2) without regard to the 10 percent limitation to an individual State specified in this subsection.

(5) For the purposes of paragraph (1), the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands shall be deemed to be one State, and shall receive shares of the apportionment in proportion to their populations.

(c) MATCHING REQUIREMENTS.—Payments to any State shall cover not more than 50 percent of the cost of planning, acquisition, or development projects that are undertaken by the State. The remaining share of the cost shall be borne by the State in a manner and with funds or services as shall be satisfactory to the Secretary.

(d) COMPREHENSIVE STATE PLAN.—

(1) REQUIRED FOR CONSIDERATION OF FINANCIAL ASSISTANCE.—A comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects. The plan shall be adequate if, in the judgment of the Secretary, it encompasses and will promote the purposes of this chapter. No plan shall be approved unless the chief executive official of the State certifies that ample opportunity for public participation in plan development and revision has been accorded. The

Secretary shall develop, in consultation with others, criteria for public participation, which criteria shall constitute the basis for the certification by the chief executive official. The plan shall contain—

(A) the name of the State agency that will have authority to represent and act for the State in dealing with the Secretary for purposes of this chapter;

(B) an evaluation of the demand for and supply of outdoor recreation resources and facilities in the State;

(C) a program for the implementation of the plan; and

(D) other necessary information, as determined by the Secretary.

(2) FACTORS TO BE CONSIDERED.—The plan shall take into account relevant Federal resources and programs and shall be correlated so far as practicable with other State, regional, and local plans. Where there exists or is in preparation for any particular State a comprehensive plan financed in part with funds supplied by the Secretary of Housing and Urban Development, any statewide outdoor recreation plan prepared for purposes of this part shall be based on the same population, growth, and other pertinent factors as are used in formulating plans financed by the Secretary of Housing and Urban Development.

(3) PROVISION OF ASSISTANCE WHEN PLAN NOT OTHERWISE AVAILABLE OR TO MAINTAIN PLAN.—The Secretary may provide financial assistance to any State for projects for the preparation of a comprehensive statewide outdoor recreation plan when the plan is not otherwise available or for the maintenance of the plan.

(4) WETLANDS.—A comprehensive statewide outdoor recreation plan shall specifically address wetlands within the State as an important outdoor recreation resource as a prerequisite to approval, except that a revised comprehensive statewide outdoor recreation plan shall not be required by the Secretary, if a State submits, and the Secretary, acting through the Director, approves, as a part of and as an addendum to the existing comprehensive statewide outdoor recreation plan, a wetlands priority plan developed in consultation with the State agency with responsibility for fish and wildlife resources and consistent with the national wetlands priority conservation plan developed under section 301 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3921) or, if the national plan has not been completed, consistent with the provisions of that section.

(e) PROJECTS FOR LAND AND WATER ACQUISITION AND DEVELOPMENT OF BASIC OUTDOOR RECREATION FACILITIES.—

(1) IN GENERAL.—In addition to assistance for planning projects, the Secretary may provide financial assistance to any State for the types of projects described in paragraphs (2) and (3), or combinations of those projects, if the projects are in accordance with the State comprehensive plan.

(2) ACQUISITION OF LAND OR WATER.—

(A) IN GENERAL.—Under paragraph (1), the Secretary may provide financial assistance for a project for the acquisition of land, water, or an interest in land or water, or a wetland area or an interest in a wetland area, as identified in the wetlands provisions of the comprehensive

plan (other than land, water, or an interest in land or water acquired from the United States for less than fair market value), but not including incidental costs relating to acquisition.

(B) RETENTION OF RIGHT OF USE AND OCCUPANCY.—When a State provides that the owner of a single-family residence may, at the owner's option, elect to retain a right of use and occupancy for not less than 6 months after the date of acquisition of the residence and the owner elects to retain such a right—

(i) the owner shall be deemed to have waived any benefits under sections 203 to 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4623 to 4626); and

(ii) for the purposes of those sections the owner shall not be deemed to be a displaced person as defined in section 101 of that Act (42 U.S.C. 4601).

(3) DEVELOPMENT OF BASIC OUTDOOR RECREATION FACILITIES.—Under paragraph (1), the Secretary may provide financial assistance for a project for development of basic outdoor recreation facilities to serve the general public, including the development of Federal land under lease to States for terms of 25 years or more. No assistance shall be available under this chapter to enclose or shelter a facility normally used for an outdoor recreation activity, but the Secretary may permit local funding, not to exceed 10 percent of the total amount allocated to a State in any one year, to be used for construction of a sheltered facility for a swimming pool or ice skating rink in an area where the Secretary determines that the construction is justified by the severity of climatic conditions and the increased public use made possible by the construction.

(f) PAYMENTS.—

(1) CRITERIA FOR MAKING PAYMENTS.—The Secretary may make a payment to a State only for a planning, acquisition, or development project that is approved by the Secretary. The Secretary shall not make a payment for or on account of any project with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance shall be given under any other Federal program or activity for or on account of any project with respect to which the assistance has been given or promised under this chapter. The Secretary may make payments from time to time in keeping with the rate of progress toward the satisfactory completion of a project. The approval of all projects and all payments, or any commitments relating thereto, shall be withheld until the Secretary receives appropriate written assurance from the State that the State has the ability and intention to finance its share of the cost of all of the projects, and to operate and maintain by acceptable standards, at State expense, the properties or facilities acquired or developed for public outdoor recreation use.

(2) PAYMENT RECIPIENTS.—Payments for all projects shall be made by the Secretary to the chief executive official of the State or to a State official or agency designated by the chief executive official or by State law having authority and responsibility to accept and to administer funds paid under this section for approved projects. If consistent with an

approved project, funds may be transferred by the State to a political subdivision or other appropriate public agency.

(3) CONVERSION TO OTHER THAN PUBLIC OUTDOOR RECREATION USE.—No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation use. The Secretary shall approve a conversion only if the Secretary finds it to be in accordance with the then-existing comprehensive statewide outdoor recreation plan and only on such conditions as the Secretary considers necessary to ensure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location. Wetland areas and interests therein as identified in the wetlands provisions of the comprehensive plan and proposed to be acquired as suitable replacement property within the same State that is otherwise acceptable to the Secretary, acting through the Director, shall be deemed to be of reasonably equivalent usefulness with the property proposed for conversion.

(4) REPORTS AND ACCOUNTING PROCEDURES.—No payment shall be made to any State until the State has agreed to—

(A) provide such reports to the Secretary in such form and containing such information as may be reasonably necessary to enable the Secretary to perform the Secretary's duties under this chapter; and

(B) provide such fiscal control and fund accounting procedures as may be necessary to ensure proper disbursement and accounting for Federal funds paid to the State under this chapter.

(g) RECORDS.—A recipient of assistance under this chapter shall keep such records as the Secretary shall prescribe, including records that fully disclose—

(1) the amount and the disposition by the recipient of the proceeds of the assistance;

(2) the total cost of the project or undertaking in connection with which the assistance is given or used; and

(3) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(h) ACCESS TO RECORDS.—The Secretary, and the Comptroller General, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any records of the recipient that are pertinent to assistance received under this chapter.

(i) PROHIBITION OF DISCRIMINATION.—With respect to property acquired or developed with assistance from the Fund, discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence.

(j) COORDINATION WITH FEDERAL AGENCIES.—To ensure consistency in policies and actions under this chapter with other related Federal programs and activities and to ensure coordination of the planning, acquisition, and development assistance to States under this section with other related Federal programs and activities—

(1) the President may issue such regulations with respect thereto as the President considers desirable; and

(2) the assistance may be provided only in accordance with the regulations.

(k) CAPITAL IMPROVEMENT AND OTHER PROJECTS TO REDUCE CRIME.—

(1) AVAILABILITY AND PURPOSE OF FUNDS.—In addition to assistance for planning projects, and in addition to the projects identified in subsection (e), and from amounts appropriated out of the Violent Crime Reduction Trust Fund, the Secretary may provide financial assistance to the States, not to exceed $15,000,000, for projects or combinations thereof for the purpose of making capital improvements and other measures to increase safety in urban parks and recreation areas, including funds to—

(A) increase lighting within or adjacent to public parks and recreation areas;

(B) provide emergency telephone lines to contact law enforcement or security personnel in areas within or adjacent to public parks and recreation areas;

(C) increase security personnel within or adjacent to public parks and recreation areas; and

(D) fund any other project intended to increase the security and safety of public parks and recreation areas.

(2) ELIGIBILITY.—In addition to the requirements for project approval imposed by this section, eligibility for assistance under this subsection shall depend on a showing of need. In providing funds under this subsection, the Secretary shall give priority to projects proposed for urban parks and recreation areas with the highest rates of crime and, in particular, to urban parks and recreation areas with the highest rates of sexual assault.

(3) FEDERAL SHARE.—Notwithstanding subsection (c), the Secretary may provide 70 percent improvement grants for projects undertaken by a State for the purposes described in this subsection.

§ 200306. Allocation of Fund amounts for Federal purposes

(a) ALLOWABLE PURPOSES AND SUBPURPOSES.—

(1) IN GENERAL.—Amounts appropriated from the Fund for Federal purposes shall, unless otherwise allotted in the appropriation Act making them available, be allotted by the President for the purposes and subpurposes stated in this subsection.

(2) ACQUISITION OF LAND, WATER, OR AN INTEREST IN LAND OR WATER.—

(A) SYSTEM UNITS AND RECREATION AREAS ADMINISTERED FOR RECREATION PURPOSES.—Amounts shall be allotted for the acquisition of land, water, or an interest in land or water within the exterior boundary of—

(i) a System unit authorized or established; and

(ii) an area authorized to be administered by the Secretary for outdoor recreation purposes.

(B) NATIONAL FOREST SYSTEM.—

(i) IN GENERAL.—Amounts shall be allotted for the acquisition of land, water, or an interest in land or water within inholdings within—

(I) wilderness areas of the National Forest System; and

(II) other areas of national forests as the boundaries of those forests existed on January 1, 1965,

or purchase units approved by the National Forest Reservation Commission subsequent to January 1, 1965, all of which other areas are primarily of value for outdoor recreation purposes.

(ii) ADJACENT LAND.—Land outside but adjacent to an existing national forest boundary, not to exceed 3,000 acres in the case of any one forest, that would comprise an integral part of a forest recreational management area may also be acquired with amounts appropriated from the Fund.

(iii) LIMITATION.—Except for areas specifically authorized by Act of Congress, not more than 15 percent of the acreage added to the National Forest System pursuant to this section shall be west of the 100th meridian.

(C) ENDANGERED SPECIES AND THREATENED SPECIES; FISH AND WILDLIFE REFUGE AREAS; NATIONAL WILDLIFE REFUGE SYSTEM.—Amounts shall be allotted for the acquisition of land, water, or an interest in land or water for—

(i) endangered species and threatened species authorized under section 5(a) of the Endangered Species Act of 1973 (16 U.S.C. 1534(a));

(ii) areas authorized by section 2 of the Refuge Recreation Act (16 U.S.C. 460k–1);

(iii) national wildlife refuge areas under section 7(a)(4) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742f(a)(4)) and wetlands acquired under section 304 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3922); and

(iv) any area authorized for the National Wildlife Refuge System by specific Acts.

(3) PAYMENT AS OFFSET OF CAPITAL COSTS.—Amounts shall be allotted for payment into miscellaneous receipts of the Treasury as a partial offset for capital costs, if any, of Federal water development projects authorized to be constructed by or pursuant to an Act of Congress that are allocated to public recreation and the enhancement of fish and wildlife values and financed through appropriations to water resource agencies.

(4) AVAILABILITY OF APPROPRIATIONS.—Appropriations allotted for the acquisition of land, water, or an interest in land or water as set forth under subparagraphs (A) and (B) of paragraph (2) shall be available for those acquisitions notwithstanding any statutory ceiling on the appropriations contained in any other provision of law enacted prior to January 4, 1977, or, in the case of national recreation areas, prior to January 15, 1979, except that for any such area expenditures shall not exceed a statutory ceiling during any one fiscal year by 10 percent of the ceiling or $1,000,000, whichever is greater.

(b) ACQUISITION RESTRICTIONS.—Appropriations from the Fund pursuant to this section shall not be used for acquisition unless the acquisition is otherwise authorized by law. Appropriations from the Fund may be used for preacquisition work where authorization is imminent and where substantial monetary savings could be realized.

§ 200307. Availability of Fund amounts for publicity purposes

(a) IN GENERAL.—Amounts derived from the sources listed in section 200302 of this title shall not be available for publicity purposes.

(b) EXCEPTION FOR TEMPORARY SIGNING.—In a case where significant acquisition or development is initiated, appropriate standardized temporary signing shall be located on or near the affected site, to the extent feasible, so as to indicate the action taken is a product of funding made available through the Fund. The signing may indicate the percentage amounts and dollar amounts financed by Federal and non-Federal funds, and that the source of the funding includes amounts derived from Outer Continental Shelf receipts. The Secretary shall prescribe standards and guidelines for the usage of the signing to ensure consistency of design and application.

§ 200308. Contracts for acquisition of land and water

Not more than $30,000,000 of the amount authorized to be appropriated from the Fund by section 200303 of this title may be obligated by contract during each fiscal year for the acquisition of land, water, or interest in land or water within areas specified in section 200306(a)(2) of this title. The contract may be executed by the head of the department concerned, within limitations prescribed by the Secretary. The contract shall be a contractual obligation of the United States and shall be liquidated with money appropriated from the Fund specifically for liquidation of that contract obligation. No contract may be entered into for the acquisition of property pursuant to this section unless the acquisition is otherwise authorized by Federal law.

§ 200309. Contracts for options to acquire land and water in System

The Secretary may enter into contracts for options to acquire land, water, or interests in land or water within the exterior boundaries of any area the acquisition of which is authorized by law for inclusion in the System. The minimum period of any such option shall be 2 years, and any sums expended for the purchase of an option shall be credited to the purchase price of the area. Not more than $500,000 of the sum authorized to be appropriated from the Fund by section 200303 of this title may be expended by the Secretary in any one fiscal year for the options.

§ 200310. Transfers to and from Fund

(a) MOTORBOAT FUEL TAXES.—There shall be set aside in the Fund the amounts specified in section 9503(c)(3)(B) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(3)(B)).

(b) REFUNDS OF TAXES.—There shall be paid from time to time from the Fund into the general fund of the Treasury amounts estimated by the Secretary of the Treasury as equivalent to—

(1) the amounts paid before October 1, 2017, under section 6421 of the Internal Revenue Code of 1986 (26 U.S.C. 6421) with respect to gasoline used after December 31, 1964, in motorboats, on the basis of claims filed for periods ending before October 1, 2016; and

(2) 80 percent of the floor stocks refunds made before October 1, 2017, under section 6412(a)(1) of the Internal Revenue Code

of 1986 (26 U.S.C. 6412(a)(1)) with respect to gasoline to be used in motorboats.

Chapter 2005—Urban Park and Recreation Recovery Program

§ 200501. Definitions

In this chapter:

(1) AT-RISK YOUTH RECREATION GRANT.—

(A) IN GENERAL.—The term "at-risk youth recreation grant" means a grant in a neighborhood or community with a high prevalence of crime, particularly violent crime or crime committed by youthful offenders.

(B) INCLUSIONS.—The term "at-risk youth recreation grant" includes—

(i) a rehabilitation grant;

(ii) an innovation grant; and

(iii) a matching grant for continuing program support for a program of demonstrated value or success in providing constructive alternatives to youth at risk for engaging in criminal behavior, including a grant for operating, or coordinating, a recreation program or service.

(C) ADDITIONAL USES OF REHABILITATION GRANT.—In addition to the purposes specified in paragraph (8), a rehabilitation grant that serves as an at-risk youth recreation grant may be used for the provision of lighting, emergency phones, or any other capital improvement that will improve the security of an urban park.

(2) GENERAL PURPOSE LOCAL GOVERNMENT.—The term "general purpose local government" means—

(A) a city, county, town, township, village, or other general purpose political subdivision of a State; and

(B) the District of Columbia.

(3) INNOVATION GRANT.—The term "innovation grant" means a matching grant to a local government to cover costs of personnel, facilities, equipment, supplies, or services designed to demonstrate innovative and cost-effective ways to augment park and recreation opportunities at the neighborhood level and to address common problems related to facility operations and improved delivery of recreation service, not including routine operation and maintenance activities.

(4) MAINTENANCE.—The term "maintenance" means all commonly accepted practices necessary to keep recreation areas and facilities operating in a state of good repair and to protect them from deterioration resulting from normal wear and tear.

(5) PRIVATE, NONPROFIT AGENCY.—The term "private, nonprofit agency" means a community-based, nonprofit organization, corporation, or association organized for purposes of providing recreational, conservation, and educational services directly to urban residents on a neighborhood or community-wide basis through voluntary donations, voluntary labor, or public or private grants.

(6) RECOVERY ACTION PROGRAM GRANT.—

(A) IN GENERAL.—The term "recovery action program grant" means a matching grant to a local government for development of local park and recreation recovery action programs to meet the requirements of this chapter.

(B) USE.—A recovery action program grant shall be used for resource and needs assessment, coordination, citizen involvement and planning, and program development activities to—

(i) encourage public definition of goals; and

(ii) develop priorities and strategies for overall recreation system recovery.

(7) RECREATION AREA OR FACILITY.—The term "recreation area or facility" means an indoor or outdoor park, building, site, or other facility that is dedicated to recreation purposes and administered by a public or private nonprofit agency to serve the recreation needs of community residents. Emphasis shall be on public facilities readily accessible to residential neighborhoods, including multiple-use community centers that have recreation as one of their primary purposes, but excluding major sports arenas, exhibition areas, and conference halls used primarily for commercial sports, spectator, or display activities.

(8) REHABILITATION GRANT.—The term "rehabilitation grant" means a matching capital grant to a local government for rebuilding, remodeling, expanding, or developing an existing outdoor or indoor recreation area or facility, including improvements in park landscapes, buildings, and support facilities, but excluding routine maintenance and upkeep activities.

(9) SPECIAL PURPOSE LOCAL GOVERNMENT.—

(A) IN GENERAL.—The term "special purpose local government" means a local or regional special district, public-purpose corporation, or other limited political subdivision of a State.

(B) INCLUSIONS.—The term "special purpose local government" includes—

(i) a park authority;

(ii) a park, conservation, water, or sanitary district; and

(iii) a school district.

(10) STATE.—The term "State" means a State, an instrumentality of a State approved by the Governor of the State, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

§ 200502. Federal assistance

(a) ELIGIBILITY DETERMINED BY SECRETARY.—Eligibility of general purpose local governments for assistance under this chapter shall be based on need as determined by the Secretary. The Secretary shall publish in the Federal Register a list of local governments

eligible to participate in this program, to be accompanied by a discussion of criteria used in determining eligibility. Criteria shall be based on factors that the Secretary determines are related to deteriorated recreational facilities or systems and physical and economic distress.

(b) ADDITIONAL ELIGIBLE GENERAL PURPOSE LOCAL GOVERNMENTS.—In addition to eligible local governments established in accordance with subsection (a), the Secretary may establish eligibility, in accord with the findings and purpose of the Urban Park and Recreation Recovery Act of 1978 (Public Law 95–625, 92 Stat. 3538), of other general purpose local governments in metropolitan statistical areas as defined by the Director of the Office of Management and Budget.

(c) PRIORITY CRITERIA FOR PROJECT SELECTION AND APPROVAL.—

(1) IN GENERAL.—The Secretary shall establish priority criteria for project selection and approval that consider such factors as—

(A) population;

(B) condition of existing recreation areas and facilities;

(C) demonstrated deficiencies in access to neighborhood recreation opportunities, particularly for minority and low- and moderate-income residents;

(D) public participation in determining rehabilitation or development needs;

(E) the extent to which a project supports or complements target activities undertaken as part of a local government's overall community development and urban revitalization program;

(F) the extent to which a proposed project would provide—

(i) employment opportunities for minorities, youth, and low- and moderate-income residents in the project neighborhood;

(ii) for participation of neighborhood, nonprofit, or tenant organizations in the proposed rehabilitation activity or in subsequent maintenance, staffing, or supervision of recreation areas and facilities; or

(iii) both; and

(G) the amount of State and private support for a project as evidenced by commitments of non-Federal resources to project construction or operation.

(2) AT-RISK YOUTH RECREATION GRANTS.—For at-risk youth recreation grants, the Secretary shall give a priority to each of the following criteria:

(A) Programs that are targeted to youth who are at the greatest risk of becoming involved in violence and crime.

(B) Programs that teach important values and life skills, including teamwork, respect, leadership, and self-esteem.

(C) Programs that offer tutoring, remedial education, mentoring, and counseling in addition to recreation opportunities.

(D) Programs that offer services during late night or other nonschool hours.

(E) Programs that demonstrate collaboration between local park and recreation, juvenile justice, law enforcement, and youth social service agencies and nongovernmental

entities, including the private sector and community and nonprofit organizations.

(F) Programs that leverage public or private recreation investments in the form of services, materials, or cash.

(G) Programs that show the greatest potential of being continued with non-Federal funds or that can serve as models for other communities.

(d) LIMITATION OF FUNDS.—Grants to discretionary applicants under subsection (b) may not be more than 15 percent of the total amount of funds appropriated under this chapter for rehabilitation grants, innovation grants, and recovery action program grants.

§ 200503. Rehabilitation grants and innovation grants

(a) MATCHING GRANTS.—The Secretary may provide 70 percent matching rehabilitation grants and innovation grants directly to eligible general purpose local governments on the Secretary's approval of applications for the grants by the chief executive officials of those governments.

(b) SPECIAL CONSIDERATIONS.—An innovation grant should be closely tied to goals, priorities, and implementation strategies expressed in local park and recreation recovery action programs, with particular regard to the special considerations listed in section 200504(c)(2) of this title.

(c) TRANSFER.—If consistent with an approved application, a grant recipient may transfer a rehabilitation grant or innovation grant in whole or in part to an independent special purpose local government, private nonprofit agency, or county or regional park authority if the assisted recreation area or facility owned or managed by the transferree offers recreation opportunities to the general population within the jurisdictional boundaries of the grant recipient.

(d) PAYMENTS.—Payments may be made only for a rehabilitation project or innovation project that has been approved by the Secretary. Payments may be made from time to time in keeping with the rate of progress toward the satisfactory completion of the project, except that the Secretary, when appropriate, may make advance payments on an approved rehabilitation project or innovation project in an amount not to exceed 20 percent of the total project cost.

(e) MODIFICATION OF PROJECT.—The Secretary may authorize modification of an approved project only when a grant recipient adequately demonstrates that the modification is necessary because of circumstances not foreseeable at the time at which the project was proposed.

§ 200504. Recovery action programs

(a) EVIDENCE OF LOCAL COMMITMENT TO ONGOING PROGRAMS.—As a requirement for project approval, local governments applying for assistance under this chapter shall submit to the Secretary evidence of their commitments to ongoing planning, rehabilitation, service, operation, and maintenance programs for their park and recreation systems. These commitments will be expressed in local park and recreation recovery action programs that maximize coordination of all community resources, including other federally supported urban development and recreation programs. During an initial interim period to be established by regulations under this chapter, this requirement may be satisfied by local government

submissions of preliminary action programs that briefly define objectives, priorities, and implementation strategies for overall system recovery and maintenance and commit the applicant to a scheduled program development process. Following this interim period, all local applicants shall submit to the Secretary, as a condition of eligibility, a 5-year action program for park and recreation recovery that satisfactorily demonstrates—

(1) systematic identification of recovery objectives, priorities, and implementation strategies;

(2) adequate planning for rehabilitation of specific recreation areas and facilities, including projections of the cost of proposed projects;

(3) the capacity and commitment to ensure that facilities provided or improved under this chapter shall continue to be adequately maintained, protected, staffed, and supervised;

(4) the intention to maintain total local public outlays for park and recreation purposes at levels at least equal to those in the year preceding that in which grant assistance is sought except in any case where a reduction in park and recreation outlays is proportionate to a reduction in overall spending by the applicant; and

(5) the relationship of the park and recreation recovery program to overall community development and urban revitalization efforts.

(b) CONTINUING PLANNING PROCESS.—Where appropriate, the Secretary may encourage local governments to meet action program requirements through a continuing planning process that includes periodic improvements and updates in action program submissions to eliminate identified gaps in program information and policy development.

(c) SPECIAL CONSIDERATIONS.—Action programs shall address, but are not limited to—

(1) rehabilitation of existing recreational areas and facilities, including—

(A) general systemwide renovation;

(B) special rehabilitation requirements for recreational areas and facilities in areas of high population concentration and economic distress; and

(C) restoration of outstanding or unique structures, landscaping, or similar features in parks of historical or architectural significance; and

(2) local commitments to innovative and cost-effective programs and projects at the neighborhood level to augment recovery of park and recreation systems, including—

(A) recycling of abandoned schools and other public buildings for recreational purposes;

(B) multiple use of operating educational and other public buildings, purchase of recreation services on a contractual basis;

(C) use of mobile facilities and recreational, cultural, and educational programs or other innovative approaches to improving access for neighborhood residents;

(D) integration of recovery program with federally assisted projects to maximize recreational opportunities through conversion of abandoned railroad and highway rights of way, waterfront, and other redevelopment efforts

and such other federally assisted projects as may be appropriate;

(E) conversion of recreation use of street space, derelict land, and other public land not now designated for neighborhood recreational use; and

(F) use of various forms of compensated and uncompensated land regulation, tax inducements, or other means to encourage the private sector to provide neighborhood park and recreation facilities and programs.

(d) PUBLICATION IN FEDERAL REGISTER.—The Secretary shall establish and publish in the Federal Register requirements for preparation, submission, and updating of local park and recreation recovery action programs.

(e) ELIGIBILITY FOR AT-RISK YOUTH RECREATION GRANTS.—To be eligible to receive at-risk youth recreation grants a local government shall amend its 5-year action program to incorporate the goal of reducing crime and juvenile delinquency and to provide a description of the implementation strategies to achieve this goal. The plan shall also address how the local government is coordinating its recreation programs with crime prevention efforts of law enforcement, juvenile corrections, and youth social service agencies.

(f) MATCHING RECOVERY ACTION PROGRAM GRANTS.—The Secretary may provide up to 50 percent matching recovery action program grants to eligible local governments for program development and planning specifically to meet the objectives of this chapter.

§ 200505. State action

(a) ADDITIONAL MATCH.—The Secretary may increase rehabilitation grants or innovation grants authorized in section 200503 of this title by providing an additional match equal to the total match provided by a State of up to 15 percent of total project costs. The Federal matching amount shall not exceed 85 percent of total project cost.

(b) ADEQUATE IMPLEMENTATION OF LOCAL RECOVERY PLANS.—The Secretary shall encourage States to assist the Secretary in ensuring—

(1) that local recovery plans and programs are adequately implemented by cooperating with the Secretary in monitoring local park and recreation recovery plans and programs; and

(2) consistency of the plans and programs, where appropriate, with State recreation policies as set forth in statewide comprehensive outdoor recreation plans.

§ 200506. Non-Federal share of project costs

(a) SOURCES.—

(1) ALLOWABLE SOURCES.—The non-Federal share of project costs assisted under this chapter may be derived from general or special purpose State or local revenues, State categorical grants, special appropriations by State legislatures, donations of land, buildings, or building materials, and in-kind construction, technical, and planning services. Reasonable local costs of recovery action program development to meet the requirements of section 200504(a) of this title may be used as part of the local match only when the local government has not received a recovery action program grant.

(2) NON-ALLOWABLE SOURCES.—No amount from the Land and Water Conservation Fund or from any other Federal grant program other than the community development block grant programs shall be used to match Federal grants under this program.

(b) ENCOURAGEMENT OF STATES AND PRIVATE INTERESTS.—The Secretary shall encourage States and private interests to contribute, to the maximum extent possible, to the non-Federal share of project costs.

§ 200507. Conversion of recreation property

No property improved or developed with assistance under this chapter shall, without the approval of the Secretary, be converted to other than public recreation uses. The Secretary shall approve such a conversion only if the Secretary finds it to be in accord with the then-current local park and recreation recovery action program and only on such conditions as the Secretary considers necessary to ensure the provision of adequate recreation properties and opportunities of reasonably equivalent location and usefulness.

§ 200508. Coordination of program

The Secretary shall—

(1) coordinate the urban park and recreation recovery program with the total urban recovery effort and cooperate to the fullest extent possible with other Federal agencies and with State agencies that administer programs and policies affecting urban areas, including programs in housing, urban development, natural resources management, employment, transportation, community services, and voluntary action;

(2) encourage maximum coordination of the program between State agencies and local applicants; and

(3) require that local applicants include provisions for participation of community and neighborhood residents and for public-private coordination in recovery planning and project selection.

§ 200509. Recordkeeping

(a) IN GENERAL.—A recipient of assistance under this chapter shall keep such records as the Secretary shall prescribe, including—

(1) records that disclose—

(A) the amount and disposition of project undertakings in connection with which assistance under this chapter is given or used; and

(B) the amount and nature of the portion of the cost of the project or undertaking that is supplied by other sources; and

(2) such other records as will facilitate an effective audit.

(b) ACCESS.—The Secretary and the Comptroller General shall have access for the purpose of audit and examination to any records of the recipient that are pertinent to assistance received under this chapter.

§ 200510. Inapplicability of matching provisions

Amounts authorized for Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands are not subject to the matching provisions of this chapter, and may be subject only to such conditions, reports, plans, and agreements, if any, as the Secretary may determine.

§ 200511. Funding limitations

(a) LIMITATION OF FUNDS.—The amount of grants made under this chapter for projects in any one State for any fiscal year shall not be more than 15 percent of the amount made available for grants to all of the States for that fiscal year.

(b) RECOVERY ACTION PROGRAM GRANTS.—Not more than 3 percent of the amount made available for grants under this chapter for a fiscal year shall be used for recovery action program grants.

(c) INNOVATION GRANTS.—Not more than 10 percent of the amount made available for grants under this chapter for a fiscal year shall be used for innovation grants.

(d) PROGRAM SUPPORT.—Not more than 25 percent of the amount made available under this chapter to any local government shall be used for program support.

(e) NO LAND ACQUISITION.—No funds made available under this chapter shall be used for the acquisition of land or an interest in land.

Subtitle III—National Preservation Programs

Division A—Historic Preservation

Subdivision 1—General Provisions

Chapter 3001—Policy

Sec.
300101. Policy.

§ 300101. Policy

It is the policy of the Federal Government, in cooperation with other nations and in partnership with States, local governments, Indian tribes, Native Hawaiian organizations, and private organizations and individuals, to—

(1) use measures, including financial and technical assistance, to foster conditions under which our modern society and our historic property can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations;

(2) provide leadership in the preservation of the historic property of the United States and of the international community of nations and in the administration of the national preservation program;

(3) administer federally owned, administered, or controlled historic property in a spirit of stewardship for the inspiration and benefit of present and future generations;

(4) contribute to the preservation of nonfederally owned historic property and give maximum encouragement to organizations and individuals undertaking preservation by private means;

(5) encourage the public and private preservation and utilization of all usable elements of the Nation's historic built environment; and

(6) assist State and local governments, Indian tribes and Native Hawaiian organizations, and the National Trust to expand and accelerate their historic preservation programs and activities.

Chapter 3003—Definitions

§ 300301. Agency

In this division, the term "agency" has the meaning given the term in section 551 of title 5.

§ 300302. Certified local government

In this division, the term "certified local government" means a local government whose local historic preservation program is certified pursuant to chapter 3025 of this title.

§ 300303. Council

In this division, the term "Council" means the Advisory Council on Historic Preservation established by section 304101 of this title.

§ 300304. Cultural park

In this division, the term "cultural park" means a definable area that—

(A) is distinguished by historic property, prehistoric property, and land related to that property; and

(B) constitutes an interpretive, educational, and recreational resource for the public at large.

§ 300305. Historic conservation district

In this division, the term "historic conservation district" means an area that contains—

(1) historic property;

(2) buildings having similar or related architectural characteristics;

(3) cultural cohesiveness; or

(4) any combination of features described in paragraphs (1) to (3).

§ 300306. Historic Preservation Fund

In this division, the term "Historic Preservation Fund" means the Historic Preservation Fund established under section 303101 of this title.

§ 300307. Historic preservation review commission

In this division, the term "historic preservation review commission" means a board, council, commission, or other similar collegial body—

(1) that is established by State or local legislation as provided in section 302503(a)(2) of this title; and

(2) the members of which are appointed by the chief elected official of a jurisdiction (unless State or local law provides for appointment by another official) from among—

(A) professionals in the disciplines of architecture, history, architectural history, planning, prehistoric and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture, or related disciplines, to the extent that those professionals are available in the community; and

(B) other individuals who have demonstrated special interest, experience, or knowledge in history, architecture, or related disciplines and will provide for an adequate and qualified commission.

§ 300308. Historic property

In this division, the term "historic property" means any prehistoric or historic district, site, building, structure, or object included on, or eligible for inclusion on, the National Register, including artifacts, records, and material remains relating to the district, site, building, structure, or object.

§ 300309. Indian tribe

In this division, the term "Indian tribe" means an Indian tribe, band, nation, or other organized group or community, including a Native village, Regional Corporation or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

§ 300310. Local government

In this division, the term "local government" means a city, county, township, municipality, or borough, or any other general purpose political subdivision of any State.

§ 300311. National Register

In this division, the term "National Register" means the National Register of Historic Places maintained under chapter 3021 of this title.

§ 300312. National Trust

In this division, the term "National Trust" means the National Trust for Historic Preservation in the United States established under section 312102 of this title.

§ 300313. Native Hawaiian

In this division, the term "Native Hawaiian" means any individual who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes Hawaii.

§ 300314. Native Hawaiian organization

(a) IN GENERAL.—In this division, the term "Native Hawaiian organization" means any organization that—

(1) serves and represents the interests of Native Hawaiians;

(2) has as a primary and stated purpose the provision of services to Native Hawaiians; and

(3) has demonstrated expertise in aspects of historic preservation that are culturally significant to Native Hawaiians.

(b) INCLUSIONS.—In this division, the term "Native Hawaiian organization" includes the Office of Hawaiian Affairs of Hawaii and Hui Malama I Na Kupuna O Hawai'i Nei, an organization incorporated under the laws of the State of Hawaii.

§ 300315. Preservation or historic preservation

In this division, the term "preservation" or "historic preservation" includes—

(1) identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, and conservation;

(2) education and training regarding the foregoing activities; or

(3) any combination of the foregoing activities.

§ 300316. Secretary

In this division, the term "Secretary" means the Secretary acting through the Director.

§ 300317. State

In this division, the term "State" means—

(1) a State, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands; and

(2) the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

§ 300318. State historic preservation review board

In this division, the term "State historic preservation review board" means a board, council, commission, or other similar collegial body established as provided in section 302301(2) of this title—

(1) the members of which are appointed by the State Historic Preservation Officer (unless otherwise provided for by State law);

(2) a majority of the members of which are professionals qualified in history, prehistoric and historic archeology, architectural history, architecture, folklore, cultural anthropology, curation, conservation, landscape architecture, and related disciplines; and

(3) that has the authority to—

(A) review National Register nominations and appeals from nominations;

(B) review appropriate documentation submitted in conjunction with the Historic Preservation Fund;

(C) provide general advice and guidance to the State Historic Preservation Officer; and

(D) perform such other duties as may be appropriate.

§ 300319. Tribal land

In this division, the term "tribal land" means—

(1) all land within the exterior boundaries of any Indian reservation; and

(2) all dependent Indian communities.

§ 300320. Undertaking

In this division, the term "undertaking" means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including—

(1) those carried out by or on behalf of the Federal agency;

(2) those carried out with Federal financial assistance;

(3) those requiring a Federal permit, license, or approval; and

(4) those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.

§ 300321. World Heritage Convention

In this division, the term "World Heritage Convention" means the Convention concerning the Protection of the World Cultural and Natural Heritage, done at Paris November 23, 1972 (27 UST 37).

Subdivision 2—Historic Preservation Program

Chapter 3021—National Register of Historic Places

Sec.

§ 302101. Maintenance by Secretary

The Secretary may expand and maintain a National Register of Historic Places composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture.

§ 302102. Inclusion of properties on National Register

(a) IN GENERAL.—A property that meets the criteria for National Historic Landmarks established pursuant to section 302103 of this title shall be designated as a National Historic Landmark and included on the National Register, subject to the requirements of section 302107 of this title.

(b) HISTORIC PROPERTY ON NATIONAL REGISTER ON DECEMBER 12, 1980.—All historic property included on the National Register on December 12, 1980, shall be deemed to be included on the National Register as of their initial listing for purposes of this division.

(c) HISTORIC PROPERTY LISTED IN FEDERAL REGISTER OF FEBRUARY 6, 1979, OR PRIOR TO DECEMBER 12, 1980, AS NATIONAL HISTORIC LANDMARKS.—All historic property listed in the Federal Register of February 6, 1979, or prior to December 12, 1980, as National Historic Landmarks are declared by Congress to be National Historic Landmarks of national historic significance as of their initial listing in the Federal Register for purposes of this division and chapter 3201 of this title, except that in the case of a National Historic Landmark district for which no boundaries had been established as of December 12, 1980, boundaries shall first be published in the Federal Register.

§ 302103. Criteria and regulations relating to National Register, National Historic Landmarks, and World Heritage List

The Secretary, in consultation with national historical and archeological associations, shall—

(1) establish criteria for properties to be included on the National Register and criteria for National Historic Landmarks; and

(2) promulgate regulations for—

(A) nominating properties for inclusion on, and removal from, the National Register and the recommendation of properties by certified local governments;

(B) designating properties as National Historic Landmarks and removing that designation;

(C) considering appeals from recommendations, nominations, removals, and designations (or any failure or refusal by a nominating authority to nominate or designate);

(D) nominating historic property for inclusion in the World Heritage List in accordance with the World Heritage Convention;

(E) making determinations of eligibility of properties for inclusion on the National Register; and

(F) notifying the owner of a property, any appropriate local governments, and the general public, when the property is being considered for inclusion on the National Register, for designation as a National Historic Landmark, or for nomination to the World Heritage List.

§ 302104. Nominations for inclusion on National Register

(a) NOMINATION BY STATE.—Subject to the requirements of section 302107 of this title, any State that is carrying out a program approved under chapter 3023 shall nominate to the Secretary property that meets the criteria promulgated under section 302103 of this title for inclusion on the National Register. Subject to section 302107 of this title, any property nominated under this subsection or under section 306102 of this title shall be included on the National Register on the date that is 45 days after receipt by the Secretary of the nomination and the necessary documentation, unless the Secretary disapproves the nomination within the 45-day period or unless an appeal is filed under subsection (c).

(b) NOMINATION BY PERSON OR LOCAL GOVERNMENT.—Subject to the requirements of section 302107 of this title, the Secretary may accept a nomination directly from any person or local government for inclusion of a property on the National Register only if the property is located in a State where there is no program approved under chapter 3023 of this title. The Secretary may include on the National Register any property for which such a nomination is made if the Secretary determines that the property is eligible in accordance with the regulations promulgated under section 302103 of this title. The determination shall be made within 90 days from the date of the nomination unless the nomination is appealed under subsection (c).

(c) APPEAL.—Any person or local government may appeal to the Secretary—

(1) a nomination of any property for inclusion on the National Register; and

(2) the failure of a nominating authority to nominate a property in accordance with this chapter.

§ 302105. Owner participation in nomination process

(a) REGULATIONS.—The Secretary shall promulgate regulations requiring that before any property may be included on the National Register or designated as a National Historic Landmark, the owner of the property, or a majority of the owners of the individual properties within a district in the case of a historic district, shall be given the opportunity (including a reasonable period of time) to concur in, or object to, the nomination of the property for inclusion or designation. The regulations shall include provisions to carry out this section in the case of multiple ownership of a single property.

(b) WHEN PROPERTY SHALL NOT BE INCLUDED ON NATIONAL REGISTER OR DESIGNATED AS NATIONAL HISTORIC LANDMARK.—If the owner of any privately owned property, or a majority of the owners of privately owned properties within the district in the case of a historic district, object to inclusion or designation, the property shall not be included on the National Register or designated as a National Historic Landmark until the objection is withdrawn.

(c) REVIEW BY SECRETARY.—The Secretary shall review the nomination of the property when an objection has been made and shall determine whether or not the property is eligible for inclusion or designation. If the Secretary determines that the property is eligible for inclusion or designation, the Secretary shall inform the Advisory Council on Historic Preservation, the appropriate State Historic Preservation Officer, the appropriate chief elected local official, and the owner or owners of the property of the Secretary's determination.

§ 302106. Retention of name

Notwithstanding section 43(c) of the Act of July 5, 1946 (known as the Trademark Act of 1946) (15 U.S.C. 1125(c)), buildings and structures on or eligible for inclusion on the National Register (either individually or as part of a historic district), or designated as an individual landmark or as a contributing building in a historic district by a unit of State or local government, may retain the name historically associated with the building or structure.

§ 302107. Regulations

The Secretary shall promulgate regulations—

(1) ensuring that significant prehistoric and historic artifacts, and associated records, subject to subchapter I of chapter 3061, chapter 3125, or the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) are deposited in an institution with adequate long-term curatorial capabilities;

(2) establishing a uniform process and standards for documenting historic property by public agencies and private parties for purposes of incorporation into, or complementing, the national historical architectural and engineering records in the Library of Congress; and

(3) certifying local governments, in accordance with sections 302502 and 302503 of this title, and for the transfer of funds pursuant to section 302902(c)(4) of this title.

§ 302108. Review of threats to historic property

At least once every 4 years, the Secretary, in consultation with the Council and with State Historic Preservation Officers, shall review significant threats to historic property to—

(1) determine the kinds of historic property that may be threatened;

(2) ascertain the causes of the threats; and

(3) develop and submit to the President and Congress recommendations for appropriate action.

Chapter 3023—State Historic Preservation Programs

Sec.

§ 302301. Regulations

The Secretary, in consultation with the National Conference of State Historic Preservation Officers and the National Trust, shall promulgate regulations for State Historic Preservation Programs. The regulations shall provide that a State program submitted to the Secretary under this chapter shall be approved by the Secretary if the Secretary determines that the program provides for—

(1) the designation and appointment by the chief elected official of the State of a State Historic Preservation Officer to administer the program in accordance with section 302303 of this title and for the employment or appointment by the officer of such professionally qualified staff as may be necessary for those purposes;

(2) an adequate and qualified State historic preservation review board designated by the State Historic Preservation Officer unless otherwise provided for by State law; and

(3) adequate public participation in the State Historic Preservation Program, including the process of recommending properties for nomination to the National Register.

§ 302302. Program evaluation

(a) WHEN EVALUATION SHOULD OCCCUR.—Periodically, but not less than every 4 years after the approval of any State program under section 302301 of this title, the Secretary, in consultation with the Council on the appropriate provisions of this division, and in cooperation with the State Historic Preservation Officer, shall evaluate the program to determine whether it is consistent with this division.

(b) DISAPPROVAL OF PROGRAM.—If, at any time, the Secretary determines that a major aspect of a State program is not consistent with this division, the Secretary shall disapprove the program and suspend in whole or in part any contracts or cooperative agreements with the State and the State Historic Preservation Officer under this division, until the program is consistent with this division, unless the Secretary determines that the program will be made consistent with this division within a reasonable period of time.

(c) OVERSIGHT.—The Secretary, in consultation with State Historic Preservation Officers, shall establish oversight methods to ensure State program consistency and quality without imposing undue review burdens on State Historic Preservation Officers.

(d) STATE FISCAL AUDIT AND MANAGEMENT SYSTEM.—

(1) SUBSTITUTION FOR COMPARABLE FEDERAL SYSTEMS.—At the discretion of the Secretary, a State system of fiscal audit and management may be substituted for comparable Federal systems so long as the State system—

(A) establishes and maintains substantially similar accountability standards; and

(B) provides for independent professional peer review.

(2) FISCAL AUDITS AND REVIEW BY SECRETARY.—The Secretary—

(A) may conduct periodic fiscal audits of State programs approved under this subdivision as needed; and

(B) shall ensure that the programs meet applicable accountability standards.

§ 302303. Responsibilities of State Historic Preservation Officer

(a) IN GENERAL.—It shall be the responsibility of the State Historic Preservation Officer to administer the State Historic Preservation Program.

(b) PARTICULAR RESPONSIBILITIES.—It shall be the responsibility of the State Historic Preservation Officer to—

(1) in cooperation with Federal and State agencies, local governments, and private organizations and individuals, direct and conduct a comprehensive statewide survey of historic property and maintain inventories of the property;

(2) identify and nominate eligible property to the National Register and otherwise administer applications for listing historic property on the National Register;

(3) prepare and implement a comprehensive statewide historic preservation plan;

(4) administer the State program of Federal assistance for historic preservation within the State;

(5) advise and assist, as appropriate, Federal and State agencies and local governments in carrying out their historic preservation responsibilities;

(6) cooperate with the Secretary, the Council, other Federal and State agencies, local governments, and private organizations and individuals to ensure that historic property is taken into consideration at all levels of planning and development;

(7) provide public information, education, and training and technical assistance in historic preservation;

(8) cooperate with local governments in the development of local historic preservation programs and assist local governments in becoming certified pursuant to chapter 3025;

(9) consult with appropriate Federal agencies in accordance with this division on—

(A) Federal undertakings that may affect historic property; and

(B) the content and sufficiency of any plans developed to protect, manage, or reduce or mitigate harm to that property; and

(10) advise and assist in the evaluation of proposals for rehabilitation projects that may qualify for Federal assistance.

§ 302304. Contracts and cooperative agreements

(a) STATE.—A State may carry out all or any part of its responsibilities under this chapter by contract or cooperative agreement with a qualified nonprofit organization or educational institution.

(b) SECRETARY.—

(1) IN GENERAL.—

(A) AUTHORITY TO ASSIST SECRETARY.—Subject to paragraphs (3) and (4), the Secretary may enter into contracts or cooperative agreements with a State Historic Preservation Officer for any State authorizing the Officer to assist the Secretary in carrying out one or more of the following responsibilities within that State:

(i) Identification and preservation of historic property.

(ii) Determination of the eligibility of property for listing on the National Register.

(iii) Preparation of nominations for inclusion on the National Register.

(iv) Maintenance of historical and archeological data bases.

(v) Evaluation of eligibility for Federal preservation incentives.

(B) AUTHORITY TO MAINTAIN NATIONAL REGISTER.—Nothing in subparagraph (A) shall be construed to provide that any State Historic Preservation Officer or any other person other than the Secretary shall have the authority to maintain the National Register for properties in any State.

(2) REQUIREMENTS.—The Secretary may enter into a contract or cooperative agreement under paragraph (1) only if—

(A) the State Historic Preservation Officer has requested the additional responsibility;

(B) the Secretary has approved the State historic preservation program pursuant to sections 302301 and 302302 of this title;

(C) the State Historic Preservation Officer agrees to carry out the additional responsibility in a timely and efficient manner acceptable to the Secretary and the Secretary

determines that the Officer is fully capable of carrying out the responsibility in that manner;

(D) the State Historic Preservation Officer agrees to permit the Secretary to review and revise, as appropriate in the discretion of the Secretary, decisions made by the Officer pursuant to the contract or cooperative agreement; and

(E) the Secretary and the State Historic Preservation Officer agree on the terms of additional financial assistance to the State, if there is to be any, for the costs of carrying out that responsibility.

(3) ESTABLISH CONDITIONS AND CRITERIA.—For each significant program area under the Secretary's authority, the Secretary shall establish specific conditions and criteria essential for the assumption by a State Historic Preservation Officer of the Secretary's duties in each of those programs.

(4) PRESERVATION PROGRAMS AND ACTIVITIES NOT DIMINISHED.—Nothing in this chapter shall have the effect of diminishing the preservation programs and activities of the Service.

Chapter 3025—Certification of Local Governments

Sec.

§ 302501. Definitions

In this chapter:

(1) DESIGNATION.—The term "designation" means the identification and registration of property for protection that meets criteria established by a State or locality for significant historic property within the jurisdiction of a local government.

(2) PROTECTION.—The term "protection" means protection by means of a local review process under State or local law for proposed demolition of, changes to, or other action that may affect historic property designated pursuant to this chapter.

§ 302502. Certification as part of State program

Any State program approved under this subdivision shall provide a mechanism for the certification by the State Historic Preservation Officer of local governments to carry out the purposes of this division and provide for the transfer, in accordance with section 302902(c)(4) of this title, of a portion of the grants received by the States under this division, to those local governments.

§ 302503. Requirements for certification

(a) APPROVED STATE PROGRAM.—Any local government shall be certified to participate under this section if the applicable State Historic Preservation Officer, and the Secretary, certify that the local government—

(1) enforces appropriate State or local legislation for the designation and protection of historic property;

(2) has established an adequate and qualified historic preservation review commission by State or local legislation;

(3) maintains a system for the survey and inventory of historic property that furthers the purposes of chapter 3023;

(4) provides for adequate public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register; and

(5) satisfactorily performs the responsibilities delegated to it under this division.

(b) NO APPROVED STATE PROGRAM.—Where there is no State program approved under sections 302301 and 302302 of this title, a local government may be certified by the Secretary if the Secretary determines that the local government meets the requirements of subsection (a). The Secretary may make grants to the local government certified under this subsection for purposes of this subdivision.

§ 302504. Participation of certified local governments in National Register nominations

(a) NOTICE.—Before a property within the jurisdiction of a certified local government may be considered by a State to be nominated to the Secretary for inclusion on the National Register, the State Historic Preservation Officer shall notify the owner, the applicable chief local elected official, and the local historic preservation commission.

(b) REPORT.—The local historic preservation commission, after reasonable opportunity for public comment, shall prepare a report as to whether the property, in the Commission's opinion, meets the criteria of the National Register. Within 60 days of notice from the State Historic Preservation Officer, the chief local elected official shall transmit the report of the commission and the recommendation of the local official to the State Historic Preservation Officer.

(c) RECOMMENDATION.—

(1) PROPERTY NOMINATED TO NATIONAL REGISTER.—Except as provided in paragraph (2), after receipt of the report and recommendation, or if no report and recommendation are received within 60 days, the State shall make the nomination pursuant to section 302104 of this title. The State may expedite the process with the concurrence of the certified local government.

(2) PROPERTY NOT NOMINATED TO NATIONAL REGISTER.—If both the commission and the chief local elected official recommend that a property not be nominated to the National Register, the State Historic Preservation Officer shall take no further action, unless, within 30 days of the receipt of the recommendation by the State Historic Preservation Officer, an appeal is filed with the State. If an appeal is filed, the State shall follow the procedures for making a nomination pursuant to section 302104 of this title. Any report and recommendations made under this section shall be included with any nomination submitted by the State to the Secretary.

§ 302505. Eligibility and responsibility of certified local government

Any local government—

(1) that is certified under this chapter shall be eligible for funds under section 302902(c)(4) of this title; and

(2) that is certified, or making efforts to become certified, under this chapter shall carry out any responsibilities delegated to it in accordance with such terms and conditions as the Secretary considers necessary or advisable.

Chapter 3027—Historic Preservation Programs and Authorities for Indian Tribes and Native Hawaiian Organizations

§ 302701. Program to assist Indian tribes in preserving historic property

(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program and promulgate regulations to assist Indian tribes in preserving their historic property.

(b) COMMUNICATION AND COOPERATION.—The Secretary shall foster communication and cooperation between Indian tribes and State Historic Preservation Officers in the administration of the national historic preservation program to—

(1) ensure that all types of historic property and all public interests in historic property are given due consideration; and

(2) encourage coordination among Indian tribes, State Historic Preservation Officers, and Federal agencies in historic preservation planning and in the identification, evaluation, protection, and interpretation of historic property.

(c) TRIBAL VALUES.—The program under subsection (a) shall be developed in a manner to ensure that tribal values are taken into account to the extent feasible. The Secretary may waive or modify requirements of this subdivision to conform to the cultural setting of tribal heritage preservation goals and objectives.

(d) SCOPE OF TRIBAL PROGRAMS.—The tribal programs implemented by specific tribal organizations may vary in scope, as determined by each Indian tribe's chief governing authority.

(e) CONSULTATION.—The Secretary shall consult with Indian tribes, other Federal agencies, State Historic Preservations Officers, and other interested parties concerning the program under subsection (a).

§ 302702. Indian tribe to assume functions of State Historic Preservation Officer

An Indian tribe may assume all or any part of the functions of a State Historic Preservation Officer in accordance with sections 302302 and 302303 of this title, with respect to tribal land, as those responsibilities may be modified for tribal programs through regulations issued by the Secretary, if—

(1) the Indian tribe's chief governing authority so requests;

(2) the Indian tribe designates a tribal preservation official to administer the tribal historic preservation program, through

appointment by the Indian tribe's chief governing authority or as a tribal ordinance may otherwise provide;

(3) the tribal preservation official provides the Secretary with a plan describing how the functions the tribal preservation official proposes to assume will be carried out;

(4) the Secretary determines, after consulting with the Indian tribe, the appropriate State Historic Preservation Officer, the Council (if the Indian tribe proposes to assume the functions of the State Historic Preservation Officer with respect to review of undertakings under section 306108 of this title), and other Indian tribes, if any, whose tribal or aboriginal land may be affected by conduct of the tribal preservation program, that—

(A) the tribal preservation program is fully capable of carrying out the functions specified in the plan provided under paragraph (3);

(B) the plan defines the remaining responsibilities of the Secretary and the State Historic Preservation Officer; and

(C) the plan provides, with respect to properties neither owned by a member of the Indian tribe nor held in trust by the Secretary for the benefit of the Indian tribe, at the request of the owner of the properties, that the State Historic Preservation Officer, in addition to the tribal preservation official, may exercise the historic preservation responsibilities in accordance with sections 302302 and 302303 of this title; and

(5) based on satisfaction of the conditions stated in paragraphs (1), (2), (3), and (4), the Secretary approves the plan.

§ 302703. Apportionment of grant funds

In consultation with interested Indian tribes, other Native American organizations, and affected State Historic Preservation Officers, the Secretary shall establish and implement procedures for carrying out section 302902(c)(1)(A) of this title with respect to tribal programs that assume responsibilities under section 302702 of this title.

§ 302704. Contracts and cooperative agreements

At the request of an Indian tribe whose preservation program has been approved to assume functions and responsibilities pursuant to section 302702 of this title, the Secretary shall enter into a contract or cooperative agreement with the Indian tribe permitting the assumption by the Indian tribe of any part of the responsibilities described in section 302304(b) of this title on tribal land, if—

(1) the Secretary and the Indian tribe agree on additional financial assistance, if any, to the Indian tribe for the costs of carrying out those authorities;

(2) the Secretary finds that the tribal historic preservation program has been demonstrated to be sufficient to carry out the contract or cooperative agreement and this division; and

(3) the contract or cooperative agreement specifies the continuing responsibilities of the Secretary or of the appropriate State Historic Preservation Officers and provides for appropriate participation by—

(A) the Indian tribe's traditional cultural authorities;

(B) representatives of other Indian tribes whose traditional land is under the jurisdiction of the Indian tribe assuming responsibilities; and

(C) the interested public.

§ 302705. Agreement for review under tribal historic preservation regulations

The Council may enter into an agreement with an Indian tribe to permit undertakings on tribal land to be reviewed under tribal historic preservation regulations in place of review under regulations promulgated by the Council to govern compliance with section 306108 of this title, if the Council, after consultation with the Indian tribe and appropriate State Historic Preservation Officers, determines that the tribal preservation regulations will afford historic property consideration equivalent to that afforded by the Council's regulations.

§ 302706. Eligibility for inclusion on National Register

(a) IN GENERAL.—Property of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization may be determined to be eligible for inclusion on the National Register.

(b) CONSULTATION.—In carrying out its responsibilities under section 306108 of this title, a Federal agency shall consult with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to property described in subsection (a).

(c) HAWAII.—In carrying out responsibilities under section 302303 of this title, the State Historic Preservation Officer for Hawaii shall—

(1) consult with Native Hawaiian organizations in assessing the cultural significance of any property in determining whether to nominate the property to the National Register;

(2) consult with Native Hawaiian organizations in developing the cultural component of a preservation program or plan for the property; and

(3) enter into a memorandum of understanding or agreement with Native Hawaiian organizations for the assessment of the cultural significance of a property in determining whether to nominate the property to the National Register and to carry out the cultural component of the preservation program or plan.

Chapter 3029—Grants

Sec.

§ 302901. Awarding of grants and availability of grant funds

(a) IN GENERAL.—No grant may be made under this division unless application for the grant is submitted to the Secretary in accordance with regulations and procedures prescribed by the Secretary.

(b) GRANT NOT TREATED AS TAXABLE INCOME.—No grant made pursuant to this division shall be treated as taxable income for purposes of the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

(c) AVAILABILITY.—The Secretary shall make funding available to individual States and the National Trust as soon as practicable after execution of a grant agreement. For purposes of administration, grants to individual States and the National Trust each shall be deemed to be one grant and shall be administered by the Service as one grant.

§ 302902. Grants to States

(a) IN GENERAL.—The Secretary shall administer a program of matching grants to the States for the purposes of carrying out this division.

(b) CONDITIONS.—

(1) In general.—No grant may be made under this division—

(A) unless the application is in accordance with the comprehensive statewide historic preservation plan that has been approved by the Secretary after considering its relationship to the comprehensive statewide outdoor recreation plan prepared pursuant to chapter 2003 of this title;

(B) unless the grantee has agreed to make reports, in such form and containing such information, as the Secretary may from time to time require;

(C) unless the grantee has agreed to assume, after completion of the project, the total cost of the continued maintenance, repair, and administration of the property in a manner satisfactory to the Secretary; or

(D) until the grantee has complied with such further terms and conditions as the Secretary may consider necessary or advisable.

(2) WAIVER.—The Secretary may waive the requirements of subparagraphs (A) and (C) of paragraph (1) for any grant under this division to the National Trust.

(3) AMOUNT LIMITATION.—

(A) IN GENERAL.—No grant may be made under this division for more than 60 percent of the aggregate costs of carrying out projects and programs under the administrative control of the State Historic Preservation Officer as specified in section 302303 of this title in any one fiscal year.

(B) SOURCE OF STATE SHARE OF COSTS.—Except as permitted by other law, the State share of the costs referred to in subparagraph (A) shall be contributed by non-Federal sources.

(4) RESTRICTION ON USE OF REAL PROPERTY TO MEET NON-FEDERAL SHARE OF COST OF PROJECT.—No State shall be permitted to utilize the value of real property obtained before October 15, 1966, in meeting the non-Federal share of the cost of a project for which a grant is made under this division.

(c) APPORTIONMENT OF GRANT AMOUNTS.—

(1) BASES FOR APPORTIONMENT.—The amounts appropriated and made available for grants to the States—

(A) for the purposes of this division shall be apportioned among the States by the Secretary on the basis of needs as determined by the Secretary; and

(B) for projects and programs under this division for each fiscal year shall be apportioned among the States as the Secretary determines to be appropriate.

(2) NOTIFICATION.—The Secretary shall notify each State of its apportionment under paragraph (1)(B) within 30 days after the date of enactment of legislation appropriating funds under this division.

(3) REAPPORTIONMENT.—Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which the notification is given or during the 2 fiscal years after that fiscal year shall be reapportioned by the Secretary in accordance with paragraph (1)(B). The Secretary shall analyze and revise as necessary the method of apportionment. The method and any revision shall be published by the Secretary in the Federal Register.

(4) TRANSFER OF FUNDS TO CERTIFIED LOCAL GOVERNMENTS.—Not less than 10 percent of the annual apportionment distributed by the Secretary to each State for the purposes of carrying out this division shall be transferred by the State, pursuant to the requirements of this division, to certified local governments for historic preservation projects or programs of the certified local governments. In any year in which the total annual apportionment to the States exceeds $65,000,000, 50 percent of the excess shall also be transferred by the States to certified local governments.

(5) GUIDELINES FOR USE AND DISTRIBUTION OF FUNDS TO CERTIFIED LOCAL GOVERNMENTS.—The Secretary shall establish guidelines for the use and distribution of funds under paragraph (4) to ensure that no certified local government receives a disproportionate share of the funds available, and may include a maximum or minimum limitation on the amount of funds distributed to any single certified local government. The guidelines shall not limit the ability of any State to distribute more than 10 percent of its annual apportionment under paragraph (4), nor shall the Secretary require any State to exceed the 10 percent minimum distribution to certified local governments.

(d) ADMINISTRATIVE COSTS.—The total direct and indirect administrative costs charged for carrying out State projects and programs shall not exceed 25 percent of the aggregate costs (except in the case of a grant to the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau).

§ 302903. Grants to National Trust

(a) SECRETARY OF THE INTERIOR.—The Secretary may administer grants to the National Trust consistent with the purposes of its charter and this division.

(b) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—The Secretary of Housing and Urban Development may make grants to the National Trust, on terms and conditions and in amounts (not exceeding $90,000 with respect to any one structure) as the Secretary of Housing and Urban Development considers appropriate, to cover the costs incurred by the National Trust in renovating

or restoring structures that the National Trust considers to be of historic or architectural value and that the National Trust has accepted and will maintain (after the renovation or restoration) for historic purposes.

§ 302904. Direct grants for the preservation of properties included on National Register

(a) ADMINISTRATION OF PROGRAM.—The Secretary shall administer a program of direct grants for the preservation of properties included on the National Register.

(b) AVAILABLE AMOUNT.—Funds to support the program annually shall not exceed 10 percent of the amount appropriated annually for the Historic Preservation Fund.

(c) USES OF GRANTS.—

(1) IN GENERAL.—Grants under this section may be made by the Secretary, in consultation with the appropriate State Historic Preservation Officer—

(A) for the preservation of—

(i) National Historic Landmarks that are threatened with demolition or impairment; and

(ii) historic property of World Heritage significance;

(B) for demonstration projects that will provide information concerning professional methods and techniques having application to historic property;

(C) for the training and development of skilled labor in trades and crafts, and in analysis and curation, relating to historic preservation; and

(D) to assist individuals or small businesses within any historic district included on the National Register to remain within the district.

(2) LIMIT ON CERTAIN GRANTS.—A grant may be made under subparagraph (A) or (D) of paragraph (1) only to the extent that the project cannot be carried out in as effective a manner through the use of an insured loan under section 303901 of this title.

§ 302905. Religious property

(a) IN GENERAL.—Grants may be made under this chapter for the preservation, stabilization, restoration, or rehabilitation of religious property listed on the National Register if the purpose of the grant—

(1) is secular;

(2) does not promote religion; and

(3) seeks to protect qualities that are historically significant.

(b) EFFECT OF SECTION.—Nothing in this section shall be construed to authorize the use of any funds made available under this subdivision for the acquisition of any religious property listed on the National Register.

§ 302906. Grants and loans to Indian tribes and nonprofit organizations representing ethnic or minority groups

The Secretary may, in consultation with the appropriate State Historic Preservation Officer, make grants or loans or both under this subdivision to Indian tribes and to nonprofit organizations representing ethnic or minority groups for the preservation of their cultural heritage.

§ 302907. Grants to Indian tribes and Native Hawaiian organizations

The Secretary shall administer a program of direct grants to Indian tribes and Native Hawaiian organizations for the purpose of carrying out this division as it pertains to Indian tribes and Native Hawaiian organizations. Matching fund requirements may be modified. Federal funds available to an Indian tribe or Native Hawaiian organization may be used as matching funds for the purposes of the Indian tribe's or Native Hawaiian organization's conducting its responsibilities pursuant to this subdivision.

§ 302908. Grants to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau

(a) IN GENERAL.—As part of the program of matching grant assistance from the Historic Preservation Fund to States, the Secretary shall administer a program of direct grants to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau in furtherance of the Compact of Free Association between the United States and the Federated States of Micronesia and the Marshall Islands, approved by the Compact of Free Association Act of 1985 (48 U.S.C. 1901 et seq., 2001 et seq.), and the Compact of Free Association between the United States and Palau, approved by the Joint Resolution entitled "Joint Resolution to approve the 'Compact of Free Association' between the United States and Government of Palau, and for other purposes" (48 U.S.C. 1931 et seq.) or any successor enactment.

(b) GOAL OF PROGRAM.—The goal of the program shall be to establish historic and cultural preservation programs that meet the unique needs of each of those nations so that at the termination of the compacts the programs shall be firmly established.

(c) BASIS OF ALLOCATING AMOUNTS.—The amounts to be made available under this subsection shall be allocated by the Secretary on the basis of needs as determined by the Secretary.

(d) WAIVERS AND MODIFICATIONS.—The Secretary may waive or modify the requirements of this subdivision to conform to the cultural setting of those nations. Matching funds may be waived or modified.

§ 302909. Prohibited use of grant amounts

No part of any grant made under this subdivision shall be used to compensate any person intervening in any proceeding under this division.

§ 302910. Recordkeeping

A recipient of assistance under this division shall keep—

(1) such records as the Secretary shall prescribe, including records that fully disclose—

(A) the disposition by the recipient of the proceeds of the assistance;

(B) the total cost of the project or undertaking in connection with which the assistance is given or used; and

(C) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources; and

(2) such other records as will facilitate an effective audit.

Chapter 3031—Historic Preservation Fund

§ 303101. Establishment

To carry out this division (except chapter 3041) and chapter 3121, there is established in the Treasury the Historic Preservation Fund.

§ 303102. Contents

For each of fiscal years 2012 to 2015, $150,000,000 shall be deposited in the Historic Preservation Fund from revenues due and payable to the United States under section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338), section 7433(b) of title 10, or both, notwithstanding any provision of law that those proceeds shall be credited to miscellaneous receipts of the Treasury.

§ 303103. Use and availability

Amounts in the Historic Preservation Fund shall be used only to carry out this division and shall be available for expenditure only when appropriated by Congress. Any amount not appropriated shall remain available in the Historic Preservation Fund until appropriated for those purposes. Appropriations made pursuant to this section may be made without fiscal year limitation.

Chapters 3033 Through 3037—Reserved

Chapter 3039—Miscellaneous

§ 303901. Loan insurance program for preservation of property included on National Register

(a) ESTABLISHMENT.—The Secretary shall establish and maintain a program by which the Secretary may, on application of a private lender, insure loans (including loans made in accordance with a mortgage) made by the lender to finance any project for the preservation of a property included on the National Register.

(b) LOAN QUALIFICATIONS.—A loan may be insured under this section if—

(1) the loan is made by a private lender approved by the Secretary as financially sound and able to service the loan properly;

(2) the amount of the loan, and interest rate charged with respect to the loan, do not exceed the amount and rate established by the Secretary by regulation;

(3) the Secretary has consulted the appropriate State Historic Preservation Officer concerning the preservation of the historic property;

(4) the Secretary has determined that the loan is adequately secured and there is reasonable assurance of repayment;

(5) the repayment period of the loan does not exceed the lesser of 40 years or the expected life of the asset financed;

(6) the amount insured with respect to the loan does not exceed 90 percent of the loss sustained by the lender with respect to the loan; and

(7) the loan, the borrower, and the historic property to be preserved meet such other terms and conditions as may be prescribed by the Secretary by regulation, especially terms and conditions relating to the nature and quality of the preservation work.

(c) CONSULTATION.—The Secretary shall consult with the Secretary of the Treasury regarding the interest rate of loans insured under this section.

(d) LIMITATION ON AMOUNT OF UNPAID PRINCIPAL BALANCE OF LOANS.—The aggregate unpaid principal balance of loans insured under this section may not exceed the amount that has been deposited in the Historic Preservation Fund but which has not been appropriated for any purpose.

(e) INSURANCE CONTRACTS.—Any contract of insurance executed by the Secretary under this section may be assignable, shall be an obligation supported by the full faith and credit of the United States, and shall be incontestable except for fraud or misrepresentation of which the holder had actual knowledge at the time it became a holder.

(f) CONDITIONS AND METHODS OF PAYMENT AS RESULT OF LOSS.—The Secretary shall specify, by regulation and in each contract entered into under this section, the conditions and method of payment to a private lender as a result of losses incurred by the lender on any loan insured under this section.

(g) PROTECTION OF FINANCIAL INTERESTS OF FEDERAL GOVERNMENT.—In entering into any contract to insure a loan under this section, the Secretary shall take steps to ensure adequate protection of the financial interests of the Federal Government. The Secretary may—

(1) in connection with any foreclosure proceeding, obtain, on behalf of the Federal Government, the historic property securing a loan insured under this section; and

(2) operate or lease the historic property for such period as may be necessary to protect the interest of the Federal Government and to carry out subsection (h).

(h) CONVEYANCE TO GOVERNMENTAL OR NONGOVERNMENTAL ENTITY OF PROPERTY ACQUIRED BY FORECLOSURE.—

(1) ATTEMPT TO CONVEY TO ENSURE PROPERTY'S PRESERVATION AND USE.—In any case in which historic property is obtained pursuant to subsection (g), the Secretary shall attempt to convey the property to any governmental or nongovernmental entity under conditions that will ensure the property's continued preservation and use. If, after a reasonable time, the Secretary, in consultation with the Council, determines that there is no feasible and prudent means to convey the property and to ensure its continued preservation and use, the Secretary may convey the property at the fair market value of its interest in the property to any entity without restriction.

(2) DISPOSITION OF FUNDS.—Any funds obtained by the Secretary in connection with the conveyance of any historic property pursuant to paragraph (1) shall be deposited in the Historic Preservation Fund and shall remain available in the Historic Preservation Fund until appropriated by Congress to carry out this division.

(i) ASSESSMENT OF FEES IN CONNECTION WITH INSURING LOANS.—The Secretary may assess appropriate and reasonable fees in connection with insuring loans under this section. The fees shall be deposited in the Historic Preservation Fund and shall remain available in the Historic Preservation Fund until appropriated by Congress to carry out this division.

(j) TREATMENT OF LOANS AS NON-FEDERAL FUNDS.—Notwithstanding any other provision of law, any loan insured under this section shall be treated as non-Federal funds for the purposes of satisfying any requirement of any other provision of law under which Federal funds to be used for any project or activity are conditioned on the use of non-Federal funds by the recipient for payment of any portion of the costs of the project or activity.

(k) INELIGIBILITY OF DEBT OBLIGATION FOR PURCHASE OR COMMITMENT TO PURCHASE BY, OR SALE OR ISSUANCE TO, FEDERAL FINANCING BANK.—No debt obligation that is made or committed to be made, or that is insured or committed to be insured, by the Secretary under this section shall be eligible for purchase by, or commitment to purchase by, or sale or issuance to, the Federal Financing Bank.

§ 303902. Training in, and dissemination of information concerning, professional methods and techniques for preservation of historic property

The Secretary shall develop and make available to Federal agencies, State and local governments, private organizations and individuals, and other nations and international organizations pursuant to the World Heritage Convention, training in, and information concerning, professional methods and techniques for the preservation of historic property and for the administration of the historic preservation program at the Federal, State, and local level. The Secretary shall also develop mechanisms to provide information concerning historic preservation to the general public including students.

§ 303903. Preservation education and training program

The Secretary, in consultation with the Council and other appropriate Federal, tribal, Native Hawaiian, and non-Federal organizations, shall develop and implement a comprehensive preservation education and training program. The program shall include—

(1) standards and increased preservation training opportunities for Federal workers involved in preservation-related functions;

(2) preservation training opportunities for other Federal, State, tribal and local government workers, and students;

(3) technical or financial assistance, or both, to historically black colleges and universities, to tribal colleges, and to colleges with a high enrollment of Native Americans or Native Hawaiians, to establish preservation training and degree programs; and

(4) where appropriate, coordination with the National Center for Preservation Technology and Training of—

(A) distribution of information on preservation technologies;

(B) provision of training and skill development in trades, crafts, and disciplines related to historic preservation in Federal training and development programs; and

(C) support for research, analysis, conservation, curation, interpretation, and display related to preservation.

Subdivision 3—Advisory Council on Historic Preservation

Chapter 3041—Advisory Council on Historic Preservation

Sec.

§ 304101. Establishment; vacancies

(a) ESTABLISHMENT.—There is established as an independent agency of the United States Government an Advisory Council on Historic Preservation, which shall be composed of the following members:

(1) A Chairman appointed by the President selected from the general public.

(2) The Secretary.

(3) The Architect of the Capitol.

(4) The Secretary of Agriculture and the heads of 7 other agencies of the United States (other than the Department of the Interior), the activities of which affect historic preservation, designated by the President.

(5) One Governor appointed by the President.

(6) One mayor appointed by the President.

(7) The President of the National Conference of State Historic Preservation Officers.

(8) The Chairman of the National Trust.

(9) Four experts in the field of historic preservation appointed by the President from architecture, history, archeology, and other appropriate disciplines.

(10) Three members from the general public, appointed by the President.

(11) One member of an Indian tribe or Native Hawaiian organization who represents the interests of the Indian tribe

or Native Hawaiian organization of which he or she is a member, appointed by the President.

(b) DESIGNATION OF SUBSTITUTES.—Each member of the Council specified in paragraphs (2) to (5), (7), and (8) of subsection (a) may designate another officer of the department, agency, or organization to serve on the Council instead of the member, except that, in the case of paragraphs (2) and (4), no officer other than an Assistant Secretary or an officer having major department-wide or agency-wide responsibilities may be designated.

(c) TERM OF OFFICE.—Each member of the Council appointed under paragraphs (1) and (9) to (11) of subsection (a) shall serve for a term of 4 years from the expiration of the term of the member's predecessor. The members appointed under paragraphs (5) and (6) shall serve for the term of their elected office but not in excess of 4 years. An appointed member may not serve more than 2 terms. An appointed member whose term has expired shall serve until that member's successor has been appointed.

(d) VACANCIES.—A vacancy in the Council shall not affect its powers, but shall be filled, not later than 60 days after the vacancy commences, in the same manner as the original appointment (and for the balance of the unexpired term).

(e) DESIGNATION OF VICE CHAIRMAN.—The President shall designate a Vice Chairman from the members appointed under paragraph (5), (6), (9), or (10) of subsection (a). The Vice Chairman may act in place of the Chairman during the absence or disability of the Chairman or when the office is vacant.

(f) QUORUM.—Twelve members of the Council shall constitute a quorum.

§ 304102. Duties of Council

(a) DUTIES.—The Council shall—

(1) advise the President and Congress on matters relating to historic preservation, recommend measures to coordinate activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation, and advise on the dissemination of information pertaining to those activities;

(2) encourage, in cooperation with the National Trust and appropriate private agencies, public interest and participation in historic preservation;

(3) recommend the conduct of studies in such areas as—

(A) the adequacy of legislative and administrative statutes and regulations pertaining to historic preservation activities of State and local governments; and

(B) the effects of tax policies at all levels of government on historic preservation;

(4) advise as to guidelines for the assistance of State and local governments in drafting legislation relating to historic preservation;

(5) encourage, in cooperation with appropriate public and private agencies and institutions, training and education in the field of historic preservation;

(6) review the policies and programs of Federal agencies and recommend to Federal agencies methods to improve the effectiveness, coordination, and consistency of those policies and programs with the policies and programs carried out under this division; and

(7) inform and educate Federal agencies, State and local governments, Indian tribes, other nations and international organizations and private groups and individuals as to the Council's authorized activities.

(b) ANNUAL REPORT.—The Council annually shall submit to the President a comprehensive report of its activities and the results of its studies and shall from time to time submit additional and special reports as it deems advisable. Each report shall propose legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations and shall provide the Council's assessment of current and emerging problems in the field of historic preservation and an evaluation of the effectiveness of the programs of Federal agencies, State and local governments, and the private sector in carrying out this division.

§ 304103. Cooperation between Council and instrumentalities of executive branch of Federal Government

The Council may secure directly from any Federal agency information, suggestions, estimates, and statistics for the purpose of this chapter. Each Federal agency may furnish information, suggestions, estimates, and statistics to the extent permitted by law and within available funds.

§ 304104. Compensation of members of Council

The members of the Council specified in paragraphs (2), (3), and (4) of section 304101(a) of this title shall serve without additional compensation. The other members of the Council shall receive $100 per diem when engaged in the performance of the duties of the Council. All members of the Council shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Council.

§ 304105. Administration

(a) EXECUTIVE DIRECTOR.—There shall be an Executive Director of the Council who shall be appointed by the Chairman with the concurrence of the Council in the competitive service at a rate within the General Schedule, in the competitive service at a rate that may exceed the rate prescribed for the highest rate established for grade 15 of the General Schedule under section 5332 of title 5, or in the Senior Executive Service under section 3393 of title 5. The Executive Director shall report directly to the Council and perform such functions and duties as the Council may prescribe.

(b) GENERAL COUNSEL AND APPOINTMENT OF OTHER ATTORNEYS.—

(1) GENERAL COUNSEL.—The Council shall have a General Counsel, who shall be appointed by the Executive Director. The General Counsel shall report directly to the Executive Director and serve as the Council's legal advisor.

(2) APPOINTMENT OF OTHER ATTORNEYS.—The Executive Director shall appoint other attorneys as may be necessary to—

(A) assist the General Counsel;

(B) represent the Council in court when appropriate, including enforcement of agreements with Federal agencies to which the Council is a party;

(C) assist the Department of Justice in handling litigation concerning the Council in court; and

(D) perform such other legal duties and functions as the Executive Director and the Council may direct.

(c) APPOINTMENT AND COMPENSATION OF OFFICERS AND EMPLOYEES.—The Executive Director of the Council may appoint and fix the compensation of officers and employees in the competitive service who are necessary to perform the functions of the Council at rates not to exceed that prescribed for the highest rate for grade 15 of the General Schedule under section 5332 of title 5. The Executive Director, with the concurrence of the Chairman, may appoint and fix the compensation of not to exceed 5 employees in the competitive service at rates that exceed that prescribed for the highest rate established for grade 15 of the General Schedule under section 5332 of title 5 or in the Senior Executive Service under section 3393 of title 5.

(d) APPOINTMENT AND COMPENSATION OF ADDITIONAL PERSONNEL.—The Executive Director may appoint and fix the compensation of such additional personnel as may be necessary to carry out the Council's duties, without regard to the civil service laws and chapter 51 and subchapter III of chapter 53 of title 5.

(e) EXPERT AND CONSULTANT SERVICES.—The Executive Director may procure expert and consultant services in accordance with section 3109 of title 5.

(f) FINANCIAL AND ADMINISTRATIVE SERVICES.—

(1) SERVICES TO BE PROVIDED BY SECRETARY, AGENCY, OR PRIVATE ENTITY.—Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel and procurement) shall be provided the Council by the Secretary or, at the discretion of the Council, another agency or private entity that reaches an agreement with the Council, for which payments shall be made in advance, or by reimbursement, from funds of the Council in such amounts as may be agreed on by the Chairman of the Council and the head of the agency or the authorized representative of the private entity that will provide the services.

(2) FEDERAL AGENCY REGULATIONS RELATING TO COLLECTION APPLY.—When a Federal agency affords those services, the regulations of that agency under section 5514(b) of title 5 for the collection of indebtedness of personnel resulting from erroneous payments shall apply to the collection of erroneous payments made to or on behalf of a Council employee, and regulations of that agency under sections 1513(d) and 1514 of title 31 for the administrative control of funds shall apply to appropriations of the Council. The Council shall not be required to prescribe those regulations.

(g) FUNDS, PERSONNEL, FACILITIES, AND SERVICES.—

(1) PROVIDED BY FEDERAL AGENCY.—Any Federal agency may provide the Council, with or without reimbursement as may be agreed on by the Chairman and the agency, with such funds, personnel, facilities, and services under its jurisdiction and control as may be needed by the Council to carry out its duties, to the extent that the funds, personnel, facilities, and services are requested by the Council and are otherwise available for that purpose. Any funds provided to the Council pursuant to this subsection shall be obligated by the end of

the fiscal year following the fiscal year in which the funds are received by the Council.

(2) OBTAINING ADDITIONAL PROPERTY, FACILITIES, AND SERVICES AND RECEIVING DONATIONS OF MONEY.—To the extent of available appropriations, the Council may obtain by purchase, rental, donation, or otherwise additional property, facilities, and services as may be needed to carry out its duties and may receive donations of money for that purpose. The Executive Director may accept, hold, use, expend, and administer the property, facilities, services, and money for the purposes of this division.

(h) RIGHTS, BENEFITS, AND PRIVILEGES OF TRANSFERRED EMPLOYEES.—Any employee in the competitive service of the United States transferred to the Council under section 207 of the National Historic Preservation Act (Public Law 89–665) retains all the rights, benefits, and privileges pertaining to the competitive service held prior to the transfer.

(i) EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.—The Council is exempt from the Federal Advisory Committee Act (5 U.S.C. App.).

(j) PROVISIONS THAT GOVERN OPERATIONS OF COUNCIL.—Subchapter II of chapter 5 and chapter 7 of title 5 shall govern the operations of the Council.

§ 304106. International Centre for the Study of the Preservation and Restoration of Cultural Property

(a) AUTHORIZATION OF PARTICIPATION.—The participation of the United States as a member in the International Centre for the Study of the Preservation and Restoration of Cultural Property is authorized.

(b) OFFICIAL DELEGATION.—The Council shall recommend to the Secretary of State, after consultation with the Smithsonian Institution and other public and private organizations concerned with the technical problems of preservation, the members of the official delegation that will participate in the activities of the International Centre for the Study of the Preservation and Restoration of Cultural Property on behalf of the United States. The Secretary of State shall appoint the members of the official delegation from the persons recommended to the Secretary of State by the Council.

§ 304107. Transmittal of legislative recommendations, testimony, or comments to any officer or agency of the United States prior to submission to Congress

No officer or agency of the United States shall have any authority to require the Council to submit its legislative recommendations, or testimony, or comments on legislation to any officer or agency of the United States for approval, comments, or review, prior to the submission of the recommendations, testimony, or comments to Congress. When the Council voluntarily seeks to obtain the comments or review of any officer or agency of the United States, the Council shall include a description of the actions in its legislative recommendations, testimony, or comments on legislation that it transmits to Congress.

§ 304108. Regulations, procedures, and guidelines

(a) IN GENERAL.—The Council may promulgate regulations as it considers necessary to govern the implementation of section 306108 of this title in its entirety.

(b) PARTICIPATION BY LOCAL GOVERNMENTS.—The Council shall by regulation establish such procedures as may be necessary to provide for participation by local governments in proceedings and other actions taken by the Council with respect to undertakings referred to in section 306108 of this title that affect the local governments.

(c) EXEMPTION FOR FEDERAL PROGRAMS OR UNDERTAKINGS.—The Council, with the concurrence of the Secretary, shall promulgate regulations or guidelines, as appropriate, under which Federal programs or undertakings may be exempted from any or all of the requirements of this division when the exemption is determined to be consistent with the purposes of this division, taking into consideration the magnitude of the exempted undertaking or program and the likelihood of impairment of historic property.

§ 304109. Budget submission

(a) TIME AND MANNER OF SUBMISSION.—The Council shall submit its budget annually as a related agency of the Department of the Interior.

(b) TRANSMITTAL OF COPIES TO CONGRESSIONAL COMMITTEES.—Whenever the Council submits any budget estimate or request to the President or the Office of Management and Budget, it shall concurrently transmit copies of that estimate or request to the Committee on Natural Resources and Committee on Appropriations of the House of Representatives and the Committee on Energy and Natural Resources and Committee on Appropriations of the Senate.

§ 304110. Report by Secretary to Council

To assist the Council in discharging its responsibilities under this division, the Secretary at the request of the Chairman shall provide a report to the Council detailing the significance of any historic property, describing the effects of any proposed undertaking on the affected property, and recommending measures to avoid, minimize, or mitigate adverse effects.

§ 304111. Reimbursements from State and local agencies

Subject to applicable conflict of interest laws, the Council may receive reimbursements from State and local agencies and others pursuant to agreements executed in furtherance of this division.

§ 304112. Effectiveness of Federal grant and assistance programs

(a) COOPERATIVE AGREEMENTS.—The Council may enter into a cooperative agreement with any Federal agency that administers a grant or assistance program for the purpose of improving the effectiveness of the administration of the program in meeting the purposes and policies of this division. The cooperative agreement may include provisions that modify the selection criteria for a grant or assistance program to further the purposes of this division or that allow the Council to participate in the selection of recipients, if those provisions are not inconsistent with the grant or assistance program's statutory authorization and purpose.

(b) REVIEW OF GRANT AND ASSISTANCE PROGRAMS.—The Council may—

(1) review the operation of any Federal grant or assistance program to evaluate the effectiveness of the program in meeting the purposes and policies of this division;

(2) make recommendations to the head of any Federal agency that administers the program to further the consistency of the program with the purposes and policies of this division and to improve its effectiveness in carrying out those purposes and policies; and

(3) make recommendations to the President and Congress regarding the effectiveness of Federal grant and assistance programs in meeting the purposes and policies of this division, including recommendations with regard to appropriate funding levels.

Subdivision 4—Other Organizations and Programs

Chapter 3051—Historic Light Station Preservation

§ 305101. Definitions

In this chapter:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of General Services.

(2) ELIGIBLE ENTITY.—The term "eligible entity" means—

(A) any department or agency of the Federal Government; or

(B) any department or agency of the State in which a historic light station is located, the local government of the community in which a historic light station is located, a nonprofit corporation, an educational agency, or a community development organization that—

(i) has agreed to comply with the conditions set forth in section 305104 of this title and to have the conditions recorded with the deed of title to the historic light station; and

(ii) is financially able to maintain the historic light station in accordance with the conditions set forth in section 305104 of this title.

(3) FEDERAL AID TO NAVIGATION.—

(A) IN GENERAL.—The term "Federal aid to navigation" means any device, operated and maintained by the United States, external to a vessel or aircraft, intended to assist a navigator to determine position or safe course, or to warn of dangers or obstructions to navigation.

(B) INCLUSIONS.—The term "Federal aid to navigation" includes a light, lens, lantern, antenna, sound signal,

camera, sensor, piece of electronic navigation equipment, power source, or other piece of equipment associated with a device described in subparagraph (A).

(4) HISTORIC LIGHT STATION.—The term "historic light station" includes the light tower, lighthouse, keeper's dwelling, garages, storage sheds, oil house, fog signal building, boat house, barn, pumphouse, tramhouse support structures, piers, walkways, underlying and appurtenant land and related real property and improvements associated with a historic light station that is a historic property.

§ 305102. Duties of Secretary in providing a national historic light station program

To provide a national historic light station program, the Secretary shall—

(1) collect and disseminate information concerning historic light stations;

(2) foster educational programs relating to the history, practice, and contribution to society of historic light stations;

(3) sponsor or conduct research and study into the history of light stations;

(4) maintain a listing of historic light stations; and

(5) assess the effectiveness of the program established by this chapter regarding the conveyance of historic light stations.

§ 305103. Selection of eligible entity and conveyance of historic light stations

(a) PROCESS AND POLICIES.—The Secretary and the Administrator shall maintain a process and policies for identifying, and selecting, an eligible entity to which a historic light station could be conveyed for education, park, recreation, cultural, or historic preservation purposes, and to monitor the use of the light station by the eligible entity.

(b) APPLICATION REVIEW.—

(1) IN GENERAL.—The Secretary shall—

(A) review all applications for the conveyance of a historic light station, when the agency with administrative jurisdiction over the historic light station has determined the property to be excess property (as that term is defined in section 102 of title 40); and

(B) forward to the Administrator a single approved application for the conveyance of the historic light station.

(2) CONSULTATION.—When selecting an eligible entity, the Secretary shall consult with the State Historic Preservation Officer of the State in which the historic light station is located.

(c) CONVEYANCE OR SALE OF HISTORIC LIGHT STATIONS.—

(1) CONVEYANCE BY ADMINISTRATOR.—Except as provided in paragraph (2), after the Secretary's selection of an eligible entity, the Administrator shall convey, by quitclaim deed, without consideration, all right, title, and interest of the United States in and to a historic light station, subject to the conditions set forth in section 305104 of this title. The conveyance of a historic light station under this chapter shall not be subject to the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.) or section 416(d) of the Coast Guard Authorization Act of 1998 (Public Law 105–383, 14 U.S.C. 93 note).

(2) HISTORIC LIGHT STATION LOCATED WITHIN A SYSTEM UNIT OR A REFUGE WITHIN NATIONAL WILDLIFE REFUGE SYSTEM.—

(A) APPROVAL OF SECRETARY REQUIRED.—A historic light station located within the exterior boundaries of a System unit or a refuge within the National Wildlife Refuge System shall be conveyed or sold only with the approval of the Secretary.

(B) CONDITIONS OF CONVEYANCE.—If the Secretary approves the conveyance of a historic light station described in subparagraph (A), the conveyance shall be subject to the conditions set forth in section 305104 of this title and any other terms or conditions that the Secretary considers necessary to protect the resources of the System unit or wildlife refuge.

(C) CONDITIONS OF SALE.—If the Secretary approves the sale of a historic light station described in subparagraph (A), the sale shall be subject to the conditions set forth in paragraphs (1) to (4) and (8) of subsection (a), and subsection (b), of section 305104 of this title and any other terms or conditions that the Secretary considers necessary to protect the resources of the System unit or wildlife refuge.

(D) COOPERATIVE AGREEMENTS.—The Secretary is encouraged to enter into cooperative agreements with appropriate eligible entities with respect to historic light stations described in subparagraph (A), as provided in this division, to the extent that the cooperative agreements are consistent with the Secretary's responsibilities to manage and administer the System unit or wildlife refuge.

§ 305104. Terms of conveyance

(a) IN GENERAL.—The conveyance of a historic light station shall be made subject to any conditions, including the reservation of easements and other rights on behalf of the United States, that the Administrator considers necessary to ensure that—

(1) the Federal aids to navigation located at the historic light station in operation on the date of conveyance remain the personal property of the United States and continue to be operated and maintained by the United States for as long as needed for navigational purposes;

(2) there is reserved to the United States the right to remove, replace, or install any Federal aid to navigation located at the historic light station as may be necessary for navigational purposes;

(3) the eligible entity to which the historic light station is conveyed shall not interfere or allow interference in any manner with any Federal aid to navigation or hinder activities required for the operation and maintenance of any Federal aid to navigation without the express written permission of the head of the agency responsible for maintaining the Federal aid to navigation;

(4)(A) the eligible entity to which the historic light station is conveyed shall, at its own cost and expense, use and maintain the historic light station in accordance with this division, the Secretary of the Interior's Standards for the Treatment of Historic Properties contained in part 68 of title 36, Code of Federal Regulations, and other applicable laws; and

(B) any proposed changes to the historic light station shall be reviewed and approved by the Secretary in consultation with the State Historic Preservation Officer of the State in which the historic light station is located, for consistency with section 800.5(a)(2)(vii) of title 36, Code of Federal Regulations and the Secretary's Standards for Rehabilitation contained in section 67.7 of title 36, Code of Federal Regulations;

(5) the eligible entity to which the historic light station is conveyed shall make the historic light station available for education, park, recreation, cultural, or historic preservation purposes for the general public at reasonable times and under reasonable conditions;

(6) the eligible entity to which the historic light station is conveyed shall not sell, convey, assign, exchange, or encumber the historic light station, any part of the historic light station, or any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, including any lens or lantern, unless the sale, conveyance, assignment, exchange, or encumbrance is approved by the Secretary;

(7) the eligible entity to which the historic light station is conveyed shall not conduct any commercial activity at the historic light station, at any part of the historic light station, or in connection with any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, in any manner, unless the commercial activity is approved by the Secretary; and

(8) the United States shall have the right, at any time, to enter the historic light station without notice, for purposes of operating, maintaining, and inspecting any aid to navigation and for the purpose of ensuring compliance with this section, to the extent that it is not possible to provide advance notice.

(b) MAINTENANCE OF AID TO NAVIGATION.—Any eligible entity to which a historic light station is conveyed shall not be required to maintain any Federal aid to navigation associated with a historic light station, except any private aid to navigation permitted to the eligible entity under section 83 of title 14.

(c) REVERSION.—In addition to any term or condition established pursuant to this section, the conveyance of a historic light station shall include a condition that the historic light station, or any associated historic artifact conveyed to the eligible entity in conjunction with the historic light station conveyance, including any lens or lantern, at the option of the Administrator, shall revert to the United States and be placed under the administrative control of the Administrator, if—

(1) the historic light station, any part of the historic light station, or any associated historic artifact ceases to be available for education, park, recreation, cultural, or historic preservation purposes for the general public at reasonable times and under reasonable conditions that shall be set forth in the eligible entity's application;

(2) the historic light station or any part of the historic light station ceases to be maintained in a manner that ensures its present or future use as a site for a Federal aid to navigation;

(3) the historic light station, any part of the historic light station, or any associated historic artifact ceases to be maintained in compliance with this division, the Secretary of the

Interior's Standards for the Treatment of Historic Properties contained in part 68 of title 36, Code of Federal Regulations, and other applicable laws;

(4) the eligible entity to which the historic light station is conveyed sells, conveys, assigns, exchanges, or encumbers the historic light station, any part of the historic light fixture, or any associated historic artifact, without approval of the Secretary;

(5) the eligible entity to which the historic light station is conveyed conducts any commercial activity at the historic light station, at any part of the historic light station, or in conjunction with any associated historic artifact, without approval of the Secretary; or

(6) at least 30 days before the reversion, the Administrator provides written notice to the owner that the historic light station or any part of the historic light station is needed for national security purposes.

(d) LIGHT STATIONS ORIGINALLY CONVEYED UNDER OTHER AUTHORITY.—On receiving notice of an executed or intended conveyance by an owner that received from the Federal Government under authority other than this division a historic light station in which the United States retains a reversionary or other interest and that is conveying it to another person by sale, gift, or any other manner, the Secretary shall review the terms of the executed or proposed conveyance to ensure that any new owner is capable of or is complying with any and all conditions of the original conveyance. The Secretary may require the parties to the conveyance and relevant Federal agencies to provide information as is necessary to complete the review. If the Secretary determines that the new owner has not complied or is unable to comply with those conditions, the Secretary shall immediately advise the Administrator, who shall invoke any reversionary interest or take other action as may be necessary to protect the interests of the United States.

§ 305105. Description of property

(a) IN GENERAL.—The Administrator shall prepare the legal description of any historic light station conveyed under this chapter. The Administrator, in consultation with the Secretary of Homeland Security and the Secretary, may retain all right, title, and interest of the United States in and to any historical artifact, including any lens or lantern, that is associated with the historic light station and located at the historic light station at the time of conveyance. Wherever possible, the historical artifacts should be used in interpreting the historic light station. In cases where there is no method for preserving lenses and other artifacts and equipment in situ, priority should be given to preservation or museum entities most closely associated with the historic light station, if they meet loan requirements.

(b) ARTIFACTS.—Artifacts associated with, but not located at, a historic light station at the time of conveyance shall remain the property of the United States under the administrative control of the Secretary of Homeland Security.

(c) COVENANTS.—All conditions placed with the quitclaim deed of title to the historic light station shall be construed as covenants running with the land.

(d) SUBMERGED LAND.—No submerged land shall be conveyed under this chapter.

§ 305106. Historic light station sales

(a) IN GENERAL.—

(1) WHEN SALE MAY OCCUR.—If no applicant is approved for the conveyance of a historic light station pursuant to sections 305101 through 305105 of this title, the historic light station shall be offered for sale.

(2) TERMS OF SALE.—Terms of the sales—

(A) shall be developed by the Administrator; and

(B) shall be consistent with the requirements of paragraphs (1) to (4) and (8) of subsection (a), and subsection (b), of section 305104 of this title.

(3) COVENANTS TO BE INCLUDED IN CONVEYANCE DOCUMENTS.—Conveyance documents shall include all necessary covenants to protect the historical integrity of the historic light station and ensure that any Federal aid to navigation located at the historic light station is operated and maintained by the United States for as long as needed for that purpose.

(b) NET SALE PROCEEDS.—

(1) DISPOSITION AND USE OF FUNDS.—Net sale proceeds from the disposal of a historic light station—

(A) located on public domain land shall be transferred to the National Maritime Heritage Grants Program established under chapter 3087 in the Department of the Interior; and

(B) under the administrative control of the Secretary of Homeland Security—

(i) shall be credited to the Coast Guard's Operating Expenses appropriation account; and

(ii) shall be available for obligation and expenditure for the maintenance of light stations remaining under the administrative control of the Secretary of Homeland Security.

(2) AVAILABILITY OF FUNDS.—The funds referred to in paragraph (1)(B) shall remain available until expended and shall be available in addition to funds available in the Coast Guard's Operating Expense appropriation for that purpose.

Chapter 3053—National Center for Preservation Technology and Training

§ 305301. Definitions

In this chapter:

(1) BOARD.—The term "Board" means the Preservation Technology and Training Board established pursuant to section 305303 of this title.

(2) CENTER.—The term "Center" means the National Center for Preservation Technology and Training established pursuant to section 305302 of this title.

§ 305302. National Center for Preservation Technology and Training

(a) ESTABLISHMENT.—There is established within the Department of the Interior a National Center for Preservation Technology and Training. The Center shall be located at Northwestern State University of Louisiana in Natchitoches, Louisiana.

(b) PURPOSES.—The purposes of the Center shall be to—

(1) develop and distribute preservation and conservation skills and technologies for the identification, evaluation, conservation, and interpretation of historic property;

(2) develop and facilitate training for Federal, State, and local resource preservation professionals, cultural resource managers, maintenance personnel, and others working in the preservation field;

(3) take steps to apply preservation technology benefits from ongoing research by other agencies and institutions;

(4) facilitate the transfer of preservation technology among Federal agencies, State and local governments, universities, international organizations, and the private sector; and

(5) cooperate with related international organizations including the International Council on Monuments and Sites, the International Center for the Study of Preservation and Restoration of Cultural Property, and the International Council on Museums.

(c) PROGRAMS.—The purposes shall be carried out through research, professional training, technical assistance, and programs for public awareness, and through a program of grants established under section 305304 of this title.

(d) EXECUTIVE DIRECTOR.—The Center shall be headed by an Executive Director with demonstrated expertise in historic preservation appointed by the Secretary with advice of the Board.

(e) ASSISTANCE FROM SECRETARY.—The Secretary shall provide the Center assistance in obtaining such personnel, equipment, and facilities as may be needed by the Center to carry out its activities.

§ 305303. Preservation Technology and Training Board

(a) ESTABLISHMENT.—There is established a Preservation Technology and Training Board.

(b) DUTIES.—The Board shall—

(1) provide leadership, policy advice, and professional oversight to the Center;

(2) advise the Secretary on priorities and the allocation of grants among the activities of the Center; and

(3) submit an annual report to the President and Congress.

(c) MEMBERSHIP.—The Board shall be comprised of—

(1) the Secretary;

(2) 6 members appointed by the Secretary, who shall represent appropriate Federal, State, and local agencies, State and local historic preservation commissions, and other public and international organizations; and

(3) 6 members appointed by the Secretary on the basis of outstanding professional qualifications, who represent major

organizations in the fields of archeology, architecture, conservation, curation, engineering, history, historic preservation, landscape architecture, planning, or preservation education.

§ 305304. Preservation grants

(a) IN GENERAL.—The Secretary, in consultation with the Board, shall provide preservation technology and training grants to eligible applicants with a demonstrated institutional capability and commitment to the purposes of the Center, in order to ensure an effective and efficient system of research, information distribution, and skills training in all the related historic preservation fields.

(b) GRANT REQUIREMENTS.—

(1) ALLOCATION.—Grants provided under this section shall be allocated in such a fashion as to reflect the diversity of the historic preservation fields and shall be geographically distributed.

(2) LIMIT ON AMOUNT A RECIPIENT MAY RECEIVE.—No grant recipient may receive more than 10 percent of the grants allocated under this section within any year.

(3) LIMIT ON ADMINISTRATIVE COSTS.—The total administrative costs, direct and indirect, charged for carrying out grants under this section may not exceed 25 percent of the aggregate costs.

(c) ELIGIBLE APPLICANTS.—Eligible applicants may include—

(1) Federal and non-Federal laboratories;

(2) accredited museums;

(3) universities;

(4) nonprofit organizations;

(5) System units and offices and Cooperative Park Study Units of the System;

(6) State Historic Preservation Offices;

(7) tribal preservation offices; and

(8) Native Hawaiian organizations.

(d) STANDARDS AND METHODS.—Grants shall be awarded in accordance with accepted professional standards and methods, including peer review of projects.

§ 305305. General provisions

(a) ACCEPTANCE OF GRANTS AND TRANSFERS.—The Center may accept—

(1) grants and donations from private individuals, groups, organizations, corporations, foundations, and other entities; and

(2) transfers of funds from other Federal agencies.

(b) CONTRACTS AND COOPERATIVE AGREEMENTS.—Subject to appropriations, the Center may enter into contracts and cooperative agreements with Federal, State, local, and tribal governments, Native Hawaiian organizations, educational institutions, and other public entities to carry out the Center's responsibilities under this chapter.

(c) ADDITIONAL FUNDS.—Funds appropriated for the Center shall be in addition to funds appropriated for Service programs, centers, and offices in existence on October 30, 1992.

§ 305306. Service preservation centers and offices

To improve the use of existing Service resources, the Secretary shall fully utilize and further develop the Service preservation (including conservation) centers and regional offices. The Secretary

shall improve the coordination of the centers and offices within the Service, and shall, where appropriate, coordinate their activities with the Center and with other appropriate parties.

Chapter 3055—National Building Museum

Sec.
305501. Definitions.
305502. Cooperative agreement to operate museum.
305503. Activities and functions.
305504. Matching grants to Committee.
305505. Annual report.

§ 305501. Definitions

In this chapter:

(1) BUILDING ARTS.—The term "building arts" includes all practical and scholarly aspects of prehistoric, historic, and contemporary architecture, archeology, construction, building technology and skills, landscape architecture, preservation and conservation, building and construction, engineering, urban and community design and renewal, city and regional planning, and related professions, skills, trades, and crafts.

(2) COMMITTEE.—The term "Committee" means the Committee for a National Museum of the Building Arts, Incorporated, a nonprofit corporation organized and existing under the laws of the District of Columbia, or its successor.

§ 305502. Cooperative agreement to operate museum

To provide a national center to commemorate and encourage the building arts and to preserve and maintain a nationally significant building that exemplifies the great achievements of the building arts in the United States, the Secretary and the Administrator of General Services shall enter into a cooperative agreement with the Committee for the operation of a National Building Museum in the Federal building located in the block bounded by Fourth Street, Fifth Street, F Street, and G Street, Northwest in Washington, District of Columbia. The cooperative agreement shall include provisions that—

(1) make the site available to the Committee without charge;

(2) provide, subject to available appropriations, such maintenance, security, information, janitorial, and other services as may be necessary to ensure the preservation and operation of the site; and

(3) prescribe reasonable terms and conditions by which the Committee can fulfill its responsibilities under this division.

§ 305503. Activities and functions

The National Building Museum shall—

(1) collect and disseminate information concerning the building arts, including the establishment of a national reference center for current and historic documents, publications, and research relating to the building arts;

(2) foster educational programs relating to the history, practice, and contribution to society of the building arts, including promotion of imaginative educational approaches to enhance understanding and appreciation of all facets of the building arts;

(3) publicly display temporary and permanent exhibits illustrating, interpreting and demonstrating the building arts;

(4) sponsor or conduct research and study into the history of the building arts and their role in shaping our civilization; and

(5) encourage contributions to the building arts.

§ 305504. Matching grants to Committee

The Secretary shall provide matching grants to the Committee for its programs related to historic preservation. The Committee shall match the grants in such a manner and with such funds and services as shall be satisfactory to the Secretary, except that not more than $500,000 may be provided to the Committee in any one fiscal year.

§ 305505. Annual report

The Committee shall submit an annual report to the Secretary and the Administrator of General Services concerning its activities under this chapter and shall provide the Secretary and the Administrator of General Services with such other information as the Secretary may consider necessary or advisable.

Subdivision 5—Federal Agency Historic Preservation Responsibilities

Chapter 3061—Program Responsibilities and Authorities

Subchapter I—In General
Sec.
306101. Assumption of responsibility for preservation of historic property.
306102. Preservation program.
306103. Recordation of historic property prior to alteration or demolition.
306104. Agency Preservation Officer.
306105. Agency programs and projects.
306106. Review of plans of transferees of surplus federally owned historic property.
306107. Planning and actions to minimize harm to National Historic Landmarks.
306108. Effect of undertaking on historic property.
306109. Costs of preservation as eligible project costs.
306110. Annual preservation awards program.
306111. Environmental impact statement.
306112. Waiver of provisions in event of natural disaster or imminent threat to national security.
306113. Anticipatory demolition.
306114. Documentation of decisions respecting undertakings.
Subchapter II—Lease, Exchange, or Management of Historic Property
306121. Lease or exchange.
306122. Contracts for management of historic property.
Subchapter III—Protection and Preservation of Resources
306131. Standards and guidelines.

Subchapter I—In General

§ 306101. Assumption of responsibility for preservation of historic property

(a) IN GENERAL.—

(1) AGENCY HEAD RESPONSIBILITY.—The head of each Federal agency shall assume responsibility for the preservation of historic property that is owned or controlled by the agency.

(2) USE OF AVAILABLE HISTORIC PROPERTY.—Prior to acquiring, constructing, or leasing a building for purposes of carrying out agency responsibilities, a Federal agency shall use, to the maximum extent feasible, historic property available to the agency, in accordance with Executive Order No. 13006 (40 U.S.C. 3306 note).

(3) NECESSARY PRESERVATION.—Each Federal agency shall undertake, consistent with the preservation of historic property, the mission of the agency, and the professional standards established pursuant to subsection (c), any preservation as may be necessary to carry out this chapter.

(b) GUIDELINES FOR FEDERAL AGENCY RESPONSIBILITY FOR AGENCY-OWNED HISTORIC PROPERTY.—In consultation with the Council, the Secretary shall promulgate guidelines for Federal agency responsibilities under this subchapter (except section 306108).

(c) PROFESSIONAL STANDARDS FOR PRESERVATION OF FEDERALLY OWNED OR CONTROLLED HISTORIC PROPERTY.—The Secretary shall establish, in consultation with the Secretary of Agriculture, the Secretary of Defense, the Smithsonian Institution, and the Administrator of General Services, professional standards for the preservation of historic property in Federal ownership or control.

§ 306102. Preservation program

(a) ESTABLISHMENT.—Each Federal agency shall establish (except for programs or undertakings exempted pursuant to section 304108(c) of this title), in consultation with the Secretary, a preservation program for the identification, evaluation, and nomination to the National Register, and protection, of historic property.

(b) REQUIREMENTS.—The program shall ensure that—

(1) historic property under the jurisdiction or control of the agency is identified, evaluated, and nominated to the National Register;

(2) historic property under the jurisdiction or control of the agency is managed and maintained in a way that considers the preservation of their historic, archeological, architectural, and cultural values in compliance with section 306108 of this title and gives special consideration to the preservation of those values in the case of property designated as having national significance;

(3) the preservation of property not under the jurisdiction or control of the agency but potentially affected by agency actions is given full consideration in planning;

(4) the agency's preservation-related activities are carried out in consultation with other Federal, State, and local agencies, Indian tribes, Native Hawaiian organizations carrying out historic preservation planning activities, and the private sector; and

(5) the agency's procedures for compliance with section 306108 of this title—

(A) are consistent with regulations promulgated by the Council pursuant to section 304108(a) and (b) of this title;

(B) provide a process for the identification and evaluation of historic property for listing on the National Register and the development and implementation of agreements, in consultation with State Historic Preservation Officers, local governments, Indian tribes, Native Hawaiian

organizations, and the interested public, as appropriate, regarding the means by which adverse effects on historic property will be considered; and

(C) provide for the disposition of Native American cultural items from Federal or tribal land in a manner consistent with section 3(c) of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3002(c)).

§ 306103. Recordation of historic property prior to alteration or demolition

Each Federal agency shall initiate measures to ensure that where, as a result of Federal action or assistance carried out by the agency, a historic property is to be substantially altered or demolished—

(1) timely steps are taken to make or have made appropriate records; and

(2) the records are deposited, in accordance with section 302107 of this title, in the Library of Congress or with such other appropriate agency as the Secretary may designate, for future use and reference.

§ 306104. Agency Preservation Officer

The head of each Federal agency (except an agency that is exempted under section 304108(c) of this title) shall designate a qualified official as the agency's Preservation Officer who shall be responsible for coordinating the agency's activities under this division. Each Preservation Officer may, to be considered qualified, satisfactorily complete an appropriate training program established by the Secretary under section 306101(c) of this title.

§ 306105. Agency programs and projects

Consistent with the agency's missions and mandates, each Federal agency shall carry out agency programs and projects (including those under which any Federal assistance is provided or any Federal license, permit, or other approval is required) in accordance with the purposes of this division and give consideration to programs and projects that will further the purposes of this division.

§ 306106. Review of plans of transferees of surplus federally owned historic property

The Secretary shall review and approve the plans of transferees of surplus federally owned historic property not later than 90 days after receipt of the plans to ensure that the prehistorical, historical, architectural, or culturally significant values will be preserved or enhanced.

§ 306107. Planning and actions to minimize harm to National Historic Landmarks

Prior to the approval of any Federal undertaking that may directly and adversely affect any National Historic Landmark, the head of the responsible Federal agency shall to the maximum extent possible undertake such planning and actions as may be necessary to minimize harm to the landmark. The head of the Federal agency shall afford the Council a reasonable opportunity to comment with regard to the undertaking.

§ 306108. Effect of undertaking on historic property

The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, shall take into account the effect of the undertaking on any historic property. The head of the Federal agency shall afford the Council a reasonable opportunity to comment with regard to the undertaking.

§ 306109. Costs of preservation as eligible project costs

A Federal agency may include the costs of preservation activities of the agency under this division as eligible project costs in all undertakings of the agency or assisted by the agency. The eligible project costs may include amounts paid by a Federal agency to a State to be used in carrying out the preservation responsibilities of the Federal agency under this division, and reasonable costs may be charged to Federal licensees and permittees as a condition to the issuance of the license or permit.

§ 306110. Annual preservation awards program

The Secretary shall establish an annual preservation awards program under which the Secretary may make monetary awards in amounts of not to exceed $1,000 and provide citations for special achievement to officers and employees of Federal, State, and certified local governments in recognition of their outstanding contributions to the preservation of historic property. The program may include the issuance of annual awards by the President to any citizen of the United States recommended for the award by the Secretary.

§ 306111. Environmental impact statement

Nothing in this division shall be construed to—

(1) require the preparation of an environmental impact statement where the statement would not otherwise be required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) provide any exemption from any requirement respecting the preparation of an environmental impact statement under that Act.

§ 306112. Waiver of provisions in event of natural disaster or imminent threat to national security

The Secretary shall promulgate regulations under which the requirements of this subchapter (except section 306108) may be waived in whole or in part in the event of a major natural disaster or an imminent threat to national security.

§ 306113. Anticipatory demolition

Each Federal agency shall ensure that the agency will not grant a loan, loan guarantee, permit, license, or other assistance to an applicant that, with intent to avoid the requirements of section 306108 of this title, has intentionally significantly adversely affected a historic property to which the grant would relate, or having legal power to prevent it, has allowed the significant adverse effect to occur, unless the agency, after consultation with the Council,

determines that circumstances justify granting the assistance despite the adverse effect created or permitted by the applicant.

§ 306114. Documentation of decisions respecting undertakings

With respect to any undertaking subject to section 306108 of this title that adversely affects any historic property for which a Federal agency has not entered into an agreement pursuant to regulations issued by the Council, the head of the agency shall document any decision made pursuant to section 306108 of this title. The head of the agency may not delegate the responsibility to document a decision pursuant to this section. Where an agreement pursuant to regulations issued by the Council has been executed with respect to an undertaking, the agreement shall govern the undertaking and all of its parts.

Subchapter II—Lease, Exchange, or Management of Historic Property

§ 306121. Lease or exchange

(a) AUTHORITY TO LEASE OR EXCHANGE.—Notwithstanding any other provision of law, each Federal agency, after consultation with the Council—

(1) shall, to the extent practicable, establish and implement alternatives (including adaptive use) for historic property that is not needed for current or projected agency purposes; and

(2) may lease historic property owned by the agency to any person or organization, or exchange any property owned by the agency with comparable historic property, if the agency head determines that the lease or exchange will adequately ensure the preservation of the historic property.

(b) PROCEEDS OF LEASE.—Notwithstanding any other provision of law, the proceeds of a lease under subsection (a) may be retained by the agency entering into the lease and used to defray the costs of administration, maintenance, repair, and related expenses incurred by the agency with respect to that property or other property that is on the National Register that is owned by, or are under the jurisdiction or control of, the agency. Any surplus proceeds from the leases shall be deposited in the Treasury at the end of the 2d fiscal year following the fiscal year in which the proceeds are received.

§ 306122. Contracts for management of historic property

The head of any Federal agency having responsibility for the management of any historic property may, after consultation with the Council, enter into a contract for the management of the property. The contract shall contain terms and conditions that the head of the agency considers necessary or appropriate to protect the interests of the United States and ensure adequate preservation of the historic property.

Subchapter III—Protection and Preservation of Resources

§ 306131. Standards and guidelines

(a) STANDARDS.—

(1) IN GENERAL.—Each Federal agency that is responsible for the protection of historic property (including archeological property) pursuant to this division or any other law shall ensure that—

(A) all actions taken by employees or contractors of the agency meet professional standards under regulations developed by the Secretary in consultation with the Council, other affected agencies, and the appropriate professional societies of archeology, architecture, conservation, history, landscape architecture, and planning;

(B) agency personnel or contractors responsible for historic property meet qualification standards established by the Office of Personnel Management in consultation with the Secretary and appropriate professional societies of archeology, architecture, conservation, curation, history, landscape architecture, and planning; and

(C) records and other data, including data produced by historical research and archeological surveys and excavations, are permanently maintained in appropriate databases and made available to potential users pursuant to such regulations as the Secretary shall promulgate.

(2) CONSIDERATIONS.—The standards referred to in paragraph (1)(B) shall consider the particular skills and expertise needed for the preservation of historic property and shall be equivalent requirements for the disciplines involved.

(3) REVISION.—The Office of Management and Budget shall revise qualification standards for the disciplines involved.

(b) GUIDELINES.—To promote the preservation of historic property eligible for listing on the National Register, the Secretary shall, in consultation with the Council, promulgate guidelines to ensure that Federal, State, and tribal historic preservation programs subject to this division include plans to—

(1) provide information to the owners of historic property (including architectural, curatorial, and archeological property) with demonstrated or likely research significance, about the need for protection of the historic property, and the available means of protection;

(2) encourage owners to preserve historic property intact and in place and offer the owners of historic property information on the tax and grant assistance available for the donation of the historic property or of a preservation easement of the historic property;

(3) encourage the protection of Native American cultural items (within the meaning of section 2 of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001)) and of property of religious or cultural importance to Indian tribes, Native Hawaiian organizations, or other Native American groups; and

(4) encourage owners that are undertaking archeological excavations to—

(A) conduct excavations and analyses that meet standards for federally-sponsored excavations established by the Secretary;

(B) donate or lend artifacts of research significance to an appropriate research institution;

(C) allow access to artifacts for research purposes; and

(D) prior to excavating or disposing of a Native American cultural item in which an Indian tribe or Native Hawaiian organization may have an interest under subparagraph (B) or (C) of section 3(a)(2) of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3002(a)(2)(B), (C)), give notice to and consult with the Indian tribe or Native Hawaiian organization.

Subdivision 6—Miscellaneous

Chapter 3071—Miscellaneous

Sec.

§ 307101. World Heritage Convention

(a) AUTHORITY OF SECRETARY.—In carrying out this section, the Secretary of the Interior may act directly or through an appropriate officer in the Department of the Interior.

(b) PARTICIPATION BY UNITED STATES.—The Secretary shall direct and coordinate participation by the United States in the World Heritage Convention in cooperation with the Secretary of State, the Smithsonian Institution, and the Council. Whenever possible, expenditures incurred in carrying out activities in cooperation with other nations and international organizations shall be paid for in such excess currency of the country or area where the expense is incurred as may be available to the United States.

(c) NOMINATION OF PROPERTY TO WORLD HERITAGE COMMITTEE.—The Secretary shall periodically nominate property that the Secretary determines is of international significance to the World Heritage Committee on behalf of the United States. No property may be nominated unless it has previously been determined to be of national significance. Each nomination shall include evidence of such legal protections as may be necessary to ensure preservation of the property and its environment (including restrictive covenants, easements, or other forms of protection). Before making any nomination, the Secretary shall notify the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(d) NOMINATION OF NON-FEDERAL PROPERTY TO WORLD HERITAGE COMMITTEE REQUIRES WRITTEN CONCURRENCE OF OWNER.—No non-Federal property may be nominated by the Secretary to the World Heritage Committee for inclusion on the World Heritage List unless the owner of the property concurs in the nomination in writing.

(e) CONSIDERATION OF UNDERTAKING ON PROPERTY.—Prior to the approval of any undertaking outside the United States that may directly and adversely affect a property that is on the World Heritage List or on the applicable country's equivalent of the National Register, the head of a Federal agency having direct or indirect jurisdiction over the undertaking shall take into account the effect of the undertaking on the property for purposes of avoiding or mitigating any adverse effect.

§ 307102. Effective date of regulations

(a) PUBLICATION IN FEDERAL REGISTER.—No final regulation of the Secretary shall become effective prior to the expiration of 30 calendar days after it is published in the Federal Register during which either or both Houses of Congress are in session.

(b) DISAPPROVAL OF REGULATION BY RESOLUTION OF CONGRESS.—The regulation shall not become effective if, within 90 calendar days of continuous session of Congress after the date of promulgation, both Houses of Congress adopt a concurrent resolution, the matter after the resolving clause of which is as follows: "That Congress disapproves the regulation promulgated by the Secretary dealing with the matter of , which regulation was transmitted to Congress on , " the blank spaces in the resolution being appropriately filled.

(c) FAILURE OF CONGRESS TO ADOPT RESOLUTION OF DISAPPROVAL OF REGULATION.—If at the end of 60 calendar days of continuous session of Congress after the date of promulgation of a regulation, no committee of either House of Congress has reported or been discharged from further consideration of a concurrent resolution disapproving the regulation, and neither House has adopted such a resolution, the regulation may go into effect immediately. If, within the 60 calendar days, a committee has reported or been discharged from further consideration of such a resolution, the regulation may go into effect not sooner than 90 calendar days of continuous session of Congress after its promulgation unless disapproved as provided for.

(d) SESSIONS OF CONGRESS.—For purposes of this section—

(1) continuity of session is broken only by an adjournment sine die; and

(2) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of 60 and 90 calendar days of continuous session of Congress.

(e) CONGRESSIONAL INACTION OR REJECTION OF RESOLUTION OF DISAPPROVAL NOT DEEMED APPROVAL OF REGULATION.—Congressional inaction on or rejection of a resolution of disapproval shall not be deemed an expression of approval of the regulation.

§ 307103. Access to information

(a) AUTHORITY TO WITHHOLD FROM DISCLOSURE.—The head of a Federal agency, or other public official receiving grant assistance pursuant to this division, after consultation with the Secretary, shall withhold from disclosure to the public information about the location, character, or ownership of a historic property if the Secretary and the agency determine that disclosure may—

(1) cause a significant invasion of privacy;

(2) risk harm to the historic property; or

(3) impede the use of a traditional religious site by practitioners.

(b) ACCESS DETERMINATION.—When the head of a Federal agency or other public official determines that information should be withheld from the public pursuant to subsection (a), the Secretary, in consultation with the Federal agency head or official, shall determine who may have access to the information for the purpose of carrying out this division.

(c) CONSULTATION WITH COUNCIL.—When information described in subsection (a) has been developed in the course of an agency's compliance with section 306107 or 306108 of this title, the Secretary shall consult with the Council in reaching determinations under subsections (a) and (b).

§ 307104. Inapplicability of division to White House, Supreme Court building, or United States Capitol

Nothing in this division applies to the White House and its grounds, the Supreme Court building and its grounds, or the United States Capitol and its related buildings and grounds.

§ 307105. Attorney's fees and costs to prevailing parties in civil actions

In any civil action brought in any United States district court by any interested person to enforce this division, if the person substantially prevails in the action, the court may award attorney's fees, expert witness fees, and other costs of participating in the civil action, as the court considers reasonable.

§ 307106. Authorization for expenditure of appropriated funds

Where appropriate, each Federal agency may expend funds appropriated for its authorized programs for the purposes of activities carried out pursuant to this division, except to the extent that appropriations legislation expressly provides otherwise.

§ 307107. Donations and bequests of money, personal property, and less than fee interests in historic property

(a) MONEY AND PERSONAL PROPERTY.—The Secretary may accept donations and bequests of money and personal property for the purposes of this division and shall hold, use, expend, and administer the money and personal property for those purposes.

(b) LESS THAN FEE INTEREST IN HISTORIC PROPERTY.—The Secretary may accept gifts or donations of less than fee interests in any historic property where the acceptance of an interest will facilitate the conservation or preservation of the historic property. Nothing in this section or in any provision of this division shall be construed to affect or impair any other authority of the Secretary under other provision of law to accept or acquire any property for conservation or preservation or for any other purpose.

§ 307108. Privately donated funds

(a) PROJECTS FOR WHICH FUNDS MAY BE USED.—In furtherance of the purposes of this division, the Secretary may accept the donation of funds that may be expended by the Secretary for projects to acquire, restore, preserve, or recover data from any property

included on the National Register, as long as the project is owned by a State, any unit of local government, or any nonprofit entity.

(b) CONSIDERATION OF FACTORS RESPECTING EXPENDITURE OF FUNDS.—

(1) IN GENERAL.—In expending the funds, the Secretary shall give due consideration to—

(A) the national significance of the project;

(B) its historical value to the community;

(C) the imminence of its destruction or loss; and

(D) the expressed intentions of the donor.

(2) FUNDS AVAILABLE WITHOUT REGARD TO MATCHING REQUIREMENTS.—Funds expended under this subsection shall be made available without regard to the matching requirements established by sections 302901 and 302902(b) of this title, but the recipient of the funds shall be permitted to utilize them to match any grants from the Historic Preservation Fund.

(c) TRANSFER OF UNOBLIGATED FUNDS.—The Secretary may transfer unobligated funds previously donated to the Secretary for the purposes of the Service, with the consent of the donor, and any funds so transferred shall be used or expended in accordance with this division.

Division B—Organizations and Programs

Subdivision 1—Administered by National Park Service

Chapter 3081—American Battlefield Protection Program

Sec.
308101. Definition.
308102. Preservation assistance.
308103. Battlefield acquisition grant program.

§ 308101. Definition

In this chapter, the term "Secretary" means the Secretary, acting through the American Battlefield Protection Program.

§ 308102. Preservation assistance

(a) IN GENERAL.—Using the established national historic preservation program to the extent practicable, the Secretary shall encourage, support, assist, recognize, and work in partnership with citizens, Federal, State, local, and tribal governments, other public entities, educational institutions, and private nonprofit organizations in identifying, researching, evaluating, interpreting, and protecting historic battlefields and associated sites on a national, State, and local level.

(b) FINANCIAL ASSISTANCE.—To carry out subsection (a), the Secretary may use a cooperative agreement, grant, contract, or other generally adopted means of providing financial assistance.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $3,000,000 for each fiscal year, to remain available until expended.

§ 308103. Battlefield acquisition grant program

(a) DEFINITION.—In this section, the term "eligible site" means a site—

(1) that is not within the exterior boundaries of a System unit; and

(2) that is identified in the document entitled "Report on the Nation's Civil War Battlefields", prepared by the Civil War Sites Advisory Commission, and dated July 1993.

(b) ESTABLISHMENT.—The Secretary shall establish a battlefield acquisition grant program under which the Secretary may provide grants to State and local governments to pay the Federal share of the cost of acquiring interests in eligible sites for the preservation and protection of those eligible sites.

(c) NONPROFIT PARTNERS.—A State or local government may acquire an interest in an eligible site using a grant under this section in partnership with a nonprofit organization.

(d) NON-FEDERAL SHARE.—The non-Federal share of the total cost of acquiring an interest in an eligible site under this section shall be not less than 50 percent.

(e) LIMITATION ON LAND USE.—An interest in an eligible site acquired under this section shall be subject to section 200305(f)(3) of this title.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to provide grants under this section $10,000,000 for each of fiscal years 2012 and 2013.

Chapter 3083—National Underground Railroad Network to Freedom

§ 308301. Definition

In this chapter, the term "national network" means the National Underground Railroad Network to Freedom established under section 308302 of this title.

§ 308302. Program

(a) ESTABLISHMENT; RESPONSIBILITIES OF SECRETARY.—The Secretary shall establish in the Service the National Underground Railroad Network to Freedom. Under the national network, the Secretary shall—

(1) produce and disseminate appropriate educational materials, such as handbooks, maps, interpretive guides, or electronic information;

(2) enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance under subsection (c); and

(3) create and adopt an official, uniform symbol or device for the national network and issue regulations for its use.

(b) ELEMENTS.—The national network shall encompass the following elements:

(1) All System units and programs of the Service determined by the Secretary to pertain to the Underground Railroad.

(2) Other Federal, State, local, and privately owned properties pertaining to the Underground Railroad that have a verifiable connection to the Underground Railroad and that are included on, or determined by the Secretary to be eligible for inclusion on, the National Register of Historic Places.

(3) Other governmental and nongovernmental facilities and programs of an educational, research, or interpretive nature that are directly related to the Underground Railroad.

(c) COOPERATIVE AGREEMENTS AND MEMORANDA OF UNDERSTANDING.—To achieve the purposes of this chapter and to ensure effective coordination of the Federal and non-Federal elements of the national network with System units and programs of the Service, the Secretary may enter into cooperative agreements and memoranda of understanding with, and provide technical assistance—

(1) to the heads of other Federal agencies, States, localities, regional governmental bodies, and private entities; and

(2) in cooperation with the Secretary of State, to the governments of Canada, Mexico, and any appropriate country in the Caribbean.

§ 308303. Preservation and interpretation of Underground Railroad history, historic sites, and structures

(a) AUTHORITY TO MAKE GRANTS.—The Secretary may make grants in accordance with this section for the preservation and restoration of historic buildings or structures associated with the Underground Railroad, and for related research and documentation to sites, programs, or facilities that have been included in the national network.

(b) GRANT CONDITIONS.—Any grant made under this section shall provide that—

(1) no change or alteration may be made in property for which the grant is used except with the agreement of the property owner and the Secretary;

(2) the Secretary shall have the right of access at reasonable times to the public portions of the property for interpretive and other purposes; and

(3) conversion, use, or disposal of the property for purposes contrary to the purposes of this chapter, as determined by the Secretary, shall result in a right of the United States to compensation equal to all Federal funds made available to the grantee under this chapter.

(c) MATCHING REQUIREMENT.—The Secretary may obligate funds made available for a grant under this section only if the grantee agrees to match, from funds derived from non-Federal sources, the amount of the grant with an amount that is equal to or greater than the grant. The Secretary may waive the requirement if the Secretary determines that an extreme emergency exists or that a waiver is in the public interest to ensure the preservation of historically significant resources.

§ 308304. Authorization of appropriations

(a) AMOUNTS.—There is authorized to be appropriated to carry out this chapter $2,500,000 for each fiscal year, of which—

(1) $2,000,000 shall be used to carry out section 308302 of this title; and

(2) $500,000 shall be used to carry out section 308303 of this title.

(b) LIMITATION.—No amount may be appropriated for the purposes of this chapter except to the Secretary for carrying out the responsibilities of the Secretary as set forth in this chapter.

Chapter 3085—National Women's Rights History Project

§ 308501. National women's rights history project national registry

(a) IN GENERAL.—The Secretary may make annual grants to State historic preservation offices for not more than 5 years to assist the State historic preservation offices in surveying, evaluating, and nominating to the National Register of Historic Places women's rights history properties.

(b) ELIGIBILITY.—In making grants under subsection (a), the Secretary shall give priority to grants relating to properties associated with the multiple facets of the women's rights movement, such as politics, economics, education, religion, and social and family rights.

(c) UPDATES.—The Secretary shall ensure that the National Register travel itinerary website entitled "Places Where Women Made History" is updated to contain—

(1) the results of the inventory conducted under subsection (a); and

(2) any links to websites related to places on the inventory.

(d) COST-SHARING REQUIREMENT.—The Federal share of the cost of any activity carried out using any assistance made available under this section shall be 50 percent.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $1,000,000 for each of fiscal years 2012 and 2013.

§ 308502. National women's rights history project partnerships network

(a) GRANTS.—The Secretary may make matching grants and give technical assistance for development of a network of governmental and nongovernmental entities (referred to in this section as the "network"), the purpose of which is to provide interpretive and educational program development of national women's rights history, including historic preservation.

(b) MANAGEMENT OF NETWORK.—

(1) IN GENERAL.—Through a competitive process, the Secretary shall designate a nongovernmental managing entity to manage the network.

(2) COORDINATION.—The nongovernmental managing entity designated under paragraph (1) shall work in partnership with the Director and State historic preservation offices to coordinate operation of the network.

(c) COST-SHARING REQUIREMENT.—

(1) IN GENERAL.—The Federal share of the cost of any activity carried out using any assistance made available under this section shall be 50 percent.

(2) STATE HISTORIC PRESERVATION OFFICES.—Matching grants for historic preservation specific to the network may be made available through State historic preservation offices.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $1,000,000 for each of fiscal years 2012 and 2013.

Chapter 3087—National Maritime Heritage

§ 308701. Policy

It shall be the policy of the Federal Government, in partnership with the States and local governments and private organizations and individuals, to—

(1) use measures, including financial and technical assistance, to foster conditions under which our modern society and our historic maritime resources can exist in productive harmony;

(2) provide leadership in the preservation of the historic maritime resources of the United States;

(3) contribute to the preservation of historic maritime resources and give maximum encouragement to organizations and individuals undertaking preservation by private means; and

(4) assist State and local governments to expand their maritime historic preservation programs and activities.

§ 308702. Definitions

In this chapter:

(1) NATIONAL TRUST.—The term "National Trust" means the National Trust for Historic Preservation in the United States established under section 312102 of this title.

(2) PRIVATE NONPROFIT ORGANIZATION.—The term "private nonprofit organization" means any person that is exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 (26 U.S.C. 501(a)) and described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)).

(3) PROGRAM.—The term "Program" means the National Maritime Heritage Grants Program established under section 308703(a) of this title.

(4) STATE HISTORIC PRESERVATION OFFICER.—The term "State Historic Preservation Officer" means a State Historic Preservation Officer appointed pursuant to section 302301(1) of this title by the chief executive official of a State having a State Historic Preservation Program approved by the Secretary under that section.

§ 308703. National Maritime Heritage Grants Program

(a) ESTABLISHMENT.—There is established in the Department of the Interior the National Maritime Heritage Grants Program, to foster in the American public a greater awareness and appreciation of the role of maritime endeavors in our Nation's history and culture. The Program shall consist of—

(1) annual grants to the National Trust for subgrants administered by the National Trust for maritime heritage education projects under subsection (b); and

(2) grants to State Historic Preservation Officers for maritime heritage preservation projects carried out or administered by those Officers under subsection (c).

(b) GRANTS FOR MARITIME HERITAGE EDUCATION PROJECTS.—

(1) GRANTS TO NATIONAL TRUST.—The Secretary, subject to paragraph (2), and the availability of amounts for that purpose under section 308704(b)(1)(A) of this title, shall make an annual grant to the National Trust for maritime heritage education projects.

(2) USE OF GRANTS.—Amounts received by the National Trust as an annual grant under this subsection shall be used to make subgrants to State and local governments and private nonprofit organizations to carry out education projects that have been approved by the Secretary under subsection (f) and that consist of—

(A) assistance to any maritime museum or historical society for—

(i) existing and new educational programs, exhibits, educational activities, conservation, and interpretation of artifacts and collections;

(ii) minor improvements to educational and museum facilities; and

(iii) other similar activities;

(B) activities designed to encourage the preservation of traditional maritime skills, including—

(i) building and operation of vessels of all sizes and types for educational purposes;

(ii) special skills such as wood carving, sail making, and rigging;

(iii) traditional maritime art forms; and

(iv) sail training;

(C) other educational activities relating to historic maritime resources, including—

(i) maritime educational waterborne-experience programs in historic vessels or vessel reproductions;

(ii) maritime archeological field schools; and

(iii) educational programs on other aspects of maritime history;

(D) heritage programs focusing on maritime historic resources, including maritime heritage trails and corridors; or

(E) the construction and use of reproductions of historic maritime resources for educational purposes, if a historic maritime resource no longer exists or would be damaged or consumed through direct use.

(c) GRANTS FOR MARITIME HERITAGE PRESERVATION PROJECTS.—

(1) GRANTS TO STATE HISTORIC PRESERVATION OFFICERS.—The Secretary, acting through the National Maritime Initiative

of the Service and subject to paragraph (2), and the availability of amounts for that purpose under section 308704(b)(1)(B) of this title, shall make grants to State Historic Preservation Officers for maritime heritage preservation projects.

(2) USE OF GRANTS.—Amounts received by a State Historic Preservation Officer as a grant under this subsection shall be used by the Officer to carry out, or to make subgrants to local governments and private nonprofit organizations to carry out, projects that have been approved by the Secretary under subsection (f) for the preservation of historic maritime resources through—

(A) identification of historic maritime resources, including underwater archeological sites;

(B) acquisition of historic maritime resources for the purposes of preservation;

(C) repair, restoration, stabilization, maintenance, or other capital improvements to historic maritime resources, in accordance with standards prescribed by the Secretary; and

(D) research, recording (through drawings, photographs, or otherwise), planning (through feasibility studies, architectural and engineering services, or otherwise), and other services carried out as part of a preservation program for historic maritime resources.

(d) CRITERIA FOR DIRECT GRANT AND SUBGRANT ELIGIBILITY.—To qualify for a subgrant from the National Trust under subsection (b), or a direct grant to or a subgrant from a State Historic Preservation Officer under subsection (c), a person shall—

(1) demonstrate that the project for which the direct grant or subgrant will be used has the potential for reaching a broad audience with an effective educational program based on American maritime history, technology, or the role of maritime endeavors in American culture;

(2) match the amount of the direct grant or subgrant, on a 1-to-1 basis, with non-Federal assets from non-Federal sources, which may include cash or donated services fairly valued as determined by the Secretary;

(3) maintain records as may be reasonably necessary to fully disclose—

(A) the amount and the disposition of the proceeds of the direct grant or subgrant;

(B) the total cost of the project for which the direct grant or subgrant is made; and

(C) other records as may be required by the Secretary, including such records as will facilitate an effective accounting for project funds;

(4) provide access to the Secretary for the purposes of any required audit and examination of any records of the person; and

(5) be a unit of State or local government, or a private nonprofit organization.

(e) PROCEDURES, TERMS, AND CONDITIONS.—

(1) APPLICATION PROCEDURES.—An application for a subgrant under subsection (b), or a direct grant or subgrant under subsection (c), shall be submitted under procedures prescribed by the Secretary.

(2) TERMS AND CONDITIONS.—A person may not receive a subgrant under subsection (b), or a direct grant or subgrant under subsection (c), unless the person agrees to assume, after completion of the project for which the direct grant or subgrant is awarded, the total cost of the continued maintenance, repair, and administration of any property for which the subgrant will be used in a manner satisfactory to the Secretary.

(f) ALLOCATION OF, AND LIMITATION ON, GRANT FUNDING.—

(1) ALLOCATION.—To the extent feasible, the Secretary shall ensure that the amount made available under subsection (b) for maritime heritage education projects is equal to the amount made available under subsection (c) for maritime heritage preservation projects.

(2) LIMITATION.—The amount provided by the Secretary in a fiscal year as grants under this section for projects relating to historic maritime resources owned or operated by the Federal Government shall not exceed 40 percent of the total amount available for the fiscal year for grants under this section.

(g) PUBLICATION OF DIRECT GRANT AND SUBGRANT INFORMATION.—The Secretary shall publish annually in the Federal Register and otherwise as the Secretary considers appropriate—

(1) a solicitation of applications for direct grants and subgrants under this section;

(2) a list of priorities for the making of those direct grants and subgrants;

(3) a single deadline for the submission of applications for those direct grants and subgrants; and

(4) other relevant information.

(h) DIRECT GRANT AND SUBGRANT ADMINISTRATION.—

(1) RESPONSIBILITY.—

(A) NATIONAL TRUST.—The National Trust is responsible for administering subgrants for maritime heritage education projects under subsection (b).

(B) SECRETARY.—The Secretary is responsible for administering direct grants for maritime heritage preservation projects under subsection (c).

(C) STATE HISTORIC PRESERVATION OFFICERS.—State Historic Preservation Officers are responsible for administering subgrants for maritime heritage preservation projects under subsection (c).

(2) ACTIONS.—The appropriate responsible party under paragraph (1) shall administer direct grants or subgrants by—

(A) publicizing the Program to prospective grantees, subgrantees, and the public at large, in cooperation with the Service, the Maritime Administration, and other appropriate government agencies and private institutions;

(B) answering inquiries from the public, including providing information on the Program as requested;

(C) distributing direct grant and subgrant applications;

(D) receiving direct grant and subgrant applications and ensuring their completeness;

(E) keeping records of all direct grant and subgrant awards and expenditures of funds;

(F) monitoring progress of projects carried out with direct grants and subgrants; and

(G) providing to the Secretary such progress reports as may be required by the Secretary.

(i) ASSISTANCE OF MARITIME PRESERVATION ORGANIZATIONS.—The Secretary, the National Trust, and the State Historic Preservation Officers may, individually or jointly, enter into cooperative agreements with any private nonprofit organization with appropriate expertise in maritime preservation issues, or other qualified maritime preservation organizations, to assist in the administration of the Program.

(j) REPORT TO CONGRESS.—The Secretary shall submit to Congress an annual report on the Program, including—

(1) a description of each project funded under the Program in the period covered by the report;

(2) the results or accomplishments of each such project; and

(3) recommended priorities for achieving the policy set forth in section 308701 of this title.

§ 308704. Funding

(a) AVAILABILITY OF FUNDS FROM SALE AND SCRAPPING OF OBSOLETE VESSELS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the amount of funds credited in a fiscal year to the Vessel Operations Revolving Fund established by section 50301(a) of title 46 that is attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that are scrapped or sold under section 57102, 57103, or 57104 of title 46 shall be available until expended as follows:

(A) Fifty percent shall be available to the Administrator of the Maritime Administration for such acquisition, maintenance, repair, reconditioning, or improvement of vessels in the National Defense Reserve Fleet as is authorized under other Federal law.

(B) Twenty five percent shall be available to the Administrator of the Maritime Administration for the payment or reimbursement of expenses incurred by or on behalf of State maritime academies or the United States Merchant Marine Academy for facility and training ship maintenance, repair, and modernization, and for the purchase of simulators and fuel.

(C) The remainder shall be available—

(i) to the Secretary to carry out the Program, as provided in subsection (b); or

(ii) if otherwise determined by the Administrator of the Maritime Administration, for use in the preservation and presentation to the public of maritime heritage property of the Maritime Administration.

(2) APPLICABILITY.—Paragraph (1) does not apply to amounts credited to the Vessel Operations Revolving Fund before July 1, 1994.

(b) USE OF AMOUNTS FOR PROGRAM.—

(1) IN GENERAL.—Except as provided in paragraph (2), of amounts available each fiscal year for the Program under subsection (a)(1)(C)—

(A) one half shall be used for grants under section 308703(b) of this title; and

(B) one half shall be used for grants under section 308703(c) of this title.

(2) ADMINISTRATIVE EXPENSES.—

(A) IN GENERAL.—Not more than 15 percent or $500,000, whichever is less, of the amount available for the Program under subsection (a)(1)(C) for a fiscal year may be used for expenses of administering the Program.

(B) ALLOCATION.—Of the amount available under subparagraph (A) for a fiscal year—

(i) one half shall be allocated to the National Trust for expenses incurred in administering grants under section 308703(b) of this title; and

(ii) one half shall be allocated as appropriate by the Secretary to the Service and participating State Historic Preservation Officers.

(c) DISPOSAL OF VESSELS.—

(1) REQUIREMENT.—The Secretary of Transportation shall dispose (by sale or by purchase of disposal services) of all vessels described in paragraph (2)—

(A) in accordance with a priority system for disposing of vessels, as determined by the Secretary, that shall include provisions requiring the Maritime Administration to—

(i) dispose of all deteriorated high priority ships that are available for disposal within 12 months of their designation as available for disposal; and

(ii) give priority to the disposition of those vessels that pose the most significant danger to the environment or cost the most to maintain;

(B) in the manner that provides the best value to the Federal Government, except in any case in which obtaining the best value would require towing a vessel and the towing poses a serious threat to the environment; and

(C) in accordance with the plan of the Department of Transportation for disposal of those vessels and requirements under sections 57102 to 57104 of title 46.

(2) DESCRIPTION OF VESSELS.—The vessels referred to in paragraph (1) are the vessels in the National Defense Reserve Fleet after July 1, 1994, that—

(A) are not assigned to the Ready Reserve Force component of the National Defense Reserve Fleet; and

(B) are not specifically authorized or required by statute to be used for a particular purpose.

(d) TREATMENT OF AVAILABLE AMOUNTS.—Amounts available under this section shall not be considered in any determination of the amounts available to the Department of the Interior.

§ 308705. Designation of America's National Maritime Museum

(a) IN GENERAL.—America's National Maritime Museum shall be composed of the museums designated by law to be museums of America's National Maritime Museum on the basis that the museums—

(1) house a collection of maritime artifacts clearly representing the Nation's maritime heritage; and

(2) provide outreach programs to educate the public about the Nation's maritime heritage.

(b) INITIAL DESIGNATION.—The following museums (meeting the criteria specified in subsection (a)) are designated as museums of America's National Maritime Museum:

(1) The Mariners' Museum, located at 100 Museum Drive, Newport News, Virginia.

(2) The South Street Seaport Museum, located at 207 Front Street, New York, New York.

(c) FUTURE DESIGNATION OF OTHER MUSEUMS NOT PRECLUDED.—The designation of the museums referred to in subsection (b) as museums of America's National Maritime Museum does not preclude the designation by law of any other museum that meets the criteria specified in subsection (a) as a museum of America's National Maritime Museum.

(d) REFERENCE TO MUSEUMS.—Any reference in any law, map, regulation, document, paper, or other record of the United States to a museum designated by law to be a museum of America's National Maritime Museum shall be deemed to be a reference to that museum as a museum of America's National Maritime Museum.

§ 308706. Regulations

The Secretary, after consultation with the National Trust, the National Conference of State Historic Preservation Officers, and appropriate members of the maritime heritage community, shall prescribe appropriate guidelines, procedures, and regulations to carry out the chapter, including direct grant and subgrant priorities, the method of solicitation and review of direct grant and subgrant proposals, criteria for review of direct grant and subgrant proposals, administrative requirements, reporting and recordkeeping requirements, and any other requirements the Secretary considers appropriate.

§ 308707. Applicability of other authorities

The authorities contained in this chapter shall be in addition to, and shall not be construed to supersede or modify those contained in division A of this subtitle.

Chapter 3089—Save America's Treasures Program

§ 308901. Definitions

In this chapter:

(1) COLLECTION.—The term "collection" means a collection of intellectual and cultural artifacts, including documents, sculpture, and works of art.

(2) ELIGIBLE ENTITY.—The term "eligible entity" means a Federal entity, State, local, or tribal government, educational institution, or nonprofit organization.

(3) HISTORIC PROPERTY.—The term "historic property" has the meaning given the term in section 300308 of this title.

(4) NATIONALLY SIGNIFICANT.—The term "nationally significant", in reference to a collection or historic property, means a collection or historic property that meets the applicable criteria for national significance, in accordance with regulations

promulgated by the Secretary pursuant to section 302103 of this title.

(5) PROGRAM.—The term "program" means the Save America's Treasures Program established under section 308902(a) of this title.

(6) SECRETARY.—The term "Secretary" means the Secretary, acting through the Director.

§ 308902. Establishment

(a) IN GENERAL.—There is established in the Department of the Interior the Save America's Treasures Program.

(b) PARTICIPANTS.—In consultation and partnership with the National Endowment for the Arts, the National Endowment for the Humanities, the Institute of Museum and Library Services, the National Trust for Historic Preservation in the United States, the National Conference of State Historic Preservation Officers, the National Association of Tribal Historic Preservation Officers, and the President's Committee on the Arts and the Humanities, the Secretary shall use the amounts made available under section 308905 of this title to provide grants to eligible entities for projects to preserve nationally significant collections and historic property.

§ 308903. Grants

(a) DETERMINATION OF GRANTS.—Of the amounts made available for grants under section 308905 of this title, not less than 50 percent shall be made available for grants for projects to preserve collections and historic property, to be distributed through a competitive grant process administered by the Secretary, subject to the selection criteria established under subsection (d).

(b) APPLICATION FOR GRANTS.—To be considered for a grant under the program an eligible entity shall submit to the Secretary an application containing such information as the Secretary may require.

(c) COLLECTIONS AND HISTORIC PROPERTY ELIGIBLE FOR GRANTS.—

(1) IN GENERAL.—A collection or historic property shall be provided a grant under the program only if the Secretary determines that the collection or historic property is—

(A) nationally significant; and

(B) threatened or endangered.

(2) ELIGIBLE COLLECTIONS.—A determination by the Secretary regarding the national significance of a collection under paragraph (1)(A) shall be made in consultation with the organizations described in section 308902(b) of this title, as appropriate.

(3) ELIGIBLE HISTORIC PROPERTY.—To be eligible for a grant under the program, a historic property shall, as of the date of the grant application—

(A) be listed on the National Register of Historic Places at the national level of significance; or

(B) be designated as a National Historic Landmark.

(d) SELECTION CRITERIA.—

(1) IN GENERAL.—The Secretary shall not provide a grant under this chapter to a project for a collection or historic property unless the project—

(A) eliminates or substantially mitigates the threat of destruction or deterioration of the collection or historic property;

(B) has a clear public benefit; and

(C) is able to be completed on schedule and within the budget described in the grant application.

(2) PREFERENCE.—In providing grants under this chapter, the Secretary may give preference to projects that carry out the purposes of both the program and the Preserve America Program.

(3) LIMITATION.—In providing grants under this chapter, the Secretary shall provide only one grant to each project selected for a grant.

(e) CONSULTATION AND NOTIFICATION BY SECRETARY.—

(1) CONSULTATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall consult with the organizations described in section 308902(b) of this title in preparing the list of projects to be provided grants for a fiscal year under the program.

(B) LIMITATION.—If an organization described in section 308902(b) of this title has submitted an application for a grant under the program, the organization shall be recused by the Secretary from the consultation requirements under subparagraph (A) and section 308902(b) of this title.

(2) NOTIFICATION.—Not later than 30 days before the date on which the Secretary provides grants for a fiscal year under the program, the Secretary shall submit to the Committee on Energy and Natural Resources and Committee on Appropriations of the Senate and the Committee on Natural Resources and Committee on Appropriations of the House of Representatives a list of any eligible projects that are to be provided grants under the program for the fiscal year.

(f) COST-SHARING REQUIREMENT.—

(1) IN GENERAL.—The non-Federal share of the cost of carrying out a project provided a grant under this chapter shall be not less than 50 percent of the total cost of the project.

(2) FORM OF NON-FEDERAL SHARE.—The non-Federal share required under paragraph (1) shall be in the form of—

(A) cash; or

(B) donated supplies or related services, the value of which shall be determined by the Secretary.

(3) REQUIREMENT.—The Secretary shall ensure that each applicant for a grant has the capacity and a feasible plan for securing the non-Federal share for an eligible project required under paragraph (1) before a grant is provided to the eligible project under the program.

§ 308904. Guidelines and regulations

The Secretary shall develop any guidelines and prescribe any regulations that the Secretary determines to be necessary to carry out this chapter.

§ 308905. Authorization of appropriations

There is authorized to be appropriated to carry out this chapter $50,000,000 for each fiscal year, to remain available until expended.

Chapter 3091—Commemoration of Former Presidents

§ 309101. Sites and structures that commemorate former Presidents

(a) SURVEY.—The Secretary may conduct a survey of sites that the Secretary considers exhibit qualities most appropriate for the commemoration of each former President. The survey may—

(1) include sites associated with the deeds, leadership, or lifework of a former President; and

(2) identify sites or structures historically unrelated to a former President but that may be suitable as a memorial to honor that President.

(b) REPORTS.—The Secretary shall, from time to time, prepare and transmit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate reports on individual sites and structures identified in a survey under subsection (a), together with the Secretary's recommendation as to whether the site or structure is suitable for establishment as a national historic site or national memorial to commemorate a former President. Each report shall include pertinent information with respect to the need for acquisition of land and interests in land, the development of facilities, and the operation and maintenance of the site or structure and the estimated cost of the operation and maintenance.

(c) ESTABLISHMENT AS NATIONAL HISTORIC SITE.—If during the 6-month period following the transmittal of a report pursuant to subsection (b) neither Committee has by vote of a majority of its members disapproved a recommendation of the Secretary that a site or structure is suitable for establishment as a national historic site, the Secretary may by appropriate order establish the site or structure as a national historic site, including the land and interests in land identified in the report accompanying the recommendation of the Secretary.

(d) ACQUISTION OF LAND AND INTERESTS IN LAND.—The Secretary may acquire the land and interests in land by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange.

(e) EFFECT OF SECTION.—Nothing in this section shall be construed as diminishing the authority of the Secretary under chapter 3201 of this title or as authorizing the Secretary to establish any national memorial, creation of which is expressly reserved to Congress.

Subdivision 2—Administered Jointly With National Park Service

Chapter 3111—Preserve America Program

§ 311101. Definitions

In this chapter:

(1) COUNCIL.—The term "Council" means the Advisory Council on Historic Preservation.

(2) HERITAGE TOURISM.—The term "heritage tourism" means the conduct of activities to attract and accommodate visitors to a site or area based on the unique or special aspects of the history, landscape (including trail systems), and culture of the site or area.

(3) PROGRAM.—The term "program" means the Preserve America Program established under section 311102(a).

§ 311102. Establishment

(a) IN GENERAL.—There is established in the Department of the Interior the Preserve America Program, under which the Secretary, in partnership with the Council, may provide competitive grants to States, local governments (including local governments in the process of applying for designation as Preserve America Communities under section 311103 of this title, Indian tribes, communities designated as Preserve America Communities under section 311103 of this title, State historic preservation offices, and tribal historic preservation offices to support preservation efforts through heritage tourism, education, and historic preservation planning activities.

(b) ELIGIBLE PROJECTS.—

(1) IN GENERAL.—The following projects shall be eligible for a grant under this chapter:

(A) A project for the conduct of—

(i) research on, and documentation of, the history of a community; and

(ii) surveys of the historic resources of a community.

(B) An education and interpretation project that conveys the history of a community or site.

(C) A planning project (other than building rehabilitation) that advances economic development using heritage tourism and historic preservation.

(D) A training project that provides opportunities for professional development in areas that would aid a community in using and promoting its historic resources.

(E) A project to support heritage tourism in a Preserve America Community designated under section 311103 of this title.

(F) Other nonconstruction projects that identify or promote historic properties or provide for the education of the public about historic properties that are consistent with the purposes of this chapter.

(2) LIMITATION.—In providing grants under this chapter, the Secretary shall provide only one grant to each eligible project selected for a grant.

(c) PREFERENCE.—In providing grants under this chapter, the Secretary may give preference to projects that carry out the purposes of both the program and the Save America's Treasures Program.

(d) CONSULTATION AND NOTIFICATION.—

(1) CONSULTATION.—The Secretary shall consult with the Council in preparing the list of projects to be provided grants for a fiscal year under the program.

(2) NOTIFICATION.—Not later than 30 days before the date on which the Secretary provides grants for a fiscal year under the program, the Secretary shall submit to the Committee on Energy and Natural Resources and Committee on Appropriations of the Senate and the Committee on Natural Resources and Committee on Appropriations of the House of Representatives a list of any eligible projects that are to be provided grants under the program for the fiscal year.

(e) COST-SHARING REQUIREMENT.—

(1) IN GENERAL.—The non-Federal share of the cost of carrying out a project provided a grant under this chapter shall be not less than 50 percent of the total cost of the project.

(2) FORM OF NON-FEDERAL SHARE.—The non-Federal share required under paragraph (1) shall be in the form of—

(A) cash; or

(B) donated supplies and related services, the value of which shall be determined by the Secretary.

(3) REQUIREMENT.—The Secretary shall ensure that each applicant for a grant has the capacity to secure, and a feasible plan for securing, the non-Federal share for an eligible project required under paragraph (1) before a grant is provided to the eligible project under the program.

§ 311103. Designation of Preserve America Communities

(a) APPLICATION.—To be considered for designation as a Preserve America Community, a community, tribal area, or neighborhood shall submit to the Council an application containing such information as the Council may require.

(b) CRITERIA.—To be designated as a Preserve America Community under the program, a community, tribal area, or neighborhood that submits an application under subsection (a) shall, as determined by the Council, in consultation with the Secretary, meet criteria required by the Council and, in addition, consider—

(1) protection and celebration of the heritage of the community, tribal area, or neighborhood;

(2) use of the historic assets of the community, tribal area, or neighborhood for economic development and community revitalization; and

(3) encouragement of people to experience and appreciate local historic resources through education and heritage tourism programs.

(c) LOCAL GOVERNMENTS PREVIOUSLY CERTIFIED FOR HISTORIC PRESERVATION ACTIVITIES.—The Council shall establish an expedited process for Preserve America Community designation for local governments previously certified for historic preservation activities under section 302502 of this title.

(d) GUIDELINES.—The Council, in consultation with the Secretary, shall establish any guidelines that are necessary to carry out this section.

§ 311104. Regulations

The Secretary shall develop any guidelines and issue any regulations that the Secretary determines to be necessary to carry out this chapter.

§ 311105. Authorization of appropriations

There is authorized to be appropriated to carry out this chapter $25,000,000 for each fiscal year, to remain available until expended.

Subdivision 3—Administered by Other Than National Park Service

Chapter 3121—National Trust for Historic Preservation in the United States

Sec.
312101. Definitions.
312102. Establishment and purposes.
312103. Principal office.
312104. Board of trustees.
312105. Powers.
312106. Consultation with National Park System Advisory Board.

§ 312101. Definitions

In this chapter:

(1) BOARD.—The term "Board" means the board of trustees of the National Trust.

(2) NATIONAL TRUST.—The term "National Trust" means the National Trust for Historic Preservation in the United States established under section 312102 of this title.

§ 312102. Establishment and purposes

(a) ESTABLISHMENT.—To further the policy enunciated in chapter 3201 of this title, and to facilitate public participation in the preservation of sites, buildings, and objects of national significance or interest, there is established a charitable, educational, and nonprofit corporation to be known as the National Trust for Historic Preservation in the United States.

(b) PURPOSES.—The purposes of the National Trust shall be to—

(1) receive donations of sites, buildings, and objects significant in American history and culture;

(2) preserve and administer the sites, buildings, and objects for public benefit;

(3) accept, hold, and administer gifts of money, securities, or other property of any character for the purpose of carrying out the preservation program; and

(4) execute other functions vested in the National Trust by this chapter.

§ 312103. Principal office

The National Trust shall have its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident of the District of Columbia. The National Trust may establish offices in other places as it may consider necessary or appropriate in the conduct of its business.

§ 312104. Board of trustees

(a) MEMBERSHIP.—The affairs of the National Trust shall be under the general direction of a board of trustees composed as follows:

(1) The Attorney General, the Secretary, and the Director of the National Gallery of Art, ex officio.

(2) Not fewer than 6 general trustees who shall be citizens of the United States.

(b) DESIGNATION OF ANOTHER OFFICER.—The Attorney General and the Secretary, when it appears desirable in the interest of the conduct of the business of the Board and to such extent as they consider it advisable, may, by written notice to the National Trust, designate any officer of their respective departments to act for them in the discharge of their duties as a member of the Board.

(c) GENERAL TRUSTEES.—

(1) NUMBER AND SELECTION.—The number of general trustees shall be fixed by the Board and shall be chosen by the members of the National Trust from its members at any regular meeting of the National Trust.

(2) TERM OF OFFICE.—The respective terms of office of the general trustees shall be as prescribed by the Board but in no case shall exceed a period of 5 years from the date of election.

(3) SUCCESSOR.—A successor to a general trustee shall be chosen in the same manner and shall have a term expiring 5 years from the date of the expiration of the term for which the predecessor was chosen, except that a successor chosen to fill a vacancy occurring prior to the expiration of a term shall be chosen only for the remainder of that term.

(d) CHAIRMAN.—The chairman of the Board shall be elected by a majority vote of the members of the Board.

(e) COMPENSATION AND REIMBURSEMENT.—No compensation shall be paid to the members of the Board for their services as such members, but they shall be reimbursed for travel and actual expenses necessarily incurred by them in attending board meetings and performing other official duties on behalf of the National Trust at the direction of the Board.

§ 312105. Powers

(a) IN GENERAL.—To the extent necessary to enable it to carry out the functions vested in it by this chapter, the National Trust has the general powers described in this section.

(b) SUCCESSION.—The National Trust has succession until dissolved by Act of Congress, in which event title to the property of the National Trust, both real and personal, shall, insofar as consistent with existing contractual obligations and subject to all other legally enforceable claims or demands by or against the National Trust, pass to and become vested in the United States.

(c) SUE AND BE SUED.—The National Trust may sue and be sued in its corporate name.

(d) CORPORATE SEAL.—The National Trust may adopt, alter, and use a corporate seal that shall be judicially noticed.

(e) CONSTITUTION, BYLAWS, AND REGULATIONS.—The National Trust may adopt a constitution and prescribe such bylaws and regulations, not inconsistent with the laws of the United States or of any State, as it considers necessary for the administration of its functions under this chapter, including among other matters, bylaws and regulations governing visitation to historic properties, administration of corporate funds, and the organization and procedure of the Board.

(f) PERSONAL PROPERTY.—The National Trust may accept, hold, and administer gifts and bequests of money, securities, or other

personal property of any character, absolutely or in trust, for the purposes for which the National Trust is created. Unless otherwise restricted by the terms of a gift or bequest, the National Trust may sell, exchange, or otherwise dispose of, and invest or reinvest in investments as it may determine from time to time, the moneys, securities, or other property given or bequeathed to it. The principal of corporate funds and the income from those funds and all other revenues received by the National Trust from any source shall be placed in such depositories as the National Trust shall determine and shall be subject to expenditure by the National Trust for its corporate purposes.

(g) REAL PROPERTY.—The National Trust may acquire by gift, devise, purchase, or otherwise, absolutely or in trust, and hold and, unless otherwise restricted by the terms of the gift or devise, encumber, convey, or otherwise dispose of, any real property, or any estate or interest in real property (except property within the exterior boundaries of a System unit), as may be necessary and proper in carrying into effect the purposes of the National Trust.

(h) CONTRACTS AND COOPERATIVE AGREEMENTS RESPECTING PROTECTION, PRESERVATION, MAINTENANCE, OR OPERATION.—The National Trust may contract and make cooperative agreements with Federal, State, or local agencies, corporations, associations, or individuals, under terms and conditions that the National Trust considers advisable, respecting the protection, preservation, maintenance, or operation of any historic site, building, object, or property used in connection with the site, building, object, or property for public use, regardless of whether the National Trust has acquired title to the property, or any interest in the property.

(i) ENTER INTO CONTRACTS AND EXECUTE INSTRUMENTS.—The National Trust may enter into contracts generally and execute all instruments necessary or appropriate to carry out its corporate purposes, including concession contracts, leases, or permits for the use of land, buildings, or other property considered desirable either to accommodate the public or to facilitate administration.

(j) OFFICERS, AGENTS, AND EMPLOYEES.—The National Trust may appoint and prescribe the duties of officers, agents, and employees as may be necessary to carry out its functions, and fix and pay compensation to them for their services as the National Trust may determine.

(k) LAWFUL ACTS.—The National Trust may generally do any and all lawful acts necessary or appropriate to carry out the purposes for which the National Trust is created.

§ 312106. Consultation with National Park System Advisory Board

In carrying out its functions under this chapter, the National Trust may consult with the National Park System Advisory Board on matters relating to the selection of sites, buildings, and objects to be preserved and protected pursuant to this chapter.

Chapter 3123—Commission for the Preservation of America's Heritage Abroad

Sec.
312301. Definition.

§ 312301. Definition

In this chapter, the term "Commission" means the Commission for the Preservation of America's Heritage Abroad established under section 312303 of this title.

§ 312302. Declaration of national interest

Because the fabric of a society is strengthened by visible reminders of the historical roots of the society, it is in the national interest to encourage the preservation and protection of the cemeteries, monuments, and historic buildings associated with the foreign heritage of United States citizens.

§ 312303. Establishment

(a) ESTABLISHMENT.—There is established a commission to be known as the Commission for the Preservation of America's Heritage Abroad.

(b) MEMBERSHIP.—The Commission shall consist of 21 members appointed by the President, 7 of whom shall be appointed after consultation with the Speaker of the House of Representatives and 7 of whom shall be appointed after consultation with the President pro tempore of the Senate.

(c) TERM.—

(1) IN GENERAL.—Except as provided in paragraph (2), a member of the Commission shall be appointed for a term of 3 years.

(2) VACANCY.—A member appointed to fill a vacancy on the Commission shall serve for the remainder of the term for which the member's predecessor was appointed.

(3) MEMBER UNTIL SUCCESSOR APPOINTED.—A member may retain membership on the Commission until the member's successor has been appointed.

(d) CHAIRMAN.—The President shall designate the Chairman of the Commission from among its members.

(e) MEETINGS.—The Commission shall meet at least once every 6 months.

(f) COMPENSATION AND EXPENSES.—

(1) COMPENSATION.—Members of the Commission shall receive no pay on account of their service on the Commission.

(2) EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as individuals employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

§ 312304. Duties and powers; administrative support

(a) DUTIES.—The Commission shall—

(1) identify and publish a list of cemeteries, monuments, and historic buildings located abroad that are associated with the foreign heritage of United States citizens from eastern and central Europe, particularly cemeteries, monuments, and buildings that are in danger of deterioration or destruction;

(2) encourage the preservation and protection of those cemeteries, monuments, and historic buildings by obtaining, in cooperation with the Secretary of State, assurances from foreign governments that the cemeteries, monuments, and buildings will be preserved and protected; and

(3) prepare and disseminate reports on the condition of, and the progress toward preserving and protecting, those cemeteries, monuments, and historic buildings.

(b) POWERS.—

(1) HOLD HEARINGS, REQUEST ATTENDANCE, TAKE TESTIMONY, AND RECEIVE EVIDENCE.—The Commission or any member it authorizes may, for the purposes of carrying out this chapter, hold such hearings, sit and act at such times and places, request such attendance, take such testimony, and receive such evidence, as the Commission considers appropriate.

(2) APPOINT PERSONNEL AND FIX PAY.—The Commission may appoint such personnel (subject to the provisions of title 5 governing appointments in the competitive service) and may fix the pay of such personnel (subject to the provisions of chapter 51 and subchapter III of chapter 53 of title 5), as the Commission considers desirable.

(3) PROCURE TEMPORARY AND INTERMITTENT SERVICES.—The Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay then in effect under section 5376 of title 5.

(4) DETAIL PERSONNEL TO COMMISISON.—On request of the Commission, the head of any Federal department or agency, including the Secretary of State, may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this chapter.

(5) SECURE INFORMATION.—The Commission may secure directly from any department or agency of the United States, including the Department of State, any information necessary to enable it to carry out this chapter. On the request of the Chairman of the Commission, the head of the department or agency shall furnish the information to the Commission.

(6) GIFTS OR DONATIONS.—The Commission may accept, use, and dispose of gifts or donations of money or property.

(7) USE OF MAILS.—The Commission may use the United States mails in the same manner and on the same conditions as other departments and agencies of the United States.

(c) ADMINISTRATIVE SUPPORT.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support services as the Commission may request.

§ 312305. Reports

As soon as practicable after the end of each fiscal year, the Commission shall transmit to the President a report that includes—

(1) a detailed statement of the activities and accomplishments of the Commission during the fiscal year; and

(2) any recommendations of the Commission for legislation and administrative actions.

Chapter 3125—Preservation of Historical and Archeological Data

§ 312501. Definition

In this chapter, the term "State" includes a State, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

§ 312502. Threat of irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data by Federal construction projects

(a) ACTIVITY OF FEDERAL AGENCY.—

(1) NOTIFICATION OF SECRETARY.—When any Federal agency finds, or is notified, in writing, by an appropriate historical or archeological authority, that its activities in connection with any Federal construction project or federally licensed project, activity, or program may cause irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data, the agency shall notify the Secretary, in writing, and shall provide the Secretary with appropriate information concerning the project, program, or activity.

(2) RECOVERY, PROTECTION, AND PRESERVATION OF DATA.—The agency—

(A) may request the Secretary to undertake the recovery, protection, and preservation of the data (including preliminary survey, or other investigation as needed, and analysis and publication of the reports resulting from the investigation); or

(B) may, with funds appropriated for the project, program, or activity, undertake those activities.

(3) AVAILABILITY OF REPORTS.—Copies of reports of any investigations made pursuant to this section shall be submitted to the Secretary, who shall make them available to the public for inspection and review.

(b) ACTIVITY OF PRIVATE PERSON, ASSOCIATION, OR PUBLIC ENTITY.—

(1) RECOVERY BY SECRETARY.—When any Federal agency provides financial assistance by loan, grant, or otherwise to any private person, association, or public entity, the Secretary, if the Secretary determines that significant scientific, prehistorical, historical, or archeological data might be irrevocably lost or destroyed, may, with funds appropriated expressly for this purpose—

(A) conduct, with the consent of all persons, associations, or public entities having a legal interest in the property, a survey of the affected site; and

(B) undertake the recovery, protection, and preservation of the data (including analysis and publication).

(2) COMPENSATION.—The Secretary shall, unless otherwise agreed to in writing, compensate any person, association, or public entity damaged as a result of delays in construction or as a result of the temporary loss of the use of private or any nonfederally owned land.

§ 312503. Survey and recovery by Secretary

(a) IN GENERAL.—The Secretary, on notification, in writing, by any Federal or State agency or appropriate historical or archeological authority that scientific, prehistorical, historical, or archeological data are being or may be irrevocably lost or destroyed by any Federal or federally assisted or licensed project, activity, or program, shall, if the Secretary determines that the data are significant and are being or may be irrevocably lost or destroyed and after reasonable notice to the agency responsible for funding or licensing the project, activity, or program—

(1) conduct or cause to be conducted a survey and other investigation of the areas that are or may be affected; and

(2) recover and preserve the data (including analysis and publication) that, in the opinion of the Secretary, are not being, but should be, recovered and preserved in the public interest.

(b) WHEN SURVEY OR RECOVERY NOT REQUIRED.—No survey or recovery work shall be required pursuant to this section that, in the determination of the head of the responsible agency, would impede Federal or federally assisted or licensed projects or activities undertaken in connection with any emergency, including projects or activities undertaken in anticipation of, or as a result of, a natural disaster.

(c) INITIATION OF SURVEY.—The Secretary shall initiate the survey or recovery effort within—

(1) 60 days after notification pursuant to subsection (a); or

(2) such time as may be agreed on with the head of the agency responsible for funding or licensing the project, activity, or program in all other cases.

(d) COMPENSATION BY SECRETARY.—The Secretary shall, unless otherwise agreed to in writing, compensate any person, association, or public entity damaged as a result of delays in construction or as a result of the temporary loss of the use of private or nonfederally owned land.

§ 312504. Progress reports by Secretary on surveys and work undertaken as result of surveys

(a) PROGRESS REPORTS TO FUNDING OR LICENSING AGENCY.—The Secretary shall keep the agency responsible for funding or licensing the project notified at all times of the progress of any survey made under this chapter or of any work undertaken as a result of a survey, in order that there will be as little disruption or delay as possible in the carrying out of the functions of the agency. The survey and recovery programs shall terminate at a time agreed on by the Secretary and the head of the agency unless extended by agreement.

(b) DISPOSITION OF RELICS AND SPECIMENS.—The Secretary shall consult with any interested Federal and State agencies, educational and scientific organizations, private institutions, and qualified individuals, with a view to determining the ownership of, and the most appropriate repository for, any relics and specimens recovered as a result of any work performed as provided for in this section.

(c) COORDINATION OF ACTIVITIES.—The Secretary shall coordinate all Federal survey and recovery activities authorized under this chapter.

§ 312505. Notice of dam construction

(a) IN GENERAL.—Before any Federal agency undertakes the construction of a dam, or issues a license to any private individual or corporation for the construction of a dam, it shall give written notice to the Secretary setting forth the site of the proposed dam and the approximate area to be flooded and otherwise changed if construction is undertaken.

(b) DAMS WITH CERTAIN DETENTION CAPACITY OR RESERVOIR.—With respect to any flood water retarding dam that provides fewer than 5,000 acre-feet of detention capacity, and with respect to any other type of dam that creates a reservoir of fewer than 40 surface acres, this section shall apply only when the constructing agency, in its preliminary surveys, finds or is presented with evidence that historical or archeological materials exist or may be present in the proposed reservoir area.

§ 312506. Administration

In the administration of this chapter, the Secretary may—

(1) enter into contracts or make cooperative agreements with any Federal or State agency, educational or scientific organization, or institution, corporation, association, or qualified individual;

(2) obtain the services of experts and consultants or organizations of experts and consultants in accordance with section 3109 of title 5; and

(3) accept and utilize funds made available for salvage archeological purposes by any private person or corporation or transferred to the Secretary by any Federal agency.

§ 312507. Assistance to Secretary by Federal agencies responsible for construction projects

(a) ASSISTANCE OF FEDERAL AGENCIES.—To carry out this chapter, any Federal agency responsible for a construction project may assist the Secretary or may transfer to the Secretary funds as may be agreed on, but not more than 1 percent of the total amount authorized to be appropriated for the project, except that the 1 percent limitation under this section shall not apply if the cost of the project is $50,000 or less. The costs of the survey, recovery, analysis, and publication shall be deemed nonreimbursable project costs.

(b) AVAILABILITY OF APPROPRIATIONS.—Amounts appropriated for purposes of this section shall remain available until expended.

§ 312508. Costs for identification, surveys, evaluation, and data recovery with respect to historic property

Notwithstanding section 312507(a) of this title or any other provision of law—

(1) identification, surveys, and evaluation carried out with respect to historic property within project areas may be treated for purposes of any law or rule of law as planning costs of the project and not as costs of mitigation;

(2) reasonable costs for identification, surveys, evaluation, and data recovery carried out with respect to historic property within project areas may be charged to Federal licensees and permittees as a condition to the issuance of the license or permit; and

(3) Federal agencies, with the concurrence of the Secretary and after notification of the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, may waive, in appropriate cases, the 1 percent limitation under section 312507(a) of this title.

Division C—American Antiquities

Chapter 3201—Policy and Administrative Provisions

Sec.
320101. Declaration of national policy.
320102. Powers and duties of Secretary.
320103. Cooperation with governmental and private agencies and individuals.
320104. Jurisdiction of States in acquired land.
320105. Criminal penalties.
320106. Limitation on obligation or expenditure of appropriated amounts.

§ 320101. Declaration of national policy

It is declared that it is a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States.

§ 320102. Powers and duties of Secretary

(a) IN GENERAL.—The Secretary, acting through the Director, for the purpose of effectuating the policy expressed in section 320101 of this title, has the powers and shall perform the duties set out in this section.

(b) PRESERVATION OF DATA.—The Secretary shall secure, collate, and preserve drawings, plans, photographs, and other data of historic and archeologic sites, buildings, and objects.

(c) SURVEY.—The Secretary shall make a survey of historic and archeologic sites, buildings, and objects for the purpose of determining which possess exceptional value as commemorating or illustrating the history of the United States.

(d) INVESTIGATIONS AND RESEARCHES.—The Secretary shall make necessary investigations and researches in the United States relating to particular sites, buildings, and objects to obtain accurate historical and archeological facts and information concerning the sites, buildings, and objects.

(e) ACQUISITION OF PROPERTY.—The Secretary may, for the purpose of this chapter, acquire in the name of the United States by gift, purchase, or otherwise any property, personal or real, or any interest or estate in property, title to any real property to be satisfactory to the Secretary. Property that is owned by any religious or educational institution or that is owned or administered

for the benefit of the public shall not be acquired without the consent of the owner. No property shall be acquired or contract or agreement for the acquisition of the property made that will obligate the general fund of the Treasury for the payment of the property, unless Congress has appropriated money that is available for that purpose.

(f) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary may contract and make cooperative agreements with States, municipal subdivisions, corporations, associations, or individuals, with proper bond where considered advisable, to protect, preserve, maintain, or operate any historic or archeologic building, site, or object, or property used in connection with the building, site, or object, for public use, regardless whether the title to the building, site, object, or property is in the United States. No contract or cooperative agreement shall be made or entered into that will obligate the general fund of the Treasury unless or until Congress has appropriated money for that purpose.

(g) PROTECTION OF SITES, BUILDINGS, OBJECTS, AND PROPERTY.—The Secretary shall restore, reconstruct, rehabilitate, preserve, and maintain historic or prehistoric sites, buildings, objects, and property of national historical or archeological significance and where considered desirable establish and maintain museums in connection with the sites, buildings, objects, and property.

(h) TABLETS TO MARK OR COMMEMORATE PLACES AND EVENTS.—The Secretary shall erect and maintain tablets to mark or commemorate historic or prehistoric places and events of national historical or archeological significance.

(i) OPERATION FOR BENEFIT OF PUBLIC.—The Secretary may operate and manage historic and archeologic sites, buildings, and property acquired under this chapter together with land and subordinate buildings for the benefit of the public and may charge reasonable visitation fees and grant concessions, leases, or permits for the use of land, building space, roads, or trails when necessary or desirable either to accommodate the public or to facilitate administration. The Secretary may grant those concessions, leases, or permits and enter into contracts relating to the contracts, leases, or permits with responsible persons, firms, or corporations without advertising and without securing competitive bids.

(j) CORPORATION TO CARRY OUT DUTIES.—When the Secretary determines that it would be administratively burdensome to restore, reconstruct, operate, or maintain any particular historic or archeologic site, building, or property donated to the United States through the Service, the Secretary may cause the restoration, reconstruction, operation, or maintenance to be done by organizing a corporation for that purpose under the laws of the District of Columbia or any State.

(k) EDUCATIONAL PROGRAM AND SERVICE.—The Secretary shall develop an educational program and service for the purpose of making available to the public information pertaining to American historic and archeologic sites, buildings, and properties of national significance. Reasonable charges may be made for the dissemination of any such information.

(l) ACTIONS AND REGULATIONS NECESSARY TO CARRY OUT CHAPTER.—The Secretary shall perform any and all acts and make regulations not inconsistent with this chapter that may be necessary and proper to carry out this chapter.

§ 320103. Cooperation with governmental and private agencies and individuals

(a) AUTHORIZATION OF SECRETARY.—The Secretary may cooperate with and may seek and accept the assistance of any Federal, State, or local agency, educational or scientific institution, patriotic association, or individual.

(b) TECHNICAL ADVISORY COMMITTEES.—When the Secretary considers it necessary, the Secretary may establish technical advisory committees to act in an advisory capacity in connection with the restoration or reconstruction of any historic or prehistoric building or other structure.

(c) EMPLOYMENT OF ASSISTANCE.—The Secretary may employ professional and technical assistance and establish service as may be required to accomplish the purposes of this chapter and for which money may be appropriated by Congress or made available by gifts for those purposes.

§ 320104. Jurisdiction of States in acquired land

Nothing in this chapter shall be held to deprive any State, or political subdivision of a State, of its civil and criminal jurisdiction in and over land acquired by the United States under this chapter.

§ 320105. Criminal penalties

Criminal penalties for a violation of a regulation authorized by this chapter are provided by section 1866 of title 18.

§ 320106. Limitation on obligation or expenditure of appropriated amounts

Notwithstanding any other provision of law, no funds appropriated or otherwise made available to the Secretary to carry out subsection (f) or (g) of section 320102 of this title may be obligated or expended—

(1) unless the appropriation of the funds has been specifically authorized by law enacted on or after October 30, 1992; or

(2) in excess of the amount prescribed by law enacted on or after October 30, 1992.

Chapter 3203—Monuments, Ruins, Sites, and Objects of Antiquity

Sec.
320301. National monuments.
320302. Permits.
320303. Regulations.

§ 320301. National monuments

(a) PRESIDENTIAL DECLARATION.—The President may, in the President's discretion, declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated on land owned or controlled by the Federal Government to be national monuments.

(b) RESERVATION OF LAND.—The President may reserve parcels of land as a part of the national monuments. The limits of the parcels shall be confined to the smallest area compatible with the proper care and management of the objects to be protected.

(c) RELINQUISHMENT TO FEDERAL GOVERNMENT.—When an object is situated on a parcel covered by a bona fide unperfected claim

or held in private ownership, the parcel, or so much of the parcel as may be necessary for the proper care and management of the object, may be relinquished to the Federal Government and the Secretary may accept the relinquishment of the parcel on behalf of the Federal Government.

(d) LIMITATION ON EXTENSION OR ESTABLISHMENT OF NATIONAL MONUMENTS IN WYOMING.—No extension or establishment of national monuments in Wyoming may be undertaken except by express authorization of Congress.

§ 320302. Permits

(a) AUTHORITY TO GRANT PERMIT.—The Secretary, the Secretary of Agriculture, or the Secretary of the Army may grant a permit for the examination of ruins, the excavation of archeological sites, and the gathering of objects of antiquity on land under their respective jurisdictions to an institution that the Secretary concerned considers properly qualified to conduct the examination, excavation, or gathering, subject to such regulations as the Secretary concerned may prescribe.

(b) PURPOSE OF EXAMINATION, EXCAVATION, OR GATHERING.—A permit may be granted only if—

(1) the examination, excavation, or gathering is undertaken for the benefit of a reputable museum, university, college, or other recognized scientific or educational institution, with a view to increasing the knowledge of the objects; and

(2) the gathering shall be made for permanent preservation in a public museum.

§ 320303. Regulations

The Secretary, the Secretary of Agriculture, and the Secretary of the Army shall make and publish uniform regulations for the purpose of carrying out this chapter.

SEC. 4. CONFORMING AMENDMENTS.

(a) TITLE 18.—

(1) IN GENERAL.—Chapter 91 of title 18, United States Code, is amended by adding at the end the following:

"§ 1865. National Park Service

"(a) VIOLATION OF REGULATIONS RELATING TO USE AND MANAGEMENT OF NATIONAL PARK SYSTEM UNITS.—A person that violates any regulation authorized by section 100751(a) of title 54 shall be imprisoned not more than 6 months, fined under this title, or both, and be adjudged to pay all cost of the proceedings.

"(b) FINANCIAL DISCLOSURE BY OFFICERS OR EMPLOYEES PERFORMING FUNCTIONS OR DUTIES UNDER SUBCHAPTER III OF CHAPTER 1007 OF TITLE 54.—An officer or employee of the Department of the Interior who is subject to, and knowingly violates, section 100737 of title 54 or any regulation prescribed under that section shall be imprisoned not more than one year, fined under this title, or both.

"(c) OFFENSES RELATING TO STRUCTURES AND VEGETATION.—A person that willfully destroys, mutilates, defaces, injures, or removes any monument, statue, marker, guidepost, or other structure, or that willfully destroys, cuts, breaks, injures, or removes any tree, shrub, or plant within a national military park shall be imprisoned not less than 15 days nor more than one year, fined under this title but not less than $10 for each monument,

statue, marker, guidepost, or other structure, tree, shrub, or plant that is destroyed, defaced, injured, cut, or removed, or both.

"(d) TRESPASSING IN A NATIONAL MILITARY PARK TO HUNT OR SHOOT.—An individual who trespasses in a national military park to hunt or shoot, or hunts game of any kind in a national military park with a gun or dog, or sets a trap or net or other device in a national military park to hunt or catch game of any kind, shall be imprisoned not less than 5 nor more than 30 days, fined under this title, or both.

"§ 1866. Historic, archeologic, or prehistoric items and antiquities

"(a) VIOLATION OF REGULATIONS AUTHORIZED BY CHAPTER 3201 OF TITLE 54.—A person that violates any of the regulations authorized by chapter 3201 of title 54 shall be fined under this title and be adjudged to pay all cost of the proceedings.

"(b) APPROPRIATION OF, INJURY TO, OR DESTRUCTION OF HISTORIC OR PREHISTORIC RUIN OR MONUMENT OR OBJECT OF ANTIQUITY.—A person that appropriates, excavates, injures, or destroys any historic or prehistoric ruin or monument or any other object of antiquity that is situated on land owned or controlled by the Federal Government without the permission of the head of the Federal agency having jurisdiction over the land on which the object is situated, shall be imprisoned not more than 90 days, fined under this title, or both.".

(2) TABLE OF CONTENTS.—The table of contents of chapter 91 of title 18, United States Code, is amended by adding at the end the following: 18 USC prec. 1851.

"1865. National Park Service.
"1866. Historic, archeologic, or prehistoric items and antiquities.".

(b) TITLE 28.—

(1) IN GENERAL.—Part VI of title 28, United States Code, is amended by adding at the end the following: 28 USC prec. 5001.

"CHAPTER 190—MISCELLANEOUS

"Sec.
"5001. Civil action for death or personal injury in a place subject to exclusive jurisdiction of United States.

"§ 5001. Civil action for death or personal injury in a place subject to exclusive jurisdiction of United States

"(a) DEATH.—In the case of the death of an individual by the neglect or wrongful act of another in a place subject to the exclusive jurisdiction of the United States within a State, a right of action shall exist as though the place were under the jurisdiction of the State in which the place is located.

"(b) PERSONAL INJURY.—In a civil action brought to recover on account of an injury sustained in a place described in subsection (a), the rights of the parties shall be governed by the law of the State in which the place is located.".

(2) TABLE OF CONTENTS.—The table of contents of part VI of title 28, United States Code, is amended by adding at the end the following:

"190. Miscellaneous ..... 5001".

(c) ACT OF MAY 26, 2000.—Section 1 of Public Law 106–206 (114 Stat. 314) is amended to read as follows: 16 USC 460*l*–6d.

"SECTION 1. COMMERCIAL FILMING.

"(a) COMMERCIAL FILMING FEE.—

"(1) IN GENERAL.—The Secretary of the Interior or the Secretary of Agriculture (hereafter individually referred to as the 'Secretary' with respect to land (except land in a System unit as defined in section 100102 of title 54, United States Code) under their respective jurisdictions) shall require a permit and shall establish a reasonable fee for commercial filming activities or similar projects on Federal land administered by the Secretary. The fee shall provide a fair return to the United States and shall be based on the following criteria:

"(A) The number of days the filming activity or similar project takes place on Federal land under the Secretary's jurisdiction.

"(B) The size of the film crew present on Federal land under the Secretary's jurisdiction.

"(C) The amount and type of equipment present.

"(2) OTHER FACTORS.—The Secretary may include other factors in determining an appropriate fee as the Secretary considers necessary.

"(b) RECOVERY OF COSTS.—The Secretary shall collect any costs incurred as a result of filming activities or similar project, including administrative and personnel costs. All costs recovered shall be in addition to the fee assessed in subsection (a).

"(c) STILL PHOTOGRAPHY.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall not require a permit nor assess a fee for still photography on land administered by the Secretary if such photography takes place where members of the public are generally allowed. The Secretary may require a permit, fee, or both, if such photography takes place at other locations where members of the public are generally not allowed, or where additional administrative costs are likely.

"(2) EXCEPTION.—The Secretary shall require and shall establish a reasonable fee for still photography that uses models or props which are not a part of the site's natural or cultural resources or administrative facilities.

"(d) PROTECTION OF RESOURCES.—The Secretary shall not permit any filming, still photography or other related activity if the Secretary determines that—

"(1) there is a likelihood of resource damage;

"(2) there would be an unreasonable disruption of the public's use and enjoyment of the site; or

"(3) the activity poses health or safety risks to the public.

"(e) USE OF PROCEEDS.—

"(1) FEES.—All fees collected under this section shall be available for expenditure by the Secretary, without further appropriation and shall remain available until expended.

"(2) COSTS.—All costs recovered under this section shall be available for expenditure by the Secretary, without further appropriation, at the site where the costs are collected and shall remain available until expended.

"(f) PROCESSING OF PERMIT APPLICATIONS.—The Secretary shall establish a process to ensure that the Secretary responds in a timely manner to permit applicants for commercial filming, still photography, or other activity.".

(d) PUBLIC LAW 111–24.—Section 512 of Public Law 111–24 (123 Stat. 1764) is amended to read as follows: 16 USC 1a–7b.

"SEC. 512. PROTECTION OF RIGHT OF INDIVIDUALS TO BEAR ARMS

"(a) CONGRESSIONAL FINDINGS.—Congress finds the following:

"(1) The 2d amendment to the Constitution provides that 'the right of the people to keep and bear Arms, shall not be infringed'.

"(2) Section 27.42 of title 50, Code of Federal Regulations, provides that, except in special circumstances, citizens of the United States may not 'possess, use, or transport firearms on national wildlife refuges' of the United States Fish and Wildlife Service.

"(3) The regulations described in paragraph (2) prevent individuals complying with Federal and State laws from exercising the 2d amendment rights of the individuals while at units of the National Wildlife Refuge System.

"(4) The existence of different laws relating to the transportation and possession of firearms at different units of the National Wildlife Refuge System entrapped law-abiding gun owners while at units of the National Wildlife Refuge System.

"(5) Although the Bush administration issued new regulations relating to the 2d amendment rights of law-abiding citizens in units of the National Wildlife Refuge System that went into effect on January 9, 2009—

"(A) on March 19, 2009, the United States District Court for the District of Columbia granted a preliminary injunction with respect to the implementation and enforcement of the new regulations; and

"(B) the new regulations—

"(i) are under review by the Obama administration; and

"(ii) may be altered.

"(6) Congress needs to weigh in on the new regulations to ensure that unelected bureaucrats and judges cannot again override the 2d amendment rights of law-abiding citizens on 90,790,000 acres of land under the jurisdiction of the United States Fish and Wildlife Service.

"(7) Federal laws should make it clear that the 2d amendment rights of an individual at a unit of the National Wildlife Refuge System should not be infringed.

"(b) PROTECTION OF RIGHT OF INDIVIDUALS TO BEAR ARMS IN UNITS OF THE NATIONAL WILDLIFE REFUGE SYSTEM.—The Secretary shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, in any unit of the National Wildlife Refuge System if—

"(1) the individual is not otherwise prohibited by law from possessing the firearm; and

"(2) the possession of the firearm is in compliance with the law of the State in which the unit of the National Wildlife Refuge System is located.".

SEC. 5. CONFORMING CROSS-REFERENCES.

(a) TITLE 7, UNITED STATES CODE.—Section 32(e) of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011(e)) is amended

by striking "the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)" and substituting "chapter 2003 of title 54, United States Code".

(b) TITLE 10, UNITED STATES CODE.—Section 2684(c)(1) of title 10, United States Code, is amended by striking "section 101(a) of the National Historic Preservation Act (16 U.S.C. 470a(a))" and substituting "section 2023.01 of title 54".

(c) TITLE 15, UNITED STATES CODE.—Section 1072(a)(3)(D) of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720(a)(3)(D)) is amended by striking "the National Historic Preservation Act (16 U.S.C. 470 et seq.)" and substituting "chapter 2003 of title 54, United States Code".

(d) TITLE 16, UNITED STATES CODE.—

(1) Section 6 of Public Law 89–72 (16 U.S.C. 460l–17) is amended—

(A) in subsection (a), by striking "subsection 5(d) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)" and substituting "section 200305(d) of title 54, United States Code"; and

(B) in subsection (g), by striking "Subsection 6(a)(2) of the Land and Water Development Fund Act of 1965 (78 Stat. 897)" and substituting "section 200306(a)(3) of title 54, United States Code,".

(2) Section 8 of Public Law 90–540 (16 U.S.C. 460v–7) is amended by striking "section 6 of the Act of September 3, 1964 (78 Stat. 897, 903)" and substituting "section 200306 of title 54, United States Code".

(3) Section 7(c) of the Springs Mountain National Recreation Area Act (16 U.S.C. 460hhh–5(c)) is amended by striking "section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9)" and substituting "section 100506 of title 54, United States Code".

(4) Section 5(b) of Public Law 103–64 (16 U.S.C. 460iii–4(b)) is amended by striking "section 7(a) of the Land and Water Conservation Fund Act of 1964 (16 U.S.C. 460l–9(a))" and substituting "section 200306(a) of title 54, United States Code".

(5) Section 702(a) of the Steens Mountain Cooperative Management and Protection Act of 2000 (16 U.S.C. 460nnn–122(a)) is amended by striking "section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–5)" and substituting "section 200302 of title 54, United States Code,".

(6) Section 4 of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470cc) is amended—

(A) in subsection (h)—

(i) in paragraph (1), by striking "the Act of June 8, 1906 (16 U.S.C. 431–433)" and substituting "chapter 3203 of title 54, United States Code"; and

(ii) in paragraph (2), by striking "the Act of June 8, 1906" each place it appears and substituting "chapter 3203 of title 54, United States Code"; and

(B) in subsection (i), by striking "section 106 of the Act of October 15, 1966 (80 Stat. 917, 16 U.S.C. 470f)" and substituting "section 306108 of title 54, United States Code".

(7) Section 5 of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470dd) is amended by striking "the Act

of June 27, 1960 (16 U.S.C. 469–469c) or the Act of June 8, 1906 (16 U.S.C. 431–433)" and substituting "chapter 3125 or chapter 3203 of title 54, United States Code".

(8) Section 9(a)(2) of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470hh(a)(2)) is amended by striking "the Act of June 27, 1960 (16 U.S.C. 469–469c)" and substituting "chapter 3125 of title 54, United States Code".

(9) Section 6311(1) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 470aaa–10(1)) is amended by striking "Public Law 94–429 (commonly known as the 'Mining in the Parks Act' (16 U.S.C. 1901 et seq.)" and substituting "subchapter 3 of chapter 1007 of title 54, United States Code".

(10) Section 502(h)(1)(B) of the National Parks and Recreation Act of 1998 (16 U.S.C. 471i(h)(1)(B)) is amended by striking "the Land and Water Conservation Fund Act" and substituting "chapter 2003 of title 54, United States Code".

(11) Section 339(f)(4)(H) of the Department of the Interior and Related Agencies Appropriations Act, 2000 (Public Law 106–113, div. B, § 1000(a)(3), title III, 16 U.S.C. 528 note), is amended by striking "Section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a)" and substituting "Section 100904 of title 54, United States Code".

(12) Section 6(d) of the Alaska Land Status Technical Corrections Act of 1992 (Public Law 102–415, 16 U.S.C. 539 note) is amended by striking "section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9)" and substituting "section 100506 of title 54, United States Code".

(13) Section 2(b) of the Greer Spring Acquisition and Protection Act of 1991 (Public Law 102–220, 16 U.S.C. 539h note) is amended by striking "section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9)" and substituting "section 100506 of title 54, United States Code".

(14) Section 606 of the Interstate 90 Land Exchange Act of 1998 (Public Law 105–277, div. A, § 101(e), title VI, 16 U.S.C. 539k note) is amended—

(A) in subsection (a)(3), by striking "section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9)" and substituting "section 100506 of title 54, United States Code,";

(B) in subsection (b)(2), by striking "the National Historic Preservation Act" and substituting "division A of subtitle III of title 54, United States Code"; and

(C) in subsection (g)(1), by striking "the National Historic Preservation Act" and substituting "division A of subtitle III of title 54, United States Code,".

(15) Section 6 of Public Law 93–535 (16 U.S.C. 541e) is amended by striking "clause 7(a)(1) of the Act of September 3, 1964 (78 Stat. 903), as amended" and substituting "section 200306(a)(2) of title 54, United States Code".

(16) Section 14(e)(3)(D)(iii) of the Columbia River Gorge National Scenic Area Act (16 U.S.C. 544l(e)(3)(D)(iii)) is amended by striking "the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 through 11)" and substituting "chapter 2003 of title 54, United States Code,".

(17) Section 16(a)(1) of the Columbia River Gorge National Scenic Area Act (16 U.S.C. 544n(a)(1) is amended by striking "the Land and Water Conservation Fund (16 U.S.C. 460l–4

and following)" and substituting "chapter 2003 of title 54, United States Code,".

(18) Section 3(b) of the Saint Helena Island National Scenic Area Act (16 U.S.C. 546a(b)) is amended by striking "section 8 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9)" and substituting "section 100506 of title 54, United States Code".

(19) Section 6(a) of the Act of June 22, 1948 (known as the Thye-Blatnik Act) (16 U.S.C. 577h(a)) is amended by striking "the Land and Water Conservation Fund Act (78 Stat. 897), as amended" and substituting "chapter 2003 of title 54, United States Code".

(20) Section 104(f) of the Valles Caldera Preservation Act (16 U.S.C. 688v–2(f)) is amended by striking "section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9)" and substituting "section 100506 of title 54, United States Code".

(21) Section 4(a)(3) of the Wilderness Act (16 U.S.C. 1133(a)(3)) is amended—

(A) by striking "the Act of August 25, 1916" and substituting "section 100101(b)(1), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code"; and

(B) by striking "the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.)" and substituting "section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and chapters 3201 and 3203 of title 54, United States Code".

(22) Section 5 of Public Law 90–454 (16 U.S.C. 1225) is amended by striking "the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)" and substituting "chapter 2003 of title 54, United States Code".

(23) Section 7(h)(1) of the National Trails System Act (16 U.S.C. 1246(h)(1) is amended by striking "the Volunteers in the Parks Act of 1969" and substituting "section 102301 of title 54, United States Code,".

(24) Section 8(a) of the National Trails System Act (16 U.S.C. 1247(a)) is amended—

(A) by striking "the Land and Water Conservation Fund Act" and substituting "chapter 2003 of title 54, United States Code";

(B) by striking "the Act of October 15, 1966 (80 Stat. 915), as amended" and substituting "division A of subtitle III of title 54, United States Code"; and

(C) by striking "the Act of May 28, 1963 (77 Stat. 49" and substituting "chapter 2003 of title 54, United States Code".

(25) Section 9(e)(3) of the National Trails System Act (16 U.S.C. 1248 (e)(3)) is amended by striking "section 2 of the Land and Water Conservation Fund Act of 1965" and substituting "section 200302 of title 54, United States Code".

(26) Section 10(a)(1) of the National Trails System Act (16 U.S.C. 1249(a)(1)) is amended by striking "the Land and Water Conservation Fund Act (78 Stat. 897), as amended" and substituting "chapter 2003 of title 54, United States Code".

(27) Section 11(a)(2) of the National Trails System Act (16 U.S.C. 1250(a)(2)) is amended—

(A) by striking "the Volunteers in the Parks Act of 1969" and substituting "section 102301 of title 54, United States Code"; and

(B) by striking "section 6 of the Land and Water Conservation Fund Act of 1965" and substituting "200305 of title 54, United States Code".

(28) Section 12(4) of the National Trails System Act (16 U.S.C. 1251(4)) is amended by striking "the Land and Water Conservation Fund Act of 1965" and substituting "chapter 2003 of title 54, United States Code,".

(29) Section 2(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1273(a)) is amended by striking "the Land and Water Conservation Act of 1965" and substituting "chapter 2003 of title 54, United States Code,".

(30) Section 7(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(d)) is amended by striking "the Land and Water Conservation Fund Act of 1965" and substituting "chapter 2003 of title 54, United States Code".

(31) Section 11 of the Wild and Scenic Rivers Act (16 U.S.C. 1282) is amended—

(A) in subsection (a), by striking "the Land and Water Conservation Fund Act of 1965 (78 Stat. 897" and substituting "chapter 2003 of title 54, United States Code"; and

(B) in subsection (b)(2)—

(i) in subparagraph (A), by striking "the Volunteers in the Parks Act of 1969" and substituting "section 102301 of title 54, United States Code,"; and

(ii) in subparagraph (B), by striking "the Land and Water Conservation Fund Act of 1965" and substituting "chapter 2003 of title 54, United States Code".

(32) Section 5(b) of the Endangered Species Act of 1973 (16 U.S.C. 1534(b) is amended by striking "the Land and Water Conservation Fund Act of 1965, as amended" and substituting "chapter 2003 of title 54, United States Code".

(33) Section 815(4) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3125(4)" is amended—

(A) by striking "the National Park Service Organic Act (39 Stat. 535, 16 U.S.C. 1, 2, 3, 4)" and substituting "section 100101(b)(1), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code"; and

(B) by adding "or such title" after "such Acts".

(34) Section 6(a)(6)(C) of the Coastal Barrier Act of 1968 (16 U.S.C. 3505(a)(6)(C)) is amended by striking "the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 through 11)" and substituting "chapter 2003 of title 54, United States Code,".

(35) Section 11 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3710) is amended by striking "Public Law 90–209 (16 U.S.C. 19e et seq.)" and substituting "subchapter II of chapter 1011 of title 54, United States Code".

(36) Section 805(f)(1) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(f)(1)) is amended—

(A) by striking "(16 U.S.C. 460l–6a)"; and

(B) by striking "; 16 U.S.C. 5991–5995".

(37) Section 813 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812) is amended—

(A) in subsection (A), by striking "(16 U.S.C. 460l–6a et seq.)";

(B) in subsection (b), by striking "; 16 U.S.C. 460l–6a";

(C) in subsection (c)—

(i) in paragraph (1), by striking "; 16 U.S.C. 5982"; and

(ii) in paragraph (2), by striking "; 16 U.S.C. 5991–5995"; and

(D) in subsection (e)—

(i) in paragraph (1), by striking "(16 U.S.C. 460l–6a(i)(1))";

(ii) in paragraph (2), by striking "; 16 U.S.C. 5991–5995"; and

(iii) in paragraph (3), by striking "; 16 U.S.C. 460l–6a".

(e) TITLE 20, UNITED STATES CODE.—

(1) Section 2 of the Act of August 15, 1949 (20 U.S.C. 78a) is amended by striking "the Act of June 8, 1906 (16 U.S.C. 432, 433)" and substituting "section 1866(b) of title 18, United States Code, and sections 320302 and 320303 of title 54, United States Code".

(2) Section 1517(a)(3) of the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act (20 U.S.C. 4424(a)(3)) is amended by striking "the National Historic Preservation Act (16 U.S.C. 470 et seq.)" and substituting "division A of subtitle III of title 54, United States Code".

(3) Section 7202(13)(E) of the Native Hawaiian Education Act (20 U.S.C. 7512(13)(D)) is amended by striking " the National Historic Preservation Act (16 U.S.C. 470 et seq.)" and substituting "division A of subtitle III of title 54, United States Code".

(f) TITLE 23, UNITED STATES CODE.—

(1) Section 103(c)(5) of title 23, United States Code, is amended—

(A) in subparagraph (B)(i), by striking "section 106 of the National Historic Preservation Act (16 U.S.C. 470f)" and substituting "section 306108 of title 54"; and

(B) in subparagraph (C), by striking "section 106 of the National Historic Preservation Act (16 U.S.C. 470f)" and substituting "section 306108 of title 54".

(2) Section 138(b)(2)(A) of title 23, United States Code, is amended by striking "section 106 of the National Historic Preservation Act (16 U.S.C. 470f)" and substituting "section 306108 of title 54".

(3) Section 206 of title 23, United States Code, is amended—

(A) in subsection (d)(1)(B), by striking "the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 et seq.)" and substituting "chapter 2003 of title 54";

(B) in subsection (d)(2)(D)(ii), by striking "the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 et seq.)" and substituting "chapter 2003 of title 54"; and

(C) in subsection (h)(3), by striking "section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16

U.S.C. 460l–8(f)(3))" and substituting "section 200305(f)(3) of title 54".

(g) TITLE 25, UNITED STATES CODE.—Section 509(a) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aaa–8(a)) is amended by striking "the National Historic Preservation Act (16 U.S.C. 470et seq.)" and substituting "division A of subtitle III of title 54, United States Code".

(h) TITLE 26, UNITED STATES CODE.—Section 9503(c)(3)(A)(i) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(3)(A)(i)) is amended by striking "title I of the Land and Water Conservation Fund Act of 1965" and substituting "chapter 2003 of title 54".

(i) TITLE 36, UNITED STATES CODE.—Section 153513(a)(1) of title 36, United States Code, is amended by striking "the Act of August 25, 1916 (16 U.S.C. 1 et seq.) (known as the National Park Service Organic Act)" and substituting "section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code".

(j) TITLE 40, UNITED STATES CODE.—

(1) Section 549(c)(3)(B)(ix) of title 40, United States Code, is amended—

(A) by striking "section 308(e)(2) of the National Historic Preservation Act (16 U.S.C. 470w–7(e)(2))" and substituting "section 305101(4) of title 54"; and

(B) by striking "subsection (b) of that section" and substituting "section 305103 of title 54".

(2) Section 550(h)(1)(B) of title 40, United States Code, is amended by striking "section 3 of the Act of August 21, 1935 (16 U.S.C. 463) (known as the Historic Sites, Buildings, and Antiquities Act)" and substituting "section 102303 of title 54".

(3) Section 1303(c) of title 40, United States Code, is amended by striking "the Act of August 21, 1935 (16 U.S.C. 461 et seq.) (known as the Historic Sites, Buildings, and Antiquities Act)" and substituting "chapter 3201 of title 54".

(4) Section 1314(a)(2)(A)(ii) of title 40, United States Code, is amended by striking "the Act of August 25, 1916 (16 U.S.C. 1, 2, 3, 4) (known as the National Park Service Organic Act)" and substituting "section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54".

(5) Section 3303(c) of title 40, United States Code, is amended by striking "title II of the National Historic Preservation Act (16 U.S.C. 470i et seq.)" and substituting "section 304101 of title 54".

(6) Section 3306(a)(4) of title 40, United States Code, is amended by striking "section 101 of the National Historic Preservation Act (16 U.S.C. 470a)" and substituting "chapter 3021 of title 54".

(7) Section 14507(a)(1)(A)(ii) of title 40, United States Code, is amended by striking "the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 et seq.)" and substituting "chapter 2003 of title 54".

(k) TITLE 42, UNITED STATES CODE.—

(1) Section 303(2) of the Water Resources Planning Act (42 U.S.C. 1962c–2(2)) is amended by striking "the Land and Water Conservation Fund Act of 1965" and substituting "chapter 2003 of title 54, United States Code".

(2) Section 208(2) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3338(2)) is amended

by striking "section 5(e) of the Land And Water Conservation Fund Act of 1965" and substituting "section 200305(e) of title 54, United States Code".

(3) Section 5(c) of the Department of Housing and Urban Development Act (42 U.S.C. 3534(c)) is amended by striking "the Land and Water Conservation Fund Act of 1965 (78 Stat. 897)" and substituting "chapter 2003 of title 54, United States Code,".

(4) Section 121 of the Housing and Community Development Act of 1974 (42 U.S.C. 5320) is amended—

(A) by amending subsection (a) to read as follows:

"(a) With respect to applications for assistance under section 5318 of this title, the Secretary of the Interior, after consulting with the Secretary, shall prescribe and implement regulations concerning projects funded under section 5318 of this title and their relationship with division A of subtitle III and chapter 3125 of title 54, United States Code."; and

(B) in subsection (c), by striking "section 106 of the Act referred to in subsection (a)(1)" and substituting "section 306108 of title 54, United States Code,".

(5) Section 504(c)(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12204(c)(2)) is amended by striking "the National Historic Preservation Act (16 U.S.C. 470 et seq.)" and substituting "division A of subtitle III of title 54, United States Code".

(6) Section 999H(c)(2) of the Energy Policy Act of 2005 Energy Research, Development, Demonstration, and Commercial Application Act of 2005 (42 U.S.C. 16378(c)(2)) is amended—

(A) in subparagraph (B), by striking "section 2(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–5(c))" and substituting "section 200302(c) of title 54, United States Code"; and

(B) in subparagraph (C), by striking "section 108 of the National Historic Preservation Act (16 U.S.C. 470h)" and substituting "chapter 3031 of title 54, United States Code".

(l) TITLE 43, UNITED STATES CODE.—

(1) The second paragraph under the heading "ADMINISTRATIVE PROVISIONS" under the heading "BUREAU OF RECLAMATION" (43 U.S.C. 377b) is amended by striking "the Acts of August 21, 1935 (16 U.S.C. 461–467) and June 27 1960 (16 U.S.C. 469)" and substituting "chapters 3125 and 3201 of title 54, United States Code".

(2) Section 105 of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432, div. C, title I, 43 U.S.C. 1331 note) is amended—

(A) in subsection (a)(2)(B)—

(i) by striking "section 6 of the Land And Water Conservation Fund Act of 1965 (16 U.S.C. 460l–8)" and substituting "section 200305 of title 54, United States Code"; and

(ii) by striking "section 2 of that Act (16 U.S.C. 460l–5)" and substituting "section 200302 of that title"; and

(B) in subsection (e)(3)(B), by striking "the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 et seq.)" and substituting "chapter 2003 of title 54, United States Code".

(3) Section 1401(b) of the Omnibus Budget Reconciliation Act of 1981 (43 U.S.C. 1457a(b)) is amended—

(A) by striking "the Land and Water Conservation Fund Act of 1965 (78 Stat; 897; 16 U.S.C. 460z)" and substituting "chapter 2003 of title 54, United States Code";

(B) by striking "the National Historic Preservation Act of 1966 (80 Stat. 915; 16 U.S.C. 470)" and substituting "division A of subtitle III of title 54, United States Code"; and

(C) by striking "the Urban Park and Recreation Recovery Act of 1978 (92 Stat. 3538; 16 U.S.C. 2501, et seq.)" and substituting "chapter 2005 of title 54, United States Code".

(4) The paragraph under the heading "NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION FUND" under the heading "UNITED STATES FISH AND WILDLIFE SERVICE" in Public Law 103–138 (43 U.S.C. 1474b–1) is omitted by striking "the Act of July 27, 1990 (Public Law 101–337)" and substituting "subchapter II of chapter 1007 of title 54, United States Code,".

(5) Section 7(e)(3) of the Colorado River Floodway Protection Act (43 U.S.C. 1600e(e)(3)) is amended by striking "the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4 through 11)" and substituting "chapter 2003 of title 54, United States Code".

(6) Section 202(c)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(9)) is amended by striking "the Act of September 3, 1964 (78 Stat. 897), as amended" and substituting "chapter 2003 of title 54, United States Code".

(7) Section 204(j) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714(j)) is amended by striking "the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 431–433)" and substituting "chapter 3203 of title 54, United States Code".

(8) Section 201(d)(3)(E) of the Consolidated Natural Resources Act of 2008 (43 U.S.C. 1786(d)(3)(E)) is amended by striking "the National Historic Preservation Act (16 U.S.C. 470 et seq.)" and substituting "division A of subtitle III of title 54, United States Code,".

(9) Section 206 of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305) is amended—

(A) in subsection (e), by striking "the Land and Water Conservation Fund Act (16 U.S.C. 460l–4 et seq.)" and substituting "chapter 2003 of title 54, United States Code"; and

(B) in subsection (f)(2), by striking "section 3 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6)" and substituting "section 200303 of title 54, United States Code".

(m) TITLE 45, UNITED STATES CODE.—

(1) Section 1168(a) of the Omnibus Budget Reconciliation Act of 1981 (45 U.S.C. 1111(a)) is amended by striking "the National Historic Preservation Act" and substituting "division A of subtitle III of title 54, United States Code".

(2) Section 613(a) of the Alaska Railroad Transfer Act of 1982 (45 U.S.C. 1212(a)) is amended by striking "the National Historic Preservation Act (16 U.S.C. 470 et seq.)" and substituting "division A of subtitle III of title 54, United States Code".

(n) TITLE 46, UNITED STATES CODE.—Section 13102(b)(2) of title 46, United States Code, is amended by striking "the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–4—460–11)" and substituting "chapter 2003 of title 54, United States Code,".

(o) TITLE 48, UNITED STATES CODE.—

(1) Section 105(l) of Public Law 99–239 (known as the Compact of Free Association Amendments Act of 2003) (48 U.S.C. 1905(l)) is amended by striking "the National Historic Preservation Act (80 Stat. 915; 16 U.S.C. 470–470t)" and substituting "division A of subtitle III of title 54, United States Code".

(2) Section 105(j) of Public Law 108–188 (known as the Compact of Free Association Act of 1985) (48 U.S.C. 1921(d)) is amended by striking "the National Historic Preservation Act (80 Stat. 915; 16 U.S.C. 470–470t)" and substituting "division A of subtitle III of title 54, United States Code".

(p) TITLE 49, UNITED STATES CODE.—Section 303(d)(2) of title 49, United States Code, is amended by striking "section 106 of the National Historic Preservation Act (16 U.S.C. 470f)" and substituting "section 306108 of title 54, United States Code".

SEC. 6. TRANSITIONAL AND SAVINGS PROVISIONS.

(a) DEFINITIONS.—In this section:

(1) SOURCE PROVISION.—The term "source provision" means a provision of law that is replaced by a title 54 provision.

(2) TITLE 54 PROVISION.—The term "title 54 provision" means a provision of title 54, United States Code, that is enacted by section 3.

(b) CUTOFF DATE.—The title 54 provisions replace certain provisions of law enacted on or before January 15, 2013. If a law enacted after that date amends or repeals a source provision, that law is deemed to amend or repeal, as the case may be, the corresponding title 54 provision. If a law enacted after that date is otherwise inconsistent with a title 54 provision or a provision of this Act, that law supersedes the title 54 provision or provision of this Act to the extent of the inconsistency.

(c) ORIGINAL DATE OF ENACTMENT UNCHANGED.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, a title 54 provision is deemed to have been enacted on the date of enactment of the source provision that the title 54 provision replaces.

(d) REFERENCES TO TITLE 54 PROVISIONS.—A reference to a title 54 provision is deemed to refer to the corresponding source provision.

(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 54 provision.

(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding title 54 provision.

(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding title 54 provision.

54 USC note prec. 100101.

SEC. 7. REPEALS.

The following provisions of law are repealed, except with respect to rights and duties that matured, penalties that were incurred,

or proceedings that were begun before the date of enactment of this Act:

Schedule of Laws Repealed

Act	Section	United States Code Former Classification
Act of February 15, 1901 (ch. 372 relating to System units)	.....	16 U.S.C. 79.
Act of June 8, 1906 (ch. 3060) ...	1	16 U.S.C. 433.
	2	16 U.S.C. 431.
	3	16 U.S.C. 432.
	4	16 U.S.C. 432.
Act of March 4, 1911 (ch. 238 (4th and last paragraphs (relating to System units) under heading "IMPROVEMENT OF THE NATIONAL FOREST" under heading "FOREST SERVICE") ...	.....	16 U.S.C. 5.
Act of August 25, 1916 (ch. 408)	1	16 U.S.C. 1.
	2	16 U.S.C. 2.
	3	16 U.S.C. 3.
	4	16 U.S.C. 4.
Act of June 12, 1917 (ch. 27)	1 (21st undesignated paragraph under heading "NATIONAL PARKS").	16 U.S.C. 452.
Act of June 5, 1920 (ch. 235)	1 (2d undesignated paragraph under heading "NATIONAL PARKS").	16 U.S.C. 6.
Act of May 24, 1922 (ch. 199)	(1st sentence in 9th undesignated paragraph under heading "NATIONAL PARKS").	16 U.S.C. 452.
Act of April 9, 1924 (ch. 86)	1	16 U.S.C. 8.
	4	16 U.S.C. 8a.
	5	16 U.S.C. 8b.
	6	16 U.S.C. 8c.
Act of May 10, 1926 (ch. 277)	1 (28th undesignated paragraph under heading "NATIONAL PARKS").	16 U.S.C. 456.
	1 (last undesignated paragraph under heading "NATIONAL PARKS").	16 U.S.C. 11.
Act of June 11, 1926 (ch. 555) ...	1	16 U.S.C. 455.
	2	16 U.S.C. 455a.
	3	16 U.S.C. 455b.
	4	16 U.S.C. 455c.
Act of July 3, 1926 (ch. 792)	1	16 U.S.C. 12.
	2	16 U.S.C. 13.
Act of February 1, 1928 (ch. 15)	.....	16 U.S.C. 457.
Act of March 7, 1928 (ch. 137) ..	1 (28th undesignated paragraph under heading "NATIONAL PARK SERVICE").	16 U.S.C. 15.

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
Act of March 8, 1928 (ch. 152) ..	.....	16 U.S.C. 458.
Act of April 18, 1930 (ch. 187) ...	.....	16 U.S.C. 16.
Act of May 26, 1930 (ch. 324)	1	16 U.S.C. 17.
	3	16 U.S.C. 17b.
	4	16 U.S.C. 17c.
	5	16 U.S.C. 17d.
	6	16 U.S.C. 17e.
	7	16 U.S.C. 17f.
	8	16 U.S.C. 17g.
	9	16 U.S.C. 17h.
	10	16 U.S.C. 17i.
	11	16 U.S.C. 17j.
Act of March 4, 1931 (ch. 522) ..	title I (proviso in last undesignated paragraph under heading "NATIONAL PARK SERVICE").	16 U.S.C. 9a.
Act of March 2, 1933 (ch. 180) ..	1	16 U.S.C. 9a.
Act of May 9, 1935 (ch. 101)	1 (34th undesignated paragraph under heading "NATIONAL PARK SERVICE").	16 U.S.C. 14b, 456a.
Act of August 21, 1935 (ch. 593)	1	16 U.S.C. 461.
	2	16 U.S.C. 462.
	3	16 U.S.C. 463.
	4	16 U.S.C. 464.
	5	16 U.S.C. 465.
	6	16 U.S.C. 466.
	7	16 U.S.C. 467.
Act of June 23, 1936 (ch. 735) ...	1	16 U.S.C. 17k.
	2	16 U.S.C. 17l.
	3	16 U.S.C. 17m.
	4	16 U.S.C. 17n.
Act of May 10, 1939 (ch. 119)	1 (41st undesignated paragraph under heading "NATIONAL PARK SERVICE").	16 U.S.C. 14a.
Act of June 18, 1940 (ch. 395) ...	1 (proviso in 3d undesignated paragraph under heading "NATIONAL PARK SERVICE").	16 U.S.C. 17j–1.
Act of August 27, 1940 (ch. 690)	1	16 U.S.C. 458a.
Act of June 28, 1941 (ch. 259) ...	1 (41st undesignated paragraph under heading "NATIONAL PARK SERVICE").	16 U.S.C. 14c.
Act of August 7, 1946 (ch. 788)	(b) through (g)	16 U.S.C. 17j–2(b) through (g).
	(i), (j)	16 U.S.C. 17j–2(i), (j).
Act of June 3, 1948 (ch. 401)	1	16 U.S.C. 8e.

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
	2	16 U.S.C. 8f.
Act of October 26, 1949 (ch. 755)	1	16 U.S.C. 468.
	2	16 U.S.C. 468a.
	3	16 U.S.C. 468b.
	4	16 U.S.C. 468c.
	5	16 U.S.C. 468d.
Act of March 18, 1950 (ch. 72) ..	1	16 U.S.C. 7a.
	2	16 U.S.C. 7b.
	3	16 U.S.C. 7c.
	4	16 U.S.C. 7d.
	5	16 U.S.C. 7e.
Act of September 14, 1950 (ch. 950)	1 (last sentence proviso relating to national monuments).	16 U.S.C. 431a.
	1 (last sentence proviso relating to national parks).	16 U.S.C. 451a.
Act of August 8, 1953 (ch. 384)	1 (less (3))	16 U.S.C. 1b (less (3)).
	2	16 U.S.C. 1c.
	3	16 U.S.C. 1d.
Act of August 31, 1954 (ch. 1163)		16 U.S.C. 452a.
Act of July 1, 1955 (ch. 259)	1	16 U.S.C. 18f.
	2	16 U.S.C. 18f–2.
	3	16 U.S.C. 18f–3.
Public Law 86–523	2	16 U.S.C. 469a.
	3	16 U.S.C. 469a–1.
	4	16 U.S.C. 469a–2.
	5	16 U.S.C. 469a–3.
	6	16 U.S.C. 469b.
	7	16 U.S.C. 469c.
	8	16 U.S.C. 469c–1.
Public Law 87–608		16 U.S.C. 3b.
Public Law 88–29	1	16 U.S.C. 460l.
	2	16 U.S.C. 460l–1.
	3	16 U.S.C. 460l–2.
	4	16 U.S.C. 460l–3.
Land and Water Conservation Fund Act of 1965 (Pub. L. 88–578)	title I, § 2	16 U.S.C. 460l–5.
	title I, § 3	16 U.S.C. 460l–6.
	title I, § 4(i)(1)(C)	16 U.S.C. 460l–6a(i)(1)(C).
	title I, § 4(j) through (n)	16 U.S.C. 460l–6a(j) through (n).
	title I, § 5	16 U.S.C. 460l–7.
	title I, § 6	16 U.S.C. 460l–8.
	title I, § 7	16 U.S.C. 460l–9.
	title I, § 8	16 U.S.C. 460l–10.
	title I, § 9	16 U.S.C. 460l–10a.
	title I, § 10	16 U.S.C. 460l–10b.
	title I, § 11	16 U.S.C. 460l–10c.
	title I, § 12	16 U.S.C. 460l–10d.
	title I, § 13	16 U.S.C. 460l–10e.
	title II, § 201	16 U.S.C. 460l–11.

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
National Historic Preservation Act (Pub. L. 89–665)	2	16 U.S.C. 470–1.
	101	16 U.S.C. 470a.
	102	16 U.S.C. 470b.
	103	16 U.S.C. 470c.
	104	16 U.S.C. 470d.
	105	16 U.S.C. 470e.
	106	16 U.S.C. 470f.
	107	16 U.S.C. 470g.
	108	16 U.S.C. 470h.
	109	16 U.S.C. 470h–1.
	110	16 U.S.C. 470h–2.
	111	16 U.S.C. 470h–3.
	112	16 U.S.C. 470h–4.
	113	16 U.S.C. 470h–5.
	201	16 U.S.C. 470i.
	202	16 U.S.C. 470j.
	203	16 U.S.C. 470k.
	204	16 U.S.C. 470l.
	205	16 U.S.C. 470m.
	206	16 U.S.C. 470n.
	207	16 U.S.C. 470o.
	208	16 U.S.C. 470p.
	209	16 U.S.C. 470q.
	210	16 U.S.C. 470r.
	211	16 U.S.C. 470s.
	212	16 U.S.C. 470t.
	213	16 U.S.C. 470u.
	214	16 U.S.C. 470v.
	215	16 U.S.C. 470v–1.
	216	16 U.S.C. 470v–2.
	301	16 U.S.C. 470w.
	302	16 U.S.C. 470w–1.
	303	16 U.S.C. 470w–2.
	304	16 U.S.C. 470w–3.
	305	16 U.S.C. 470w–4.
	306	16 U.S.C. 470w–5.
	307	16 U.S.C. 470w–6.
	308	16 U.S.C. 470w–7.
	309	16 U.S.C. 470w–8.
	401	16 U.S.C. 470x.
	402	16 U.S.C. 470x–1.
	403	16 U.S.C. 470x–2.
	404	16 U.S.C. 470x–3.
	405	16 U.S.C. 470x–4.
	406	16 U.S.C. 470x–5.
	407	16 U.S.C. 470x–6.
Demonstration Cities and Metropolitan Development Act of 1966 (Pub. L. 89–754)	603	16 U.S.C. 470b–1.
Public Law 90–209	1	16 U.S.C. 19e.
	2	16 U.S.C. 19f.
	3	16 U.S.C. 19g.
	4	16 U.S.C. 19h.
	5	16 U.S.C. 19i.
	6	16 U.S.C. 19j.
	7	16 U.S.C. 19k.
	8	16 U.S.C. 19l.
	9	16 U.S.C. 19m.
	10	16 U.S.C. 19n.
	11	16 U.S.C. 19o.
Public Law 90–401	5	16 U.S.C. 460l–22.
Volunteers in the Parks Act of 1969 (Pub. L. 91–357)	1	16 U.S.C. 18g.
	2	16 U.S.C. 18h.
	3	16 U.S.C. 18i.
	4	16 U.S.C. 18j.

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
Public Law 91–383	1	16 U.S.C. 1a–1.
	3	16 U.S.C. 1a–2.
	6	16 U.S.C. 1a–3.
	7	16 U.S.C. 1a–4.
	8	16 U.S.C. 1a–5.
	10	16 U.S.C. 1a–6.
	12	16 U.S.C. 1a–7.
	13	16 U.S.C. 1a–7a.
Public Law 94–429	1	16 U.S.C. 1901.
	2	16 U.S.C. 1902.
	4	16 U.S.C. 1903.
	5	16 U.S.C. 1904.
	6	16 U.S.C. 1905.
	7	16 U.S.C. 1906.
	8	16 U.S.C. 1907.
	9	16 U.S.C. 1908.
	10	16 U.S.C. 1909.
	11	16 U.S.C. 1910.
	12	16 U.S.C. 1911.
	13	16 U.S.C. 1912.
Public Law 95–344	title III, § 302	16 U.S.C. 2302.
	title III, § 303	16 U.S.C. 2303.
	title III, § 304	16 U.S.C. 2304.
	title III, § 305	16 U.S.C. 2305.
	title III, § 306	16 U.S.C. 2306.
Urban Park and Recreation Recovery Act of 1978 (Pub. L. 95–625)	title X, § 1004	16 U.S.C. 2503.
	title X, § 1005	16 U.S.C. 2304.
	title X, § 1006	16 U.S.C. 2305.
	title X, § 1007	16 U.S.C. 2306.
	title X, § 1008	16 U.S.C. 2307.
	title X, § 1009	16 U.S.C. 2308.
	title X, § 1010	16 U.S.C. 2309.
	title X, § 1011	16 U.S.C. 2310.
	title X, § 1012	16 U.S.C. 2311.
	title X, § 1013	16 U.S.C. 2312.
	title X, § 1014	16 U.S.C. 2313.
	title X, § 1015	16 U.S.C. 2314.
Public Law 96–199	title I, § 120	16 U.S.C. 467b.
National Historic Preservation Act Amendments of 1980 (Pub. L. 96–515)	208	16 U.S.C. 469c–2.
	401	16 U.S.C. 470a–1.
	402	16 U.S.C. 470a–2.
Public Law. 98–473	title I, § 101(c) [title I, § 100]	16 U.S.C. 1e.
Public Law 98–540	4(a)	16 U.S.C. 1a–8(a).
International Security and Development Cooperation Act of 1985 (Pub. L. 99–83)	1303	16 U.S.C. 469j.
Public Law 101–337	1	19jj.
	2	19jj–1.
	3	19jj–2.
	4	19jj–3.
	5	19jj–4.

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
Public Law 101–628	title XII, § 1213	16 U.S.C. 1a–9.
	title XII, § 1214	16 U.S.C. 1a–10.
	title XII, § 1215	16 U.S.C. 1a–11.
	title XII, § 1216	16 U.S.C. 1a–12.
	title XII, § 1217	16 U.S.C. 1a–13.
Department of the Interior and Related Agencies Appropriations Act, 1993 (Pub. L. 102–381)	title I (1st proviso in paragraph under heading "ADMINISTRATIVE PROVISIONS" under heading "NATIONAL PARK SERVICE").	16 U.S.C. 14d.
Public Law 102–525	title III, § 301	16 U.S.C. 1a–14.
Department of the Interior and Related Agencies Appropriations Act, 1994 (Pub. L. 103–138)	title I (3d proviso in paragraph under heading "ADMINISTRATIVE PROVISIONS" under heading "NATIONAL PARK SERVICE").	16 U.S.C. 3a.
National Maritime Heritage Act of 1994 (Pub. L. 103–451)	3	16 U.S.C. 5402.
	4	16 U.S.C. 5403.
	5	16 U.S.C. 5404.
	6	16 U.S.C. 5405.
	7	16 U.S.C. 5406.
	8	16 U.S.C. 5407.
	9	16 U.S.C. 5408.
Omnibus Consolidated Appropriations Act, 1997 (Pub. L. 104–208)	div. A, title I, § 101(d) [title I (3d undesignated paragraph under heading "ADMINISTRATIVE PROVISIONS" under heading "NATIONAL PARK SERVICE")].	16 U.S.C. 1g.
Omnibus Parks and Public Lands Management Act of 1996 (Pub. L. 104–333)	div. I, title VI, § 604	16 U.S.C. 469k.
	div. I, title VIII, § 814(a)(2) through (19).	16 U.S.C. 17o(2) through (19).
	div. I, title VIII, § 814(g)	16 U.S.C. 1f.
National Underground Railroad Network to Freedom Act of 1998 (Pub. L. 105–203)	3	16 U.S.C. 469l–1.
	4	16 U.S.C. 469l–2.
	5	16 U.S.C. 469l–3.
Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Pub. L. 105–261)	div. A, title X, § 1068	16 U.S.C. 5409.
National Parks Omnibus Management Act of 1998 (Pub. L. 105–391)	2	16 U.S.C. 5901.
	101	16 U.S.C. 5911.

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
	102	16 U.S.C. 5912.
	103	16 U.S.C. 5913.
	104	16 U.S.C. 5914.
	201	16 U.S.C. 5931.
	202	16 U.S.C. 5932.
	203	16 U.S.C. 5933.
	204	16 U.S.C. 5934.
	205	16 U.S.C. 5935.
	206	16 U.S.C. 5936.
	207	16 U.S.C. 5937.
	402	16 U.S.C. 5951.
	403	16 U.S.C. 5952.
	404	16 U.S.C. 5953.
	405	16 U.S.C. 5954.
	406	16 U.S.C. 5955.
	407	16 U.S.C. 5956.
	408	16 U.S.C. 5957.
	409	16 U.S.C. 5958.
	410	16 U.S.C. 5959.
	411	16 U.S.C. 5960.
	412	16 U.S.C. 5961.
	413	16 U.S C. 5962.
	414	16 U.S.C. 5963.
	416	16 U.S.C. 5964.
	417	16 U.S.C. 5965.
	418	16 U.S.C. 5966.
	501	16 U.S.C. 5981.
	801	16 U.S.C. 6011.
Public Law 106–206	1 (relating to National Park System).	16 U.S.C. 460l–6d (relating to National Park System).
Department of the Interior and Related Agencies Appropriations Act, 2002 (Pub. L. 107–63)	title I (paragraph under heading "CONTRIBUTION FOR ANNUITY BENEFITS" under heading "NATIONAL PARK SERVICE").	16 U.S.C. 14e.
Consolidated Appropriations Resolution, 2003 (Pub. L. 108–7)	div. F, title I (words before proviso in last undesignated paragraph under heading "ADMINISTRATIVE PROVISIONS" under heading "NATIONAL PARK SERVICE").	16 U.S.C. 1h.
	div. F, title I (proviso in last undesignated paragraph under heading "ADMINISTRATIVE PROVISIONS" under heading "NATIONAL PARK SERVICE").	16 U.S.C. 1i.
Consolidated Appropriations Act of 2008 (Pub. L. 110–161)	div. F, title I (1st paragraph under heading "ADMINISTRATIVE PROVISIONS" under heading "NATIONAL PARK SERVICE").	16 U.S.C. 5954 note.
Consolidated Natural Resources Act of 2008 (Pub. L. 110–229)	title III, subtitle A, § 301	16 U.S.C. 1j.
Omnibus Public Land Management Act of 2009 (Pub. L. 111–11)	title VII, subtitle B, § 7111(b)	16 U.S.C. 469m(b).

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
	title VII, subtitle B, § 7111(c)	16 U.S.C. 469m(c).
	title VII, subtitle D, § 7301(b), (c).	16 U.S.C. 469k–1)(b), (c).
	title VII, subtitle D, § 7302(b) through (f).	16 U.S.C. 469n(b) through (f).
	title VII, subtitle D, § 7303 ...	16 U.S.C. 469o.
Credit Card Accountability Responsibility and Disclosure Act of 2009 (Pub. L. 111–24) ..	title V, § 512 (relating to National Park System).	16 U.S.C. 1a–7b (relating to National Park System).

Approved December 19, 2014.

LEGISLATIVE HISTORY—H.R. 1068:

HOUSE REPORTS: No. 113–44 (Comm. on the Judiciary).
CONGRESSIONAL RECORD:
Vol. 159 (2013): Apr. 23, considered and passed House.
Vol. 160 (2014): Dec. 15, considered and passed Senate.

Public Law 113–288
113th Congress

An Act

To amend the Hobby Protection Act to make unlawful the provision of assistance or support in violation of that Act, and for other purposes.

Dec. 19, 2014
[H.R. 2754]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Collectible Coin Protection Act. 15 USC 2101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Collectible Coin Protection Act".

SEC. 2. PROVISION OF ASSISTANCE OR SUPPORT.

The Hobby Protection Act (15 U.S.C. 2101 et seq.) is amended—

15 USC 2101.

(1) in section 2—

(A) in subsection (b), by inserting ", or the sale in commerce" after "distribution in commerce";

(B) by redesignating subsection (d) as subsection (e) and inserting after subsection (c) the following:

"(d) PROVISION OF ASSISTANCE OR SUPPORT.—It shall be a violation of subsection (a) or (b) for a person to provide substantial assistance or support to any manufacturer, importer, or seller if that person knows or should have known that the manufacturer, importer, or seller is engaged in any act or practice that violates subsection (a) or (b)."; and

(C) in subsection (e) (as so redesignated), by striking "and (b)" and inserting "(b), and (d)";

15 USC 2102.

(2) in section 3—

(A) by striking "If any person" and inserting "(a) IN GENERAL.—If any person";

(B) by striking "or has an agent" and inserting ", has an agent, transacts business, or wherever venue is proper under section 1391 of title 28, United States Code"; and

(C) by adding at the end the following:

"(b) TRADEMARK VIOLATIONS.—If the violation of section 2 (a) or (b) or a rule under section 2(c) also involves unauthorized use of registered trademarks belonging to a collectibles certification service, the owner of such trademarks shall have, in addition to the remedies provided in subsection (a), all rights provided under sections 34, 35, and 36 of the Trademark Act of 1946 (15 U.S.C. 1116, 1117, and 1118) for violations of such Act."; and

Definitions. 15 USC 2106.

(3) in section 7, by adding at the end the following:

"(8) The term 'collectibles certification service' means a person recognized by collectors for providing independent certification that collectible items are genuine.

"(9) The term 'Trademark Act of 1946' means the Act entitled 'An Act to provide for the registration and protection

of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes', approved July 5, 1946 (15 U.S.C. 1051 et seq.).".

Approved December 19, 2014.

LEGISLATIVE HISTORY—H.R. 2754:

CONGRESSIONAL RECORD:
Vol. 159 (2013): July 30, considered and passed House.
Vol. 160 (2014): Dec. 15, considered and passed Senate.

Public Law 113–289
113th Congress

An Act

To strengthen implementation of the Senator Paul Simon Water for the Poor Act of 2005 by improving the capacity of the United States Government to implement, leverage, and monitor and evaluate programs to provide first-time or improved access to safe drinking water, sanitation, and hygiene to the world's poorest on an equitable and sustainable basis, and for other purposes.

Dec. 19, 2014
[H.R. 2901]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Senator Paul Simon Water for the World Act of 2014.
22 USC 2151 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Senator Paul Simon Water for the World Act of 2014".

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) water and sanitation are critically important resources that impact many other aspects of human life; and

(2) the United States should be a global leader in helping provide sustainable access to clean water and sanitation for the world's most vulnerable populations.

SEC. 3. CLARIFICATION OF ASSISTANCE TO PROVIDE SAFE WATER AND SANITATION TO INCLUDE HYGIENE.

Chapter 1 of part I of the Foreign Assistance Act of 1961 is amended—

(1) by redesignating section 135 (22 U.S.C. 2152h), as added by section 5(a) of the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121; 22 U.S.C. 2152h note), as section 136; and

(2) in section 136, as redesignated—

(A) in the section heading, by striking "**AND SANITATION**" and inserting "**, SANITATION, AND HYGIENE**"; and

(B) in subsection (b), by striking "and sanitation" and inserting ", sanitation, and hygiene".

SEC. 4. IMPROVING COORDINATION AND OVERSIGHT OF SAFE WATER, SANITATION AND HYGIENE PROJECTS AND ACTIVITIES.

Section 136 of the Foreign Assistance Act of 1961, as redesignated and amended by this Act, is further amended by adding at the end the following:

"(e) COORDINATION AND OVERSIGHT.—

"(1) USAID GLOBAL WATER COORDINATOR.—

"(A) DESIGNATION.—The Administrator of the United States Agency for International Development (referred to in this paragraph as 'USAID') or the Administrator's designee, who shall be a current USAID employee serving

in a career or non-career position in the Senior Executive Service or at the level of a Deputy Assistant Administrator or higher, shall serve concurrently as the USAID Global Water Coordinator (referred to in this subsection as the 'Coordinator').

"(B) SPECIFIC DUTIES.—The Coordinator shall—

"(i) provide direction and guidance to, coordinate, and oversee the projects and programs of USAID authorized under this section;

"(ii) lead the implementation and revision, not less frequently than once every 5 years, of USAID's portion of the Global Water Strategy required under subsection (j);

"(iii) seek—

"(I) to expand the capacity of USAID, subject to the availability of appropriations, including through the designation of a lead subject matter expert selected from among USAID staff in each high priority country designated pursuant to subsection (h);

"(II) to implement such programs and activities;

"(III) to take advantage of economies of scale; and

"(IV) to conduct more efficient and effective projects and programs;

"(iv) coordinate with the Department of State and USAID staff in each high priority country designated pursuant to subsection (h) to ensure that USAID activities and projects, USAID program planning and budgeting documents, and USAID country development strategies reflect and seek to implement—

"(I) the safe water, sanitation, and hygiene objectives established in the strategy required under subsection (j), including objectives relating to the management of water resources; and

"(II) international best practices relating to—

"(aa) increasing access to safe water and sanitation;

"(bb) conducting hygiene-related activities; and

"(cc) ensuring appropriate management of water resources; and

"(v) develop appropriate benchmarks, measurable goals, performance metrics, and monitoring and evaluation plans for USAID projects and programs authorized under this section.

"(2) DEPARTMENT OF STATE SPECIAL COORDINATOR FOR WATER RESOURCES.—

"(A) DESIGNATION.—The Secretary of State or the Secretary's designee, who shall be a current employee of the Department of State serving in a career or non-career position in the Senior Executive Service or at the level of a Deputy Assistant Secretary or higher, shall serve concurrently as the Department of State Special Advisor for Water Resources (referred to in this paragraph as the 'Special Advisor').

"(B) SPECIFIC DUTIES.—The Special Advisor shall—

"(i) provide direction and guidance to, coordinate, and oversee the projects and programs of the Department of State authorized under this section;

"(ii) lead the implementation and revision, not less than every 5 years, of the Department of State's portion of the Global Water Strategy required under subsection (j);

"(iii) prioritize and coordinate the Department of State's international engagement on the allocation, distribution, and access to global fresh water resources and policies related to such matters;

"(iv) coordinate with United States Agency for International Development and Department of State staff in each high priority country designated pursuant to subsection (h) to ensure that United States diplomatic efforts related to safe water, sanitation, and hygiene, including efforts related to management of water resources and watersheds and the resolution of intra- and trans-boundary conflicts over water resources, are consistent with United States national interests; and

"(v) represent the views of the United States Government on the allocation, distribution, and access to global fresh water resources and policies related to such matters in key international fora, including key diplomatic, development-related, and scientific organizations.

"(3) ADDITIONAL NATURE OF DUTIES AND RESTRICTION ON ADDITIONAL OR SUPPLEMENTAL COMPENSATION.—The responsibilities and specific duties of the Administrator of the United States Agency for International Development (or the Administrator's designee) and the Secretary of State (or the Secretary's designee) under paragraph (2) or (3), respectively, shall be in addition to any other responsibilities or specific duties assigned to such individuals. Such individuals shall receive no additional or supplemental compensation as a result of carrying out such responsibilities and specific duties under such paragraphs.".

SEC. 5. PROMOTING THE MAXIMUM IMPACT AND LONG-TERM SUSTAINABILITY OF USAID SAFE WATER, SANITATION, AND HYGIENE-RELATED PROJECTS AND PROGRAMS.

Section 136 of the Foreign Assistance Act of 1961, as redesignated and amended by this Act, is further amended by adding at the end the following:

"(f) PRIORITIES AND CRITERIA FOR MAXIMUM IMPACT AND LONG-TERM SUSTAINABILITY.—The Administrator of the United States Agency for International Development shall ensure that the Agency for International Development's projects and programs authorized under this section are designed to achieve maximum impact and long-term sustainability by—

"(1) prioritizing countries on the basis of the following clearly defined criteria and indicators, to the extent sufficient empirical data are available—

"(A) the proportion of the population using an unimproved drinking water source;

"(B) the total population using an unimproved drinking water source;

"(C) the proportion of the population without piped water access;

"(D) the proportion of the population using shared or other unimproved sanitation facilities;

"(E) the total population using shared or other unimproved sanitation facilities;

"(F) the proportion of the population practicing open defecation;

"(G) the total number of children younger than 5 years of age who died from diarrheal disease;

"(H) the proportion of all deaths of children younger than 5 years of age resulting from diarrheal disease;

"(I) the national government's capacity, capability, and commitment to work with the United States to improve access to safe water, sanitation, and hygiene, including—

"(i) the government's capacity and commitment to developing the indigenous capacity to provide safe water and sanitation without the assistance of outside donors; and

"(ii) the degree to which such government—

"(I) identifies such efforts as a priority; and

"(II) allocates resources to such efforts;

"(J) the availability of opportunities to leverage existing public, private, or other donor investments in the water, sanitation, and hygiene sectors, including investments in the management of water resources; and

"(K) the likelihood of making significant improvements on a per capita basis on the health and educational opportunities available to women as a result of increased access to safe water, sanitation, and hygiene, including access to appropriate facilities at primary and secondary educational institutions seeking to ensure that communities benefitting from such projects and activities develop the indigenous capacity to provide safe water and sanitation without the assistance of outside donors;

"(2) prioritizing and measuring, including through rigorous monitoring and evaluating mechanisms, the extent to which such project or program—

"(A) furthers significant improvements in—

"(i) the criteria set forth in subparagraphs (A) through (H) of paragraph (1);

"(ii) the health and educational opportunities available to women as a result of increased access to safe water, sanitation, and hygiene, including access to appropriate facilities at primary and secondary educational institutions; and

"(iii) the indigenous capacity of the host nation or community to provide safe water and sanitation without the assistance of outside donors;

"(B) is designed, as part of the provision of safe water and sanitation to the local community—

"(i) to be financially independent over the long term, focusing on local ownership and sustainability;

"(ii) to be undertaken in conjunction with relevant public institutions or private enterprises;

"(iii) to identify and empower local individuals or institutions to be responsible for the effective management and maintenance of such project or program; and

"(iv) to provide safe water or expertise or capacity building to those identified parties or institutions for the purposes of developing a plan and clear responsibilities for the effective management and maintenance of such project or program;

"(C) leverages existing public, private, or other donor investments in the water, sanitation, and hygiene sectors, including investments in the management of water resources;

"(D) avoids duplication of efforts with other United States Government agencies or departments or those of other nations or nongovernmental organizations;

"(E) coordinates such efforts with the efforts of other United States Government agencies or departments or those of other nations or nongovernmental organizations directed at assisting refugees and other displaced individuals; and

"(F) involves consultation with appropriate stakeholders, including communities directly affected by the lack of access to clean water, sanitation or hygiene, and other appropriate nongovernmental organizations; and

"(3) seeking to further the strategy required under subsection (j) after 2018.

"(g) USE OF CURRENT AND IMPROVED EMPIRICAL DATA COLLECTION AND REVIEW OF NEW STANDARDIZED INDICATORS.—

"(1) IN GENERAL.—The Administrator of the United States Agency for International Development is authorized to use current and improved empirical data collection—

"(A) to meet the health-based prioritization criteria established pursuant to subsection (f)(1); and

"(B) to review new standardized indicators in evaluating progress towards meeting such criteria.

"(2) CONSULTATION AND NOTICE.—The Administrator shall—

"(A) regularly consult with the appropriate congressional committees; and

"(B) notify such committees not later than 30 days before using current or improved empirical data collection for the review of any new standardized indicators under paragraph (1) for the purposes of carrying out this section. Deadline.

"(h) DESIGNATION OF HIGH PRIORITY COUNTRIES.—

"(1) INITIAL DESIGNATION.—Not later than October 1, 2015, the President shall— Deadline. President.

"(A) designate, on the basis of the criteria set forth in subsection (f)(1) not fewer than 10 countries as high priority countries to be the primary recipients of United States Government assistance authorized under this section during fiscal year 2016; and

"(B) notify the appropriate congressional committees of such designations. Notification.

"(2) ANNUAL DESIGNATIONS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the President shall annually make new designations pursuant to the criteria set forth in paragraph (1).

"(B) DESIGNATIONS AFTER FISCAL YEAR 2018.—Beginning with fiscal year 2019, designations under paragraph (1) shall be made—

"(i) based upon the criteria set forth in subsection (f)(1); and

"(ii) in furtherance of the strategy required under subsection (j).

"(i) TARGETING OF PROJECTS AND PROGRAMS TO AREAS OF GREATEST NEED.—

Deadline. Notification.

"(1) IN GENERAL.—Not later than 15 days before the obligation of any funds for water, sanitation, or hygiene projects or programs pursuant to this section in countries that are not ranked in the top 50 countries based upon the WASH Needs Index, the Administrator of the United States Agency for International Development shall notify the appropriate congressional committees of the planned obligation of such funds.

"(2) DEFINED TERM.—In this subsection and in subsection (j), the term 'WASH Needs Index' means the needs index for water, sanitation, or hygiene projects or programs authorized under this section that has been developed using the criteria and indicators described in subparagraphs (A) through (H) of subsection (f)(1).".

SEC. 6. UNITED STATES STRATEGY TO INCREASE APPROPRIATE LONG-TERM SUSTAINABILITY AND ACCESS TO SAFE WATER, SANITATION, AND HYGIENE.

(a) IN GENERAL.—Section 136 of the Foreign Assistance Act of 1961, as redesignated and amended by this Act, is further amended by adding at the end the following:

"(j) GLOBAL WATER STRATEGY.—

Deadlines.

"(1) IN GENERAL.—Not later than October 1, 2017, October 1, 2022, and October 1, 2027, the President, acting through the Secretary of State, the Administrator of the United States Agency for International Development, and the heads of other Federal departments and agencies, as appropriate, shall submit a single government-wide Global Water Strategy to the appropriate congressional committees that provides a detailed description of how the United States intends—

"(A) to increase access to safe water, sanitation, and hygiene in high priority countries designated pursuant to subsection (h), including a summary of the WASH Needs Index and the specific weighting of empirical data and other definitions used to develop and rank countries on the WASH Needs Index;

"(B) to improve the management of water resources and watersheds in such countries; and

"(C) to work to prevent and resolve, to the greatest degree possible, both intra- and trans-boundary conflicts over water resources in such countries.

"(2) AGENCY-SPECIFIC PLANS.—The Global Water Strategy shall include an agency-specific plan—

"(A) from the United States Agency for International Development that describes specifically how the Agency for International Development will—

"(i) carry out the duties and responsibilities assigned to the Global Water Coordinator under subsection (e)(1);

"(ii) ensure that the Agency for International Development's projects and programs authorized under this section are designed to achieve maximum impact and long-term sustainability, including by implementing the requirements described in subsection (f); and

"(iii) increase access to safe water, sanitation, and hygiene in high priority countries designated pursuant to subsection (h);

"(B) from the Department of State that describes specifically how the Department of State will—

"(i) carry out the duties and responsibilities assigned to the Special Coordinator for Water Resources under subsection (e)(2); and

"(ii) ensure that the Department's activities authorized under this section are designed—

"(I) to improve management of water resources and watersheds in countries designated pursuant to subsection (h); and

"(II) to prevent and resolve, to the greatest degree possible, both intra- and trans-boundary conflicts over water resources in such countries; and

"(C) from other Federal departments and agencies, as appropriate, that describes the contributions of the departments and agencies to implementing the Global Water Strategy.

"(3) INDIVIDUALIZED PLANS FOR HIGH PRIORITY COUNTRIES.—For each high priority country designated pursuant to subsection (h), the Administrator of the United States Agency for International Development shall—

"(A) develop a costed, evidence-based, and results-oriented plan that—

"(i) seeks to achieve the purposes of this section; and

"(ii) meets the requirements under subsection (f); and

"(B) include such plan in an appendix to the Global Water Strategy required under paragraph (1).

"(4) FIRST TIME ACCESS REPORTING REQUIREMENT.—The Global Water Strategy shall specifically describe the target percentage of funding for each fiscal year covered by such strategy to be directed toward projects aimed at providing first-time access to safe water and sanitation.

"(5) PERFORMANCE INDICATORS.—The Global Water Strategy shall include specific and measurable goals, benchmarks, performance metrics, timetables, and monitoring and evaluation plans required to be developed by the Administrator of the United States Agency for International Development pursuant to subsection (e)(1)(B)(v).

"(6) CONSULTATION AND BEST PRACTICES.—The Global Water Strategy shall—

"(A) be developed in consultation with the heads of other appropriate Federal departments and agencies; and

"(B) incorporate best practices from the international development community.

"(k) DEFINITIONS.—In this section—

"(1) the term 'appropriate congressional committees' means—

"(A) the Committee on Foreign Relations of the Senate;

"(B) the Committee on Appropriations of the Senate;

"(C) the Committee on Foreign Affairs of the House of Representatives; and

"(D) the Committee on Appropriations of the House of Representatives; and

"(2) the term 'long-term sustainability' refers to the ability of a service delivery system, community, partner, or beneficiary to maintain, over time, any water, sanitation, or hygiene project that receives funding pursuant to the amendments made by the Senator Paul Simon Water for the World Act of 2014.".

Deadline.

(b) DEPARTMENT OF STATE AGENCY-SPECIFIC PLAN.—Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit an agency-specific plan to the appropriate congressional committees (as defined in section 136(k) of the Foreign Assistance Act of 1961, as added by subsection (a)) that meets the requirements of section 136(j)(2)(B) of such Act, as added by subsection (a).

Repeal.

(c) CONFORMING AMENDMENT.—Section 6 of the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121; 22 U.S.C. 2152h note) is repealed.

Approved December 19, 2014.

LEGISLATIVE HISTORY—H.R. 2901:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 8, considered and passed House.
Dec. 15, considered and passed Senate.

Public Law 113–290
113th Congress

An Act

To amend the Act of October 19, 1973, concerning taxable income to members of the Grand Portage Band of Lake Superior Chippewa Indians.

Dec. 19, 2014
[H.R. 3608]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Grand Portage Band Per Capita Adjustment Act. 25 USC 1401 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Grand Portage Band Per Capita Adjustment Act".

SEC. 2. EQUAL TREATMENT OF CERTAIN PER CAPITA INCOME FOR PURPOSES OF FEDERAL ASSISTANCE.

Paragraph (4) of section 7 of the Act of October 19, 1973 (25 U.S.C. 1407(4)) is amended by striking "pursuant to the agreements of such Band" and inserting "or the Grand Portage Band of Lake Superior Chippewa Indians, or both, pursuant to the agreements of each Band".

Approved December 19, 2014.

LEGISLATIVE HISTORY—H.R. 3608:

HOUSE REPORTS: No. 113–625, Pt. 1 (Comm. on Natural Resources).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Nov. 17, considered and passed House.
Dec. 16, considered and passed Senate.

Public Law 113–291
113th Congress

An Act

Dec. 19, 2014
[H.R. 3979]

To authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015.

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the "Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015".

(b) FINDINGS.—Congress makes the following findings:

(1)(A) Senator Carl Levin of Michigan was elected a member of the United States Senate on November 7, 1978, for a full term beginning January 3, 1979. He has served continuously in the Senate since that date, and was appointed as a member of the Committee on Armed Services in January 1979. He has served on the Committee on Armed Services since that date, a period of nearly 36 years.

(B) A graduate of Detroit Central High School, Senator Levin went on to Swarthmore College, and graduated from Harvard Law School in 1959, gaining admittance to the Michigan bar. He served his State as assistant attorney general and general counsel of the Michigan Civil Rights Commission from 1964–1967, and later served his hometown of Detroit as a member of the Detroit City Council from 1969–1973, and as the council's president from 1974–1977.

(C) Senator Levin first served as chairman of the Committee on Armed Services of the United States Senate for a period of the 107th Congress, and has remained chairman since the 110th Congress began in 2007. He has exercised extraordinary leadership as either the chairman or ranking minority member of the committee since the start of the 105th Congress in 1997.

(D) Each year, for the past 52 years, the Committee on Armed Services has reliably passed an annual defense authorization act, and this will be the 36th that Senator Levin has had a role in. In his capacity as member, ranking member, and chairman, he has been an advocate for a strong national defense, and has made lasting contributions to the security of our Nation.

(E) It is altogether fitting and proper that this Act, the last annual authorization act for the national defense that Senator Levin manages in and for the United States Senate

as chairman of the Committee on Armed Services, be named in his honor, as provided in subsection (a).

(2)(A) Representative Howard P. "Buck" McKeon was elected to the House of Representatives in 1992 to represent California's 25th Congressional District.

(B) Chairman McKeon was born in Los Angeles and grew up in Tujunga CA. He served a two and a half year mission for the Church of Jesus Christ of Latter-Day Saints and attended Brigham Young University. Prior to his election to Congress, he was a small business owner, and served both on the William S. Hart Union High School District Board of Trustees and as the first mayor of the City of Santa Clarita.

(C) In the 111th Congress, Chairman McKeon was selected by his peers as the Ranking Member of the House Armed Services Committee and has served as Chairman since in the 112th and 113th Congresses. Previously Chairman McKeon had served as the Chairman of the House Committee on Education and the Workforce.

(D) Chairman McKeon is a champion of a strong national defense, the men and women of America's Armed Forces and their families, and returning fiscal discipline to the Department of Defense. His priority has been to ensure our troops deployed around the world have the equipment, resources, authorities, training and time they need to successfully complete their missions and return home.

(E) For 52 consecutive years, the House Armed Services Committee, in a bipartisan, bicameral tradition, has passed and enacted an annual defense authorization act. Chairman McKeon had said it has been the privilege of his life to shepherd that tradition under his tenure.

(F) It is therefore fitting this Act, the last national defense authorization act of his tenure, be named in Chairman McKeon's honor, as provided in subsection (a).

(c) REFERENCES.—Any reference in this or any other Act to the "National Defense Authorization Act for Fiscal Year 2015" shall be deemed to refer to the "Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015".

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Definition.
10 USC 101 note.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

In this Act, the term "congressional defense committees" has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purposes of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.

SEC. 5. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act, printed in the House section of the Congressional Record on or about December 3, 2014, by the Chairman of the Committee on Armed Services of the House of Representatives and the Chairman of the Committee

on Armed Services of the Senate, shall have the same effect with respect to the implementation of this Act as if it were a joint explanatory statement of a committee of conference.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Subtitle B—Army Programs

Subtitle C—Navy Programs

Subtitle D—Air Force Programs

Subtitle E—Defense-Wide, Joint, and Multiservice Matters

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2015 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. PLAN ON MODERNIZATION OF UH–60A AIRCRAFT OF ARMY NATIONAL GUARD.

Deadline.

(a) PLAN.—Not later than March 15, 2015, the Secretary of the Army shall submit to the congressional defense committees a prioritized plan for modernizing the entire fleet of UH–60A aircraft of the Army National Guard.

(b) ADDITIONAL ELEMENTS.—The plan under subsection (a) shall set forth the following:

(1) A detailed timeline for the modernization of the entire fleet of UH–60A aircraft of the Army National Guard.

(2) The number of UH–60L, UH–60L Digital, and UH–60M aircraft that the Army National Guard will possess upon completion of such modernization plan.

(3) The cost, by year, associated with such modernization plan.

Subtitle C—Navy Programs

SEC. 121. CONSTRUCTION OF SAN ANTONIO CLASS AMPHIBIOUS SHIP.

Contracts.

(a) IN GENERAL.—The Secretary of the Navy may enter into a contract beginning with the fiscal year 2015 program year for the procurement of one San Antonio class amphibious ship. The Secretary may employ incremental funding for such procurement.

(b) CONDITION ON OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under such contract for any fiscal year after fiscal year 2015 is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 122. LIMITATION ON AVAILABILITY OF FUNDS FOR MISSION MODULES FOR LITTORAL COMBAT SHIP.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the procurement of additional mission modules for the Littoral Combat Ship program may be obligated or expended until the Secretary of the Navy submits to the congressional defense committees each of the following:

(1) The Milestone B program goals for cost, schedule, and performance for each module.

(2) Certification by the Director of Operational Test and Evaluation with respect to the total number for each module type that is required to perform all necessary operational testing.

SEC. 123. EXTENSION OF LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.

Section 124(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 693) is amended by striking "this Act or otherwise made available for fiscal year 2014" and inserting "this Act, the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015, or otherwise made available for fiscal years 2014 or 2015".

SEC. 124. REPORT ON TEST EVALUATION MASTER PLAN FOR LITTORAL COMBAT SHIP SEAFRAMES AND MISSION MODULES.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Director of Operational Test and Evaluation shall submit to the congressional defense committees a report on the test evaluation master plan for the seaframes and mission modules for the Littoral Combat Ship program.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of the progress of the Navy with respect to the test evaluation master plan.

(2) An assessment of whether or not completion of the test evaluation master plan will demonstrate operational effectiveness and operational suitability for both seaframes and each mission module.

SEC. 125. AIRBORNE ELECTRONIC ATTACK CAPABILITIES.

(a) IN GENERAL.—The Secretary of the Navy shall ensure that the Navy retains the option of procuring more EA–18G aircraft in the event that the Secretary determines that further analysis of airborne electronic attack force structure indicates that the Navy should make such a procurement.

(b) BRIEFING.—Not later than March 2, 2015, the Secretary shall provide to the congressional defense committees a briefing on— Deadline.

(1) the options available to the Navy for ensuring that the Navy will not be precluded from procuring more EA–18G aircraft based on a determination made under subsection (a); and

(2) an update on the progress of the Navy in conducting an analysis of emerging requirements for airborne electronic attack.

Subtitle D—Air Force Programs

SEC. 131. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF MQ–1 PREDATOR AIRCRAFT.

(a) PROHIBITION.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Air Force may be used during fiscal year 2015 to retire any MQ–1 Predator aircraft.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to a damaged MQ–1 Predator aircraft if the Secretary determines that repairing such aircraft is not economically viable.

SEC. 132. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF U–2 AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense may be obligated or expended to make significant changes to retire, prepare to retire, or place in storage U–2 aircraft.

SEC. 133. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF A–10 AIRCRAFT.

(a) PROHIBITION ON RETIREMENT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Air Force may be obligated or expended

to retire, prepare to retire, or place in storage any A–10 aircraft, except for such aircraft the Secretary of the Air Force, as of April 9, 2013, planned to retire.

(b) LIMITATION ON MANNING LEVELS.—

(1) IN GENERAL.—Except as provided under paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Air Force may be obligated or expended to make significant changes to manning levels with respect to any A–10 aircraft squadrons.

(2) EXCEPTION.—

(A) BACK UP FLYING STATUS.—The Secretary of Defense may authorize the Secretary of the Air Force to move up to 36 A–10 aircraft in the active component to backup flying status, and make conforming personnel adjustments, for the duration of fiscal year 2015 if—

(i) on or before the date that is 45 days after the date of the enactment of this Act, the Secretary of Defense submits to the congressional defense committees the certification described in subparagraph (B); and

(ii) a period of 30 days has elapsed following the date of such submittal.

(B) CERTIFICATION.—A certification described in this subparagraph is a certification that the Secretary of Defense has—

(i) received the results of the independent assessment under subsection (c) by the Director of Cost Assessment and Program Evaluation regarding alternative ways to provide manpower during fiscal year 2015 to maintain the fighter fleet of the Air Force and to field F–35 aircraft; and

(ii) determined, after giving consideration to such assessment, that an action to move A–10 aircraft under subparagraph (A) is required to avoid—

(I) significantly degrading the readiness of the fighter fleet of the Air Force; or

(II) significantly delaying the planned fielding of F–35 aircraft.

Deadline.

(c) INDEPENDENT ASSESSMENT.—Not later than 30 days after the date of the enactment of this Act, the Director of Cost Assessment and Program Evaluation shall conduct an independent assessment of alternative ways to provide manpower during fiscal year 2015 to maintain the fighter fleet of the Air Force and to field F–35 aircraft. In conducting such assessment, the Director shall give consideration to the implementation approaches proposed by the Air Force and to other alternatives, including the retirement of other aircraft and the use of civilian or contractor maintainers on an interim basis for A–10 aircraft, F–35 aircraft, or other aircraft.

(d) COMPTROLLER GENERAL STUDY.—

(1) STUDY.—The Comptroller General of the United States shall conduct an independent study of the platforms used to conduct the close air support mission in light of the recommendation of the Air Force to retire the A–10 fleet.

(2) REPORT.—Not later than March 30, 2015, the Comptroller General shall brief the congressional defense committees on the preliminary findings of the study under paragraph (1),

with a report to follow as soon as practicable, that includes an assessment of—

(A) the alternatives considered by the Air Force that led to the recommendation to retire the A–10 fleet, including the relative costs, benefits, and assumptions associated with the alternatives to such retirement;

(B) any capability gaps in close air support that would be created by such retirement and to what extent the Department of Defense has plans to address such capability gaps; and

(C) any capability gaps in air superiority or global strike that could be created by the added cost to the Air Force of retaining the A–10 fleet.

SEC. 134. PROHIBITION ON CANCELLATION OR MODIFICATION OF AVIONICS MODERNIZATION PROGRAM FOR C–130 AIRCRAFT.

(a) PROHIBITION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Air Force may be used to—

(A) take any action to cancel or modify the avionics modernization program of record for C–130 aircraft; or

(B) except as provided by paragraph (2), initiate an alternative communication, navigation, surveillance, and air traffic management program for C–130 aircraft that is designed or intended to replace the avionics modernization program described in subparagraph (A).

(2) EXCEPTION.—The Secretary of Defense may waive the prohibition in paragraph (1)(B) if the Secretary certifies to the congressional defense committees that the program described in such subparagraph is required to operate C–130 aircraft in airspace controlled by the Federal Aviation Administration or airspace controlled by the government of a foreign country.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for operation and maintenance for the Office of the Secretary of the Air Force, not more than 85 percent may be obligated or expended until a period of 15 days has elapsed following the date on which the Secretary of the Air Force certifies to the congressional defense committees that the Secretary has obligated the funds authorized to be appropriated or otherwise made available for fiscal years prior to fiscal year 2015 for the avionics modernization program of record for C–130 aircraft.

SEC. 135. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF AIR FORCE AIRCRAFT.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage any aircraft of the Air Force, except for such aircraft the Secretary of the Air Force planned to retire as of April 9, 2013, until a period of 60 days has elapsed following the date on which the Secretary submits the report under subsection (b)(1).

(b) REPORT.—

(1) IN GENERAL.—The Secretary shall submit to the congressional defense committees a report on the appropriate contributions of the regular Air Force, the Air National Guard, and the Air Force Reserve to the total force structure of the Air Force.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A separate presentation of mix of forces for each mission and aircraft platform of the Air Force.

(B) An analysis and recommendations for not less than 80 percent of the missions and aircraft platforms described in subparagraph (A).

SEC. 136. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF E–3 AIRBORNE WARNING AND CONTROL SYSTEM AIRCRAFT.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense may be obligated or expended to make significant changes to manning levels with respect to any E–3 airborne warning and control systems aircraft, or to retire, prepare to retire, or place in storage any such aircraft.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or otherwise affect the requirement to maintain the operational capability of the E–3 airborne warning and control system aircraft.

SEC. 137. LIMITATION ON AVAILABILITY OF FUNDS FOR DIVESTMENT OR TRANSFER OF KC–10 AIRCRAFT.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Air Force may be obligated or expended to transfer, divest, or prepare to divest any KC–10 aircraft until a period of 60 days has elapsed following the date on which the Secretary of Defense submits to the congressional defense committees an assessment of the costs and benefits of the proposed divestment or transfer.

(b) ELEMENTS.—The assessment referred to in subsection (a) shall include, at a minimum, the following elements:

(1) A five-year plan for the force structure laydown of all tanker aircraft.

(2) Current and future air refueling and cargo transportation requirements, broken down by aircraft, needed to meet the global reach and global power objectives of the Department of Defense, including how such objectives relate to supporting the 2012 Defense Strategic Guidance.

(3) An operational risk assessment and mitigation strategy that evaluates the ability of the military to meet the requirements and objectives stipulated in the Guidance for Employment of the Force of the Department of Defense, the Joint Strategic Capabilities Plan, and all steady-state rotational and warfighting surge contingency operational planning documents of the commanders of the geographical combatant commands.

SEC. 138. LIMITATION ON AVAILABILITY OF FUNDS FOR TRANSFER OF AIR FORCE C–130H AND C–130J AIRCRAFT.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year

2015 for the Air Force may be obligated or expended to transfer from one facility of the Department of Defense to another any C–130H or C–130J aircraft until a period of 60 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees an assessment of the costs and benefits of the proposed transfer.

(b) ELEMENTS.—The assessment referred to in subsection (a) shall include, at a minimum, the following elements:

(1) A five-year plan for the force structure laydown of C–130H2, C–130H3, and C–130J aircraft.

(2) An identification of how such plan deviates from the total force structure proposal of the Secretary described in section 1059(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1939).

(3) An explanation of why such plan deviates, if in any detail, from such proposal.

(4) An assessment of the national security benefits and any other expected benefits of the proposed transfers under subsection (a), including benefits for the facilities expected to receive the transferred aircraft.

(5) An assessment of the costs of the proposed transfers, including the impact of the proposed transfers on the facilities from which the aircraft will be transferred.

(6) An analysis of the recommended basing alignment that demonstrates that the recommendation is the most effective and efficient alternative for such basing alignment.

(7) For units equipped with special capabilities, including the modular airborne firefighting system capability, a certification that missions using such capabilities will not be negatively affected by the proposed transfers.

(c) COMPTROLLER GENERAL REPORT.—Not later than 60 days after the date on which the Secretary submits the report required under subsection (a), the Comptroller General of the United States shall submit to the congressional defense committees a sufficiency review of such report, including any findings and recommendations relating to such review.

SEC. 139. LIMITATION ON AVAILABILITY OF FUNDS FOR TRANSFER OF AIR FORCE KC–135 TANKERS.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Air Force may be obligated or expended to transfer from Joint Base Pearl Harbor-Hickam to another facility of the Department of Defense any KC–135 aircraft until a period of 60 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees an assessment of the costs and benefits of the proposed transfer.

(b) ELEMENTS.—The assessment referred to in subsection (a) shall include, at a minimum, the following elements:

(1) A recommended basing alignment of Joint Base Pearl Harbor-Hickam KC–135 aircraft.

(2) An identification of how, and an explanation of why, such recommended basing alignment deviates, if in any detail, from the current basing plan.

(3) An assessment of the national security benefits and any other expected benefits of the proposed transfer under

subsection (a), including benefits for the facilities expected to receive the transferred aircraft.

(4) An assessment of the costs of the proposed transfer, including the impact of the proposed transfer on the facilities from which the aircraft will be transferred.

(5) An analysis of the recommended basing alignment that demonstrates that the recommendation is the most effective and efficient alternative for such basing alignment.

SEC. 140. REPORT ON C–130 AIRCRAFT.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report including a complete analysis and fielding plan for C–130 aircraft.

(b) CONTENT.—The fielding plan submitted under subsection (a) shall include specific details of the plan of the Secretary to maintain intra-theater airlift capacity and capability within both the active and reserve components, including the modernization and recapitalization plan for C–130H and C–130J aircraft.

SEC. 141. REPORT ON STATUS OF F–16 AIRCRAFT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the status and location, and any plans to change during the period of the future-years defense program the status or locations, of all F–16 aircraft in the inventory of the Air Force.

SEC. 142. REPORT ON OPTIONS TO MODERNIZE OR REPLACE T–1A AIRCRAFT.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on options for the modernization or replacement of the T–1A aircraft capability.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) A description of options for—

(A) new procurement;

(B) conducting a service life extension program on existing aircraft;

(C) replacing organic aircraft with leased aircraft or services for the longer term; and

(D) replacing organic aircraft with leased aircraft or services while the Secretary executes a new procurement or service life extension program.

(2) An evaluation of the ability of each alternative to meet future training requirements.

(3) Estimates of life cycle costs.

(4) A description of potential cost savings from merging a T–1A capability replacement program with other programs of the Air Force, such as the Companion Trainer Program.

SEC. 143. REPORT ON STATUS OF AIR-LAUNCHED CRUISE MISSILE CAPABILITIES.

(a) FINDINGS.—Congress finds the following:

(1) The capability provided by the nuclear-capable, air-launched cruise missile is critical to maintaining a credible and effective air-delivery leg of the nuclear triad, preserving

the ability to respond to geopolitical and technical surprise, and reassuring allies of the United States through credible extended deterrence.

(2) In the fiscal year 2015 budget request of the Air Force, the Secretary of the Air Force delayed development of the long-range standoff weapon, the follow-on for the air-launched cruise missile, by three years.

(3) The Secretary plans to sustain the current air-launched cruise missile, known as the AGM–86, until approximately 2030, with multiple service life-extension programs required to preserve but not enhance the existing capabilities of the air-launched cruise missile.

(4) The AGM–86 was initially developed in the 1970s and deployed in the 1980s.

(5) The average age of the inventory of air-launched cruise missiles is more than 30 years old.

(6) The operating environment, particularly the sophistication of integrated air defenses, has evolved substantially since the inception of the air-launched cruise missile.

(7) The AGM–86 is no longer in production and the inventory of spare bodies for required annual testing continues to diminish, posing serious challenges for long-term sustainment.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Air Force, in coordination with the Commander of the United States Strategic Command, shall submit to the congressional defense committees a report on the status of the current air-launched cruise missile and the development of the follow-on system, the long-range standoff weapon, in accordance with section 217 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 706).

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) An assessment of the effectiveness and survivability of the air-launched cruise missile through 2030, including the impact of any degradation on the ability of the United States Strategic Command to meet deterrence requirements, including the number of targets held at risk by the air-launched cruise missile or the burdens placed on other legs of the nuclear triad.

(B) A description of age-related failure trends, an assessment of potential age-related fleet-wide reliability and supportability problems, and the estimated costs for sustaining the air-launched cruise missile.

(C) A detailed plan, including initial cost estimates, for the development and deployment of the follow-on system that will achieve initial operational capability before 2030.

(D) An assessment of the feasibility and advisability of alternative development strategies, including initial cost estimates, that would achieve full operational capability before 2030.

(E) An assessment of current testing requirements and the availability of test bodies to sustain the air-launched cruise missile over the long term.

(F) A description of the extent to which the airframe and other related components can be completed independent of the payload, as determined by the Nuclear Weapons Council established by section 179 of title 10, United States Code.

(G) A statement of the risks assumed by not fielding an operational replacement for the existing air-launched cruise missile by 2030.

(3) FORM.—The report required under paragraph (1) shall be submitted in classified form, but may include an unclassified summary.

Subtitle E—Defense-Wide, Joint, and Multiservice Matters

SEC. 151. ADDITIONAL OVERSIGHT REQUIREMENTS FOR THE UNDERSEA MOBILITY ACQUISITION PROGRAM OF THE UNITED STATES SPECIAL OPERATIONS COMMAND.

Section 144 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1325) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting "or the Joint Capabilities Integration and Development system" before the semicolon; and

(B) in paragraph (2), by inserting ", or other comparable and qualified entity selected by the Director" before the semicolon;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

"(c) TECHNOLOGY ROADMAP.—

"(1) IN GENERAL.—The Commander shall develop a plan consisting of a technology roadmap for undersea mobility capabilities that includes the following:

"(A) A description of the current capabilities provided by covered elements as of the date of the plan.

"(B) An identification and description of the requirements of the Commander for future undersea mobility platforms.

"(C) An identification of resources necessary to fulfill the requirements identified in subparagraph (B).

"(D) A description of the technology readiness levels of any covered element currently under development as of the date of the plan.

"(E) An identification of any potential gaps or projected shortfall in capability, along with steps to mitigate any such gap or shortfall.

"(F) Any other matters the Commander determines appropriate.

"(2) SUBMISSION.—The Commander shall submit to the congressional defense committees the plan under paragraph (1) at the same time as the Under Secretary submits the first report under subsection (a)(2) following the date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015.".

SEC. 152. PLAN FOR MODERNIZATION OR REPLACEMENT OF DIGITAL AVIONIC EQUIPMENT.

(a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for the potential modernization or replacement of digital avionics equipment, including use of commercial-off-the-shelf digital avionics equipment, to meet the equipment requirements under the Next Generation Air Transportation System of the Federal Aviation Administration.

(b) ELEMENTS.—The plan required under subsection (a) shall include the following:

(1) A description of the requirements imposed on aircraft of the Department of Defense by the Federal Aviation Administration transition to the equipment requirements described in subsection (a), including—

(A) an identification of the type and number of aircraft that the Secretary will need to upgrade;

(B) a definition of the upgrades needed for such aircraft; and

(C) the schedule required for the Secretary to make such upgrades in time to meet such requirements.

(2) A description of options for—

(A) acquiring new equipment, including—

(i) new procurement; and

(ii) leasing equipment and installation and other services, including the use of public-private partnerships; and

(B) modernizing existing equipment.

(3) An evaluation of the ability of each option to meet future operational requirements and to meet the equipment requirements described in subsection (a).

(4) An estimated timeline to modernize or replace the digital avionics equipment in each military department or other element of the Department.

(5) The estimated costs of options to modernize or replace the avionics equipment in each military department or other element of the Department in order to meet such requirements.

SEC. 153. COMPTROLLER GENERAL REPORT ON F–35 AIRCRAFT ACQUISITION PROGRAM.

(a) ANNUAL REPORT.—Not later than April 15, 2015, and each year thereafter until the F–35 aircraft acquisition program enters into full-rate production, the Comptroller General of the United States shall submit to the congressional defense committees a report reviewing such program.

(b) MATTERS INCLUDED.—Each report under subsection (a) shall include the following:

(1) The extent to which the F–35 aircraft acquisition program is meeting cost, schedule, and performance goals.

(2) The progress and results of developmental and operational testing.

(3) The progress of the procurement and manufacturing of F–35 aircraft.

(4) An assessment of any plans or efforts of the Secretary of Defense to improve the efficiency of the procurement and manufacturing of F–35 aircraft.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. MODIFICATION OF AUTHORITY FOR PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

10 USC 2374a.

(a) MODIFICATION OF LIMIT ON AMOUNT OF AWARDS.—Subsection (c)(1) of section 2374a of title 10, United States Code,

is amended by striking "The total amount" and all that follows through the period at the end and inserting the following: "No prize competition may result in the award of a cash prize of more than $10,000,000.".

(b) ACCEPTANCE OF FUNDS.—Such section is further amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

"(e) ACCEPTANCE OF FUNDS.—In addition to such sums as may be appropriated or otherwise made available to the Secretary to award prizes under this section, the Secretary may accept funds from other departments and agencies of the Federal Government, and from State and local governments, to award prizes under this section.".

(c) FREQUENCY OF REPORTING.—Subsection (f) of such section, as redesignated by subsection (b)(1) of this section, is amended—

(1) in paragraph (1)—

(A) by striking "each year" and inserting "every other year"; and

(B) by striking "fiscal year" and inserting "two fiscal years";

(2) in paragraph (2), in the matter preceding subparagraph (A), by striking "a fiscal year" and inserting "a period of two fiscal years"; and

(3) in the subsection heading, by striking "ANNUAL" and inserting "BIENNIAL".

SEC. 212. MODIFICATION OF MANUFACTURING TECHNOLOGY PROGRAM.

(a) MODIFICATION OF JOINT DEFENSE MANUFACTURING TECHNOLOGY PANEL REPORTING REQUIREMENT.—Subsection (e)(5) of section 2521 of title 10, United States Code, is amended by striking "the Assistant Secretary of Defense for Research and Engineering" and inserting "one or more individuals designated by the Under Secretary of Defense for Acquisition, Technology, and Logistics for purposes of this paragraph". 10 USC 2521.

(b) DECREASED FREQUENCY OF UPDATE OF FIVE-YEAR STRATEGIC PLAN.—Subsection (f)(3) of such section is amended by striking "on a biennial basis" and inserting "not less frequently than once every four years".

SEC. 213. REVISION OF REQUIREMENT FOR ACQUISITION PROGRAMS TO MAINTAIN DEFENSE RESEARCH FACILITY RECORDS.

Section 2364 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4)—

(i) by inserting "and issue" after "technology position"; and

(ii) by striking "combatant commands" and inserting "components of the Department of Defense"; and

(B) in paragraph (5), by striking "any position paper" and all that follows through the period and inserting the following: "any technological assessment made by a Defense research facility shall be provided to the Defense Technical Information Center repository to support acquisition decisions."; and

(2) in subsection (c)—

(A) by striking "this section:" and all that follows through "(1) The term" and inserting "this section, the term";

(B) by striking paragraph (2); and

(C) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and moving such paragraphs, as so redesignated, 2 ems to the left.

SEC. 214. TREATMENT BY DEPARTMENT OF DEFENSE TEST RESOURCE MANAGEMENT CENTER OF SIGNIFICANT MODIFICATIONS TO TEST AND EVALUATION FACILITIES AND RESOURCES.

10 USC 196.

(a) REVIEW OF PROPOSED CHANGES.—Subsection (c)(1)(B) of section 196 of title 10, United States Code, is amended by inserting after "Base" the following: ", including with respect to the expansion, divestment, consolidation, or curtailment of activities,".

(b) ELEMENTS OF STRATEGIC PLANS.—Subsection (d)(2) of such section is amended—

(1) by redesignating subparagraph (E) and (F) as subparagraph (F) and (G), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph:

"(E) An assessment of plans and business case analyses supporting any significant modification of the test and evaluation facilities and resources of the Department projected, proposed, or recommended by the Secretary of a military department or the head of a Defense Agency for such period, including with respect to the expansion, divestment, consolidation, or curtailment of activities.".

(c) CERTIFICATION OF BUDGETS.—Subsection (e)(1) of such section is amended by inserting "and for the period covered by the future-years defense program submitted to Congress under section 221 of this title for that fiscal year" after "activities for a fiscal year".

(d) ASSESSMENT OF PLANS FOR FACILITIES.—Such section is further amended—

(1) by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively; and

(2) by inserting after subsection (e) the following new subsection (f):

"(f) APPROVAL OF CERTAIN MODIFICATIONS.—(1) The Secretary of a military department or the head of a Defense Agency with test and evaluation responsibilities may not implement a projected, proposed, or recommended significant modification of the test and evaluation facilities and resources of the Department, including with respect to the expansion, divestment, consolidation, or curtailment of activities, until—

"(A) the Secretary or the head, as the case may be, submits to the Director a business case analysis for such modification; and

"(B) the Director reviews such analysis and approves such modification.

"(2) The Director shall submit to the Secretary of Defense an annual report containing the comments of the Director with respect to each business case analysis reviewed under paragraph (1)(B) during the year covered by the report.".

SEC. 215. REVISION TO THE SERVICE REQUIREMENT UNDER THE SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION DEFENSE EDUCATION PROGRAM.

Subparagraph (B) of section 2192a(c)(1) of title 10, United States Code, is amended to read as follows: 10 USC 2192a.

"(B) in the case of a person not an employee of the Department of Defense, the person shall enter into a written agreement to accept and continue employment for the period of obligated service determined under paragraph (2)—

"(i) with the Department; or

"(ii) with a public or private entity or organization outside of the Department if the Secretary—

"(I) is unable to find an appropriate position for the person within the Department; and

"(II) determines that employment of the person with such entity or organization for the purpose of such obligated service would provide a benefit to the Department.".

SEC. 216. LIMITATION ON AVAILABILITY OF FUNDS FOR ARMORED MULTI-PURPOSE VEHICLE PROGRAM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for research, development, test, and evaluation, Army, for the armored multi-purpose vehicle program, not more than 80 percent may be obligated or expended until the date on which the Secretary of the Army submits to the congressional defense committees the report under subsection (b)(1).

(b) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2015, the Secretary of the Army shall submit to the congressional defense committees a report on the armored multi-purpose vehicle program.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) An identification of the existing capability gaps of the M–113 family of vehicles assigned, as of the date of the report, to units outside of combat brigades.

(B) An identification of the mission roles that are in common between—

(i) such vehicles assigned to units outside of combat brigades; and

(ii) the vehicles examined in the armor brigade combat team during the armored multi-purpose vehicle analysis of alternatives.

(C) The estimated timeline and the rough order of magnitude of funding requirements associated with complete M–113 family of vehicles divestiture within the units outside of combat brigades and the risk associated with delaying the replacement of such vehicles.

(D) A description of the requirements for force protection, mobility, and size, weight, power, and cooling capacity for the mission roles of M–113 family of vehicles assigned to units outside of combat brigades.

(E) A discussion of the mission roles of the M–113 family of vehicles assigned to units outside of combat brigades that are comparable to the mission roles of the

M–113 family of vehicles assigned to armor brigade combat teams.

(F) A discussion of whether a one-for-one replacement of the M–113 family of vehicles assigned to units outside of combat brigades is likely.

(G) With respect to mission roles, a discussion of any substantive distinctions that exist in the capabilities of the M–113 family of vehicles that are needed based on the level of the unit to which the vehicle is assigned (not including combat brigades).

(H) A discussion of the relative priority of fielding among the mission roles.

(I) An assessment for the feasibility of incorporating medical wheeled variants within the armor brigade combat teams.

SEC. 217. LIMITATION ON AVAILABILITY OF FUNDS FOR UNMANNED CARRIER-LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE SYSTEM.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for research, development, test, and evaluation, Navy, for the unmanned carrier-launched airborne surveillance and strike system may be obligated or expended to award a contract for air vehicle segment development until a period of 15 days has elapsed following the date on which the Secretary of Defense submits to the congressional defense committees a report that—

(1) certifies that a review of the requirements for air vehicle segments of the unmanned carrier-launched surveillance and strike system is complete; and

(2) includes the results of such review.

(b) ADDITIONAL REPORT.—At the same time that the President submits to Congress the budget for fiscal year 2017 under section 1105(a) of title 31, United States Code, the Secretary of the Navy shall submit to the congressional defense committees a report that—

(1) identifies the cost and performance trade-offs that the Navy made in arriving at the set of requirements for the air vehicle segments of the unmanned carrier-launched surveillance and strike system, including with respect to strike capability in an anti-access or area denial environment;

(2) addresses the derivation of requirements for the overall composition of the future carrier air wing, including any contribution made to the intelligence, surveillance, and reconnaissance capabilities of carrier strike groups from non-carrier air wing forces, such as the MQ–4C Triton;

(3) specifies how the Navy derived the plan for achieving the best mix of capabilities for the carrier strike group air wing to conduct representative joint intelligence, surveillance, and reconnaissance strike campaigns in the 2030 timeframe, including how the unmanned carrier-launched surveillance and strike system, F–35C aircraft, EA–18G aircraft, and the aircraft that is proposed to replace the F/A–18E/F (FA–XX) would contribute to the overall capability, including in an anti-access or area denial threat environment;

(4) defines the acquisition strategy for the unmanned carrier-launched surveillance and strike system program and justifies any changes in such strategy from an acquisition strategy

for a traditional program that is consistent with Department of Defense Instruction 5000.02; and

(5) establishes a formal acquisition program cost and schedule baseline to allow the Navy to track unit costs and provide regular reports to Congress on cost, schedule, and performance progress.

SEC. 218. LIMITATION ON AVAILABILITY OF FUNDS FOR AIRBORNE RECONNAISSANCE SYSTEMS.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for research, development, test, and evaluation, Air Force, for imaging and targeting support of airborne reconnaissance systems, not more than 25 percent may be obligated or expended until the date on which the Secretary of the Air Force submits to the appropriate congressional committees—

(1) a plan regarding using such funds for such purpose during fiscal year 2015; and

(2) a strategic plan for the funding of advanced airborne reconnaissance technologies supporting manned and unmanned systems.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 219. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEMS AIRCRAFT.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Air Force may be used to make any significant changes to manning levels with respect to any operational Joint Surveillance and Target Attack Radar Systems aircraft or take any action to retire or to prepare to retire such aircraft until the date that is 30 days after the date on which the Secretary of the Air Force submits to the congressional defense committees the report required by subsection (b).

(b) REPORT.—The Secretary shall submit to the congressional defense committees a report that includes the following:

(1) An update of the results of the analysis of alternatives for recapitalizing the current Joint Surveillance and Target Attack Radar Systems capability.

(2) An assessment of the cost and schedule of developing and fielding a new aircraft and radar system to replace the current Joint Surveillance and Target Attack Radar Systems aircraft that would deliver two replacement aircraft to the Joint Surveillance and Target Attack Radar Systems aircraft operating base by fiscal year 2019.

Subtitle C—Reports

SEC. 221. REDUCTION IN FREQUENCY OF REPORTING BY DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR SYSTEMS ENGINEERING.

10 USC 139b.

(a) IN GENERAL.—Section 139b(d) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (3) and (4), respectively;

(2) in paragraph (3), as so redesignated, by striking "IN GENERAL.—" and all that follows through "Each report" and inserting "CONTENTS.— Each report submitted under paragraph (1) or (2)";

(3) by inserting before paragraph (3), as so redesignated, the following new paragraphs (1) and (2):

"(1) ANNUAL REPORT BY DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR DEVELOPMENTAL TEST AND EVALUATION.—Not later than March 31 of each year, the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation shall submit to the congressional defense committees a report on the activities undertaken pursuant to subsection (a) during the preceding year.

"(2) BIENNIAL REPORT BY DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR SYSTEMS ENGINEERING.—Not later than March 31 of every other year, the Deputy Assistant Secretary of Defense for Systems Engineering shall submit to the congressional defense committees a report on the activities undertaken pursuant to subsection (b) during the preceding two-year period."; and

(4) in the subsection heading, by striking "ANNUAL REPORT" and inserting "ANNUAL AND BIENNIAL REPORTS".

10 USC 139b note.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and the first report submitted under paragraph (2) of section 139b(d) of such title, as added by subsection (a)(3), shall be submitted not later than March 31, 2015.

SEC. 222. INDEPENDENT ASSESSMENT OF INTERAGENCY BIODEFENSE RESEARCH AND DEVELOPMENT.

(a) INDEPENDENT ASSESSMENT REQUIRED.—The Secretary of Defense shall enter into a contract with an entity that is not part of the Department of Defense to conduct an assessment of biodefense research and development activities at the National Interagency Biodefense Campus.

(b) ELEMENTS.—The assessment conducted under subsection (a) shall include the following:

(1) Identification and assessment of such legal, regulatory, management, and practice barriers as may reduce the effectiveness and efficiency of organizations on the Campus to perform designated missions, including such barriers as may exist with respect to the following:

(A) Sharing of funds for intramural and extramural research and other activities—

(i) within and between the Defense Agencies and the military departments;

(ii) between the Department of Defense and other Federal agencies; and

(iii) between the Department of Defense and the private sector.

(B) Sharing in efforts related to the construction, modernization, and maintenance of research facilities—

(i) within and between the Defense Agencies and the military departments;

(ii) between the Department of Defense and other Federal agencies; and

(iii) between the Department of Defense and the private sector.

(C) Exchange and mobility of personnel—

(i) within and between the Defense Agencies and the military departments;

(ii) between the Department of Defense and other Federal agencies; and

(iii) between the Department of Defense and the private sector.

(D) Technology transfer and transition—

(i) within and between the Defense Agencies and the military departments;

(ii) between the Department of Defense and other Federal agencies; and

(iii) between the Department of Defense and the private sector.

(2) Formulation of recommendations for such legal, regulatory, management, and practices as may support attempts to overcome the barriers identified under paragraph (1).

(c) COORDINATION.—The assessment conducted under subsection (a) shall be conducted in coordination with the following:

(1) The Secretary of Homeland Security.

(2) The Secretary of Health and Human Services.

(3) Such other private and public sector organizations as the Secretary considers appropriate.

(d) REPORT.—Not later than 540 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the findings of the entity that conducted the assessment under subsection (a) with respect to such assessment.

(e) DEFENSE AGENCY DEFINED.—In this section, the term "Defense Agency" has the meaning given such term in section 101 of title 10, United States Code.

SEC. 223. BRIEFING ON MODELING AND SIMULATION TECHNOLOGICAL AND INDUSTRIAL BASE IN SUPPORT OF REQUIREMENTS OF DEPARTMENT OF DEFENSE.

Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing that provides—

(1) an update to the assessment, findings, and recommendations in the report submitted under section 1059 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2465); and

(2) the status of implementing any such recommendations.

Subtitle D—Other Matters

SEC. 231. MODIFICATION TO REQUIREMENT FOR CONTRACTOR COST SHARING IN PILOT PROGRAM TO INCLUDE TECHNOLOGY PROTECTION FEATURES DURING RESEARCH AND DEVELOPMENT OF CERTAIN DEFENSE SYSTEMS.

Section 243(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2358 note) is amended in the matter following paragraph (2)—

(1) by striking "at least one-half" and inserting "half"; and

(2) by inserting ", or such other portion of such cost as the Secretary considers appropriate upon showing of good cause" after "such activities".

10 USC 2358 note.

SEC. 232. PILOT PROGRAM ON ASSIGNMENT TO DEFENSE ADVANCED RESEARCH PROJECTS AGENCY OF PRIVATE SECTOR PERSONNEL WITH CRITICAL RESEARCH AND DEVELOPMENT EXPERTISE.

(a) PILOT PROGRAM AUTHORIZED.—In accordance with the provisions of this section, the Director of the Defense Advanced Research Projects Agency may carry out a pilot program to assess the feasibility and advisability of temporarily assigning covered individuals with significant technical expertise in research and development areas of critical importance to defense missions to the Defense Advanced Research Projects Agency to lead research or development projects of the Agency.

(b) ASSIGNMENT OF COVERED INDIVIDUALS.—

(1) NUMBER OF INDIVIDUALS ASSIGNED.—Under the pilot program, the Director may assign covered individuals to the Agency as described in subsection (a), but may not have more than five covered individuals so assigned at any given time.

(2) PERIOD OF ASSIGNMENT.—

(A) Except as provided in subparagraph (B), the Director may, under the pilot program, assign a covered individual described in subsection (a) to lead research and development projects of the Agency for a period of not more than two years.

(B) The Director may extend the assignment of a covered individual for one additional period of not more than two years as the Director considers appropriate.

(3) APPLICATION OF CERTAIN PROVISIONS OF LAW.—

(A) Except as otherwise provided in this section, the Director shall carry out the pilot program in accordance with the provisions of subchapter VI of chapter 33 of title 5, United States Code, except that, for purposes of the pilot program, the term "other organization", as used in such subchapter, shall be deemed to include a covered entity.

(B) A covered individual employed by a covered entity who is assigned to the Agency under the pilot program is deemed to be an employee of the Department of Defense for purposes of the following provisions of law:

(i) Chapter 73 of title 5, United States Code.

(ii) Sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, United States Code.

(iii) Sections 1343, 1344, and 1349(b) of title 31, United States Code.

(iv) Chapter 171 of title 28, United States Code (commonly known as the "Federal Tort Claims Act"), and any other Federal tort liability statute.

(v) The Ethics in Government Act of 1978 (5 U.S.C. App.).

(vi) Section 1043 of the Internal Revenue Code of 1986.

(vii) Chapter 21 of title 41, United States Code.

(4) PAY AND SUPERVISION.—A covered individual employed by a covered entity who is assigned to the Agency under the pilot program—

(A) may continue to receive pay and benefits from such covered entity with or without reimbursement by the Agency;

(B) is not entitled to pay from the Agency; and

(C) shall be subject to supervision by the Director in all duties performed for the Agency under the pilot program.

(c) CONFLICTS OF INTEREST.—

(1) PRACTICES AND PROCEDURES REQUIRED.—The Director shall develop practices and procedures to manage conflicts of interest and the appearance of conflicts of interest that could arise through assignments under the pilot program.

(2) ELEMENTS.—The practices and procedures required by paragraph (1) shall include, at a minimum, the requirement that each covered individual assigned to the Agency under the pilot program shall sign an agreement that provides for the following:

(A) The nondisclosure of any trade secrets or other nonpublic or proprietary information which is of commercial value to the covered entity from which such covered individual is assigned.

(B) The assignment of rights to intellectual property developed in the course of any research or development project under the pilot program—

(i) to the Agency and its contracting partners in accordance with applicable provisions of law regarding intellectual property rights; and

(ii) not to the covered individual or the covered entity from which such covered individual is assigned.

(C) Such additional measures as the Director considers necessary to carry out the program in accordance with Federal law.

(d) PROHIBITION ON CHARGES BY COVERED ENTITIES.—A covered entity may not charge the Federal Government, as direct or indirect costs under a Federal contract, the costs of pay or benefits paid by the covered entity to a covered individual assigned to the Agency under the pilot program.

(e) ANNUAL REPORT.—Not later than the first October 31 after the first fiscal year in which the Director carries out the pilot program and each October 31 thereafter that immediately follows a fiscal year in which the Director carries out the pilot program,

the Director shall submit to the congressional defense committees a report on the activities carried out under the pilot program during the most recently completed fiscal year.

(f) TERMINATION OF AUTHORITY.—The authority provided in this section shall expire on September 30, 2025, except that any covered individual assigned to the Agency under the pilot program shall continue in such assignment until the terms of such assignment have been satisfied.

(g) DEFINITIONS.—In this section:

(1) The term "covered individual" means any individual who is employed by a covered entity.

(2) The term "covered entity" means any non-Federal, nongovernmental entity that, as of the date on which a covered individual employed by the entity is assigned to the Agency under the pilot program, is a nontraditional defense contractor (as defined in section 2302 of title 10, United States Code).

10 USC 2193a note.

SEC. 233. PILOT PROGRAM ON ENHANCEMENT OF PREPARATION OF DEPENDENTS OF MEMBERS OF ARMED FORCES FOR CAREERS IN SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS.

(a) PILOT PROGRAM.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of—

(1) enhancing the preparation of covered students for careers in science, technology, engineering, and mathematics; and

(2) providing assistance to teachers at covered schools to enhance preparation described in paragraph (1).

(b) COORDINATION.—In carrying out the pilot program, the Secretary shall coordinate with the following:

(1) The Secretaries of the military departments.

(2) The Secretary of Education.

(3) The National Science Foundation.

(4) The heads of such other Federal, State, and local government and private sector organizations as the Secretary of Defense considers appropriate.

(c) ACTIVITIES.—Activities under the pilot program may include the following:

(1) Establishment of targeted internships and cooperative research opportunities at defense laboratories and other technical centers for covered students and teachers at covered schools.

(2) Establishment of scholarships and fellowships for covered students.

(3) Efforts and activities that improve the quality of science, technology, engineering, and mathematics educational and training opportunities for covered students and teachers at covered schools, including with respect to improving the development of curricula at covered schools.

(4) Development of travel opportunities, demonstrations, mentoring programs, and informal science education for covered students and teachers at covered schools.

(d) METRICS.—The Secretary shall establish outcome-based metrics and internal and external assessments to evaluate the merits and benefits of activities conducted under the pilot program with respect to the needs of the Department of Defense.

(e) AUTHORITIES.—In carrying out the pilot program, the Secretary shall, to the maximum extent practicable, make use of the authorities under chapter 111 and sections 2601, 2605, and 2374a of title 10, United States Code, section 219 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. 2358 note), and such other authorities as the Secretary considers appropriate.

(f) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on activities carried out under the pilot program.

(g) TERMINATION.—The pilot program shall terminate on September 30, 2020.

(h) DEFINITIONS.—In this section:

(1) The term "covered schools" means elementary or secondary schools at which the Secretary determines a significant number of dependents of members of the Armed Forces are enrolled.

(2) The term "covered students" means dependents of members of the Armed Forces who are enrolled at a covered school.

SEC. 234. SENSE OF CONGRESS ON HELICOPTER HEALTH AND USAGE MONITORING SYSTEM OF THE ARMY.

It is the sense of Congress that—

(1) a health and usage monitoring system for current and future helicopter platforms of the Army that provides early warning for failing systems may reduce costly emergency maintenance, improve maintenance schedules, and increase fleet readiness; and

(2) the Secretary of the Army should—

(A) consider establishing health and usage monitoring requirements; and

(B) after any decision to proceed with a program of record for such system, use full and open competition in accordance with the Federal Acquisition Regulation.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Subtitle B—Energy and Environment

Subtitle C—Logistics and Sustainment

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. ELIMINATION OF FISCAL YEAR LIMITATION ON PROHIBITION OF PAYMENT OF FINES AND PENALTIES FROM THE ENVIRONMENTAL RESTORATION ACCOUNT, DEFENSE.

10 USC 2703.

Section 2703(f) of title 10, United States Code, is amended—
(1) by striking "for fiscal years 1995 through 2010,"; and
(2) by striking "for fiscal years 1997 through 2010".

SEC. 312. METHOD OF FUNDING FOR COOPERATIVE AGREEMENTS UNDER THE SIKES ACT.

(a) METHOD OF PAYMENTS UNDER COOPERATIVE AGREEMENTS.—Subsection (b) of section 103A of the Sikes Act (16 U.S.C. 670c–1) is amended—

(1) by inserting "(1)" before "Funds"; and
(2) by adding at the end the following new paragraphs:

"(2) In the case of a cooperative agreement under subsection (a)(2), such funds—

"(A) may be paid in a lump sum and include an amount intended to cover the future costs of the natural resource maintenance and improvement activities provided for under the agreement; and

"(B) may be placed by the recipient in an interest-bearing or other investment account, and any interest or income shall be applied for the same purposes as the principal.

"(3) If any funds are placed by a recipient in an interest-bearing or other investment account under paragraph (2)(B), the

Secretary of Defense shall report biennially to the congressional defense committees on the disposition of such funds.".

(b) AVAILABILITY OF FUNDS; AGREEMENT UNDER OTHER LAWS.—Subsection (c) of such section is amended to read as follows:

"(c) AVAILABILITY OF FUNDS; AGREEMENT UNDER OTHER LAWS.—(1) Cooperative agreements and interagency agreements entered into under this section shall be subject to the availability of funds.

"(2) Notwithstanding chapter 63 of title 31, United States Code, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the United States Government.".

SEC. 313. REPORT ON PROHIBITION OF DISPOSAL OF WASTE IN OPEN-AIR BURN PITS.

(a) REVIEW AND REPORT REQUIRED.—The Secretary of Defense shall conduct a review of the compliance of the military departments and combatant commands with Department of Defense Instruction 4715.19 and with section 317 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2249; 10 U.S.C. 2701 note) regarding the disposal of covered waste in burn pits. Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report containing the results of such review. Such report shall address each of the following:

(1) The reporting of covered waste through environmental surveys and assessments, including environmental condition reports, of base camps supporting a contingency operation.

(2) How covered waste and non-covered waste is defined and identified in environmental surveys and assessments covered by paragraph (1), in policies, instructions, and guidance issued by the Department of Defense, the military departments, and the combatant commands, and in the oversight of contracts for, and the operation of, waste disposal facilities at base camps supporting contingency operations.

(3) Whether the two categories of waste are appropriately and clearly distinguished in such surveys and assessments.

(4) The current decision authority responsible for determinations regarding whether a base camp supporting a contingency operation is in compliance with the Department of Defense Instruction and section 317 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2249; 10 U.S.C. 2701 note) and the chain of command by which such determinations are made and reported.

(5) The process through which a waiver of the prohibition on disposal of covered waste in a burn pit is requested and approved, and the process by which Congress is notified of such waiver, pursuant to the applicable provision of law, and how such processes could be improved.

(6) Updates to policies, guidelines, and instructions that have been undertaken pursuant to the review to address gaps and deficiencies regarding covered waste disposal to ensure compliance.

(7) Other matters or recommendations the Secretary of Defense determines are appropriate.

(b) COMPTROLLER GENERAL REVIEW.—Not later than 120 days after the date on which the Secretary of Defense submits the

report required under subsection (a), the Comptroller General of the United States shall submit to the congressional defense committees a report containing the assessment of the Comptroller General of the methodology used by the Secretary of Defense in conducting the review under subsection (a), the adequacy of the report, compliance with Department of Defense Instruction and applicable law regarding the disposal of covered waste in burn pits by the military departments and combatant commands, and any additional findings or recommendations the Comptroller General determines are appropriate.

(c) DEFINITIONS.—In this section:

(1) The term "covered waste" has the meaning given that term in section 317(d)(2) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2249; 10 U.S.C. 2701 note).

(2) The term "base camp supporting a contingency operation" means any base, location, site, cooperative security location, forward operating base, forward operating site, main operating base, patrol base, or other location as determined by the Secretary from which support is provided to a contingency operation that—

(A) has at least 100 attached or assigned United States personnel; and

(B) is in place for a period of time of 90 days or longer.

(3) The term "burn pit" means an area that—

(A) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for burning of solid waste; and

(B) is designated for the purpose of disposing of solid waste by burning in the outdoor air;

(C) is in a location where at least 100 United States personnel are attached or assigned; and

(D) is in place longer than 90 days.

(4) The term "contingency operation" has the meaning given such term in section 101(a)(13) of title 10, United States Code.

10 USC 2911 note.

SEC. 314. BUSINESS CASE ANALYSIS OF ANY PLAN TO DESIGN, REFURBISH, OR CONSTRUCT A BIOFUEL REFINERY.

Not later than 30 days before entering into a contract for the planning, design, refurbishing, or construction of a biofuel refinery, or of any other facility or infrastructure used to refine biofuels, the Secretary of Defense or the Secretary of the military department concerned shall submit to the congressional defense committees a business case analysis for such planning, design, refurbishing, or construction.

SEC. 315. ENVIRONMENTAL RESTORATION AT FORMER NAVAL AIR STATION CHINCOTEAGUE, VIRGINIA.

(a) ENVIRONMENTAL RESTORATION PROJECT.—Notwithstanding the administrative jurisdiction of the Administrator of the National Aeronautics and Space Administration over the Wallops Flight Facility, Virginia, the Secretary of Defense may undertake an environmental restoration project in a manner consistent with chapter 160 of title 10, United States Code, at the property constituting that facility in order to provide necessary response actions for contamination from a release of a hazardous substance or a pollutant or contaminant that is attributable to the activities of

the Department of Defense at the time the property was under the administrative jurisdiction of the Secretary of the Navy or used by the Navy pursuant to a permit or license issued by the National Aeronautics and Space Administration in the area formerly known as the Naval Air Station, Chincoteague, Virginia. Any such project may be undertaken jointly or in conjunction with an environmental restoration project of the Administrator.

(b) INTERAGENCY AGREEMENT.—The Secretary and the Administrator may enter into an agreement or agreements to provide for the effective and efficient performance of environmental restoration projects for purposes of subsection (a). Notwithstanding section 2215 of title 10, United States Code, any such agreement may provide for environmental restoration projects conducted jointly or by one agency on behalf of the other or both agencies and for reimbursement of the agency conducting the project by the other agency for that portion of the project for which the reimbursing agency has authority to respond.

(c) SOURCE OF DEPARTMENT OF DEFENSE FUNDS.—Pursuant to section 2703(c) of title 10, United States Code, the Secretary may use funds available in the Environmental Restoration, Formerly Used Defense Sites, account of the Department of Defense for environmental restoration projects conducted for or by the Secretary under subsection (a) and for reimbursable agreements entered into under subsection (b).

(d) NO EFFECT ON COMPLIANCE WITH ENVIRONMENTAL LAWS.—Nothing in this section affects or limits the application of or obligation to comply with any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 316. LIMITATION ON AVAILABILITY OF FUNDS FOR PROCUREMENT OF DROP-IN FUELS.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense may be obligated or expended to make a bulk purchase of a drop-in fuel for operational purposes unless the fully burdened cost of that drop-in fuel is cost-competitive with the fully burdened cost of a traditional fuel available for the same purpose.

(b) WAIVER.—

(1) IN GENERAL.—Subject to the requirements of paragraph (2), the Secretary of Defense may waive the limitation under subsection (a) with respect to a purchase.

(2) NOTICE REQUIRED.—Not later than 30 days after issuing a waiver under this subsection, the Secretary shall submit to the congressional defense committees notice of the waiver. Any such notice shall include each of the following:

(A) The rationale of the Secretary for issuing the waiver.

(B) A certification that the waiver is in the national security interest of the United States.

(C) The expected fully burdened cost of the purchase for which the waiver is issued.

(c) NOTICE OF PURCHASE REQUIRED.—If the Secretary of Defense intends to purchase a drop-in fuel intended for operational use with a fully burdened cost in excess of 10 percent more than

10 USC 2922 note.

the fully burdened cost of a traditional fuel available for the same purpose, the Secretary shall provide notice of such intended purchase to the congressional defense committees by not later than 30 days before the date on which such purchase is intended to be made.

10 USC 2922 note.

(d) DEFINITIONS.—In this section:

(1) The term "drop-in fuel" means a neat or blended liquid hydrocarbon fuel designed as a direct replacement for a traditional fuel with comparable performance characteristics and compatible with existing infrastructure and equipment.

(2) The term "traditional fuel" means a liquid hydrocarbon fuel derived or refined from petroleum.

(3) The term "operational purposes" means for the purposes of conducting military operations, including training, exercises, large scale demonstrations, and moving and sustaining military forces and military platforms. The term does not include research, development, testing, evaluation, fuel certification, or other demonstrations.

(4) The term "fully burdened cost" means the commodity price of the fuel plus the total cost of all personnel and assets required to move and, when necessary, protect the fuel from the point at which the fuel is received from the commercial supplier to the point of use.

SEC. 317. DECONTAMINATION OF A PORTION OF FORMER BOMBARDMENT AREA ON ISLAND OF CULEBRA, PUERTO RICO.

(a) SENSE OF CONGRESS.—It is the sense of Congress that certain limited portions of the former bombardment area on the Island of Culebra should be available for safe public recreational use while the remainder of the area is most advantageously reserved as habitat for endangered and threatened species.

(b) MODIFICATION OF RESTRICTION ON DECONTAMINATION LIMITATION.—The first sentence of section 204(c) of the Military Construction Authorization Act, 1974 (Public Law 93–166; 87 Stat. 668) shall not apply to the beaches, the campgrounds, and the Carlos Rosario Trail.

(c) MODIFICATION OF DEED RESTRICTIONS.—Notwithstanding paragraph 9 of the quitclaim deed, the Secretary of the Army may expend funds available in the Environmental Restoration Account, Formerly Used Defense Sites, established pursuant to section 2703(a)(5) of title 10, United States Code, to decontaminate the beaches, the campgrounds, and the Carlos Rosario Trail of unexploded ordnance.

(d) PRECISE BOUNDARIES.—The Secretary of the Army shall determine the exact boundaries of the beaches, the campgrounds, and the Carlos Rosario Trail for purposes of this section.

(e) DEFINITIONS.—In this section:

(1) The term "beaches" means the portions of Carlos Rosario Beach, Flamenco Beach, and Tamarindo Beach identified in green in Figure 4 as Beach and located inside of the former bombardment area.

(2) The term "campgrounds" means the areas identified in blue in Figure 4 as Campgrounds in the former bombardment area.

(3) The term "Carlos Rosario Trail" means the trail identified in yellow in Figure 4 as the Carlos Rosario Trail and

traversing the southern portion of the former bombardment area from the campground to the Carlos Rosario Beach.

(4) The term "Figure 4" means Figure 4, located on page 8 of the study.

(5) The term "former bombardment area" means that area on the Island of Culebra, Commonwealth of Puerto Rico, consisting of approximately 408 acres, conveyed to the Commonwealth by the quitclaim deed, and subject to the first sentence of section 204(c) of the Military Construction Authorization Act, 1974 (Public Law 93–166; 87 Stat. 668).

(6) The term "quitclaim deed" means the quitclaim deed from the United States of America to the Commonwealth of Puerto Rico conveying the former bombardment area, signed by the Governor of Puerto Rico on December 20, 1982.

(7) The term "study" means the "Study Relating to the Presence of Unexploded Ordnance in a Portion of the Former Naval Bombardment Area of Culebra Island, Commonwealth of Puerto Rico", dated April 20, 2012, prepared by the United States Army for the Department of Defense pursuant to section 2815 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4464).

(8) The term "unexploded ordnance" has the meaning given the term in section 101(e)(5) of title 10, United States Code.

SEC. 318. ALTERNATIVE FUEL AUTOMOBILES.

(a) MAXIMUM FUEL ECONOMY INCREASE FOR ALTERNATIVE FUEL AUTOMOBILES.—Section 32906(a) of title 49, United States Code, is amended by striking "(except an electric automobile)" and inserting "(except an electric automobile or, beginning with model year 2016, an alternative fueled automobile that uses a fuel described in subparagraph (E) of section 32901(a)(1))". 49 USC 32906.

(b) MINIMUM DRIVING RANGES FOR DUAL FUELED PASSENGER AUTOMOBILES.—Section 32901(c)(2) of title 49, United States Code, is amended—

(1) in subparagraph (B), by inserting ", except that beginning with model year 2016, alternative fueled automobiles that use a fuel described in subparagraph (E) of subsection (a)(1) shall have a minimum driving range of 150 miles" after "at least 200 miles"; and

(2) in subparagraph (C), by adding at the end the following: "Beginning with model year 2016, if the Secretary prescribes a minimum driving range of 150 miles for alternative fueled automobiles that use a fuel described in subparagraph (E) of subsection (a)(1), subparagraph (A) shall not apply to dual fueled automobiles (except electric automobiles).".

(c) ELECTRIC DUAL FUELED AUTOMOBILES.—Section 32905 of title 49, United States Code, is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following:

"(e) ELECTRIC DUAL FUELED AUTOMOBILES.—

"(1) IN GENERAL.—At the request of the manufacturer, the Administrator may measure the fuel economy for any model of dual fueled automobile manufactured after model year 2015 that is capable of operating on electricity in addition to gasoline or diesel fuel, obtains its electricity from a source external

to the vehicle, and meets the minimum driving range requirements established by the Secretary for dual fueled electric automobiles, by dividing 1.0 by the sum of—

"(A) the percentage utilization of the model on gasoline or diesel fuel, as determined by a formula based on the model's alternative fuel range, divided by the fuel economy measured under section 32904(c); and

"(B) the percentage utilization of the model on electricity, as determined by a formula based on the model's alternative fuel range, divided by the fuel economy measured under section 32904(a)(2).

"(2) ALTERNATIVE CALCULATION.—If the manufacturer does not request that the Administrator calculate the manufacturing incentive for its electric dual fueled automobiles in accordance with paragraph (1), the Administrator shall calculate such incentive for such automobiles manufactured by such manufacturer after model year 2015 in accordance with subsection (b).".

(d) CONFORMING AMENDMENT.—Section 32906(b) of title 49, United States Code, is amended by striking "section 32905(e)" and inserting "section 32905(f)".

49 USC 32906.

Subtitle C—Logistics and Sustainment

SEC. 321. MODIFICATION OF QUARTERLY READINESS REPORTING REQUIREMENT.

10 USC 482.

Section 482 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting "the" before "military readiness";

(B) by inserting "of the active and reserve components" after "military readiness"; and

(C) by striking "subsections (b), (d), (f), (g), (h), (i), (j), and (k)" and all that follows through the period at the end and inserting "subsections (b), (d), (e), (f), (g), (h), and (i).";

(2) by striking subsections (d), (e), (f), and (k);

(3) by inserting after subsection (c) the following new subsection (d):

"(d) PREPOSITIONED STOCKS.—Each report shall also include a military department-level or agency-level assessment of the readiness of prepositioned stocks, including—

"(1) an assessment of the fill and materiel readiness of stocks by geographic location;

"(2) an overall assessment by military department or Defense Agency of the ability of the respective stocks to meet operation and contingency plans; and

"(3) a mitigation plan for any shortfalls or gaps identified under paragraph (1) or (2) and a timeline associated with corrective action.";

(4) by redesignating subsections (g), (h), (i), (j), and (l) as subsections (e), (f), (g), (h), and (j) respectively;

(5) in subsection (e)(1), as redesignated by paragraph (4), by striking "National Response Plan" and inserting "National Response Framework";

(6) in subsection (f), as so redesignated, by adding at the end the following new paragraph:

"(3) The assessment included in the report under paragraph (1) by the Commander of the United States Strategic Command shall include a separate assessment prepared by the Commander of United States Cyber Command relating to the readiness of United States Cyber Command and the readiness of the cyber force of each of the military departments.";

(7) in subsection (h), as so redesignated—

(A) in the subsection heading, by inserting "AND RELATED" after "SUPPORT";

(B) in paragraph (1), by striking "combat support agencies" and inserting "combat support and related agencies"; and

(C) in paragraph (2), in the matter preceding subparagraph (A), by striking "combat support agency" and inserting "combat support and related agencies"; and

(8) by inserting after subsection (h) the following new subsection (i):

"(i) MAJOR EXERCISE ASSESSMENTS.—(1) Each report under this section shall also include information on each major exercise conducted by a geographic or functional combatant command or military department, including—

"(A) a list of exercises by name for the period covered by the report;

"(B) the cost and location of each such exercise; and

"(C) a list of participants by country or military department.

"(2) In this subsection, the term 'major exercise' means a named major training event, an integrated or joint exercise, or a unilateral major exercise.".

SEC. 322. ADDITIONAL REQUIREMENT FOR STRATEGIC POLICY ON PREPOSITIONING OF MATERIEL AND EQUIPMENT.

Section 2229(a)(1) of title 10, United States Code, is amended by inserting "support for crisis response elements," after "service requirements,". 10 USC 2229.

SEC. 323. ELIMINATION OF AUTHORITY OF SECRETARY OF THE ARMY TO ABOLISH ARSENALS.

(a) IN GENERAL.—Section 4532 of title 10, United States Code, is amended—

(1) in subsection (a), by striking "(a) The Secretary" and inserting "The Secretary";

(2) by striking subsection (b); and

(3) in the section heading, by striking "**; abolition of**".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 433 of such title is amended by striking the item relating to section 4532 and inserting the following new item: 10 USC prec. 4531.

"4532. Factories and arsenals: manufacture at.".

SEC. 324. MODIFICATION OF ANNUAL REPORTING REQUIREMENT RELATED TO PREPOSITIONING OF MATERIEL AND EQUIPMENT.

Section 321(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 732; 10 U.S.C. 2229 note) is amended—

(1) by striking "Not later than" and inserting the following: "(1) INITIAL REPORT.—Not later than";

(2) by striking ", and annually thereafter"; and

(3) by adding at the end the following new paragraph:

"(2) PROGRESS REPORTS.—Not later than one year after submitting the report required under paragraph (1), and annually thereafter for two years, the Comptroller General shall submit to the congressional defense committees a report assessing the progress of the Department of Defense in implementing its strategic policy and plan for its prepositioned stocks and including any additional information related to the Department's management of its prepositioned stocks that the Comptroller General determines appropriate.".

Subtitle D—Reports

SEC. 331. REPEAL OF ANNUAL REPORT ON DEPARTMENT OF DEFENSE OPERATION AND FINANCIAL SUPPORT FOR MILITARY MUSEUMS.

10 USC 489.

(a) IN GENERAL.—Section 489 of title 10, United States Code, is repealed.

10 USC prec. 480.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by striking the item relating to section 489.

SEC. 332. ARMY ASSESSMENT OF REGIONALLY ALIGNED FORCES.

At the same time as the President transmits to Congress the budget for fiscal year 2016 under section 1105 of title 31, United States Code, the Secretary of the Army shall submit to the congressional defense committees an assessment of how the Army has—

(1) captured and incorporated lessons learned through the initial employment of the regionally aligned forces;

(2) identified, where appropriate, institutionalized and improved region-specific initial, sustaining, and predeployment training;

(3) improved the coordination of activities among special operations forces, Army regionally aligned forces, Department of State country teams, contractors of the Department of State and the Department of Defense, the geographic combatant commands, the Joint Staff, and international partners;

(4) identified and evaluated the various Department of Defense appropriations accounts at the subactivity group, project, program, and activity level and other sources of Federal resources used to fund activities of regionally aligned forces, including the amount of funds obligated or expended from each such account;

(5) identified and assessed the effects associated with activities of regionally aligned forces conducted to meet Department of Defense and geographic combatant command security cooperation requirements;

(6) identified and assessed the effect on the core mission readiness of regionally aligned forces while supporting geographic combatant commander requirements through regionally aligned force activities, and, in the case of any such effect that is assessed as degrading the core mission readiness of such forces, identified plans to mitigate such degradation;

(7) identified and assessed opportunities, costs, benefits, and risks associated with the potential expansion of the regionally aligned forces model; and

(8) identified and assessed opportunities, costs, benefits, and risks associated with retaining or ensuring the availability of regional expertise within forces as aligned to a specific region.

Subtitle E—Limitations and Extensions of Authority

SEC. 341. LIMITATION ON AUTHORITY TO ENTER INTO A CONTRACT FOR THE SUSTAINMENT, MAINTENANCE, REPAIR, OR OVERHAUL OF THE F117 ENGINE.

The Secretary of the Air Force may not enter into a contract for the sustainment, maintenance, repair, or overhaul of the F117 engine until the Under Secretary of Defense for Acquisition, Technology, and Logistics certifies to the congressional defense committees that the Secretary of the Air Force has obtained sufficient data to determine that the Secretary of the Air Force is paying a fair and reasonable price for F117 sustainment, maintenance, repair, or overhaul as compared to the PW2000 commercial-derivative engine sustainment price for sustainment, maintenance, repair, or overhaul in the private sector. The Secretary may waive the limitation in the preceding sentence to enter into a contract if the Secretary determines that such a waiver is in the interest of national security.

SEC. 342. LIMITATION ON ESTABLISHMENT OF REGIONAL SPECIAL OPERATIONS FORCES COORDINATION CENTERS.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense may be obligated or expended to establish Regional Special Operations Forces Coordination Centers.

SEC. 343. LIMITATION ON TRANSFER OF MC–12 AIRCRAFT TO UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) LIMITATION.—Except as provided under subsection (c), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense for operation and maintenance, Defense-wide, may be obligated or expended for the transfer of MC–12 aircraft from the Air Force to the United States Special Operations Command before the date that is 60 days after the date of the delivery of the report required under subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2015, the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, in coordination with the Commander of the United States Special Operations Command, shall submit to the congressional defense committees a report containing an analysis and justification for the transfer of MC–12 aircraft from the Air Force to the United States Special Operations Command.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) a description of the current platform requirements for manned intelligence, surveillance, and reconnaissance aircraft to support United States Special Operations Forces;

(B) an analysis of alternatives comparing various manned intelligence, surveillance, and reconnaissance aircraft, including U–28 aircraft, in meeting the platform requirements for manned intelligence, surveillance, and reconnaissance aircraft to support United States Special Operations Forces;

(C) an analysis of the remaining service life of the U–28 aircraft to be divested by the United States Special Operations Command and the MC–12 aircraft to be transferred from the Air Force;

(D) a description of the future manned intelligence, surveillance, and reconnaissance platform requirements of the United States Special Operations Command for areas outside of Afghanistan, including range, payload, endurance, and other requirements, as defined by the Command's "Intelligence, Surveillance, and Reconnaissance Road Map";

(E) an analysis of the cost to convert MC–12 aircraft to provide intelligence, surveillance, and reconnaissance capabilities equal to or better than those provided by the U–28 aircraft;

(F) a description of the engineering and integration needed to convert MC–12 aircraft to provide intelligence, surveillance, and reconnaissance capabilities equal to or better than those provided by the U–28 aircraft; and

(G) the expected annual cost to operate 16 U–28 aircraft as a Government-owned, contractor operated program.

(c) EXCEPTION.—Subsection (a) does not apply to up to 13 aircraft designated by the Secretary of the Air Force to be transferred from the Air Force to the United States Special Operations Command and flown by the Air National Guard in support of special operations aviation foreign internal defense and intelligence, surveillance, and reconnaissance requirements.

Subtitle F—Other Matters

SEC. 351. CLARIFICATION OF AUTHORITY RELATING TO PROVISION OF INSTALLATION-SUPPORT SERVICES THROUGH INTERGOVERNMENTAL SUPPORT AGREEMENTS.

(a) TRANSFER OF SECTION 2336 TO CHAPTER 159.—

(1) TRANSFER AND REDESIGNATION.—Section 2336 of title 10, United States Code, is transferred to chapter 159 of such title, inserted after section 2678, and redesignated as section 2679.

10 USC 2336, 2679.

(2) REVISED SECTION HEADING.—The heading of such section, as so transferred and redesignated, is amended to read as follows:

"§ 2679. Installation-support services: intergovernmental support agreements".

(b) CLARIFYING AMENDMENTS.—Such section, as so transferred and redesignated, is further amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking "The Secretary concerned" and inserting "Notwithstanding any other provision of law

governing the award of Federal government contracts for goods and services, the Secretary concerned"; and

(ii) by striking "a State or local" and inserting ", on a sole source basis, with a State or local";

(B) in paragraph (2)—

(i) by striking "Notwithstanding any other provision of law, an" and inserting "An";

(ii) by striking subparagraph (A); and

(iii) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B) respectively; and

(C) by adding at the end the following new paragraph:

"(4) Any contract for the provision of installation-support services awarded by the Federal Government or a State or local government pursuant to an intergovernmental support agreement provided in subsection (a) shall be awarded on a competitive basis.".

(2) by adding at the end of subsection (e) the following new paragraph:

"(4) The term 'intergovernmental support agreement' means a legal instrument reflecting a relationship between the Secretary concerned and a State or local government that contains such terms and conditions as the Secretary concerned considers appropriate for the purposes of this section and necessary to protect the interests of the United States.".

(c) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of chapter 137 of such title is amended by striking the item relating to section 2336. 10 USC prec. 2301.

(2) The table of sections at the beginning of chapter 159 of such title is amended by inserting after the item relating to section 2678 the following new item: 10 USC prec. 2661.

"2679. Installation-support services: intergovernmental support agreements.".

SEC. 352. MANAGEMENT OF CONVENTIONAL AMMUNITION INVENTORY.

(a) CONSOLIDATION OF DATA.—Not later than 240 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue Department-wide guidance designating an authoritative source of data for conventional ammunition. Not later than 10 days after issuing the guidance required by this subsection, the Under Secretary shall notify the congressional defense committees on what source of data has been designated under this subsection. 10 USC 2458 note.

(b) ANNUAL REPORT.—The Secretary of the Army shall include in the appropriate annual ammunition inventory reports, as determined by the Secretary, information on all available ammunition for use during the redistribution process, including any ammunition that was unclaimed and categorized for disposal by another military service during a year before the year during which the report is submitted. 10 USC 2458 note.

(c) BRIEFING AND REPORT.—

(1) IN GENERAL.—The Comptroller General of the United States shall provide to the congressional defense committees a briefing and a report on the management of the conventional ammunition demilitarization stockpile of the Department of Defense.

(2) ELEMENTS.—The briefing and report required by paragraph (1) shall include each of the following:

(A) An assessment of the adequacy of Department of Defense policies and procedures governing the demilitarization of excess, obsolete, and unserviceable conventional ammunition.

(B) An assessment of the adequacy of the maintenance by the Department of information on the quantity, value, condition, and location of excess, obsolete, and unserviceable conventional ammunition for each of the Armed Forces.

(C) An assessment of whether the Department has conducted an analysis comparing the costs of storing and maintaining items in the conventional ammunition demilitarization stockpile with the costs of the disposal of items in the stockpile.

(D) An assessment of whether the Department has—

(i) identified challenges in managing the current and anticipated conventional ammunition demilitarization stockpile; and

(ii) if so, developed mitigation plans to address such challenges.

(E) Such other matters relating to the management of the conventional ammunition demilitarization stockpile as the Comptroller General considers appropriate.

(3) DEADLINES.—The briefing required by paragraph (1) shall be provided by not later than April 30, 2015. The report required by that paragraph shall be submitted not later than June 1, 2015.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Subtitle B—Reserve Forces

Subtitle C—Authorization of Appropriations

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2015, as follows:

(1) The Army, 490,000.

(2) The Navy, 323,600.

(3) The Marine Corps, 184,100.

(4) The Air Force, 312,980.

SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs: 10 USC 691.

"(1) For the Army, 490,000.
"(2) For the Navy, 323,600.
"(3) For the Marine Corps, 184,100.
"(4) For the Air Force, 310,900.".

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2015, as follows:

(1) The Army National Guard of the United States, 350,200.
(2) The Army Reserve, 202,000.
(3) The Navy Reserve, 57,300.
(4) The Marine Corps Reserve, 39,200.
(5) The Air National Guard of the United States, 105,000.
(6) The Air Force Reserve, 67,100.
(7) The Coast Guard Reserve, 7,000.

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2015, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 31,385.
(2) The Army Reserve, 16,261.
(3) The Navy Reserve, 9,973.
(4) The Marine Corps Reserve, 2,261.
(5) The Air National Guard of the United States, 14,704.

(6) The Air Force Reserve, 2,830.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2015 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 27,210.

(2) For the Army Reserve, 7,895.

(3) For the Air National Guard of the United States, 21,792.

(4) For the Air Force Reserve, 9,789.

SEC. 414. FISCAL YEAR 2015 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2015, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2015, may not exceed 595.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2015, may not exceed 90.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term "non-dual status technician" has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2015, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2015 for the use

of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2015.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Subtitle B—Reserve Component Management

Subtitle C—General Service Authorities

Subtitle D—Military Justice, Including Sexual Assault and Domestic Violence Prevention and Response

Subtitle A—Officer Personnel Policy

SEC. 501. AUTHORITY TO LIMIT CONSIDERATION FOR EARLY RETIREMENT BY SELECTIVE RETIREMENT BOARDS TO PARTICULAR WARRANT OFFICER YEAR GROUPS AND SPECIALTIES.

Section 581(d) of title 10, United States Code, is amended— 10 USC 581.

(1) by redesignating paragraph (2) as paragraph (3);

(2) by designating the second sentence of paragraph (1) as paragraph (2); and

(3) in paragraph (2), as so designated—

(A) by striking "the list shall include each" and inserting "the list shall include—

"(A) the name of each";

(B) by striking the period at the end and inserting "; or"; and

(C) by adding at the end the following new subparagraph:

"(B) with respect to a group of warrant officers designated under subparagraph (A) who are in a particular grade and competitive category, only those warrant officers in that grade and competitive category who are also in a particular year group or specialty, or any combination thereof determined by the Secretary concerned.".

SEC. 502. AUTHORITY FOR THREE-MONTH DEFERRAL OF RETIREMENT FOR OFFICERS SELECTED FOR SELECTIVE EARLY RETIREMENT.

(a) WARRANT OFFICERS.—Section 581(e) of title 10, United States Code, is amended—

(1) by inserting "(1)" before "The Secretary concerned";

(2) by striking "90 days" and inserting "three months"; and

(3) by adding at the end the following new paragraph:

"(2) An officer recommended for early retirement under this section, if approved for deferral under paragraph (1), shall be retired on the date requested by the officer, and approved by the Secretary concerned, which date shall be not later than the first day of the tenth calendar month beginning after the month in which the Secretary concerned approves the report of the board which recommended the officer for early retirement.".

(b) OFFICERS ON THE ACTIVE-DUTY LIST.—Section 638(b) of such title is amended— 10 USC 638.

(1) by striking paragraph (1) and inserting the following new paragraph:

"(1)(A) An officer in a grade below brigadier general or rear admiral (lower half) who is recommended for early retirement under this section or section 638a of this title and whose early retirement is approved by the Secretary concerned shall be retired, under any provision of law under which he is eligible to retire, on the date requested by him and approved by the Secretary concerned, which date shall be not later than the first day of the seventh calendar month beginning after the month in which the Secretary concerned approves the report of the board which recommended the officer for early retirement.

"(B) If an officer described in subparagraph (A) is not eligible for retirement under any provision of law, the officer shall be retained on active duty until the officer is qualified for retirement under section 3911, 6323, or 8911 of this title, and then be retired under that section, unless the officer is sooner retired or discharged under some other provision of law, with such retirement under that section occurring not later than the later of the following:

"(i) The first day of the month beginning after the month in which the officer becomes qualified for retirement under that section.

"(ii) The first day of the seventh calendar month beginning after the month in which the Secretary concerned approves the report of the board which recommended the officer for early retirement."; and

(2) in paragraph (3)—

(A) by inserting "(A)" before "The Secretary concerned";

(B) by striking "90 days" and inserting "three months"; and

(C) by adding at the end the following new subparagraphs:

"(B) An officer recommended for early retirement under paragraph (1)(A) or section 638a of this title, if approved for deferral under subparagraph (A), shall be retired on the date requested by the officer, and approved by the Secretary concerned, which date shall be not later than the first day of the tenth calendar month beginning after the month in which the Secretary concerned approves the report of the board which recommended the officer for early retirement.

"(C) The Secretary concerned may defer the retirement of an officer otherwise approved for early retirement under paragraph (1)(B), but in no case later than the first day of the tenth calendar month beginning after the month in which the Secretary concerned approves the report of the board which recommended the officer for early retirement.

"(D) An officer recommended for early retirement under paragraph (2), if approved for deferral under subparagraph (A), shall

be retired on the date requested by the officer, and approved by the Secretary concerned, which date shall be not later than the first day of the thirteenth calendar month beginning after the month in which the Secretary concerned approves the report of the board which recommended the officer for early retirement.".

SEC. 503. REPEAL OF LIMITS ON PERCENTAGE OF OFFICERS WHO MAY BE RECOMMENDED FOR DISCHARGE DURING A FISCAL YEAR UNDER ENHANCED SELECTIVE DISCHARGE AUTHORITY.

Section 638a(d) of title 10, United States Code, is amended— 10 USC 638a.

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

SEC. 504. REPORTS ON NUMBER AND ASSIGNMENT OF ENLISTED AIDES FOR OFFICERS OF THE ARMY, NAVY, AIR FORCE, AND MARINE CORPS.

(a) ANNUAL REPORT ON NUMBER OF ENLISTED AIDES.—Section 981 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c) Not later than March 1 of each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report—

"(1) specifying the number of enlisted aides authorized and allocated for general officers and flag officers of the Army, Navy, Air Force, Marine Corps, and joint pool as of September 30 of the previous year; and

"(2) justifying, on a billet-by-billet basis, the authorization and assignment of each enlisted aide to each general officer and flag officer position.".

(b) REPORT ON REDUCTION IN NUMBER OF ENLISTED AIDES AND AUTHORIZATION AND ASSIGNMENT PROCEDURES AND DUTIES.—Not later than June 30, 2015, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the following:

(1) A list of the official military and official representational duties that each Secretary of a military department—

(A) authorizes enlisted aides to perform on the personal staffs of officers of an Armed Force under the jurisdiction of the Secretary concerned; and

(B) considers necessary to be performed by enlisted aides to relieve the officers from minor duties, which, if performed by the officers, would be done at the expense of the officers' primary military or official duties.

(2) Subject to the limitations in section 981 of title 10, United States Code, the procedures used for allocating authorized enlisted aides—

(A) between the Army, Navy, Air Force, and Marine Corps and the joint pool;

(B) within each Armed Force, including the regulations prescribed by the Secretaries of the military departments regarding the allocation of enlisted aides; and

(C) within the joint pool.

(3) The justification, on a billet-by-billet basis, for the authorization and assignment of each enlisted aide to each general officer and flag officer position as of September 30, 2014.

(4) Such recommendations as the Secretary of Defense considers appropriate for changes to the statutory method of calculating the authorized number of enlisted aides.

(c) REPORT OBJECTIVE.—In developing the report required by subsection (b), the Secretary of Defense shall have the objective of reducing the maximum number of enlisted aides authorized and allocated for general officers and flag offers by 40, subject to the validation of duties under subsection (b)(1) and the billet-by-billet justification of positions under subsection (b)(3).

(d) COMPTROLLER GENERAL REVIEW.—

(1) REVIEW REQUIRED.—The Comptroller General of the United States shall review the report submitted by the Secretary of Defense under subsection (b).

(2) ELEMENTS OF REVIEW.—The review under paragraph (1) shall include the following:

(A) An assessment of the methodology used by the Secretary of Defense in satisfying the requirements imposed by paragraphs (1), (2), and (3) of subsection (b).

(B) An assessment of the adequacy of the data used by the Secretary to support the conclusions contained in the report.

(3) REPORT ON RESULTS OF REVIEW.—Not later than 180 days after the date on which the Secretary of Defense submits the report under subsection (b), the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the review conducted under paragraph (1).

SEC. 505. REPEAL OF REQUIREMENT FOR SUBMISSION TO CONGRESS OF ANNUAL REPORTS ON JOINT OFFICER MANAGEMENT AND PROMOTION POLICY OBJECTIVES FOR JOINT OFFICERS.

(a) REPEAL OF ANNUAL REPORTS.—

(1) JOINT OFFICER MANAGEMENT.—Section 667 of title 10, United States Code, is repealed.

10 USC 667.

(2) PROMOTION POLICY OBJECTIVES FOR JOINT OFFICERS.—Section 662 of such title is amended—

(A) by striking "(a) QUALIFICATIONS.—"; and

(B) by striking subsection (b).

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 38 of such title is amended by striking the item relating to section 667.

10 USC prec. 661.

SEC. 506. OPTIONS FOR PHASE II OF JOINT PROFESSIONAL MILITARY EDUCATION.

Section 2154(a)(2) of title 10, United States Code, is amended by striking "consisting of a joint professional military education curriculum" and all that follows through the period at the end and inserting the following: "consisting of—

"(A) a joint professional military education curriculum taught in residence at the Joint Forces Staff College or a senior level service school that has been designated and certified by the Secretary of Defense as a joint professional military education institution; or

"(B) a senior level service course of at least ten months that has been designated and certified by the Secretary of Defense as a joint professional military education course.".

SEC. 507. ELIMINATION OF REQUIREMENT THAT A QUALIFIED AVIATOR OR NAVAL FLIGHT OFFICER BE IN COMMAND OF AN INACTIVATED NUCLEAR-POWERED AIRCRAFT CARRIER BEFORE DECOMMISSIONING.

10 USC 5942.

Section 5942(a) of title 10, United States Code, is amended—

(1) by inserting "(1)" after "(a)"; and

(2) by adding at the end the following new paragraph:

"(2) Paragraph (1) does not apply to command of a nuclear-powered aircraft carrier that has been inactivated for the purpose of permanent decommissioning and disposal.".

SEC. 508. REQUIRED CONSIDERATION OF CERTAIN ELEMENTS OF COMMAND CLIMATE IN PERFORMANCE APPRAISALS OF COMMANDING OFFICERS.

10 USC 1561 note.

The Secretary of a military department shall ensure that the performance appraisal of a commanding officer in an Armed Force under the jurisdiction of that Secretary indicates the extent to which the commanding officer has or has not established a command climate in which—

(1) allegations of sexual assault are properly managed and fairly evaluated; and

(2) a victim of criminal activity, including sexual assault, can report the criminal activity without fear of retaliation, including ostracism and group pressure from other members of the command.

Subtitle B—Reserve Component Management

SEC. 511. RETENTION ON THE RESERVE ACTIVE-STATUS LIST FOLLOWING NONSELECTION FOR PROMOTION OF CERTAIN HEALTH PROFESSIONS OFFICERS AND FIRST LIEUTENANTS AND LIEUTENANTS (JUNIOR GRADE) PURSUING BACCALAUREATE DEGREES.

(a) RETENTION OF CERTAIN FIRST LIEUTENANTS AND LIEUTENANTS (JUNIOR GRADE) FOLLOWING NONSELECTION FOR PROMOTION.—Subsection (a)(1) of section 14701 of title 10, United States Code, is amended—

(1) by striking "A reserve officer of" and inserting "(A) A reserve officer of the Army, Navy, Air Force, or Marine Corps described in subparagraph (B) who is required to be removed from the reserve active-status list under section 14504 of this title, or a reserve officer of";

(2) by striking "of this title may, subject to the needs of the service and to section 14509 of this title," and inserting "of this title, may"; and

(3) by adding at the end the following new subparagraphs:

"(B) A reserve officer covered by this subparagraph is a reserve officer of the Army, Air Force, or Marine Corps who holds the grade of first lieutenant, or a reserve officer of the Navy who holds the grade of lieutenant (junior grade), and who—

"(i) is a health professions officer; or

"(ii) is actively pursuing an undergraduate program of education leading to a baccalaureate degree.

"(C) The consideration of a reserve officer for continuation on the reserve active-status list pursuant to this paragraph is

subject to the needs of the service and to section 14509 of this title.".

(b) RETENTION OF HEALTH PROFESSIONS OFFICERS.—Such section is further amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection (b):

"(b) CONTINUATION OF HEALTH PROFESSIONS OFFICERS.—(1) Notwithstanding subsection (a)(6), a health professions officer obligated to a period of service incurred under section 16201 of this title who is required to be removed from the reserve active-status list under section 14504, 14505, 14506, or 14507 of this title and who has not completed a service obligation incurred under section 16201 of this title shall be retained on the reserve active-status list until the completion of such service obligation and then discharged, unless sooner retired or discharged under another provision of law.

"(2) The Secretary concerned may waive the applicability of paragraph (1) to any officer if the Secretary determines that completion of the service obligation of that officer is not in the best interest of the service.

"(3) A health professions officer who is continued on the reserve active-status list under this subsection who is subsequently promoted or whose name is on a list of officers recommended for promotion to the next higher grade is not required to be discharged or retired upon completion of the officer's service obligation. Such officer may continue on the reserve active-status list as other officers of the same grade unless separated under another provision of law.".

SEC. 512. CONSULTATION WITH CHIEF OF THE NATIONAL GUARD BUREAU IN SELECTION OF DIRECTORS AND DEPUTY DIRECTORS, ARMY NATIONAL GUARD AND AIR NATIONAL GUARD.

10 USC 10506.

(a) ROLE OF CHIEF OF THE NATIONAL GUARD BUREAU.—Paragraph (1) of section 10506(a) of title 10, United States Code, is amended—

(1) in subparagraph (A), by inserting "(after consultation with the Chief of the National Guard Bureau)" after "selected by the Secretary of the Army"; and

(2) in subparagraph (B), by inserting "(after consultation with the Chief of the National Guard Bureau)" after "selected by the Secretary of the Air Force".

(b) CLARIFYING AMENDMENT.—Paragraph (2) of such section is amended by striking "The officers so selected" and inserting "The Director and Deputy Director, Army National Guard, and the Director and Deputy Director, Air National Guard,".

(c) REPEAL OF OBSOLETE PROVISION.—Paragraph (3) of such section is amended—

(1) by striking subparagraph (D); and

(2) by redesignating subparagraph (E) as subparagraph (D).

10 USC 10506 note.

(d) APPLICATION OF AMENDMENTS.—The amendments made by subsection (a) shall apply with respect to assignments to the National Guard Bureau under section 10506 of title 10, United States Code, that occur after the date of the enactment of this Act.

SEC. 513. CENTRALIZED DATABASE OF INFORMATION ON MILITARY TECHNICIAN POSITIONS.

10 USC 115a note.

(a) CENTRALIZED DATABASE REQUIRED.—The Secretary of Defense shall establish and maintain a centralized database of information on military technician positions that will contain and set forth current information on all military technician positions of the Armed Forces.

(b) ELEMENTS.—

(1) IDENTIFICATION OF POSITIONS.—The database required by subsection (a) shall identify each military technician position, whether dual-status or non-dual status.

(2) ADDITIONAL DETAILS.—For each military technician position identified pursuant to paragraph (1), the database required by subsection (a) shall include the following:

(A) A description of the functions of the position.

(B) A statement of the military necessity for the position.

(C) A statement of whether the position is—

(i) a general administration, clerical, or office service occupation; or

(ii) directly related to the maintenance of military readiness.

(c) CONSULTATION.—The Secretary of Defense shall establish the database required by subsection (a) in consultation with the Secretaries of the military departments.

(d) IMPLEMENTATION REPORT.—Not later than September 1, 2015, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the progress made in establishing the database required by subsection (a).

SEC. 514. REPORT ON MANAGEMENT OF PERSONNEL RECORDS OF MEMBERS OF THE NATIONAL GUARD.

(a) REPORT REQUIRED.—Not later than December 1, 2015, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report regarding the management of personnel records of members of the Army National Guard of the United States and the Air Guard of the United States.

(b) ELEMENTS OF REPORT.—In preparing the report under subsection (a), the Secretary of Defense shall assess the following:

(1) The roles and responsibilities of States and Federal agencies in the management of the records of members of the Army National Guard of the United States and the Air Guard of the United States.

(2) The extent to which States have digitized the records of National Guard members.

(3) The extent to which States and Federal agencies have the capability to share digitized records of National Guard members.

(4) The measures required to correct deficiencies, if any, noted by the Secretary of Defense in the capability of Federal agencies to effectively manage the records of National Guard members.

(5) The authorities, responsibilities, processes, and procedures for the maintenance and disposition of the records of National Guard members who—

(A) are discharged or separated from the National Guard;

(B) are transferred to the Retired Reserve; or

(C) but for age, would be eligible for retired or retainer pay.

Subtitle C—General Service Authorities

SEC. 521. ENHANCEMENT OF PARTICIPATION OF MENTAL HEALTH PROFESSIONALS IN BOARDS FOR CORRECTION OF MILITARY RECORDS AND BOARDS FOR REVIEW OF DISCHARGE OR DISMISSAL OF MEMBERS OF THE ARMED FORCES.

10 USC 1552.

(a) BOARDS FOR CORRECTION OF MILITARY RECORDS.—Section 1552 of title 10, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):

"(g) Any medical advisory opinion issued to a board established under subsection (a)(1) with respect to a member or former member of the armed forces who was diagnosed while serving in the armed forces as experiencing a mental health disorder shall include the opinion of a clinical psychologist or psychiatrist if the request for correction of records concerned relates to a mental health disorder.".

(b) BOARDS FOR REVIEW OF DISCHARGE OR DISMISSAL.—

(1) REVIEW FOR CERTAIN FORMER MEMBERS WITH PTSD OR TBI.—Subsection (d)(1) of section 1553 of such title is amended by striking "physician, clinical psychologist, or psychiatrist" the second place it appears and inserting "clinical psychologist or psychiatrist, or a physician with training on mental health issues connected with post traumatic stress disorder or traumatic brain injury (as applicable)".

(2) REVIEW FOR CERTAIN FORMER MEMBERS WITH MENTAL HEALTH DIAGNOSES.—Such section is further amended by adding at the end the following new subsection:

"(e) In the case of a former member of the armed forces (other than a former member covered by subsection (d)) who was diagnosed while serving in the armed forces as experiencing a mental health disorder, a board established under this section to review the former member's discharge or dismissal shall include a member who is a clinical psychologist or psychiatrist, or a physician with special training on mental health disorders.".

SEC. 522. EXTENSION OF AUTHORITY TO CONDUCT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) EXTENSION OF PROGRAM AUTHORITY.—Subsection (m) of section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. prec. 701 note) is amended—

(1) by inserting "(1)" before "No member";

(2) by striking "December 31, 2015" and inserting "December 31, 2019"; and

(3) by adding at the end the following new paragraph:

"(2) A member may not be reactivated to active duty in the Armed Forces under a pilot program conducted under this section after December 31, 2022.".

(b) REPORTING REQUIREMENTS.—Subsection (k) of such section is amended—

(1) in paragraph (1), by striking "and 2017" and inserting "2017, and 2019";

(2) in paragraph (2), by striking "March 1, 2019" and inserting "March 1, 2023"; and

(3) by adding at the end the following new paragraph:

"(4) ADDITIONAL ELEMENTS FOR FINAL REPORT.—In addition to the elements required by paragraph (3), the final report under this subsection shall include the following:

"(A) A description of the costs to each military department of each pilot program conducted under this section.

"(B) A description of the reasons why members choose to participate in the pilot programs.

"(C) A description of the members who did not return to active duty at the conclusion of their inactivation from active duty under the pilot programs, and a statement of the reasons why the members did not return to active duty.

"(D) A statement whether members were required to perform inactive duty training as part of their participation in the pilot programs, and if so, a description of the members who were required to perform such inactive duty training, a statement of the reasons why the members were required to perform such inactive duty training, and a description of how often the members were required to perform such inactive duty training.".

SEC. 523. PROVISION OF INFORMATION TO MEMBERS OF THE ARMED FORCES ON PRIVACY RIGHTS RELATING TO RECEIPT OF MENTAL HEALTH SERVICES.

10 USC 1071 note.

(a) PROVISION OF INFORMATION REQUIRED.—The Secretaries of the military departments shall ensure that the information described in subsection (b) is provided—

(1) to each officer candidate during initial training;

(2) to each recruit during basic training; and

(3) to other members of the Armed Forces at such times as the Secretary of Defense considers appropriate.

(b) REQUIRED INFORMATION.—The information required to be provided under subsection (a) shall include information on the applicability of the Department of Defense Instruction on Privacy of Individually Identifiable Health Information in DoD Health Care Programs and other regulations regarding privacy prescribed pursuant to the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191) to records regarding a member of the Armed Forces seeking and receiving mental health services.

SEC. 524. REMOVAL OF ARTIFICIAL BARRIERS TO THE SERVICE OF WOMEN IN THE ARMED FORCES.

10 USC 113 note.

(a) ROLE OF SECRETARY OF DEFENSE IN DEVELOPMENT OF GENDER-NEUTRAL OCCUPATIONAL STANDARDS.—The Secretary of Defense shall ensure that the gender-neutral occupational standards being developed by the Secretaries of the military departments pursuant to section 543 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 113 note), as amended by section 523 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 756)—

(1) accurately predict performance of actual, regular, and recurring duties of a military occupation; and

(2) are applied equitably to measure individual capabilities.

10 USC 113 note.

(b) FEMALE PERSONAL PROTECTION GEAR.—The Secretary of Defense shall direct each Secretary of a military department to take immediate steps to ensure that combat equipment distributed to female members of the Armed Forces—

(1) is properly designed and fitted; and

(2) meets required standards for wear and survivability.

(c) REVIEW OF OUTREACH AND RECRUITMENT EFFORTS FOCUSED ON OFFICERS.—

(1) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a review of Services' Outreach and Recruitment Efforts gauged toward women representation in the officer corps.

(2) ELEMENTS OF REVIEW.—In conducting the review under this subsection, the Comptroller General shall—

(A) identify and evaluate current initiatives the Armed Forces are using to increase accession of women into the officer corps;

(B) identify new recruiting efforts to increase accessions of women into the officer corps specifically at the military service academies, Officer Candidate Schools, Officer Training Schools, the Academy of Military Science, and Reserve Officer Training Corps; and

(C) identify efforts, resources, and funding required to increase military service academy accessions by women.

(3) SUBMISSION OF RESULTS.—Not later than October 1, 2015, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review under this subsection.

Subtitle D—Military Justice, Including Sexual Assault and Domestic Violence Prevention and Response

SEC. 531. TECHNICAL REVISIONS AND CLARIFICATIONS OF CERTAIN PROVISIONS IN THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014 RELATING TO THE MILITARY JUSTICE SYSTEM.

(a) REVISIONS OF ARTICLE 32 AND ARTICLE 60, UNIFORM CODE OF MILITARY JUSTICE.—

(1) EXPLICIT AUTHORITY FOR CONVENING AUTHORITY TO TAKE ACTION ON FINDINGS OF A COURT-MARTIAL WITH RESPECT TO A QUALIFYING OFFENSE.—Paragraph (3) of subsection (c) of section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), as amended by section 1702(b) of the National Defense Authorization Act of 2014 (Public Law 113–66; 127 Stat. 955), is amended—

10 USC 860.

(A) in subparagraph (A), by inserting "and may be taken only with respect to a qualifying offense" after "is not required";

(B) in subparagraph (B)(i)—

(i) by striking ", other than a charge or specification for a qualifying offense,"; and

(ii) by inserting ", but may take such action with respect to a qualifying offense" after "thereto"; and

(C) in subparagraph (B)(ii)—

(i) by striking ", other than a charge or specification for a qualifying offense,"; and

(ii) by inserting ", but may take such action with respect to a qualifying offense" before the period.

(2) CLARIFICATION OF APPLICABILITY OF REQUIREMENT FOR EXPLANATION IN WRITING FOR MODIFICATION TO FINDINGS OF A COURT-MARTIAL.—Paragraph (3)(C) of subsection (c) of section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), as amended by section 1702(b) of the National Defense Authorization Act of 2014 (Public Law 113–66; 127 Stat. 955), is amended by striking "(other than a qualifying offense)". 10 USC 860.

(3) VICTIM SUBMISSION OF MATTERS FOR CONSIDERATION BY CONVENING AUTHORITY DURING CLEMENCY PHASE OF COURTS-MARTIAL PROCESS.—Subsection (d) of section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), as added by section 1706(a) of the National Defense Authorization Act of Fiscal Year 2014 (Public Law 113–66; 127 Stat. 960), is amended—

(A) in paragraph (2)(A)—

(i) in clause (i), by inserting ", if applicable" after "(article 54(e))"; and

(ii) in clause (ii), by striking "if applicable,"; and

(B) in paragraph (5), by striking "loss" and inserting "harm".

(4) RESTORATION OF WAIVER OF ARTICLE 32 HEARINGS BY THE ACCUSED.—

(A) IN GENERAL.—Section 832(a)(1) of title 10, United States Code (article 32(a)(1) of the Uniform Code of Military Justice), as amended by section 1702(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 954), is amended by inserting ", unless such hearing is waived by the accused" after "preliminary hearing".

(B) CONFORMING AMENDMENT.—Section 834(a)(2) of such title (article 34(a)(2) of the Uniform Code of Military Justice), as amended by section 1702(c)(3)(B) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 957), is amended by inserting "(if there is such a report)" after "a preliminary hearing under section 832 of this title (article 32)".

(5) NON-APPLICABILITY OF PROHIBITION ON PRE-TRIAL AGREEMENTS FOR CERTAIN OFFENSES WITH MANDATORY MINIMUM SENTENCES.—Section 860(c)(4)(C)(ii) of title 10, United States Code (article 60(c)(4)(C)(ii) of the Uniform Code of Military Justice), as amended by section 1702(b) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 955), is amended by inserting "pursuant to section 856(b) of this title (article 56(b))" after "applies".

(b) DEFENSE COUNSEL INTERVIEW OF VICTIM OF AN ALLEGED SEX-RELATED OFFENSE.—

10 USC 846.

(1) REQUESTS TO INTERVIEW VICTIM THROUGH COUNSEL.—Subsection (b)(1) of section 846 of title 10, United States Code (article 46(b) of the Uniform Code of Military Justice), as amended by section 1704 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 958), is amended by striking "through trial counsel" and inserting "through the Special Victims' Counsel or other counsel for the victim, if applicable".

(2) CORRECTION OF REFERENCES TO TRIAL COUNSEL.—Such section is further amended by striking "trial counsel" each place it appears and inserting "counsel for the Government".

(3) CORRECTION OF REFERENCES TO DEFENSE COUNSEL.—Such section is further amended—

(A) in the heading, by striking "DEFENSE COUNSEL" and inserting "COUNSEL FOR ACCUSED"; and

(B) by striking "defense counsel" each place it appears and inserting "counsel for the accused".

(c) SPECIAL VICTIMS' COUNSEL FOR VICTIMS OF SEX-RELATED OFFENSES.—Section 1044e of title 10, United States Code, as added by section 1716(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 113–66; 127 Stat. 966), is amended—

(1) in subsection (b)(4), by striking "the Department of Defense" and inserting "the United States";

(2) in subsection (d)(2), by inserting ", and within the Marine Corps, by the Staff Judge Advocate to the Commandant of the Marine Corps" after "employed"; and

(3) in subsection (e)(1), by inserting "concerned" after "jurisdiction of the Secretary".

(d) REPEAL OF OFFENSE OF CONSENSUAL SODOMY UNDER THE UNIFORM CODE OF MILITARY JUSTICE.—

(1) CLARIFICATION OF DEFINITION OF FORCIBLE SODOMY.—Section 925(a) of title 10, United States Code (article 125(a) of the Uniform Code of Military Justice), as amended by section 1707 of the National Defense Authorization Act of Fiscal Year 2014 (Public Law 113–66; 127 Stat. 961), is amended by striking "force" and inserting "unlawful force".

(2) CONFORMING AMENDMENTS.—

(A) ARTICLE 43.—Section 843(b)(2)(B) of such title (article 43(b)(2)(B) of the Uniform Code of Military Justice) is amended—

(i) in clause (iii), by striking "Sodomy" and inserting "Forcible sodomy"; and

(ii) in clause (v), by striking "sodomy" and inserting "forcible sodomy".

(B) ARTICLE 118.—Section 918(4) of such title (article 118(4) of the Uniform Code of Military Justice) is amended by striking "sodomy" and inserting "forcible sodomy".

(e) CLARIFICATION OF SCOPE OF PROSPECTIVE MEMBERS OF THE ARMED FORCES FOR PURPOSES OF INAPPROPRIATE AND PROHIBITED RELATIONSHIPS.—Section 1741(e)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 977; 10 U.S.C. prec. 501 note) is amended by inserting "who is pursuing or has recently pursued becoming a member of the Armed Forces and" after "a person".

(f) EXTENSION OF CRIME VICTIMS' RIGHTS TO VICTIMS OF OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.—

(1) CLARIFICATION OF LIMITATION ON DEFINITION OF VICTIM TO NATURAL PERSONS.—Subsection (b) of section 806b of title 10, United States Code (article 6b of the Uniform Code of Military Justice), as added by section 1701 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 952), is amended by striking "a person" and inserting "an individual". 10 USC 806b.

(2) CLARIFICATION OF AUTHORITY TO APPOINT INDIVIDUALS TO ASSUME RIGHTS OF CERTAIN VICTIMS.—Subsection (c) of such section is amended—

(A) in the heading, by striking "LEGAL GUARDIAN" and inserting "APPOINTMENT OF INDIVIDUALS TO ASSUME RIGHTS";

(B) by inserting "(but who is not a member of the armed forces)" after "under 18 years of age";

(C) by striking "designate a legal guardian from among the representatives" and inserting "designate a representative";

(D) by striking "other suitable person" and inserting "another suitable individual"; and

(E) by striking "the person" and inserting "the individual".

(g) REVISION TO EFFECTIVE DATES TO FACILITATE TRANSITION TO REVISED RULES FOR PRELIMINARY HEARING REQUIREMENTS AND CONVENING AUTHORITY ACTION POST-CONVICTION.—

(1) EFFECTIVE DATE FOR AMENDMENTS RELATED TO ARTICLE 32.—Effective as of December 26, 2013, and as if included therein as enacted, section 1702(d)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 958; 10 U.S.C. 802 note, 832 note) is amended by striking "one year after" and all that follows through the end of the sentence and inserting "on the later of December 26, 2014, or the date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 and shall apply with respect to preliminary hearings conducted on or after that effective date.". 10 USC 802 note.

(2) TRANSITION RULE FOR AMENDMENTS RELATED TO ARTICLE 60.—

(A) TRANSITION RULE.—Section 1702(d)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 958; 10 U.S.C. 860 note) is amended—

(i) by striking "The amendments" and inserting "(A) Except as provided in subparagraph (B), the amendments"; and

(ii) by adding at the end the following new subparagraph:

"(B) With respect to the findings and sentence of a court-martial that includes both a conviction for an offense committed before the effective date specified in subparagraph (A) and a conviction for an offense committed on or after that effective date, the convening authority shall have the same authority to take action on such findings and sentence as was in effect on the day before such effective date, except with respect to a mandatory minimum sentence under section 856(b) of title 10, United States Code (article 56(b) of the Uniform Code of Military Justice).".

10 USC 860 note.

(B) APPLICATION OF AMENDMENTS.—The amendments made by subparagraph (A) shall not apply to the findings and sentence of a court-martial with respect to which the convening authority has taken action before the date that is 30 days after the date of the enactment of this Act.

SEC. 532. ORDERING OF DEPOSITIONS UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

10 USC 849.

Subsection (a) of section 849 of title 10, United States Code (article 49 of the Uniform Code of Military Justice), is amended to read as follows:

"(a)(1) At any time after charges have been signed as provided in section 830 of this title (article 30), oral or written depositions may be ordered as follows:

"(A) Before referral of such charges for trial, by the convening authority who has such charges for disposition.

"(B) After referral of such charges for trial, by the convening authority or the military judge hearing the case.

"(2) An authority authorized to order a deposition under paragraph (1) may order the deposition at the request of any party, but only if the party demonstrates that, due to exceptional circumstances, it is in the interest of justice that the testimony of the prospective witness be taken and preserved for use at a preliminary hearing under section 832 of this title (article 32) or a court-martial.

"(3) If a deposition is to be taken before charges are referred for trial, the authority under paragraph (1)(A) may designate commissioned officers as counsel for the Government and counsel for the accused, and may authorize those officers to take the deposition of any witness.".

SEC. 533. ACCESS TO SPECIAL VICTIMS' COUNSEL.

(a) IN GENERAL.—Subsection (a) of section 1044e of title 10, United States Code, is amended to read as follows:

"(a) DESIGNATION; PURPOSES.—(1) The Secretary concerned shall designate legal counsel (to be known as 'Special Victims' Counsel') for the purpose of providing legal assistance to an individual described in paragraph (2) who is the victim of an alleged sex-related offense, regardless of whether the report of that offense is restricted or unrestricted.

"(2) An individual described in this paragraph is any of the following:

"(A) An individual eligible for military legal assistance under section 1044 of this title.

"(B) An individual who is—

"(i) not covered under subparagraph (A);

"(ii) a member of a reserve component of the armed forces; and

"(iii) a victim of an alleged sex-related offense as described in paragraph (1)—

"(I) during a period in which the individual served on active duty, full-time National Guard duty, or inactive-duty training; or

"(II) during any period, regardless of the duty status of the individual, if the circumstances of the alleged sex-related offense have a nexus to the military service of the victim, as determined under regulations prescribed by the Secretary of Defense.".

(b) CONFORMING AMENDMENTS.—Subsection (f) of such section is amended by striking "eligible for military legal assistance under section 1044 of this title" each place it appears and inserting "described in subsection (a)(2)".

SEC. 534. ENHANCEMENT OF VICTIMS' RIGHTS IN CONNECTION WITH PROSECUTION OF CERTAIN SEX-RELATED OFFENSES.

(a) REPRESENTATION BY SPECIAL VICTIMS' COUNSEL.—Section 1044e(b)(6) of title 10, United States Code, is amended by striking "Accompanying the victim" and inserting "Representing the victim".

(b) CONSULTATION REGARDING VICTIM'S PREFERENCE IN PROSECUTION VENUE.— 10 USC 1044e note.

(1) CONSULTATION PROCESS REQUIRED.—The Secretary of Defense shall establish a process to ensure consultation with the victim of an alleged sex-related offense that occurs in the United States to solicit the victim's preference regarding whether the offense should be prosecuted by court-martial or in a civilian court with jurisdiction over the offense.

(2) CONVENING AUTHORITY CONSIDERATION OF PREFERENCE.—The preference expressed by the victim of an alleged sex-related offense under paragraph (1) regarding the prosecution of the offense, while not binding, should be considered by the convening authority in making the determination regarding whether to refer the charge or specification for the offense to a court-martial for trial.

(3) NOTICE TO APPROPRIATE JURISDICTION OF VICTIM'S PREFERENCE FOR CIVILIAN PROSECUTION.—If the victim of an alleged sex-related offense expresses a preference under paragraph (1) for prosecution of the offense in a civilian court, the convening authority described in paragraph (2) shall ensure that the civilian authority with jurisdiction over the offense is notified of the victim's preference for civilian prosecution.

(4) NOTICE TO VICTIM OF STATUS OF CIVILIAN PROSECUTION WHEN VICTIM EXPRESSES PREFERENCE FOR CIVILIAN PROSECUTION.—Following notification of the civilian authority with jurisdiction over an alleged sex-related offense of the preference of the victim of the offense for prosecution of the offense in a civilian court, the convening authority shall be responsible for notifying the victim if the convening authority learns of any decision by the civilian authority to prosecute or not prosecute the offence in a civilian court.

(c) MODIFICATION OF MANUAL FOR COURTS-MARTIAL.—Not later than 180 days after the date of the enactment of this Act, Part III of the Manual for Courts-Martial shall be modified to provide that when a victim of an alleged sex-related offense has a right to be heard in connection with the prosecution of the alleged sex-related such offense, the victim may exercise that right through counsel, including through a Special Victims' Counsel under section 1044e of title 10, United States Code (as amended by subsection (a)). 10 USC 1044e note.

(d) NOTICE TO COUNSEL ON SCHEDULING OF PROCEEDINGS.—The Secretary concerned shall establish policies and procedures designed to ensure that any counsel of the victim of an alleged sex-related offense, including a Special Victims' Counsel under section 1044e of title 10, United States Code (as amended by subsection (a)), is provided prompt and adequate notice of the scheduling of any hearing, trial, or other proceeding in connection with the 10 USC 1044e note.

prosecution of such offense in order to permit such counsel the opportunity to prepare for such proceeding.

10 USC 1044e note.

(e) DEFINITIONS.—In this section:

(1) The term "alleged sex-related offense" has the meaning given that term in section 1044e(g) of title 10, United States Code.

(2) The term "Secretary concerned" has the meaning given that term in section 101(a)(9) of such title.

SEC. 535. ENFORCEMENT OF CRIME VICTIMS' RIGHTS RELATED TO PROTECTIONS AFFORDED BY CERTAIN MILITARY RULES OF EVIDENCE.

Section 806b of title 10, United States Code (article 6b of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

"(e) ENFORCEMENT BY COURT OF CRIMINAL APPEALS.—(1) If the victim of an offense under this chapter believes that a court-martial ruling violates the victim's rights afforded by a Military Rule of Evidence specified in paragraph (2), the victim may petition the Court of Criminal Appeals for a writ of mandamus to require the court-martial to comply with the Military Rule of Evidence.

"(2) Paragraph (1) applies with respect to the protections afforded by the following:

"(A) Military Rule of Evidence 513, relating to the psychotherapist-patient privilege.

"(B) Military Rule of Evidence 412, relating to the admission of evidence regarding a victim's sexual background.".

SEC. 536. MODIFICATION OF MILITARY RULES OF EVIDENCE RELATING TO ADMISSIBILITY OF GENERAL MILITARY CHARACTER TOWARD PROBABILITY OF INNOCENCE.

(a) MODIFICATION REQUIRED.—Not later than 180 days after the date of the enactment of this Act, Rule 404(a) of the Military Rules of Evidence shall be amended to provide that the general military character of an accused is not admissible for the purpose of showing the probability of innocence of the accused for an offense specified in subsection (b).

(b) COVERED OFFENSES.—Subsection (a) applies to the following offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice):

(1) An offense under sections 920 through 923a of such title (articles 120 through 123a).

(2) An offense under sections 925 through 927 of such title (articles 125 through 127).

(3) An offense under sections 929 through 932 of such title (articles 129 through 132).

(4) Any other offense under such chapter (the Uniform Code of Military Justice) in which evidence of the general military character of the accused is not relevant to an element of an offense for which the accused has been charged.

(5) An attempt to commit an offense or a conspiracy to commit an offense specified in a preceding paragraph as punishable under section 880 or 881 of such title (article 80 or 81).

SEC. 537. MODIFICATION OF RULE 513 OF THE MILITARY RULES OF EVIDENCE, RELATING TO THE PRIVILEGE AGAINST DISCLOSURE OF COMMUNICATIONS BETWEEN PSYCHOTHERAPISTS AND PATIENTS.

Not later than 180 days after the date of the enactment of this Act, Rule 513 of the Military Rules of Evidence shall be modified as follows:

(1) To include communications with other licensed mental health professionals within the communications covered by the privilege.

(2) To strike the current exception to the privilege contained in subparagraph (d)(8) of Rule 513.

(3) To require a party seeking production or admission of records or communications protected by the privilege—

(A) to show a specific factual basis demonstrating a reasonable likelihood that the records or communications would yield evidence admissible under an exception to the privilege;

(B) to demonstrate by a preponderance of the evidence that the requested information meets one of the enumerated exceptions to the privilege;

(C) to show that the information sought is not merely cumulative of other information available; and

(D) to show that the party made reasonable efforts to obtain the same or substantially similar information through non-privileged sources.

(4) To authorize the military judge to conduct a review in camera of records or communications only when—

(A) the moving party has met its burden as established pursuant to paragraph (3); and

(B) an examination of the information is necessary to rule on the production or admissibility of protected records or communications.

(5) To require that any production or disclosure permitted by the military judge be narrowly tailored to only the specific records or communications, or portions of such records or communications, that meet the requirements for one of the enumerated exceptions to the privilege and are included in the stated purpose for which the such records or communications are sought.

SEC. 538. MODIFICATION OF DEPARTMENT OF DEFENSE POLICY ON RETENTION OF EVIDENCE IN A SEXUAL ASSAULT CASE TO PERMIT RETURN OF PERSONAL PROPERTY UPON COMPLETION OF RELATED PROCEEDINGS.

Section 586 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1434; 10 U.S.C. 1561 note) is amended by adding at the end the following new subsection:

"(f) RETURN OF PERSONAL PROPERTY UPON COMPLETION OF RELATED PROCEEDINGS.—Notwithstanding subsection (c)(4)(A), personal property retained as evidence in connection with an incident of sexual assault involving a member of the Armed Forces may be returned to the rightful owner of such property after the conclusion of all legal, adverse action, and administrative proceedings related to such incident.".

SEC. 539. REQUIREMENTS RELATING TO SEXUAL ASSAULT FORENSIC EXAMINERS FOR THE ARMED FORCES.

10 USC 1561 note.

(a) PERSONNEL ELIGIBLE FOR ASSIGNMENT.—

(1) SPECIFIED PERSONNEL.—Except as provided in paragraph (2), an individual who may be assigned to duty as a Sexual Assault Forensic Examiner (SAFE) for the Armed Forces is limited to members of the Armed Forces and civilian employees of the Department of Defense who are also one of the following:

(A) A physician.

(B) A nurse practitioner.

(C) A nurse midwife.

(D) A physician assistant.

(E) A registered nurse.

(2) INDEPENDENT DUTY CORPSMEN.—An independent duty corpsman or equivalent may be assigned to duty as a Sexual Assault Forensic Examiner for the Armed Forces if the assignment of an individual specified in paragraph (1) is impracticable.

10 USC 1561 note.

(b) TRAINING AND CERTIFICATION.—

(1) IN GENERAL.—The Secretary of Defense shall establish and maintain, and update when appropriate, a training and certification program for Sexual Assault Forensic Examiners. The training and certification programs shall apply uniformly to all Sexual Assault Forensic Examiners under the jurisdiction of the Secretaries of the military departments.

(2) ELEMENTS.—Each training and certification program under this subsection shall include training in sexual assault forensic examinations by qualified personnel who possess—

(A) a Sexual Assault Nurse Examiner—Adult/Adolescent (SANE–A) certification or equivalent certification; or

(B) training and clinical or forensic experience in sexual assault forensic examinations similar to that required for a certification described in subparagraph (A).

(3) NATURE OF TRAINING.—The training provided under each training and certification program under this subsection shall incorporate and reflect current best practices and standards on sexual assault forensic examinations.

(4) APPLICABILITY OF TRAINING REQUIREMENTS.—Effective beginning one year after the date of the enactment of this Act, an individual may not be assigned to duty as a Sexual Assault Forensic Examiner for the Armed Forces unless the individual has completed, by the date of such assignment, all training required under the training and certification program under this subsection.

(c) REPORT ON TRAINING AND QUALIFICATIONS OF SEXUAL ASSAULT FORENSIC EXAMINERS.—

(1) REPORT REQUIRED.—The Secretary of Defense shall prepare a report on the adequacy of the training and qualifications of each member of the Armed Forces and civilian employee of the Department of Defense who is assigned responsibilities of a Sexual Assault Forensic Examiner.

(2) REPORT ELEMENTS.—The report shall include the following:

(A) An assessment of the adequacy of the training and certifications required for the members and employees described in paragraph (1).

(B) Such improvements as the Secretary of Defense considers appropriate in the process used to select and assign members and employees to positions that include responsibility for sexual assault forensic examinations.

(C) Such improvements as the Secretary considers appropriate for training and certifying member and employees that perform sexual assault forensic examinations.

(3) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit the report to the Committees on Armed Services of the House of Representatives and the Senate.

(d) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Subsection (b) of section 1725 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 971) is amended— 10 USC 1561 note.

(A) in the subsection heading, by striking "NURSE EXAMINERS" and inserting "FORENSIC EXAMINERS";

(B) in paragraphs (1) and (2), by striking "sexual assault nurse examiner" each place it appears and inserting "Sexual Assault Forensic Examiner";

(C) in paragraph (1), by striking "sexual assault nurse examiners" and inserting "Sexual Assault Forensic Examiners"; and

(D) by striking paragraph (3).

(2) CLERICAL AMENDMENT.—The heading of such section is amended by striking "**NURSE EXAMINERS**" and inserting "**FORENSIC EXAMINERS**".

SEC. 540. MODIFICATION OF TERM OF JUDGES OF THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES.

(a) MODIFICATION OF TERMS.—Section 942(b)(2) of title 10, United States Code (article 142(b)(2) of the Uniform Code of Military Justice), is amended—

(1) in subparagraph (A)—

(A) by striking "March 31" and inserting "January 31";

(B) by striking "October 1" and inserting "July 31"; and

(C) by striking "September 30" and inserting "July 31"; and

(2) in subparagraph (B)—

(A) by striking "September 30" each place it appears and inserting "July 31"; and

(B) by striking "April 1" and inserting "February 1".

(b) SAVING PROVISION.—No person who is serving as a judge of the court on the date of the enactment of this Act, and no survivor of any such person, shall be deprived of any annuity provided by section 945 of title 10, United States Code, by the operation of the amendments made by subsection (a). 10 USC 942 note.

SEC. 541. REVIEW OF DECISIONS NOT TO REFER CHARGES OF CERTAIN SEX-RELATED OFFENSES FOR TRIAL BY COURT-MARTIAL IF REQUESTED BY CHIEF PROSECUTOR.

Section 1744(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 981; 10 U.S.C. 834 note) is amended—

(1) by striking "(c)" and all that follows through "In any case where" and inserting the following:

"(c) REVIEW OF CERTAIN CASES NOT REFERRED TO COURT-MARTIAL.—

"(1) CASES NOT REFERRED FOLLOWING STAFF JUDGE ADVOCATE RECOMMENDATION FOR REFERRAL FOR TRIAL.—In any case where"; and

(2) by adding at the end the following new paragraph:

"(2) CASES NOT REFERRED BY CONVENING AUTHORITY UPON REQUEST FOR REVIEW BY CHIEF PROSECUTOR.—

"(A) IN GENERAL.—In any case where a convening authority decides not to refer a charge of a sex-related offense to trial by court-martial, the Secretary of the military department concerned shall review the decision as a superior authority authorized to exercise general court-martial convening authority if the chief prosecutor of the Armed Force concerned, in response to a request by the detailed counsel for the Government, requests review of the decision by the Secretary.

"(B) CHIEF PROSECUTOR DEFINED.—In this paragraph, the term 'chief prosecutor' means the chief prosecutor or equivalent position of an Armed Force, or, if an Armed Force does not have a chief prosecutor or equivalent position, such other trial counsel as shall be designated by the Judge Advocate General of that Armed Force, or in the case of the Marine Corps, the Staff Judge Advocate to the Commandant of the Marine Corps.".

SEC. 542. ANALYSIS AND ASSESSMENT OF DISPOSITION OF MOST SERIOUS OFFENSES IDENTIFIED IN UNRESTRICTED REPORTS ON SEXUAL ASSAULTS IN ANNUAL REPORTS ON SEXUAL ASSAULTS IN THE ARMED FORCES.

(a) SUBMITTAL TO SECRETARY OF DEFENSE OF INFORMATION ON EACH ARMED FORCE.—Subsection (b) of section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 1561 note) is amended by adding at the end the following new paragraph:

"(11) An analysis of the disposition of the most serious offenses occurring during sexual assaults committed by members of the Armed Force during the year covered by the report, as identified in unrestricted reports of sexual assault by any members of the Armed Forces, including the numbers of reports identifying offenses that were disposed of by each of the following:

"(A) Conviction by court-martial, including a separate statement of the most serious charge preferred and the most serious charge for which convicted.

"(B) Acquittal of all charges at court-martial.

"(C) Non-judicial punishment under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice).

"(D) Administrative action, including by each type of administrative action imposed.

"(E) Dismissal of all charges, including by reason for dismissal and by stage of proceedings in which dismissal occurred.".

(b) SECRETARY OF DEFENSE ASSESSMENT OF INFORMATION IN REPORTS TO CONGRESS.—Subsection (d) of such section is amended— 10 USC 1561 note.

(1) in paragraph (1), by striking "and" at the end;

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph (2):

"(2) an assessment of the information submitted to the Secretary pursuant to subsection (b)(11); and"; and

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection, by inserting "other" before "assessments".

(c) APPLICATION OF AMENDMENTS.—The amendments made by this section shall take effect on the date of the enactment of this Act and apply beginning with the report regarding sexual assaults involving members of the Armed Forces required to be submitted by March 1, 2015, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011. 10 USC 1561 note.

SEC. 543. PLAN FOR LIMITED USE OF CERTAIN INFORMATION ON SEXUAL ASSAULTS IN RESTRICTED REPORTS BY MILITARY CRIMINAL INVESTIGATIVE ORGANIZATIONS.

(a) PLAN REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan that will allow an individual who files a restricted report on an incident of sexual assault to elect to permit a military criminal investigative organization, on a confidential basis and without affecting the restricted nature of the report, to access certain information in the report, including identifying information of the alleged perpetrator if available, for the purpose of identifying individuals who are suspected of perpetrating multiple sexual assaults.

(b) PLAN ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) An explanation of how the military criminal investigative organization would use, maintain, and protect information in the restricted report.

(2) An explanation of how the identity of an individual who elects to provide access to such information will be protected.

(3) A timeline for implementation of the plan during the one-year period beginning on the date of the submission of the plan to the Committees on Armed Services of the Senate and the House of Representatives.

SEC. 544. IMPROVED DEPARTMENT OF DEFENSE INFORMATION REPORTING AND COLLECTION OF DOMESTIC VIOLENCE INCIDENTS INVOLVING MEMBERS OF THE ARMED FORCES.

(a) DATA REPORTING AND COLLECTION IMPROVEMENTS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall develop a comprehensive management plan to address deficiencies in the reporting of information on incidents of domestic violence involving members of the Armed Forces for inclusion in the Department of Defense database on domestic violence incidents required by section 1562 of title 10, United States Code, to ensure that the database provides an accurate count of domestic violence incidents and any consequent disciplinary action.

(b) CONFORMING AMENDMENT.—Section 543(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1562 note) is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

SEC. 545. ADDITIONAL DUTIES FOR JUDICIAL PROCEEDINGS PANEL.

(a) ADDITIONAL DUTIES IMPOSED.—The independent panel established by the Secretary of Defense under section 576(a)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1758), known as the "judicial proceedings panel", shall perform the following additional duties:

(1) Conduct a review and assessment regarding the impact of the use of any mental health records of the victim of an offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), by the accused during the preliminary hearing conducted under section 832 of such title (article 32 of the Uniform Code of Military Justice), and during court-martial proceedings, as compared to the use of similar records in civilian criminal legal proceedings.

(2) Conduct a review and assessment regarding the establishment of a privilege under the Military Rules of Evidence against the disclosure of communications between—

(A) users of and personnel staffing the Department of Defense Safe Helpline; and

(B) users of and personnel staffing of the Department of Defense Safe HelpRoom.

(b) SUBMISSION OF RESULTS.—The judicial proceedings panel shall include the results of the reviews and assessments conducted under subsection (a) in one of the reports required by section 576(c)(2)(B) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1760).

SEC. 546. DEFENSE ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.

10 USC 1561 note.

(a) ESTABLISHMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall establish and maintain within the Department of Defense an advisory committee to be known as the "Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces" (in this section referred to as the "Advisory Committee").

(2) DEADLINE FOR ESTABLISHMENT.—The Secretary shall establish the Advisory Committee not later than 30 days before the termination date of the independent panel established by the Secretary under section 576(a)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1758), known as the "judicial proceedings panel".

10 USC 1561 note.

(b) MEMBERSHIP.—The Advisory Committee shall consist of not more than 20 members, to be appointed by the Secretary of Defense, who have experience with the investigation, prosecution, and defense of allegations of sexual assault offenses. Members of the Advisory Committee may include Federal and State prosecutors, judges, law professors, and private attorneys. Members of the Armed Forces serving on active duty may not serve as a member of the Advisory Committee.

(c) DUTIES.— 10 USC 1561 note.

(1) IN GENERAL.—The Advisory Committee shall advise the Secretary of Defense on the investigation, prosecution, and defense of allegations of rape, forcible sodomy, sexual assault, and other sexual misconduct involving members of the Armed Forces.

(2) BASIS FOR PROVISION OF ADVICE.—For purposes of providing advice to the Secretary pursuant to this subsection, the Advisory Committee shall review, on an ongoing basis, cases involving allegations of sexual misconduct described in paragraph (1).

(d) ANNUAL REPORTS.—Not later than March 30 each year, the Advisory Committee shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives a report describing the results of the activities of the Advisory Committee pursuant to this section during the preceding year. 10 USC 1561 note.

(e) TERMINATION.— 10 USC 1561 note.

(1) IN GENERAL.—Except as provided in paragraph (2), the Advisory Committee shall terminate on the date that is five years after the date of the establishment of the Advisory Committee pursuant to subsection (a).

(2) CONTINUATION.—The Secretary of Defense may continue the Advisory Committee after the termination date applicable under paragraph (1) if the Secretary determines that continuation of the Advisory Committee after that date is advisable and appropriate. If the Secretary determines to continue the Advisory Committee after that date, the Secretary shall submit to the President and the congressional committees specified in subsection (d) a report describing the reasons for that determination and specifying the new termination date for the Advisory Committee.

(f) DUE DATE FOR ANNUAL REPORT OF JUDICIAL PROCEEDINGS PANEL.—Section 576(c)(2)(B) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1760) is amended by inserting "annually thereafter" after "reports".

SEC. 547. CONFIDENTIAL REVIEW OF CHARACTERIZATION OF TERMS OF DISCHARGE OF MEMBERS OF THE ARMED FORCES WHO ARE VICTIMS OF SEXUAL OFFENSES. 10 USC 1553 note.

(a) CONFIDENTIAL REVIEW PROCESS THROUGH BOARDS FOR CORRECTION OF MILITARY RECORDS.—The Secretaries of the military departments shall each establish a confidential process, utilizing boards for the correction of military records of the military department concerned, by which an individual who was the victim of a sex-related offense during service in the Armed Forces may challenge the terms or characterization of the discharge or separation of the individual from the Armed Forces on the grounds that the terms or characterization were adversely affected by the individual being the victim of such an offense.

(b) CONSIDERATION OF INDIVIDUAL EXPERIENCES IN CONNECTION WITH OFFENSES.—In deciding whether to modify the terms or characterization of the discharge or separation from the Armed Forces of an individual described in subsection (a), the Secretary of the military department concerned shall instruct boards for the correction of military records—

(1) to give due consideration to the psychological and physical aspects of the individual's experience in connection with the sex-related offense; and

(2) to determine what bearing such experience may have had on the circumstances surrounding the individual's discharge or separation from the Armed Forces.

(c) PRESERVATION OF CONFIDENTIALITY.—Documents considered and decisions rendered pursuant to the process required by subsection (a) shall not be made available to the public, except with the consent of the individual concerned.

(d) SEX-RELATED OFFENSE DEFINED.—In this section, the term "sex-related offense" means any of the following:

(1) Rape or sexual assault under subsection (a) or (b) of section 920 of title 10, United States Code (article 120 of the Uniform Code of Military Justice).

(2) Forcible sodomy under section 925 of such title (article 125 of the Uniform Code of Military Justice).

(3) An attempt to commit an offense specified in paragraph (1) or (2) as punishable under section 880 of such title (article 80 of the Uniform Code of Military Justice).

Subtitle E—Member Education, Training, and Transition

SEC. 551. ENHANCEMENT OF AUTHORITY TO ASSIST MEMBERS OF THE ARMED FORCES TO OBTAIN PROFESSIONAL CREDENTIALS.

(a) IN GENERAL.—Section 2015 of title 10, United States Code, is amended to read as follows:

"§ 2015. Program to assist members in obtaining professional credentials

"(a) PROGRAM REQUIRED.—The Secretary of Defense and the Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Navy, shall carry out a program to enable members of the armed forces to obtain, while serving in the armed forces, professional credentials related to military training and skills that—

"(1) are acquired during service in the armed forces incident to the performance of their military duties; and

"(2) translate into civilian occupations.

"(b) PAYMENT OF EXPENSES.—(1) Under the program required by this section, the Secretary of Defense and the Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Navy, shall provide for the payment of expenses of members for professional accreditation, Federal occupational licenses, State-imposed and professional licenses, professional certification, and related expenses.

"(2) The authority under paragraph (1) may not be used to pay the expenses of a member to obtain professional credentials that are a prerequisite for appointment in the armed forces.

"(c) REGULATIONS.—(1) The Secretary of Defense and the Secretary of Homeland Security shall prescribe regulations to carry out this section.

"(2) The regulations shall apply uniformly to the armed forces to the extent practicable.

"(3) The regulations shall include the following:

"(A) Requirements for eligibility for participation in the program under this section.

"(B) A description of the professional credentials and occupations covered by the program.

"(C) Mechanisms for oversight of the payment of expenses and the provision of other benefits under the program.

"(D) Such other matters in connection with the payment of expenses and the provision of other benefits under the program as the Secretaries consider appropriate.

"(d) EXPENSES DEFINED.—In this section, the term 'expenses' means expenses for class room instruction, hands-on training (and associated materials), manuals, study guides and materials, text books, processing fees, and test fees and related fees.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by striking the item relating to section 2015 and inserting the following new item: 10 USC prec. 2001.

"2015. Program to assist members in obtaining professional credentials.".

SEC. 552. APPLICABILITY OF SEXUAL ASSAULT PREVENTION AND RESPONSE AND RELATED MILITARY JUSTICE ENHANCEMENTS TO MILITARY SERVICE ACADEMIES.

(a) MILITARY SERVICE ACADEMIES.—The Secretary of the military department concerned shall ensure that the provisions of title XVII of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 950), including amendments made by that title, and the provisions of subtitle D, including amendments made by such subtitle, apply to the United States Military Academy, the Naval Academy, and the Air Force Academy, as applicable. 10 USC 4361 note.

(b) COAST GUARD ACADEMY.—The Secretary of the Department in which the Coast Guard is operating shall ensure that the provisions of title XVII of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 950), including amendments made by that title, and the provisions of subtitle D, including amendments made by such subtitle, apply to the Coast Guard Academy. 14 USC 200 note.

SEC. 553. AUTHORIZED DURATION OF FOREIGN AND CULTURAL EXCHANGE ACTIVITIES AT MILITARY SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 4345a(a) of title 10, United States Code, is amended by striking "two weeks" and inserting "four weeks".

(b) NAVAL ACADEMY.—Section 6957b(a) of such title is amended by striking "two weeks" and inserting "four weeks".

(c) AIR FORCE ACADEMY.—Section 9345a(a) of such title is amended by striking "two weeks" and inserting "four weeks".

SEC. 554. ENHANCEMENT OF AUTHORITY TO ACCEPT SUPPORT FOR AIR FORCE ACADEMY ATHLETIC PROGRAMS.

Section 9362 of title 10, United States Code, is amended by striking subsections (e), (f), and (g) and inserting the following new subsections:

"(e) ACCEPTANCE OF SUPPORT.—

"(1) SUPPORT RECEIVED FROM THE CORPORATION.—Notwithstanding section 1342 of title 31, the Secretary of the Air

Force may accept from the corporation funds, supplies, equipment, and services for the support of the athletic programs of the Academy.

"(2) FUNDS RECEIVED FROM OTHER SOURCES.—The Secretary may charge fees for the support of the athletic programs of the Academy. The Secretary may accept and retain fees for services and other benefits provided incident to the operation of its athletic programs, including fees from the National Collegiate Athletic Association, fees from athletic conferences, game guarantees from other educational institutions, fees for ticketing or licensing, and other consideration provided incidental to the execution of the athletic programs of the Academy.

"(3) LIMITATIONS.—The Secretary shall ensure that contributions accepted under this subsection do not—

"(A) reflect unfavorably on the ability of the Department of the Air Force, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

"(B) compromise the integrity or appearance of integrity of any program of the Department of the Air Force, or any individual involved in such a program.

"(f) LEASES AND LICENSES.—

"(1) IN GENERAL.—The Secretary of the Air Force may, in accordance with section 2667 of this title, enter into leases or licenses with the corporation for the purpose of supporting the athletic programs of the Academy. Consideration provided under such a lease or license may be provided in the form of funds, supplies, equipment, and services for the support of the athletic programs of the Academy.

"(2) SUPPORT SERVICES.—The Secretary may provide support services to the corporation without charge while the corporation conducts its support activities at the Academy. In this paragraph, the term 'support services' includes utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems in conjunction with the leasing or licensing of property. Any such support services may only be provided without any liability of the United States to the corporation.

"(g) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary of the Air Force may enter into contracts and cooperative agreements with the corporation for the purpose of supporting the athletic programs of the Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter such contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of this title. Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property, services, or travel for the direct benefit or use of the athletic programs of the Academy.

"(h) TRADEMARKS AND SERVICE MARKS.—

"(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (g) may, consistent with section 2260 of this title (other than subsection (d) of such section), authorize the corporation to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Academy, subject to the approval of the Secretary of the Air Force.

"(2) LIMITATIONS.—No licensing, marketing, or sponsorship agreement may be entered into under paragraph (1) if—

"(A) such agreement would reflect unfavorably on the ability of the Department of the Air Force, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

"(B) the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the Air Force, or any individual involved in such a program.

"(i) RETENTION AND USE OF FUNDS.—Any funds received under this section may be retained for use in support of the athletic programs of the Academy and shall remain available until expended.".

SEC. 555. PILOT PROGRAM TO ASSIST MEMBERS OF THE ARMED FORCES IN OBTAINING POST-SERVICE EMPLOYMENT.

10 USC 1143 note.

(a) PROGRAM AUTHORIZED.—The Secretary of Defense may conduct the program described in subsection (c) to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services to eligible members of the Armed Forces described in subsection (b) for the purposes of—

(1) assisting such members in obtaining post-service employment; and

(2) reducing the amount of "Unemployment Compensation for Ex-Servicemembers" that the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating pays into the Unemployment Trust Fund.

(b) ELIGIBLE MEMBERS.—Employment services provided under the program are limited to members of the Armed Forces, including members of the reserve components, who are being separated from the Armed Forces or released from active duty.

(c) EVALUATION OF USE OF CIVILIAN EMPLOYMENT STAFFING AGENCIES.—

(1) PROGRAM DESCRIBED.—The Secretary of Defense may execute a program to evaluate the feasibility and cost-effectiveness of utilizing the services of civilian employment staffing agencies to assist eligible members of the Armed Forces in obtaining post-service employment.

(2) PROGRAM MANAGEMENT.—To manage the program authorized by this subsection, the Secretary of Defense may select a civilian organization (in this section referred to as the "program manager") whose principal members have experience—

(A) administering pay-for-performance programs; and

(B) within the employment staffing industry.

(3) EXCLUSION.—The program manager may not be a staffing agency.

(d) ELIGIBLE CIVILIAN EMPLOYMENT STAFFING AGENCIES.—In consultation with the program manager if utilized under subsection (c)(2), the Secretary of Defense shall establish the eligibility requirements to be used for the selection of civilian employment staffing agencies to participate in the program. In establishing the eligibility requirements for the selection of the civilian employment staffing agencies, the Secretary of Defense shall also take into account

civilian employment staffing agencies that are willing to work and consult with State and county Veterans Affairs offices and State National Guard offices, when appropriate.

10 USC 1143 note.

(e) PAYMENT OF STAFFING AGENCY FEES.—To encourage employers to employ an eligible member of the Armed Forces under the program if executed under this section, the Secretary of Defense shall pay a participating civilian employment staffing agency a portion of its agency fee (not to exceed 50 percent above the member's hourly wage). Payment of the agency fee will only be made after the member has been employed and paid by the private sector and the hours worked have been verified by the Secretary. The staffing agency shall be paid on a weekly basis only for hours the member worked, but not to exceed a total of 800 hours.

(f) OVERSIGHT REQUIREMENTS.—In conducting the program, the Secretary of Defense shall establish—

(1) program monitoring standards; and

(2) reporting requirements, including the hourly wage for each eligible member of the Armed Forces obtaining employment under the program, the numbers of hours worked during the month, and the number of members who remained employed with the same employer after completing the first 800 hours of employment.

(g) SOURCE AND LIMITATION ON PROGRAM OBLIGATIONS.—Of the amounts authorized to be appropriated to the Secretary of Defense for operation and maintenance for each fiscal year during which the program under this section is authorized, not more than $35,000,000 may be used to carry out the program.

(h) REPORTING REQUIREMENTS.—

(1) REPORT REQUIRED.—If the Secretary of Defense executes the program under this section, the Secretary shall submit to the appropriate congressional committees a report describing the results of the program, particularly whether the program achieved the purposes specified in subsection (a). The report shall be submitted not later than January 15, 2019.

(2) COMPARISON WITH OTHER PROGRAMS.—The report shall include a comparison of the results of the program conducted under this section and the results of other employment assistant programs utilized by the Department of Defense. The comparison shall include the number of members of the Armed Forces obtaining employment through each program and the cost to the Department per member.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the congressional defense committees, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(i) DURATION OF AUTHORITY.—The authority of the Secretary of Defense to carry out programs under this section expires on September 30, 2018.

SEC. 556. PLAN FOR EDUCATION OF MEMBERS OF ARMED FORCES ON CYBER MATTERS.

(a) PLAN REQUIRED.—Not later than 360 days after the date of the enactment of this Act, the Secretary of Defense, in cooperation with the Secretaries of the military departments, shall submit to the Committees on Armed Services of the Senate and the House

of Representatives a plan for the education of officers and enlisted members of the Armed Forces relating to cyber security and cyber activities of the Department of Defense.

(b) ELEMENTS.—The plan submitted under subsection (a) shall include the following:

(1) A framework for provision of basic cyber education for all members of the Armed Forces.

(2) A framework for undergraduate and postgraduate education, joint professional military education, and strategic war gaming for cyber strategic and operational leadership.

(3) Definitions of required positions, including military occupational specialties and rating specialties for each military department, along with the corresponding level of cyber training, education, qualifications, or certifications required for each specialty.

SEC. 557. ENHANCEMENT OF INFORMATION PROVIDED TO MEMBERS OF THE ARMED FORCES AND VETERANS REGARDING USE OF POST-9/11 EDUCATIONAL ASSISTANCE AND FEDERAL FINANCIAL AID THROUGH TRANSITION ASSISTANCE PROGRAM.

10 USC 1144 note.

(a) ADDITIONAL INFORMATION REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall enhance the higher education component of the Transition Assistance Program (TAP) of the Department of Defense by providing additional information that is more complete and accurate than the information provided as of the day before the date of the enactment of this Act to individuals who apply for educational assistance under chapter 30 or 33 of title 38, United States Code, to pursue a program of education at an institution of higher learning.

(2) ELEMENTS.—The additional information required by paragraph (1) shall include the following:

(A) Information provided by the Secretary of Education that is publically available and addresses—

(i) to the extent practicable, differences between types of institutions of higher learning in such matters as tuition and fees, admission requirements, accreditation, transferability of credits, credit for qualifying military training, time required to complete a degree, and retention and job placement rates; and

(ii) how Federal educational assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) may be used in conjunction with educational assistance provided under chapters 30 and 33 of title 38, United States Code.

(B) Information about the Postsecondary Education Complaint System of the Department of Defense, the Department of Veterans Affairs, the Department of Education, and the Consumer Financial Protection Bureau.

(C) Information about the GI Bill Comparison Tool of the Department of Veterans Affairs.

(D) Information about each of the Principles of Excellence established by the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Education pursuant to Executive Order 13607 of April 27, 2012 (77 Fed.

Reg. 25861), including how to recognize whether an institution of higher learning may be violating any of such principles.

(E) Information to enable individuals described in paragraph (1) to develop a post-secondary education plan appropriate and compatible with their educational goals.

(F) Such other information as the Secretary of Education considers appropriate.

(3) CONSULTATION.—In carrying out this subsection, the Secretary of Defense shall consult with the Secretary of Veterans Affairs, the Secretary of Education, and the Director of the Consumer Financial Protection Bureau.

(b) AVAILABILITY OF HIGHER EDUCATION COMPONENT ONLINE.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall ensure that the higher education component of the Transition Assistance Program is available to members of the Armed Forces on an Internet website of the Department of Defense so that members have an option to complete such component electronically and remotely.

(c) DEFINITIONS.—In this section:

(1) The term "institution of higher learning" has the meaning given such term in section 3452 of title 38, United States Code.

(2) The term "types of institutions of higher learning" means the following:

(A) An educational institution described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(B) An educational institution described in subsection (b) or (c) of section 102 of such Act (20 U.S.C. 1002).

10 USC 1144 note.

SEC. 558. PROCEDURES FOR PROVISION OF CERTAIN INFORMATION TO STATE VETERANS AGENCIES TO FACILITATE THE TRANSITION OF MEMBERS OF THE ARMED FORCES FROM MILITARY SERVICE TO CIVILIAN LIFE.

(a) PROCEDURES REQUIRED.—The Secretary of Defense shall develop procedures to share the information described in subsection (b) regarding members of the Armed Forces who are being separated from the Armed Forces with State veterans agencies in electronic data format as a means of facilitating the transition of such members from military service to civilian life.

(b) COVERED INFORMATION.—The information to be shared with State veterans agencies regarding a member shall include the following:

(1) Military service and separation data.

(2) A personal email address.

(3) A personal telephone number.

(4) A mailing address.

(c) CONSENT.—The procedures developed pursuant to subsection (a) shall require the consent of a member of the Armed Forces before any information described in subsection (b) regarding the member is shared with a State veterans agency.

(d) USE OF INFORMATION.—The Secretary of Defense shall ensure that the information shared with State veterans agencies in accordance with the procedures developed pursuant to subsection (a) is only shared by such agencies with county government veterans

service offices for such purposes as the Secretary shall specify for the administration and delivery of benefits.

(e) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services and Veterans' Affairs of the Senate and the House of Representatives a report on the progress made by the Secretary—

(A) in developing the procedures required by subsection (a); and

(B) in sharing information with State veterans agencies as described in such subsection.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the procedures developed to share information with State veterans agencies.

(B) A description of the sharing activities carried out by the Secretary in accordance with such procedures.

(C) The number of members of the Armed Force who gave their consent for the sharing of information with State veterans agencies.

(D) Such recommendations as the Secretary may have for legislative or administrative action to improve the sharing of information as described in subsection (a).

Subtitle F—Defense Dependents' Education and Military Family Readiness Matters

SEC. 561. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2015 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $25,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term "local educational agency" has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 562. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

Of the amount authorized to be appropriated for fiscal year 2015 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $5,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

20 USC 7702.

SEC. 563. AMENDMENTS TO THE IMPACT AID IMPROVEMENT ACT OF 2012.

Section 563(c) of National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1748; 20 U.S.C. 6301 note) is amended—

(1) in paragraph (1)—

(A) by inserting "(other than the amendment made by paragraph (3)(A) of such subsection)" after "subsection (b)"; and

(B) by striking "2-year" and inserting "5-year"; and

(2) in paragraph (4)—

(A) by inserting "(other than the amendment made by paragraph (3)(A) of such subsection)" after "subsection (b)";

(B) by striking "2-year" and inserting "5-year"; and

(C) by inserting "(other than the amendment made by paragraph (3)(A) of such subsection)" after "made by such subsection".

SEC. 564. AUTHORITY TO EMPLOY NON-UNITED STATES CITIZENS AS TEACHERS IN DEPARTMENT OF DEFENSE OVERSEAS DEPENDENTS' SCHOOL SYSTEM.

Section 2(2)(A) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (20 U.S.C. 901(2)(A)) is amended by inserting before the comma at the end the following: "or, in the case of a teaching position that involves instruction in the host-nation language, a local national when a citizen of the United States is not reasonably available to provide such instruction".

SEC. 565. INCLUSION OF DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS AMONG FUNCTIONS OF ADVISORY COUNCIL ON DEPENDENTS' EDUCATION.

(a) EXPANSION OF FUNCTIONS.—Subsection (c) of section 1411 of the Defense Dependents' Education Act of 1978 (20 U.S.C. 929) is amended—

(1) in paragraph (1), by inserting ", and of the domestic dependent elementary and secondary school system established under section 2164 of title 10, United States Code," after "of the defense dependents' education system"; and

(2) in paragraph (2), by inserting "and in the domestic dependent elementary and secondary school system" before the comma at the end.

(b) MEMBERSHIP OF COUNCIL.—Subsection (a)(1)(B) of such section is amended—

(1) by inserting "and the domestic dependent elementary and secondary schools established under section 2164 of title 10, United States Code" after "the defense dependents' education system"; and

(2) by inserting "either" before "such system".

SEC. 566. PROTECTION OF CHILD CUSTODY ARRANGEMENTS FOR PARENTS WHO ARE MEMBERS OF THE ARMED FORCES.

(a) CHILD CUSTODY PROTECTION.—Title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) is amended by adding at the end the following new section:

"SEC. 208. CHILD CUSTODY PROTECTION. 50 USC app. 528.

"(a) DURATION OF TEMPORARY CUSTODY ORDER BASED ON CERTAIN DEPLOYMENTS.—If a court renders a temporary order for custodial responsibility for a child based solely on a deployment or anticipated deployment of a parent who is a servicemember, the court shall require that the temporary order shall expire not later than the period justified by the deployment of the servicemember.

"(b) LIMITATION ON CONSIDERATION OF MEMBER'S DEPLOYMENT IN DETERMINATION OF CHILD'S BEST INTEREST.—If a motion or a petition is filed seeking a permanent order to modify the custody of the child of a servicemember, no court may consider the absence of the servicemember by reason of deployment, or the possibility of deployment, as the sole factor in determining the best interest of the child.

"(c) NO FEDERAL JURISDICTION OR RIGHT OF ACTION OR REMOVAL.—Nothing in this section shall create a Federal right of action or otherwise give rise to Federal jurisdiction or create a right of removal.

"(d) PREEMPTION.—In any case where State law applicable to a child custody proceeding involving a temporary order as contemplated in this section provides a higher standard of protection to the rights of the parent who is a deploying servicemember than the rights provided under this section with respect to such temporary order, the appropriate court shall apply the higher State standard.

"(e) DEPLOYMENT DEFINED.—In this section, the term 'deployment' means the movement or mobilization of a servicemember to a location for a period of longer than 60 days and not longer than 540 days pursuant to temporary or permanent official orders—

"(1) that are designated as unaccompanied;

"(2) for which dependent travel is not authorized; or

"(3) that otherwise do not permit the movement of family members to that location.".

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end of the items relating to title II the following new item:

"Sec. 208. Child custody protection.".

SEC. 567. IMPROVED CONSISTENCY IN DATA COLLECTION AND REPORTING IN ARMED FORCES SUICIDE PREVENTION EFFORTS. 10 USC 1071 note.

(a) POLICY FOR STANDARD SUICIDE DATA COLLECTION, REPORTING, AND ASSESSMENT.—

(1) POLICY REQUIRED.—The Secretary of Defense shall prescribe a policy for the development of a standard method for collecting, reporting, and assessing information regarding—

(A) any suicide or attempted suicide involving a member of the Armed Forces, including reserve components thereof; and

(B) any death that is reported as a suicide involving a dependent of a member of the Armed Forces.

(2) PURPOSE OF POLICY.—The purpose of the policy required by this subsection is to improve the consistency and comprehensiveness of—

(A) the suicide prevention policy developed pursuant to section 582 of the National Defense Authorization Act

for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1071 note); and

(B) the suicide prevention and resilience program for the National Guard and Reserves established pursuant to section 10219 of title 10, United States Code.

(3) CONSULTATION.—The Secretary of Defense shall develop the policy required by this subsection in consultation with the Secretaries of the military departments and the Chief of the National Guard Bureau.

(b) SUBMISSION AND IMPLEMENTATION OF POLICY.—

(1) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit the policy developed under subsection (a) to the Committees on Armed Services of the Senate and the House of Representatives.

(2) IMPLEMENTATION.—The Secretaries of the military departments shall implement the policy developed under subsection (a) not later than 180 days after the date of the submittal of the policy under paragraph (1).

(c) DEPENDENT DEFINED.—In this section, the term "dependent", with respect to a member of the Armed Forces, means a person described in section 1072(2) of title 10, United States Code, except that, in the case of a parent or parent-in-law of the member, the income requirements of subparagraph (E) of such section do not apply.

10 USC 1784 note.

SEC. 568. IMPROVED DATA COLLECTION RELATED TO EFFORTS TO REDUCE UNDEREMPLOYMENT OF SPOUSES OF MEMBERS OF THE ARMED FORCES AND CLOSE THE WAGE GAP BETWEEN MILITARY SPOUSES AND THEIR CIVILIAN COUNTERPARTS.

(a) DATA COLLECTION EFFORTS.—In addition to monitoring the number of spouses of members of the Armed Forces who obtain employment through military spouse employment programs, the Secretary of Defense shall collect data to evaluate the effectiveness of military spouse employment programs—

(1) in addressing the underemployment of military spouses;

(2) in matching military spouses' education and experience to available employment positions; and

(3) in closing the wage gap between military spouses and their civilian counterparts.

(b) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report evaluating the progress of military spouse employment programs—

(1) in reducing military spouse unemployment and underemployment; and

(2) in reducing the wage gap between military spouses and their civilian counterparts.

(c) MILITARY SPOUSE EMPLOYMENT PROGRAMS DEFINED.—In this section, the term "military spouse employment programs" means the Military Spouse Employment Partnership (MSEP).

Subtitle G—Decorations and Awards

SEC. 571. MEDALS FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE WHO WERE KILLED OR WOUNDED IN AN ATTACK BY A FOREIGN TERRORIST ORGANIZATION.

(a) PURPLE HEART.—

(1) AWARD.—

(A) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1129 the following new section:

"§ 1129a. Purple Heart: members killed or wounded in attacks by foreign terrorist organizations 10 USC 1129a.

"(a) IN GENERAL.—For purposes of the award of the Purple Heart, the Secretary concerned shall treat a member of the armed forces described in subsection (b) in the same manner as a member who is killed or wounded as a result of an international terrorist attack against the United States.

"(b) COVERED MEMBERS.—(1) A member described in this subsection is a member on active duty who was killed or wounded in an attack by a foreign terrorist organization in circumstances where the death or wound is the result of an attack targeted on the member due to such member's status as a member of the armed forces, unless the death or wound is the result of willful misconduct of the member.

"(2) For purposes of this section, an attack by an individual or entity shall be considered to be an attack by a foreign terrorist organization if—

"(A) the individual or entity was in communication with the foreign terrorist organization before the attack; and

"(B) the attack was inspired or motivated by the foreign terrorist organization.

"(c) FOREIGN TERRORIST ORGANIZATION DEFINED.—In this section, the term 'foreign terrorist organization' means an entity designated as a foreign terrorist organization by the Secretary of State pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).".

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of such title is amended by inserting after the item relating to section 1129 the following new item: 10 USC prec. 1121.

"1129a. Purple Heart: members killed or wounded in attacks by foreign terrorist organizations.".

(2) RETROACTIVE EFFECTIVE DATE AND APPLICATION.— 10 USC 1129a note.

(A) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as of September 11, 2001.

(B) REVIEW OF CERTAIN PREVIOUS INCIDENTS.—The Secretary concerned shall undertake a review of each death or wounding of a member of the Armed Forces that occurred between September 11, 2001, and the date of the enactment of this Act under circumstances that could qualify as being the result of an attack described in section 1129a of title 10, United States Code (as added by paragraph (1)), to determine whether the death or wounding qualifies as a

death or wounding resulting from an attack by a foreign terrorist organization for purposes of the award of the Purple Heart pursuant to such section (as so added).

(C) ACTIONS FOLLOWING REVIEW.—If the death or wounding of a member of the Armed Forces reviewed under subparagraph (B) is determined to qualify as a death or wounding resulting from an attack by a foreign terrorist organization as described in section 1129a of title 10, United States Code (as so added), the Secretary concerned shall take appropriate action under such section to award the Purple Heart to the member.

(D) SECRETARY CONCERNED DEFINED.—In this paragraph, the term "Secretary concerned" has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(b) SECRETARY OF DEFENSE MEDAL FOR THE DEFENSE OF FREEDOM.—

(1) REVIEW OF THE NOVEMBER 5, 2009, ATTACK AT FORT HOOD, TEXAS.—If the Secretary concerned determines, after a review under subsection (a)(2)(B) regarding the attack that occurred at Fort Hood, Texas, on November 5, 2009, that the death or wounding of any member of the Armed Forces in that attack qualified as a death or wounding resulting from an attack by a foreign terrorist organization as described in section 1129a of title 10, United States Code (as added by subsection (a)), the Secretary of Defense shall make a determination as to whether the death or wounding of any civilian employee of the Department of Defense or civilian contractor in the same attack meets the eligibility criteria for the award of the Secretary of Defense Medal for the Defense of Freedom.

(2) AWARD.—If the Secretary of Defense determines under paragraph (1) that the death or wounding of any civilian employee of the Department of Defense or civilian contractor in the attack that occurred at Fort Hood, Texas, on November 5, 2009, meets the eligibility criteria for the award of the Secretary of Defense Medal for the Defense of Freedom, the Secretary shall take appropriate action to award the Secretary of Defense Medal for the Defense of Freedom to the employee or contractor.

SEC. 572. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO MEMBERS OF THE ARMED FORCES FOR ACTS OF VALOR DURING WORLD WAR I.

(a) WILLIAM SHEMIN.—

(1) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to William Shemin for the acts of valor during World War I described in paragraph (1).

(2) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in paragraph (1) are the actions of William Shemin while serving as a Rifleman with G Company, 2d Battalion, 47th Infantry Regiment, 4th Division, American Expeditionary Forces, in connection with combat operations against an armed enemy on the Vesle River, near Bazoches, France, from August

7 to August 9, 1918, during World War I for which he was originally awarded the Distinguished Service Cross.

(b) HENRY JOHNSON.—

(1) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to Henry Johnson for the acts of valor during World War I described in paragraph (2).

(2) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in paragraph (2) are the actions of Henry Johnson while serving as a member of Company C, 369th Infantry Regiment, 93rd Division, American Expeditionary Forces, during combat operations against the enemy on the front lines of the Western Front in France on May 15, 1918, during World War I for which he was previously awarded the Distinguished Service Cross.

Subtitle H—Miscellaneous Reporting Requirements

SEC. 581. REVIEW AND REPORT ON MILITARY PROGRAMS AND CONTROLS REGARDING PROFESSIONALISM.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a preliminary review of the effectiveness of current programs and controls of the Department of Defense and the military departments regarding the professionalism of members of the Armed Forces.

(b) SUBMISSION OF REPORT.—Not later than September 1, 2015, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing recommendations to strengthen professionalism programs in the Department of Defense.

SEC. 582. REVIEW AND REPORT ON PREVENTION OF SUICIDE AMONG MEMBERS OF UNITED STATES SPECIAL OPERATIONS FORCES.

(a) REVIEW REQUIRED.—The Secretary of Defense, acting through the Under Secretary of Defense for Personnel and Readiness and the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, shall conduct a review of Department of Defense efforts regarding the prevention of suicide among members of United States Special Operations Forces and their dependents.

(b) CONSULTATION.—In conducting the review under subsection (a), the Secretary of Defense shall consult with, and consider the recommendations of, the Office of Suicide Prevention, the Secretaries of the military departments, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, and the United States Special Operations Command regarding the feasibility of implementing, for members of United States Special Operations Forces and their dependents, particular elements of the Department of Defense suicide prevention policy developed pursuant to section 533 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 1071 note) and section

582 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239. 10 U.S.C. 1071 note).

(c) ELEMENTS OF REVIEW.—The review conducted under subsection (a) shall specifically include an assessment of each of the following:

(1) Current Armed Forces and United States Special Operations Command policy guidelines on the prevention of suicide among members of United States Special Operations Forces and their dependents.

(2) Current and directed Armed Forces and United States Special Operations Command suicide prevention programs and activities for members of United States Special Operations Forces and their dependents, including programs provided by the Defense Health Program and the Office of Suicide Prevention and programs supporting family members.

(3) Current Armed Forces and United States Special Operations Command strategies to reduce suicides among members of United States Special Operations Forces and their dependents, including the cost of such strategies across the future-years defense program.

(4) Current Armed Forces and United States Special Operations Command standards of care for suicide prevention among members of United States Special Operations Forces and their dependents, including training standards for behavioral health care providers to ensure that such providers receive training on clinical best practices and evidence-based treatments as information on such practices and treatments becomes available.

(5) The integration of mental health screenings and suicide risk and prevention efforts for members of United States Special Operations Forces and their dependents into the delivery of primary care for such members and dependents.

(6) The standards for responding to attempted or completed suicides among members of United States Special Operations Forces and their dependents, including guidance and training to assist commanders in addressing incidents of attempted or completed suicide within their units.

(7) The standards regarding data collection for individual members of United States Special Operations Forces and their dependents, including related factors such as domestic violence and child abuse.

(8) The means to ensure the protection of privacy of members of United States Special Operations Forces and their dependents who seek or receive treatment related to suicide prevention.

(9) The potential need to differentiate members of United States Special Operations Forces and their dependents from members of conventional forces and their dependents in the development and delivery of the Department of Defense suicide prevention program.

(10) Such other matters as the Secretary of Defense considers appropriate in connection with the prevention of suicide among members of United States Special Operations Forces and their dependents.

(d) SUBMISSION OF REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate

and the House of Representatives a report containing the results of the review conducted under subsection (a).

SEC. 583. REVIEW AND REPORT ON PROVISION OF JOB PLACEMENT ASSISTANCE AND RELATED EMPLOYMENT SERVICES DIRECTLY TO MEMBERS OF THE RESERVE COMPONENTS.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of the feasibility of improving the efforts of the Department of Defense to provide job placement assistance and related employment services directly to members in the National Guard and Reserves. In evaluating potential job placement programs, the Secretary shall consider—

(1) the likely cost of the program;

(2) the impact of the program on increasing employment opportunities and results for members of the reserve components; and

(3) how a Department program would compare to other unemployment or underemployment programs of the Federal Government already available to members of the reserve components.

(b) SUBMISSION OF REPORT.—Not later than April 1, 2015, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review.

SEC. 584. REPORT ON FOREIGN LANGUAGE, REGIONAL EXPERTISE, AND CULTURE CONSIDERATIONS IN OVERSEAS MILITARY OPERATIONS.

(a) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report concerning—

(1) foreign language, regional expertise, and culture considerations, including gender-based considerations in the context of foreign cultural norms; and

(2) how such considerations factor into the planning and execution of overseas operations and missions of the Armed Forces.

(b) CONSULTATION.—In preparing the report under subsection (a), the Secretary of Defense shall consult with, and consider the recommendations of, the Chairman of the Joint Chiefs of Staff.

(c) ELEMENTS OF REPORT.—The report required by subsection (a) shall include the following elements:

(1) An assessment of how foreign language, regional expertise, and culture considerations, including gender-based considerations in the context of foreign cultural norms, affect overseas operations and missions of the Armed Forces, including lessons learned as a result of members of the Armed Forces engaging with female civilian populations in Iraq and Afghanistan and during other overseas operations and missions.

(2) An identification of how the Department of Defense addresses such considerations in its planning and execution of overseas operations and missions, including how it educates military commanders on foreign language, regional expertise, and culture considerations, including gender-based considerations in the context of foreign cultural norms.

(3) An evaluation of the adequacy of current programs and the need for additional or modified programs to train

members of the Armed Forces regarding such considerations, including proposed changes in the length of training and curriculum.

(4) An evaluation of the need for advisors within the military commands and Armed Forces, including billet descriptions for such advisors, where to assign them within the military command and Armed Forces, and the desirability and feasibility of assigning such advisors in combatant command and joint task force staffs.

(5) Any other matters the Secretary of Defense may determine to be appropriate.

(d) FORM OF REPORT.—The report prepared under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 585. DEADLINE FOR SUBMISSION OF REPORT CONTAINING RESULTS OF REVIEW OF OFFICE OF DIVERSITY MANAGEMENT AND EQUAL OPPORTUNITY ROLE IN SEXUAL HARASSMENT CASES.

Not later than April 1, 2015, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review conducted pursuant to section 1735 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 976).

SEC. 586. INDEPENDENT ASSESSMENT OF RISK AND RESILIENCY OF UNITED STATES SPECIAL OPERATIONS FORCES AND EFFECTIVENESS OF THE PRESERVATION OF THE FORCE AND FAMILIES AND HUMAN PERFORMANCE PROGRAMS.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall provide for an independent assessment of—

(1) the mental, behavioral, and psychological health challenges facing members of the Armed Forces assigned to special operations forces; and

(2) the effectiveness of the Preservation of the Force and Families Program and the Human Performance Program of the United States Special Operations Command in addressing such challenges.

(b) ENTITY CONDUCTING ASSESSMENT.—To conduct the assessment required by subsection (a), the Secretary of Defense shall select a federally funded research and development center or another appropriate independent entity.

(c) ASSESSMENT ELEMENTS.—The assessment required by subsection (a) shall specifically include the following:

(1) The factors contributing to the mental, behavioral, and psychological health challenges facing members of the Armed Forces assigned to special operations forces.

(2) The effectiveness of the Preservation of the Force and Families Program in addressing the mental, behavioral, and psychological health of members of the special operations forces, including the extent to which measurements of effectiveness are being utilized to assess progress—

(A) in reducing suicide and other mental, behavioral, and psychological risks; and

(B) in increasing the resiliency of such members.

(3) The effectiveness of the Human Performance Program in improving the mental, behavioral, and psychological health

of members of the special operations forces, including the extent to which measurements of effectiveness are being utilized to assess progress—

(A) in reducing suicide and other mental, behavioral and psychological risks; and

(B) in increasing the resiliency of such members.

(4) Such other matters as the Secretary of Defense considers appropriate.

(d) SUBMISSION OF REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing the results of the assessment conducted under subsection (a).

SEC. 587. COMPTROLLER GENERAL REPORT ON HAZING IN THE ARMED FORCES.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the designated congressional committees a report on the policies to prevent hazing, and systems initiated to track incidents of hazing, in each of the Armed Forces.

(b) ELEMENTS OF REPORT.—The report required by subsection (a) shall include the following:

(1) An evaluation of the definition of hazing by the Armed Forces.

(2) A description of the criteria used, and the methods implemented, in the systems to track incidents of hazing in the Armed Forces.

(3) The number of alleged and substantiated incidents of hazing, as reflected in the tracking systems, over the last two years for each Armed Force, the nature of these incidents, and actions taken to address such incidents through non-judicial and judicial action.

(4) An assessment of the following:

(A) The prevalence of hazing in each Armed Force.

(B) The policies in place and the training on hazing provided to members throughout the course of their careers for each Armed Force.

(C) The available outlets through which victims or witnesses of hazing can report hazing both within and outside their chain of command, and whether or not anonymous reporting is permitted.

(D) The actions taken to mitigate hazing incidents in each Armed Force.

(E) The effectiveness of the training and policies in place regarding hazing.

(5) An evaluation of the additional actions, if any, the Secretary of Defense and the Secretary of Homeland Security propose to take to further address hazing in the Armed Forces.

(6) Such recommendations as the Comptroller General considers appropriate for improving hazing prevention programs, policies, and other actions taken to address hazing within the Armed Forces.

(c) DESIGNATED CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "designated congressional committees" means—

(1) the Committee on Armed Services and the Committee on Commerce, Science and Transportation of the Senate; and

(2) the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 588. COMPTROLLER GENERAL REPORT ON IMPACT OF CERTAIN MENTAL AND PHYSICAL TRAUMA ON DISCHARGES FROM MILITARY SERVICE FOR MISCONDUCT.

(a) REPORT REQUIRED.—The Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the impact of mental and physical trauma relating to Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), behavioral health matters not related to Post Traumatic Stress Disorder, and other neurological combat traumas (in this section referred to as "covered traumas") on the discharge of members of the Armed Forces from the Armed Forces for misconduct.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the extent to which the Armed Forces have in place processes for the consideration of the impact of mental and physical trauma relating to covered traumas on members of the Armed Forces who are being considered for discharge from the Armed Forces for misconduct, including the compliance of the Armed Forces with such processes and mechanisms in the Department of Defense for ensuring the compliance of the Armed Forces with such processes.

(2) An assessment of the extent to which the Armed Forces provide members of the Armed Forces, including commanding officers, junior officers, and noncommissioned officers, training on the symptoms of covered traumas and the identification of the presence of such conditions in members of the Armed Forces.

(3) An assessment of the extent to which members of the Armed Forces who receive treatment for a covered trauma before discharge from the Armed Forces are later discharged from the Armed Forces for misconduct.

(4) An identification of the number of members of the Armed Forces discharged as described in paragraph (3) who are ineligible for benefits from the Department of Veterans Affairs based on characterization of discharge.

(5) An assessment of the extent to which members of the Armed Forces who accept a discharge from the Armed Forces for misconduct in lieu of trial by court-martial are counseled on the potential for ineligibility for benefits from the Department of Veterans Affairs as a result of such discharge before acceptance of such discharge.

Subtitle I—Other Matters

SEC. 591. INSPECTION OF OUTPATIENT RESIDENTIAL FACILITIES OCCUPIED BY RECOVERING SERVICE MEMBERS.

Section 1662(a) of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note) is amended by striking "inspected on a semiannual basis for the first two years after the enactment of this Act and annually thereafter" and inserting "inspected at least once every two years".

SEC. 592. DESIGNATION OF VOTER ASSISTANCE OFFICES.

(a) DESIGNATION AUTHORITY.—Subsection (a) of section 1566a of title 10, United States Code, is amended—

(1) by striking "Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010 and under" and inserting "Under"; and

(2) by inserting after "their jurisdiction" the following: ", or at such installations as the Secretary of the military department concerned shall determine are best located to provide access to voter assistance services for all covered individuals in a particular location,".

(b) REPORT ON CLOSURE OF VOTER ASSISTANCE OFFICE.—Subsection (f) of such section is amended—

(1) by inserting "(1)" before "The Secretary of Defense"; and

(2) by adding at the end the following new paragraph:

"(2) The Secretary of a military department shall provide the Committees on Armed Services of the Senate and the House of Representatives with notice of any decision by the Secretary to close a voter assistance office that was designated on an installation before the date of the enactment of this paragraph. The notice shall include the rational for the closure, the timing of the closure, the number of covered individuals supported by the office, and the plan for providing the assistance available under subsection (a) to covered individuals after the closure of the office.".

SEC. 593. REPEAL OF ELECTRONIC VOTING DEMONSTRATION PROJECT.

Section 1604 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 52 U.S.C. 20301 note) is repealed.

SEC. 594. AUTHORITY FOR REMOVAL FROM NATIONAL CEMETERIES OF REMAINS OF CERTAIN DECEASED MEMBERS OF THE ARMED FORCES WHO HAVE NO KNOWN NEXT OF KIN.

(a) REMOVAL AUTHORITY.—Section 1488 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c) REMOVAL OF REMAINS OF CERTAIN MEMBERS WITH NO KNOWN NEXT OF KIN.—(1) The Secretary of the Army may authorize the removal of the remains of a covered member of the armed forces who is buried in an Army National Military Cemetery from the Army National Military Cemetery for transfer to any other cemetery.

"(2) The Secretary of the Army, with the concurrence of the Secretary of Veterans Affairs, may authorize the removal of the remains of a covered member of the armed forces who is buried in a cemetery of the National Cemetery System from that cemetery for transfer to any Army National Military Cemetery.

"(3) A removal of remains may not be authorized under this subsection unless the individual seeking the removal of the remains—

"(A) demonstrates to the satisfaction of the Secretary of the Army that the member of the armed forces concerned has no known next of kin or other person who is interested in maintaining the place of burial; and

"(B) undertakes full responsibility for all expenses of the removal of the remains and the reburial of the remains at another cemetery as authorized by this subsection.

"(4) In this subsection:

"(A) The term 'Army National Military Cemetery' means a cemetery specified in section 4721(b) of this title.

"(B) The term 'covered member of the armed forces' means a member of the armed forces who—

"(i) has been awarded the Medal of Honor; and

"(ii) has no known next of kin.".

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) by inserting before "If a cemetery" the following:

"(a) REMOVAL UPON DISCONTINUANCE OF INSTALLATION CEMETERY.—";

(2) by striking "his jurisdiction" and inserting "the jurisdiction of the Secretary concerned"; and

(3) by inserting before "With respect to" the following:

"(b) REMOVAL FROM TEMPORARY INTERMENT OR ABANDONED GRAVE OR CEMETERY.—".

SEC. 595. SENSE OF CONGRESS REGARDING LEAVING NO MEMBER OF THE ARMED FORCES UNACCOUNTED FOR DURING THE DRAWDOWN OF UNITED STATES FORCES IN AFGHANISTAN.

It is the sense of Congress that the United States—

(1) should undertake every reasonable effort—

(A) to search for and repatriate members of the Armed Forces who are missing; and

(B) to repatriate members of the Armed Forces who are captured;

(2) has a responsibility to keep the promises made to members of the Armed Forces who risk their lives on a daily basis on behalf of the people of the United States; and

(3) while continuing to transition leadership roles in combat operations in Afghanistan to the people of Afghanistan, must continue to fulfill the promise of the United States Soldier's Creed and the Warrior Ethos, which states that "I will never leave a fallen comrade", with respect to any member of the Armed Forces who is in a missing status or captured as a result of service in Afghanistan now or in the future.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Subtitle B—Bonuses and Special and Incentive Pays

Subtitle A—Pay and Allowances

SEC. 601. NO FISCAL YEAR 2015 INCREASE IN BASIC PAY FOR GENERAL AND FLAG OFFICERS. 37 USC 203.

In the case of commissioned officers in the uniformed services in pay grades O–7 through O–10—

(1) section 203(a)(2) of title 37, United States Code, shall be applied for rates of basic pay payable for such officers during calendar year 2015 by using the rate of pay for level II of the Executive Schedule in effect during 2014; and

(2) the rates of monthly basic pay payable for such officers shall not increase during calendar year 2015.

SEC. 602. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking "December 31, 2014" and inserting "December 31, 2015".

SEC. 603. INCLUSION OF CHIEF OF THE NATIONAL GUARD BUREAU AND SENIOR ENLISTED ADVISOR TO THE CHIEF OF THE NATIONAL GUARD BUREAU AMONG SENIOR MEMBERS OF THE ARMED FORCES FOR PURPOSES OF PAY AND ALLOWANCES.

(a) BASIC PAY RATE EQUAL TREATMENT OF CHIEF OF THE NATIONAL GUARD BUREAU AND SENIOR ENLISTED ADVISOR TO THE CHIEF OF THE NATIONAL GUARD BUREAU.—

(1) CHIEF OF THE NATIONAL GUARD BUREAU.—The rate of basic pay for an officer while serving as the Chief of the 37 USC 203 note.

National Guard Bureau shall be the same as the rate of basic pay for the officers specified in Footnote 2 of the table entitled "COMMISSIONED OFFICERS" in section 601(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 37 U.S.C. 1009 note), regardless of cumulative years of service computed under section 205 of title 37, United States Code.

(2) SENIOR ENLISTED ADVISOR TO THE CHIEF OF THE NATIONAL GUARD BUREAU.—

(A) IN GENERAL.—Subsection (a)(1) of section 685 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 37 U.S.C. 205 note) is amended by inserting "or as Senior Enlisted Advisor to the Chief of the National Guard Bureau" after "Chairman of the Joint Chiefs of Staff".

(B) CLERICAL AMENDMENT.—The heading of such section is amended by inserting "**AND FOR THE CHIEF OF THE NATIONAL GUARD BUREAU**" after "**CHAIRMAN OF THE JOINT CHIEFS OF STAFF**".

(b) PAY DURING TERMINAL LEAVE AND WHILE HOSPITALIZED.—Section 210 of title 37, United States Code, is amended—

(1) in subsection (a), by inserting "or the senior enlisted advisor to the Chairman of the Joint Chiefs of Staff or the Chief of the National Guard Bureau" after "that armed force" the first place it appears; and

(2) in subsection (c), by striking paragraph (6).

(c) PERSONAL MONEY ALLOWANCE.—Section 414 of title 37, United States Code, is amended—

(1) in subsection (a)(5), by striking "or Commandant of the Coast Guard" and inserting "Commandant of the Coast Guard, or Chief of the National Guard Bureau"; and

(2) in subsection (c), by striking "or the Senior Enlisted Advisor to the Chairman of the Joint Chiefs of Staff" and inserting "the Senior Enlisted Advisor to the Chairman of the Joint Chiefs of Staff, or the Senior Enlisted Advisor to the Chief of the National Guard Bureau".

(d) RETIRED BASE PAY.—Section 1406(i) of title 10, United States Code, is amended—

(1) in the subsection heading, by inserting "CHIEF OF THE NATIONAL GUARD BUREAU," after "CHIEFS OF SERVICE,";

(2) in paragraph (1)—

(A) by inserting "as Chief of the National Guard Bureau," after "Chief of Service,"; and

(B) by inserting "or the senior enlisted advisor to the Chairman of the Joint Chiefs of Staff or the Chief of the National Guard Bureau" after "of an armed force"; and

(3) in paragraph (3)(B), by striking clause (vi).

10 USC 1406 note.

(e) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to months of service that begin on or after that date.

SEC. 604. MODIFICATION OF COMPUTATION OF BASIC ALLOWANCE FOR HOUSING INSIDE THE UNITED STATES.

(a) IN GENERAL.—Paragraph (3) of section 403(b) of title 37, United States Code, is amended to read as follows:

"(3)(A) The monthly amount of the basic allowance for housing for an area of the United States for a member of a uniformed service shall be the amount equal to the difference between—

"(i) the amount of the monthly cost of adequate housing in that area, as determined by the Secretary of Defense, for members of the uniformed services serving in the same pay grade and with the same dependency status as the member; and

"(ii) the amount equal to a specified percentage (determined under subparagraph (B)) of the national average monthly cost of adequate housing in the United States, as determined by the Secretary, for members of the uniformed services serving in the same pay grade and with the same dependency status as the member.

"(B) The percentage to be used for purposes of subparagraph (A)(ii) shall be determined by the Secretary of Defense and may not exceed one percent.".

(b) SPECIAL RULE.—Any reduction authorized by paragraph (3) of subsection (b) of section 403 of title 37, United States Code, as amended by subsection (a), shall not apply with respect to benefits paid by the Secretary of Veterans Affairs under the laws administered by the Secretary, including pursuant to sections 3108 and 3313 of title 38, United States Code. Such benefits that are determined in accordance with such section 403 shall be subject to paragraph (3) of such section as such paragraph was in effect on the day before the date of the enactment of this Act. 37 USC 403 note.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking "December 31, 2014" and inserting "December 31, 2015":

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking "December 31, 2014" and inserting "December 31, 2015":

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking "December 31, 2014" and inserting "December 31, 2015":

(1) Section 302c–1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking "December 31, 2014" and inserting "December 31, 2015":

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking "December 31, 2014" and inserting "December 31, 2015":

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(7) Section 351(h), relating to hazardous duty pay.

(8) Section 352(g), relating to assignment pay or special duty pay.

(9) Section 353(i), relating to skill incentive pay or proficiency bonus.

(10) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking "December 31, 2014" and inserting "December 31, 2015":

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 316a(g), relating to incentive pay for members of precommissioning programs pursuing foreign language proficiency.

(6) Section 324(g), relating to accession bonus for new officers in critical skills.

(7) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(8) Section 327(h), relating to incentive bonus for transfer between branches of the Armed Forces.

(9) Section 330(f), relating to accession bonus for officer candidates.

Subtitle C—Disability Pay, Retired Pay, and Survivor Benefits

SEC. 621. EARLIER DETERMINATION OF DEPENDENT STATUS WITH RESPECT TO TRANSITIONAL COMPENSATION FOR DEPENDENTS OF CERTAIN MEMBERS SEPARATED FOR DEPENDENT ABUSE.

Section 1059(d)(4) of title 10, United States Code, is amended by striking "as of the date on which the individual described in subsection (b) is separated from active duty" and inserting "as of the date on which the separation action is initiated by a commander of the individual described in subsection (b)".

SEC. 622. MODIFICATION OF DETERMINATION OF RETIRED PAY BASE FOR OFFICERS RETIRED IN GENERAL AND FLAG OFFICER GRADES.

(a) REINSTATEMENT OF EARLIER METHOD OF DETERMINATION.—Section 1407a of title 10, United States Code, is amended to read as follows:

"§ 1407a. Retired pay base: officers retired in general or flag officer grades

"(a) RATES OF BASIC PAY TO BE USED IN DETERMINATION.—Except as otherwise provided in this section, in a case in which the determination under section 1406 or 1407 of this title of the retired pay base applicable to the computation of the retired pay of a covered general or flag officer involves a rate of basic pay payable to that officer for any period between October 1, 2006, and December 31, 2014, that was subject to a reduction under section 203(a)(2) of title 37 for such period, such retired-pay-base determination shall be made using the rate of basic pay for such period provided by law, without regard to the reduction under section 203(a)(2) of title 37.

"(b) PARTIAL PRESERVATION OF COMPUTATION OF RETIRED PAY BASE USING UNCAPPED RATES OF BASIC PAY FOR COVERED OFFICERS WHO FIRST BECAME MEMBERS BEFORE SEPTEMBER 8, 1980, AND WHOSE RETIRED PAY COMMENCES AFTER DECEMBER 31, 2014.—

"(1) OFFICERS RETIRING AFTER DECEMBER 31, 2014.—In the case of a covered general or flag officer who first became a member of a uniformed service before September 8, 1980, and who is retired after December 31, 2014, under any provision of law other than chapter 1223 of this title or is transferred to the Retired Reserve after December 31, 2014, the retired pay base applicable to the computation of the retired pay of that officer shall be determined as provided in paragraph (2) if determination of such retired pay base as provided in that paragraph results in a higher retired pay base than determination of such retired pay base as otherwise provided by law (including the application of section 203(a)(2) of title 37).

"(2) ALTERNATIVE DETERMINATION OF RETIRED PAY BASE USING UNCAPPED RATES OF BASIC PAY AS OF DECEMBER 31, 2014.—For a determination in accordance with this paragraph, the amount of an officer's retired pay base shall be determined by using the rate of basic pay provided as of December 31, 2014, for that officer's grade as of that date for purposes of basic pay, with that officer's years of service creditable as of that date for purposes of basic pay, and without regard to any reduction under section 203(a)(2) of title 37.

"(3) EXCEPTION FOR OFFICER RETIRED IN A LOWER GRADE.—In a case in which the retired grade of the officer is lower than the grade in which the officer was serving on December 31, 2014, paragraph (2) shall be applied as if the officer was serving on that date in the officer's retired grade.

"(c) PRESERVATION OF COMPUTATION OF RETIRED PAY BASE USING UNCAPPED RATES OF BASIC PAY FOR OFFICERS TRANSFERRING TO RETIRED RESERVE DURING SPECIFIED PERIOD.—In the case of a covered general or flag officer who is transferred to the Retired Reserve between October 1, 2006, and December 31, 2014, and who becomes entitled to receive retired pay under section 12731 of this title after December 31, 2014, the retired pay base applicable to the computation of the retired pay of that officer shall be determined using the rates of basic pay provided by law without regard to any reduction in rates of basic pay under section 203(a)(2) of title 37.

"(d) COVERED GENERAL OR FLAG OFFICER DEFINED.—In this section, the term 'covered general or flag officer' means a member

or former member of a uniformed service who after September 30, 2006—

"(1) is retired in a general officer grade or flag officer grade (or an equivalent grade, in the case of an officer of the commissioned corps of the Public Health Service or the National Oceanic and Atmospheric Administration); or

"(2) is transferred to the Retired Reserve in a general officer grade or flag officer grade.".

(b) APPLICABILITY.—Section 1407a of title 10, United States Code, as amended by subsection (a), shall be effective for retired pay that commences after December 31, 2014. 10 USC 1407a note.

SEC. 623. INAPPLICABILITY OF REDUCED ANNUAL ADJUSTMENT OF RETIRED PAY FOR MEMBERS OF THE ARMED FORCES UNDER THE AGE OF 62 UNDER THE BIPARTISAN BUDGET ACT OF 2013 WHO FIRST BECOME MEMBERS PRIOR TO JANUARY 1, 2016.

Subparagraph (G) of section 1401a(b)(4) of title 10, United States Code, which shall take effect December 1, 2015, pursuant to section 403(a) of the Bipartisan Budget Act of 2013 (Public Law 113–67; 127 Stat. 1186)), as amended by section 10001 of the Department of Defense Appropriations Act, 2014 (division C of Public Law 113–76; 128 Stat. 151) and section 2 of Public Law 113–82 (128 Stat. 1009), is amended by striking "January 1, 2014" and inserting "January 1, 2016".

SEC. 624. SURVIVOR BENEFIT PLAN ANNUITIES FOR SPECIAL NEEDS TRUSTS ESTABLISHED FOR THE BENEFIT OF DEPENDENT CHILDREN INCAPABLE OF SELF-SUPPORT.

(a) SPECIAL NEEDS TRUST AS ELIGIBLE BENEFICIARY.—

(1) IN GENERAL.—Subsection (a) of section 1450 of title 10, United States Code, is amended—

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by inserting after paragraph (3) the following new paragraph (4):

"(4) SPECIAL NEEDS TRUSTS FOR SOLE BENEFIT OF CERTAIN DEPENDENT CHILDREN.—Notwithstanding subsection (i), a supplemental or special needs trust established under subparagraph (A) or (C) of section 1917(d)(4) of the Social Security Act (42 U.S.C. 1396p(d)(4)) for the sole benefit of a dependent child considered disabled under section 1614(a)(3) of that Act (42 U.S.C. 1382c(a)(3)) who is incapable of self-support because of mental or physical incapacity.".

(2) CONFORMING AMENDMENTS.—

(A) ANNUITIES EXEMPTION.—Subsection (i) of such section is amended by inserting "(a)(4) or" after "subsection".

(B) PLAN REQUIREMENTS.—Section 1448 of such title is amended—

(i) in subsection (b), by adding at the end the following new paragraph:

"(6) SPECIAL NEEDS TRUSTS FOR SOLE BENEFIT OF CERTAIN DEPENDENT CHILDREN.—A person who has established a supplemental or special needs trust under subparagraph (A) or (C) of section 1917(d)(4) of the Social Security Act (42 U.S.C. 1396p(d)(4)) for the sole benefit of a dependent child considered disabled under section 1614(a)(3) of that Act (42 U.S.C. 1382c(a)(3)) who is incapable of self-support because of mental

or physical incapacity may elect to provide an annuity to that supplemental or special needs trust.";

(ii) in subsection (d)(2)—

(I) in subparagraph (A), by striking "section 1450(a)(2)" and inserting "subsection (a)(2) or (a)(4) of section 1450"; and

(II) in subparagraph (B), by striking "section 1450(a)(3)" and inserting "subsection (a)(3) or (a)(4) of section 1450"; and

(iii) in subsection (f)(2), by inserting ", or to a special needs trust pursuant to section 1450(a)(4) of this title," after "dependent child".

(b) REGULATIONS.—Section 1455(d) of such title is amended—

(1) in the subsection heading, by striking "AND FIDUCIARIES" and inserting ", FIDUCIARIES, AND SPECIAL NEEDS TRUSTS";

(2) in paragraph (1)—

(A) in subparagraph (A), by striking "and" at the end;

(B) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new subparagraph:

"(C) a dependent child incapable of self-support because of mental or physical incapacity for whom a supplemental or special needs trust has been established under subparagraph (A) or (C) of section 1917(d)(4) of the Social Security Act (42 U.S.C. 1396p(d)(4)).";

(3) in paragraph (2)—

(A) by redesignating subparagraphs (C) through (H) as subparagraphs (D) through (I), respectively;

(B) by inserting after subparagraph (B) the following new subparagraph (C):

"(C) In the case of an annuitant referred to in paragraph (1)(C), payment of the annuity to the supplemental or special needs trust established for the annuitant.";

(C) in subparagraph (D), as redesignated by subparagraph (A) of this paragraph, by striking "subparagraphs (D) and (E)" and inserting "subparagraphs (E) and (F)"; and

(D) in subparagraph (H), as so redesignated—

(i) by inserting "or (1)(C)" after "paragraph (1)(B)" in the matter preceding clause (i);

(ii) in clause (i), by striking "and" at the end;

(iii) in clause (ii), by striking the period at the end and inserting "; and"; and

(iv) by adding at the end the following new clause:

"(iii) procedures for determining when annuity payments to a supplemental or special needs trust shall end based on the death or marriage of the dependent child for which the trust was established."; and

(4) in paragraph (3), by striking "OR FIDUCIARY" in the paragraph heading and inserting ", FIDUCIARY, OR TRUST".

SEC. 625. MODIFICATION OF PER-FISCAL YEAR CALCULATION OF DAYS OF CERTAIN ACTIVE DUTY OR ACTIVE SERVICE TO REDUCE ELIGIBILITY AGE FOR RETIREMENT FOR NON-REGULAR SERVICE.

Section 12731(f)(2)(A) of title 10, United States Code, is amended—

(1) by inserting ", subject to subparagraph (C)," after "shall be reduced"; and

(2) by striking "so performs in any fiscal year after such date, subject to subparagraph (C)" and inserting "serves on such active duty or performs such active service in any fiscal year after January 28, 2008, or in any two consecutive fiscal years after September 30, 2014".

Subtitle D—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

SEC. 631. PROCUREMENT OF BRAND-NAME AND OTHER COMMERCIAL ITEMS FOR RESALE BY COMMISSARY STORES.

Subsection (f) of section 2484 of title 10, United States Code, is amended to read as follows:

"(f) PROCUREMENT OF COMMERCIAL ITEMS USING PROCEDURES OTHER THAN COMPETITIVE PROCEDURES.—The Secretary of Defense may use the exception provided in section 2304(c)(5) of this title for the procurement of any commercial item (including brand-name and generic items) for resale in, at, or by commissary stores.".

SEC. 632. AUTHORITY OF NONAPPROPRIATED FUND INSTRUMENTALITIES TO ENTER INTO CONTRACTS WITH OTHER FEDERAL AGENCIES AND INSTRUMENTALITIES TO PROVIDE AND OBTAIN CERTAIN GOODS AND SERVICES.

Section 2492 of title 10, United States Code, is amended by striking "Federal department, agency, or instrumentality" and all that follows through the period at the end of the section and inserting the following: "Federal department, agency, or instrumentality—

"(1) to provide or obtain goods and services beneficial to the efficient management and operation of the exchange system or that morale, welfare, and recreation system; or

"(2) to provide or obtain food services beneficial to the efficient management and operation of the dining facilities on military installations offering food services to members of the armed forces.".

SEC. 633. COMPETITIVE PRICING OF LEGAL CONSUMER TOBACCO PRODUCTS SOLD IN DEPARTMENT OF DEFENSE RETAIL STORES.

10 USC 2484 note.

(a) PROHIBITION ON BANNING SALE OF LEGAL CONSUMER TOBACCO PRODUCTS.—The Secretary of Defense and the Secretaries of the military departments may not take any action to implement any new policy that would ban the sale of any legal consumer tobacco product category sold as of January 1, 2014, within the defense retail systems or on any Department of Defense vessel at sea.

(b) USE OF PRICES COMPARABLE TO LOCAL PRICES.—The Secretary of Defense shall issue regulations regarding the pricing of tobacco and tobacco-related products sold in an outlet of the defense retail systems inside the United States, including territories and possessions of the United States, to prohibit the sale of a product at a price below the most competitive price for that product in the local community.

(c) APPLICATION TO OVERSEAS DEFENSE RETAIL SYSTEMS.—The regulations required by subsection (b) shall direct that the price of a tobacco or tobacco-related product sold in an outlet of the defense retail systems outside of the United States shall be within the range of prices established for that product in outlets of the defense retail systems inside the United States.

(d) DEFENSE RETAIL SYSTEMS DEFINED.—In this section, the term "defense retail systems" has the meaning given that term in section 2487(b)(2) of title 10, United States Code.

SEC. 634. REVIEW OF MANAGEMENT, FOOD, AND PRICING OPTIONS FOR DEFENSE COMMISSARY SYSTEM.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review, utilizing the services of an independent organization experienced in grocery retail analysis, of the defense commissary system to determine the qualitative and quantitative effects of—

(1) using variable pricing in commissary stores to reduce the expenditure of appropriated funds to operate the defense commissary system;

(2) implementing a program to make available more private label products in commissary stores;

(3) converting the defense commissary system to a non-appropriated fund instrumentality; and

(4) eliminating or at least reducing second-destination funding.

(b) ADDITIONAL ELEMENTS OF REVIEW.—The review required by this section also shall consider the following:

(1) The impact of changes to the operation of the defense commissary system on commissary patrons, in particular junior enlisted members and junior officers and their dependents, that would result from—

(A) displacing current value and name-brand products with private-label products; and

(B) reducing or eliminating financial subsidies to the commissary system.

(2) The sensitivity of commissary patrons, in particular junior enlisted members and junior officers and their dependents, to pricing changes that may result in reduced overall cost savings for patrons.

(3) The feasibility of generating net revenue from pricing and stock assortment changes.

(4) The relationship of higher prices and reduced patron savings to patron usage and accompanying sales, both on a national and regional basis.

(5) The impact of changes to the operation of the defense commissary system on industry support; such as vendor stocking, promotions, discounts, and merchandising activities and programs.

(6) The ability of the current commissary management and information technology systems to accommodate changes to the existing pricing and management structure.

(7) The product category management systems and expertise of the Defense Commissary Agency.

(8) The impact of changes to the operation of the defense commissary system on military exchanges and other morale, welfare, and recreation programs for members of the Armed Forces.

(9) The identification of management and legislative changes that would be required in connection with changes to the defense commissary system.

(10) An estimate of the time required to implement recommended changes to the current pricing and management model of the defense commissary system.

(c) SUBMISSION.—Not later than September 1, 2015, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review required by this section.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Subtitle B—Health Care Administration

Subtitle C—Reports and Other Matters

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES.

(a) ANNUAL MENTAL HEALTH ASSESSMENTS.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074m the following new section:

10 USC 1074n.

"§ 1074n. Annual mental health assessments for members of the armed forces

"(a) MENTAL HEALTH ASSESSMENTS.—Subject to subsection (c), not less frequently than once each calendar year, the Secretary of Defense shall provide a person-to-person mental health assessment for—

"(1) each member of a regular component of the armed forces; and

"(2) each member of the Selected Reserve of an armed force.

"(b) ELEMENTS.—The mental health assessments provided pursuant to this section shall—

"(1) be conducted in accordance with the requirements of subsection (c)(1) of section 1074m of this title with respect to a mental health assessment provided pursuant to such section; and

"(2) include a review of the health records of the member that are related to each previous health assessment or other relevant activities of the member while serving in the armed forces, as determined by the Secretary.

"(c) SUFFICIENCY OF OTHER MENTAL HEALTH ASSESSMENTS.—(1) The Secretary is not required to provide a mental health assessment pursuant to this section to an individual in a calendar year in which the individual has received a mental health assessment pursuant to section 1074m of this title.

"(2) The Secretary may treat periodic health assessments and other person-to-person assessments that are provided to members of the armed forces, including examinations under section 1074f of this title, as meeting the requirements for mental health assessments required under this section if the Secretary determines that such assessments and person-to-person assessments meet the requirements for mental health assessments established by this section.

"(d) PRIVACY MATTERS.—Any medical or other personal information obtained under this section shall be protected from disclosure or misuse in accordance with the laws on privacy applicable to such information.

"(e) REGULATIONS.—The Secretary of Defense shall, in consultation with the other administering Secretaries, prescribe regulations for the administration of this section.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting

10 USC prec. 1071.

after the item relating to section 1074m the following new item:

"1074n. Annual mental health assessments for members of the armed forces.".

(3) IMPLEMENTATION.—Not later than 180 days after the date of the issuance of the regulations prescribed under section 1074n(e) of title 10, United States Code, as added by paragraph (1), the Secretary of Defense shall implement such regulations.

(4) REPORT.—

(A) IN GENERAL.—Not later than one year after the date on which the Secretary of Defense implements the regulations described in paragraph (3), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the annual mental health assessments of members of the Armed Forces conducted pursuant to section 1074n of title 10, United States Code, as added by paragraph (1).

(B) MATTERS INCLUDED.—The report under subparagraph (A) shall include the following:

(i) A description of the tools and processes used to provide the annual mental health assessments of members of the Armed Forces conducted pursuant to such section 1074n, including—

(I) whether such tools and processes are evidenced-based; and

(II) the process by which such tools and processes have been approved for use in providing mental health assessments.

(ii) Such recommendations for improving the tools and processes used to conduct such assessments, including tools that may address the underreporting of mental health conditions, as the Secretary considers appropriate.

(iii) Such recommendations as the Secretary considers appropriate for improving the monitoring and reporting of the number of members of the Armed Forces—

(I) who receive such assessments;

(II) who are referred for care based on such assessments; and

(III) who receive care based on such referrals.

(C) TREATMENT OF CERTAIN INFORMATION.—No personally identifiable information of a member of the Armed Forces may be included in any report under subparagraph (A).

(5) CONFORMING AMENDMENT.—Section 1074m(e)(1) of such title is amended by inserting "and section 1074n of this title" after "pursuant to this section".

(b) FREQUENCY OF MENTAL HEALTH ASSESSMENTS FOR DEPLOYED MEMBERS.—

(1) IN GENERAL.—Section 1074m of such title is further amended—

(A) in subsection (a)(1)—

(i) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(ii) by inserting after subparagraph (A) the following new subparagraph:

"(B) Until January 1, 2019, once during each 180-day period during which a member is deployed."; and

(B) in subsection (c)(1)(A)—

(i) in clause (i), by striking "; and" and inserting a semicolon;

(ii) by redesignating clause (ii) as clause (iii); and

(iii) by inserting after clause (i) the following new clause:

"(ii) by personnel in deployed units whose responsibilities include providing unit health care services if such personnel are available and the use of such personnel for the assessments would not impair the capacity of such personnel to perform higher priority tasks; and".

(2) CONFORMING AMENDMENT.—Subsection (a)(2) of such section 1074m is amended by striking "subparagraph (B) and (C)" and inserting "subparagraphs (C) and (D)".

SEC. 702. MODIFICATIONS OF COST-SHARING AND OTHER REQUIREMENTS FOR THE TRICARE PHARMACY BENEFITS PROGRAM.

(a) AVAILABILITY OF PHARMACEUTICAL AGENTS THROUGH NATIONAL MAIL-ORDER PHARMACY PROGRAM.—Paragraph (5) of section 1074g(a) of title 10, United States Code, is amended—

(1) by striking "at least one of the means described in paragraph (2)(E)" and inserting "the national mail-order pharmacy program"; and

(2) by striking "may include" and all that follows through the period at the end and inserting "shall include cost-sharing by the eligible covered beneficiary as specified in paragraph (6).".

(b) MODIFICATION OF COST-SHARING AMOUNTS.—Paragraph (6)(A) of such section 1074g(a) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking "$5" and inserting "$8";

(B) in subclause (II), by striking "$17; and" and inserting "$20."; and

(C) by striking subclause (III); and

(2) in clause (ii)—

(A) in subclause (II), by striking "$13" and inserting "$16"; and

(B) in subclause (III), by striking "$43" and inserting "$46".

(c) REFILLS OF PRESCRIPTION MAINTENANCE MEDICATIONS THROUGH MILITARY TREATMENT FACILITY PHARMACIES OR NATIONAL MAIL ORDER PHARMACY PROGRAM.—

(1) IN GENERAL.—Such section is further amended by adding at the end the following new paragraph:

"(9)(A) Beginning on October 1, 2015, the pharmacy benefits program shall require eligible covered beneficiaries generally to refill non-generic prescription maintenance medications through military treatment facility pharmacies or the national mail-order pharmacy program.

"(B) The Secretary shall determine the maintenance medications subject to the requirement under subparagraph (A). The Secretary shall ensure that—

"(i) such medications are generally available to eligible covered beneficiaries through retail pharmacies only for an initial filling of a 30-day or less supply; and

"(ii) any refills of such medications are obtained through a military treatment facility pharmacy or the national mail-order pharmacy program.

"(C) The Secretary may exempt the following prescription maintenance medications from the requirement of subparagraph (A):

"(i) Medications that are for acute care needs.

"(ii) Such other medications as the Secretary determines appropriate.".

(2) TERMINATION OF PILOT PROGRAM.—Section 716(f) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1074g note) is amended by striking "December 31, 2017" and inserting "September 30, 2015".

(d) GAO REPORT ON PILOT PROGRAM.—Not later than July 1, 2015, the Comptroller General of the United States shall submit to the congressional defense committees a report on the satisfaction of beneficiaries participating in the pilot program under section 716 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1074g note). Such report shall address the following:

(1) The satisfaction of beneficiaries participating in the pilot program.

(2) The timeliness of refilling prescriptions under the pilot program.

(3) The accuracy of prescription refills under the pilot program.

(4) The availability of medications refilled under the pilot program.

(5) The cost savings to the Department of Defense realized by the pilot program.

(6) The number of beneficiaries who did not participate in the pilot program by reason of subsection (c) of such section 716.

(7) Any other matters the Comptroller General considers appropriate.

SEC. 703. ELIMINATION OF INPATIENT DAY LIMITS AND OTHER LIMITS IN PROVISION OF MENTAL HEALTH SERVICES.

(a) INPATIENT DAY LIMITS.—Section 1079 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (6); and

(B) by redesignating paragraphs (7) through (17) as paragraphs (6) through (16), respectively;

(2) by striking subsection (i); and

(3) by redesignating subsections (j) through (q) as subsections (i) through (p), respectively.

(b) WAIVER OF NONAVAILABILITY STATEMENT OR PREAUTHORIZATION.—Section 721(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (10 U.S.C. 1073 note) is amended by striking "(other than mental health services)".

(c) CONFORMING AMENDMENTS.—Chapter 55 of title 10, United States Code, is amended—

(1) in section 1079(e)(7), by striking "subsection (a)(13)" and inserting "subsection (a)(12)";

(2) in section 1086—

(A) in subsection (d)(4)(A)(ii), by striking "section 1079(j)(1)" and inserting "section 1079(i)(1)"; and

(B) in subsection (g), by striking "Section 1079(j)" and inserting "Section 1079(i)"; and

(3) in section 1105(c), by striking "section 1079(a)(7)" and inserting "section 1079(a)(6)".

SEC. 704. AUTHORITY FOR PROVISIONAL TRICARE COVERAGE FOR EMERGING HEALTH CARE SERVICES AND SUPPLIES.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1079b the following new section:

10 USC 1079c.

"§ 1079c. Provisional coverage for emerging services and supplies

"(a) PROVISIONAL COVERAGE.—In carrying out the TRICARE program, including pursuant to section 1079(a)(12) of this title, the Secretary of Defense, acting through the Assistant Secretary of Defense for Health Affairs, may provide provisional coverage for the provision of a service or supply if the Secretary determines that such service or supply is widely recognized in the United States as being safe and effective.

"(b) CONSIDERATION OF EVIDENCE.—In making a determination under subsection (a), the Secretary may consider—

"(1) clinical trials published in refereed medical literature;

"(2) formal technology assessments;

"(3) the positions of national medical policy organizations;

"(4) national professional associations;

"(5) national expert opinion organizations; and

"(6) such other validated evidence as the Secretary considers appropriate.

"(c) INDEPENDENT EVALUATION.—In making a determination under subsection (a), the Secretary may arrange for an evaluation from the Institute of Medicine of the National Academies or such other independent entity as the Secretary selects.

"(d) DURATION AND TERMS OF COVERAGE.—(1) Provisional coverage under subsection (a) for a service or supply may be in effect for not longer than a total of five years.

"(2) Prior to the expiration of provisional coverage of a service or supply, the Secretary shall determine the coverage, if any, that will follow such provisional coverage and take appropriate action to implement such determination. If the Secretary determines that the implementation of such determination regarding coverage requires legislative action, the Secretary shall make a timely recommendation to Congress regarding such legislative action.

"(3) The Secretary, at any time, may—

"(A) terminate the provisional coverage under subsection (a) of a service or supply, regardless of whether such termination is before the end of the period described in paragraph (1);

"(B) establish or disestablish terms and conditions for such coverage; or

"(C) take any other action with respect to such coverage.

"(e) PUBLIC NOTICE.—The Secretary shall promptly publish on a publicly accessible Internet website of the TRICARE program a notice for each service or supply that receives provisional coverage under subsection (a), including any terms and conditions for such coverage.

"(f) FINALITY OF DETERMINATIONS.—Any determination to approve or disapprove a service or supply under subsection (a) and any action made under subsection (d)(3) shall be final.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1079b the following new item:

10 USC prec. 1071.

"1079c. Provisional coverage for emerging services and supplies.".

SEC. 705. CLARIFICATION OF PROVISION OF FOOD TO FORMER MEMBERS AND DEPENDENTS NOT RECEIVING INPATIENT CARE IN MILITARY MEDICAL TREATMENT FACILITIES.

Section 1078b of title 10, United States Code, is amended—

(1) by striking "A member" each place it appears and inserting "A member or former member"; and

(2) in subsection (a)(2)(C), by striking "member or dependent" and inserting "member, former member, or dependent".

SEC. 706. AVAILABILITY OF BREASTFEEDING SUPPORT, SUPPLIES, AND COUNSELING UNDER THE TRICARE PROGRAM.

Section 1079(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(17) Breastfeeding support, supplies (including breast pumps and associated equipment), and counseling shall be provided as appropriate during pregnancy and the postpartum period.".

Subtitle B—Health Care Administration

SEC. 711. PROVISION OF NOTICE OF CHANGE TO TRICARE BENEFITS.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1097c the following new section:

"§ 1097d. TRICARE program: notice of change to benefits 10 USC 1097d.

"(a) PROVISION OF NOTICE.—(1) If the Secretary makes a significant change to any benefits provided by the TRICARE program to covered beneficiaries, the Secretary shall provide individuals described in paragraph (2) with notice explaining such changes.

"(2) The individuals described by this paragraph are covered beneficiaries participating in the TRICARE program who may be affected by a significant change covered by a notification under paragraph (1).

"(3) The Secretary shall provide notice under paragraph (1) through electronic means.

"(b) TIMING OF NOTICE.—The Secretary shall provide notice under paragraph (1) of subsection (a) by the earlier of the following dates:

"(1) The date that the Secretary determines would afford individuals described in paragraph (2) of such subsection adequate time to understand the change covered by the notification.

"(2) The date that is 90 days before the date on which the change covered by the notification becomes effective.

"(3) The effective date of a significant change that is required by law.

"(c) SIGNIFICANT CHANGE DEFINED.—In this section, the term 'significant change' means a systemwide change—

"(1) in the structure of the TRICARE program or the benefits provided under the TRICARE program (not including the addition of new services or benefits); or

"(2) in beneficiary cost-share rates of more than 20 percent.".

10 USC prec. 1701.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1097c the following new item:

"1097d. TRICARE program: notice of change to benefits.".

SEC. 712. SURVEYS ON CONTINUED VIABILITY OF TRICARE STANDARD AND TRICARE EXTRA.

Section 711(b)(2) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 1073 note) is amended in the matter preceding subparagraph (A)—

(1) by striking "on a biennial basis"; and

(2) by striking "paragraph (1)" and inserting the following: "paragraph (1) during 2017 and 2020".

SEC. 713. REVIEW OF MILITARY HEALTH SYSTEM MODERNIZATION STUDY.

(a) LIMITATION.—

(1) IN GENERAL.—The Secretary of Defense may not restructure or realign a military medical treatment facility based on the modernization study until a 90-day period has elapsed following the date on which the Comptroller General of the United States is required to submit to the congressional defense committees the report under subsection (b)(3).

(2) REPORT.—The Secretary shall submit to the congressional defense committees a report that includes the following:

(A) During the period from 2006 to 2012, for each military medical treatment facility considered under the modernization study—

(i) the average daily inpatient census;

(ii) the average inpatient capacity;

(iii) the top five inpatient admission diagnoses;

(iv) each medical specialty available;

(v) the average daily percent of staffing available for each medical specialty;

(vi) the beneficiary population within the catchment area;

(vii) the budgeted funding level;

(viii) whether the facility has a helipad capable of receiving medical evacuation airlift patients arriving on the primary evacuation aircraft platform for the military installation served;

(ix) a determination of whether the civilian hospital system in which the facility resides is a Federally-

designated underserved medical community and the effect on such community from any reduction in staff or functions or downgrade of the facility;

(x) if the facility serves a training center—

(I) a determination of the risk with respect to high-tempo, live-fire military operations, treating battlefield-like injuries, and the potential for a mass casualty event if the facility is downgraded to a clinic or reduced in personnel or capabilities; and

(II) a description of the extent to which the Secretary, in making such determination, consulted with the appropriate training directorate, training and doctrine command, and forces command of each military department;

(xi) a site assessment by TRICARE to assess the network capabilities of TRICARE providers in the local area;

(xii) the inpatient mental health availability; and

(xiii) the average annual inpatient care directed to civilian medical facilities.

(B) For each military medical treatment facility considered under the modernization study—

(i) the civilian capacity by medical specialty in each catchment area;

(ii) the distance in miles to the nearest civilian emergency care department;

(iii) the distance in miles to the closest civilian inpatient hospital, listed by level of care and whether the facility is designated a sole community hospital;

(iv) the availability of ambulance service on the military installation and the distance in miles to the nearest civilian ambulance service, including the average response time to the military installation;

(v) an estimate of the cost to restructure or realign the military medical treatment facility, including with respect to bed closures and civilian personnel reductions; and

(vi) if the military medical treatment facility is restructured or realigned, an estimate of—

(I) the number of civilian personnel reductions, listed by series;

(II) the number of local support contracts terminated; and

(III) the increased cost of purchased care.

(C) The results of the modernization study with respect to the recommendations of the Secretary to restructure or realign military medical treatment facilities.

(D) An assessment of the analysis made by the Secretary to inform decisions regarding the modernization of the military health care system in the modernization study.

(E) An assessment of the extent to which the Secretary evaluated in the modernization study the impact on the access of eligible beneficiaries to quality health care, and satisfaction with such care, caused by the following changes proposed in the study:

(i) Changes in military medical treatment facility infrastructure.

(ii) Changes in staffing levels of professionals.

(iii) Changes in inpatient, ambulatory surgery, and specialty care capacity and capabilities.

(F) An assessment of the extent to which the Secretary evaluated in the modernization study how any reduced inpatient, ambulatory surgery, or specialty care capacity and capabilities at military medical treatment facilities covered by the study would impact timely access to care for eligible beneficiaries at local civilian community hospitals within reasonable driving distances of the catchment areas of such facilities.

(G) An assessment of the extent to which the Secretary consulted in conducting the modernization study with community hospitals in locations covered by the study to determine their capacities for additional inpatient and ambulatory surgery patients and their capabilities to meet additional demands for specialty care services.

(H) An assessment of the extent to which the Secretary considered in the modernization study the impact that the change in the structure or alignment of military medical treatment facilities covered by the study would have on timely access by local civilian populations to inpatient, ambulatory surgery, or specialty care services if additional eligible beneficiaries also sought access to such services from the same providers.

(I) An assessment of the impact of the elimination of health care services at military medical treatment facilities covered by the modernization study on civilians employed at such facilities.

(b) COMPTROLLER GENERAL REVIEW.—

(1) REVIEW.—The Comptroller General of the United States shall review the report under subsection (a)(2).

(2) ELEMENTS.—The review under paragraph (1) shall include the following:

(A) An assessment of the methodology used by the Secretary of Defense in conducting the study.

(B) An assessment of the adequacy of the data used by the Secretary with respect to such study.

(3) REPORT.—Not later than 180 days after the date on which the Secretary submits the report under subsection (a)(2), the Comptroller General shall submit to the congressional defense committees a report on the review under paragraph (1).

(c) MODERNIZATION STUDY DEFINED.—In this section, the term "modernization study" means the Military Health System Modernization Study of the Department of Defense directed by the Resource Management Decision of the Department of Defense numbered MP–D–01.

Subtitle C—Reports and Other Matters

SEC. 721. DESIGNATION AND RESPONSIBILITIES OF SENIOR MEDICAL ADVISOR FOR ARMED FORCES RETIREMENT HOME.

(a) DESIGNATION OF SENIOR MEDICAL ADVISOR.—Subsection (a) of section 1513A of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 413a) is amended—

(1) in paragraph (1), by striking "Deputy Director of the TRICARE Management Activity" and inserting "Deputy Director of the Defense Health Agency"; and

(2) in paragraph (2), by striking "Deputy Director of the TRICARE Management Activity" both places it appears and inserting "Deputy Director of the Defense Health Agency".

(b) CLARIFICATION OF RESPONSIBILITIES AND DUTIES OF SENIOR MEDICAL ADVISOR.—Subsection (c)(2) of such section is amended by striking "health care standards of the Department of Veterans Affairs" and inserting "nationally recognized health care standards and requirements".

SEC. 722. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.

Section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2573) is amended by striking "September 30, 2015" and inserting "September 30, 2016".

SEC. 723. REPORT ON STATUS OF REDUCTIONS IN TRICARE PRIME SERVICE AREAS.

(a) REPORT REQUIRED.—Section 732 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 1097a note) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

"(b) ADDITIONAL REPORT.—

"(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of reducing the availability of TRICARE Prime in regions described in subsection (d)(1)(B).

"(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

"(A) A description of the implementation of the transition for affected eligible beneficiaries under the TRICARE program who no longer have access to TRICARE Prime under TRICARE managed care contracts as of the date of the report, including—

"(i) the number of eligible beneficiaries who have transitioned from TRICARE Prime to the TRICARE Standard option of the TRICARE program since October 1, 2013;

"(ii) the number of eligible beneficiaries who transferred their TRICARE Prime enrollment to a more

distant available Prime service area to remain in TRICARE Prime, by State;

"(iii) the number of eligible beneficiaries who were eligible to transfer to a more distant available Prime service area, but chose to use TRICARE Standard;

"(iv) the number of eligible beneficiaries who elected to return to TRICARE Prime pursuant to subsection (c)(1); and

"(v) the number of affected eligible beneficiaries who, as of the date of the report, changed residences to remain eligible for TRICARE Prime in a new region.

"(B) An estimate of the increased annual costs per affected eligible beneficiary incurred by such beneficiary for health care under the TRICARE program.

"(C) A description of the efforts of the Department to assess the impact on access to health care and beneficiary satisfaction for affected eligible beneficiaries.

"(D) A description of the estimated cost savings realized by reducing the availability of TRICARE Prime in regions described in subsection (d)(1)(B).".

(b) CONFORMING AMENDMENT.—Subsection (b)(3)(A) of such section is amended by striking "subsection (c)(1)(B)" and inserting "subsection (d)(1)(B)".

SEC. 724. EXTENSION OF AUTHORITY TO PROVIDE REHABILITATION AND VOCATIONAL BENEFITS TO MEMBERS OF THE ARMED FORCES WITH SEVERE INJURIES OR ILLNESSES.

Section 1631(b)(2) of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

10 USC 1091 note.

SEC. 725. ACQUISITION STRATEGY FOR HEALTH CARE PROFESSIONAL STAFFING SERVICES.

(a) ACQUISITION STRATEGY.—

(1) IN GENERAL.—The Secretary of Defense shall develop and carry out an acquisition strategy with respect to entering into contracts for the services of health care professional staff at military medical treatment facilities.

(2) ELEMENTS.—The acquisition strategy under paragraph (1) shall include the following:

(A) Identification of the responsibilities of the military departments and elements of the Department of Defense in carrying out such strategy.

(B) Methods to analyze, using reliable and detailed data covering the entire Department, the amount of funds expended on contracts for the services of health care professional staff.

(C) Methods to identify opportunities to consolidate requirements for such services and reduce cost.

(D) Methods to measure cost savings that are realized by using such contracts instead of purchased care.

(E) Metrics to determine the effectiveness of such strategy.

(F) Metrics to evaluate the success of the strategy in achieving its objectives, including metrics to assess the effects of the strategy on the timeliness of beneficiary access to professional health care services in military medical treatment facilities.

(G) Such other matters as the Secretary considers appropriate.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the status of implementing the acquisition strategy under paragraph (1) of subsection (a), including how each element under subparagraphs (A) through (G) of paragraph (2) of such subsection is being carried out.

SEC. 726. PILOT PROGRAM ON MEDICATION THERAPY MANAGEMENT UNDER TRICARE PROGRAM.

10 USC 1074g note.

(a) ESTABLISHMENT.—In accordance with section 1092 of title 10, United States Code, the Secretary of Defense shall carry out a pilot program to evaluate the feasibility and desirability of including medication therapy management as part of the TRICARE program.

(b) ELEMENTS OF PILOT PROGRAM.—In carrying out the pilot program under subsection (a), the Secretary shall ensure the following:

(1) Patients who participate in the pilot program are patients who—

(A) have more than one chronic condition; and

(B) are prescribed more than one medication.

(2) Medication therapy management services provided under the pilot program are focused on improving patient use and outcomes of prescription medications.

(3) The design of the pilot program considers best commercial practices in providing medication therapy management services, including practices under the prescription drug program under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w–101 et seq.).

(4) The pilot program includes methods to measure the effect of medication therapy management services on—

(A) patient use and outcomes of prescription medications; and

(B) the costs of health care.

(c) LOCATIONS.—

(1) SELECTION.—The Secretary shall carry out the pilot program under subsection (a) in not less than three locations.

(2) FIRST LOCATION CRITERIA.—Not less than one location selected under paragraph (1) shall meet the following criteria:

(A) The location is a pharmacy at a military medical treatment facility.

(B) The patients participating in the pilot program at such location generally receive primary care services from health care providers at such facility.

(3) SECOND LOCATION CRITERIA.—Not less than one location selected under paragraph (1) shall meet the following criteria:

(A) The location is a pharmacy at a military medical treatment facility.

(B) The patients participating in the pilot program at such location generally do not receive primary care services from health care providers at such facility.

(4) THIRD LOCATION CRITERION.—Not less than one location selected under paragraph (1) shall be a pharmacy located at a location other than a military medical treatment facility.

(d) DURATION.—The Secretary shall carry out the pilot program under subsection (a) for a period determined appropriate by the Secretary that is not less than two years.

(e) REPORT.—Not later than 30 months after the date on which the Secretary commences the pilot program under subsection (a), the Secretary shall submit to the congressional defense committees a report on the pilot program that includes—

(1) information on the effect of medication therapy management services on—

(A) patient use and outcomes of prescription medications; and

(B) the costs of health care;

(2) the recommendations of the Secretary with respect to incorporating medication therapy management into the TRICARE program; and

(3) such other information as the Secretary determines appropriate.

(f) DEFINITIONS.—In this section:

(1) The term "medication therapy management" means professional services provided by qualified pharmacists to patients to improve the effective use and outcomes of prescription medications provided to the patients.

(2) The term "TRICARE program" has the meaning given that term in section 1072 of title 10, United States Code.

10 USC 1071 note.

SEC. 727. ANTIMICROBIAL STEWARDSHIP PROGRAM AT MEDICAL FACILITIES OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall carry out an antimicrobial stewardship program at medical facilities of the Department of Defense.

(b) COLLECTION AND ANALYSIS OF DATA.—In carrying out the antimicrobial stewardship program required by subsection (a), the Secretary shall develop a consistent manner in which to collect and analyze data on antibiotic usage, health issues related to antibiotic usage, and antimicrobial resistance trends at medical facilities of the Department.

(c) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a plan for carrying out the antimicrobial stewardship program required by subsection (a).

SEC. 728. REPORT ON IMPROVEMENTS IN THE IDENTIFICATION AND TREATMENT OF MENTAL HEALTH CONDITIONS AND TRAUMATIC BRAIN INJURY AMONG MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an evaluation of specific tools, processes, and best practices to improve the identification of and treatment by the Armed Forces of mental health conditions and traumatic brain injury among members of the Armed Forces.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) An evaluation of existing peer-to-peer identification and intervention programs in each of the Armed Forces.

(2) An evaluation of programs that provide training and certification to health care providers that treat mental health conditions and traumatic brain injury in members of the Armed Forces.

(3) An evaluation of programs and services provided by the Armed Forces that provide training and certification to providers of cognitive rehabilitation and other rehabilitation for traumatic brain injury to members of the Armed Forces.

(4) An evaluation of programs and services provided by the Armed Forces that assist members of the Armed Forces and family members affected by suicides among members of the Armed Forces.

(5) An evaluation of tools and processes used by the Armed Forces to identify traumatic brain injury in members of the Armed Forces and to distinguish mental health conditions likely caused by traumatic brain injury from mental health conditions caused by other factors.

(6) An evaluation of the unified effort of the Armed Forces to promote mental health and prevent suicide through the integration of clinical and nonclinical programs of the Armed Forces.

(7) Recommendations with respect to improving, consolidating, expanding, and standardizing the programs, services, tools, processes, and efforts described in paragraphs (1) through (6).

(8) A description of existing efforts to reduce the time from development and testing of new mental health and traumatic brain injury tools and treatments for members of the Armed Forces to widespread dissemination of such tools and treatments among the Armed Forces.

(9) Recommendations as to the feasibility and advisability of conducting mental health assessments before the enlistment or commissioning of a member of the Armed Forces and again during the 90-day period preceding the date of discharge or release of the member from the Armed Forces, including the utility of using tools and processes in such mental health assessments that conform to those used in other mental health assessments provided to members of the Armed Forces.

(10) Recommendations on how to track changes in the mental health assessment of a member of the Armed Forces relating to traumatic brain injury, post-traumatic stress disorder, depression, anxiety, and other conditions.

(c) PRIVACY MATTERS.—

(1) IN GENERAL.—Any medical or other personal information obtained pursuant to any provision of this section shall be protected from disclosure or misuse in accordance with the laws on privacy applicable to such information.

(2) EXCLUSION OF PERSONALLY IDENTIFIABLE INFORMATION FROM REPORTS.—No personally identifiable information may be included in the report required by subsection (a).

SEC. 729. REPORT ON EFFORTS TO TREAT INFERTILITY OF MILITARY FAMILIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report assessing the access

of members of the Armed Forces and the dependents of such members to reproductive counseling and treatments for infertility.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) A description, by location, of the infertility treatment services available at military medical treatment facilities throughout the military health care system.

(2) An identification of factors that might disrupt treatment, including lack of timely access to treatment, change in duty station, or overseas deployments.

(3) The number of members of the Armed Forces who have received specific infertility treatment services during the five-year period preceding the date of the report.

(4) The number of dependents of members who have received specific infertility treatment services during the five-year period preceding the date of the report.

(5) The number of births resulting from infertility treatment services described in paragraphs (3) and (4).

(6) A comparison of infertility treatment services covered by health plans sponsored by the Federal Government and infertility treatment services provided by the military health care system.

(7) The current cost to the Department of Defense for providing infertility treatment services to members and dependents.

(8) The current cost to members and dependents for infertility treatment services provided by the military health care system.

(9) Any other matters the Secretary determines appropriate.

SEC. 730. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS OF INSTITUTE OF MEDICINE ON IMPROVEMENTS TO CERTAIN RESILIENCE AND PREVENTION PROGRAMS OF THE DEPARTMENT OF DEFENSE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment of the feasibility and advisability of implementing the recommendations of the Institute of Medicine regarding improvements to programs of the Department of Defense intended to strengthen mental, emotional, and behavioral abilities associated with managing adversity, adapting to change, recovering, and learning in connection with service in the Armed Forces.

SEC. 731. COMPTROLLER GENERAL REPORT ON TRANSITION OF CARE FOR POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.

(a) REPORT.—Not later than September 1, 2015, the Comptroller General of the United States shall submit to the congressional defense committees and the Committees on Veterans' Affairs of the House of Representatives and the Senate a report that assesses the transition of care for post-traumatic stress disorder and traumatic brain injury.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) The programs, policies, and regulations that affect the transition of care, particularly with respect to individuals who are taking or have been prescribed antidepressants, stimulants, antipsychotics, mood stabilizers, anxiolytics, depressants, or hallucinogens.

(2) Upon transitioning to care furnished by the Secretary of Veterans Affairs, the extent to which the pharmaceutical treatment plan of an individual changes, and the factors determining such changes.

(3) The extent to which the Secretary of Defense and the Secretary of Veterans Affairs have worked together to identify and apply best pharmaceutical treatment practices.

(4) A description of the off-formulary waiver process of the Secretary of Veterans Affairs, and the extent to which the process is applied efficiently at the treatment level.

(5) The benefits and challenges of harmonizing the formularies across the Department of Defense and the Department of Veterans Affairs.

(6) Any other issues that the Comptroller General determines appropriate.

(c) TRANSITION OF CARE DEFINED.—In this section, the term "transition of care" means the transition of an individual from receiving treatment furnished by the Secretary of Defense to treatment furnished by the Secretary of Veterans Affairs.

SEC. 732. COMPTROLLER GENERAL REPORT ON MENTAL HEALTH STIGMA REDUCTION EFFORTS IN THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Comptroller General of the United States shall carry out a review of the policies, procedures, and programs of the Department of Defense to reduce the stigma associated with mental health treatment for members of the Armed Forces and deployed civilian employees of the Department of Defense.

(b) ELEMENTS.—The review under subsection (a) shall address, at a minimum, the following:

(1) An assessment of the availability and access to mental health treatment services for members of the Armed Forces and deployed civilian employees of the Department of Defense.

(2) An assessment of the perception of the impact of the stigma of mental health treatment on the career advancement and retention of members of the Armed Forces and such employees.

(3) An assessment of the policies, procedures, and programs, including training and education, of each of the Armed Forces to reduce the stigma of mental health treatment for members of the Armed Forces and such employees at each unit level of the organized forces.

(c) REPORT.—Not later than March 1, 2016, the Comptroller General shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the review under subsection (a).

SEC. 733. COMPTROLLER GENERAL REPORT ON WOMEN'S HEALTH CARE SERVICES FOR MEMBERS OF THE ARMED FORCES AND OTHER COVERED BENEFICIARIES.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the House

of Representatives and the Senate a report on women's health care services for members of the Armed Forces serving on active duty and other covered beneficiaries under chapter 55 of title 10, United States Code.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) A description and assessment of women's health care services for members of the Armed Forces and other covered beneficiaries, including with respect to access to care, scope of available care, and availability of speciality care, and with a particular emphasis on maternity care.

(2) An assessment of whether the quality measures used by the military health care system with respect to women's health care services for members of the Armed Forces and other covered beneficiaries facilitate expected outcomes, and an assessment of whether another, or additional, evidence-based quality measures would improve outcomes in the military health care system.

(3) A description and assessment of nationally recognized recommendations to improve access to health services and better health outcomes for women members of the Armed Forces and other covered beneficiaries.

(4) Such recommendations for legislative or administrative action as the Comptroller General considers appropriate to improve women's health care services for members of the Armed Forces and other covered beneficiaries.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

Subtitle C—Industrial Base Matters

Subtitle A—Acquisition Policy and Management

SEC. 801. MODULAR OPEN SYSTEMS APPROACHES IN ACQUISITION PROGRAMS.

10 USC 2223a note.

(a) PLAN FOR MODULAR OPEN SYSTEMS APPROACH THROUGH DEVELOPMENT AND ADOPTION OF STANDARDS AND ARCHITECTURES.—Not later than January 1, 2016, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit a report to the Committees on Armed Services of the Senate and the House of Representatives detailing a plan to develop standards and define architectures necessary to enable open systems approaches in the key mission areas of the Department of Defense with respect to which the Under Secretary determines that such standards and architectures would be feasible and cost effective.

(b) CONSIDERATION OF MODULAR OPEN SYSTEMS APPROACHES.—

(1) REVIEW OF ACQUISITION GUIDANCE.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall review current acquisition guidance, and modify such guidance as necessary, to—

(A) ensure that acquisition programs include open systems approaches in the product design and acquisition of information technology systems to the maximum extent practicable; and

(B) for any information technology system not using an open systems approach, ensure that written justification

is provided in the contract file for the system detailing why an open systems approach was not used.

(2) ELEMENTS.—The review required in paragraph (1) shall—

(A) consider whether the guidance includes appropriate exceptions for the acquisition of—

(i) commercial items; and

(ii) solutions addressing urgent operational needs;

(B) determine the extent to which open systems approaches should be addressed in analysis of alternatives, acquisition strategies, system engineering plans, and life cycle sustainment plans; and

(C) ensure that increments of acquisition programs consider the extent to which the increment will implement open systems approaches as a whole.

(3) DEADLINE FOR REVIEW.—The review required in this subsection shall be completed no later than 180 days after the date of the enactment of this Act.

(c) TREATMENT OF ONGOING AND LEGACY PROGRAMS.—

(1) REPORT REQUIREMENT.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report covering the matters specified in paragraph (2).

(2) MATTERS COVERED.—Subject to paragraph (3), the report required in this subsection shall—

(A) identify all information technology systems that are in development, production, or deployed status as of the date of the enactment of this Act, that are or were major defense acquisition programs or major automated information systems, and that are not using an open systems approach;

(B) identify gaps in standards and architectures necessary to enable open systems approaches in the key mission areas of the Department of Defense, as determined pursuant to the plan submitted under subsection (a); and

(C) outline a process for potential conversion to an open systems approach for each information technology system identified under subparagraph (A).

(3) LIMITATIONS.—The report required in this subsection shall not include information technology systems—

(A) having a planned increment before fiscal year 2021 that will result in conversion to an open systems approach; and

(B) that will be in operation for fewer than 15 years after the date of the enactment of this Act.

(d) DEFINITIONS.—In this section:

(1) INFORMATION TECHNOLOGY.—The term "information technology" has the meaning given the term in section 11101(6) of title 40, United States Code.

(2) OPEN SYSTEMS APPROACH.—The term "open systems approach" means, with respect to an information technology system, an integrated business and technical strategy that—

(A) employs a modular design and uses widely supported and consensus-based standards for key interfaces;

(B) is subjected to successful validation and verification tests to ensure key interfaces comply with widely supported and consensus-based standards; and

(C) uses a system architecture that allows components to be added, modified, replaced, removed, or supported by different vendors throughout the lifecycle of the system to afford opportunities for enhanced competition and innovation while yielding—

(i) significant cost and schedule savings; and

(ii) increased interoperability.

SEC. 802. RECHARACTERIZATION OF CHANGES TO MAJOR AUTOMATED INFORMATION SYSTEM PROGRAMS.

(a) ADDITION TO COVERED DETERMINATION OF A SIGNIFICANT CHANGE.—Subsection (c)(2) of section 2445c of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking "; or" and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following new subparagraph:

"(D) the automated information system or information technology investment failed to achieve a full deployment decision within five years after the Milestone A decision for the program or, if there was no Milestone A decision, the date when the preferred alternative is selected for the program (excluding any time during which program activity is delayed as a result of a bid protest).".

(b) REMOVAL OF COVERED DETERMINATION OF A CRITICAL CHANGE.—Subsection (d)(3) of such section is amended—

(1) by striking subparagraph (A); and

(2) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively.

(c) TECHNICAL AMENDMENT FOR CLARITY.—Subsection (d)(2) of such section is amended by striking "(A) is primarily due to an extension of a program, and (B) involves" and inserting "are primarily due to an extension of a program and involve".

SEC. 803. AMENDMENTS RELATING TO DEFENSE BUSINESS SYSTEMS.

(a) EXCLUSION OF CERTAIN INFORMATION SYSTEMS FROM DEFINITION OF DEFENSE BUSINESS SYSTEM.—Subsection (j)(1) of section 2222 of title 10, United States Code, is amended—

(1) by inserting "(A)" after "(1)";

(2) by striking ", other than a national security system,"; and

(3) by adding at the end the following new subparagraph:

"(B) The term does not include—

"(i) a national security system; or

"(ii) an information system used exclusively by and within the defense commissary system or the exchange system or other instrumentality of the Department of Defense conducted for the morale, welfare, and recreation of members of the armed forces using nonappropriated funds.".

(b) BUSINESS PROCESS MAPPING REQUIREMENT.—Section 2222 of such title is further amended—

(1) in subsection (a)(1)(A), by inserting ", including business process mapping," after "re-engineering efforts"; and

(2) in subsection (j), by adding at the end the following new paragraph:

"(6) The term 'business process mapping' means a procedure in which the steps in a business process are clarified and documented in both written form and in a flow chart.".

SEC. 804. REPORT ON IMPLEMENTATION OF ACQUISITION PROCESS FOR INFORMATION TECHNOLOGY SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology and Logistics shall submit to the congressional defense committees a report on the implementation of the acquisition process for information technology systems required by section 804 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2402; 10 U.S.C. 2225 note).

(b) ELEMENTS.—The report required under subsection (a) shall, at a minimum, include the following elements:

(1) The applicable regulations, instructions, or policies implementing the acquisition process.

(2) With respect to the criteria established for such process in section 804(a) of such Act—

(A) an explanation for any criteria not yet implemented;

(B) a schedule for the implementation of any criteria not yet implemented; and

(C) an explanation for any proposed deviation from the criteria.

(3) Identification of any categories of information technology acquisitions to which the acquisition process will not apply.

(4) Recommendations for any legislation that may be required to implement the remaining criteria of the acquisition process.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 811. EXTENSION AND MODIFICATION OF CONTRACT AUTHORITY FOR ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPE UNITS.

Section 819 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2409; 10 U.S.C. 2302 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "advanced component development or prototype of technology" and inserting "advanced component development, prototype, or initial production of technology"; and

(B) in paragraph (2), by striking "prototype items" and inserting "items"; and

(2) in subsection (b)—

(A) by redesignating paragraph (4) as paragraph (5);

(B) by inserting after paragraph (3) the following new paragraph (4):

"(4) APPLICABILITY.—The authority provided in subsection (a) applies only to the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force."; and

(C) in paragraph (5), as so redesignated, by striking "September 30, 2014" and inserting "September 30, 2019".

SEC. 812. AMENDMENTS RELATING TO AUTHORITY OF THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

(a) AMENDMENT RELATING TO AUTHORITY.—Section 845(a)(1) of Public Law 103–160 (10 U.S.C. 2371 note) is amended by striking "weapons or weapon systems proposed to be acquired or developed by the Department of Defense, or to improvement of weapons or weapon systems in use by the Armed Forces" and inserting the following: "enhancing the mission effectiveness of military personnel and the supporting platforms, systems, components, or materials proposed to be acquired or developed by the Department of Defense, or to improvement of platforms, systems, components, or materials in use by the Armed Forces".

(b) AMENDMENTS RELATING TO SMALL BUSINESS.—Section 845 of Public Law 103–160 (10 U.S.C. 2371 note) is amended—

(1) in subsection (d)(1)(B), by inserting "or small business" after "defense contractor"; and

(2) in subsection (f)—

(A) by striking "NONTRADITIONAL DEFENSE CONTRACTOR DEFINED.—In this section, the" and inserting the following: "DEFINITIONS.—In this section:

"(1) The"; and

(B) by adding at the end the following new paragraph:

"(2) The term 'small business' means a small business concern as defined under section 3 of the Small Business Act (15 U.S.C. 632).".

SEC. 813. EXTENSION OF LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1489), as amended by section 802 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 804) is further amended—

(1) in subsections (a) and (b), by striking "or 2014" and inserting "2014, or 2015";

(2) in subsection (c)(3), by striking "and 2014" and inserting "2014, and 2015";

(3) in subsection (d)(4), by striking "or 2014" and inserting "2014, or 2015";

(4) in subsection (e), by striking "2014" and inserting "2015"; and

(5) by adding at the end the following new subsection:

"(f) USE OF OTHER DATA.—For purposes of compliance with subparagraphs (A) and (B) of subsection (c)(2), the Secretaries of the military departments and the heads of the Defense Agencies may use other available sources of data, such as advisory and assistance services information collected for purposes of the annual budget submission of the Department of Defense, to corroborate data from the annual inventory of contractor services required

in section 2330a of title 10, United States Code. Any discrepancy identified between the inventory data and the data from other available sources shall be resolved and reported to the congressional defense committees.".

SEC. 814. IMPROVEMENT IN DEFENSE DESIGN-BUILD CONSTRUCTION PROCESS.

Section 2305a of title 10, United States Code, is amended by striking the second sentence of subsection (d) and inserting the following: "If the contract value exceeds $4,000,000, the maximum number specified in the solicitation shall not exceed 5 unless the head of the contracting activity, delegable to a level no lower than the senior contracting official within the contracting activity, approves the contracting officer's justification with respect to an individual solicitation that a number greater than 5 is in the Federal Government's interest. The contracting officer shall provide written documentation of how a maximum number exceeding 5 is consistent with the purposes and objectives of the two-phase selection procedures.".

SEC. 815. PERMANENT AUTHORITY FOR USE OF SIMPLIFIED ACQUISITION PROCEDURES FOR CERTAIN COMMERCIAL ITEMS.

Section 4202 of the Clinger-Cohen Act of 1996 (division D of Public Law 104–106; 10 U.S.C. 2304 note) is amended by striking subsection (e).

SEC. 816. RESTATEMENT AND REVISION OF REQUIREMENTS APPLICABLE TO MULTIYEAR DEFENSE ACQUISITIONS TO BE SPECIFICALLY AUTHORIZED BY LAW.

(a) IN GENERAL.—Subsection (i) of section 2306b of title 10, United States Code, is amended to read as follows:

"(i) DEFENSE ACQUISITIONS SPECIFICALLY AUTHORIZED BY LAW.—(1) In the case of the Department of Defense, a multiyear contract in an amount equal to or greater than $500,000,000 may not be entered into under this section unless the contract is specifically authorized by law in an Act other than an appropriations Act.

"(2) In submitting a request for a specific authorization by law to carry out a defense acquisition program using multiyear contract authority under this section, the Secretary of Defense shall include in the request the following:

"(A) A report containing preliminary findings of the agency head required in paragraphs (1) through (6) of subsection (a), together with the basis for such findings.

"(B) Confirmation that the preliminary findings of the agency head under subparagraph (A) were made after the completion of a cost analysis performed by the Director of Cost Assessment and Program Evaluation for the purpose of section 2334(e)(1) of this title, and that the analysis supports those preliminary findings.

"(3) A multiyear contract may not be entered into under this section for a defense acquisition program that has been specifically authorized by law to be carried out using multiyear contract authority unless the Secretary of Defense certifies in writing, not later than 30 days before entry into the contract, that each of the following conditions is satisfied:

"(A) The Secretary has determined that each of the requirements in paragraphs (1) through (6) of subsection (a) will

be met by such contract and has provided the basis for such determination to the congressional defense committees.

"(B) The Secretary's determination under subparagraph (A) was made after completion of a cost analysis conducted on the basis of section 2334(e)(2) of this title, and the analysis supports the determination.

"(C) The system being acquired pursuant to such contract has not been determined to have experienced cost growth in excess of the critical cost growth threshold pursuant to section 2433(d) of this title within 5 years prior to the date the Secretary anticipates such contract (or a contract for advance procurement entered into consistent with the authorization for such contract) will be awarded.

"(D) A sufficient number of end items of the system being acquired under such contract have been delivered at or within the most current estimates of the program acquisition unit cost or procurement unit cost for such system to determine that current estimates of such unit costs are realistic.

"(E) During the fiscal year in which such contract is to be awarded, sufficient funds will be available to perform the contract in such fiscal year, and the future-years defense program for such fiscal year will include the funding required to execute the program without cancellation.

"(F) The contract is a fixed price type contract.

"(G) The proposed multiyear contract provides for production at not less than minimum economic rates given the existing tooling and facilities.

"(4) If for any fiscal year a multiyear contract to be entered into under this section is authorized by law for a particular procurement program and that authorization is subject to certain conditions established by law (including a condition as to cost savings to be achieved under the multiyear contract in comparison to specified other contracts) and if it appears (after negotiations with contractors) that such savings cannot be achieved, but that substantial savings could nevertheless be achieved through the use of a multiyear contract rather than specified other contracts, the President may submit to Congress a request for relief from the specified cost savings that must be achieved through multiyear contracting for that program. Any such request by the President shall include details about the request for a multiyear contract, including details about the negotiated contract terms and conditions.

"(5)(A) The Secretary may obligate funds for procurement of an end item under a multiyear contract for the purchase of property only for procurement of a complete and usable end item.

"(B) The Secretary may obligate funds appropriated for any fiscal year for advance procurement under a contract for the purchase of property only for the procurement of those long-lead items necessary in order to meet a planned delivery schedule for complete major end items that are programmed under the contract to be acquired with funds appropriated for a subsequent fiscal year (including an economic order quantity of such long-lead items when authorized by law).

"(6) The Secretary may make the certification under paragraph (3) notwithstanding the fact that one or more of the conditions of such certification are not met, if the Secretary determines that, due to exceptional circumstances, proceeding with a multiyear contract under this section is in the best interest of the Department

of Defense and the Secretary provides the basis for such determination with the certification.

"(7) The Secretary may not delegate the authority to make the certification under paragraph (3) or the determination under paragraph (6) to an official below the level of Under Secretary of Defense for Acquisition, Technology, and Logistics.".

(b) CONFORMING AMENDMENT.—Subsection (a)(7) of such section is amended by striking "subparagraphs (C) through (F) of paragraph (1) of subsection (i)" and inserting "subparagraphs (C) through (F) of subsection (i)(3)".

10 USC 2306b note.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to requests for specific authorization by law to carry out defense acquisition programs using multiyear contract authority that are made on or after that date.

SEC. 817. SOURCING REQUIREMENTS RELATED TO AVOIDING COUNTERFEIT ELECTRONIC PARTS.

Section 818(c)(3) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1495; 10 U.S.C. 2302 note) is amended—

(1) in subparagraph (A)—

(A) by striking ", whenever possible,";

(B) in clause (i)—

(i) by striking "trusted suppliers" and inserting "suppliers identified as trusted suppliers in accordance with regulations issued pursuant to subparagraph (C) or (D)"; and

(ii) by striking "; and" and inserting a semicolon;

(C) in clause (ii), by striking "trusted suppliers;" and inserting "suppliers identified as trusted suppliers in accordance with regulations issued pursuant to subparagraph (C) or (D); and"; and

(D) by adding at the end the following new clause:

"(iii) obtain electronic parts from alternate suppliers if such parts are not available from original manufacturers, their authorized dealers, or suppliers identified as trusted suppliers in accordance with regulations prescribed pursuant to subparagraph (C) or (D);";

(2) in subparagraph (B)—

(A) by inserting "for" before "inspection"; and

(B) by striking "subparagraph (A)" and inserting "clause (i) or (ii) of subparagraph (A), if obtaining the electronic parts in accordance with such clauses is not possible"; and

(3) in subparagraph (C), by striking "identify trusted suppliers that have appropriate policies" and inserting "identify as trusted suppliers those that have appropriate policies".

SEC. 818. AMENDMENTS TO PROOF OF CONCEPT COMMERCIALIZATION PILOT PROGRAM.

(a) AUTHORITY FOR SECRETARIES OF MILITARY DEPARTMENTS TO CARRY OUT PILOT.—Section 1603(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 944; 10 U.S.C. 2359 note) is amended by inserting after "Engineering" the following: "and the Secretary of each military department".

(b) REVIEW BOARD REVISIONS.—

(1) Section 1603(c)(3)(B)(i) of such Act is amended to read as follows:

"(i) rigorous review of commercialization potential or military utility of technologies, including through use of outside expertise;".

(2) Section 1603(d)(1) of such Act is amended by striking ", including incentives and activities undertaken by review board experts".

(c) INCREASE IN AMOUNT OF AWARDS.—Section 1603(c)(5)(B)(i) of such Act is amended by striking "$500,000" and inserting "$1,000,000".

(d) AUTHORITY FOR USE OF BASIC RESEARCH FUNDS.—Section 1603(f) of such Act is amended—

(1) by inserting "AND USE OF FUNDS" after "LIMITATION"; and

(2) by adding at the end the following: "The Secretary of a military department may use basic research funds, or other funds considered appropriate by the Secretary, to conduct the pilot program within the military department concerned."

(e) ONE-YEAR EXTENSION.—Section 1603(g) of such Act is amended by striking "2018" and inserting "2019".

Subtitle C—Industrial Base Matters

SEC. 821. TEMPORARY EXTENSION OF AND AMENDMENTS TO TEST PROGRAM FOR NEGOTIATION OF COMPREHENSIVE SMALL BUSINESS SUBCONTRACTING PLANS.

(a) EXTENSION.—Subsection (e) of section 834 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note) is amended by striking "December 31, 2014" and inserting "December 31, 2017".

(b) ADDITIONAL REQUIREMENTS FOR COMPREHENSIVE SUBCONTRACTING PLANS.—Subsection (b) of section 834 of such Act is amended—

(1) in paragraph (1), by striking "paragraph (3)" and inserting "paragraph (4)";

(2) by redesignating paragraph (3) as paragraph (4), and in that paragraph by striking "$5,000,000" and inserting "$100,000,000"; and

(3) by inserting after paragraph (2) the following new paragraph (3):

"(3) Each comprehensive subcontracting plan of a contractor shall require that the contractor report to the Secretary of Defense on a semi-annual basis the following information:

"(A) The amount of first-tier subcontract dollars awarded during the six-month period covered by the report to covered small business concerns, with the information set forth separately—

"(i) by North American Industrial Classification System code;

"(ii) by major defense acquisition program, as defined in section 2430(a) of title 10, United States Code;

"(iii) by contract, if the contract is for the maintenance, overhaul, repair, servicing, rehabilitation, salvage, modernization, or modification of supplies, systems, or equipment and the total value of the contract, including options, exceeds $100,000,000; and

"(iv) by military department.

"(B) The total number of subcontracts active under the test program during the six-month period covered by the report that would have otherwise required a subcontracting plan under paragraph (4) or (5) of section 8(d) of the Small Business Act (15 U.S.C. 637(d)).

"(C) Costs incurred in negotiating, complying with, and reporting on comprehensive subcontracting plans.

"(D) Costs avoided by adoption of a comprehensive subcontracting plan.".

(c) ADDITIONAL CONSEQUENCE FOR FAILURE TO MAKE GOOD FAITH EFFORT TO COMPLY.—

(1) AMENDMENTS.—Subsection (d) of section 834 of such Act is amended—

(A) by striking "COMPANY-WIDE" and inserting "COMPREHENSIVE" in the heading;

(B) by striking "company-wide" and inserting "comprehensive subcontracting"; and

(C) by adding at the end the following: "In addition, any such failure shall be a factor considered as part of the evaluation of past performance of an offeror.".

(2) REPEAL OF SUSPENSION OF SUBSECTION (D).—Section 402 of Public Law 101–574 (104 Stat. 2832; 15 U.S.C. 637 note) is repealed.

(d) ELIGIBILITY REQUIREMENT.—Subsection (d) of section 834 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note) is further amended—

(1) by inserting "(1)" before "A contractor that"; and

(2) by adding at the end the following new paragraph:

"(2) Effective in fiscal year 2016 and each fiscal year thereafter in which the test program is in effect, the Secretary of Defense may not negotiate a comprehensive subcontracting plan for a fiscal year with any contractor with which such a plan was negotiated in the prior fiscal year if the Secretary determines that the contractor did not meet the subcontracting goals negotiated in the plan for the prior fiscal year.".

(e) REPORT BY COMPTROLLER GENERAL.—Subsection (f) of section 834 of such Act is amended to read as follows:

"(f) REPORT.—Not later than September 30, 2015, the Comptroller General of the United States shall submit a report on the results of the test program to the Committees on Armed Services and on Small Business of the House of Representatives and the Committees on Armed Services and on Small Business and Entrepreneurship of the Senate.".

(f) ADDITIONAL DEFINITIONS.—

(1) COVERED SMALL BUSINESS CONCERN.—Subsection (g) of section 834 of such Act is amended to read as follows:

"(g) DEFINITIONS.—In this section, the term 'covered small business concern' includes each of the following:

"(1) A small business concern, as that term is defined under section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

"(2) A small business concern owned and controlled by veterans, as that term is defined in section 3(q)(3) of such Act (15 U.S.C. 632(q)(3)).

"(3) A small business concern owned and controlled by service-disabled veterans, as that term is defined in section 3(q)(2) of such Act (15 U.S.C. 632(q)(2)).

"(4) A qualified HUBZone small business concern, as that term is defined under section 3(p)(5) of such Act (15 U.S.C. 632(p)(5)).

"(5) A small business concern owned and controlled by socially and economically disadvantaged individuals, as that term is defined in section 8(d)(3)(C) of such Act (15 U.S.C. 637(d)(3)(C)).

"(6) A small business concern owned and controlled by women, as that term is defined under section 3(n) of such Act (15 U.S.C. 632(n)).".

(2) CONFORMING AMENDMENT.—Subsection (a)(1) of section 834 of such Act is amended by striking "small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals" and inserting "covered small business concerns".

SEC. 822. PLAN FOR IMPROVING DATA ON BUNDLED OR CONSOLIDATED CONTRACTS.

(a) PLAN REQUIRED.—Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following new subsection:

"(s) DATA QUALITY IMPROVEMENT PLAN.—

"(1) IN GENERAL.—Not later than October 1, 2015, the Administrator of the Small Business Administration, in consultation with the Small Business Procurement Advisory Council, the Administrator for Federal Procurement Policy, and the Administrator of General Services, shall develop a plan to improve the quality of data reported on bundled or consolidated contracts in the Federal procurement data system (described in section 1122(a)(4)(A) of title 41, United States Code).

"(2) PLAN REQUIREMENTS.—The plan shall—

"(A) describe the roles and responsibilities of the Administrator of the Small Business Administration, each Director of Small and Disadvantaged Business Utilization, the Administrator for Federal Procurement Policy, the Administrator of General Services, senior procurement executives, and Chief Acquisition Officers in—

"(i) improving the quality of data reported on bundled or consolidated contracts in the Federal procurement data system; and

"(ii) contributing to the annual report required by subsection (p)(4);

"(B) recommend changes to policies and procedures, including training procedures of relevant personnel, to properly identify and mitigate the effects of bundled or consolidated contracts;

"(C) recommend requirements for periodic and statistically valid data verification and validation; and

"(D) recommend clear data verification responsibilities.

"(3) PLAN SUBMISSION.—The Administrator of the Small Business Administration shall submit the plan to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate not later than December 1, 2016.

"(4) DEFINITIONS.—In this subsection, the following definitions apply:

"(A) CHIEF ACQUISITION OFFICER; SENIOR PROCUREMENT EXECUTIVE.—The terms 'Chief Acquisition Officer' and 'senior procurement executive' have the meanings given such terms in section 44(a) of this Act.

"(B) BUNDLED OR CONSOLIDATED CONTRACT.—The term 'bundled or consolidated contract' means a bundled contract (as defined in section 3(o)) or a contract resulting from the consolidation of contracting requirements (as defined in section 44(a)(2)).".

(b) TECHNICAL AMENDMENT.—Section 44(a) of the Small Business Act (15 U.S.C. 657q(a)) is amended—

(1) in paragraph (1)—

(A) by inserting "appointed or" before "designated"; and

(B) by striking "section 16(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(a))" and inserting "section 1702(a) of title 41, United States Code"; and

(2) in paragraph (3), by striking "section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))" and inserting "section 1702(c) of title 41, United States Code".

SEC. 823. AUTHORITY TO PROVIDE EDUCATION TO SMALL BUSINESSES ON CERTAIN REQUIREMENTS OF ARMS EXPORT CONTROL ACT.

(a) ASSISTANCE AT SMALL BUSINESS DEVELOPMENT CENTERS.—Section 21(c)(1) of the Small Business Act (15 U.S.C. 648(c)(1)) is amended by inserting at the end the following: "Applicants receiving grants under this section may also assist small businesses by providing, where appropriate, education on the requirements applicable to small businesses under the regulations issued under section 38 of the Arms Export Control Act (22 U.S.C. 2778) and on compliance with those requirements.".

(b) PROCUREMENT TECHNICAL ASSISTANCE.—Section 2418 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(c) An eligible entity assisted by the Department of Defense under this chapter also may furnish education on the requirements applicable to small businesses under the regulations issued under section 38 of the Arms Export Control Act (22 U.S.C. 2778) and on compliance with those requirements.".

10 USC 2304 note.

SEC. 824. MATTERS RELATING TO REVERSE AUCTIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall clarify regulations on reverse auctions, as necessary, to ensure that—

(1) single bid contracts may not be entered into resulting from reverse auctions unless compliant with existing Federal regulations and Department of Defense memoranda providing guidance on single bid offers;

(2) all reverse auctions provide offerors with the ability to submit revised bids throughout the course of the auction;

(3) if a reverse auction is conducted by a third party—

(A) inherently governmental functions are not performed by private contractors, including by the third party; and

(B) past performance or financial responsibility information created by the third party is made available to offerors; and

(4) reverse auctions resulting in design-build military construction contracts specifically authorized in law are prohibited.

(b) TRAINING.—Not later than 180 days after the date of the enactment of this Act, the President of the Defense Acquisition University shall establish comprehensive training available for contract specialists in the Department of Defense on the use of reverse auctions.

(c) DESIGN-BUILD DEFINED.—In this section, the term "design-build" means procedures used for the selection of a contractor on the basis of price and other evaluation criteria to perform, in accordance with the provisions of a firm fixed-price contract, both the design and construction of a facility using performance specifications supplied by the Secretary of Defense.

SEC. 825. SOLE SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.

(a) AUTHORITY FOR SOLE SOURCE CONTRACTS FOR CERTAIN SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—Subsection (m) of section 8 of the Small Business Act (15 U.S.C. 637(m)) is amended—

(1) by amending paragraph (2)(E) to read as follows:

"(E) each of the concerns is certified by a Federal agency, a State government, the Administrator, or a national certifying entity approved by the Administrator as a small business concern owned and controlled by women.";

(2) in paragraph (5), by striking "paragraph (2)(F)" each place such term appears and inserting "paragraph (2)(E)"; and

(3) by adding at the end the following new paragraphs:

"(7) AUTHORITY FOR SOLE SOURCE CONTRACTS FOR ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—A contracting officer may award a sole source contract under this subsection to any small business concern owned and controlled by women described in paragraph (2)(A) and certified under paragraph (2)(E) if—

"(A) such concern is determined to be a responsible contractor with respect to performance of the contract opportunity and the contracting officer does not have a reasonable expectation that 2 or more businesses described in paragraph (2)(A) will submit offers;

"(B) the anticipated award price of the contract (including options) will not exceed—

"(i) $6,500,000, in the case of a contract opportunity assigned a standard industrial classification code for manufacturing; or

"(ii) $4,000,000, in the case of any other contract opportunity; and

"(C) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.

"(8) AUTHORITY FOR SOLE SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN IN SUBSTANTIALLY UNDERREPRESENTED INDUSTRIES.—A contracting officer may award a sole source contract under this subsection to any small business concern owned and controlled by women certified under paragraph (2)(E) that is in an industry in which small business concerns owned and controlled by women are substantially underrepresented (as determined by the Administrator under paragraph (3)) if—

"(A) such concern is determined to be a responsible contractor with respect to performance of the contract opportunity and the contracting officer does not have a reasonable expectation that 2 or more businesses in an industry that has received a waiver under paragraph (3) will submit offers;

"(B) the anticipated award price of the contract (including options) will not exceed—

"(i) $6,500,000, in the case of a contract opportunity assigned a standard industrial classification code for manufacturing; or

"(ii) $4,000,000, in the case of any other contract opportunity; and

"(C) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.".

(b) REPORTING ON GOALS FOR SOLE SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—Clause (viii) of subsection 15(h)(2)(E) of such Act is amended— 15 USC 644.

(1) in subclause (IV), by striking "and" after the semicolon;

(2) by redesignating subclause (V) as subclause (VIII); and

(3) by inserting after subclause (IV) the following new subclauses:

"(V) through sole source contracts awarded using the authority under subsection 8(m)(7);

"(VI) through sole source contracts awarded using the authority under section 8(m)(8);

"(VII) by industry for contracts described in subclause (III), (IV), (V), or (VI); and".

(c) ACCELERATED DEADLINE FOR REPORT ON INDUSTRIES UNDERREPRESENTED BY SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—Paragraph (2) of section 29(o) of such Act is amended by striking "5 years after the date of enactment" and inserting "3 years after the date of enactment". 15 USC 656.

Subtitle D—Federal Information Technology Acquisition Reform

SEC. 831. CHIEF INFORMATION OFFICER AUTHORITY ENHANCEMENTS.

(a) IN GENERAL.—Subchapter II of chapter 113 of title 40, United States Code, is amended by adding at the end the following new section:

10 USC 11319.

"§ 11319. Resources, planning, and portfolio management

"(a) DEFINITIONS.—In this section:

"(1) The term 'covered agency' means each agency listed in section 901(b)(1) or 901(b)(2) of title 31.

"(2) The term 'information technology' has the meaning given that term under capital planning guidance issued by the Office of Management and Budget.

"(b) ADDITIONAL AUTHORITIES FOR CHIEF INFORMATION OFFICERS.—

"(1) PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION AUTHORITIES FOR CIOS.—

"(A) IN GENERAL.—The head of each covered agency other than the Department of Defense shall ensure that the Chief Information Officer of the agency has a significant role in—

"(i) the decision processes for all annual and multi-year planning, programming, budgeting, and execution decisions, related reporting requirements, and reports related to information technology; and

"(ii) the management, governance, and oversight processes related to information technology.

"(B) BUDGET FORMULATION.—The Director of the Office of Management and Budget shall require in the annual information technology capital planning guidance of the Office of Management and Budget the following:

"(i) That the Chief Information Officer of each covered agency other than the Department of Defense approve the information technology budget request of the covered agency, and that the Chief Information Officer of the Department of Defense review and provide recommendations to the Secretary of Defense on the information technology budget request of the Department.

"(ii) That the Chief Information Officer of each covered agency certify that information technology investments are adequately implementing incremental development, as defined in capital planning guidance issued by the Office of Management and Budget.

"(C) REVIEW.—

"(i) IN GENERAL.—A covered agency other than the Department of Defense—

"(I) may not enter into a contract or other agreement for information technology or information technology services, unless the contract or other agreement has been reviewed and approved by the Chief Information Officer of the agency;

"(II) may not request the reprogramming of any funds made available for information technology programs, unless the request has been reviewed and approved by the Chief Information Officer of the agency; and

"(III) may use the governance processes of the agency to approve such a contract or other agreement if the Chief Information Officer of the agency is included as a full participant in the governance processes.

"(ii) DELEGATION.—

"(I) IN GENERAL.—Except as provided in subclause (II), the duties of a Chief Information Officer under clause (i) are not delegable.

"(II) NON-MAJOR INFORMATION TECHNOLOGY INVESTMENTS.—For a contract or agreement for a non-major information technology investment, as defined in the annual information technology capital planning guidance of the Office of Management and Budget, the Chief Information Officer of a covered agency other than the Department of Defense may delegate the approval of the contract or agreement under clause (i) to an individual who reports directly to the Chief Information Officer.

"(2) PERSONNEL-RELATED AUTHORITY.—Notwithstanding any other provision of law, for each covered agency other than the Department of Defense, the Chief Information Officer of the covered agency shall approve the appointment of any other employee with the title of Chief Information Officer, or who functions in the capacity of a Chief Information Officer, for any component organization within the covered agency.

"(c) LIMITATION.—None of the authorities provided in this section shall apply to telecommunications or information technology that is fully funded by amounts made available—

"(1) under the National Intelligence Program, defined by section 3(6) of the National Security Act of 1947 (50 U.S.C. 3003(6));

"(2) under the Military Intelligence Program or any successor program or programs; or

"(3) jointly under the National Intelligence Program and the Military Intelligence Program (or any successor program or programs).".

(b) CLERICAL AMENDMENT.—The table of sections for chapter 113 of title 40, United States Code, is amended by inserting after the item relating to section 11318 the following new item:

10 USC prec. 11301.

"11319. Resources, planning, and portfolio management.".

SEC. 832. ENHANCED TRANSPARENCY AND IMPROVED RISK MANAGEMENT IN INFORMATION TECHNOLOGY INVESTMENTS.

Section 11302(c) of title 40, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (5), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph (1):

"(1) DEFINITIONS.—In this subsection:

"(A) The term 'covered agency' means an agency listed in section 901(b)(1) or 901(b)(2) of title 31.

"(B) The term 'major information technology investment' means an investment within a covered agency information technology investment portfolio that is designated by the covered agency as major, in accordance with capital planning guidance issued by the Director.

"(C) The term 'national security system' has the meaning provided in section 3542 of title 44."; and

(3) by inserting after paragraph (2), as so redesignated, the following new paragraphs:

"(3) PUBLIC AVAILABILITY.—

"(A) IN GENERAL.—The Director shall make available to the public a list of each major information technology investment, without regard to whether the investments

are for new information technology acquisitions or for operations and maintenance of existing information technology, including data on cost, schedule, and performance.

"(B) AGENCY INFORMATION.—

"(i) The Director shall issue guidance to each covered agency for reporting of data required by subparagraph (A) that provides a standardized data template that can be incorporated into existing, required data reporting formats and processes. Such guidance shall integrate the reporting process into current budget reporting that each covered agency provides to the Office of Management and Budget, to minimize additional workload. Such guidance shall also clearly specify that the investment evaluation required under subparagraph (C) adequately reflect the investment's cost and schedule performance and employ incremental development approaches in appropriate cases.

"(ii) The Chief Information Officer of each covered agency shall provide the Director with the information described in subparagraph (A) on at least a semi-annual basis for each major information technology investment, using existing data systems and processes.

"(C) INVESTMENT EVALUATION.—For each major information technology investment listed under subparagraph (A), the Chief Information Officer of the covered agency, in consultation with other appropriate agency officials, shall categorize the investment according to risk, in accordance with guidance issued by the Director.

"(D) CONTINUOUS IMPROVEMENT.—If either the Director or the Chief Information Officer of a covered agency determines that the information made available from the agency's existing data systems and processes as required by subparagraph (B) is not timely and reliable, the Chief Information Officer, in consultation with the Director and the head of the agency, shall establish a program for the improvement of such data systems and processes.

"(E) WAIVER OR LIMITATION AUTHORITY.—The applicability of subparagraph (A) may be waived or the extent of the information may be limited by the Director, if the Director determines that such a waiver or limitation is in the national security interests of the United States.

"(F) ADDITIONAL LIMITATION.—The requirements of subparagraph (A) shall not apply to national security systems or to telecommunications or information technology that is fully funded by amounts made available—

"(i) under the National Intelligence Program, defined by section 3(6) of the National Security Act of 1947 (50 U.S.C. 3003(6));

"(ii) under the Military Intelligence Program or any successor program or programs; or

"(iii) jointly under the National Intelligence Program and the Military Intelligence Program (or any successor program or programs).

"(4) RISK MANAGEMENT.—For each major information technology investment listed under paragraph (3)(A) that receives a high risk rating, as described in paragraph (3)(C), for 4 consecutive quarters—

"(A) the Chief Information Officer of the covered agency and the program manager of the investment within the covered agency, in consultation with the Administrator of the Office of Electronic Government, shall conduct a review of the investment that shall identify—

"(i) the root causes of the high level of risk of the investment;

"(ii) the extent to which these causes can be addressed; and

"(iii) the probability of future success;

"(B) the Administrator of the Office of Electronic Government shall communicate the results of the review under subparagraph (A) to—

"(i) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate;

"(ii) the Committee on Oversight and Government Reform and the Committee on Appropriations of the House of Representatives; and

"(iii) the committees of the Senate and the House of Representatives with primary jurisdiction over the agency;

"(C) in the case of a major information technology investment of the Department of Defense, the assessment required by subparagraph (A) may be accomplished in accordance with section 2445c of title 10, provided that the results of the review are provided to the Administrator of the Office of Electronic Government upon request and to the committees identified in subsection (B); and

"(D) for a covered agency other than the Department of Defense, if on the date that is one year after the date of completion of the review required under subsection (A), the investment is rated as high risk under paragraph (3)(C), the Director shall deny any request for additional development, modernization, or enhancement funding for the investment until the date on which the Chief Information Officer of the covered agency determines that the root causes of the high level of risk of the investment have been addressed, and there is sufficient capability to deliver the remaining planned increments within the planned cost and schedule.

"(5) SUNSET OF CERTAIN PROVISIONS.—Paragraphs (1), (3), and (4) shall not be in effect on and after the date that is 5 years after the date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015.".

SEC. 833. PORTFOLIO REVIEW.

Section 11319 of title 40, United States Code, as added by section 831, is amended by adding at the end the following new section:

"(c) INFORMATION TECHNOLOGY PORTFOLIO, PROGRAM, AND RESOURCE REVIEWS.—

"(1) PROCESS.—The Director of the Office of Management and Budget, in consultation with the Chief Information Officers of appropriate agencies, shall implement a process to assist

covered agencies in reviewing their portfolio of information technology investments—

"(A) to identify or develop ways to increase the efficiency and effectiveness of the information technology investments of the covered agency;

"(B) to identify or develop opportunities to consolidate the acquisition and management of information technology services, and increase the use of shared-service delivery models;

"(C) to identify potential duplication and waste;

"(D) to identify potential cost savings;

"(E) to develop plans for actions to optimize the information technology portfolio, programs, and resources of the covered agency;

"(F) to develop ways to better align the information technology portfolio, programs, and financial resources of the covered agency to any multi-year funding requirements or strategic plans required by law;

"(G) to develop a multi-year strategy to identify and reduce duplication and waste within the information technology portfolio of the covered agency, including component-level investments and to identify projected cost savings resulting from such strategy; and

"(H) to carry out any other goals that the Director may establish.

"(2) METRICS AND PERFORMANCE INDICATORS.—The Director of the Office of Management and Budget, in consultation with the Chief Information Officers of appropriate agencies, shall develop standardized cost savings and cost avoidance metrics and performance indicators for use by agencies for the process implemented under paragraph (1).

"(3) ANNUAL REVIEW.—The Chief Information Officer of each covered agency, in conjunction with the Chief Operating Officer or Deputy Secretary (or equivalent) of the covered agency and the Administrator of the Office of Electronic Government, shall conduct an annual review of the information technology portfolio of the covered agency.

"(4) APPLICABILITY TO THE DEPARTMENT OF DEFENSE.—In the case of the Department of Defense, processes established pursuant to this subsection shall apply only to the business systems information technology portfolio of the Department of Defense and not to national security systems as defined by section 11103(a) of this title. The annual review required by paragraph (3) shall be carried out by the Deputy Chief Management Officer of the Department of Defense (or any successor to such Officer), in consultation with the Chief Information Officer, the Under Secretary of Defense for Acquisition, Technology, and Logistics, and other appropriate Department of Defense officials. The Secretary of Defense may designate an existing investment or management review process to fulfill the requirement for the annual review required by paragraph (3), in consultation with the Administrator of the Office of Electronic Government.

"(5) QUARTERLY REPORTS.—

"(A) IN GENERAL.—The Administrator of the Office of Electronic Government shall submit a quarterly report on the cost savings and reductions in duplicative information

technology investments identified through the review required by paragraph (3) to—

"(i) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate;

"(ii) the Committee on Oversight and Government Reform and the Committee on Appropriations of the House of Representatives; and

"(iii) upon a request by any committee of Congress, to that committee.

"(B) INCLUSION IN OTHER REPORTS.—The reports required under subparagraph (A) may be included as part of another report submitted to the committees of Congress described in clauses (i), (ii), and (iii) of subparagraph (A).

"(6) SUNSET.—This subsection shall not be in effect on and after the date that is 5 years after the date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015.".

44 USC 3601 note.

SEC. 834. FEDERAL DATA CENTER CONSOLIDATION INITIATIVE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Office of Electronic Government established under section 3602 of title 44, United States Code (and also known as the Office of E-Government and Information Technology), within the Office of Management and Budget.

(2) COVERED AGENCY.—The term "covered agency" means the following (including all associated components of the agency):

(A) Department of Agriculture.
(B) Department of Commerce.
(C) Department of Defense.
(D) Department of Education.
(E) Department of Energy.
(F) Department of Health and Human Services.
(G) Department of Homeland Security.
(H) Department of Housing and Urban Development.
(I) Department of the Interior.
(J) Department of Justice.
(K) Department of Labor.
(L) Department of State.
(M) Department of Transportation.
(N) Department of Treasury.
(O) Department of Veterans Affairs.
(P) Environmental Protection Agency.
(Q) General Services Administration.
(R) National Aeronautics and Space Administration.
(S) National Science Foundation.
(T) Nuclear Regulatory Commission.
(U) Office of Personnel Management.
(V) Small Business Administration.
(W) Social Security Administration.
(X) United States Agency for International Development.

(3) FDCCI.—The term "FDCCI" means the Federal Data Center Consolidation Initiative described in the Office of Management and Budget Memorandum on the Federal Data

Center Consolidation Initiative, dated February 26, 2010, or any successor thereto.

(4) GOVERNMENT-WIDE DATA CENTER CONSOLIDATION AND OPTIMIZATION METRICS.—The term "Government-wide data center consolidation and optimization metrics" means the metrics established by the Administrator under subsection (b)(2)(G).

(b) FEDERAL DATA CENTER CONSOLIDATION INVENTORIES AND STRATEGIES.—

(1) IN GENERAL.—

(A) ANNUAL REPORTING.—Except as provided in subparagraph (C), each year, beginning in the first fiscal year after the date of the enactment of this Act and each fiscal year thereafter, the head of each covered agency, assisted by the Chief Information Officer of the agency, shall submit to the Administrator—

(i) a comprehensive inventory of the data centers owned, operated, or maintained by or on behalf of the agency; and

(ii) a multi-year strategy to achieve the consolidation and optimization of the data centers inventoried under clause (i), that includes—

(I) performance metrics—

(aa) that are consistent with the Government-wide data center consolidation and optimization metrics; and

(bb) by which the quantitative and qualitative progress of the agency toward the goals of the FDCCI can be measured;

(II) a timeline for agency activities to be completed under the FDCCI, with an emphasis on benchmarks the agency can achieve by specific dates;

(III) year-by-year calculations of investment and cost savings for the period beginning on the date of the enactment of this Act and ending on the date set forth in subsection (e), broken down by each year, including a description of any initial costs for data center consolidation and optimization and life cycle cost savings and other improvements, with an emphasis on—

(aa) meeting the Government-wide data center consolidation and optimization metrics; and

(bb) demonstrating the amount of agency-specific cost savings each fiscal year achieved through the FDCCI; and

(IV) any additional information required by the Administrator.

(B) USE OF OTHER REPORTING STRUCTURES.—The Administrator may require a covered agency to include the information required to be submitted under this subsection through reporting structures determined by the Administrator to be appropriate.

(C) DEPARTMENT OF DEFENSE REPORTING.—For any year that the Department of Defense is required to submit a performance plan for reduction of resources required

for data servers and centers, as required under section 2867(b) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note), the Department of Defense—

(i) may submit to the Administrator, in lieu of the multi-year strategy required under subparagraph (A)(ii)—

(I) the defense-wide plan required under section 2867(b)(2) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note); and

(II) the report on cost savings required under section 2867(d) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note); and

(ii) shall submit the comprehensive inventory required under subparagraph (A)(i), unless the defense-wide plan required under section 2867(b)(2) of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 2223a note)—

(I) contains a comparable comprehensive inventory; and

(II) is submitted under clause (i).

(D) STATEMENT.—Each year, beginning in the first fiscal year after the date of the enactment of this Act and each fiscal year thereafter, the head of each covered agency, acting through the Chief Information Officer of the agency, shall—

(i)(I) submit a statement to the Administrator stating whether the agency has complied with the requirements of this section; and

(II) make the statement submitted under subclause (I) publicly available; and

(ii) if the agency has not complied with the requirements of this section, submit a statement to the Administrator explaining the reasons for not complying with such requirements.

(E) AGENCY IMPLEMENTATION OF STRATEGIES.—

(i) IN GENERAL.—Each covered agency, under the direction of the Chief Information Officer of the agency, shall—

(I) implement the strategy required under subparagraph (A)(ii); and

(II) provide updates to the Administrator, on a quarterly basis, of—

(aa) the completion of activities by the agency under the FDCCI;

(bb) any progress of the agency towards meeting the Government-wide data center consolidation and optimization metrics; and

(cc) the actual cost savings and other improvements realized through the implementation of the strategy of the agency.

(ii) DEPARTMENT OF DEFENSE.—For purposes of clause (i)(I), implementation of the defense-wide plan required under section 2867(b)(2) of the National Defense Authorization Act for Fiscal Year 2012 (10

U.S.C. 2223a note) by the Department of Defense shall be considered implementation of the strategy required under subparagraph (A)(ii).

(F) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the reporting of information by a covered agency to the Administrator, the Director of the Office of Management and Budget, or Congress.

(2) ADMINISTRATOR RESPONSIBILITIES.—The Administrator shall—

(A) establish the deadline, on an annual basis, for covered agencies to submit information under this section;

(B) establish a list of requirements that the covered agencies must meet to be considered in compliance with paragraph (1);

(C) ensure that information relating to agency progress towards meeting the Government-wide data center consolidation and optimization metrics is made available in a timely manner to the general public;

(D) review the inventories and strategies submitted under paragraph (1) to determine whether they are comprehensive and complete;

(E) monitor the implementation of the data center strategy of each covered agency that is required under paragraph (1)(A)(ii);

(F) update, on an annual basis, the cumulative cost savings realized through the implementation of the FDCCI; and

(G) establish metrics applicable to the consolidation and optimization of data centers Government-wide, including metrics with respect to—

(i) costs;

(ii) efficiencies, including, at a minimum, server efficiency; and

(iii) any other factors the Administrator considers appropriate.

(3) COST SAVING GOAL AND UPDATES FOR CONGRESS.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Administrator shall develop, and make publicly available, a goal, broken down by year, for the amount of planned cost savings and optimization improvements achieved through the FDCCI during the period beginning on the date of the enactment of this Act and ending on the date set forth in subsection (e).

(B) ANNUAL UPDATE.—

(i) IN GENERAL.—Not later than one year after the date on which the goal described in subparagraph (A) is made publicly available, and each year thereafter, the Administrator shall aggregate the reported cost savings of each covered agency and optimization improvements achieved to date through the FDCCI and compare the savings to the projected cost savings and optimization improvements developed under subparagraph (A).

(ii) UPDATE FOR CONGRESS.—The goal required to be developed under subparagraph (A) shall be submitted to Congress and shall be accompanied by a statement describing—

(I) the extent to which each covered agency has developed and submitted a comprehensive inventory under paragraph (1)(A)(i), including an analysis of the inventory that details specific numbers, use, and efficiency level of data centers in each inventory; and

(II) the extent to which each covered agency has submitted a comprehensive strategy that addresses the items listed in paragraph (1)(A)(ii).

(4) GAO REVIEW.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and each year thereafter, the Comptroller General of the United States shall review and verify the quality and completeness of the inventory and strategy of each covered agency required under paragraph (1)(A).

(B) REPORT.—The Comptroller General of the United States shall, on an annual basis, publish a report on each review conducted under subparagraph (A).

(c) ENSURING CYBERSECURITY STANDARDS FOR DATA CENTER CONSOLIDATION AND CLOUD COMPUTING.—

(1) IN GENERAL.—In implementing a data center consolidation and optimization strategy under this section, a covered agency shall do so in a manner that is consistent with Federal guidelines on cloud computing security, including—

(A) applicable provisions found within the Federal Risk and Authorization Management Program (FedRAMP); and

(B) guidance published by the National Institute of Standards and Technology.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of the Director of the Office of Management and Budget to update or modify the Federal guidelines on cloud computing security.

(d) WAIVER OF REQUIREMENTS.—The Director of National Intelligence and the Secretary of Defense, or their respective designee, may waive the applicability to any national security system, as defined in section 3542 of title 44, United States Code, of any provision of this section if the Director of National Intelligence or the Secretary of Defense, or their respective designee, determines that such waiver is in the interest of national security. Not later than 30 days after making a waiver under this subsection, the Director of National Intelligence or the Secretary of Defense, or their respective designee, shall submit to the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate and the Committee on Oversight and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives a statement describing the waiver and the reasons for the waiver.

(e) SUNSET.—This section is repealed effective on October 1, 2018.

SEC. 835. EXPANSION OF TRAINING AND USE OF INFORMATION TECHNOLOGY CADRES.

41 USC 1704 note.

(a) PURPOSE.—The purpose of this section is to ensure timely progress by Federal agencies toward developing, strengthening, and deploying information technology acquisition cadres consisting of personnel with highly specialized skills in information technology acquisition, including program and project managers.

(b) STRATEGIC PLANNING.—

(1) IN GENERAL.—The Administrator for Federal Procurement Policy, in consultation with the Administrator for E-Government and Information Technology, shall work with Federal agencies, other than the Department of Defense, to update their acquisition human capital plans that were developed pursuant to the October 27, 2009, guidance issued by the Administrator for Federal Procurement Policy in furtherance of section 1704(g) of title 41, United States Code (originally enacted as section 869 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4553)), to address how the agencies are meeting their human capital requirements to support the timely and effective acquisition of information technology.

(2) ELEMENTS.—The updates required by paragraph (1) shall be submitted to the Administrator for Federal Procurement Policy and shall address, at a minimum, each Federal agency's consideration or use of the following procedures:

(A) Development of an information technology acquisition cadre within the agency or use of memoranda of understanding with other agencies that have such cadres or personnel with experience relevant to the agency's information technology acquisition needs.

(B) Development of personnel assigned to information technology acquisitions, including cross-functional training of acquisition information technology and program personnel.

(C) Use of the specialized career path for information technology program managers as designated by the Office of Personnel Management and plans for strengthening information technology program management.

(D) Use of direct hire authority.

(E) Conduct of peer reviews.

(F) Piloting of innovative approaches to information technology acquisition workforce development, such as industry-government rotations.

(c) FEDERAL AGENCY DEFINED.—In this section, the term "Federal agency" means each agency listed in section 901(b) of title 31, United States Code.

SEC. 836. MAXIMIZING THE BENEFIT OF THE FEDERAL STRATEGIC SOURCING INITIATIVE.

41 USC 3301 note.

Not later than 180 days after the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall prescribe regulations providing that when the Federal Government makes a purchase of services and supplies offered under the Federal Strategic Sourcing Initiative (managed by the Office of Federal Procurement Policy) but such Initiative is not used, the contract file for the purchase shall include a brief analysis of the comparative value, including price and nonprice factors, between the services

and supplies offered under such Initiative and services and supplies offered under the source or sources used for the purchase.

10 USC 3301 note.

SEC. 837. GOVERNMENTWIDE SOFTWARE PURCHASING PROGRAM.

(a) IN GENERAL.—The Administrator of General Services shall identify and develop a strategic sourcing initiative to enhance Governmentwide acquisition, shared use, and dissemination of software, as well as compliance with end user license agreements.

(b) GOVERNMENTWIDE USER LICENSE AGREEMENT.—The Administrator, in developing the initiative under subsection (a), shall allow for the purchase of a license agreement that is available for use by all Executive agencies (as defined in section 105 of title 5, United States Code) as one user to the maximum extent practicable and as appropriate.

Subtitle E—Never Contract With the Enemy

10 USC 2302 note.

SEC. 841. PROHIBITION ON PROVIDING FUNDS TO THE ENEMY.

(a) IDENTIFICATION OF PERSONS AND ENTITIES.—The Secretary of Defense shall, in conjunction with the Director of National Intelligence and in consultation with the Secretary of State, establish in each covered combatant command a program to identify persons and entities within the area of responsibility of such command that—

(1) provide funds, including goods and services, received under a covered contract, grant, or cooperative agreement of an executive agency directly or indirectly to a covered person or entity; or

(2) fail to exercise due diligence to ensure that none of the funds, including goods and services, received under a covered contract, grant, or cooperative agreement of an executive agency are provided directly or indirectly to a covered person or entity.

(b) NOTICE OF IDENTIFIED PERSONS AND ENTITIES.—

(1) NOTICE.—Upon the identification of a person or entity as being described by subsection (a), the head of the executive agency concerned (or the designee of such head) and the commander of the covered combatant command concerned (or the specified deputies of the commander) shall be notified, in writing, of such identification of the person or entity.

(2) RESPONSIVE ACTIONS.—Upon receipt of a notice under paragraph (1), the head of the executive agency concerned (or the designee of such head) and the commander of the covered combatant command concerned (or the specified deputies of the commander) may notify the heads of contracting activities, or other appropriate officials of the agency or command, in writing of such identification.

(3) MAKING OF NOTIFICATIONS.—Any written notification pursuant to this subsection shall be made in accordance with procedures established to implement the revisions of regulations required by this section.

(c) AUTHORITY TO TERMINATE OR VOID CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS AND TO RESTRICT FUTURE AWARD.—Not later than 270 days after the date of the enactment of this Act, the Federal Acquisition Regulation, the Defense Federal

Acquisition Regulation Supplement, and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards shall be revised to provide that, upon notice from the head of an executive agency (or the designee of such head) or the commander of a covered combatant command (or the specified deputies of the commander) pursuant to subsection (b), the head of contracting activity of an executive agency, or other appropriate official, may do the following:

(1) Restrict the award of contracts, grants, or cooperative agreements of the executive agency concerned upon a written determination by the head of contracting activity or other appropriate official that the contract, grant, or cooperative agreement would provide funds received under such contract, grant, or cooperative agreement directly or indirectly to a covered person or entity.

(2) Terminate for default any contract, grant, or cooperative agreement of the executive agency concerned upon a written determination by the head of contracting activity or other appropriate official that the contractor, or the recipient of the grant or cooperative agreement, has failed to exercise due diligence to ensure that none of the funds received under the contract, grant, or cooperative agreement are provided directly or indirectly to a covered person or entity.

(3) Void in whole or in part any contract, grant, or cooperative agreement of the executive agency concerned upon a written determination by the head of contracting activity or other appropriate official that the contract, grant, or cooperative agreement provides funds directly or indirectly to a covered person or entity.

(d) CLAUSE.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Federal Acquisition Regulation, the Defense Federal Acquisition Regulation Supplement, and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards shall be revised to require that—

(A) the clause described in paragraph (2) shall be included in each covered contract, grant, and cooperative agreement of an executive agency that is awarded on or after the date that is 270 days after the date of the enactment of this Act; and

(B) to the maximum extent practicable, each covered contract, grant, and cooperative agreement of an executive agency that is awarded before the date of the enactment of this Act shall be modified to include the clause described in paragraph (2).

(2) CLAUSE DESCRIBED.—The clause described in this paragraph is a clause that—

(A) requires the contractor, or the recipient of the grant or cooperative agreement, to exercise due diligence to ensure that none of the funds, including goods and services, received under the contract, grant, or cooperative agreement are provided directly or indirectly to a covered person or entity; and

(B) notifies the contractor, or the recipient of the grant or cooperative agreement, of the authority of the head of contracting activity, or other appropriate official, to

terminate or void the contract, grant, or cooperative agreement, in whole or in part, as provided in subsection (c).

(3) TREATMENT AS VOID.—For purposes of this section:

(A) A contract, grant, or cooperative agreement that is void is unenforceable as contrary to public policy.

(B) A contract, grant, or cooperative agreement that is void in part is unenforceable as contrary to public policy with regard to a segregable task or effort under the contract, grant, or cooperative agreement.

(4) PUBLIC COMMENT.—The President shall ensure that the process for revising regulations required by paragraph (1) shall include an opportunity for public comment, including an opportunity for comment on standards of due diligence required by this section.

(e) REQUIREMENTS FOLLOWING CONTRACT ACTIONS.—Not later than 270 days after the date of the enactment of this Act, the Federal Acquisition Regulation, the Defense Federal Acquisition Regulation Supplement, and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards shall be revised as follows:

(1) To require that any head of contracting activity, or other appropriate official, taking an action under subsection (c) to terminate, void, or restrict a contract, grant, or cooperative agreement notify in writing the contractor or recipient of the grant or cooperative agreement, as applicable, of the action.

(2) To permit the contractor or recipient of a grant or cooperative agreement subject to an action taken under subsection (c) to terminate or void the contract, grant, or cooperative agreement, as the case may be, an opportunity to challenge the action by requesting an administrative review of the action under the procedures of the executive agency concerned not later than 30 days after receipt of notice of the action.

(f) ANNUAL REVIEW; PROTECTION OF CLASSIFIED INFORMATION.—

(1) ANNUAL REVIEW.—The Secretary of Defense, in conjunction with the Director of National Intelligence and in consultation with the Secretary of State shall, on an annual basis, review the lists of persons and entities previously covered by a notice under subsection (b) as having been identified as described by subsection (a) in order to determine whether or not such persons and entities continue to warrant identification as described by subsection (a). If a determination is made pursuant to such a review that a person or entity no longer warrants identification as described by subsection (a), the Secretary of Defense shall notify the head of the executive agency concerned (or the designee of such head) and the commander of the covered combatant command concerned (or the specified deputies of the commander) in writing of such determination.

(2) PROTECTION OF CLASSIFIED INFORMATION.—Classified information relied upon to make an identification in accordance with subsection (a) may not be disclosed to a contractor or a recipient of a grant or cooperative agreement with respect to which an action is taken pursuant to the authority provided in subsection (c), or to their representatives, in the absence of a protective order issued by a court of competent jurisdiction established under Article I or Article III of the Constitution

of the United States that specifically addresses the conditions upon which such classified information may be so disclosed.

(g) DELEGATION OF CERTAIN RESPONSIBILITIES.—

(1) COMBATANT COMMAND RESPONSIBILITIES.—The commander of a covered combatant command may delegate the responsibilities in this section to any deputies of the commander specified by the commander for purposes of this section. Any delegation of responsibilities under this paragraph shall be made in writing.

(2) NONDELEGATION OF RESPONSIBILITY FOR CERTAIN ACTIONS.—The authority provided by subsection (c) to terminate, void, or restrict contracts, grants, and cooperative agreements, in whole or in part, may not be delegated below the level of head of contracting activity, or equivalent official for purposes of grants or cooperative agreements.

(h) ADDITIONAL RESPONSIBILITIES OF EXECUTIVE AGENCIES.—

(1) SHARING OF INFORMATION ON SUPPORTERS OF THE ENEMY.—The Secretary of Defense shall, in consultation with the Director of the Office of Management and Budget, carry out a program through which agency components may provide information to heads of executive agencies (or the designees of such heads) and the commanders of the covered combatant commands (or the specified deputies of the commanders) relating to persons or entities who may be providing funds, including goods and services, received under contracts, grants, or cooperative agreements of the executive agencies directly or indirectly to a covered person or entity. The program shall be designed to facilitate and encourage the sharing of risk and threat information between executive agencies and the covered combatant commands.

(2) INCLUSION OF INFORMATION ON CONTRACT ACTIONS IN FAPIIS AND OTHER SYSTEMS.—Upon the termination, voiding, or restriction of a contract, grant, or cooperative agreement of an executive agency under subsection (c), the head of contracting activity of the executive agency shall provide for the inclusion in the Federal Awardee Performance and Integrity Information System (FAPIIS), or other formal system of records on contractors or entities, of appropriate information on the termination, voiding, or restriction, as the case may be, of the contract, grant, or cooperative agreement.

(3) REPORTS.—The head of contracting activity that receives a notice pursuant to subsection (b) shall submit to the head of the executive agency concerned (or the designee of such head) and the commander of the covered combatant command concerned (or specified deputies) a report on the action, if any, taken by the head of contracting activity pursuant to subsection (c), including a determination not to terminate, void, or restrict the contract, grant, or cooperative agreement as otherwise authorized by subsection (c).

(i) REPORTS.—

(1) IN GENERAL.—Not later than March 1 of 2016, 2017, and 2018, the Director of the Office of Management and Budget shall submit to the appropriate committees of Congress a report on the use of the authorities in this section in the preceding calendar year, including the following:

(A) For each instance in which an executive agency exercised the authority to terminate, void, or restrict a

contract, grant, and cooperative agreement pursuant to subsection (c), based on a notification under subsection (b), the following:

(i) The executive agency taking such action.

(ii) An explanation of the basis for the action taken.

(iii) The value of the contract, grant, or cooperative agreement voided or terminated.

(iv) The value of all contracts, grants, or cooperative agreements of the executive agency in force with the person or entity concerned at the time the contract, grant, or cooperative agreement was terminated or voided.

(B) For each instance in which an executive agency did not exercise the authority to terminate, void, or restrict a contract, grant, and cooperative agreement pursuant to subsection (c), based on a notification under subsection (b), the following:

(i) The executive agency concerned.

(ii) An explanation of the basis for not taking the action.

(2) FORM.—Any report under this subsection may, at the election of the Director—

(A) be submitted in unclassified form, but with a classified annex; or

(B) be submitted in classified form.

(j) INAPPLICABILITY TO CERTAIN CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS.—The provisions of this section do not apply to contracts, grants, and cooperative agreements that are performed entirely inside the United States.

(k) NATIONAL SECURITY EXCEPTION.—Nothing in this section shall apply to the authorized intelligence or law enforcement activities of the United States Government.

(l) CONSTRUCTION WITH OTHER AUTHORITIES.—Except as provided in subsection (m), the authorities in this section shall be in addition to, and not to the exclusion of, any other authorities available to executive agencies to implement policies and purposes similar to those set forth in this section.

(m) COORDINATION WITH CURRENT AUTHORITIES.—

(1) REPEAL OF SUPERSEDED AUTHORITY RELATED TO CENTCOM.—Effective 270 days after the date of the enactment of this Act, section 841 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1510; 10 U.S.C. 2302 note) is repealed.

(2) REPEAL OF SUPERSEDED AUTHORITY RELATED TO DEPARTMENT OF DEFENSE.—Effective 270 days after the date of the enactment of this Act, section 831 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 810; 10 U.S.C. 2302 note) is repealed.

(3) USE OF SUPERSEDED AUTHORITIES IN IMPLEMENTATION OF REQUIREMENTS.—In providing for the implementation of the requirements of this section by the Department of Defense, the Secretary of Defense may use and modify for that purpose the regulations and procedures established for purposes of the implementation of the requirements of section 841 of the National Defense Authorization Act for Fiscal Year 2012 and section 831 of the National Defense Authorization Act for Fiscal Year 2014.

(n) SUNSET.—The provisions of this section shall cease to be effective on December 31, 2019.

SEC. 842. ADDITIONAL ACCESS TO RECORDS.

10 USC 2302 note.

(a) CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, applicable regulations shall be revised to provide that, except as provided under subsection (c)(1), the clause described in paragraph (2) may, as appropriate, be included in each covered contract, grant, and cooperative agreement of an executive agency that is awarded on or after the date of the enactment of this Act.

(2) CLAUSE.—The clause described in this paragraph is a clause authorizing the head of the executive agency concerned, upon a written determination pursuant to paragraph (3), to examine any records of the contractor, the recipient of a grant or cooperative agreement, or any subcontractor or subgrantee under such contract, grant, or cooperative agreement to the extent necessary to ensure that funds, including goods and services, available under the contract, grant, or cooperative agreement are not provided directly or indirectly to a covered person or entity.

(3) WRITTEN DETERMINATION.—The authority to examine records pursuant to the contract clause described in paragraph (2) may be exercised only upon a written determination by the contracting officer, or comparable official responsible for a grant or cooperative agreement, upon a finding by the commander of a covered combatant command (or the specified deputies of the commander) or the head of an executive agency (or the designee of such head) that there is reason to believe that funds, including goods and services, available under the contract, grant, or cooperative agreement concerned may have been provided directly or indirectly to a covered person or entity.

(4) FLOWDOWN.—A clause described in paragraph (2) may also be included in any subcontract or subgrant under a covered contract, grant, or cooperative agreement if the subcontract or subgrant has an estimated value in excess of $50,000.

(b) REPORTS.—

(1) IN GENERAL.—Not later than March 1 of 2016, 2017, and 2018, the Director of the Office of Management and Budget shall submit to the appropriate committees of Congress a report on the use of the authority provided by this section in the preceding calendar year.

(2) ELEMENTS.—Each report under this subsection shall identify, for the calendar year covered by such report, each instance in which an executive agency exercised the authority provided under this section to examine records, explain the basis for the action taken, and summarize the results of any examination of records so undertaken.

(3) FORM.—Any report under this subsection may be submitted in classified form.

(c) RELATIONSHIP TO EXISTING AUTHORITIES APPLICABLE TO CENTCOM.—

(1) APPLICABILITY.—This section shall not apply to contracts, grants, or cooperative agreements covered under section

842 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1513; 10 U.S.C. 2313 note).

(2) EXTENSION OF CURRENT AUTHORITIES APPLICABLE TO CENTCOM.—Section 842(d)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1514; 10 U.S.C. 2313 note) is amended by striking "date of the enactment of this Act" and inserting "date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015".

10 USC 2302 note.

SEC. 843. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Oversight and Government Reform, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) CONTINGENCY OPERATION.—The term "contingency operation" has the meaning given that term in section 101(a)(13) of title 10, United States Code.

(3) CONTRACT.—The term "contract" includes a contract for commercial items but is not limited to a contract for commercial items.

(4) COVERED COMBATANT COMMAND.—The term "covered combatant command" means the following:

(A) The United States Africa Command.
(B) The United States Central Command.
(C) The United States European Command.
(D) The United States Pacific Command.
(E) The United States Southern Command.
(F) The United States Transportation Command.

(5) COVERED CONTRACT, GRANT, OR COOPERATIVE AGREEMENT DEFINED.—The term "covered contract, grant, or cooperative agreement" means a contract, grant, or cooperative agreement with an estimated value in excess of $50,000 that is performed outside the United States, including its possessions and territories, in support of a contingency operation in which members of the Armed Forces are actively engaged in hostilities.

(6) COVERED PERSON OR ENTITY.—The term "covered person or entity" means a person or entity that is actively opposing United States or coalition forces involved in a contingency operation in which members of the Armed Forces are actively engaged in hostilities.

(7) EXECUTIVE AGENCY.—The term "executive agency" has the meaning given that term in section 133 of title 41, United States Code.

(8) HEAD OF CONTRACTING ACTIVITY.—The term "head of contracting activity" has the meaning described in section 1.601 of the Federal Acquisition Regulation.

(9) UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS.—The

term "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" means the guidance issued by the Office of Management and Budget in part 200 of chapter II of title 2 of the Code of Federal Regulations.

Subtitle F—Other Matters

SEC. 851. RAPID ACQUISITION AND DEPLOYMENT PROCEDURES FOR UNITED STATES SPECIAL OPERATIONS COMMAND.

10 USC 2302 note.

(a) AUTHORITY TO ESTABLISH PROCEDURES.—The Secretary may prescribe procedures for the rapid acquisition and deployment of items for the United States Special Operations Command that are currently under development by the Department of Defense or available from the commercial sector and are—

(1) urgently needed to react to an enemy threat or to respond to significant and urgent safety situations;

(2) needed to avoid significant risk of loss of life or mission failure; or

(3) needed to avoid collateral damage risk where the absence of collateral damage is a requirement for mission success.

(b) ISSUES TO BE ADDRESSED.—The procedures prescribed under subsection (a) shall include the following:

(1) A process for streamlined communication between the Commander of the United States Special Operations Command and the acquisition and research and development communities, including—

(A) a process for the Commander to communicate needs to the acquisition community and the research and development community; and

(B) a process for the acquisition community and the research and development community to propose items that meet the needs communicated by the Commander.

(2) Procedures for demonstrating, rapidly acquiring, and deploying items proposed pursuant to paragraph (1)(B), including—

(A) a process for demonstrating performance and evaluating for current operational purposes the existing capability of an item;

(B) a process for developing an acquisition and funding strategy for the deployment of an item; and

(C) a process for making deployment determinations based on information obtained pursuant to subparagraphs (A) and (B).

(c) TESTING REQUIREMENT.—

(1) IN GENERAL.—The process for demonstrating performance and evaluating for current operational purposes the existing capability of an item prescribed under subsection (b)(2)(A) shall include—

(A) an operational assessment in accordance with expedited procedures prescribed by the Director of Operational Testing and Evaluation; and

(B) a requirement to provide information to the deployment decision-making authority about any deficiency of the item in meeting the original requirements for the item

(as stated in an operational requirements document or similar document).

(2) DEFICIENCY NOT A DETERMINING FACTOR.—The process may not include a requirement for any deficiency of an item to be the determining factor in deciding whether to deploy the item.

(3) ADDITIONAL REQUIREMENT IN CASE OF DEFICIENCY.—In the case of any deficiency of an item, a decision to deploy the item may be made only if the Commander of the United States Special Operations Command determines that, for reasons of national security, the deficiency of the item is acceptable.

(d) LIMITATION.—The quantity of items of a system procured using the procedures prescribed pursuant to this section may not exceed the number established for low-rate initial production for the system. Any such items shall be counted for purposes of the number of items of the system that may be procured through low-rate initial production.

(e) ANNUAL FUNDING LIMITATION.—Of the funds available to the Commander of the United States Special Operations Command in any given fiscal year, not more than $50,000,000 may be used to procure items under this section.

(f) RELATIONSHIP TO OTHER RAPID ACQUISITION AUTHORITY.—The Commander of the United States Special Operations Command may not use the authority under this section at the same time the Commander uses the authority under section 806 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note).

(g) CONGRESSIONAL NOTIFICATIONS.—

(1) NOTIFICATION BEFORE PROCEDURES GO INTO EFFECT.—The Secretary of Defense shall notify the congressional defense committees at least 30 days before the procedures prescribed pursuant to this section are made effective.

(2) NOTIFICATION AFTER USE OF PROCEDURES.—The Secretary of Defense shall notify the congressional defense committees not later than 48 hours after each use of the procedures prescribed pursuant to this section.

10 USC 2302 note.

SEC. 852. CONSIDERATION OF CORROSION CONTROL IN PRELIMINARY DESIGN REVIEW.

The Under Secretary of Defense for Acquisition, Technology, and Logistics shall ensure that Department of Defense Instruction 5000.02 and other applicable guidance require full consideration, during preliminary design review for a product, of metals, materials, and technologies that effectively prevent or control corrosion over the life cycle of the product.

SEC. 853. PROGRAM MANAGER DEVELOPMENT REPORT.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on enhancing the role of Department of Defense civilian and military program managers in developing and carrying out defense acquisition programs.

(b) MATTERS TO BE ADDRESSED.—The report required by this section shall address, at a minimum, recommendations for—

(1) enhancing training and educational opportunities for program managers;

(2) increasing emphasis on the mentoring of current and future program managers by experienced senior executives and program managers within the Department;

(3) improving career paths and career opportunities for program managers;

(4) creating additional incentives for the recruitment and retention of highly qualified individuals to serve as program managers;

(5) improving required resource levels and support (including systems engineering expertise, cost estimating expertise, and software development expertise) for program managers;

(6) improving means of collecting and disseminating best practices and lessons learned to enhance program management across the Department;

(7) creating common templates and tools to support improved data gathering and analysis for program management and oversight purposes;

(8) increasing accountability of program managers for the results of defense acquisition programs;

(9) enhancing monetary and nonmonetary awards for successful accomplishment of program objectives by program managers; and

(10) improving program manager tenure with the goal of maintaining both civilian and military program managers in their positions for a sufficient period of time to ensure program stability and consistency of leadership, including consideration of tying program manager tenure to milestone decision points for major defense acquisition programs and major automated information system programs.

SEC. 854. OPERATIONAL METRICS FOR JOINT INFORMATION ENVIRONMENT AND SUPPORTING ACTIVITIES.

10 USC 2223a note.

(a) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Chief Information Officer of the Department of Defense, shall issue guidance for measuring the operational effectiveness and efficiency of the Joint Information Environment within the military departments, Defense Agencies, and combatant commands. The guidance shall include a definition of specific metrics for data collection, and a requirement for each military department, Defense Agency, and combatant command to regularly collect and assess data on such operational effectiveness and efficiency and report the results to such Chief Information Officer on a regular basis.

(b) BASELINE ARCHITECTURE.—The Chief Information Officer of the Department of Defense shall identify a baseline architecture for the Joint Information Environment by identifying and reporting to the Secretary of Defense any information technology programs or other investments that support that architecture.

(c) JOINT INFORMATION ENVIRONMENT DEFINED.—In this section, the term "Joint Information Environment" means the initiative of the Department of Defense to modernize the information technology networks and systems within the Department.

SEC. 855. COMPLIANCE WITH REQUIREMENTS FOR SENIOR DEPARTMENT OF DEFENSE OFFICIALS SEEKING EMPLOYMENT WITH DEFENSE CONTRACTORS.

Section 847(b)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 243; 10 U.S.C. 1701 note) is amended by inserting after "repository" the following: "maintained by the General Counsel of the Department".

SEC. 856. ENHANCEMENT OF WHISTLEBLOWER PROTECTION FOR EMPLOYEES OF GRANTEES.

(a) ADDITION OF REFERENCE TO GRANTEE.—Section 2409(a)(1) of title 10, United States Code, is amended by striking "or subcontractor" and inserting ", subcontractor, grantee, or subgrantee".

(b) CONFORMING AMENDMENTS.—Section 2409(g) of such title is amended—

(1) in paragraph (4), by striking "or a grant"; and

(2) by adding at the end the following new paragraph:

"(7) The term 'grantee' means a person awarded a grant with an agency.".

SEC. 857. PROHIBITION ON REIMBURSEMENT OF CONTRACTORS FOR CONGRESSIONAL INVESTIGATIONS AND INQUIRIES.

Section 2324(e)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

"(Q) Costs incurred by a contractor in connection with a congressional investigation or inquiry into an issue that is the subject matter of a proceeding resulting in a disposition as described in subsection (k)(2).".

10 USC 2534 note.

SEC. 858. REQUIREMENT TO PROVIDE PHOTOVOLTAIC DEVICES FROM UNITED STATES SOURCES.

(a) CONTRACT REQUIREMENT.—The Secretary of Defense shall ensure that each covered contract includes a provision requiring that any photovoltaic device installed under the contract be manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States, unless the head of the department or independent establishment concerned determines, on a case-by-case basis, that the inclusion of such requirement is inconsistent with the public interest or involves unreasonable costs, subject to exceptions provided in the Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.) or otherwise provided by law.

(b) DEFINITIONS.—In this section:

(1) COVERED CONTRACT.—The term "covered contract" means a contract awarded by the Department of Defense that provides for a photovoltaic device to be—

(A) installed inside the United States on Department of Defense property or in a facility owned by the Department of Defense; or

(B) reserved for the exclusive use of the Department of Defense in the United States for the full economic life of the device.

(2) PHOTOVOLTAIC DEVICE.—The term "photovoltaic device" means a device that converts light directly into electricity through a solid-state, semiconductor process.

SEC. 859. REIMBURSEMENT OF DEPARTMENT OF DEFENSE FOR ASSISTANCE PROVIDED TO NONGOVERNMENTAL ENTERTAINMENT-ORIENTED MEDIA PRODUCERS.

(a) IN GENERAL.—Subchapter II of chapter 134 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2264. Reimbursement for assistance provided to nongovernmental entertainment-oriented media producers 10 USC 2264.

"(a) IN GENERAL.—There shall be credited to the applicable appropriations account or fund from which the expenses described in subsection (b) were charged any amounts received by the Department of Defense as reimbursement for such expenses.

"(b) DESCRIPTION OF EXPENSES.—The expenses referred to in subsection (a) are any expenses—

"(1) incurred by the Department of Defense as a result of providing assistance to a nongovernmental entertainment-oriented media producer;

"(2) for which the Department of Defense requires reimbursement under section 9701 of title 31 or any other provision of law; and

"(3) for which the Department of Defense received reimbursement after the date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item: 10 USC prec. 2251.

"2264. Reimbursement for assistance provided to nongovernmental entertainment-oriented media producers.".

SEC. 860. THREE-YEAR EXTENSION OF AUTHORITY FOR JOINT URGENT OPERATIONAL NEEDS FUND.

Section 2216a(e) of title 10, United States Code, is amended by striking "September 30, 2015" and inserting "September 30, 2018".

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

Subtitle B—Other Matters

Subtitle A—Department of Defense Management

SEC. 901. REORGANIZATION OF THE OFFICE OF THE SECRETARY OF DEFENSE AND RELATED MATTERS.

(a) CONVERSION OF POSITION OF DEPUTY CHIEF MANAGEMENT OFFICER TO POSITION OF UNDER SECRETARY OF DEFENSE FOR BUSINESS MANAGEMENT AND INFORMATION.—

10 USC 132a note.

(1) IN GENERAL.—Effective on February 1, 2017, section 132a of title 10, United States Code, is amended to read as follows:

"§ 132a. Under Secretary of Defense for Business Management and Information

"(a) There is an Under Secretary of Defense for Business Management and Information, appointed from civilian life by the President, by and with the advice and consent of the Senate.

"(b) The Under Secretary also serves as—

"(1) the Performance Improvement Officer of the Department of Defense; and

"(2) the Chief Information Officer of the Department of Defense.

"(c) Subject to the authority, direction, and control of the Secretary of Defense and the Deputy Secretary of Defense in the role of the Deputy Secretary as the Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Business Management and Information shall perform such duties and exercise such powers as the Secretary of Defense may prescribe, including the following:

"(1) Assisting the Deputy Secretary of Defense in the Deputy Secretary's role as the Chief Management Officer of the Department of Defense under section 132(c) of this title.

"(2) Supervising the management of the business operations of the Department of Defense and adjudicating issues and conflicts in functional domain business policies.

"(3) Establishing business strategic planning and performance management policies and measures and developing the Department of Defense Strategic Management Plan.

"(4) Establishing business information technology portfolio policies and overseeing investment management of that portfolio for the Department of Defense.

"(5) Establishing end-to-end business process and policies for establishing, eliminating, and implementing business standards, and managing the Business Enterprise Architecture.

"(6) Supervising the business process reengineering of the functional domains of the Department in order to support investment planning and technology development decision making for information technology systems.

"(d) The Under Secretary of Defense for Business Management and Information takes precedence in the Department of Defense

after the Secretary of Defense and the Deputy Secretary of Defense.".

(2) PLACEMENT IN THE OFFICE OF THE SECRETARY OF DEFENSE.—Effective on the effective date specified in paragraph (1), section 131(b)(2) of such title is amended— 10 USC 131 note.

(A) by redesignating subparagraphs (A) through (E) as subparagraphs (B) through (F), respectively; and

(B) by inserting before subparagraph (B) (as so redesignated) the following new subparagraph (A):

"(A) The Under Secretary of Defense for Business Management and Information.".

(b) CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE.—

(1) STATUTORY ESTABLISHMENT OF POSITION.—Chapter 4 of title 10, United States Code, is amended by inserting after section 141 the following new section:

"§ 142. Chief Information Officer 10 USC 142.

"(a) There is a Chief Information Officer of the Department of Defense.

"(b)(1) The Chief Information Officer of the Department of Defense—

"(A) is the Chief Information Officer of the Department of Defense for the purposes of sections 3506(a)(2) and 3544(a)(3) of title 44;

"(B) has the responsibilities and duties specified in section 11315 of title 40;

"(C) has the responsibilities specified for the Chief Information Officer in sections 2222, 2223(a), and 2224 of this title; and

"(D) exercises authority, direction, and control over the Information Assurance Directorate of the National Security Agency.

"(2) The Chief Information Officer shall perform such additional duties and exercise such powers as the Secretary of Defense may prescribe.

"(c) The Chief Information Officer takes precedence in the Department of Defense with the officials serving in positions specified in section 131(b)(4) of this title. The officials serving in positions specified in section 131(b)(4) and the Chief Information Officer of the Department of Defense take precedence among themselves in the order prescribed by the Secretary of Defense.".

(2) PLACEMENT IN THE OFFICE OF THE SECRETARY OF DEFENSE.—Section 131(b) of such title, as amended by subsection (a)(2), is further amended—

(A) by redesignating paragraphs (5, (6), (7), and (8) as paragraphs (6), (7), (8), and (9), respectively; and

(B) by inserting after paragraph (4) the following new paragraph (5):

"(5) The Chief Information Officer of the Department of Defense.".

(c) REPEAL OF REQUIREMENT FOR DEFENSE BUSINESS SYSTEM MANAGEMENT COMMITTEE.—Section 186 of title 10, United States Code, is repealed.

(d) ASSIGNMENT OF RESPONSIBILITY FOR DEFENSE BUSINESS SYSTEMS.—Section 2222 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting "and" at the end of paragraph (1);

(B) by striking "; and" at the end of paragraph (2) and inserting a period; and

(C) by striking paragraph (3);

(2) in subsection (c)(1), by striking "Defense Business Systems Management Committee" and inserting "investment review board established under subsection (g)"; and

(3) in subsection (g)—

(A) in paragraph (1), by striking ", not later than March 15, 2012,";

(B) in paragraph (2)(C), by striking "each" the first place it appears and inserting "the"; and

(C) in paragraph (2)(F), by striking "and the Defense Business Systems Management Committee, as required by section 186(c) of this title,".

10 USC 2222 note.

(e) DEADLINE FOR ESTABLISHMENT OF INVESTMENT REVIEW BOARD AND INVESTMENT MANAGEMENT PROCESS.—The investment review board and investment management process required by section 2222(g) of title 10, United States Code, as amended by subsection (d)(3), shall be established not later than March 15, 2015.

(f) REDESIGNATION OF ASSISTANT SECRETARY OF DEFENSE FOR OPERATIONAL ENERGY PLANS AND PROGRAMS TO REFLECT MERGER WITH DEPUTY UNDER SECRETARY OF DEFENSE FOR INSTALLATIONS AND ENVIRONMENT.—Paragraph (9) of section 138(b) of title 10, United States Code, is amended to read as follows:

"(9) One of the Assistant Secretaries is the Assistant Secretary of Defense for Energy, Installations, and Environment. The Assistant Secretary—

"(A) is the principal advisor to the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology, and Logistics on matters relating to energy, installations, and environment; and

"(B) is the principal advisor to the Secretary of Defense and the Deputy Secretary of Defense regarding operational energy plans and programs.".

(g) CLARIFICATION OF POLICY AND RESPONSIBILITIES OF ASSISTANT SECRETARY OF DEFENSE FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT.—

(1) TRANSFER OF POLICY PROVISIONS FROM SECTION 138C.—Chapter 173 of such title is amended—

(A) by adding at the end the following new section:

10 USC 2926.

"§ 2926. Operational energy activities";

(B) by transferring paragraph (3) of section 138c(c) of such title to section 2926, as added by subparagraph (A), inserting such paragraph after the section heading, and redesignating such paragraph as subsection (a);

(C) in subsection (a) (as so inserted and redesignated)—

(i) by inserting "ALTERNATIVE FUEL ACTIVITIES.—" before "The Assistant Secretary";

(ii) by redesignating subparagraphs (A) through (E) as paragraphs (1) through (5), respectively; and

(iii) in paragraph (5) (as so redesignated), by striking "subsection (e)(4)" and inserting "subsection (c)(4)";

(D) by transferring subsections (d), (e), and (f) of section 138c of such title to section 2926, as added by subparagraph (A), inserting those subsections after subsection (a) (as transferred and redesignated by subparagraph (B)), and redesignating those subsections as subsections (b), (c), and (d), respectively;

(E) in subsections (a), (b), (c), and (d) of section 2926 (as transferred and redesignated by subparagraphs (B) and (D)), by inserting "of Defense for Installations, Energy, and Environment" after "Assistant Secretary" the first place it appears in each such subsection;

(F) in subsection (b) of section 2926 (as transferred and redesignated by subparagraph (D)), by striking "provide guidance to, and consult with, the Secretary of Defense, the Deputy Secretary of Defense, the Secretaries of the military departments," and inserting "make recommendations to the Secretary of Defense and Deputy Secretary of Defense and provide guidance to the Secretaries of the military departments"; and

(G) in subsection (c) of section 2926 (as transferred and redesignated by subparagraph (D)), by amending paragraphs (4), (5), and (6) to read as follows:

"(4) Not later than 30 days after the date on which the budget for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Secretary of Defense shall submit to Congress a report on the proposed budgets for that fiscal year that were reviewed by the Assistant Secretary under paragraph (3).

"(5) For each proposed budget covered by a report under paragraph (4) for which the certification of the Assistant Secretary under paragraph (3) is that the budget is not adequate for implementation of the strategy, the report shall include the following:

"(A) A copy of the report set forth in paragraph (3).

"(B) A discussion of the actions that the Secretary proposes to take, together with any recommended legislation that the Secretary considers appropriate, to address the inadequacy of the proposed budget.

"(C) An appendix prepared by the Chairman of the Joint Chiefs of Staff describing—

"(i) the progress made by the Joint Requirements Oversight Council in implementing the energy Key Performance Parameter; and

"(ii) details regarding how operational energy is being addressed in defense planning, scenarios, support to strategic analysis, and resulting policy to improve combat capability.

"(D) An appendix prepared by the Under Secretary of Defense for Acquisition, Technology, and Logistics certifying that and describing how the acquisition system is addressing operational energy in the procurement process, including long-term sustainment considerations, and how programs are extending combat capability as a result of these considerations.

"(E) A separate statement of estimated expenditures and requested appropriations for that fiscal year for the activities of the Assistant Secretary in carrying out the duties of the Assistant Secretary.

"(F) Any additional comments that the Secretary considers appropriate regarding the inadequacy of the proposed budgets.

"(6) For each proposed budget covered by a report under paragraph (4) for which the certification of the Assistant Secretary under paragraph (3) is that the budget is adequate for implementation of the strategy, the report shall include the items set forth in subparagraphs (C), (D), and (E) of paragraph (5).".

(2) REPEAL OF SUPERSEDED PROVISION.—Sections 138c of such title is repealed.

(h) AMENDMENTS RELATING TO CERTAIN PRESCRIBED ASSISTANT SECRETARY OF DEFENSE POSITIONS.—Chapter 4 of title 10, United States Code, is further amended as follows:

(1) ASSISTANT SECRETARY OF DEFENSE FOR LOGISTICS AND MATERIEL READINESS.—Paragraph (7) of section 138(b) is amended—

(A) in the first sentence, by inserting after "Readiness" the following: ", who shall be appointed from among persons with an extensive background in the sustainment of major weapons systems and combat support equipment";

(B) by striking the second sentence;

(C) by transferring to the end of that paragraph (as amended by subparagraph (B)) the text of subsection (b) of section 138a;

(D) by transferring to the end of that paragraph (as amended by subparagraph (C)) the text of subsection (c) of section 138a; and

(E) by redesignating paragraphs (1) through (3) in the text transferred by subparagraph (C) of this paragraph as subparagraphs (A) through (C), respectively.

(2) ASSISTANT SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING.—Paragraph (8) of such section is amended—

(A) by striking the second sentence and inserting the text of subsection (a) of section 138b;

(B) by inserting after the text added by subparagraph (A) of this paragraph the following: "The Assistant Secretary, in consultation with the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation, shall—";

(C) by transferring paragraphs (1) and (2) of subsection (b) of section 138b to the end of that paragraph (as amended by subparagraphs (A) and (B)), indenting those paragraphs 2 ems from the left margin, and redesignating those paragraphs as subparagraphs (A) and (B), respectively;

(D) in subparagraph (A) (as so transferred and redesignated)—

(i) by striking "The Assistant Secretary" and all that follows through "Test and Evaluation, shall"; and

(ii) by striking the period at the end and inserting "; and"; and

(E) in subparagraph (B) (as so transferred and redesignated), by striking "The Assistant Secretary" and all that follows through "Test and Evaluation, shall".

(3) ASSISTANT SECRETARY OF DEFENSE FOR NUCLEAR, CHEMICAL, AND BIOLOGICAL DEFENSE PROGRAMS.—Paragraph (10) of such section is amended—

(A) by striking the second sentence and inserting the text of subsection (b) of section 138d; and

(B) by inserting after the text added by subparagraph (A) of this paragraph the text of subsection (a) of such section and in that text as so inserted—

(i) by striking "of Defense for Nuclear, Chemical, and Biological Defense Programs"; and

(ii) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively.

(4) REPEAL OF SEPARATE SECTIONS.—Sections 138a, 138b, and 138d are repealed.

(i) CODIFICATION OF RESTRICTIONS ON USE OF THE DEPUTY UNDER SECRETARY OF DEFENSE TITLE.—

(1) CODIFICATION.—Effective on January 1, 2015, section 137a(a) of title 10, United States Code, is amended by adding at the end the following new paragraph: 10 USC 137 note.

"(3) The officials authorized under this section shall be the only Deputy Under Secretaries of Defense.".

(2) CONFORMING REPEAL.—Effective on the effective date specified in paragraph (1), section 906(a)(2) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2426; 10 U.S.C. 137a note) is repealed. 10 USC 137 note.

(j) CLARIFICATION OF ORDERS OF PRECEDENCE.—

(1) CLARIFICATION RELATING TO CHIEF INFORMATION OFFICER.—Effective on the effective date specified in subsection (a)(1)— 10 USC 131 note.

(A) section 131(b) of title 10, United States Code, is amended—

(i) by striking paragraph (5); and

(ii) by redesignating paragraphs (6), (7), (8), and (9) as paragraphs (5), (6), (7), and (8), respectively; and

(B) section 142 of such title is amended by striking subsection (c).

(2) CLARIFICATION RELATING TO OTHER POSITIONS.—Effective on the effective date specified in subsection (a)(1)— 10 USC 133 note.

(A) section 133(e)(1) of title 10, United States Code, is amended by striking "and the Deputy Secretary of Defense" and inserting ", the Deputy Secretary of Defense, and the Under Secretary of Defense for Business Management and Information";

(B) section 134(c) of such title is amended by inserting "the Under Secretary of Defense for Business Management and Information," after "the Deputy Secretary of Defense,";

(C) section 137a(d) of such title is amended in the first sentence by striking all that follows after "the military departments," and inserting "and the Under Secretaries of Defense."; and

(D) section 138(d) of such title is amended by striking "the Deputy Chief Management Officer of the Department of Defense,".

(k) TECHNICAL AND CONFORMING AMENDMENTS.—Title 10, United States Code, is further amended as follows:

(1) In paragraph (8) of section 131(b) (as redesignated by subsection (b)(2))—

(A) by redesignating subparagraphs (A) through (H) as subparagraphs (B) through (I), respectively; and

(B) by inserting before subparagraph (B), as redesignated by subparagraph (A) of this paragraph, the following new subparagraph (A):

"(A) The two Deputy Directors within the Office of the Director of Cost Assessment and Program Evaluation under section 139a(c) of this title.".

(2) In section 132(b), by striking "is disabled or there is no Secretary of Defense" and inserting "dies, resigns, or is otherwise unable to perform the functions and duties of the office".

(3) In section 137a(b), by striking "is absent or disabled" and inserting "dies, resigns, or is otherwise unable to perform the functions and duties of the office".

10 USC 2222 note.

(3) Effective on the effective date specified in subsection (a)(1), in section 2222—

(A) by striking "the Deputy Chief Management Officer of the Department of Defense" each place it appears in subsections (c)(2)(E), (f)(1)(D), (f)(1)(E), (f)(2)(E), and (g)(1) and inserting "the Under Secretary of Defense for Business Management and Information"; and

(B) in subsection (g)(3)(A)—

(i) by striking "Deputy Chief Management Officer" the first place it appears and inserting "Under Secretary of Defense for Business Management and Information"; and

(ii) by striking "Deputy Chief Management Officer" the second, third, and forth places it appears and inserting "Under Secretary".

(4) In section 2925(b), by striking "Operational Energy Plans and Programs" and inserting "Energy, Installations, and Environment".

(l) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of chapter 4 of title 10, United States Code, is amended—

10 USC prec. 131.
10 USC prec. 131 note.

(A) effective on the effective date specified in subsection (a)(1), by amending the item relating to section 132a to read as follows:

"132a. Under Secretary of Defense for Business Management and Information.";

(B) by striking the items relating to sections 138a, 138b, 138c, and 138d; and

(C) by inserting after the item relating to section 141 the following new item:

"142. Chief Information Officer.".

(2) The table of sections at the beginning of chapter 7 of such title is amended by striking the item relating to section 186.

10 USC prec. 171.

(3) The table of sections at the beginning of subchapter III of chapter 173 of such title is amended by adding at the end the following new item:

10 USC prec. 2924.

"2926. Operational energy activities.".

(m) EXECUTIVE SCHEDULE MATTERS.—

10 USC 5313 note.

(1) EXECUTIVE SCHEDULE LEVEL II.—Effective on the effective date specified in subsection (a)(1), section 5313 of title 5, United States Code, is amended by inserting above the

item relating to the Under Secretary of Defense for Acquisition, Technology, and Logistics the following:

"Under Secretary of Defense for Business Management and Information.".

(2) EXECUTIVE SCHEDULE LEVEL III.—Effective on the effective date specified in subsection (a)(1), section 5314 of title 5, United States Code, is amended by striking "Deputy Chief Management Officer of the Department of Defense.". 10 USC 5314 note.

(3) CONFORMING AMENDMENT TO PRIOR REDUCTION IN NUMBER OF ASSISTANT SECRETARIES OF DEFENSE.—Section 5315 of such title is amended by striking "Assistant Secretaries of Defense (16)" and inserting "Assistant Secretaries of Defense (14)".

(n) REFERENCES.— 10 USC 131 note.

(1) DCMO.—After February 1, 2017, any reference to the Deputy Chief Management Officer of the Department of Defense in any provision of law or in any rule, regulation, or other record, document, or paper of the United States shall be deemed to refer to the Under Secretary of Defense for Business Management and Information.

(2) ASDEIE.—Any reference to the Assistant Secretary of Defense for Operational Energy Plans and Programs or to the Deputy Under Secretary of Defense for Installations and Environment in any provision of law or in any rule, regulation, or other paper of the United States shall be deemed to refer to the Assistant Secretary of Defense for Energy, Installations, and Environment.

SEC. 902. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS.

(a) SINGLE ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS.—

(1) REDESIGNATION OF POSITION.—The position of Assistant Secretary of Defense for Reserve Affairs is hereby redesignated as the Assistant Secretary of Defense for Manpower and Reserve Affairs. The individual serving in that position on the day before the date of the enactment of this Act may continue in office after that date without further appointment. 10 USC 138 note.

(2) STATUTORY DUTIES.—Paragraph (2) of section 138(b) of title 10, United States Code, is amended to read as follows:

"(2) One of the Assistant Secretaries is the Assistant Secretary of Defense for Manpower and Reserve Affairs. In addition to any duties and powers prescribed under paragraph (1), the Assistant Secretary of Defense for Manpower and Reserve Affairs shall have as the principal duty of such Assistant Secretary the overall supervision of manpower and reserve affairs of the Department of Defense.".

(b) CONFORMING AMENDMENTS.—

(1) CROSS REFERENCE IN SUBTITLE E.—Section 10201 of such title is amended to read as follows:

"§ 10201. Assistant Secretary of Defense for Manpower and Reserve Affairs

"As provided in section 138(b)(2) of this title, the official in the Department of Defense with responsibility for overall supervision of reserve affairs of the Department of Defense is the Assistant Secretary of Defense for Manpower and Reserve Affairs.".

10 USC prec. 10201.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1007 of such title is amended by striking the item relating to section 10201 and inserting the following new item:

"10201. Assistant Secretary of Defense for Manpower and Reserve Affairs.".

SEC. 903. REQUIREMENT FOR ASSESSMENT OF OPTIONS TO MODIFY THE NUMBER OF COMBATANT COMMANDS.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall conduct an assessment of the feasibility, advisability, and recommendations, if any, for reducing or increasing the number or consolidating the common staff functions and infrastructure of the combatant commands by the end of fiscal year 2020.

(b) MATTERS COVERED.—The assessment required by subsection (a) shall include the following:

(1) An analysis of alternative versions of the Unified Command Plan for distribution and assignment of the following:

(A) Command responsibility and authority.

(B) Span of control.

(C) Headquarters structure and organization.

(D) Staff functions, capabilities, and capacities.

(2) A detailed analysis of each alternative that reduces or increases the number or consolidates the common staff functions of the combatant commands in terms of assigned personnel, resources, and infrastructure, set forth separately by fiscal year, by the end of fiscal year 2020.

(3) A description of the changes to the Unified Command Plan necessary to implement such reductions, increases, or consolidations.

(4) An assessment of the feasibility, advisability, risks, and estimated costs associated with such reductions, increases, or consolidations.

(5) An assessment of efficiencies, potential savings from such efficiencies, and operational risk, if any, that could be realized by—

(A) combining or otherwise sharing common staff or support functions between two or more combatant command headquarters;

(B) establishing a new organization to manage the combined staff or support functions of two or more combatant command headquarters; or

(C) any other efficiency initiatives or arrangements that the Secretary considers appropriate.

(c) USE OF PREVIOUS STUDIES AND OUTSIDE EXPERTS.—In conducting the assessment required by subsection (a), the Secretary of Defense and the Chairman of the Joint Chiefs of Staff may—

(1) use and incorporate previous plans or studies of the Department of Defense; and

(2) consult with and incorporate views of defense experts from outside the Department.

(d) REPORT.—

(1) REQUIREMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing the findings and recommendations of the assessment required by subsection (a). The report shall include the views of the Chairman of the Joint Chiefs of Staff.

(2) FORM.—The report shall be submitted in unclassified form, but may include a classified annex.

SEC. 904. OFFICE OF NET ASSESSMENT.

10 USC 113 note.

(a) INDEPENDENT OFFICE REQUIRED.—The Secretary of Defense shall establish and maintain an independent organization within the Department of Defense to develop and coordinate net assessments of the standing, trends, and future prospects of the military capabilities and potential of the United States in comparison with the military capabilities and potential of other countries or groups of countries, so as to identify emerging or future threats or opportunities for the United States.

(b) DIRECT REPORT TO THE SECRETARY OF DEFENSE.—The head of the office established and maintained pursuant to subsection (a) shall report directly to the Secretary of Defense without intervening authority and may communicate views on matters within the responsibility of the office directly to the Secretary without obtaining the approval or concurrence of any other official within the Department of Defense.

SEC. 905. PERIODIC REVIEW OF DEPARTMENT OF DEFENSE MANAGEMENT HEADQUARTERS.

(a) PLAN REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan for implementing a periodic review and analysis of the Department of Defense personnel requirements for management headquarters.

(b) ELEMENTS OF PLAN.—The plan required by subsection (a) shall include the following for each covered organization:

(1) A description of how current management headquarters are sized and structured to execute Department of Defense assigned mission requirements, including a list of the reference documents and instructions that explain the mission requirements of the management headquarters and how the management headquarters are sized and structured.

(2) A description of the critical capabilities and skillsets required by management headquarters to execute Department of Defense strategic guidance in order to fulfill mission objectives.

(3) An identification and analysis of the factors that directly or indirectly influence or contribute to the expense of Department of Defense management headquarters.

(4) An assessment of the effectiveness of current systems in use to track how military, civilian, and contract personnel are identified, managed, and tracked at the management headquarters.

(5) A description of the proposed timeline, required resources necessary, and Department of Defense documents, instructions, and regulations that need to be updated in order to implement a permanent periodic review and analysis of Department of Defense personnel requirements for management headquarters.

(c) COVERED ORGANIZATION DEFINED.—In this section, the term "covered organization" includes each of the following:

(1) The Office of the Secretary of Defense.

(2) The Joint Staff.

(3) The Defense Agencies.

(4) The Department of Defense field activities.

(5) The headquarters of the combatant commands.

(6) Headquarters, Department of the Army, including the Secretary of the Army, the Office of the Chief of Staff of the Army, and the Army Staff.

(7) The major command headquarters of the Army.

(8) The Office of the Secretary of the Navy, the Office of the Chief of Naval Operations, and the Headquarters, United States Marine Corps.

(9) The major command headquarters of the Navy and the Marine Corps.

(10) Headquarters, Department of the Air Force, including the Office of the Secretary of the Air Force, the Office of the Air Force Chief of Staff, and the Air Staff.

(11) The major command headquarters of the Air Force.

(12) The National Guard Bureau.

(d) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the plan required by subsection (a).

(e) AMENDMENTS.—Section 904(d)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 816; 10 U.S.C. 111 note) is amended—

(1) by striking "2016" and inserting "2017";

(2) in subparagraph (B), by inserting ", consolidations," after "through changes";

(3) in subparagraph (C)—

(A) by inserting ", consolidations," after "through changes"; and

(B) by inserting ", or other associated cost drivers, including a discussion of how the changes, consolidations, or reductions were prioritized," after "programs and offices";

(4) in subparagraph (E), by inserting ", including the risks of, and capabilities gained or lost by implementing, such modifications" before the period; and

(5) by adding at the end the following new subparagraphs:

"(F) A description of how the plan supports or affects current Department of Defense strategic guidance, policy, and mission requirements, including the quadrennial defense review, the Unified Command Plan, and the strategic choices and management review.

"(G) A description of the associated costs specifically addressed by the savings.".

Subtitle B—Other Matters

SEC. 911. MODIFICATIONS OF BIENNIAL STRATEGIC WORKFORCE PLAN RELATING TO SENIOR MANAGEMENT, FUNCTIONAL, AND TECHNICAL WORKFORCES OF THE DEPARTMENT OF DEFENSE.

(a) SENIOR MANAGEMENT WORKFORCE.—Subsection (c) of section 115b of title 10, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following new paragraph (1):

"(1) Each strategic workforce plan under subsection (a) shall—

"(A) specifically address the shaping and improvement of the senior management workforce of the Department of Defense; and

"(B) include an assessment of the senior functional and technical workforce of the Department of Defense within the appropriate functional community."; and

(2) in paragraph (2), by striking "such senior management, functional, and technical workforce" and inserting "such senior management workforce and such senior functional and technical workforce".

(b) HIGHLY QUALIFIED EXPERTS.—Such section is further amended—

(1) in subsection (b)(2), by striking "subsection (f)(1)" in subparagraphs (D) and (E) and inserting "subsection (h)(1) or (h)(2)";

(2) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(3) by inserting after subsection (e) the following new subsection (f):

"(f) HIGHLY QUALIFIED EXPERTS.—(1) Each strategic workforce plan under subsection (a) shall include an assessment of the workforce of the Department of Defense comprising highly qualified experts appointed pursuant to section 9903 of title 5 (in this subsection referred to as the 'HQE workforce').

"(2) For purposes of paragraph (1), each plan shall include, with respect to the HQE workforce—

"(A) an assessment of the critical skills and competencies of the existing HQE workforce and projected trends in that workforce based on expected losses due to retirement and other attrition;

"(B) specific strategies for attracting, compensating, and motivating the HQE workforce of the Department, including the program objectives of the Department to be achieved through such strategies and the funding needed to implement such strategies;

"(C) any incentives necessary to attract or retain HQE personnel;

"(D) any changes that may be necessary in resources or in the rates or methods of pay needed to ensure the Department has full access to appropriately qualified personnel; and

"(E) any legislative actions that may be necessary to achieve HQE workforce goals.".

(c) DEFINITIONS.—Subsection (h) of such section (as redesignated by subsection (b)(2)) is amended to read as follows:

"(h) DEFINITIONS.—In this section:

"(1) The term 'senior management workforce of the Department of Defense' includes the following categories of Department of Defense civilian personnel:

"(A) Appointees in the Senior Executive Service under section 3131 of title 5.

"(B) Persons serving in the Defense Intelligence Senior Executive Service under section 1606 of this title.

"(2) The term 'senior functional and technical workforce of the Department of Defense' includes the following categories of Department of Defense civilian personnel:

"(A) Persons serving in positions described in section 5376(a) of title 5.

"(B) Scientists and engineers appointed pursuant to section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2721), as amended by section 1114 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398 (114 Stat. 1654A–315)).

"(C) Scientists and engineers appointed pursuant to section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note).

"(D) Persons serving in Intelligence Senior Level positions under section 1607 of this title.

"(3) The term 'acquisition workforce' includes individuals designated under section 1721 of this title as filling acquisition positions.".

(d) CONFORMING AMENDMENT.—The heading of subsection (c) of such section is amended to read as follows: "SENIOR MANAGEMENT WORKFORCE; SENIOR FUNCTIONAL AND TECHNICAL WORKFORCE.—".

(e) FORMATTING OF ANNUAL REPORT.—Subsections (d)(1) and (e)(1) of such section are each amended by striking "include a separate chapter to".

SEC. 912. REPEAL OF EXTENSION OF COMPTROLLER GENERAL REPORT ON INVENTORY.

Section 803(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2402), as amended by section 951(b) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 839), is amended by striking "2013, 2014, and 2015" and inserting "and 2013".

SEC. 913. EXTENSION OF AUTHORITY TO WAIVE REIMBURSEMENT OF COSTS OF ACTIVITIES FOR NONGOVERNMENTAL PERSONNEL AT DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.

Section 941(b)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. 184 note) is amended by striking "through 2014" and inserting "through 2019".

5 USC 5911 note.

SEC. 914. PILOT PROGRAM TO ESTABLISH GOVERNMENT LODGING PROGRAM.

(a) AUTHORITY.—Notwithstanding the provisions of section 5911 of title 5, United States Code, the Secretary of Defense may, for the period of time described in subsection (b), establish and carry out a Government lodging program to provide Government or commercial lodging for employees of the Department of Defense or members of the uniformed services under the Secretary's jurisdiction performing duty on official travel, and may require such travelers to occupy adequate quarters on a rental basis when available.

(b) PROGRAM DURATION.—The authority to establish and execute a Government lodging program under this section expires on December 31, 2019.

(c) LIMITATION.—A Government lodging program developed under the authority in subsection (a), and a requirement under subsection (a) with respect to an employee of the Department of Defense, may not be construed to be subject to a duty to negotiate under chapter 71 of title 5, United States Code.

(d) REPORTS.—

(1) INITIAL REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the exercise of authority provided by subsection (a). The report shall include a detailed description of the facets of the Government lodging program, a description of how the program will increase travel efficiencies within the Department, a description of how the program will increase the safety of authorized travelers of the Department of Defense, and an estimate of the savings expected to be achieved by the program.

(2) ANNUAL REPORTS.—Each year, the Secretary shall include with the materials submitted to Congress by the Secretary in support of the budget submitted by the President under section 1105(a) of title 31, United States Code, a report that provides actual savings achieved (or costs incurred) under the Government lodging program to date and a description of estimated savings for the fiscal year budget being submitted, any changes to program rules made since the prior report, and an overall assessment to date of the program's effectiveness in increasing efficiency of travel and safety of Department employees.

(3) FINAL REPORT.—With the budget materials submitted to Congress by the Secretary in support of the budget submitted by the President for fiscal year 2019, the Secretary shall include a final report providing the Secretary's overall assessment of the effectiveness of the Government lodging program established under subsection (a), including a statement of savings achieved (or costs incurred) as of that date, and a recommendation for whether the program shall be made permanent. The Secretary may, in consultation with the heads of other Federal agencies, make a recommendation on whether the program should be expanded and made permanent with respect to those other Federal agencies.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

SEC. 915. SINGLE STANDARD MILEAGE REIMBURSEMENT RATE FOR PRIVATELY OWNED AUTOMOBILES OF GOVERNMENT EMPLOYEES AND MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Section 5704(a)(1) of title 5, United States Code, is amended in the last sentence by striking all that follows "the rate per mile" and inserting "shall be the single standard mileage rate established by the Internal Revenue Service.".

(b) REGULATIONS AND REPORTS.—

(1) PROVISIONS RELATING TO PRIVATELY OWNED AIRPLANES AND MOTORCYCLES.—Paragraph (1)(A) of section 5707(b) of title 5, United States Code, is amended to read as follows:

"(1)(A) The Administrator of General Services shall conduct periodic investigations of the cost of travel and the operation

of privately owned airplanes and privately owned motorcycles by employees while engaged on official business, and shall report the results of such investigations to Congress at least once a year.".

(2) PROVISIONS RELATING TO PRIVATELY OWNED AUTOMOBILES.—Clause (i) of section 5707(b)(2)(A) of title 5, United States Code, is amended to read as follows:

"(i) shall provide that the mileage reimbursement rate for privately owned automobiles, as provided in section 5704(a)(1), is the single standard mileage rate established by the Internal Revenue Service referred to in that section, and".

SEC. 916. MODIFICATIONS TO REQUIREMENTS FOR ACCOUNTING FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING.

(a) DESIGNATION OF AGENCY AND DIRECTOR.—Subsection (a) of section 1501 of title 10, United States Code, is amended to read as follows:

"(a) RESPONSIBILITY FOR MISSING PERSONS.—(1)(A) The Secretary of Defense shall designate a single organization within the Department of Defense to have responsibility for Department matters relating to missing persons, including accounting for missing persons and persons whose remains have not been recovered from the conflict in which they were lost.

"(B) The organization designated under this paragraph shall be a Defense Agency or other entity of the Department of Defense outside the military departments and is referred to in this chapter as the 'designated Defense Agency'.

"(C) The head of the organization designated under this paragraph is referred to in this chapter as the 'designated Agency Director'.

"(2) Subject to the authority, direction, and control of the Secretary of Defense, the responsibilities of the designated Agency Director shall include the following:

"(A) Policy, control, and oversight within the Department of Defense of the entire process for investigation and recovery related to missing persons, including matters related to search, rescue, escape, and evasion.

"(B) Policy, control, and oversight of the program established under section 1509 of this title.

"(C) Responsibility for accounting for missing persons, including locating, recovering, and identifying missing persons or their remains after hostilities have ceased.

"(D) Coordination for the Department of Defense with other departments and agencies of the United States on all matters concerning missing persons.

"(E) Dissemination of appropriate information on the status of missing persons to authorized family members.

"(F) Establishment of a means for communication between officials of the designated Defense Agency and family members of missing persons, veterans service organizations, concerned citizens, and the public on the Department's efforts to account for missing persons, including a readily available means for communication of their views and recommendations to the designated Agency Director.

"(3) In carrying out the responsibilities established under this subsection, the designated Agency Director shall be responsible for the coordination for such purposes within the Department of Defense among the military departments, the Joint Staff, and the commanders of the combatant commands.

"(4) The designated Agency Director shall establish policies, which shall apply uniformly throughout the Department of Defense, for personnel recovery (including search, rescue, escape, and evasion) and for personnel accounting (including locating, recovering, and identifying missing persons or their remains after hostilities have ceased).

"(5) The designated Agency Director shall establish procedures to be followed by Department of Defense boards of inquiry, and by officials reviewing the reports of such boards, under this chapter.".

(b) PUBLIC-PRIVATE PARTNERSHIPS AND OTHER FORMS OF SUPPORT.—Chapter 76 of such title is amended by inserting after section 1501 the following new section:

"§ 1501a. Public-private partnerships; other forms of support 10 USC 1501a.

"(a) PUBLIC-PRIVATE PARTNERSHIPS.—The Secretary of Defense may enter into arrangements known as public-private partnerships with appropriate entities outside the Government for the purposes of facilitating the activities of the designated Defense Agency. The Secretary may only partner with foreign governments or foreign entities with the concurrence of the Secretary of State. Any such arrangement shall be entered into in accordance with authorities provided under this section or any other authority otherwise available to the Secretary. Regulations prescribed under subsection (e)(1) shall include provisions for the establishment and implementation of such partnerships.

"(b) ACCEPTANCE OF VOLUNTARY PERSONAL SERVICES.—The Secretary of Defense may accept voluntary services to facilitate accounting for missing persons in the same manner as the Secretary of a military department may accept such services under section 1588(a)(9) of this title.

"(c) COOPERATIVE AGREEMENTS AND GRANTS.—

"(1) IN GENERAL.—The Secretary of Defense may enter into a cooperative agreement with, or make a grant to, a private entity for purposes related to support of the activities of the designated Defense Agency.

"(2) INAPPLICABILITY OF CERTAIN CONTRACT REQUIREMENTS.—Notwithstanding section 2304(k) of this title, the Secretary may enter such cooperative agreements or grants on a sole-source basis pursuant to section 2304(c)(5) of this title.

"(d) USE OF DEPARTMENT OF DEFENSE PERSONAL PROPERTY.—The Secretary may allow a private entity to use, at no cost, personal property of the Department of Defense to assist the entity in supporting the activities of the designated Defense Agency.

"(e) REGULATIONS.—

"(1) IN GENERAL.—The Secretary of Defense shall prescribe regulations to implement this section.

"(2) LIMITATION.—Such regulations shall provide that acceptance of a gift (including a gift of services) or use of a gift under this section may not occur if the nature or circumstances of the acceptance or use would compromise the integrity, or the appearance of integrity, of any program of

the Department of Defense or any individual involved in such program.

"(f) DEFINITIONS.—In this section:

"(1) COOPERATIVE AGREEMENT.—The term 'cooperative agreement' means an authorized cooperative agreement as described in section 6305 of title 31.

"(2) GRANT.—The term 'grant' means an authorized grant as described in section 6304 of title 31.".

(c) SECTION 1505 CONFORMING AMENDMENTS.—Section 1505(c) of such title is amended—

(1) in paragraph (1), by striking "the office established under section 1501 of this title" and inserting "the designated Agency Director"; and

(2) in paragraphs (2) and (3), by striking "head of the office established under section 1501 of this title" and inserting "designated Agency Director".

(d) SECTION 1509 AMENDMENTS.—Section 1509 of such title is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking "PROCESS";

(B) in paragraph (1), by striking "POW/MIA accounting community" and inserting "through the designated Agency Director";

(C) by striking paragraph (2) and inserting the following new paragraph (2):

"(2)(A) The Secretary shall assign or detail to the designated Defense Agency on a full-time basis a senior medical examiner from the personnel of the Armed Forces Medical Examiner System. The primary duties of the medical examiner so assigned or detailed shall include the identification of remains in support of the function of the designated Agency Director to account for unaccounted for persons covered by subsection (a).

"(B) In carrying out functions under this chapter, the medical examiner so assigned or detailed shall report to the designated Agency Director.

"(C) The medical examiner so assigned or detailed shall—

"(i) exercise scientific identification authority;

"(ii) establish identification and laboratory policy consistent with the Armed Forces Medical Examiner System; and

"(iii) advise the designated Agency Director on forensic science disciplines.

"(D) Nothing in this chapter shall be interpreted as affecting the authority of the Armed Forces Medical Examiner under section 1471 of this title.";

(2) in subsection (d)—

(A) in the subsection heading, by inserting "; CENTRALIZED DATABASE" after "FILES"; and

(B) by adding at the end the following new paragraph:

"(4) The Secretary of Defense shall establish and maintain a single centralized database and case management system containing information on all missing persons for whom a file has been established under this subsection. The database and case management system shall be accessible to all elements of the Department of Defense involved in the search, recovery, identification, and communications phases of the program established by this section."; and

(3) in subsection (f)—

(A) in paragraph (1)—

(i) by striking "establishing and"; and

(ii) by striking "Secretary of Defense shall coordinate" and inserting "designated Agency Director shall ensure coordination";

(B) in paragraph (2)—

(i) by inserting "staff" after "National Security Council"; and

(ii) by striking "POW/MIA accounting community"; and

(C) by adding at the end the following new paragraph:

"(3) In carrying out the program, the designated Agency Director shall coordinate all external communications and events associated with the program.".

(e) REPORT ON POW/MIA POLICIES.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on policies and proposals for providing access to information and documents to the next of kin of missing service personnel, including under chapter 76 of title 10, United States Code, as amended by this section.

(2) ELEMENTS OF REPORT.—The report required by paragraph (1) shall include the following elements:

(A) A description of information and documents to be provided to the next of kin, including the status of recovery efforts and service records.

(B) A description of the Department's plans, if any, to review the classification status of records related to past covered conflicts and missing service personnel.

(C) An assessment of whether it is feasible and advisable to develop a public interface for any database of missing personnel being developed.

(f) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 1509 of such title is amended to read as follows:

"§ 1509. Program to resolve missing person cases".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 76 of such title is amended— 10 USC prec. 1501.

(A) by inserting after the item relating to section 1501 the following new item:

"1501a. Public-private partnerships; other forms of support."; and

(B) by striking the item relating to section 1509 and inserting the following new item:

"1509. Program to resolve missing person cases.".

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2015 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $4,500,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. AUTHORITY TO TRANSFER FUNDS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO SUSTAIN NUCLEAR WEAPONS MODERNIZATION AND NAVAL REACTORS.

(a) TRANSFER AUTHORIZED.—If the amount authorized to be appropriated for the weapons activities of the National Nuclear Security Administration under section 3101 or otherwise made available for fiscal year 2015 is less than $8,700,000,000 (the amount projected to be required for such activities in fiscal year 2015 as specified in the report under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549)), the Secretary of Defense may transfer, from amounts authorized to be appropriated for the Department of Defense for fiscal year 2015 pursuant to this Act, to the Secretary of Energy an amount, not to exceed $150,000,000, to be available only for naval reactors or weapons activities of the National Nuclear Security Administration.

(b) NOTICE TO CONGRESS.—In the event of a transfer under subsection (a), the Secretary of Defense shall promptly notify Congress of the transfer, and shall include in such notice the Department of Defense account or accounts from which funds are transferred.

(c) TRANSFER MECHANISM.—Any funds transferred under this section shall be transferred in accordance with established procedures for reprogramming under section 1001 or successor provisions of law.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority provided under subsection (a) is in addition to any other transfer authority provided under this Act.

10 USC 221 note.

SEC. 1003. REPORTING OF BALANCES CARRIED FORWARD BY THE DEPARTMENT OF DEFENSE AT THE END OF EACH FISCAL YEAR.

Not later March 1 of each year, the Secretary of Defense shall submit to the congressional defense committees, and make publicly available on the Internet website of the Department of Defense, the following information:

(1) The total dollar amount, by account, of all balances carried forward by the Department of Defense at the end of the fiscal year preceding the fiscal year during which such information is submitted.

(2) The total dollar amount, by account, of all unobligated balances carried forward by the Department of Defense at the end of the fiscal year preceding the fiscal year during which such information is submitted.

(3) The total dollar amount, by account, of any balances (both obligated and unobligated) that have been carried forward by the Department of Defense for five years or more as of the end of the fiscal year preceding the fiscal year during which such information is submitted.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

(a) EXTENSION.—Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1011 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 126 Stat. 843), is amended—

(1) in subsection (a), by striking "2014" and inserting "2016"; and

(2) in subsection (c), by striking "2014" and inserting "2016".

(b) NOTICE TO CONGRESS ON ASSISTANCE.—Not later than 15 days before providing assistance under section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (as amended by subsection (a)) using funds available for fiscal year 2015, the Secretary of Defense shall submit to the congressional defense committees a notice setting forth the assistance to be provided, including the types of such assistance, the budget for such assistance, and the anticipated completion date and duration of the provision of such assistance.

SEC. 1012. EXTENSION AND MODIFICATION OF AUTHORITY OF DEPARTMENT OF DEFENSE TO PROVIDE SUPPORT FOR COUNTERDRUG ACTIVITIES OF OTHER GOVERNMENTAL AGENCIES.

(a) EXTENSION.—Subsection (a) of section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 374 note) is amended by striking "2014" and inserting "2017".

(b) EXPANSION OF AUTHORITY TO INCLUDE ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME.—Such section is further amended—

(1) by inserting "or activities to counter transnational organized crime" after "counter-drug activities" each place it appears;

(2) in subsection (a)(3), by inserting "or responsibilities for countering transnational organized crime" after "counter-drug responsibilities"; and

(3) in subsection (b)(5), by inserting "or counter-transnational organized crime" after "Counter-drug".

(c) NOTICE TO CONGRESS ON FACILITIES PROJECTS.—Subsection (h)(2) of such section is amended by striking "$500,000" and inserting "$250,000".

(d) DEFINITION OF TRANSNATIONAL ORGANIZED CRIME.—Such section is further amended by adding at the end the following new subsection:

"(j) DEFINITION OF TRANSNATIONAL ORGANIZED CRIME.—In this section, the term 'transnational organized crime' means self-perpetuating associations of individuals who operate transnationally for the purpose of obtaining power, influence, monetary, or commercial gains, wholly or in part by illegal means, while protecting their activities through a pattern of corruption or violence or through

a transnational organization structure and the exploitation of transnational commerce or communication mechanisms.".

(e) CLERICAL AMENDMENT.—The heading of such section is amended to read as follows:

"SEC. 1004. ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME.".

SEC. 1013. AVAILABILITY OF FUNDS FOR ADDITIONAL SUPPORT FOR COUNTERDRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.

Subsection (e) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), as most recently amended by section 1013(b) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 844), is amended to read as follows:

"(e) AVAILABILITY OF FUNDS.—Of the amount authorized to be appropriated for any fiscal year after fiscal year 2014 in which the authority under this section is in effect for drug interdiction and counter-drug activities, an amount not to exceed $125,000,000 shall be available in such fiscal year for the provision of support under this section.".

SEC. 1014. EXTENSION AND MODIFICATION OF AUTHORITY FOR JOINT TASK FORCES SUPPORTING LAW ENFORCEMENT AGENCIES CONDUCTING ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME TO SUPPORT LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.

(a) IN GENERAL.—Subsection (a) of section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 371 note) is amended by inserting "or counter-transnational organized crime activities" after "counter-terrorism activities".

(b) AVAILABILITY OF FUNDS.—Subsection (b) of such section is amended—

(1) by striking "2015" and inserting "2020";

(2) by inserting "for drug interdiction and counter-drug activities that are" after "funds"; and

(3) by inserting "or counter-transnational organized crime" after "counter-terrorism".

(c) REPORTS.—Subsection (c) of such section is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking "after 2008"; and

(B) by striking "Congress" and inserting "the congressional defense committees";

(2) in paragraph (1)—

(A) by inserting ", counter-transnational organized crime," after "counter-drug" the first place it appears; and

(B) by striking "counterterrorism support" and inserting "counter-terrorism or counter-transnational organized crime support";

(3) in paragraph (2), by inserting before the period the following: ", and a description of the objectives of such support"; and

(4) in paragraph (3), by striking "conducting counter-drug operations" and inserting "exercising the authority under subsection (a)".

(d) CONDITIONS.—Subsection (d)(2) of such section is amended—

(1) in subparagraph (A) by inserting "or counter-transnational organized crime" after "counter-terrorism";

(2) in subparagraph (B)—

(A) by striking "Congress" and inserting "the congressional defense committees"; and

(B) by inserting before the period at the end of the second sentence the following: ", together with a description of the vital national security interests associated with the support covered by such waiver"; and

(3) by striking subparagraph (C).

(e) SUPPORT FOR COUNTER-TRANSNATIONAL ORGANIZED CRIME.—Such section is further amended by adding at the end the following new subsection:

"(e) DEFINITIONS.—(1) In this section, the term 'transnational organized crime' has the meaning given such term in section 1004(j) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 374 note).

"(2) For purposes of applying the definition of transnational organized crime under paragraph (1) to this section, the term 'illegal means', as it appears in such definition, includes the trafficking of money, human trafficking, illicit financial flows, illegal trade in natural resources and wildlife, trade in illegal drugs and weapons, and other forms of illegal means determined by the Secretary of Defense.".

SEC. 1015. SENSE OF CONGRESS REGARDING SECURITY IN THE WESTERN HEMISPHERE.

(a) FINDINGS.—Congress makes the following findings:

(1) The stability and security of the Western Hemisphere has a direct impact on the security interests of the United States.

(2) Over the past decade, there has been a marked increase in violence and instability in the region as a result of weak governance and increasingly capable transnational criminal organizations. These criminal organizations operate global, multi-billion dollar networks that traffic narcotics, humans, weapons, and bulk cash.

(3) Conflict between the various transnational criminal organizations for smuggling routes and territory has resulted in skyrocketing violence. According to the United Nations Office on Drugs and Crime, Honduras has the highest murder rate in the world with 90 murders per 100,000 people.

(4) United States Northern Command and United States Southern Command are the lead combatant commands for Department of Defense efforts to combat illicit trafficking in the Western Hemisphere.

(5) To combat these destabilizing threats, through a variety of authorities, the Department of Defense advises, trains, educates, and equips vetted troops in the region to enhance their military and police forces, with an emphasis on human rights and the rule of law.

(6) As a result of decades of instability and violence, tens of thousands of unaccompanied alien children and their families have fled to the border between the United States and Mexico. In fiscal year 2014, approximately 66,000 such children were apprehended crossing into the United States from Mexico.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department of Defense should continue its efforts to combat transnational criminal organizations in the Western Hemisphere;

(2) the Department of Defense should increase its maritime, aerial and intelligence, surveillance, and reconnaissance capabilities in the region to more effectively support efforts to reduce illicit trafficking into the United States; and

(3) enhancing the capacity of partner nations in the region to combat the threat posed by transnational criminal organizations should be a cornerstone of the Department of Defense's strategy in the region.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. DEFINITION OF COMBATANT AND SUPPORT VESSEL FOR PURPOSES OF THE ANNUAL PLAN AND CERTIFICATION RELATING TO BUDGETING FOR CONSTRUCTION OF NAVAL VESSELS.

Section 231(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(4) The term 'combatant and support vessel' means any commissioned ship built or armed for naval combat or any naval ship designed to provide support to combatant ships and other naval operations. Such term does not include patrol coastal ships, non-commissioned combatant craft specifically designed for combat roles, or ships that are designated for potential mobilization.".

SEC. 1022. NATIONAL SEA-BASED DETERRENCE FUND.

(a) ESTABLISHMENT OF FUND.—

(1) IN GENERAL.—Chapter 131 of title 10, United States Code, is amended by inserting after section 2218 the following new section:

10 USC 2218a.

"§ 2218a. National Sea-Based Deterrence Fund

"(a) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the 'National Sea-Based Deterrence Fund'.

"(b) ADMINISTRATION OF FUND.—The Secretary of Defense shall administer the Fund consistent with the provisions of this section.

"(c) FUND PURPOSES.—(1) Funds in the Fund shall be available for obligation and expenditure only for construction (including design of vessels), purchase, alteration, and conversion of national sea-based deterrence vessels.

"(2) Funds in the Fund may not be used for a purpose or program unless the purpose or program is authorized by law.

"(d) DEPOSITS.—There shall be deposited in the Fund all funds appropriated to the Department of Defense for construction (including design of vessels), purchase, alteration, and conversion of national sea-based deterrence vessels.

"(e) EXPIRATION OF FUNDS AFTER 5 YEARS.—No part of an appropriation that is deposited in the Fund pursuant to subsection (d) shall remain available for obligation more than five years after the end of fiscal year for which appropriated except to the extent specifically provided by law.

"(f) BUDGET REQUESTS.—Budget requests submitted to Congress for the Fund shall separately identify the amount requested for programs, projects, and activities for construction (including design of vessels), purchase, alteration, and conversion of national sea-based deterrence vessels.

"(g) DEFINITIONS.—In this section:

"(1) The term 'Fund' means the National Sea-Based Deterrence Fund established by subsection (a).

"(2) The term 'national sea-based deterrence vessel' means any vessel owned, operated, or controlled by the Department of Defense that carries operational intercontinental ballistic missiles.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 131 of such title is amended by inserting after the item relating to section 2218 the following new item: 10 USC prec. 2201.

"2218a. National Sea-Based Deterrence Fund.".

(b) TRANSFER AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), and to the extent provided in appropriations Acts, the Secretary of Defense may transfer to the National Sea-Based Deterrence Fund established by section 2218a of title 10, United States Code, as added by subsection (a)(1), amounts not to exceed $3,500,000,000 from unobligated funds authorized to be appropriated for fiscal years 2014, 2015, or 2016 for the Navy for the Ohio Replacement Program. The transfer authority provided under this paragraph is in addition to any other transfer authority provided to the Secretary of Defense by law.

(2) AVAILABILITY.—Funds transferred to the National Sea-Based Deterrence Fund pursuant to paragraph (1) shall remain available for the same period for which the transferred funds were originally appropriated.

SEC. 1023. LIMITATION ON USE OF FUNDS FOR INACTIVATION OF U.S.S. GEORGE WASHINGTON.

No funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Navy may be obligated or expended to conduct tasks connected to the inactivation of the U.S.S. George Washington (CVN–73) unless such tasks are identical to tasks that would be necessary to conduct a refueling and complex overhaul of the vessel.

SEC. 1024. SENSE OF CONGRESS RECOGNIZING THE ANNIVERSARY OF THE SINKING OF U.S.S. THRESHER.

(a) FINDINGS.—Congress makes the following findings:

(1) U.S.S. Thresher was first launched at Portsmouth Naval Shipyard on July 9, 1960.

(2) U.S.S. Thresher departed Portsmouth Naval Shipyard for her final voyage on April 9, 1963, with a crew of 16 officers, 96 sailors, and 17 civilians.

(3) The mix of that crew reflects the unity of the naval submarine service, military and civilian, in the protection of the United States.

(4) At approximately 7:47 a.m. on April 10, 1963, while in communication with the surface ship U.S.S. Skylark, and approximately 220 miles off the coast of New England, U.S.S. Thresher began her final descent.

(5) U.S.S. Thresher was declared lost with all hands on April 10, 1963.

(6) In response to the loss of U.S.S. Thresher, the United States Navy instituted new regulations to ensure the health of the submariners and the safety of the submarines of the United States.

(7) Those regulations led to the establishment of the Submarine Safety and Quality Assurance program (SUBSAFE), now one of the most comprehensive military safety programs in the world.

(8) SUBSAFE has kept the submariners of the United States safe at sea ever since as the strongest, safest submarine force in history.

(9) Since the establishment of SUBSAFE, no SUBSAFE-certified submarine has been lost at sea, which is a legacy owed to the brave individuals who perished aboard U.S.S. Thresher.

(10) From the loss of U.S.S. Thresher, there arose in the institutions of higher education in the United States the ocean engineering curricula that enables the preeminence of the United States in submarine warfare.

(11) The crew of U.S.S. Thresher demonstrated the "last full measure of devotion" in service to the United States, and this devotion characterizes the sacrifices of all submariners, past and present.

(b) SENSE OF CONGRESS.—Congress—

(1) recognizes the 51st anniversary of the sinking of U.S.S. Thresher;

(2) remembers with profound sorrow the loss of U.S.S. Thresher and her gallant crew of sailors and civilians on April 10, 1963; and

(3) expresses its deepest gratitude to all submariners on "eternal patrol", who are forever bound together by dedicated and honorable service to the United States of America.

SEC. 1025. PILOT PROGRAM FOR SUSTAINMENT OF LITTORAL COMBAT SHIPS ON EXTENDED DEPLOYMENTS.

(a) AUTHORITY.—Notwithstanding subsection (a) of section 7310 of title 10, United States Code, the Secretary of the Navy may establish a pilot program for the sustainment of Littoral Combat Ships when operating on extended deployment as follows:

(1) The pilot program shall be limited to no more than three Littoral Combat Ships at any one time operating in extended deployment status.

(2) Sustainment authorized under the pilot program is limited to corrective and preventive maintenance or repair (whether intermediate- or depot-level) and facilities maintenance. Such maintenance or repair may be performed—

(A) in a foreign shipyard;

(B) at a facility outside of a foreign shipyard; or

(C) at any other facility convenient to the vessel.

(3) Such maintenance or repair may be performed on a vessel as described in paragraph (2) only if the work is performed by United States Government personnel or United States contractor personnel.

(4) Facilities maintenance may be performed by a foreign contractor on a vessel as described in paragraph (2).

(b) REPORT REQUIRED.—Not later than 120 days after the conclusion of the pilot program authorized under subsection (a), the Secretary of the Navy shall submit to the congressional defense committees a report on the pilot program. Such report shall include each of the following:

(1) Lessons learned from the pilot program regarding sustainment of Littoral Combat Ships while operating on extended deployments, including the extent to which shipboard personnel were involved in performing maintenance.

(2) A comprehensive sustainment strategy, including maintenance requirements, concepts, and costs, intended to support Littoral Combat Ships operating on extended deployments.

(3) Observations and recommendations regarding limited exceptions to existing authorities required to support Littoral Combat Ships operating on extended deployments.

(4) The effect of the pilot program on material readiness and operational availability.

(5) Whether overseas maintenance periodicities undertaken during the pilot program were accomplished in the scheduled or allotted timeframes throughout the pilot program.

(6) The total cost to sustain the three Littoral Combat Ships selected for the pilot program during the program, including all costs for Federal and contractor employees performing corrective and preventive maintenance, and all facilitization costs, both ashore and shipboard.

(7) A detailed comparison of costs, including the cost of labor, between maintenance support provided in the United States and any savings achieved by performing facilities maintenance in foreign shipyards.

(8) A description of the permanent facilities required to support Littoral Combat Ships operating on extended deployment at overseas locations.

(c) DEFINITIONS.—In this section:

(1) The term "corrective and preventive maintenance or repair" means—

(A) maintenance or repair actions performed as a result of a failure in order to return or restore equipment to acceptable performance levels; or

(B) scheduled maintenance or repair actions intended to prevent or discover functional failures, including scheduled periodic maintenance requirements and integrated class maintenance plan tasks that are time-directed maintenance actions.

(2) The term "facilities maintenance" means—

(A) preservation or corrosion control efforts, including surface preparation and preservation of the structural facility to minimize effects of corrosion; or

(B) cleaning services, including—

(i) light surface cleaning of ship structures and compartments; and

(ii) deep cleaning of bilges to remove dirt, oily waste, and other foreign matter.

(d) TERMINATION.—The authority to carry out a pilot program under subsection (a) shall terminate on September 30, 2016.

SEC. 1026. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA CLASS CRUISERS OR DOCK LANDING SHIPS.

(a) LIMITATION ON AVAILABILITY OF FUNDS.—

(1) IN GENERAL.—Except as otherwise provided in this section, none of the funds authorized to be appropriated or otherwise made available for the Department of Defense by this Act or the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66) may be obligated or expended to retire, prepare to retire, inactivate, or place in storage a cruiser or dock landing ship.

(2) USE OF SMOSF FUNDS.—As provided by section 8107 of the Consolidated Appropriations Act, 2014 (Public Law 113–76), funds in the Ship, Modernization, Operations, and Sustainment Fund may be used only for 11 Ticonderoga-class cruisers (CG 63 through CG 73) and 3 dock landing ships (LSD 41, LSD 42, and LSD 46).

(b) MODERNIZATION OF TICONDEROGA CLASS CRUISERS AND DOCK LANDING SHIPS.—The Secretary of the Navy shall begin the upgrade of two cruisers specified in (a)(2) during fiscal year 2015, including—

(1) hull, mechanical, and electrical upgrades; and

(2) combat systems modernizations.

(c) REQUIREMENTS AND LIMITATIONS ON MODERNIZATION.—

(1) REQUIREMENTS.—During the period of modernization under subsection (b) of the vessels specified in subsection (a)(2), the Secretary of the Navy shall—

(A) continue to maintain the vessels in a manner that will ensure the ability of the vessels to reenter the operational fleet;

(B) conduct planning activities to ensure scheduled and deferred maintenance and modernization work items are identified and included in maintenance availability work packages; and

(C) conduct hull, mechanical, and electrical and combat system modernization necessary to achieve a service life of 40 years.

(2) LIMITATIONS.—During the period of modernization under subsection (b) of the vessels specified in subsection (a)(2), the Secretary may not—

(A) permit removal or cannibalization of equipment or systems to support operational vessels, other than—

(i) rotatable pool equipment; and

(ii) equipment or systems necessary to support urgent operational requirements (but only with the approval of the Secretary of Defense); or

(B) make any irreversible modifications that will prohibit the vessel from reentering the operational fleet.

(d) REPORTS.—

(1) IN GENERAL.—At the same time as the submittal to Congress of the budget of the President under section 1105 of title 31, United States, for each fiscal year during which activities under the modernization of vessels will be carried out under this section, the Secretary of the Navy shall submit to the congressional defense committees a written report on the status of the modernization of vessels under this section.

(2) ELEMENTS.—Each report under this subsection shall include the following:

(A) The status of modernization efforts, including availability schedules, equipment procurement schedules, and by-fiscal year funding requirements.

(B) The readiness and operational and manning status of each vessel to be undergoing modernization under this section during the fiscal year covered by such report.

(C) The current material condition assessment for each such vessel.

(D) A list of rotatable pool equipment that is identified across the whole class of cruisers to support operations on a continuing basis.

(E) A list of equipment, other than rotatable pool equipment and components incidental to performing maintenance, removed from each such vessel, including a justification for the removal, the disposition of the equipment, and plan for restoration of the equipment.

(F) A detailed plan for obligations and expenditures by vessel for the fiscal year beginning during the calendar year during which the report is submitted, and projections of obligations by vessel by fiscal year for the remaining time a vessel is projected to be in the modernization program.

(G) A statement of the funding required for that fiscal year to ensure the Ship, Modernization, Operations, and Sustainment Fund account has adequate resources to execute the plan under subparagraph (F) for that fiscal year and the following fiscal year.

(3) NOTICE ON VARIANCE FROM PLAN.—Not later than 30 days before executing any material deviation from a plan described in paragraph (2)(F) for a fiscal year, the Secretary shall notify the congressional defense committees in writing of such deviation from the plan.

(e) REPEAL OF SUPERSEDED LIMITATION.—Section 1023 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 846) is repealed.

Subtitle D—Counterterrorism

SEC. 1031. EXTENSION OF AUTHORITY TO MAKE REWARDS FOR COMBATING TERRORISM.

Section 127b(c)(3)(C) of title 10, United States Code, is amended by striking "September 30, 2014" and inserting "September 30, 2015".

SEC. 1032. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1033 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 850) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

SEC. 1033. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1034 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 851) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. MODIFICATION OF DEPARTMENT OF DEFENSE AUTHORITY FOR HUMANITARIAN DEMINING ASSISTANCE AND STOCKPILED CONVENTIONAL MUNITIONS ASSISTANCE PROGRAMS.

(a) INCLUSION OF INFORMATION ABOUT INSUFFICIENT FUNDING IN ANNUAL REPORT.—Subsection (d)(3) of section 407 of title 10, United States Code, is amended by inserting "or insufficient funding" after "such activities".

(b) DEFINITION OF STOCKPILED CONVENTIONAL MUNITIONS ASSISTANCE.—Subsection (e)(2) of such section is amended—

(1) by striking "and includes" and inserting the following: "small arms, and light weapons, including man-portable air-defense systems. Such term includes"; and

(2) by inserting before the period at the end the following: ", small arms, and light weapons, including man-portable air-defense systems".

SEC. 1042. AIRLIFT SERVICE.

(a) IN GENERAL.—Chapter 931 of title 10, United States Code, is amended by adding at the end the following new section:

10 USC 9516.

"§ 9516. Airlift service

"(a) INTERSTATE TRANSPORTATION.—(1) Except as provided in subsection (d) of this section, the transportation of passengers or property by CRAF-eligible aircraft in interstate air transportation obtained by the Secretary of Defense or the Secretary of a military department through a contract for airlift service in the United States may be provided only by an air carrier that—

"(A) has aircraft in the civil reserve air fleet or offers to place the aircraft in that fleet; and

"(B) holds a certificate issued under section 41102 of title 49.

"(2) The Secretary of Transportation shall act as expeditiously as possible on an application for a certificate under section 41102 of title 49 to provide airlift service.

"(b) TRANSPORTATION BETWEEN THE UNITED STATES AND FOREIGN LOCATIONS.—Except as provided in subsection (d), the transportation of passengers or property by CRAF-eligible aircraft between a place in the United States and a place outside the United States obtained by the Secretary of Defense or the Secretary of a military department through a contract for airlift service shall be provided by an air carrier referred to in subsection (a).

"(c) TRANSPORTATION BETWEEN FOREIGN LOCATIONS.—The transportation of passengers or property by CRAF-eligible aircraft between two places outside the United States obtained by the Secretary of Defense or the Secretary of a military department

through a contract for airlift service shall be provided by an air carrier referred to in subsection (a) whenever transportation by such an air carrier is reasonably available.

"(d) EXCEPTION.—When the Secretary of Defense decides that no air carrier holding a certificate under section 41102 of title 49 is capable of providing, and willing to provide, the airlift service, the Secretary of Defense may make a contract to provide the service with an air carrier not having a certificate.

"(e) CRAF-ELIGIBLE AIRCRAFT DEFINED.—In this section, 'CRAF-eligible aircraft' means aircraft of a type the Secretary of Defense has determined to be eligible to participate in the civil reserve air fleet.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

10 USC prec. 9511.

"9516. Airlift service.".

SEC. 1043. AUTHORITY TO ACCEPT CERTAIN VOLUNTARY LEGAL SUPPORT SERVICES.

Section 1588(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(10) Voluntary legal support services provided by law students through internship and externship programs approved by the Secretary concerned.".

SEC. 1044. EXPANSION OF AUTHORITY FOR SECRETARY OF DEFENSE TO USE THE DEPARTMENT OF DEFENSE REIMBURSEMENT RATE FOR TRANSPORTATION SERVICES PROVIDED TO CERTAIN NON-DEPARTMENT OF DEFENSE ENTITIES.

(a) ELIGIBLE CATEGORIES OF TRANSPORTATION.—Subsection (a) of section 2642 of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking "The Secretary" and inserting "Subject to subsection (b), the Secretary";

(2) in paragraph (3)—

(A) by striking "During the period beginning on October 28, 2009, and ending on October 28, 2019, for" and inserting "For"; and

(B) by striking "of Defense" the first place it appears and all that follows through "military sales" and inserting "of Defense"; and

(3) by adding at the end the following new paragraphs:

"(4) For military transportation services provided in support of foreign military sales.

"(5) For military transportation services provided to a State, local, or tribal agency (including any organization composed of State, local, or tribal agencies).

"(6) For military transportation services provided to a Department of Defense contractor when transporting supplies that are for, or destined for, a Department of Defense entity.".

(b) TERMINATION OF AUTHORITY FOR CERTAIN CATEGORIES OF TRANSPORTATION.—Such section is further amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection (b):

"(b) TERMINATION OF AUTHORITY FOR CERTAIN CATEGORIES OF TRANSPORTATION.—The provisions of paragraphs (3), (4), (5), and

(6) of subsection (a) shall apply only to military transportation services provided before October 1, 2019.".

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 2642. Transportation services provided to certain non-Department of Defense agencies and entities: use of Department of Defense reimbursement rate".

(2) TABLE OF SECTIONS.—The item relating to such section in the table of sections at the beginning of chapter 157 of such title is amended to read as follows:

10 USC prec. 2631.

"2642. Transportation services provided to certain non-Department of Defense agencies and entities: use of Department of Defense reimbursement rate.".

SEC. 1045. REPEAL OF AUTHORITY RELATING TO USE OF MILITARY INSTALLATIONS BY CIVIL RESERVE AIR FLEET CONTRACTORS.

(a) REPEAL.—Section 9513 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 931 of such title is amended by striking the item relating to section 9513.

10 USC prec. 9511.

10 USC 113 note.

SEC. 1046. INCLUSION OF CHIEF OF THE NATIONAL GUARD BUREAU AMONG LEADERSHIP OF THE DEPARTMENT OF DEFENSE PROVIDED PHYSICAL PROTECTION AND PERSONAL SECURITY.

(a) INCLUSION.—Subsection (a) of section 1074 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 330) is amended—

(1) by redesignating paragraph (7) as paragraph (8); and

(2) by inserting after paragraph (6) the following new paragraph (7):

"(7) Chief of the National Guard Bureau.".

(b) CONFORMING AMENDMENT.—Subsection (b)(1) of such section is amended by striking "paragraphs (1) through (7)" and inserting "paragraphs (1) through (8)".

SEC. 1047. INCLUSION OF REGIONAL ORGANIZATIONS IN AUTHORITY FOR ASSIGNMENT OF CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE AS ADVISORS TO FOREIGN MINISTRIES OF DEFENSE.

(a) INCLUSION OF REGIONAL ORGANIZATIONS IN AUTHORITY.—Section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1599; 10 U.S.C. 168 note) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting "or regional organizations with security missions" after "foreign countries"; and

(B) by inserting "or regional organization" after "ministry" each place it appears in paragraphs (1) and (2);

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively, and inserting after subsection (b) the following new subsection (c):

"(c) CONGRESSIONAL NOTICE.—Not later than 15 days before assigning a civilian employee of the Department of Defense as

an advisor to a regional organization with a security mission under subsection (a), the Secretary shall submit to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives a notification of such assignment. Such a notification shall include each of the following:

"(1) A statement of the intent of the Secretary to assign the employee as an advisor to the regional organization.

"(2) The name of the regional organization and the location and duration of the assignment.

"(3) A description of the assignment, including a description of the training or assistance proposed to be provided to the regional organization, the justification for the assignment, a description of the unique capabilities the employee can provide to the regional organization, and a description of how the assignment serves the national security interests of the United States.

"(4) Any other information relating to the assignment that the Secretary of Defense considers appropriate.";

(3) in subsection (d), as so redesignated, by inserting "and regional organizations with security missions" after "defense ministries" each place it appears in paragraphs (1) and (5); and

(4) in subsection (e), as so redesignated, by striking "subsection (c)" and inserting "subsection (d)".

(b) UPDATE OF POLICY GUIDANCE ON AUTHORITY.—The Under Secretary of Defense for Policy shall issue an update of the policy of the Department of Defense for assignment of civilian employees of the Department as advisors to foreign ministries of defense and regional organizations under the authority in section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1599; 10 U.S.C. 168 note), as amended by this section. 10 USC 168 note.

(c) CONFORMING AMENDMENT.—The section heading of such section is amended to read as follows:

"SEC. 1081. AUTHORITY FOR ASSIGNMENT OF CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE AS ADVISORS TO FOREIGN MINISTRIES OF DEFENSE AND REGIONAL ORGANIZATIONS.".

SEC. 1048. REPORT AND LIMITATION ON AVAILABILITY OF FUNDS FOR AVIATION FOREIGN INTERNAL DEFENSE PROGRAM.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the aviation foreign internal defense program. Such report shall include each of the following:

(A) An overall description of the program, including validated requirements from each of the geographic combatant commands and the Joint Staff, and of the statutory authorities used to support fixed and rotary wing aviation foreign internal defense programs within the Department of Defense.

(B) Program goals, proposed metrics of performance success, and anticipated procurement and operation and

maintenance costs across the Future Years Defense Program.

(C) A comprehensive strategy outlining and justifying contributing commands and units for program execution, including the use of the Air Force, the Special Operations Command, the reserve components of the Armed Forces, and the National Guard.

(D) The results of any analysis of alternatives and efficiencies reviews for any contracts awarded to support the aviation foreign internal defense program.

(E) A certification that the program is cost effective and meets the requirements of the geographic combatant commands.

(F) Any other items the Secretary of Defense determines appropriate.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) LIMITATION.—Not more than 50 percent of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for Procurement, Defense-wide, for the fixed-wing aviation foreign internal defense program, may be obligated or expended until the date that is 45 days after the date on which the Secretary of Defense provides to the congressional defense committees the certification required under subsection (a).

SEC. 1049. MODIFICATIONS TO OH–58D KIOWA WARRIOR AIRCRAFT.

(a) IN GENERAL.—Notwithstanding section 2244a of title 10, United States Code, the Secretary of the Army may modify OH–58D Kiowa Warrior aircraft of the Army that the Secretary determines will not be retired and will remain in the aircraft fleet of the Army.

(b) MANNER OF MODIFICATIONS.—The Secretary shall carry out the modifications under subsection (a) in a manner that ensures—

(1) the safety and survivability of the crews of the OH–58D Kiowa Warrior aircraft;

(2) the safety of flight for such aircraft; and

(3) that the minimum capability requirements of the commanders of the combatant commands are met.

Subtitle F—Studies and Reports

SEC. 1051. PROTECTION OF TOP-TIER DEFENSE-CRITICAL INFRASTRUCTURE FROM ELECTROMAGNETIC PULSE.

(a) REPORT REQUIRED.—Not later than June 1, 2015, the Secretary of Defense shall submit to the congressional defense committees a report on whether top-tier defense-critical infrastructure requiring electromagnetic pulse protection that receives its power supply from commercial or other non-military sources is protected from the adverse effects of man-made or naturally occurring electromagnetic pulse. In the case of any of such infrastructure that the Secretary determines is not protected from such adverse effects, the Secretary shall include in the report a description of the actions that would be required to provide for the protection of such infrastructure from such adverse effects.

(b) FORM OF SUBMISSION.—The report required by subsection (a) shall be submitted in classified form.

(c) DEFINITION.—In this section, the term "top-tier defense-critical infrastructure" means Department of Defense infrastructure essential to project, support, and sustain the Armed Forces and military operations worldwide.

SEC. 1052. RESPONSE OF THE DEPARTMENT OF DEFENSE TO COMPROMISES OF CLASSIFIED INFORMATION.

(a) FINDINGS.—Congress makes the following findings:

(1) Compromises of classified information cause indiscriminate and long-lasting damage to United States national security and often have a direct impact on the safety of warfighters.

(2) In 2010, hundreds of thousands of classified documents were illegally copied and disclosed across the Internet.

(3) Classified information has been disclosed in numerous public writings and manuscripts endangering current operations.

(4) In 2013, nearly 1,700,000 files were downloaded from United States Government information systems, threatening the national security of the United States and placing the lives of United States personnel at extreme risk. The majority of the information compromised relates to the capabilities, operations, tactics, techniques, and procedures of the Armed Forces of the United States, and is the single greatest quantitative compromise in the history of the United States.

(5) The Department of Defense is taking steps to mitigate the harm caused by these leaks.

(6) Congress must be kept apprised of the progress of the mitigation efforts to ensure the protection of the national security of the United States.

(b) REPORTS REQUIRED.—

(1) INITIAL REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on actions taken by the Secretary in response to significant compromises of classified information. Such report shall include each of the following:

(A) A description of any changes made to Department of Defense policies or guidance relating to significant compromises of classified information, including regarding security clearances for employees of the Department, information technology, and personnel actions.

(B) An overview of the efforts made by any task force responsible for the mitigation of such compromises of classified information.

(C) A description of the resources of the Department that have been dedicated to efforts relating to such compromises.

(D) A description of the plan of the Secretary to continue evaluating the damage caused by, and to mitigate the damage from, such compromises.

(E) A general description and estimate of the anticipated costs associated with mitigating such compromises.

(2) UPDATES TO REPORT.—During calendar years 2015 and 2016, the Secretary shall submit to the congressional defense

committees quarterly updates to the report required by paragraph (1). Each such update shall include information regarding any changes or progress with respect to the matters covered by such report.

SEC. 1053. STUDY ON JOINT ANALYTIC CAPABILITY OF THE DEPARTMENT OF DEFENSE.

(a) INDEPENDENT ASSESSMENT.—The Secretary of Defense shall commission an appropriate entity outside the Department of Defense to conduct an independent assessment of the joint analytic capabilities of the Department of Defense to support strategy, plans, and force development and their link to resource decisions.

(b) ELEMENTS.—The assessment required by subsection (a) shall include each of the following:

(1) An assessment of the analytical capability of the Office of the Secretary of Defense and the Joint Staff to support force planning, defense strategy development, program and budget decisions, and the review of war plans.

(2) Recommendations on improvements to such capability as required, including changes to processes or organizations that may be necessary.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the entity that conducts the assessment required by subsection (a) shall provide to the Secretary an unclassified report, with a classified annex (if appropriate), containing its findings as a result of the assessment. Not later than 90 days after the date of the receipt of the report, the Secretary shall transmit the report to the congressional defense committees, together with such comments on the report as the Secretary considers appropriate.

SEC. 1054. BUSINESS CASE ANALYSIS OF THE CREATION OF AN ACTIVE DUTY ASSOCIATION FOR THE 168TH AIR REFUELING WING.

(a) BUSINESS CASE ANALYSIS.—The Secretary of the Air Force shall conduct a business case analysis of the creation of a 4–PAA (Personnel-Only) KC–135R active association with the 168th Air Refueling Wing. Such analysis shall include consideration of—

(1) any efficiencies or cost savings achieved assuming the 168th Air Refueling Wing meets 100 percent of current air refueling requirements after the active association is in place;

(2) improvements to the mission requirements of the 168th Air Refueling Wing and Air Mobility Command; and

(3) effects on the operations of Air Mobility Command.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the business case analysis conducted under subsection (a).

SEC. 1055. REPORTS ON RECOMMENDATIONS OF THE NATIONAL COMMISSION ON THE STRUCTURE OF THE AIR FORCE.

(a) REPORTS.—Not later than 30 days after the date of the submittal to Congress pursuant to section 1105(a) of title 31, United States Code, of the budget of the President for each of fiscal years 2016 through 2019, the Secretary of the Air Force shall submit to the congressional defense committees a report on the response of the Air Force to the 42 specific recommendations of the National Commission on the Structure of the Air Force in the report of

the Commission pursuant to section 363(b) of the National Commission on the Structure of the Air Force Act of 2012 (subtitle G of title III of Public Law 112–239; 126 Stat. 1704).

(b) ELEMENTS OF INITIAL REPORT.—The initial report of the Secretary under subsection (a) shall set forth the following:

(1) Specific milestones for review by the Air Force of the recommendations of the Commission described in subsection (a).

(2) A preliminary implementation plan for each of such recommendations that do not require further review by the Air Force as of the date of such report for implementation.

(c) ELEMENTS OF SUBSEQUENT REPORTS.—Each report of the Secretary under subsection (a) after the initial report shall set forth the following:

(1) An implementation plan for each of the recommendations of the Commission described in subsection (a), and not previously covered by a report under this section, that do not require further review by the Air Force as of the date of such report for implementation.

(2) A description of the accomplishments of the Air Force in implementing the recommendations of the Commission previously identified as not requiring further review by the Air Force for implementation in an earlier report under this section, including a description of any such recommendation that is fully implemented as of the date of such report.

(d) DEVIATION FROM COMMISSION RECOMMENDATIONS.—If any implementation plan under this section includes a proposal to deviate in a material manner from a recommendation of the Commission described in subsection (a), the report setting forth such implementation plan shall—

(1) describe the deviation; and

(2) include a justification of the Air Force for the deviation.

(e) ALLOCATION OF SAVINGS.—Each report of the Secretary under subsection (a) shall—

(1) identify any savings achieved by the Air Force as of the date of such report in implementing the recommendations of the Commission described in subsection (a) when compared with spending anticipated by the budget of the President for fiscal year 2015; and

(2) indicate the manner in which such savings affected the budget request of the President for the fiscal year beginning in the year in which such report is submitted.

SEC. 1056. REPORT ON PROTECTION OF MILITARY INSTALLATIONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Attorney General and the Secretary of Homeland Security, shall submit to Congress a report on the protection of military installations. Such report shall include each of the following:

(1) An identification of specific issues, shortfalls, and gaps related to the authorities providing for the protection of military installations by the agencies concerned and risks associated with such gaps.

(2) A description of specific and detailed examples of incidents that have actually occurred that illustrate the concerns referred to in paragraph (1).

(3) Any recommendations for proposed legislation that would—

(A) improve the ability of the Department of Defense to fulfill its requirement to provide for the protection of military installations; and

(B) address the concerns referred to in paragraph (1).

SEC. 1057. COMPTROLLER GENERAL BRIEFING AND REPORT ON ARMY AND ARMY NATIONAL GUARD FORCE STRUCTURE CHANGES.

(a) BRIEFING AND REPORT.—

(1) BRIEFING.—Not later than March 1, 2015, the Comptroller General of the United States shall submit to the congressional defense committees a written briefing on the assessment of the Comptroller General of the Aviation Restructuring Initiative of the Army and of any proposals submitted by the Chief of the National Guard Bureau or the Cost Assessment and Program Evaluation Office of the Department of Defense that could serve as alternatives to the Army's proposal for adjusting the structure and mix of its combat aviation forces among regular Army, Army Reserve, and Army National Guard units.

(2) REPORT.—Not later than 60 days after the submittal of the briefing under paragraph (1), the Comptroller General shall submit to the congressional defense committees a final report on the assessment referred to in that paragraph.

(b) ELEMENTS.—The briefing and report of the Comptroller General required by subsection (a) shall include, at a minimum, each of the following:

(1) A comparison of the assumptions on strategy, current demands, historical readiness rates, anticipated combat requirements, and the constraints and limitations associated with mobilization, utilization, and rotation policies underlying the Aviation Restructuring Initiative and any alternatives proposed by the Chief of the National Guard Bureau and the Department of Defense Cost Assessment and Program Evaluation Office.

(2) An assessment of the models used to estimate future costs and cost savings associated with each proposal for allocating Army aviation platforms among the regular Army, Army Reserve, and Army National Guard units.

(3) A comparison of the military and civilian personnel requirements for supporting combat aviation brigades under each proposal, including a description of the anticipated requirements and funding allocated for active Guard Reserve and full-time military technicians supporting the Army National Guard AH–64 "Apache" units.

(c) SENSE OF CONGRESS REGARDING ADDITIONAL FUNDING FOR THE ARMY.—Congress is concerned with the planned reductions and realignments the Army has proposed for the regular Army, the Army National Guard, and the Army Reserves in order to comply with the funding constraints under the Budget Control Act of 2011 (Public Law 112–25). Concerns are particularly associated with proposed reductions in end strength for all components that will result in additional reductions in the number of regular Army and National Guard brigade combat teams as well as reductions and realignments of combat aircraft within and between the regular Army and the Army National Guard. Sufficient funding

should be provided to retain the force structure and sustain the readiness of as much Total Army combat capability as possible.

SEC. 1058. IMPROVING ANALYTIC SUPPORT TO SYSTEMS ACQUISITION AND ALLOCATION OF ACQUISITION, INTELLIGENCE, SURVEILLANCE AND RECONNAISSANCE ASSETS.

10 USC 2430 note.

(a) GUIDANCE.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall review and issue or revise guidance to components of the Department of Defense to improve the application of operations research and systems analysis to—

(1) the requirements process for acquisition of major defense acquisition programs and major automated information systems; and

(2) the allocation of intelligence, surveillance, and reconnaissance systems to the combatant commands.

(b) BRIEFING OF CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief—

(1) the congressional defense committees on any guidance issued or revised under subsection (a); and

(2) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives on any guidance issued or revised under subsection (a)(2) relevant to intelligence.

SEC. 1059. REVIEW OF UNITED STATES MILITARY STRATEGY AND THE FORCE POSTURE OF ALLIES AND PARTNERS IN THE UNITED STATES PACIFIC COMMAND AREA OF RESPONSIBILITY.

(a) INDEPENDENT REVIEW.—

(1) IN GENERAL.—The Secretary of Defense shall commission an independent review of the United States Asia-Pacific rebalance, with a focus on issues expected to be critical during the ten-year period beginning on the date of the enactment of this Act, including the national security interests and military strategy of the United States in the Asia-Pacific region.

(2) CONDUCT OF REVIEW.—The review conducted pursuant to paragraph (1) shall be conducted by an independent organization that has—

(A) recognized credentials and expertise in national security and military affairs; and

(B) access to policy experts throughout the United States and from the Asia-Pacific region.

(3) ELEMENTS.—The review conducted pursuant to paragraph (1) shall include the following elements:

(A) An assessment of the risks to United States national security interests in the United States Pacific Command area of responsibility during the ten-year period beginning on the date of the enactment of this Act as a result of changes in the security environment.

(B) An assessment of the current and planned United States force posture adjustments and the impact of such adjustments on the strategy to rebalance to the Asia-Pacific region.

(C) An assessment of the current and planned force posture and adjustments of United States allies and partners in the region and the impact of such adjustments on the strategy to rebalance to the Asia-Pacific region.

(D) An evaluation of the key capability gaps and shortfalls of the United States and its allies and partners in the Asia-Pacific region, including undersea warfare (including submarines), naval and maritime, ballistic missile defense, cyber, munitions, and intelligence, surveillance, and reconnaissance capabilities.

(E) An analysis of the willingness and capacity of allies, partners, and regional organizations to contribute to the security and stability of the Asia-Pacific region, including potential required adjustments to United States military strategy based on that analysis.

(F) An appraisal of the Arctic ambitions of actors in the Asia-Pacific region in the context of current and projected capabilities, including an analysis of the adequacy and relevance of the Arctic Roadmap prepared by the Navy.

(G) An evaluation of theater security cooperation efforts of the United States Pacific Command in the context of current and projected threats, and desired capabilities and priorities of the United States and its allies and partners.

(H) The views of noted policy leaders and regional experts, including military commanders, in the Asia-Pacific region.

(b) REPORT.—

(1) SUBMISSION TO THE SECRETARY OF DEFENSE.—Not later than 180 days after the date of the enactment of this Act, the independent organization that conducted the review pursuant to subsection (a)(1) shall submit to the Secretary of Defense a report containing the findings of the review. The report shall be submitted in classified form, but may contain an unclassified annex.

(2) SUBMISSION TO CONGRESS.—Not later than 90 days after the date of receipt of the report required by paragraph (1), the Secretary of Defense shall submit to the congressional defense committees the report, together with any comments on the report that the Secretary considers appropriate.

SEC. 1060. REPEAL OF CERTAIN REPORTING REQUIREMENTS RELATING TO THE DEPARTMENT OF DEFENSE.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) OVERSIGHT OF PROCUREMENT, TEST, AND OPERATIONAL PLANS FOR BALLISTIC MISSILE DEFENSE PROGRAMS.—Section 223a is amended by striking subsection (d).

(2) ANNUAL REPORT ON PUBLIC-PRIVATE COMPETITION.—

(A) REPEAL.—Chapter 146 is amended by striking section 2462.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 146 is amended by striking the item relating to section 2462.

10 USC prec. 2460.

(b) DISPLAY OF ANNUAL BUDGET REQUIREMENTS FOR AIR SOVEREIGNTY ALERT MISSION UNDER DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009.—Section 354 of the Duncan Hunter National Defense Authorization Act for Fiscal

Year 2009 (Public Law 110–417; 122 Stat. 4426; 10 U.S.C. 221 note) is hereby repealed.

SEC. 1061. REPEAL OF REQUIREMENT FOR COMPTROLLER GENERAL OF THE UNITED STATES ANNUAL REVIEWS AND REPORT ON PILOT PROGRAM ON COMMERCIAL FEE-FOR-SERVICE AIR REFUELING SUPPORT FOR THE AIR FORCE.

10 USC 2461 note.

Section 1081 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–81; 122 Stat. 335) is amended by striking subsection (d).

SEC. 1062. REPORT ON ADDITIONAL MATTERS IN CONNECTION WITH REPORT ON THE FORCE STRUCTURE OF THE UNITED STATES ARMY.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report on the matters specified in subsection (b) with respect to the report of the Secretary on the force structure of the United States Army submitted under section 1066 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1943).

(b) MATTERS.—The matters specified in this subsection with respect to the report referred to in subsection (a) are the following:

(1) An update of the planning assumptions and scenarios used to determine the size and force structure of the Army, including the reserve components, for the future-years defense program for fiscal years 2016 through 2020.

(2) An updated evaluation of the adequacy of the proposed force structure for meeting the goals of the national military strategy of the United States.

(3) A description of any new alternative force structures considered, if any, including the assessed advantages and disadvantages of each and a brief explanation of why those not selected were rejected.

(4) The estimated resource requirements of each of the new alternative force structures referred to in paragraph (3).

(5) An updated independent risk assessment of the proposed Army force structure, to be conducted by the Chief of Staff of the Army.

(6) A description of plans and actions taken to implement and apply the recommendations of the Comptroller General of the United States regarding force reduction analysis and decision process improvements in the report entitled "Defense Infrastructure: Army Brigade Combat Team Inactivations Informed by Analysis but Actions Needed to Improve Stationing Process" (GAO–14–76, December 2013) used in the Supplemental Programmatic Environmental Assessment of the Army.

(7) Such other information or updates as the Secretary considers appropriate.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1063. CERTIFICATION FOR REALIGNMENT OF FORCES AT LAJES AIR FORCE BASE, AZORES.

Prior to taking any action to realign forces at Lajes Air Force Base, Azores, the Secretary of Defense shall certify to the congressional defense committees that—

(1) the action is supported by a European Infrastructure Consolidation Assessment initiated by the Secretary of Defense on January 25, 2013, including a specific assessment of the efficacy of Lajes Air Force Base, Azores, in support of the United States overseas force posture; and

(2) the Secretary of Defense has determined, based on an analysis of operational requirements, that Lajes Air Force Base is not an optimal location for United States Special Operations Command or for United States Africa Command. The certification shall include a discussion of the basis for such determination.

Subtitle G—Other Matters

SEC. 1071. TECHNICAL AND CLERICAL AMENDMENTS.

(a) AMENDMENTS TO TITLE 10, UNITED STATES CODE, TO REFLECT ENACTMENT OF TITLE 41, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 2013(a)(1) is amended by striking "section 6101(b)–(d) of title 41" and inserting "section 6101 of title 41".

(2) Section 2302 is amended—

(A) in paragraph (7), by striking "section 4 of such Act" and inserting "such section"; and

(B) in paragraph (9)(A)—

(i) by striking "section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)" and inserting "chapter 15 of title 41"; and

(ii) by striking "such section" and inserting "such chapter".

(3) Section 2306a(b)(3)(B) is amended by striking "section 4(12)(C)(i) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(C)(i))" and inserting "section 103(3)(A) of title 41".

(4) Section 2314 is amended by striking "Sections 6101(b)–(d)" and inserting "Sections 6101".

(5) Section 2321(f)(2) is amended by striking "section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))" and inserting "section 104 of title 41".

(6) Section 2359b(k)(4)(A) is amended by striking "section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)" and inserting "section 110 of title 41".

(7) Section 2379 is amended—

(A) in subsections (a)(1)(A), (b)(2)(A), and (c)(1)(B)(i), by striking "section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))" and inserting "section 103 of title 41"; and

(B) in subsections (b) and (c)(1), by striking "section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))" and inserting "section 104 of title 41".

(8) Section 2410m(b)(1) is amended—

(A) in subparagraph (A)(i), by striking "section 7 of such Act" and inserting "section 7104(a) of such title"; and

(B) in subparagraph (B)(ii), by striking "section 7 of the Contract Disputes Act of 1978" and inserting "section 7104(a) of title 41".

(9) Section 2533(a) is amended by striking "such Act" in the matter preceding paragraph (1) and inserting "chapter 83 of such title".

(10) Section 2533b is amended—

(A) in subsection (h)—

(i) in paragraph (1), by striking "sections 34 and 35 of the Office of Federal Procurement Policy Act (41 U.S.C. 430 and 431)" and inserting "sections 1906 and 1907 of title 41"; and

(ii) in paragraph (2), by striking "section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))" and inserting "section 104 of title 41"; and

(B) in subsection (m)—

(i) in paragraph (2), by striking "section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)" and inserting "section 105 of title 41";

(ii) in paragraph (3), by striking "section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)" and inserting "section 131 of title 41"; and

(iii) in paragraph (5), by striking "section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))" and inserting "section 104 of title 41".

(11) Section 2545(1) is amended by striking "section 4(16) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(16))" and inserting "section 131 of title 41".

(12) Section 7312(f) is amended by striking "Section 3709 of the Revised Statutes (41 U.S.C. 5)" and inserting "Section 6101 of title 41".

(b) AMENDMENTS TO OTHER DEFENSE-RELATED STATUTES TO REFLECT ENACTMENT OF TITLE 41, UNITED STATES CODE.—

(1) The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) is amended as follows:

(A) Section 846(a) (10 U.S.C. 2534 note) is amended—

(i) by striking "the Buy American Act (41 U.S.C. 10a et seq.)" and inserting "chapter 83 of title 41, United States Code"; and

(ii) by striking "that Act" and inserting "that chapter".

(B) Section 866 (10 U.S.C. 2302 note) is amended—

(i) in subsection (b)(4)(A), by striking "section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)" and inserting "chapter 15 of title 41, United States Code"; and

(ii) in subsection (e)(2)(A), by striking "section 4(13) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(13))" and inserting "section 110 of title 41, United States Code".

(C) Section 893(f)(2) (10 U.S.C. 2302 note) is amended by striking "section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)" and inserting "chapter 15 of title 41, United States Code".

(2) The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended as follows:

(A) Section 805(c)(1) (10 U.S.C. 2330 note) is amended—

(i) in subparagraph (A), by striking "section 4(12)(E) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(E))" and inserting "section 103(5) of title 41, United States Code"; and

(ii) in subparagraph (C)(i), by striking "section 4(12)(F) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(F))" and inserting "section 103(6) of title 41, United States Code".

(B) Section 821(b)(2) (10 U.S.C. 2304 note) is amended by striking "section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))" and inserting "section 103 of title 41, United States Code".

(C) Section 847 (10 U.S.C. 1701 note) is amended—

(i) in subsection (a)(5), by striking "section 27(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(e))" and inserting "section 2105 of title 41, United States Code";

(ii) in subsection (c)(1), by striking "section 4(16) of the Office of Federal Procurement Policy Act" and inserting "section 131 of title 41, United States Code"; and

(iii) in subsection (d)(1), by striking "section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)" and inserting "chapter 21 of title 41, United States Code".

(D) Section 862 (10 U.S.C. 2302 note) is amended—

(i) in subsection (b)(1), by striking "section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)" and inserting "section 1303 of title 41, United States Code"; and

(ii) in subsection (d)(1), by striking "section 6(j) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(j))" and inserting "section 1126 of title 41, United States Code".

(3) The John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) is amended as follows:

(A) Section 832(d)(3) (10 U.S.C. 2302 note) is amended by striking "section 8(b) of the Service Contract Act of 1965 (41 U.S.C. 357(b))" and inserting "section 6701(3) of title 41, United States Code".

(B) Section 852(b)(2)(A)(ii) (10 U.S.C. 2324 note) is amended by striking "section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))" and inserting "section 103 of title 41, United States Code".

(4) Section 8118 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 10 U.S.C. 2533a note) is amended by striking "section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430)" and inserting "section 1906 of title 41, United States Code".

(5) The National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136) is amended as follows:

(A) Section 812(b)(2) (10 U.S.C. 2501 note) is amended by striking "section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A))" and inserting "section 1122(a)(4)(A) of title 41, United States Code".

(B) Section 1601(c) (10 U.S.C. 2358 note) is amended—

(i) in paragraph (1)(A), by striking "section 32A of the Office of Federal Procurement Policy Act, as added by section 1443 of this Act" and inserting "section 1903 of title 41, United States Code"; and

(ii) in paragraph (2)(B), by striking "Subsections (a) and (b) of section 7 of the Anti-Kickback Act of 1986 (41 U.S.C. 57(a) and (b))" and inserting "Section 8703(a) of title 41, United States Code".

(6) Section 8025(c) of the Department of Defense Appropriations Act, 2004 (Public Law 108–87; 10 U.S.C. 2410d note), is amended by striking "the Javits-Wagner-O'Day Act (41 U.S.C. 46–48)" and inserting "chapter 85 of title 41, United States Code".

(7) Section 817(e)(1)(B) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2306a note) is amended by striking "section 26(f)(5)(B) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)(5)(B))" and inserting "section 1502(b)(3)(B) of title 41, United States Code".

(8) Section 801(f)(1) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 10 U.S.C. 2330 note) is amended by striking "section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))" and inserting "section 1702(c) of title 41, United States Code".

(9) Section 803(d) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 10 U.S.C. 2306a note) is amended by striking "subsection (b)(1)(B) of section 304A of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b)" and inserting "section 3503(a)(2) of title 41, United States Code".

(10) Section 848(e)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 10 U.S.C. 2304 note) is amended by striking "section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)" and inserting "section 1902 of title 41, United States Code".

(11) Section 722(b)(2) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) is amended by striking "section 25(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c))" and inserting "section 1303(a) of title 41, United States Code".

(12) Section 3412(k) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106, 10 U.S.C. 7420 note) is amended by striking "section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c))" and inserting "section 3304(a) of title 41, United States Code".

(13) Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2371 note) is amended—

(A) in subsection (a)(2)(A), by striking "section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C.

414(c))" and inserting "section 1702(c) of title 41, United States Code,";

(B) in subsection (d)(1)(B)(ii), by striking "section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))" and inserting "section 1702(c) of title 41, United States Code";

(C) in subsection (e)(2)(A), by striking "section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))" and inserting "section 103 of title 41, United States Code"; and

(D) in subsection (h), by striking "section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)" and inserting "chapter 21 of title 41, United States Code".

(14) Section 326(c)(2) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 2302 note) is amended by striking "section 25(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c))" and inserting "section 1303(a) of title 41, United States Code".

(15) Section 806 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 10 U.S.C. 2302 note) is amended—

(A) in subsection (b), by striking "section 4(12) of the Office of Federal Procurement Policy Act" and inserting "section 103 of title 41, United States Code"; and

(B) in subsection (c)—

(i) by striking "section 25(a) of the Office of Federal Procurement Policy Act" and inserting "section 1302(a) of title 41, United States Code"; and

(ii) by striking "section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1))" and inserting "section 1303(a)(1) of such title 41".

(16) Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note) is amended—

(A) by designating the subsection after subsection (k), relating to definitions, as subsection (l); and

(B) in paragraph (8) of that subsection, by striking "the first section of the Act of June 25, 1938 (41 U.S.C. 46; popularly known as the 'Wagner-O'Day Act')" and inserting "section 8502 of title 41, United States Code".

(c) AMENDMENTS TO TITLE 10, UNITED STATES CODE, TO REFLECT RECLASSIFICATION OF PROVISIONS OF LAW CODIFIED IN TITLE 50, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Sections 113(b), 125(a), and 155(d) are amended by striking "(50 U.S.C. 401)" and inserting "(50 U.S.C. 3002)".

(2) Sections 113(e)(2), 117(a)(1), 118(b)(1), 118a(b)(1), 153(b)(1)(C)(i), 231(b)(1), 231a(c)(1), and 2501(a)(1)(A) are amended by striking "(50 U.S.C. 404a)" and inserting "(50 U.S.C. 3043)".

(3) Sections 167(g), 421(c), and 2557(c) are amended by striking "(50 U.S.C. 413 et seq.)" and inserting "(50 U.S.C. 3091 et seq.)".

(4) Section 201(b)(1) is amended by striking "(50 U.S.C. 403–6(b))" and inserting "(50 U.S.C. 3041(b))".

(5) Section 429 is amended—

(A) in subsection (a), by striking "Section 102A of the National Security Act of 1947 (50 U.S.C. 403–1)" and inserting "section 102A of the National Security Act of 1947 (50 U.S.C. 3024)"; and

(B) in subsection (e), by striking "(50 U.S.C. 401a(4))" and inserting "(50 U.S.C. 3003(4))".

(6) Section 442(d) is amended by striking "(50 U.S.C. 404e(a))" and inserting "(50 U.S.C. 3045(a))".

(7) Section 444 is amended—

(A) in subsection (b)(2), by striking "(50 U.S.C. 403o)" and inserting "(50 U.S.C. 3515)"; and

(B) in subsection (e)(2)(B), by striking "(50 U.S.C. 403a et seq.)" and inserting "(50 U.S.C. 3501 et seq.)".

(8) Section 457 is amended—

(A) in subsection (a), by striking "(50 U.S.C. 431)" and inserting "(50 U.S.C. 3141)"; and

(B) in subsection (c), by striking "(50 U.S.C. 431(b))" and inserting "(50 U.S.C. 3141(b))".

(9) Sections 462, 1599a(a), and 1623(a) are amended by striking "(50 U.S.C. 402 note)" and inserting "(50 U.S.C. 3614)".

(10) Sections 491(c)(3), 494(d)(1), 496(a)(1), 2409(e)(1) are amended by striking "(50 U.S.C. 401a(4))" and inserting "(50 U.S.C. 3003(4))".

(11) Section 1605(a)(2) is amended by striking "(50 U.S.C. 403r)" and inserting "(50 U.S.C. 3518)".

(12) Section 2723(d)(2) is amended by striking "(50 U.S.C. 413)" and inserting "(50 U.S.C. 3091)".

(d) AMENDMENTS TO OTHER DEFENSE-RELATED STATUTES TO REFLECT RECLASSIFICATION OF PROVISIONS OF LAW CODIFIED IN TITLE 50, UNITED STATES CODE.—

(1) The following provisions of law are amended by striking "(50 U.S.C. 401a(4))" and inserting "(50 U.S.C. 3003(4))":

(A) Section 911(3) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2271 note).

(B) Sections 801(b)(3) and 911(e)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2304 note; 2271 note).

(C) Section 812(e) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 2501 note).

(2) Section 901(d) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 137 note) is amended by striking "(50 U.S.C. 401 et seq.)" and inserting "(50 U.S.C. 3001 et seq.)".

(e) DATE OF ENACTMENT REFERENCES.—Title 10, United States Code, is amended as follows:

(1) Section 1218(d)(3) is amended by striking "on the date that is five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010" and inserting "on October 28, 2014".

(2) Section 1566a(a) is amended by striking "Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010 and under" and inserting "Under".

(3) Section 2275(d) is amended—

(A) in paragraph (1), by striking "before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013" and inserting "before January 2, 2013"; and

(B) in paragraph (2), by striking "on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013" and inserting "on or after January 2, 2013".

(4) Section 2601a(e) is amended by striking "after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012" and inserting "after December 31, 2011,".

(5) Section 6328(c) is amended by striking "on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010" and inserting "on or after October 28, 2009,".

(f) OTHER TECHNICAL CORRECTIONS TO TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 118 is amended by striking subsection (g).

10 USC prec. 121.

(2) The table of sections at the beginning of chapter 3 is amended—

(A) by striking the item relating to section 130e and inserting the following new item:

"130e. Treatment under Freedom of Information Act of certain critical infrastructure security information."; and

(B) by striking the item relating to section 130f and inserting the following new item:

"130f. Congressional notification of sensitive military operations.".

10 USC prec. 171.

(3) The table of sections at the beginning of chapter 7 is amended by inserting a period at the end of the item relating to section 189.

(4) Section 189(c)(1) is amended by striking "139c" and inserting "2430(a)".

(5) Section 407(a)(3)(A) is amended by striking the comma after "as applicable".

(6) Section 429(c) is amended by striking "act" and inserting "law".

(7) Section 488(a) is amended by inserting a comma after "Every three years".

(8) Section 674(b) is amended by striking "afer" and inserting "after".

(9) Section 949i(b) is amended by striking ",," and inserting a comma.

(10) Section 950b(b)(2)(A) is amended by striking "give" and inserting "given".

(11) Section 1040(a)(1) is amended by striking ".." and inserting a period.

(12) Section 1044(d)(2) is amended by striking ".." and inserting a period.

(13) Section 1074m(a)(2) is amended by striking "subparagraph" in the matter preceding subparagraph (A) and inserting "subparagraphs".

(14) Section 1154(a)(2)(A)(ii) is amended by striking "U.S.C.1411" and inserting "U.S.C. 1411".

(15) Section 1513(1) is amended in the last sentence by striking "subsection (b)" and inserting "subsection (c)".

(16) Section 2222(g)(3) is amended by striking "(A)" after "(3)".

(17) Section 2335(d) is amended—

(A) by designating the last sentence of paragraph (2) as paragraph (3); and

(B) in paragraph (3), as so designated—

(i) by inserting before "each of" the following paragraph heading: "OTHER TERMS.—".

(ii) by striking "the term" and inserting "that term"; and

(iii) by striking "Federal Campaign" and inserting "Federal Election Campaign".

(18) Section 2430(c)(2) is amended by striking "section 2366a(a)(4)" and inserting "section 2366a(a)(6)".

(19) Section 2601a is amended—

(A) in subsection (a)(1), by striking "issue" and inserting "prescribe"; and

(B) in subsection (d), by striking "issued" and inserting "prescribed".

(20) Section 2371 is amended by striking subsection (h).

(21) The item relating to section 2642 in the table of sections at the beginning of chapter 157 is amended by striking "rates" and inserting "rate". 10 USC prec. 2631.

(22) Section 2642(a)(3) is amended by inserting "and" after "Department of Defense".

(23) Section 2684a(h) is amended by inserting "670" after "U.S.C.".

(24) Section 2853(c)(1)(A) is amended by striking "can be still be" and inserting "can still be".

(25) Section 2866(a)(4)(A) is amended by striking "repayed" and inserting "repaid".

(26) Section 2884(c) is amended by striking "on evaluation" in the matter preceding paragraph (1) and inserting "an evaluation".

(27) Section 7292(d)(2) is amended by striking "section 1024(a)" and inserting "section 1018(a)".

(g) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014.—Effective as of December 26, 2013, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66) is amended as follows: 10 USC 153 note.

(1) Section 314 (127 Stat. 729) is amended by striking "Section 317(c)(2)" and inserting "Section 317(d)(2)". 10 USC 2701 note.

(2) Section 812(a)(3)(B) (127 Stat. 807) is amended by inserting "the first place it appears" before the semicolon. 10 USC 2432.

(3) Section 905(b) (127 Stat. 818) is amended by striking "TRAINING, AND EDUCATION" and inserting "TRAINING, AND EDUCATION". 10 USC 153.

(4) Section 1073(a)(2)(B) (127 Stat. 869) is amended by striking "and" after "inserting". 10 USC 2642.

(5) Section 1709(b)(1)(B) (127 Stat. 962; 10 U.S.C. 113 note) is amended by striking "of" after "such".

(6) Section 2712 (127 Stat. 1004) is repealed.

(7) Section 2809(a) (127 Stat. 1013) is amended by striking "subjection" and inserting "subsection".

(8) Section 2966 (127 Stat. 1042) is amended in the section heading by striking "**TITLE**" and inserting "**ADMINISTRATIVE JURISDICTION**".

(9) Section 2971(a) (127 Stat. 1044) is amended—

(A) by striking "the map" and inserting "the maps"; and

(B) by striking "the mineral leasing laws, and the geothermal leasing laws" and inserting "and the mineral leasing laws".

(10) Section 2972(d)(1) (127 Stat. 1045) is amended—

(A) in subparagraph (A), by inserting "public" before "land"; and

(B) in subparagraph (B), by striking "public".

(11) Section 2977(c)(3) (127 Stat. 1047) is amended by striking "; and" and inserting a period.

37 USC 403 note.

(h) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.—Effective as of January 2, 2013, and as if included therein as enacted, section 604(b)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1774) is amended by striking "on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013" and inserting "on January 2, 2013,".

(i) IKE SKELTON NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.—Section 1631(b)(6) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by striking "section 596(b) of such Act" and inserting "section 596(b) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 1561 note)".

(j) STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.—Section 11(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–2(b)(2)) is amended by striking "under section 9(b)(2)(G)" and inserting "under section 9(b)(2)(H)".

10 USC 101 note.

(k) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1072. REFORM OF QUADRENNIAL DEFENSE REVIEW.

(a) IN GENERAL.—

(1) REFORM.—Section 118 of title 10, United States Code, is amended to read as follows:

"§ 118. Defense Strategy Review

"(a) DEFENSE STRATEGY REVIEW.—

"(1) REVIEW REQUIRED.—Every four years, during a year following a year evenly divisible by four, the Secretary of Defense shall conduct a comprehensive examination (to be known as a 'Defense Strategy Review') of the national defense strategy, force structure, modernization plans, posture, infrastructure, budget plan, and other elements of the defense program and policies of the United States with a view toward determining and expressing the defense strategy of the United States and establishing a defense program. Each such Defense Strategy Review shall be conducted in consultation with the Chairman of the Joint Chiefs of Staff.

"(2) CONDUCT OF REVIEW.—Each Defense Strategy Review shall be conducted so as to—

"(A) delineate a national defense strategy in support of the most recent National Security Strategy prescribed by the President pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 3043);

"(B) provide a mechanism for—

"(i) setting priorities for sizing and shaping the force, guiding the development and sustainment of capabilities, allocating resources, and adjusting the organization of the Department of Defense to respond to changes in the strategic environment;

"(ii) monitoring, assessing, and holding accountable agencies within the Department of Defense for the development of policies and programs that support the national defense strategy;

"(iii) integrating and supporting other national and related interagency security policies and strategies with other Department of Defense guidance, plans, and activities; and

"(iv) communicating such national defense strategy to Congress, relevant United States Government agencies, allies and international partners, and the private sector;

"(C) consider three general timeframes of the near-term (associated with the future-years defense program), mid-term (10 to 15 years), and far-term (20 years);

"(D) address the security environment, threats, trends, opportunities, and challenges, and define the nature and magnitude of the strategic and military risks associated with executing the national defense strategy by using the most recent net assessment submitted by the Secretary of Defense under section 113 of this title, the risk assessment submitted by Chairman of the Joint Chiefs of Staff under section 153 of this title, and, as determined necessary or useful by the Secretary, any other Department of Defense, Government, or non-government strategic or intelligence estimate, assessment, study, or review;

"(E) define the force size and structure, capabilities, modernization plans, posture, infrastructure, readiness, organization, and other elements of the defense program of the Department of Defense that would be required to execute missions called for in such national defense strategy;

"(F) to the extent practical, estimate the budget plan sufficient to execute the missions called for in such national defense strategy;

"(G) define the nature and magnitude of the strategic and military risks associated with executing such national defense strategy; and

"(H) understand the relationships and tradeoffs between missions, risks, and resources.

"(3) SUBMISSION OF REPORT ON DEFENSE STRATEGY REVIEW TO CONGRESSIONAL COMMITTEES.—The Secretary shall submit a report on each Defense Strategy Review to the Committees on Armed Services of the Senate and the House of Representatives. Each such report shall be submitted by not later than March 1 of the year following the year in which the review is conducted. If the year in which the review is conducted

is in the second term of a President, the Secretary may submit an update to the Defense Strategy Review report submitted during the first term of that President.

"(4) ELEMENTS.—The report required by paragraph (3) shall provide a comprehensive discussion of the Review, including each of the following:

"(A) The national defense strategy of the United States.

"(B) The assumed or defined prioritized national security interests of the United States that inform the national defense strategy defined in the Review.

"(C) The assumed strategic environment, including the threats, developments, trends, opportunities, and challenges that affect the assumed or defined national security interests of the United States.

"(D) The assumed steady state activities, crisis and conflict scenarios, military end states, and force planning construct examined in the review.

"(E) The prioritized missions of the armed forces under the strategy and a discussion of the roles and missions of the components of the armed forces to carry out those missions.

"(F) The assumed roles and capabilities provided by other United States Government agencies and by allies and international partners.

"(G) The force size and structure, capabilities, posture, infrastructure, readiness, organization, and other elements of the defense program that would be required to execute the missions called for in the strategy.

"(H) An assessment of the significant gaps and shortfalls between the force size and structure, capabilities, and additional elements as required by subparagraph (G) and the current elements in the Department's existing program of record, a prioritization of those gaps and shortfalls, and an understanding of the relationships and tradeoffs between missions, risks, and resources.

"(I) An assessment of the risks assumed by the strategy, including—

"(i) how the Department defines, categorizes, and measures risk, including strategic and military risk; and

"(ii) the plan for mitigating major identified risks, including the expected timelines for, and extent of, any such mitigation, and the rationale for where greater risk is accepted.

"(J) Any other key assumptions and elements addressed in the review or that the Secretary considers necessary to include.

"(5) CJCS REVIEW.—(A) Upon the completion of each Review under this subsection, the Chairman of the Joint Chiefs of Staff shall prepare and submit to the Secretary of Defense the Chairman's assessment of risks under the defense strategy developed by the Review and a description of the capabilities needed to address such risks.

"(B) The Chairman's assessment shall be submitted to the Secretary in time for the inclusion of the assessment in the report on the Review required by paragraph (3). The Secretary

shall include the Chairman's assessment, together with the Secretary's comments, in the report in its entirety.

"(6) FORM.—The report required under paragraph (3) shall be submitted in unclassified form, but may include a classified annex if the Secretary determines it is necessary to protect national security.

"(b) NATIONAL DEFENSE PANEL.—

"(1) ESTABLISHMENT.—Not later than February 1 of a year following a year evenly divisible by four, there shall be established an independent panel to be known as the National Defense Panel (in this subsection referred to as the 'Panel'). The Panel shall have the duties set forth in this subsection.

"(2) MEMBERSHIP.—The Panel shall be composed of ten members from private civilian life who are recognized experts in matters relating to the national security of the United States. Eight of the members shall be appointed as follows:

"(A) Two by the chairman of the Committee on Armed Services of the House of Representatives.

"(B) Two by the chairman of the Committee on Armed Services of the Senate.

"(C) Two by the ranking member of the Committee on Armed Services of the House of Representatives.

"(D) Two by the ranking member of the Committee on Armed Services of the Senate.

"(3) CO-CHAIRS OF THE PANEL.—In addition to the members appointed under paragraph (2), the Secretary of Defense shall appoint two members from private civilian life to serve as co-chairs of the panel.

"(4) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Panel. Any vacancy in the Panel shall be filled in the same manner as the original appointment.

"(5) DUTIES.—The Panel shall have the following duties with respect to a Defense Strategy Review conducted under subsection (a):

"(A) Assessing the current and future security environment, including threats, trends, developments, opportunities, challenges, and risks, by using the most recent net assessment submitted by the Secretary of Defense under section 113 of this title, the risk assessment submitted by Chairman of the Joint Chiefs of Staffs under section 153 of this title, and, as determined necessary or useful by the Panel, any other Department of Defense, Government, or non-government strategic or intelligence estimate, assessment, study, review, or expert.

"(B) Suggesting key issues that should be addressed in the Defense Strategy Review.

"(C) Based upon the assessment under subparagraph (A), identifying and discussing the national security interests of the United States and the role of the armed forces and the Department of Defense related to the protection or promotion of those interests.

"(D) Assessing the report on the Defense Strategy Review submitted by the Secretary of Defense under subsection (a)(3).

"(E) Assessing the assumptions, strategy, findings, and risks of the report on the Defense Strategy Review submitted under subsection (a)(3).

"(F) Considering alternative defense strategies.

"(G) Assessing the force structure and capabilities, posture, infrastructure, readiness, organization, budget plans, and other elements of the defense program of the United States to execute the missions called for in the Defense Strategy Review and in the alternative strategies considered under subparagraph (F).

"(H) Providing to Congress and the Secretary of Defense, in the report required by paragraph (7), any recommendations it considers appropriate for their consideration.

"(6) FIRST MEETING.—If the Secretary of Defense has not made the Secretary's appointments to the Panel under paragraph (3) by March 1 of a year in which the Panel is established, the Panel shall convene for its first meeting with the remaining members.

"(7) REPORTS.—Not later than three months after the date on which the report on a Defense Strategy Review is submitted under paragraph (3) of subsection (a) to the committees of Congress referred to in such paragraph, the Panel shall submit to such committees a report on the Panel's assessment of such Defense Strategy Review, as required by paragraph (5).

"(8) ADMINISTRATIVE PROVISIONS.—The following administrative provisions apply to a Panel established under paragraph (1):

"(A) The Panel may request directly from the Department of Defense and any of its components such information as the Panel considers necessary to carry out its duties under this subsection. The head of the department or agency concerned shall cooperate with the Panel to ensure that information requested by the Panel under this paragraph is promptly provided to the maximum extent practical.

"(B) Upon the request of the co-chairs, the Secretary of Defense shall make available to the Panel the services of any federally funded research and development center that is covered by a sponsoring agreement of the Department of Defense.

"(C) The Panel shall have the authorities provided in section 3161 of title 5 and shall be subject to the conditions set forth in such section.

"(D) Funds for activities of the Panel shall be provided from amounts available to the Department of Defense.

"(9) TERMINATION.—A Panel established under paragraph (1) shall terminate 45 days after the date on which the Panel submits its report on a Defense Strategy Review under paragraph (7).".

(2) CLERICAL AMENDMENT.—The item relating to section 118 at the beginning of chapter 2 of such title is amended to read as follows:

10 USC prec. 111.

"118. Defense Strategy Review.".

(b) REPEAL OF QUADRENNIAL ROLES AND MISSIONS REVIEW.—

(1) REPEAL.—Chapter 2 of such title is amended by striking section 118b. 10 USC 118b.

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 118b. 10 USC prec. 111.

(c) EFFECTIVE DATE.—Section 118 of such title, as amended by subsection (a), and the amendments made by this section, shall take effect on October 1, 2015. 10 USC 118 note.

(d) ADDITIONAL REQUIREMENT FOR NEXT DEFENSE STRATEGY REVIEW.—The first Defense Strategy Review required by subsection (a)(1) of section 118 of title 10, United States Code, as amended by subsection (a) of this section, shall include an analysis of enduring mission requirements for equipping, training, sustainment, and other operation and maintenance activities of the Department of Defense, including the Defense Agencies and military departments, that are financed by amounts authorized to be appropriated for overseas contingency operations. 10 USC 118 note.

SEC. 1073. BIENNIAL SURVEYS OF DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES ON WORKPLACE AND GENDER RELATIONS MATTERS.

(a) SURVEYS REQUIRED.—

(1) IN GENERAL.—Chapter 23 of title 10, United States Code, is amended by inserting after section 481 the following new section:

"§ 481a. Workplace and gender relations issues: surveys of Department of Defense civilian employees 10 USC 481a.

"(a) IN GENERAL.—(1) The Secretary of Defense shall carry out every other fiscal year a survey of civilian employees of the Department of Defense to solicit information on gender issues, including issues relating to gender-based assault, harassment, and discrimination, and the climate in the Department for forming professional relationships between male and female civilian employees of the Department.

"(2) Each survey under this section shall be known as a 'Department of Defense Civilian Employee Workplace and Gender Relations Survey'.

"(b) ELEMENTS.—Each survey conducted under this section shall be conducted so as to solicit information on the following:

"(1) Indicators of positive and negative trends for professional and personal relationships between male and female civilian employees of the Department of Defense.

"(2) The specific types of assault on civilian employees of the Department by other personnel of the Department (including contractor personnel) that have occurred, and the number of times each respondent has been so assaulted during the preceding fiscal year.

"(3) The effectiveness of Department policies designed to improve professional relationships between male and female civilian employees of the Department.

"(4) The effectiveness of current processes for complaints on and investigations into gender-based assault, harassment, and discrimination involving civilian employees of the Department.

"(5) Any other issues relating to assault, harassment, or discrimination involving civilian employees of the Department that the Secretary considers appropriate.

"(c) REPORT TO CONGRESS.—Upon the completion of a survey under this section, the Secretary shall submit to Congress a report containing the results of the survey.".

10 USC prec. 48.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by inserting after the item relating to section 481 the following new item:

"481a. Workplace and gender relations issues: surveys of Department of Defense civilian employees.".

10 USC 481a note.

(3) INITIAL SURVEY.—The Secretary of Defense shall carry out the first survey required by section 481a of title 10, United States Code (as added by this subsection), during fiscal year 2016.

(b) REPORT ON FEASIBILITY OF SIMILAR SURVEYS OF MILITARY DEPENDENTS AND DEPARTMENT OF DEFENSE CONTRACTORS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment by the Secretary of the feasibility of conducting recurring surveys of each population specified in paragraph (2) on issues relating to gender-based assault, harassment, and discrimination.

(2) COVERED POPULATIONS.—The populations specified in this paragraph are the following:

(A) Military dependents.

(B) Contractors of the Department of Defense.

SEC. 1074. REVISION TO STATUTE OF LIMITATIONS FOR AVIATION INSURANCE CLAIMS.

(a) IN GENERAL.—Section 44309 of title 49, United States Code, is amended—

(1) in subsection (a)(2), by adding at the end the following new sentence: "A civil action shall not be instituted against the United States under this chapter unless the claimant first presents the claim to the Secretary of Transportation and such claim is finally denied by the Secretary in writing and notice of the denial of such claim is sent by certified or registered mail."; and

(2) by striking subsection (c) and inserting the following new subsection (c):

"(c) TIME REQUIREMENTS.—(1) Except as provided under paragraph (2), an insurance claim made under this chapter against the United States shall be forever barred unless it is presented in writing to the Secretary of Transportation within two years after the date on which the loss event occurred. Any civil action arising out of the denial of such a claim shall be filed by not later than six months after the date of the mailing, by certified or registered mail, of notice of final denial of the claim by the Secretary.

"(2)(A) For claims based on liability to persons with whom the insured has no privity of contract, an insurance claim made under the authority of this chapter against the United States shall be forever barred unless it is presented in writing to the Secretary of Transportation by not later than the earlier of—

"(i) the date that is 60 days after the date on which final judgment is entered by a tribunal of competent jurisdiction; or

"(ii) the date that is six years after the date on which the loss event occurred.

"(B) Any civil action arising out of the denial of such claim shall be filed by not later than six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the Secretary.

"(3) A claim made under this chapter shall be deemed to be administratively denied if the Secretary fails to make a final disposition of the claim before the date that is 6 months after the date on which the claim is presented to the Secretary, unless the Secretary makes a different agreement with the claimant when there is good cause for an agreement.".

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to a claim arising after the date of the enactment of this Act. 47 USC 44309 note.

SEC. 1075. PILOT PROGRAM FOR THE HUMAN TERRAIN SYSTEM. 10 USC 3013 note.

(a) PILOT PROGRAM REQUIRED.—The Secretary of the Army may carry out a pilot program under which the Secretary utilizes Human Terrain System assets in the United States Pacific Command area of responsibility to support phase 0 shaping operations and the theater security cooperation plans of the Commander of the United States Pacific Command.

(b) REPORTS.—

(1) INITIAL REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the status of the pilot program under this section. Such report shall include the independent analysis and recommendations of the Commander of the United States Pacific Command regarding the effectiveness of the program and how it could be improved.

(2) FINAL REPORT.—Not later than December 1, 2016, the Secretary of the Army shall submit to the congressional defense committees a final report on the pilot program. Such report shall include an analysis of the comparative value of human terrain information relative to other analytic tools and techniques, recommendations regarding expanding the program to include other combatant commands, and any improvements to the program and necessary resources that would enable expanding the program.

(c) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on September 30, 2016.

SEC. 1076. CLARIFICATION OF POLICIES ON MANAGEMENT OF SPECIAL USE AIRSPACE OF DEPARTMENT OF DEFENSE. 10 USC 113 note.

(a) ISSUANCE OF GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to clarify the policies of the Department of Defense with respect to—

(1) the appropriate management of special use airspace managed by the Department; and

(2) governing access by non-Department users to such special use airspace.

(b) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the status of implementing the guidance issued under subsection (a).

SEC. 1077. DEPARTMENT OF DEFENSE POLICIES ON COMMUNITY INVOLVEMENT IN DEPARTMENT COMMUNITY OUTREACH EVENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report setting forth such recommendations as the Secretary considers appropriate for modifications of the policies of the Department of Defense on the involvement of non-Federal entities in Department community outreach events (including air shows, parades, open houses, and performances by military musical units) that feature any unit, aircraft, vessel, equipment, or members of the Armed Forces in order to increase the involvement of non-Federal entities in such events.

(b) CONSULTATION.—The Secretary shall prepare the report required by subsection (a) in consultation with the Director of the Office of Government Ethics.

(c) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of current Department of Defense policies and regulations on the acceptance and use of voluntary gifts, donations, sponsorships, and other forms of support from non-Federal entities and persons for Department community outreach events described in subsection (a), including the authorities or requirements of the Department to accept fees for such air shows, parades, open houses, and performances by military musical units.

(2) Recommendations for modifications of such policies and regulations in order to permit additional voluntary support and funding from non-Federal entities for such events, including recommendations on matters such as increased recognition of donors, authority for military units to endorse the fundraising efforts of certain donors, and authority for the Armed Forces to charge fees or solicit and accept donations for parking and admission to such events.

10 USC 2224 note.

SEC. 1078. NOTIFICATION OF FOREIGN THREATS TO INFORMATION TECHNOLOGY SYSTEMS IMPACTING NATIONAL SECURITY.

(a) NOTIFICATION REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the Secretary of Defense determines, through the use of open source information or the use of existing authorities (including section 806 of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4260; 10 U.S.C. 2304 note)), that there is evidence of a national security threat described in paragraph (2), the Secretary shall submit to the congressional defense committees a notification of such threat.

(2) NATIONAL SECURITY THREAT.—A national security threat described in this paragraph is a threat to an information technology or telecommunications component or network by an agent of a foreign power in which the compromise of such technology, component, or network poses a significant risk to

the programs and operations of the Department of Defense, as determined by the Secretary of Defense.

(3) FORM.—A notification under this subsection shall be submitted in classified form.

(b) ACTION PLAN REQUIRED.—In the event that a notification is submitted pursuant to subsection (a), the Secretary shall work with the head of any department or agency affected by the national security threat to develop a plan of action for responding to the concerns leading to the notification.

(c) AGENT OF A FOREIGN POWER.—In this section, the term "agent of a foreign power" has the meaning given such term in section 101(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(b)).

SEC. 1079. PILOT PROGRAM TO REHABILITATE AND MODIFY HOMES OF DISABLED AND LOW-INCOME VETERANS.

38 USC 2101 note.

(a) DEFINITIONS.—In this section:

(1) DISABLED.—The term "disabled" means an individual with a disability, as defined by section 12102 of title 42, United States Code.

(2) ELIGIBLE VETERAN.—The term "eligible veteran" means a disabled or low-income veteran.

(3) ENERGY EFFICIENT FEATURES OR EQUIPMENT.—The term "energy efficient features or equipment" means features of, or equipment in, a primary residence that help reduce the amount of electricity used to heat, cool, or ventilate such residence, including insulation, weatherstripping, air sealing, heating system repairs, duct sealing, or other measures.

(4) LOW-INCOME VETERAN.—The term "low-income veteran" means a veteran whose income does not exceed 80 percent of the median income for an area, as determined by the Secretary.

(5) NONPROFIT ORGANIZATION.—The term "nonprofit organization" means an organization that is—

(A) described in section 501(c)(3) or 501(c)(19) of the Internal Revenue Code of 1986; and

(B) exempt from tax under section 501(a) of such Code.

(6) PRIMARY RESIDENCE.—

(A) IN GENERAL.—The term "primary residence" means a single family house, a duplex, or a unit within a multiple-dwelling structure that is the principal dwelling of an eligible veteran and is owned by such veteran or a family member of such veteran.

(B) FAMILY MEMBER DEFINED.—For purposes of this paragraph, the term "family member" includes—

(i) a spouse, child, grandchild, parent, or sibling;

(ii) a spouse of such a child, grandchild, parent, or sibling; or

(iii) any individual related by blood or affinity whose close association with a veteran is the equivalent of a family relationship.

(7) QUALIFIED ORGANIZATION.—The term "qualified organization" means a nonprofit organization that provides nationwide or statewide programs that primarily serve veterans or low-income individuals.

(8) SECRETARY.—The term "Secretary" means the Secretary of Housing and Urban Development.

(9) VETERAN.—The term "veteran" has the meaning given the term in section 101 of title 38, United States Code.

(10) VETERANS SERVICE ORGANIZATION.—The term "veterans service organization" means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

(b) ESTABLISHMENT OF A PILOT PROGRAM.—

(1) GRANT.—

(A) IN GENERAL.—The Secretary shall establish a pilot program to award grants to qualified organizations to rehabilitate and modify the primary residence of eligible veterans.

(B) COORDINATION.—The Secretary shall work in conjunction with the Secretary of Veterans Affairs to establish and oversee the pilot program and to ensure that such program meets the needs of eligible veterans.

(C) MAXIMUM GRANT.—A grant award under the pilot program to any one qualified organization shall not exceed $1,000,000 in any one fiscal year, and such an award shall remain available until expended by such organization.

(2) APPLICATION.—

(A) IN GENERAL.—Each qualified organization that desires a grant under the pilot program shall submit an application to the Secretary at such time, in such manner, and, in addition to the information required under subparagraph (B), accompanied by such information as the Secretary may reasonably require.

(B) CONTENTS.—Each application submitted under subparagraph (A) shall include—

(i) a plan of action detailing outreach initiatives;

(ii) the approximate number of veterans the qualified organization intends to serve using grant funds;

(iii) a description of the type of work that will be conducted, such as interior home modifications, energy efficiency improvements, and other similar categories of work; and

(iv) a plan for working with the Department of Veterans Affairs and veterans service organizations to identify veterans who are not eligible for programs under chapter 21 of title 38, United States Code, and meet their needs.

(3) USE OF FUNDS.—A grant award under the pilot program shall be used—

(A) to modify and rehabilitate the primary residence of an eligible veteran, and may include—

(i) installing wheelchair ramps, widening exterior and interior doors, reconfigurating and re-equipping bathrooms (which includes installing new fixtures and grab bars), removing doorway thresholds, installing special lighting, adding additional electrical outlets and electrical service, and installing appropriate floor coverings to—

(I) accommodate the functional limitations that result from having a disability; or

(II) if such residence does not have modifications necessary to reduce the chances that an elderly, but not disabled person, will fall in their

home, reduce the risks of such an elderly person from falling;

(ii) rehabilitating such residence that is in a state of interior or exterior disrepair; and

(iii) installing energy efficient features or equipment if—

(I) an eligible veteran's monthly utility costs for such residence is more than 5 percent of such veteran's monthly income; and

(II) an energy audit of such residence indicates that the installation of energy efficient features or equipment will reduce such costs by 10 percent or more; and

(B) in connection with modification and rehabilitation services provided under the pilot program, to provide technical, administrative, and training support to an affiliate of a qualified organization receiving a grant under such pilot program.

(4) LIMITATION ON USE OF FUNDS.—Funds may be expended under the pilot program only for the benefit of an eligible veteran who the Secretary determines is residing in and reasonably intends to continue residing in a primary residence owned by such veteran or by a member of such veteran's family. The Secretary shall make this determination on the basis of a certification by the veteran or a member of the veteran's family that the veteran intends to continue residing in the primary residence for a sufficient period of time to be determined by the Secretary.

(5) OVERSIGHT.—The Secretary shall direct the oversight of the grant funds for the pilot program so that such funds are used efficiently until expended to fulfill the purpose of addressing the adaptive housing needs of eligible veterans.

(6) MATCHING FUNDS.—

(A) IN GENERAL.—A qualified organization receiving a grant under the pilot program shall contribute towards the housing modification and rehabilitation services provided to eligible veterans an amount equal to not less than 50 percent of the grant award received by such organization.

(B) IN-KIND CONTRIBUTIONS.—In order to meet the requirement under subparagraph (A), such organization may arrange for in-kind contributions.

(7) LIMITATION COST TO THE VETERANS.—A qualified organization receiving a grant under the pilot program shall modify or rehabilitate the primary residence of an eligible veteran at no cost to such veteran (including application fees) or at a cost such that such veteran pays no more than 30 percent of his or her income in housing costs during any month.

(8) REPORTS.—

(A) ANNUAL REPORT.—The Secretary shall submit to Congress, on an annual basis, a report that provides, with respect to the year for which such report is written—

(i) the number of eligible veterans provided assistance under the pilot program;

(ii) the socioeconomic characteristics of such veterans, including their gender, age, race, and ethnicity;

(iii) the total number, types, and locations of entities contracted under such program to administer the grant funding;

(iv) the amount of matching funds and in-kind contributions raised with each grant;

(v) a description of the housing rehabilitation and modification services provided, costs saved, and actions taken under such program;

(vi) a description of the outreach initiatives implemented by the Secretary to educate the general public and eligible entities about such program;

(vii) a description of the outreach initiatives instituted by grant recipients to engage eligible veterans and veteran service organizations in projects utilizing grant funds under such program;

(viii) a description of the outreach initiatives instituted by grant recipients to identify eligible veterans and their families; and

(ix) any other information that the Secretary considers relevant in assessing such program.

(B) FINAL REPORT.—Not later than 6 months after the completion of the pilot program, the Secretary shall submit to Congress a report that provides such information that the Secretary considers relevant in assessing the pilot program.

(C) INSPECTOR GENERAL REPORT.—Not later than March 31, 2019, the Inspector General of the Department of Housing and Urban Development shall submit to the Chairmen and Ranking Members of the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report containing a review of—

(i) the use of appropriated funds by the Secretary and by grantees under the pilot program; and

(ii) oversight and accountability of grantees under the pilot program.

(9) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Department of Housing and Urban Development for carrying out this section $4,000,000 for each of fiscal years 2015 through 2019.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Effective January 1, 2015, section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1101 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66), is further amended by striking "through 2014" and inserting "through 2015".

SEC. 1102. ONE-YEAR EXTENSION OF DISCRETIONARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and most recently amended by section 1102 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66), is further amended by striking "2015" and inserting "2016".

SEC. 1103. REVISION TO LIST OF SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

Section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2487; 10 U.S.C. 2358 note) is amended by adding at the end the following:

"(18) The Army Research Institute for the Behavioral and Social Sciences.

"(19) The Space and Missile Defense Command Technical Center.".

SEC. 1104. EXTENSION AND MODIFICATION OF EXPERIMENTAL PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL.

(a) POSITIONS COVERED BY AUTHORITY.—

(1) IN GENERAL.—Subsection (b)(1) of section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note) is amended—

(A) in subparagraph (A), by striking "60 scientific and engineering positions" and inserting "100 scientific and engineering positions";

(B) in subparagraph (B), by adding "and" at the end;

(C) by striking subparagraphs (C) and (D); and

(D) by redesignating subparagraph (E) as subparagraph (C).

(2) CONFORMING AMENDMENT.—Subsection (c)(2) of such section is amended by striking "the Defense Advanced Research Projects Agency" and inserting "the Department of Defense".

(b) ADDITIONAL PAYMENTS.—Subsection (d) of such section is amended—

(1) in paragraph (1), by striking "12-month period" and inserting "calendar year"; and

(2) in paragraph (2), by striking "fiscal year" and inserting "calendar year".

(c) EXTENSION.—Subsection (e)(1) of such section is amended by striking "September 30, 2016" and inserting "September 30, 2019".

SEC. 1105. TEMPORARY AUTHORITIES FOR CERTAIN POSITIONS AT DEPARTMENT OF DEFENSE RESEARCH AND ENGINEERING FACILITIES.

10 USC 2358 note.

Section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66) is amended—

(1) in subsection (a), by adding at the end the following:

"(3) STUDENTS ENROLLED IN SCIENTIFIC AND ENGINEERING PROGRAMS.—The director of any STRL may appoint qualified candidates enrolled in a program of undergraduate or graduate instruction leading to a bachelor's or an advanced degree in a scientific, technical, engineering or mathematical course of study at an institution of higher education (as that term is defined in section 101 and 102 of the Higher Education Act of 1965 (20 U.S.C. 1001)) to positions described in paragraph (3) of subsection (b) as an employee in a laboratory described in that paragraph without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such title).";

(2) in subsection (b), by adding at the end the following:

"(3) CANDIDATES ENROLLED IN SCIENTIFIC AND ENGINEERING PROGRAMS.—The positions described in this paragraph are scientific and engineering positions that may be temporary or term in any laboratory designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2486; 10 U.S.C. 2358 note) as a Department of Defense science and technology reinvention laboratory."; and

(3) in subsection (c), by adding at the end the following:

"(3) In the case of a laboratory described in subsection (b)(3), with respect to appointment authority under subsection (a)(3), the number equal to 3 percent of the total number of scientific and engineering positions in such laboratory that are filled as of the close of the fiscal year last ending before the start of such calendar year.".

SEC. 1106. RATE OF OVERTIME PAY FOR DEPARTMENT OF THE NAVY EMPLOYEES PERFORMING WORK ABOARD OR DOCKSIDE IN SUPPORT OF THE NUCLEAR AIRCRAFT CARRIER FORWARD DEPLOYED IN JAPAN.

(a) IN GENERAL.—Subparagraph (B) of section 5542(a)(6) of title 5, United States Code, is amended by striking "2014" and inserting "2015".

(b) LIMITATION ON OVERTIME PAY.—Notwithstanding the authority provided by such section (as amended by subsection (a)), during fiscal year 2015 the Secretary of the Navy may not pay more than $250,000 in overtime pay under such section until the Director of the Office of Personnel Management submits a report containing the information described in section 1105(b)(2) of Public Law 111–383, the National Defense Authorization Act for Fiscal Year 2011.

SEC. 1107. EXTENSION OF PART-TIME REEMPLOYMENT AUTHORITY.

(a) CSRS.—Section 8344(l)(7) of title 5, United States Code, is amended by striking "5 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2010" and inserting "on December 31, 2019".

(b) FERS.—Section 8468(i)(7) of such title is amended by striking "5 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2010" and inserting "on December 31, 2019".

(c) APPLICABILITY.—The amendments made by subsections (a) and (b) shall be effective as of October 28, 2014. 5 USC 8344 note.

SEC. 1108. PERSONNEL AUTHORITIES FOR CIVILIAN PERSONNEL FOR THE UNITED STATES CYBER COMMAND AND THE CYBER COMPONENT HEADQUARTERS OF THE MILITARY DEPARTMENTS.

Not later than 180 days after the date of the enactment of this Act, the Principal Cyber Advisor to the Secretary of Defense shall—

(1) identify improvements to be made to the employment, compensation, and promotion authorities of the Department of Defense to meet the needs of the United States Cyber Command and the cyber component headquarters of the military departments for obtaining and retaining civilian personnel with the skills and experience required to support the missions and responsibilities of those organizations;

(2) identify the additional employment, compensation, and promotion authorities necessary to ensure that the United States Cyber Command and the cyber component headquarters of the military departments have a civilian workforce able to support the missions and responsibilities of those organizations; and

(3) submit to the Secretary recommendations for administrative and legislative actions, including actions in connection with authorities identified pursuant to paragraph (2), to ensure that the United States Cyber Command and the cyber component headquarters of the military departments have a civilian workforce able to support the missions and responsibilities of those organizations.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Subtitle A—Assistance and Training

SEC. 1201. MODIFICATION AND EXTENSION OF GLOBAL SECURITY CONTINGENCY FUND.

(a) REVISIONS TO GLOBAL SECURITY CONTINGENCY FUND.—Subsection (c)(1) of section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1625; 22 U.S.C. 2151 note) is amended by striking "the provision of equipment, supplies, and training." and inserting the following: "the provision of the following:

"(A) Equipment, including routine maintenance and repair of such equipment.

"(B) Supplies.

"(C) With respect to amounts in the Fund appropriated or transferred into the Fund after the date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015, small-scale construction not exceeding $750,000 on a per-project basis.

"(D) Training.".

(b) AVAILABILITY OF FUNDS.—Subsection (i) of such section is amended—

(1) by striking "Amounts" and inserting the following:

"(1) IN GENERAL.—Except as provided in paragraph (2), amounts";

(2) by striking "September 30, 2015" and inserting "September 30, 2017"; and

(3) by adding at the end the following:

"(2) EXCEPTION.—Amounts appropriated and transferred to the Fund before the date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 shall remain available for obligation and expenditure after September 30, 2015, only for activities under programs commenced under subsection (b) before September 30, 2015.".

(c) EXPIRATION.—Subsection (p) of such section, as amended by section 1202(e) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 894), is further amended—

(1) by striking "September 30, 2015" and inserting "September 30, 2017";

(2) by striking "fiscal years 2012 through 2015" and inserting "fiscal years 2012 through 2017"; and

(3) by adding at the end before the period the following: "and subject to the requirements contained in paragraphs (1) and (2) of subsection (i)".

SEC. 1202. NOTICE TO CONGRESS ON CERTAIN ASSISTANCE UNDER AUTHORITY TO CONDUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF FOREIGN COUNTRIES TO RESPOND TO INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION.

Section 1204(e) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 896; 10 U.S.C. 401 note) is amended by inserting after "congressional defense committees" the following: "and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives".

SEC. 1203. ENHANCED AUTHORITY FOR PROVISION OF SUPPORT TO FOREIGN MILITARY LIAISON OFFICERS OF FOREIGN COUNTRIES WHILE ASSIGNED TO THE DEPARTMENT OF DEFENSE.

(a) ELIGIBILITY.—Subsection (a) of section 1051a of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking "The Secretary of Defense" and inserting "Subject to subsection (d), the Secretary of Defense"; and

(B) by striking "involved in a military operation with the United States";

(2) in paragraph (1), by striking "in connection with the planning for, or conduct of, a military operation"; and

(3) in paragraph (2), by striking "To the headquarters of" and all that follows and inserting "To the Joint Staff.".

(b) TRAVEL, SUBSISTENCE, AND MEDICAL CARE EXPENSES.—Subsection (b) of such section is amended—

(1) in paragraph (1)—

(A) by striking "to the headquarters of a combatant command"; and

(B) by inserting "or by the Chairman of the Joint Chiefs of Staff, as appropriate" before the period at the end; and

(2) in paragraph (3), by striking "if such travel" and all that follows and inserting "if such travel meets each of the following conditions:

"(A) The travel is in support of the national interests of the United States.

"(B) The commander of the relevant combatant command or the Chairman of the Joint Chiefs of Staff, as applicable, directs round-trip travel from the assigned location to one or more travel locations.".

(c) TERMS OF REIMBURSEMENT.—Subsection (c) of such section is amended—

(1) by striking "To the extent that the Secretary determines appropriate, the" and inserting "The"; and

(2) by adding at the end the following new sentence: "The terms of reimbursement shall be specified in the appropriate agreement used to assign the liaison officer to a combatant command or to the Joint Staff.".

(d) LIMITATION AND OVERSIGHT.—Such section, as so amended, is further amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsection:

"(d) LIMITATION AND OVERSIGHT.—(1) The amount of unreimbursed support for any liaison officer supported under subsection (b)(1) in any fiscal year may not exceed $200,000 (in fiscal year 2014 constant dollars).

"(2) The Chairman of the Joint Chiefs of Staff shall be responsible for implementing the authority under this section.".

(e) SECRETARY OF STATE COORDINATION.—Such section, as so amended, is further amended by inserting after subsection (d), as added by subsection (d)(2) of this section, the following new subsection (e):

"(e) SECRETARY OF STATE COORDINATION.—The authority of the Secretary of Defense to provide administrative services and support under subsection (a) for the performance of duties by a liaison officer of another nation may be exercised only with respect to a liaison officer of another nation whose assignment as described in that subsection is accepted by the Secretary of Defense with the coordination of the Secretary of State.".

(f) DEFINITION.—Subsection (f) of such section (as so redesignated) is amended by inserting "training programs conducted to familiarize, orient, or certify liaison personnel regarding unique aspects of the assignments of the liaison personnel," after "police protection,".

SEC. 1204. PROHIBITION ON USE OF FUNDS FOR ASSISTANCE TO UNITS OF FOREIGN SECURITY FORCES THAT HAVE COMMITTED A GROSS VIOLATION OF HUMAN RIGHTS.

(a) PROHIBITION.—

(1) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by adding at the end the following new section:

10 USC 2249e.

"§ 2249e. Prohibition on use of funds for assistance to units of foreign security forces that have committed a gross violation of human rights

"(a) IN GENERAL.—(1) Of the amounts made available to the Department of Defense, none may be used for any training, equipment, or other assistance for a unit of a foreign security force if the Secretary of Defense has credible information that the unit has committed a gross violation of human rights.

"(2) The Secretary of Defense shall, in consultation with the Secretary of State, ensure that prior to a decision to provide any training, equipment, or other assistance to a unit of a foreign security force full consideration is given to any credible information available to the Department of State relating to human rights violations by such unit.

"(b) EXCEPTION.—The prohibition in subsection (a)(1) shall not apply if the Secretary of Defense, after consultation with the Secretary of State, determines that the government of such country has taken all necessary corrective steps, or if the equipment or other assistance is necessary to assist in disaster relief operations or other humanitarian or national security emergencies.

"(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a)(1) if the Secretary determines that the waiver is required by extraordinary circumstances.

"(d) PROCEDURES.—The Secretary of Defense shall establish, and periodically update, procedures to ensure that any information in the possession of the Department of Defense about gross violations of human rights by units of foreign security forces is shared on a timely basis with the Department of State.

"(e) REPORT.—Not later than 15 days after the application of any exception under subsection (b) or the exercise of any waiver under subsection (c), the Secretary of Defense shall submit to the appropriate committees of Congress a report—

"(1) in the case of an exception under subsection (b), providing notice of the use of the exception and stating the grounds for the exception; and

"(2) in the case of a waiver under subsection (c), describing—

"(A) the information relating to the gross violation of human rights;

"(B) the extraordinary circumstances that necessitate the waiver;

"(C) the purpose and duration of the training, equipment, or other assistance; and

"(D) the United States forces and the foreign security force unit involved.

"(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term 'appropriate committees of Congress' means—

"(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

"(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 134 of such title is amended by adding at the end the following new item: 10 USC prec. 2241.

"2249e. Prohibition on use of funds for assistance to units of foreign security forces that have committed a gross violation of human rights.".

(b) ANNUAL REPORTS.— 10 USC 2249e note.

(1) IN GENERAL.—Not later than March 31, 2015, and every March 31 thereafter through 2024, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth for the preceding fiscal year the following:

(A) The total number of cases submitted for vetting for purposes of section 2249e of title 10, United States Code (as added by subsection (a)), and the total number of such cases approved, or suspended or rejected for human rights reasons, non-human rights reasons, or administrative reasons.

(B) In the case of units rejected for non-human rights reasons, a detailed description of the reasons relating to the rejection.

(C) A description of the interagency processes that were used to evaluate compliance with requirements to conduct vetting.

(D) An addendum that includes any comments by the commanders of the combatant commands about the impact of section 2249e of title 10, United States Code (as so added), on their theater security cooperation plan.

(E) Such other matters with respect to the administration of section 2249e of title 10, United States Code (as so added), as the Secretary considers appropriate.

(2) FORM.—Each report under this subsection shall be submitted in unclassified form, but may include a classified annex.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term "appropriate committees of Congress" has the meaning given that term in subsection (f) of section 2249e of title 10, United States Code (as so added).

SEC. 1205. CODIFICATION AND ENHANCEMENT OF AUTHORITY TO BUILD THE CAPACITY OF FOREIGN SECURITY FORCES.

(a) CODIFICATION, EXTENSION, AND ENHANCEMENT OF AUTHORITY.—

(1) IN GENERAL.—Chapter 136 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2282. Authority to build the capacity of foreign security forces 10 USC 2282.

"(a) AUTHORITY.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to conduct or support a program or programs as follows:

"(1) To build the capacity of a foreign country's national military forces in order for that country to—

"(A) conduct counterterrorism operations; or

"(B) participate in or support on-going allied or coalition military or stability operations that benefit the national security interests of the United States.

"(2) To build the capacity of a foreign country's national maritime or border security forces to conduct counterterrorism operations.

"(3) To build the capacity of a foreign country's national-level security forces that have among their functional responsibilities a counterterrorism mission in order for such forces to conduct counterterrorism operations.

"(b) TYPES OF CAPACITY BUILDING.—

"(1) AUTHORIZED ELEMENTS.—A program under subsection (a) may include the provision of equipment, supplies, training, defense services, and small-scale military construction.

"(2) REQUIRED ELEMENTS.—A program under subsection (a) shall include elements that promote the following:

"(A) Observance of and respect for human rights and fundamental freedoms.

"(B) Respect for civilian control of the military.

"(c) LIMITATIONS.—

"(1) ANNUAL FUNDING LIMITATION.—The Secretary of Defense may use amounts specifically authorized and appropriated or otherwise made available to carry out programs under this section on an annual basis to carry out programs authorized by subsection (a).

"(2) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in subsection (b) that is otherwise prohibited by any provision of law.

"(3) LIMITATION ON ELIGIBLE COUNTRIES.—The Secretary of Defense may not use the authority in subsection (a) to provide assistance described in subsection (b) to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

"(4) AVAILABILITY OF FUNDS FOR ACTIVITIES ACROSS FISCAL YEARS.—

"(A) IN GENERAL.—Amounts made available in a fiscal year to carry out the authority in subsection (a) may be used for programs under that authority that begin in the fiscal year such amounts are made available but end in the next fiscal year.

"(B) ACHIEVEMENT OF FULL OPERATIONAL CAPABILITY.—If, in accordance with subparagraph (A), equipment is delivered under a program under the authority in subsection (a) in the fiscal year after the fiscal year in which the program begins, amounts for supplies, training, defense services, and small-scale military construction associated with such equipment and necessary to ensure that the recipient unit achieves full operational capability for such equipment may be used in the fiscal year in which the foreign country takes receipt of such equipment and in the next fiscal year.

"(5) LIMITATIONS ON AVAILABILITY OF FUNDS FOR SMALL-SCALE MILITARY CONSTRUCTION.—

"(A) ACTIVITIES UNDER PARTICULAR PROGRAMS.—The amount that may be obligated or expended for small-scale military construction activities under any particular program authorized under subsection (a) may not exceed $750,000.

"(B) ACTIVITIES UNDER ALL PROGRAMS.—The amount that may be obligated or expended for small-scale military construction activities during a fiscal year for all programs authorized under subsection (a) during that fiscal year may not exceed up to five percent of the amount made available in such fiscal year to carry out the authority in subsection (a).

"(d) FORMULATION AND EXECUTION OF PROGRAM.—The Secretary of Defense and the Secretary of State shall jointly formulate any program under subsection (a). The Secretary of Defense shall coordinate with the Secretary of State in the implementation of any program under subsection (a).

"(e) CONGRESSIONAL NOTIFICATION.—

"(1) IN GENERAL.—Not less than 15 days before initiating activities under a program under subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a notice of the following:

"(A) The country whose capacity to engage in activities in subsection (a) will be built under the program.

"(B) The budget, implementation timeline with milestones, anticipated delivery schedule for assistance, military department responsible for management and associated program executive office, and completion date for the program.

"(C) The source and planned expenditure of funds to complete the program.

"(D) A description of the arrangements, if any, for the sustainment of the program and the source of funds to support sustainment of the capabilities and performance outcomes achieved under the program beyond its completion date, if applicable.

"(E) A description of the program objectives and assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient unit.

"(F) Information, including the amount, type, and purpose, on the assistance provided the country during the three preceding fiscal years under each of the following programs, accounts, or activities:

"(i) A program under this section.

"(ii) The Foreign Military Financing program under the Arms Export Control Act.

"(iii) Peacekeeping Operations.

"(iv) The International Narcotics Control and Law Enforcement (INCLE) program under section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291).

"(v) Nonproliferation, Anti-Terrorism, Demining, and Related Programs (NADR).

"(vi) Counterdrug activities authorized by section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 374 note) and section 1033 of the National Defense Authorization Act for Fiscal Year 1998.

"(vii) Any other significant program, account, or activity for the provision of security assistance that the Secretary of Defense and the Secretary of State consider appropriate.

"(G) An assessment of the capacity of the recipient country to absorb assistance under the program.

"(H) An assessment of the manner in which the program fits into the theater security cooperation strategy of the applicable geographic combatant command.

"(2) COORDINATION WITH SECRETARY OF STATE.—Any notice under paragraph (1) shall be prepared in coordination with the Secretary of State.

"(f) ASSESSMENTS OF PROGRAMS.—Amounts available to conduct or support programs under subsection (a) shall be available to the Secretary of Defense to conduct assessments and determine the effectiveness of such programs in building the operational capacity and performance of the recipient units concerned.

"(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term 'appropriate committees of Congress' means—

"(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

"(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 136 of such title is amended by adding at the end the following new item:

10 USC prec. 2281.

"2282. Authority to build the capacity of foreign security forces.".

(b) CONFORMING AMENDMENTS.—

(1) Section 943(g)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4578), as most recently amended by section 1205(f) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1624), is further amended by striking "sections 1206 and 1207 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456 and 3458)" and inserting "section 2282 of title 10, United States Code, and section 1207 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3458)".

(2) Section 1209(b)(1)(A) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 368), as most recently amended by section 1203(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2512), is further amended by striking "section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456)" and inserting "section 2282 of title 10, United States Code".

(c) REPEAL OF SUPERSEDED AUTHORITY.—Section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) is repealed.

119 Stat. 3456.

(d) FUNDING.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated for fiscal year 2015 by section 301 and available for operation and maintenance as specified in the funding table in section 4301, up to $350,000,000 may be used for programs under subsection (a) of section 2282 of title 10, United States Code (as added by subsection (a) of this section).

(2) LIMITATION ON AMOUNT FOR BUILDING CAPACITY TO PARTICIPATE IN ALLIED OR COALITION MILITARY OR STABILITY OPERATIONS.—Of the amount available under paragraph (1) for fiscal year 2015, not more than $150,000,000 may be used in such fiscal year for purposes described in subsection (a)(1)(B) of section 2282 of title 10, United States Code (as so added).

(e) ANNUAL SECRETARY OF DEFENSE REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the end of each of fiscal years 2015 through 2020, the Secretary of Defense shall submit to the appropriate committees of Congress a report summarizing the findings of the assessments of programs carried out under subsection (f) of section 2282 of title 10, United States Code (as so added), during such fiscal year.

(2) ELEMENTS.—Each report under paragraph (1) shall include, for each program assessed under such subsection (f) during the fiscal year covered by such report, the following:

(A) A description of the nature and the extent of the potential or actual terrorist threat, if any, that the program is intended to address.

(B) A description of the program, including the objectives of the program, the types of recipient country units receiving assistance under the program, and the baseline operational capability and performance of the units receiving assistance under the program before the commencement of receipt of assistance under the program.

(C) A description of the extent to which the program is implemented by United States Government personnel or contractors.

(D) A description of the assessment framework to be used to develop capability and performance metrics associated with operational outcomes for units receiving assistance under the program.

(E) An assessment of the program using the assessment framework described in subparagraph (D).

(F) An assessment of the effectiveness of the program in achieving its intended purpose.

(f) BIENNIAL COMPTROLLER GENERAL OF THE UNITED STATES AUDITS.—

(1) IN GENERAL.—Not later than March 31 of each of 2016, 2018 and 2020, the Comptroller General of the United States shall submit to the appropriate committees of Congress an audit of such program or programs conducted or supported pursuant to section 2282 of title 10, United States Code (as so added), during the preceding two fiscal years as the Comptroller General shall select for purposes of such report.

(2) ELEMENTS.—Each report should, to the extent information is available, include, for the program or programs covered by such report, the following:

(A) A description of the program or programs, including—

(i) the objectives of the program or programs;

(ii) the types of units receiving assistance under the program or programs;

(iii) the delivery and completion schedules for assistance under the program or programs; and

(iv) the baseline operational capability and performance of the units receiving assistance under

the program or programs before the commencement of receipt of assistance under the program or programs.

(B) An assessment of the capacity of each recipient country to absorb assistance under the program or programs.

(C) An assessment of the arrangements, if any, for the sustainment of the program or programs, including any source of funds to support sustainment of the capabilities and performance outcomes achieved under the program or program beyond completion date, if applicable.

(D) An assessment of the effectiveness of the program or programs in achieving their intended purpose.

(E) Such other matters as the Comptroller considers appropriate.

(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In subsections (e) and (f), the term "appropriate committees of Congress" has the meaning given that term in subsection (g) of section 2282 of title 10, United States Code (as so added).

10 USC 2282 note.

SEC. 1206. TRAINING OF SECURITY FORCES AND ASSOCIATED SECURITY MINISTRIES OF FOREIGN COUNTRIES TO PROMOTE RESPECT FOR THE RULE OF LAW AND HUMAN RIGHTS.

(a) IN GENERAL.—The Secretary of Defense is authorized to conduct human rights training of security forces and associated security ministries of foreign countries.

(b) CONSTRUCTION WITH LIMITATION ON USE OF FUNDS.—Human rights training authorized by this section may be conducted for security forces otherwise prohibited from receiving such training under any provision of law only if—

(1) such training is conducted in the country of origin of the security forces;

(2) such training is withheld from any individual of a unit when there is credible information that such individual has committed a gross violation of human rights or has commanded a unit that has committed a gross violation of human rights;

(3) such training may be considered a corrective step, but is not sufficient for meeting the accountability requirement under the exception established in subsection (b) of section 2249e of title 10, United States Code (as added by section 1204(a) of this Act); and

(4) reasonable efforts have been made to assist the foreign country to take all necessary corrective steps regarding a gross violation of human rights with respect to the unit, including using funds authorized by this Act to provide technical assistance or other types of support for accountability.

(c) ROLE OF THE SECRETARY OF STATE.—

(1) CONCURRENCE.—Training activities may be conducted under this section only with the concurrence of the Secretary of State.

(2) CONSULTATION.—The Secretary of Defense shall consult with the Secretary of State on the content of the training, the methods of instruction to be provided, and the intended beneficiaries of training conducted under this section.

(d) AUTHORIZED ACTIVITIES.—Human rights training authorized by this section may include associated activities and expenses necessary for the conduct of training and assessments designed to

further the purposes of this section, including technical assistance or other types of support for accountability.

(e) ANNUAL REPORTS.—Not later than March 31 each year through 2020, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the use of the authority in this section during the preceding fiscal year. Each report shall include information on any human rights training (as defined in subsection (f)) or other assistance that was provided during the fiscal year to foreign security forces.

(f) DEFINITIONS.—In this section

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) The term "human rights training" means training for the purpose of directly improving the conduct of foreign security forces to—

(A) prevent gross violations of human rights and support accountability for such violations;

(B) strengthen compliance with the laws of armed conflict and respect for civilian control over the military;

(C) promote and assist in the establishment of a military justice system and other mechanisms for accountability; and

(D) prevent the use of child soldiers.

(g) SUNSET.—The authority in subsection (a) shall expire on September 30, 2020.

SEC. 1207. CROSS SERVICING AGREEMENTS FOR LOAN OF PERSONNEL PROTECTION AND PERSONNEL SURVIVABILITY EQUIPMENT IN COALITION OPERATIONS.

10 USC 2342 note.

(a) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary of State, enter into an arrangement, under an agreement concluded pursuant to section 2342 of title 10, United States Code, under which the United States agrees to loan personnel protection and personnel survivability equipment for the use of such equipment by military forces of a nation participating in the following:

(1) A coalition operation with the United States as part of a contingency operation.

(2) A coalition operation with the United States as part of a peacekeeping operation under the Charter of the United Nations or another international agreement.

(3) Training of such forces in connection with the deployment of such forces to be deployed to an operation described in paragraph (1) or (2).

(b) LIMITATIONS.—

(1) LOAN ONLY OF EQUIPMENT FOR WHICH U.S. FORCES HAVE NO UNFULFILLED REQUIREMENTS.—Equipment may be loaned to the military forces of a nation under the authority of this section only upon a determination by the Secretary of Defense that the United States forces in the coalition operation concerned have no unfulfilled requirements for such equipment.

(2) SCOPE OF USE OF LOANED EQUIPMENT.—Equipment loaned to the military forces of a nation under the authority of this section may be used by those forces only for personnel protection or to aid in the personnel survivability of those forces and only in—

(A) a coalition operation with the United States described in paragraph (1) or (2) of subsection (a); or

(B) training described in paragraph (3) of subsection (a).

(3) DURATION OF USE OF LOANED EQUIPMENT.—Equipment loaned to the military forces of a nation under the authority of this section may be used by the military forces of that nation not longer than the duration of that country's participation in the coalition operation concerned.

(4) NOTICE AND WAIT ON LOAN OF EQUIPMENT FOR TRAINING.—Equipment may not be loaned under subsection (a) in connection with training described in paragraph (3) of that subsection until 15 days after the date on which the Secretary of Defense submits to the appropriate committees of Congress written notice on the loan of such equipment for such purpose.

(c) WAIVER OF REIMBURSEMENT IN CASE OF LOSS OF EQUIPMENT IN COMBAT.—

(1) IN GENERAL.—In the case of equipment loaned under the authority of this section that is damaged or destroyed as a result of combat operations during coalition operations while held by forces to which loaned under this section, the Secretary of Defense may, with respect to such equipment, waive any other requirement under applicable law for—

(A) reimbursement;

(B) replacement-in-kind; or

(C) exchange of supplies or services of an equal value.

(2) BASIS FOR WAIVER.—Any waiver under this subsection may be made only if the Secretary determines that the waiver is in the national security interest of the United States.

(3) WAIVER ON A CASE-BY-CASE BASIS.—Any waiver under this subsection may be made only on a case-by-case basis.

(d) REPORTS TO CONGRESS.—If the authority provided under this section is exercised during a fiscal year, the Secretary of Defense shall, in coordination with the Secretary of State, submit to the appropriate committees of Congress a report on the exercise of such authority by not later than October 30 of the year in which such fiscal year ends. Each report on the exercise of such authority shall specify the recipient country of the equipment loaned, the type of equipment loaned, and the duration of the loan of such equipment.

(e) DEFINITIONS.—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) The term "personnel protection and personnel survivability equipment" means items enumerated in categories I, II, III, VII, X, XI, and XIII of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act

(22 U.S.C. 2778(a)(1) that the Secretary of Defense designates as available for loan under this section.

(f) EXPIRATION OF AUTHORITY.—The authority in subsection (a) shall expire on September 30, 2019.

SEC. 1208. EXTENSION AND MODIFICATION OF AUTHORITY FOR SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

(a) AMOUNT AVAILABLE FOR SUPPORT.—Subsection (a) of section 1208 of the Ronald W. Reagan National Defense Authorization Act of Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086), as most recently amended by section 1203(a) of the National Defense Authorization Act of Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1621), is further amended by striking "$50,000,000" and inserting "$75,000,000".

(b) EXTENSION.—Subsection (h) of such section 1208, as most recently amended by section 1203(c) of the National Defense Authorization Act of Fiscal Year 2012, is further amended by striking "2015" and inserting "2017".

SEC. 1209. AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.

(a) IN GENERAL.—The Secretary of Defense is authorized, in coordination with the Secretary of State, to provide assistance, including training, equipment, supplies, stipends, construction of training and associated facilities, and sustainment, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups and individuals, through December 31, 2016, for the following purposes:

(1) Defending the Syrian people from attacks by the Islamic State of Iraq and the Levant (ISIL), and securing territory controlled by the Syrian opposition.

(2) Protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria.

(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.

(b) NOTICE BEFORE PROVISION OF ASSISTANCE.—Not later than 15 days prior to the provision of assistance authorized under subsection (a) to appropriately vetted recipients for the first time—

(1) the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees and leadership of the House of Representatives and Senate a report, in unclassified form with a classified annex as appropriate, that contains a description of—

(A) the plan for providing such assistance;

(B) the requirements and process used to determine appropriately vetted recipients; and

(C) the mechanisms and procedures that will be used to monitor and report to the appropriate congressional committees and leadership of the House of Representatives and Senate on unauthorized end-use of provided training and equipment and other violations of relevant law by appropriately vetted recipients; and

(2) the President shall submit to the appropriate congressional committees and leadership of the House of Representatives and Senate a report, in unclassified form with a classified annex as appropriate, that contains a description of how such assistance fits within a larger regional strategy.

(c) PLAN ELEMENTS.—The plan required in subsection (b)(1) shall include, at a minimum, a description of—

(1) the goals and objectives of assistance authorized under subsection (a);

(2) the concept of operations, timelines, and types of training, equipment, stipends, sustainment, construction, and supplies to be provided;

(3) the roles and contributions of partner nations;

(4) the number and role of United States Armed Forces personnel involved;

(5) any additional military support and sustainment activities; and

(6) any other relevant details.

(d) QUARTERLY PROGRESS REPORT.—Not later than 90 days after the Secretary of Defense submits the report required in subsection (b)(1), and every 90 days thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees and leadership of the House of Representatives and the Senate a progress report. Such progress report shall, based on the most recent quarterly information, include—

(1) any updates to or changes in the plan, strategy, vetting requirements and process, and end-use monitoring mechanisms and procedures, as required in subsection (b)(1);

(2) a description of how the threat of attacks against United States or coalition personnel is being mitigated, statistics on any such attacks, including green-on-blue attacks, and how such attacks are being mitigated;

(3) a description of the appropriately vetted recipients receiving assistance authorized under subsection (a);

(4) the recruitment, throughput, and retention rates of appropriately vetted recipients and equipment;

(5) any misuse or loss of provided training and equipment and how such misuse or loss is being mitigated;

(6) a description of the command and control of appropriately vetted recipients;

(7) an assessment of the operational effectiveness of the appropriately vetted recipients in meeting the purposes specified in subsection (a);

(8) a description of sustainment support provided to appropriately vetted recipients pursuant to subsection (a);

(9) a list of construction projects carried out under authority in subsection (a);

(10) a statement of the amount of funds expended during the period for which the report is submitted, and in aggregate since September 19, 2014, to provide assistance by authorized category pursuant to subsection (a) and section 149 of the Continuing Appropriations Resolution, 2015 (Public Law 113–164); and

(11) an assessment of the effectiveness of the assistance authorized under subsection (a) as measured against subsections (b) and (c).

(e) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) The term "appropriately vetted" means, with respect to elements of the Syrian opposition and other Syrian groups and individuals, at a minimum—

(A) assessments of such elements, groups, and individuals for associations with terrorist groups, Shia militias aligned with or supporting the Government of Syria, and groups associated with the Government of Iran. Such groups include, but are not limited to, the Islamic State of Iraq and the Levant (ISIL), Jabhat al Nusrah, Ahrar al Sham, other al-Qaeda related groups, and Hezbollah; and

(B) a commitment from such elements, groups, and individuals to promoting the respect for human rights and the rule of law.

(2) The term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

(f) REPROGRAMMING REQUIREMENT.—The Secretary of Defense may submit a reprogramming or transfer request of funds made available for Overseas Contingency Operations beginning on October 1, 2014, and ending on December 31, 2016, to the congressional defense committees to carry out activities authorized under this section.

(g) AUTHORITY TO ACCEPT CONTRIBUTIONS.—The Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments to provide assistance as authorized by this section. Any funds so accepted by the Secretary shall be credited to appropriations for the appropriate operation and maintenance accounts, except that any funds so accepted by the Secretary shall not be available for obligation until a reprogramming request is submitted to the congressional defense committees.

(h) CONSTRUCTION OF AUTHORIZATION.—Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(i) WAR POWERS RESOLUTION MATTERS.—Nothing in this section supersedes or alters the continuing obligations of the President to report to Congress pursuant to section 4 of the War Powers Resolution (50 U.S.C. 1543) regarding the use of United States Armed Forces abroad.

(j) WAIVER AUTHORITY.—For purposes of the provision of assistance pursuant to subsection (a), the President may waive any provision of law if the President determines that such provision of law would (but for the waiver) impede national security objectives of the United States by prohibiting, restricting, delaying, or otherwise limiting the provision of such assistance. Such waiver shall not take effect until 30 days after the date on which the President notifies the appropriate congressional committees of such determination and the provision of law to be waived.

(k) ASSISTANCE TO THIRD COUNTRIES IN PROVISION OF ASSISTANCE.—The Secretary may provide assistance to third countries for purposes of the provision of assistance authorized under this section.

SEC. 1210. PROVISION OF LOGISTIC SUPPORT FOR THE CONVEYANCE OF CERTAIN DEFENSE ARTICLES TO FOREIGN FORCES TRAINING WITH THE UNITED STATES ARMED FORCES.

(a) IN GENERAL.—During fiscal years 2015 and 2016, the Secretary of Defense is authorized to provide logistic support for the conveyance of certain defense articles in Afghanistan to the armed forces of a country with which the Armed Forces of the United States plan to conduct bilateral or multilateral training overseas during fiscal years 2015 and 2016.

(b) LIMITATIONS.—The Secretary may provide logistic support under subsection (a) only—

(1) in accordance with the Arms Export Control Act and other relevant export control laws of the United States;

(2) in accordance with section 516(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j); and

(3) with the concurrence of the Secretary of State.

(c) LIMITATION.—The total value of logistic support provided under subsection (a) for a fiscal year may not exceed $10,000,000.

(d) SOURCE OF FUNDS.—To provide logistic support under subsection (a), the Secretary may use funds available for Operation and Maintenance, Defense-wide, for fiscal years 2015 and 2016.

(e) REPORT.—Not later than 30 days after the last day of a fiscal year during which the Secretary of Defense exercises the authority under subsection (a), the Secretary of Defense, in coordination with the Secretary of State, shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the exercise of authority under this section during that fiscal year. Such report shall include a description of the types of defense articles provided, the amount of funds expended, and the countries that received defense articles.

(f) DEFINITIONS.—In this section:

(1) The term "logistic support" means—

(A) the use of military transportation and cargo-handling assets, including aircraft;

(B) materiel support in the form of fuel, petroleum, oil, or lubricants; and

(C) commercially contracted transportation.

(2) The term "certain defense article" means an item that has been declared an excess defense article and has been transferred from the stocks of the Department of Defense in Afghanistan but has not yet been made available for disposal through the Defense Logistics Agency process.

SEC. 1211. BIENNIAL REPORT ON PROGRAMS CARRIED OUT BY THE DEPARTMENT OF DEFENSE TO PROVIDE TRAINING, EQUIPMENT, OR OTHER ASSISTANCE OR REIMBURSEMENT TO FOREIGN SECURITY FORCES.

(a) BIENNIAL REPORT REQUIRED.—Not later than February 1 of each of 2016, 2018, and 2020, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth, on a country-by-country basis, a description of each program carried out by the Department of Defense to provide training, equipment, or other security assistance or reimbursement during the two fiscal years ending in the year before the year in which such report is submitted under the authorities specified in subsection (c).

(b) ELEMENTS OF REPORT.—Each report required under subsection (a) shall provide for each program covered by such report, and for the reporting period covered by such report, the following:

(1) A description of the purpose and type of the training, equipment, or assistance or reimbursement provided, including how the training, equipment, or assistance or reimbursement provided advances the theater security cooperation strategy of the combatant command, as appropriate.

(2) The cost of such training, equipment, or assistance or reimbursement, including by type of support provided.

(3) A description of the metrics, if any, used for assessing the effectiveness of such training, equipment, or assistance or reimbursement provided.

(c) SPECIFIED AUTHORITIES.—The authorities specified in this subsection are the following authorities (or any successor authorities):

(1) Section 127d of title 10, United States Code, relating to authority to provide logistic support, supplies, and services to allied forces participating in a combined operation with the Armed Forces.

(2) Section 166a(b)(6) of title 10, United States Code, relating to humanitarian and civic assistance by the commanders of the combatant commands.

(3) Section 168 of title 10, United States Code, relating to authority—

(A) to provide assistance to nations of the former Soviet Union as part of the Warsaw Initiative Fund;

(B) to conduct the Defense Institution Reform Initiative; and

(C) to conduct a program to increase defense institutional legal capacity through the Defense Institute of International Legal Studies.

(4) Section 2010 of title 10, United States Code, relating to authority to reimburse foreign troops for participation in combined exercises.

(5) Section 2011 of title 10, United States Code, relating to authority to reimburse foreign troops for participation in Joint Combined Exercise Training.

(6) Section 2249c of title 10, United States Code, relating to authority to use appropriated funds for costs associated with education and training of foreign officials under the Regional Defense Combating Terrorism Fellowship Program.

(7) Section 2282 of title 10, United States Code (as added by section 1205 of this Act), relating to authority to build the capacity of foreign military forces, or the predecessor authority to such section in section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456).

(8) Section 2561 of title 10, United States Code, relating to authority to provide humanitarian assistance.

(9) Section 1532, relating to the Afghanistan Security Forces Fund.

(10) Section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (32 U.S.C. 107 note), relating to authority for National Guard State Partnership program.

(11) Section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 168 note), relating to the Ministry of Defense Advisors program.

(12) Section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151 note), relating to the Global Security Contingency Fund.

(13) Section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), relating to authority to reimburse certain coalition nations for support provided to United States military operations.

(14) Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 394), relating to authorization for logistical support for coalition forces supporting certain United States military operations.

(15) Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), relating to authority to provide additional support for counter-drug activities of Peru and Colombia.

(16) Section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 374 note), relating to additional support for counter-drug activities.

(17) Any other authority on assistance or reimbursement that the Secretary of Defense considers appropriate and consistent with subsection (a).

(d) NONDUPLICATION OF EFFORT.—If any information required under subsection (a) has been included in another report or notification previously submitted to Congress by law, the Secretary of Defense may provide a list of such reports and notifications at the time of submitting the report required by subsection (a) in lieu of including such information in the report required by subsection (a).

(e) FORM.—Each report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(f) REPEAL OF SUPERSEDED REQUIREMENT.—Section 1209 of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 368) is repealed.

Subtitle B—Matters Relating to Afghanistan, Pakistan, and Iraq

SEC. 1221. COMMANDERS' EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.

(a) ONE-YEAR EXTENSION.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619), as most recently amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 904), is further amended by striking "fiscal year 2014" each place it appears and inserting "fiscal year 2015".

(b) SEMI-ANNUAL REPORTS.—Subsection (b) of such section, as so amended, is further amended—

(1) in the subsection heading, by striking "QUARTERLY" and inserting "SEMI-ANNUAL"; and

(2) in paragraph (1)—

(A) in the paragraph heading, by striking "QUARTERLY" and inserting "SEMI-ANNUAL";

(B) by striking "fiscal year quarter" and inserting "half fiscal year"; and

(C) by striking "that quarter" and inserting "that half fiscal year".

(c) FUNDS AVAILABLE DURING FISCAL YEAR 2015.—Subsection (a) of such section, as so amended, is further amended by striking "$60,000,000" and inserting "$10,000,000".

(d) RESTRICTION ON AMOUNT OF PAYMENTS.—Subsection (e) of such section is amended by striking "$20,000,000" and inserting "$2,000,000".

(e) NOTIFICATION ON CERTAIN PROJECTS.—Subsection (g) of such section is amended—

(1) in the matter preceding paragraph (1), by striking "$5,000,000" and inserting "$500,000";

(2) in paragraph (1), by striking "to advance the military campaign plan for Afghanistan" and inserting "to directly benefit the security or stability of the people of Afghanistan"; and

(3) in paragraph (3), by striking "any agreement with either the Government of Afghanistan," and inserting "any written agreement with either the Government of Afghanistan, an entity owned or controlled by the Government of Afghanistan,".

(f) SUBMITTAL OF REVISED GUIDANCE.—Not later than 15 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a copy of the guidance issued by the Secretary to the Armed Forces concerning the Commanders' Emergency Response Program in Afghanistan as revised to take into account the amendments made by this section.

SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1213 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 905), is further amended—

(1) by striking "fiscal year 2014" and inserting "fiscal year 2015"; and

(2) in paragraph (1), by striking "Operation Enduring Freedom" and inserting "Iraq or in Operation Enduring Freedom in Afghanistan".

(b) OTHER SUPPORT.—Subsection (b) of such section, as so amended, is further amended by inserting "Iraq or in" before "Operation Enduring Freedom in Afghanistan".

(c) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (d)(1) of such section, as so amended, is further amended—

(1) in the second sentence, by striking "during fiscal year 2014 may not exceed $1,500,000,000" and inserting "during fiscal year 2015 may not exceed $1,200,000,000"; and

(2) in the third sentence, by striking "during fiscal year 2013 may not exceed $1,200,000,000" and inserting "during fiscal year 2015 may not exceed $1,000,000,000".

(d) EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393), as most recently amended by section 1213(c) of the National Defense Authorization Act for Fiscal Year 2014 (127 Stat. 906), is further amended by striking "September 30, 2014" and inserting "September 30, 2015".

(e) EXTENSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2001), as amended by section 1213(d) of the National Defense Authorization Act for Fiscal Year 2014 (127 Stat. 906), is further amended by striking "fiscal year 2014" and inserting "fiscal year 2015".

(f) ADDITIONAL LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Of the total amount of reimbursements and support authorized for Pakistan during fiscal year 2015 pursuant to the third sentence of section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as amended by subsection (b)(2)), $300,000,000 shall not be eligible for the waiver under section 1227(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 2001) unless the Secretary of Defense certifies to the congressional defense committees that—

(1) Pakistan has undertaken military operations in North Waziristan that have contributed to significantly disrupting the safe haven and freedom of movement of the Haqqani network in Pakistan; and

(2) Pakistan has taken steps that have demonstrated a commitment to ensuring that North Waziristan does not return to being a safe haven for the Haqqani network.

SEC. 1223. ONE-YEAR EXTENSION OF LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING CERTAIN UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 394), as most recently amended by section 1217(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 909), is further amended—

(1) in subsection (a), by striking "fiscal year 2014" and inserting "fiscal year 2015";

(2) in subsection (d), by striking "during the period beginning on October 1, 2013, and ending on December 31, 2014" and inserting "during the period beginning on October 1, 2014, and ending on December 31, 2015"; and

(3) in subsection (e)(1), by striking "December 31, 2014" and inserting "December 31, 2015".

(b) AUTHORITY FOR USE OF FUNDS IN CONNECTION WITH IRAQ.—

(1) IN GENERAL.—Subsection (a) of such section 1234, as so amended, is further amended by inserting "and Iraq" after "in Afghanistan".

(2) CONFORMING AMENDMENT.—The heading of such section 1234 is amended by inserting "**AND IRAQ**" after "**AFGHANISTAN**".

SEC. 1224. UNITED STATES PLAN FOR SUSTAINING THE AFGHANISTAN NATIONAL SECURITY FORCES THROUGH THE END OF FISCAL YEAR 2017.

(a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report that contains a detailed plan for sustaining the Afghanistan National Army (ANA) and the Afghanistan National Police (ANP) of the Afghanistan National Security Forces (ANSF) through the end of fiscal year 2017, with the objective of ensuring that the ANSF will be able to independently and effectively conduct operations and maintain security and stability in Afghanistan.

(b) MATTERS TO BE INCLUDED.—The plan contained in the report required under subsection (a) shall include a description of the following matters:

(1) A comprehensive sustainment strategy, including target end-strengths, budget, and defined objectives.

(2) The commitments for funding contributions from the North Atlantic Treaty Organization (NATO) and non-NATO nations for sustaining the ANSF through the end of fiscal year 2017, any shortfalls in funding for such purposes, and the plan for achieving such commitments as necessary to sustain the ANSF.

(3) A mechanism for tracking funding, equipment, training, and services provided to the ANSF by the United States, countries participating in NATO's Operation Resolute Support, and other members of the international community contributing to the sustainment of the ANSF.

(4) Plans for assisting the Government of Afghanistan to achieve the following goals:

(A) Improve and sustain effective Afghan security institutions with fully capable senior leadership and staff, including logistics, intelligence, medical, and recruiting units.

(B) Train and equip key enabling capabilities, including for the Afghan Special Operations Forces, the Afghan Air Force, and Afghan Special Mission Wing, such that these entities are fully-capable of conducting operations independently and in sufficient numbers.

(C) Establish effective and sustainable ANSF-readiness assessment tools and metrics.

(D) Improve and sustain strong, professional ANSF officers at the junior-, mid-, and senior-levels.

(E) Enhance strong ANSF communication and control between central command and regions, provinces, and districts.

(F) Develop and improve institutional mechanisms for incorporating lessons learned and best practices into ANSF operations.

(G) Improve ANSF oversight mechanisms, including an effective record-keeping system to track ANSF equipment and personnel and a sustainable process to identify, investigate, and eliminate corruption.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1225. SEMIANNUAL REPORT ON ENHANCING SECURITY AND STABILITY IN AFGHANISTAN.

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, in coordination with the Secretary of State, submit to the appropriate committees of Congress on a semiannual basis a report on building and sustaining the Afghan National Security Forces (ANSF) and enhancing security and stability in Afghanistan.

(2) SUBMITTAL.—A report under paragraph (1) shall be submitted not later than June 15 each year, for the 6-month period ending on May 31 of such year, and not later than December 15 each year, for the 6-month period ending on November 30 of such year. No report is required to be submitted under paragraph (1) after the report required to be submitted on December 15, 2017.

(3) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) MATTERS TO BE INCLUDED.—Each report required under subsection (a) shall include the following:

(1) STRATEGY AND OBJECTIVES OF UNITED STATES AND NATO MISSIONS IN AFGHANISTAN AFTER 2014.—A detailed description of—

(A) the strategy and objectives of any post-2014 United States mission and any mission agreed by the North Atlantic Treaty Organization (NATO), to train, advise, and assist the ANSF or to conduct counterterrorism operations; and

(B) indicators of effectiveness as developed by the Secretary or NATO, as appropriate, in the assessment of any such United States train, advise, and assist mission and of any such train, advise, and assist mission agreed by NATO, including efforts to build the counterterrorism capabilities of the ANSF.

(2) THREAT ASSESSMENT.—An assessment of the current security conditions in Afghanistan and the security conditions anticipated in Afghanistan during the 24-month period beginning on the date of the submittal of such report, including with respect to threats from terrorist groups such as al-Qaeda, the Taliban, and the Haqqani Network.

(3) DESCRIPTION OF SIZE AND STRUCTURE AND STRATEGY AND BUDGET OF ANSF.—A description of—

(A) the size and force structure of the ANSF, including the Afghanistan National Army (ANA), the Afghanistan National Police (ANP), the Afghan Border Police, the Afghan Local Police, and such other major force components of the ANSF as the Secretary considers appropriate;

(B) the rationale for any changes in the overall end strength or the mix of force structure for the ANSF during the period covered by such report;

(C) levels of recruitment, retention, and attrition within the ANSF, in the aggregate and by force component;

(D) personnel end strength within the Afghanistan Ministry of Defense and the Afghanistan Ministry of Security;

(E) the strategy and budget of the ANSF; and

(F) a description of the activities of the ANSF during the period covered by the report.

(4) ASSESSMENT OF SIZE, STRUCTURE, CAPABILITIES, AND STRATEGY OF ANSF.—An assessment whether the size, structure, capabilities, and strategy of the ANSF are sufficient to provide security in light of the current security conditions in Afghanistan and the security conditions anticipated in Afghanistan during the 24-month period beginning on the date of the submittal of such report. Such assessment should describe the risks and trade-offs the ANSF are making and any gaps in the capacity and capabilities of the ANSF.

(5) BUILDING KEY CAPABILITIES AND ENABLING FORCES WITHIN ANSF.—

(A) A description of programs to achieve key mission enabling capabilities within the ANSF, including any major milestones and timelines, and the end states intended to be achieved by such programs, including for the following:

(i) Security institution capacity building.

(ii) Special operations forces and their key enablers.

(iii) Intelligence.

(iv) Logistics.

(v) Maintenance.

(vi) Air forces.

(B) Metrics, as developed by the Commander of United States forces in Afghanistan, for monitoring and evaluating the performance of such programs in achieving the intended outcomes of such programs.

(6) FINANCING THE ANSF.—A description of—

(A) any plan agreed by the United States, the international community, and the Government of Afghanistan to fund and sustain the ANSF that serves as current guidance on such matters during the period covered by such report, including a description of whether such plan differs from—

(i) in the case of the first report submitted under subsection (a), commitments undertaken at the 2012 NATO Summit in Chicago and the Tokyo Mutual Accountability Framework; or

(ii) in the case of any other report submitted under subsection (a), such plan as set forth in the previous report submitted under subsection (a);

(B) the Afghan Security Forces Fund financing plan through 2017;

(C) contributions by the international community to sustaining the ANSF during the period covered by such report;

(D) contributions by the Government of Afghanistan to sustaining the ANSF during the period covered by such report; and

(E) efforts to ensure that the Government of Afghanistan can assume an increasing financial responsibility for sustaining the ANSF consistent with its commitments at

the Chicago Summit and the Tokyo Mutual Accountability Framework.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

(d) REPEAL OF SUPERSEDED AUTHORITY.—Section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is repealed.

SEC. 1226. SENSE OF CONGRESS ON STABILITY AND SOVEREIGNTY OF AFGHANISTAN.

It is the sense of Congress that—

(1) a top national security priority for the United States continues to be to support the stability and sovereignty of Afghanistan and to help Afghanistan ensure that its territory is not used by al Qaeda, the Haqqani Network, or other violent extremist groups to launch attacks against the United States or its interests;

(2) the presence of United States military forces in Afghanistan after 2014 to train, advise, and assist the Afghanistan National Security Forces (ANSF) and conduct counterterrorism operations is a key step to maintaining the significant gains achieved in Afghanistan and should be executed consistent with the security conditions on the ground;

(3) any drawdown of such United States military forces and operations should be considered in relation to security conditions on the ground in Afghanistan at the time of the drawdown and the recommendations of senior United States military commanders; and

(4) NATO member countries and other members of the international community should honor their commitments to support Afghanistan at the Lisbon, Chicago, and Tokyo conferences taking into account the mutual accountability framework agreed by the Government of Afghanistan.

SEC. 1227. EXTENSION OF AFGHAN SPECIAL IMMIGRANT PROGRAM.

Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in paragraph (2)(A)—

(A) by amending clause (ii) to read as follows:

"(ii) was or is employed in Afghanistan on or after October 7, 2001, for not less than 1 year—

"(I) by, or on behalf of, the United States Government; or

"(II) by the International Security Assistance Force in a capacity that required the alien—

"(aa) while traveling off-base with United States military personnel stationed at International Security Assistance Force, to serve as an interpreter or translator for such United States military personnel; or

"(bb) to perform sensitive and trusted activities for United States military personnel

stationed at International Security Assistance Force;";

(B) in clause (iii), by striking "the United States Government," and inserting "an entity or organization described in clause (ii),"; and

(C) in clause (iv), by striking "by the United States Government." and inserting "described in clause (ii).";

(2) by adding at the end of paragraph (3) the following:

"(F) FISCAL YEARS 2015 AND 2016.—In addition to any unused balance under subparagraph (D), for the period beginning on the date of the enactment of this subparagraph and ending on September 30, 2016, the total number of principal aliens who may be provided special immigrant status under this section shall not exceed 4,000. For purposes of status provided under this subparagraph—

"(i) the period during which an alien must have been employed in accordance with paragraph (2)(A)(ii) must terminate on or before September 30, 2015;

"(ii) the principal alien seeking special immigrant status under this subparagraph shall apply to the Chief of Mission in accordance with paragraph (2)(D) not later than December 31, 2015; and

"(iii) the authority to issue visas shall commence on the date of the enactment of this subparagraph and shall terminate on March 31, 2017."; and

(3) by adding at the end the following:

"(14) REPORT.—Not later than 60 days after the date of the enactment of this paragraph, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives containing the following information:

"(A) The occupations of aliens who—

"(i) were provided special immigrant status under this section; and

"(ii) were considered principal aliens for such purpose.

"(B) The number of appeals submitted under paragraph (2)(D)(ii)(I)(bb) from application denials by the Chief of Mission and the number of those applications that were approved pursuant to the appeal.

"(C) The number of applications denied by the Chief of Mission on the basis of derogatory information that were appealed and the number of those applications that were approved pursuant to the appeal.

"(D) The number of applications denied by the Chief of Mission on the basis that the applicant did not establish faithful and valuable service to the United States Government that were appealed and the number of those applications that were approved pursuant to the appeal.

"(E) The number of applications denied by the Chief of Mission for failure to establish the one-year period of employment required that were appealed and the number of those applications that were approved pursuant to the appeal.

"(F) The number of applications denied by the Chief of Mission for failure to establish employment by or on behalf of the United States Government that were appealed and the number of those applications that were approved pursuant to the appeal.

"(G) The number of special immigrant status approvals revoked by the Chief of Mission and the reason for each revocation.

"(H) The number of special immigrant status approvals revoked by the Chief of Mission that were appealed and the number of those revocations that were overturned pursuant to the appeal.".

SEC. 1228. INDEPENDENT ASSESSMENT OF UNITED STATES EFFORTS AGAINST AL-QAEDA.

(a) INDEPENDENT ASSESSMENT.—The Secretary of Defense, in coordination with the Secretary of State and the Director of National Intelligence, shall provide for the conduct of an independent assessment of the effectiveness of the United States efforts to disrupt, dismantle, and defeat al-Qaeda, including its affiliated groups, associated groups, and adherents since September 11, 2001.

(b) ELEMENTS.—The assessment required by subsection (a) shall include the following:

(1) An assessment of al-Qaeda core's current relationship with affiliated groups, associated groups, and adherents, and how it has changed over time.

(2) An assessment of the current objectives, capabilities, and overall strategy of al-Qaeda core, its affiliated groups, associated groups, and adherents, and how they have changed over time.

(3) An assessment of the operational and organizational structure of al-Qaeda core, its affiliated groups, associated groups, and adherents, and how it has changed over time.

(4) An analysis of the activities that have proven to be most effective and least effective at disrupting and dismantling al Qaeda, its affiliated groups, associated groups, and adherents.

(5) Recommendations for United States policy to disrupt, dismantle, and defeat al-Qaeda, its affiliated groups, associated groups, and adherents.

(6) Other matters that the Secretary determines to be appropriate.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the entity selected for the conduct of the assessment required by subsection (a) shall provide to the Secretary of Defense and the appropriate committees of Congress a report containing its findings as a result of the assessment.

(2) FORM.—The report shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1229. SENSE OF CONGRESS ON SECURITY OF AFGHAN WOMEN.

It is the sense of Congress that—

(1) the United States Government should continue to work with the Government of Afghanistan and Afghan civil society to promote the rights of women in Afghanistan and their inclusion in the political, economic, and security transition process; and

(2) the United States Government should continue to support and encourage efforts by the Government of Afghanistan to recruit, integrate, train, and retain women in the Afghanistan National Security Forces (ANSF), including through the use of not less than $25,000,000 as specified in section 1531(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 938) for programs and activities for such purposes, which may include—

(A) assistance in prioritizing efforts to increase the number of women serving in the ANSF, taking into account the Master Ministerial Development Plan for Afghanistan National Army (ANA) Gender Integration;

(B) further development of training for the ANA and the Afghanistan National Police (ANP) to increase awareness and responsiveness among ANA and ANP personnel regarding the unique security challenges women confront when serving in those forces;

(C) assistance in the development of a plan to increase the number of female security officers specifically trained to address gender-based violence, such as the Family Response Units of the ANP, and to ensure that such units are appropriately resourced;

(D) assistance in the development of accountability mechanisms for ANA and ANP personnel relating to the treatment of women and girls, including female members of the ANSF;

(E) assistance in the implementation of a plan, developed in coordination with the Government of Afghanistan, to promote the equal treatment of female members of the ANA and ANP through such steps as providing appropriate equipment, modifying facilities, and ensuring literacy and gender awareness training for female recruits and male counterparts; and

(F) assistance to the Afghan Ministry of Defense and the Afghan Ministry of Interior in recruiting, training, and funding sufficient female searchers and security officers to staff voting stations during the 2015 parliamentary elections.

SEC. 1230. REVIEW PROCESS FOR USE OF UNITED STATES FUNDS FOR CONSTRUCTION PROJECTS IN AFGHANISTAN THAT CANNOT BE PHYSICALLY ACCESSED BY UNITED STATES GOVERNMENT PERSONNEL.

(a) PROHIBITION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act may be obligated or expended for a construction project in Afghanistan in excess of $1,000,000 that cannot

be audited and physically inspected by authorized United States Government personnel or their designated representatives, in accordance with generally-accepted auditing guidelines.

(2) APPLICABILITY.—Paragraph (1) shall apply only with respect to a project that is initiated on or after the date of the enactment of this Act.

(b) WAIVER.—The prohibition in subsection (a) may be waived with respect to a project otherwise covered by that subsection if not later than 15 days prior to the initial obligation of funds for the project the Secretary of Defense submits to the congressional defense committees a report that contains the following:

(1) A determination of the Secretary of Defense that—

(A) the project clearly contributes to United States national interests or strategic objectives;

(B) the project has been coordinated with the Government of Afghanistan and any other implementing agencies or international donors; and

(C) adequate arrangements have been made for sustainment of the project following its completion, including arrangements with respect to funding and technical capacity for sustainment.

(2) A plan that contains—

(A) a description of how the Secretary of Defense will monitor the use of the funds for the project—

(i) to ensure the funds are used for the specific purposes for which the funds are intended; and

(ii) to mitigate waste, fraud, and abuse; and

(B) metrics to measure the progress and effectiveness of the project in meeting its objectives.

SEC. 1231. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.

(a) EXTENSION.—Subsection (h) of section 1222 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1992) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

(b) QUARTERLY REPORTS.—Subsection (f)(1) of such section is amended by striking "March 31, 2015" and inserting "March 31, 2016".

(c) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section is amended by striking "and 2014" each place it appears and inserting ", 2014, and 2015".

SEC. 1232. ONE-YEAR EXTENSION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.

Section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4392), as most recently amended by section 1212 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 905), is further amended—

(1) in subsection (a)—

(A) by striking "$25,000,000" and inserting "$5,000,000"; and

(B) by striking "for fiscal year 2014" and inserting "for fiscal year 2015"; and

(2) in subsection (e), by striking "December 31, 2014" and inserting "December 31, 2015".

SEC. 1233. CLEARANCE OF UNEXPLODED ORDNANCE ON FORMER UNITED STATES TRAINING RANGES IN AFGHANISTAN.

(a) AUTHORITY TO CONDUCT CLEARANCE.—Subject to subsection (b), the Secretary of Defense may, using funds specified in subsection (c), conduct surface and sub-surface clearance of unexploded ordnance at closed training ranges used by the Armed Forces of the United States in Afghanistan.

(b) CONDITIONS ON AUTHORITY.—

(1) LIMITATION TO RANGES NOT TRANSFERRED TO AFGHANISTAN.—The surface and sub-surface clearance of unexploded ordnance authorized under subsection (a) may only take place on training ranges managed and operated by the Armed Forces of the United States that have not been transferred to the Government of the Islamic Republic of Afghanistan for use by its armed forces.

(2) LIMITATION ON AMOUNTS AVAILABLE.—Funds expended for clearance pursuant to the authority in subsection (a) through September 30, 2016, may not exceed $250,000,000.

(c) FUNDS.—The surface and sub-surface clearance of unexploded ordnance authorized by subsection (a) shall be paid for using amounts as follows:

(1) For fiscal year 2015, amounts authorized to be appropriated by section 1502 and available for operation and maintenance for overseas contingency operations.

(2) For fiscal year 2016, amounts authorized to be appropriated for fiscal year 2016 for the Department of Defense as additional authorizations of appropriations for overseas contingency operations and available for operation and maintenance for overseas contingency operations.

(d) UNEXPLODED ORDNANCE DEFINED.—In this section, the term "unexploded ordnance" has the meaning given that term in section 101(e)(5) of title 10, United States Code.

SEC. 1234. REPORT ON IMPACT OF END OF MAJOR COMBAT OPERATIONS IN AFGHANISTAN ON AUTHORITY TO USE MILITARY FORCE.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State and the Attorney General, submit to the appropriate committees of Congress a report setting forth an assessment of the impact, if any, of the end of major combat operations in Afghanistan on the authority of the Armed Forces of the United States to use military force, including the authority to detain, with regard to al Qaeda, the Taliban, and associated forces, pursuant to—

(1) the Authorization for Use of Military Force (Public Law 107–40); and

(2) any other available legal authority.

(b) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives.

SEC. 1235. REPORT ON BILATERAL SECURITY COOPERATION WITH PAKISTAN.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act and every six months thereafter, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the nature and extent of bilateral security cooperation between the United States and Pakistan.

(b) ELEMENTS.—The report required under subsection (a) shall include, at a minimum, the following:

(1) A description of any strategic security objectives that the United States and Pakistan have agreed to pursue in cooperation.

(2) A description of programs or activities that the United States and Pakistan have jointly undertaken to pursue mutually agreed security cooperation objectives.

(3) A description and assessment of the effectiveness of efforts by Pakistan, unilaterally or jointly with the United States, to disrupt operations and eliminate safe havens of al Qaeda, Tehrik-i-Taliban Pakistan, and other militant extremist groups such as the Haqqani Network and the Quetta Shura Taliban located in Pakistan.

(4) A description and assessment of efforts by Pakistan, unilaterally or jointly with the United States, to counter the threat of improvised explosive devices and the networks involved in the acquisition, production, and delivery of such devices and their precursors and components.

(5) An assessment of the effectiveness of any United States security assistance to Pakistan to achieve the strategic security objectives described in paragraph (1).

(6) A description of any metrics used to assess the effectiveness of programs and activities described in paragraph (2).

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) SUNSET.—The requirements in this section shall terminate on December 31, 2017.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

(f) REPEAL OF OBSOLETE AND SUPERSEDED REQUIREMENTS.—Section 1232 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended by striking subsections (a) and (c).

122 Stat. 392.

SEC. 1236. AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE IN IRAQ AND THE LEVANT.

(a) IN GENERAL.—The Secretary of Defense is authorized, in coordination with the Secretary of State, to provide assistance,

including training, equipment, logistics support, supplies, and services, stipends, facility and infrastructure repair and renovation, and sustainment, to military and other security forces of or associated with the Government of Iraq, including Kurdish and tribal security forces or other local security forces, with a national security mission, through December 31, 2016, for the following purposes:

(1) Defending Iraq, its people, allies, and partner nations from the threat posed by the Islamic State of Iraq and the Levant (ISIL) and groups supporting ISIL.

(2) Securing the territory of Iraq.

(b) NOTICE BEFORE PROVISION OF ASSISTANCE.—Of the funds authorized to be appropriated under this section, not more than 25 percent of such funds may be obligated or expended until not later than 15 days after—

(1) the Secretary of Defense, in coordination with the Secretary of State, submits to the appropriate congressional committees and leadership of the House of Representatives and Senate a report, in unclassified form with a classified annex as appropriate, that contains a description of—

(A) the plan for providing such assistance;

(B) an identification of such forces designated to receive such assistance; and

(C) the plan for re-training and re-building such forces; and

(2) the President submits to the appropriate congressional committees and leadership of the House of Representatives and Senate a report, in unclassified form with a classified annex as appropriate, that contains a description of how such assistance supports a larger regional strategy.

(c) PLAN ELEMENTS.—The plan required in subsection (a)(1) shall include, at a minimum, a description of—

(1) the goals and objectives of assistance authorized under subsection (a);

(2) the concept of operations, timelines, and types of training, equipment, stipends, sustainment, and supplies to be provided;

(3) the roles and contributions of partner nations;

(4) the number and role of United States Armed Forces personnel involved;

(5) any additional military support and sustainment activities; and

(6) any other relevant details.

(d) QUARTERLY PROGRESS REPORT.—Not later than 90 days after the date on which the Secretary of Defense submits the report required in subsection (b)(1), and every 30 days thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall provide the appropriate congressional committees and leadership of the House of Representatives and the Senate with a progress report. Such progress report shall, based on the most recent quarterly information, include a description of the following:

(1) Any updates to or changes in the plan, strategy, process, vetting requirements and process as described in subsection (e), and end-use monitoring mechanisms and procedures.

(2) A description of how attacks against United States or coalition personnel are being mitigated, statistics on any such attacks, including "green-on-blue" attacks.

(3) A description of the forces receiving assistance authorized under subsection (a).

(4) A description of the recruitment, throughput, and retention rates of recipients and equipment.

(5) A description of any misuse or loss of provided equipment and how such misuse or loss is being mitigated.

(6) An assessment of the operational effectiveness of the forces receiving assistance authorized under subsection (a).

(7) A description of sustainment support provided to the forces authorized under subsection (a).

(8) A list of projects to repair or renovate facilities authorized under subsection (a).

(9) A statement of the amount of funds expended during the period for which the report is submitted.

(10) An assessment of the effectiveness of the assistance authorized under subsection (a).

(e) VETTING.—The Secretary of Defense should ensure that prior to providing assistance to elements of any forces described in subsection (a) such elements are appropriately vetted, including at a minimum, by—

(1) conducting assessments of such elements for associations with terrorist groups or groups associated with the Government of Iran; and

(2) receiving commitments from such elements to promote respect for human rights and the rule of law.

(f) DEFINITION.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(g) FUNDING.—Of the amounts authorized to be appropriated in this Act for Overseas Contingency Operations in title XV for fiscal year 2015, there are authorized to be appropriated $1,618,000,000 to carry out this section. Amounts authorized to be appropriated under this subsection are authorized to remain available until September 30, 2016.

(h) AUTHORITY TO ACCEPT CONTRIBUTIONS.—The Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments, including the Government of Iraq, to provide assistance authorized under subsection (a). Any funds accepted by the Secretary may be credited to the account from which funds are made available for the provision of assistance authorized under subsection (a) and may be used for such purpose until expended.

(i) CONSTRUCTION OF AUTHORIZATION.—Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(j) WAIVER AUTHORITY.—

(1) BY SECRETARY OF DEFENSE.—

(A) IN GENERAL.—For purposes of the provision of assistance pursuant to subsection (a), the Secretary of

Defense may waive any provision of law described in subparagraph (B) if the Secretary—

(i) determines that such provision of law would (but for the waiver) prohibit, restrict, delay, or otherwise limit the provision of such assistance; and

(ii) submits to the appropriate congressional committees a notice of and justification for the waiver and the provision of law to be waived.

(B) PROVISIONS OF LAW.—The provisions of law described in this subparagraph are the following:

(i) Any provision of law relating to the acquisition of items and support services.

(ii) Sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780 and 2785).

(2) BY PRESIDENT.—For purposes of the provision of assistance pursuant to subsection (a), the President may waive any provision of law other than a provision of law described in paragraph (1)(B) if the President determines that it is vital to the national security interests of the United States to waive such provision of law. Such waiver shall not take effect until 15 days after the date on which the President notifies the appropriate congressional committees of such determination and the provision of law to be waived.

(3) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act the President shall transmit to the congressional defense committees a report that provides a specific list of provisions of law that need to be waived under this subsection for purposes of the provision of assistance pursuant to subsection (a) and a justification for each such waiver.

(B) UPDATE.—The President shall submit to the congressional defense committees an update of the report required by subparagraph (A) not later than 180 days after the date of the enactment of this Act.

(k) COST-SHARING REQUIREMENT.—

(1) IN GENERAL.—Of the funds authorized to be appropriated under this subsection, not more than 60 percent of such funds may be obligated or expended until not later than 15 days after the date on which the Secretary of Defense certifies to the appropriate congressional committees and leadership of the House of Representatives and the Senate that an amount equal to not less than 40 percent of the amount authorized to be appropriated to carry out this section has been contributed by other countries and entities for the purposes described in subsection (a), which may include contributions of in-kind support for forces described in subsection (a), as determined from October 1, 2014, of which not less than 50 percent of such amount contributed by other countries and entities has been contributed by the Government of Iraq.

(2) EXCEPTION.—The limitation in paragraph (1) shall not apply if the Secretary of Defense determines, in writing, that the national security objectives of the United States will be compromised by the application of the limitation to any such assistance, and notifies the appropriate congressional committees not less than 15 days in advance of the exemption taking effect, including a justification for the Secretary's determination

and a description of the assistance to be exempted from the application of such limitation.

SEC. 1237. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) EXTENSION.—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631; 10 U.S.C. 113 note), as most recently amended by section 1214 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 906; 10 U.S.C. 113 note), is further amended—

(1) by striking "fiscal year 2014" and inserting "fiscal year 2015";

(2) by striking "non-operational"; and

(3) by striking "in an institutional environment" and inserting "at a base or facility of the Government of Iraq".

(b) AMOUNT AVAILABLE.—Such section is further amended—

(1) in subsection (c), by striking "fiscal year 2014 may not exceed $209,000,000" and inserting "fiscal year 2015 may not exceed $140,000,000"; and

(2) in subsection (d), by striking "fiscal year 2014" and inserting "fiscal year 2015".

Subtitle C—Matters Relating to the Russian Federation

SEC. 1241. LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

(a) LIMITATION.—None of the funds authorized to be appropriated for fiscal year 2015 for the Department of Defense may be used for any bilateral military-to-military cooperation between the Governments of the United States and the Russian Federation until the Secretary of Defense, in coordination with the Secretary of State, certifies to the appropriate congressional committees that—

(1) the Russian Federation has ceased its occupation of Ukrainian territory and its aggressive activities that threaten the sovereignty and territorial integrity of Ukraine and members of the North Atlantic Treaty Organization; and

(2) the Russian Federation is abiding by the terms of and taking steps in support of the Minsk Protocol, signed on September 5, 2014, regarding a ceasefire in eastern Ukraine.

(b) NONAPPLICABILITY.—The limitation in subsection (a) shall not apply to—

(1) any activities necessary to ensure the compliance of the United States with its obligations or the exercise of rights of the United States under any bilateral or multilateral arms control or nonproliferation agreement or any other treaty obligation of the United States; and

(2) any activities required to provide logistical or other support to the conduct of United States or North Atlantic Treaty Organization military operations in Afghanistan or the withdrawal from Afghanistan.

(c) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) if—

(1) the Secretary of Defense, in coordination with the Secretary of State—

(A) determines that the waiver is in the national security interest of the United States; and

(B) submits to the appropriate congressional committees—

(i) a notification that the waiver is in the national security interest of the United States and a description of the national security interest covered by the waiver; and

(ii) a report explaining why the Secretary of Defense cannot make the certification under subsection (a); and

(2) a period of 15 days has elapsed following the date on which the Secretary of Defense, in coordination with the Secretary of State, submits the information in the report under subparagraph (B)(ii).

(d) EXCEPTION FOR CERTAIN MILITARY BASES.—The certification requirement specified in paragraph (1) of subsection (a) shall not apply to military bases of the Russian Federation in Ukraine's Crimean peninsula operating in accordance with its 1997 agreement on the Status and Conditions of the Black Sea Fleet Stationing on the Territory of Ukraine.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(f) EFFECTIVE DATE.—This section takes effect on the date of the enactment of this Act and applies with respect to funds described in subsection (a) that are unobligated on or after such date of enactment.

SEC. 1242. NOTIFICATION AND ASSESSMENT OF PROPOSAL TO MODIFY OR INTRODUCE NEW AIRCRAFT OR SENSORS FOR FLIGHT BY THE RUSSIAN FEDERATION UNDER OPEN SKIES TREATY.

(a) NOTIFICATION.—Not later than 30 days after the date on which the Russian Federation submits to the States Parties to the Open Skies Treaty a proposal to modify or introduce a new aircraft or sensor for flight by the Russian Federation under the Open Skies Treaty, the President shall notify the appropriate committees of Congress of such proposal and the relevant details thereof.

(b) ASSESSMENT.—

(1) IN GENERAL.—Not later than 30 days prior to the date on which the United States intends to agree to a proposal described in subsection (a), the Director of National Intelligence, jointly with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, and in consultation with the Secretary of State, shall submit to the appropriate committees of Congress an assessment of such proposal on the national security of the United States.

(2) ADDITIONAL ELEMENT.—The assessment required by paragraph (1) shall include a description of any plans of the

United States to mitigate the effect of the proposal on the national security of the United States, including an analysis of the cost and effectiveness of any such plans.

(3) FORM.—The assessment required by paragraph (1) may be submitted in classified or unclassified form as appropriate.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the congressional defense committees;

(B) the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate; and

(C) the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs of the House of Representatives.

(2) OPEN SKIES TREATY.—The term "Open Skies Treaty" means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

SEC. 1243. LIMITATIONS ON PROVIDING CERTAIN MISSILE DEFENSE INFORMATION TO THE RUSSIAN FEDERATION.

Section 1246(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 923) is amended—

(1) in paragraph (1), by striking "2016" and inserting "2017";

(2) in paragraph (2)—

(A) by inserting after "2014" the following: "or 2015"; and

(B) by adding at the end before the period the following: "or information relating to velocity at burnout of United States missile defense interceptors or targets"; and

22 USC 5952 note.

(3) in paragraph (3), by inserting "and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives" after "congressional defense committees".

22 USC 2593a note.

SEC. 1244. REPORT ON NON-COMPLIANCE BY THE RUSSIAN FEDERATION WITH ITS OBLIGATIONS UNDER THE INF TREATY.

(a) FINDINGS.—Congress makes the following findings:

(1) It was the object and purpose of the INF Treaty to eliminate the production or deployment of ground launched ballistic and cruise missiles with a range of between 500 and 5,500 kilometers, which was accomplished in 1992.

(2) The July 2014 Department of State annual report on "Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments" stated that "The United States has determined that the Russian Federation is in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500km to 5,500km, or to possess or produce launchers of such missiles.".

(3) In a letter to the Senate Armed Services Committee dated October 23, 2014, General Martin Dempsey, Chairman of the Joint Chiefs of Staff, wrote "these violations are a serious challenge to the security of the United States and our allies. These actions, particularly when placed in the broader context of Russian regional aggression, must be met with a strategic response.".

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Russian Federation's actions in violation of its obligations under the INF Treaty adversely affect the national security of the United States and its allies, including the members of the North Atlantic Treaty Organization (NATO) and those in East Asia;

(2) the Government of the Russian Federation is responsible for this violation and also for returning to compliance with the INF Treaty;

(3) it is in the national security interests of the United States and its allies for the INF Treaty to remain in effect and for the Russian Federation to return to full and verifiable compliance with all its obligations under the INF Treaty; and

(4) as identified in section 1061 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 865), the President should take appropriate actions to resolve the issues relating to noncompliance by the Russian Federation with its obligations under the INF Treaty.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on noncompliance by the Russian Federation with its obligations under the INF Treaty.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of the effect of Russian noncompliance on the national security interests of the United States and its allies, including the North Atlantic Treaty Organization, and those in East Asia.

(B) A description of the President's plan to resolve issues related to Russian noncompliance, including—

(i) actions that have been taken, and what further actions are planned or warranted by the United States;

(ii) plans to address Russian noncompliance diplomatically with the Russian Federation to resolve concerns about such noncompliance and bring Russia back into full compliance with the INF Treaty;

(iii) an assessment of possible steps (including verification measures) that would permit confidence that the Russian Federation has returned to full compliance; and

(iv) the status of any United States efforts to develop coordinated or cooperative responses with allies.

(C) An assessment of whether Russian noncompliance threatens the viability of the INF Treaty, whether such noncompliance constitutes a material breach of the INF Treaty, and whether it is in the interests of the United States to remain a party to the INF Treaty if such noncompliance continues.

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) BRIEFINGS REQUIRED.—At the time of the submission of the report required under subsection (c), and every six months thereafter until the date on which the Russian Federation is in

compliance with its obligations under the INF Treaty, the Secretary of State, jointly with the Secretary of Defense and the heads of such other departments or agencies as appropriate, shall provide to the appropriate congressional committees a briefing on the status of United States efforts to resolve its concerns relating to noncompliance by the Russian Federation with its obligations under the INF Treaty.

(e) NOTIFICATION.—In the event the President determines that the Russian Federation has deployed, or intends to deploy, systems that violate the INF Treaty, the President shall promptly notify the appropriate congressional committees of such determination and any plans to respond to such deployments.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the congressional defense committees;

(B) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(C) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INF TREATY.—The term "INF Treaty" means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at Washington December 8, 1987, and entered into force June 1, 1988.

SEC. 1245. ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

(a) REPORT REQUIRED.—Not later than June 1 of each year, the Secretary of Defense shall submit to the appropriate congressional committees a report, in both classified and unclassified form, on the security and military strategies and capabilities of the Russian Federation (in this section referred to as "Russia").

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) An assessment of the security priorities and objectives of Russia, including those priorities and objectives that would affect the North Atlantic Treaty Organization (NATO), the Middle East, and the People's Republic of China.

(2) A description of the goals and factors shaping Russian security strategy and military strategy, including military spending and investment priorities and their alignment with the security priorities and objectives described in paragraph (1).

(3) An assessment of the force structure of the Russian military.

(4) A description of Russia's current missile defense strategy and capabilities, including efforts to develop missile defense capabilities.

(5) A description of developments in Russian military doctrine and training.

(6) An assessment of the tactics, techniques, and procedures used by Russia in operations in Ukraine.

(7) An assessment of the proliferation activities of Russia and Russian entities, as a supplier of materials, technologies, or expertise relating to nuclear weapons or other weapons of mass destruction or missile systems.

(8) A description of Russia's asymmetric capabilities, including its strategy and efforts to develop and deploy electronic warfare, space and counterspace, and cyber warfare capabilities, including details on the number of malicious cyber incidents and associated activities against Department of Defense networks that are known or suspected to have been conducted or directed by the Government of the Russian Federation.

(9) A description of Russia's nuclear strategy and associated doctrines and nuclear capabilities, including the size and state of Russia's nuclear weapons stockpile, its nuclear weapons production capacities, and plans for developing its nuclear capabilities.

(10) A description of Russia's anti-access and area denial capabilities.

(11) A description of Russia's modernization program for its command, control, communications, computers, intelligence, surveillance, and reconnaissance program and its applications for Russia's precision guided weapons.

(12) In consultation with the Secretary of Energy and the Secretary of State, developments regarding United States-Russian engagement and cooperation on security matters.

(13) The current state of United States military-to-military cooperation with Russia's armed forces, which shall include the following:

(A) A comprehensive and coordinated strategy for such military-to-military cooperation.

(B) A summary of all such military-to-military cooperation during the one-year period ending on the day before the date of submission of the report, including a summary of topics discussed.

(C) A description of such military-to-military cooperation planned for the 12-month period beginning on the date of submission of the report.

(D) An assessment by the Secretary of Defense of the benefits that Russia expects to gain from such military-to-military cooperation.

(E) An assessment by the Secretary of Defense of the benefits the Department of Defense expects to gain from such military-to-military cooperation, and any concerns regarding such cooperation.

(F) An assessment by the Secretary of Defense of how such military-to-military cooperation fits into the larger security relationship between the United States and Russia.

(14) A description of changes to United States policy on military-to-military contacts with Russia resulting from Russia's annexation of Crimea.

(15) Other military and security developments involving Russia that the Secretary of Defense considers relevant to United States national security.

(c) NONDUPLICATION.—If any information required under subsection (b) has been included in another report or notification previously submitted to Congress as required by law, the Secretary of Defense may provide a list of such reports and notifications at the time of submitting the report required by subsection (a) in lieu of including such information in the report required by subsection (a).

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(e) REPEAL OF SUPERSEDED AUTHORITY.—Section 10 of the Support for the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act of 2014 (Public Law 113–95) is repealed.

22 USC 8909.

(f) SUNSET.—This section shall terminate on June 1, 2018.

SEC. 1246. PROHIBITION ON USE OF FUNDS TO ENTER INTO CONTRACTS OR OTHER AGREEMENTS WITH ROSOBORONEXPORT.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2015 may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, to make a grant to, or to provide a loan or loan guarantee to Rosoboronexport or a subsidiary that is publicly known to be controlled by Rosoboronexport.

(b) WAIVER.—

(1) IN GENERAL.—Subject to paragraph (3), the Secretary of Defense may waive the application of subsection (a) with respect to a contract or other agreement for the supply of spare parts for, or conduct of any other activity related to, the maintenance of helicopters operated by the Afghan National Security Forces or otherwise purchased by the Department of Defense only if, prior to issuing the waiver, the Secretary submits to the congressional defense committees a certification described in paragraph (2).

(2) CERTIFICATION.—A certification referred to in paragraph (1) is a certification that contains the following:

(A) A determination of the Commander of United States forces in Afghanistan that—

(i) the supply of spare parts or conduct of the related activity is critical to the success of the mission of the Afghan National Security Forces in Afghanistan; and

(ii) the failure to supply spare parts or conduct the related activity would have a negative impact on the mission of United States forces in Afghanistan.

(B) A determination of the Under Secretary of Defense for Acquisition, Technology, and Logistics that no practicable alternative exists to entering into such contract or other agreement for supply of spare parts or conduct of the related activity.

(C) A determination of the Secretary of Defense, after consideration of the determinations described in subparagraphs (A) and (B), that the waiver is in the national security interests of the United States.

(3) INITIAL LIMITATION.—The Secretary of Defense may exercise the authority of paragraph (1) beginning on or after the date on which the Secretary submits the report required by the matter relating to section 1531 in the Joint Explanatory Statement to accompany the National Defense Authorization Act for Fiscal Year 2014 (H.R. 3304, One Hundred Thirteenth Congress) regarding the potential to incorporate United States-manufactured rotary wing aircraft into the Afghan National Security Forces after the current program of record is completed.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the following:

(1) A list of known transfers of lethal military equipment by Rosoboronexport to the Government of the Syria since March 15, 2011.

(2) A list of known contracts, if any, that Rosoboronexport has signed with the Government of the Syria since March 15, 2011.

(3) A list of existing contracts, subcontracts, memoranda of understanding, cooperative agreements, grants, loans, and loan guarantees between the Department of Defense and Rosoboronexport, including a description of the transactions, signing dates, values, and quantities.

(4) A discussion of what role, if any, Rosoboronexport has had in providing military weapons, including heavy weapons, to the rebel forces in eastern Ukraine.

SEC. 1247. REPORT ON THE NEW START TREATY.

(a) FINDINGS.—Congress makes the following findings:

(1) There have been significant changes in the geopolitical environment during 2014, including developments that pose a challenge to the national security interests of the United States.

(2) The July 2014 Department of State annual report on "Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments" stated that "The United States has determined that the Russian Federation is in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500km to 5,500km, or to possess or produce launchers of such missiles.".

(3) The July 2014 Department of State "Annual Report on Implementation of the New START Treaty" stated that "Based on the information available as of December 31, 2013, the United States certifies the Russian Federation to be in compliance with the terms of the New START Treaty.".

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly submit to the appropriate congressional committees a report stating the reasons

continued implementation of the New START Treaty is in the national security interests of the United States.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) INF TREATY.—The term "INF Treaty" means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at Washington December 8, 1987, and entered into force June 1, 1988.

(3) NEW START TREATY.—The term "New START Treaty" means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

Subtitle D—Matters Relating to the Asia-Pacific Region

SEC. 1251. STRATEGY TO PRIORITIZE UNITED STATES DEFENSE INTERESTS IN THE ASIA-PACIFIC REGION.

(a) REQUIRED REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains the strategy of the Department of Defense to prioritize United States defense interests in the Asia-Pacific region.

(2) MATTERS TO BE INCLUDED.—The report required by paragraph (1) shall address the following:

(A) United States national security interests in the Asia-Pacific region.

(B) The security environment, including threats to global and regional United States national security interests emanating from the Asia-Pacific region, including efforts by the People's Republic of China to advance their national interests in the Asia-Pacific region.

(C) Regional multilateral institutions, such as the Association of Southeast Asia Nations (ASEAN).

(D) Bilateral security cooperation relationships, including military-to-military engagements and security assistance.

(E) United States military presence, posture, and capabilities supporting the rebalance to the Asia-Pacific region.

(F) Humanitarian and disaster relief response capabilities.

(G) International rules-based structures.

(H) Actions the Department of Defense could take, in cooperation with other Federal agencies, to advance

United States national security interests in the Asia-Pacific region.

(I) Any other matters the Secretary of Defense determines to be appropriate.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(b) RESOURCES.—The report required by subsection (a)(1) shall be informed by the results of the integrated, multi-year planning and budget strategy for a rebalancing of United States policy in Asia submitted to Congress pursuant to section 7043(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of the Consolidated Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 533)).

(c) ANNUAL BUDGET.—The President, acting through the Director of the Office of Management and Budget, shall ensure that the annual budget submitted to Congress under section 1105 of title 31, United States Code, clearly highlights programs and projects that are being funded in the annual budget of the United States Government that relate to the strategy required by subsection (a)(1) and the integrated strategy referred to in subsection (b).

SEC. 1252. MODIFICATIONS TO ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

(a) MATTERS TO BE INCLUDED.—Subsection (b)(14) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 781; 10 U.S.C. 113 note) is amended by striking "their response" and inserting "their capabilities, organizational affiliations, roles within China's overall maritime strategy, activities affecting United States allies and partners, and responses".

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on the date of the enactment of this Act and applies with respect to reports required to be submitted under subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 on or after that date. 10 USC 113 note.

SEC. 1253. MILITARY-TO-MILITARY ENGAGEMENT WITH THE GOVERNMENT OF BURMA. 22 USC 2151 note.

(a) AUTHORIZATION.—The Department of Defense is authorized to provide the Government of Burma the following:

(1) Consultation, education, and training on human rights, the laws of armed conflict, civilian control of the military, rule of law, and other legal matters.

(2) Consultation, education, and training on English-language, humanitarian and disaster relief, and improvements to medical and health standards.

(3) Courses or workshops on defense institution reform.

(4) Observer status to bilateral or multilateral humanitarian assistance and disaster relief exercises.

(5) Aid or support in the event of a humanitarian crisis or natural disaster.

(b) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and each March 1 thereafter,

the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on military-to-military engagement between the United States Armed Forces and the Burmese military.

(2) ELEMENTS.—Each report under paragraph (1) shall include the following:

(A) A description of the military-to-military activities between the United States and Burma, and how engagement with the Burmese military supports the United States national security strategy and promotes reform in Burma.

(B) A description of the objectives of the United States for developing the military-to-military relationship with the Burmese military, how the United States measures progress toward such objectives, and the implications of failing to achieve such objectives.

(C) A description and assessment of the political, military, economic, and civil society reforms being undertaken by the Government of Burma, including those affecting—

(i) individual freedoms and human rights of the Burmese people, including those of ethnic and religious minorities and internally displaced populations;

(ii) the peaceful settlement of armed conflicts between the Government of Burma and ethnic minority groups in Burma;

(iii) civilian control of the armed forces;

(iv) constitutional and electoral reforms;

(v) access for the purposes of human rights monitoring and humanitarian assistance to all areas in Burma, and cooperation with civilian authorities to investigate and resolve cases of human rights violations;

(vi) governmental transparency and accountability; and

(vii) respect for the laws of armed conflict and human rights, including with respect to child soldiers.

(D) A description and assessment of relationships of the Government of Burma with unlawful or sanctioned entities.

(3) FORM.—Each report under this subsection shall be submitted in unclassified form, but may include a classified annex.

(4) SUNSET.—The requirement to submit additional reports under this subsection shall terminate at the end of the 5-year period beginning on the date of the enactment of this Act.

(c) RULE OF CONSTRUCTION.—No Department of Defense assistance to the Government of Burma is authorized by this Act except as provided in this section.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1254. REPORT ON DEPARTMENT OF DEFENSE MUNITIONS STRATEGY OF THE UNITED STATES PACIFIC COMMAND.

(a) REPORT REQUIRED.—Not later than April 1, 2015, the Secretary of Defense shall submit to the congressional defense committees a report on the munitions strategy of the United States Pacific Command to address deficiencies in the ability of the United States Pacific Command to execute major operational plans.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An identification of current and projected critical munitions requirements, including as identified in the most-recent future-years defense program submitted to Congress by the Secretary of Defense pursuant to section 221 of title 10, United States Code.

(2) An assessment of—

(A) significant munitions gaps and deficiencies; and

(B) munitions capabilities and necessary munitions investments to address identified gaps and deficiencies.

(3) A description of current and planned munitions programs to address munitions gaps and deficiencies identified in paragraph (2), including with respect to—

(A) research, development, test, and evaluation efforts;

(B) cost, schedule, performance, and budget, to the extent such information is available; and

(C) known industrial base issues.

(4) An assessment of infrastructure deficiencies or needed enhancements to ensure adequate munitions storage and munitions deployment capability.

(5) Any other matters concerning the munitions strategy of the United States Pacific Command the Secretary of Defense determines to be appropriate.

(c) FORM.—The report required by subsection (a) may be submitted in classified or unclassified form.

SEC. 1255. MISSILE DEFENSE COOPERATION IN NORTHEAST ASIA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that increased cooperation on missile defense among the United States, Japan, and the Republic of Korea would enhance the security of allies of the United States in Northeast Asia, increase the defense of forward-based forces of the United States, and enhance the protection of the United States with regard to threats from the Korean Peninsula.

(b) ASSESSMENT REQUIRED.—The Secretary of Defense shall conduct an assessment to identify opportunities for increasing missile defense cooperation among the United States, Japan, and the Republic of Korea, and to evaluate options for enhanced short-range missile, rocket, and artillery defense capabilities to address threats from the Korean Peninsula.

(c) ELEMENTS.—The assessment under subsection (b) shall include the following:

(1) Candidate areas for increasing missile defense cooperation, including greater information sharing, systems integration, and joint operations.

(2) Potential challenges and limitations to enabling such cooperation and options for mitigating such challenges and limitations.

(3) An assessment of the utility of short-range missile defense and counter-rocket, artillery, and mortar system capabilities on the Korean Peninsula, including with respect to—

(A) meeting the military needs for defense of the Korean Peninsula;

(B) cost, schedule, and availability;

(C) technology maturity and risk; and

(D) consideration of alternatives.

(4) Such other matters as the Secretary of Defense determines to be appropriate.

(d) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the assessment under subsection (b).

SEC. 1256. SENSE OF CONGRESS AND REPORT ON TAIWAN AND ITS CONTRIBUTION TO REGIONAL PEACE AND STABILITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States reaffirms its security commitments under the Taiwan Relations Act (Public Law 96–8) as the cornerstone of United States relations with Taiwan and as a key instrument of peace, security, and stability in the Taiwan Strait since the enactment of such Act in 1979.

(b) REPORT REQUIRED.—Not later than December 1, 2015, the Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the self-defense capabilities of Taiwan.

(c) ELEMENTS.—The report required by subsection (b) shall contain the following:

(1) A description of the key assumptions made regarding the impact of the Chinese People's Liberation Army on the maritime or territorial security of Taiwan, including the Chinese People's Liberation Army's—

(A) undersea and surface warfare capabilities in the littoral areas in and around the Taiwan Strait;

(B) amphibious and heavy sealift capabilities;

(C) capabilities to establish air dominance over Taiwan; and

(D) capabilities of the Second Artillery Corps.

(2) An assessment of the force posture, capabilities, and readiness of the armed forces of Taiwan for maintaining the maritime or territorial security of Taiwan, including an assessment of Taiwan's—

(A) undersea and surface warfare capabilities;

(B) air and land-based capabilities;

(C) early warning and command and control capabilities; and

(D) other deterrent, anti-access and area-denial capabilities, or asymmetric capabilities that could contribute to Taiwan's self-defense.

(3) Recommendations for further security cooperation and assistance efforts between Taiwan and the United States.

(4) Any other matters the Secretary determines to be appropriate.

(d) FORM.—The report required by subsection (b) may be submitted in classified or unclassified form.

(e) NONDUPLICATION OF EFFORTS.—If any information required under subsection (c) has been included in another report or notification previously submitted to Congress as required by law, the Secretary of Defense may provide a list of such reports and notifications at the time of submitting the report required by subsection (b) in lieu of including such information.

SEC. 1257. INDEPENDENT ASSESSMENT OF THE ABILITY OF THE DEPARTMENT OF DEFENSE TO COUNTER ANTI-ACCESS AND AREA-DENIAL STRATEGIES, CAPABILITIES, AND OTHER KEY TECHNOLOGIES OF POTENTIAL ADVERSARIES.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall enter into an agreement with an independent entity to conduct an assessment of the ability of the Department of Defense to counter anti-access and area-denial strategies, capabilities, and other key technologies of potential adversaries.

(2) MATTERS TO BE INCLUDED.—The assessment required under paragraph (1) shall include the following:

(A) An assessment of anti-access and area-denial strategies, capabilities, and other key technologies of potential adversaries during each of the fiscal year periods described in paragraph (3) that would represent a significant challenge to deployed forces and systems of the United States military, including an assessment of the extent to which such strategies, capabilities, and other key technologies could affect United States military operations.

(B) An assessment of gaps and deficiencies in the ability of the Department of Defense to address anti-access and area-denial strategies, capabilities, and other key technologies described in subparagraph (A), including an assessment of the adequacy of current strategies, programs, and investments of the Department of Defense.

(C) Recommendations for adjustments in United States policy and strategy, force posture, investments in capabilities, systems and technologies, and changes in business and management processes, or other novel approaches to address gaps and deficiencies described in subparagraph (B), or to restore, maintain, or expand United States military technological advantages, particularly in those areas in which potential adversaries are closing gaps or have achieved technological superiority with respect to the United States.

(D) Any other matters the independent entity determines to be appropriate.

(3) FISCAL YEAR PERIODS DESCRIBED.—The fiscal year periods described in this paragraph are the following:

(A) Fiscal years 2015 through 2019.

(B) Fiscal years 2020 through 2030.

(C) Fiscal years 2031 and thereafter.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report that includes the assessment required

under subsection (a) and any other matters the Secretary determines to be appropriate.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(c) DEPARTMENT OF DEFENSE SUPPORT.—The Secretary of Defense shall provide the independent entity described in subsection (a) with timely access to appropriate information, data, resources, and analysis so that the entity may conduct a thorough and independent assessment as required under subsection (a).

SEC. 1258. SENSE OF CONGRESS REAFFIRMING SECURITY COOPERATION WITH JAPAN AND THE REPUBLIC OF KOREA.

It is the sense of Congress that—

(1) the United States values its alliances with the Governments of Japan and the Republic of Korea as cornerstones of peace and security in the region, based on shared values of democracy, the rule of law, free and open markets, and respect for human rights;

(2) the United States welcomes Japan's new policy of collective self-defense, which will enable Japan to contribute more proactively to regional and global peace and security, as well as Japan's recent increases in defense funding, adoption of a National Security Strategy, and formation of security institutions such as the Japanese National Security Council;

(3) the United States reaffirms its commitment to the Government of Japan under Article V of the Treaty of Mutual Cooperation and Security between the United States of America and Japan that "[e]ach Party recognizes that an armed attack against either Party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes";

(4) the United States welcomes the Republic of Korea's ratification of a new five-year Special Measures Agreement, which establishes the framework for Republic of Korea contributions to offset costs associated with the stationing of United States forces in the Republic of Korea, as well as efforts by the Republic of Korea to enhance its defense capabilities, including its recent decision to acquire surveillance and strike capabilities;

(5) the United States and the Republic of Korea share deep concerns that the nuclear and ballistic missiles programs of the Democratic People's Republic of Korea and its repeated provocations pose grave threats to peace and stability on the Korean Peninsula and to Northeast Asia, that the United States and the Republic of Korea and will work together to achieve the peaceful denuclearization of the Democratic People's Republic of Korea, and that the United States and the Republic of Korea remain fully committed to continuing close cooperation on the full range of issues related to the Democratic People's Republic of Korea; and

(6) the United States welcomes greater security cooperation with, and among, Japan and the Republic of Korea to promote mutual interests and to address shared concerns.

SEC. 1259. REPORT ON MARITIME SECURITY STRATEGY IN THE ASIA-PACIFIC REGION.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report that outlines the strategy of the Department of Defense with regard to maritime security in the Asia-Pacific region, with particular emphasis on the South China Sea and the East China Sea.

(b) ELEMENTS.—The report required by subsection (a) shall outline the strategy described in that subsection and include the following:

(1) An assessment of how the actions of the People's Republic of China in the South China Sea and the East China Sea have affected the status quo with regard to competing territorial and maritime claims and United States security interests in those seas.

(2) An assessment of how the naval and other maritime strategies and capabilities of the People's Republic of China, including military and law enforcement capabilities, affect the strategy in the Asia-Pacific region.

(3) An assessment of how anti-access and area denial strategies and capabilities of the People's Republic of China in the Asia-Pacific region, including weapons and technologies, affect the strategy.

(4) A description of any ongoing or planned changes in United States military capabilities, operations, and posture in the Asia-Pacific region to support the strategy.

(5) A description of any current or planned bilateral or regional naval or maritime capacity-building initiatives in the Asia-Pacific region.

(6) An assessment of how the strategy leverages military-to-military engagements between the United States and the People's Republic of China to reduce the potential for miscalculation and tensions in the South China Sea and the East China Sea, including a specific description of the effects of such engagements on particular incidents or interactions involving the People's Republic of China in those seas.

(7) Any other matters the Secretary may determine to be appropriate.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1259A. SENSE OF CONGRESS ON TAIWAN MARITIME CAPABILITIES AND EXERCISE PARTICIPATION.

It is the sense of Congress that—

(1) the United States should consider opportunities to help enhance the maritime capabilities and nautical skills of the Taiwanese navy that may contribute to Taiwan's self-defense and to regional peace and stability; and

(2) the People's Republic of China and Taiwan should be afforded opportunities to participate in the humanitarian assistance and disaster relief portions of future multilateral exercises, such as the Pacific Partnership, Pacific Angel, and Rim of the Pacific (RIMPAC) exercises, to increase their respective capacities to conduct these types of operations.

SEC. 1259B. MODIFICATION OF MATTERS FOR DISCUSSION IN ANNUAL REPORTS OF UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION.

(a) MATTERS FOR DISCUSSION.—Section 1238(c)(2) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 22 U.S.C. 7002(c)(2)) is amended by striking subparagraphs (A) through (J) and inserting the following new subparagraphs:

"(A) The role of the People's Republic of China in the proliferation of weapons of mass destruction and other weapon systems (including systems and technologies of a dual use nature), including actions the United States might take to encourage the People's Republic of China to cease such practices.

"(B) The qualitative and quantitative nature of the transfer of United States production activities to the People's Republic of China, including the relocation of manufacturing, advanced technology and intellectual property, and research and development facilities, the impact of such transfers on the national security of the United States (including the dependence of the national security industrial base of the United States on imports from China), the economic security of the United States, and employment in the United States, and the adequacy of United States export control laws in relation to the People's Republic of China.

"(C) The effects of the need for energy and natural resources in the People's Republic of China on the foreign and military policies of the People's Republic of China, the impact of the large and growing economy of the People's Republic of China on world energy and natural resource supplies, prices, and the environment, and the role the United States can play (including through joint research and development efforts and technological assistance) in influencing the energy and natural resource policies of the People's Republic of China.

"(D) Foreign investment by the United States in the People's Republic of China and by the People's Republic of China in the United States, including an assessment of its economic and security implications, the challenges to market access confronting potential United States investment in the People's Republic of China, and foreign activities by financial institutions in the People's Republic of China.

"(E) The military plans, strategy and doctrine of the People's Republic of China, the structure and organization of the People's Republic of China military, the decision-making process of the People's Republic of China military, the interaction between the civilian and military leadership in the People's Republic of China, the development and promotion process for leaders in the People's Republic of China military, deployments of the People's Republic of China military, resources available to the People's Republic of China military (including the development and execution of budgets and the allocation of funds), force modernization objectives and trends for the People's Republic of China

military, and the implications of such objectives and trends for the national security of the United States.

"(F) The strategic economic and security implications of the cyber capabilities and operations of the People's Republic of China.

"(G) The national budget, fiscal policy, monetary policy, capital controls, and currency management practices of the People's Republic of China, their impact on internal stability in the People's Republic of China, and their implications for the United States.

"(H) The drivers, nature, and implications of the growing economic, technological, political, cultural, people-to-people, and security relations of the People's Republic of China's with other countries, regions, and international and regional entities (including multilateral organizations), including the relationship among the United States, Taiwan, and the People's Republic of China.

"(I) The compliance of the People's Republic of China with its commitments to the World Trade Organization, other multilateral commitments, bilateral agreements signed with the United States, commitments made to bilateral science and technology programs, and any other commitments and agreements strategic to the United States (including agreements on intellectual property rights and prison labor imports), and United States enforcement policies with respect to such agreements.

"(J) The implications of restrictions on speech and access to information in the People's Republic of China for its relations with the United States in economic and security policy, as well as any potential impact of media control by the People's Republic of China on United States economic interests.

"(K) The safety of food, drug, and other products imported from China, the measures used by the People's Republic of China Government and the United States Government to monitor and enforce product safety, and the role the United States can play (including through technical assistance) to improve product safety in the People's Republic of China.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to annual reports submitted under section 1238(c) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 after such date of enactment. 22 USC 7002 note.

Subtitle E—Other Matters

SEC. 1261. ONE-YEAR EXTENSION OF AUTHORIZATION FOR NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

(a) EXTENSION.—Subsection (h) of section 943 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4579), as most recently amended by section 1241 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 920), is further amended by striking "2015" and inserting "2016".

(b) CROSS-REFERENCE AMENDMENT.—Subsection (f) of such section is amended by striking "413b(e)" and inserting "3093(e)".

SEC. 1262. MODIFICATION OF NATIONAL SECURITY PLANNING GUIDANCE TO DENY SAFE HAVENS TO AL-QAEDA AND ITS VIOLENT EXTREMIST AFFILIATES.

(a) MODIFICATION.—Section 1032(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1571; 50 U.S.C. 3043 note) is amended—

(1) in paragraph (2)—

(A) by redesignating subparagraph (C), (D), and (E) as subparagraph (D), (E), and (F), respectively;

(B) by inserting after subparagraph (B) the following:

"(C) For each specified geographic area, a description of the following:

"(i) The feasibility of conducting multilateral programs to train and equip the military forces of relevant countries in the area.

"(ii) The authority and funding that would be required to support such programs.

"(iii) How such programs would be implemented.

"(iv) How such programs would support the national security priorities and interests of the United States and complement other efforts of the United States Government in the area and in other specified geographic areas."; and

(C) in subparagraph (F) (as redesignated), by striking "subparagraph (C)" and inserting "subparagraph (D)"; and

(2) in paragraph (3)(A), by striking "paragraph (2)(C)" and inserting "paragraph (2)(D)".

(b) REPORT.—Section 1032(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1571; 50 U.S.C. 3043 note), as amended by subsection (a), is further amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

"(4) REPORT.—

"(A) IN GENERAL.—Not later than 180 days after the date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015, the President shall submit to the appropriate congressional committees a report that contains a detailed summary of the national security planning guidance required under paragraph (1), including any updates thereto.

"(B) FORM.—The report may include a classified annex as determined to be necessary by the President.

"(C) DEFINITION.—In this paragraph, the term 'appropriate congressional committees' means—

"(i) the congressional defense committees; and

"(ii) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.".

SEC. 1263. ENHANCED AUTHORITY TO ACQUIRE GOODS AND SERVICES OF DJIBOUTI IN SUPPORT OF DEPARTMENT OF DEFENSE ACTIVITIES IN UNITED STATES AFRICA COMMAND AREA OF RESPONSIBILITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States forces should continue to be forward postured in Africa and in the Middle East;

(2) Djibouti is in a strategic location to support United States vital national security interests in the region;

(3) the United States should take definitive steps to maintain its basing access and agreements with the Government of Djibouti to support United States vital national security interests in the region;

(4) the United States should devise and implement a comprehensive governmental approach to engaging with the Government of Djibouti to reinforce the strategic partnership between the United States and Djibouti; and

(5) the Secretary of State and the Administrator of the United States Agency for International Development, in conjunction with the Secretary of Defense, should take concrete steps to advance and strengthen the relationship between United States and the Government of Djibouti.

(b) AUTHORITY.—In the case of a good or service to be acquired in direct support of covered activities for which the Secretary of Defense makes a determination described in subsection (c), the Secretary may conduct a procurement in which—

(1) competition is limited to goods of Djibouti or services of Djibouti; or

(2) a preference is provided for goods of Djibouti or services of Djibouti.

(c) DETERMINATION.—

(1) IN GENERAL.—A determination described in this subsection is a determination by the Secretary of either of the following:

(A) That the good or service concerned is to be used only in support of covered activities.

(B) That it is vital to the national security interests of the United States to limit competition or provide a preference as described in subsection (b) because such limitation or preference is necessary—

(i) to reduce—

(I) United States transportation costs; or

(II) delivery times in support of covered activities; or

(ii) to promote regional security, stability, and economic prosperity in Africa.

(C) That the good or service is of equivalent quality of a good or service that would have otherwise been acquired.

(2) ADDITIONAL REQUIREMENT.—A determination under paragraph (1)(B) shall not be effective for purposes of a limitation or preference under subsection (b) unless the Secretary also determines that the limitation or preference will not adversely affect—

(A) United States military operations or stability operations in the United States Africa Command area of responsibility; or

(B) the United States industrial base.

(d) REPORTING AND OVERSIGHT.—In exercising the authority under subsection (b) to procure goods or services in support of covered activities, the Secretary of Defense—

(1) in the case of the procurement of services, shall ensure that the procurement is conducted in accordance with the management structure implemented pursuant to section 2330(a) of title 10, United States Code;

(2) shall ensure that such goods or services are identified and reported under a single, joint Department of Defense-wide system for the management and accountability of contractors accompanying United States forces operating overseas or in contingency operations (such as the synchronized predeployment and operational tracker (SPOT) system); and

(3) shall ensure that the United States Africa Command has sufficiently trained staff and adequate resources to conduct oversight of procurements carried out pursuant to subsection (b), including oversight to detect and deter fraud, waste, and abuse.

(e) DEFINITIONS.—In this section:

(1) COVERED ACTIVITIES.—The term "covered activities" means Department of Defense activities in the United States Africa Command area of responsibility.

(2) GOOD OF DJIBOUTI.—The term "good of Djibouti" means a good wholly the growth, product, or manufacture of Djibouti.

(3) SERVICE OF DJIBOUTI.—The term "service of Djibouti" means a service performed by a person that—

(A)(i) is operating primarily in Djibouti; or

(ii) is making a significant contribution to the economy of Djibouti through payment of taxes or use of products, materials, or labor of Djibouti, as determined by the Secretary of State; and

(B) is properly licensed or registered by authorities of the Government of Djibouti, as determined by the Secretary of State.

(f) TERMINATION.—The authority and requirements of this section expire at the close of September 30, 2018.

8 USC 1182 note.

SEC. 1264. TREATMENT OF THE KURDISTAN DEMOCRATIC PARTY AND THE PATRIOTIC UNION OF KURDISTAN UNDER THE IMMIGRATION AND NATIONALITY ACT.

(a) REMOVAL OF THE KURDISTAN DEMOCRATIC PARTY AND THE PATRIOTIC UNION OF KURDISTAN FROM TREATMENT AS TERRORIST ORGANIZATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Kurdistan Democratic Party and the Patriotic Union of Kurdistan shall be excluded from the definition of terrorist organization (as defined in section 212(a)(3)(B)(vi)(III) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi)(III))) for purposes of such section 212(a)(3)(B).

(2) EXCEPTION.—The Secretary of State, after consultation with the Secretary of Homeland Security and the Attorney General, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may suspend the application of paragraph (1) for either or

both of the groups referred to in paragraph (1) in such Secretary's sole and unreviewable discretion. Prior to or contemporaneous with such suspension, the Secretary of State or the Secretary of Homeland Security shall report their reasons for suspension to the Committees on Judiciary of the House of Representatives and of the Senate, the Committees on Appropriations in the House of Representatives and of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

(b) RELIEF REGARDING ADMISSIBILITY OF NONIMMIGRANT ALIENS ASSOCIATED WITH THE KURDISTAN DEMOCRATIC PARTY AND THE PATRIOTIC UNION OF KURDISTAN.—

(1) FOR ACTIVITIES OPPOSING THE BA'ATH REGIME.—Paragraph (3)(B) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)) shall not apply to an alien with respect to activities undertaken in association with the Kurdistan Democratic Party or the Patriotic Union of Kurdistan in opposition to the regime of the Arab Socialist Ba'ath Party and the autocratic dictatorship of Saddam Hussein in Iraq.

(2) FOR MEMBERSHIP IN THE KURDISTAN DEMOCRATIC PARTY AND PATRIOTIC UNION OF KURDISTAN.—Paragraph (3)(B) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)) shall not apply to an alien applying for a nonimmigrant visa, who presents themselves for inspection to an immigration officer at a port of entry as a nonimmigrant, or who is applying in the United States for nonimmigrant status, and who is a member of the Kurdistan Democratic Party or the Patriotic Union of Kurdistan and currently serves or has previously served as a senior official (such as Prime Minister, Deputy Prime Minister, Minister, Deputy Minister, President, Vice-President, Member of Parliament, provincial Governor or member of the National Security Council) of the Kurdistan Regional Government or the federal government of the Republic of Iraq.

(3) EXCEPTION.—Neither paragraph (1) nor paragraph (2) shall apply if the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) determine in their sole unreviewable discretion that such alien poses a threat to the safety and security of the United States, or does not warrant a visa, admission to the United States, or a grant of an immigration benefit or protection, in the totality of the circumstances. This provision shall be implemented by the Secretary of State and the Secretary of Homeland Security in consultation with the Attorney General.

(c) PROHIBITION ON JUDICIAL REVIEW.—Notwithstanding any other provision of law (whether statutory or nonstatutory), section 242 of the Immigration and Nationality Act (8 U.S.C. 1252), sections 1361 and 1651 of title 28, United States Code, section 2241 of such title, and any other habeas corpus provision of law, no court shall have jurisdiction to review any determination made pursuant to this section.

SEC. 1265. PROHIBITION ON INTEGRATION OF MISSILE DEFENSE SYSTEMS OF CHINA INTO MISSILE DEFENSE SYSTEMS OF UNITED STATES AND SENSE OF CONGRESS CONCERNING INTEGRATION OF MISSILE DEFENSE SYSTEMS OF RUSSIA INTO MISSILE DEFENSE SYSTEMS OF NATO.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense may be obligated or expended to integrate a missile defense system of the People's Republic of China into any missile defense system of the United States.

(b) SENSE OF CONGRESS.—It is the sense of Congress that missile defense systems of the Russian Federation should not be integrated into the missile defense systems of the United States or the North Atlantic Treaty Organization (NATO) if such integration undermines the security of the United States or NATO, respectively.

SEC. 1266. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense may be obligated or expended to implement the Arms Trade Treaty, or to make any change to existing programs, projects, or activities as approved by Congress in furtherance of, pursuant to, or otherwise to implement the Arms Trade Treaty, unless the Arms Trade Treaty has received the advice and consent of the Senate and has been the subject of implementing legislation, as required, by Congress.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws and regulations up to United States standards.

22 USC 2593a note.

SEC. 1267. NOTIFICATION AND REVIEW OF POTENTIALLY SIGNIFICANT ARMS CONTROL NONCOMPLIANCE.

(a) NOTICE TO PRESIDENT.—If the Secretary of Defense, after consultation with the Secretary of State and the Director of National Intelligence, has substantial reason to believe that there is a case of foreign activity that would pose a significant threat to United States national security interests and that may be inconsistent with an arms control treaty to which the United States is a party, and such case is not included in, or is significantly different from a case included in, the most-recent annual report submitted to Congress pursuant to section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a), the Secretary of Defense shall notify the President of such belief of the Secretary.

(b) REFERRAL TO SECRETARY OF STATE.—If the President receives a notification from the Secretary of Defense under subsection (a), the President shall promptly refer the matter to the Secretary of State to arrange for an inter-agency review of the case in order to provide for an assessment of whether the case constitutes a significant case of non-compliance with an arms control treaty to which the United States is a party.

(c) NOTICE TO CONGRESS.—Not later than 60 days after the date on which the President makes a referral under subsection

(b), the Secretary of State shall submit to the appropriate committees of Congress the results of the assessment of the case with respect to which the referral was made under subsection (b).

(d) DEFINITION.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1268. INTER-EUROPEAN AIR FORCES ACADEMY.

10 USC 9411 note.

(a) OPERATION.—The Secretary of the Air Force may operate the Air Force education and training facility known as the Inter-European Air Forces Academy (in this section referred to as the "Academy").

(b) PURPOSE.—The purpose of the Academy shall be to provide military education and training to military personnel of countries that are members of the North Atlantic Treaty Organization or signatories to the Partnership for Peace Framework Documents.

(c) LIMITATIONS.—

(1) CONCURRENCE OF SECRETARY OF STATE.—Military personnel of a country may be provided education and training under this section only with the concurrence of the Secretary of State.

(2) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—Education and training may not be provided under this section to the military personnel of any country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

(d) SUPPLIES AND CLOTHING.—The Secretary of the Air Force may, under such conditions as the Secretary may prescribe, provide to a person receiving education and training under this section the following:

(1) Transportation incident to such education and training.

(2) Supplies and equipment to be used during such education and training.

(3) Billeting, food, and health services in connection with the receipt of such education and training.

(e) LIVING ALLOWANCE.—The Secretary of the Air Force may pay to a person receiving education and training under this section a living allowance at a rate to be prescribed by the Secretary, taking into account the rates of living allowances authorized for a member of the Armed Forces under similar circumstances.

(f) FUNDING.—Amounts for the operations and maintenance of the Academy, and for the provision of education and training through the Academy, may be paid from funds available for the Air Force for operation and maintenance.

(g) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than 60 days after the end of each fiscal year in which the Secretary of the Air Force operates the Academy pursuant to this section, the Secretary shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the operations of the Academy during such fiscal year.

(2) ELEMENTS.—Each report under this subsection shall set forth, for the fiscal year covered by such report, the following:

(A) A description of the operations of the Academy, including a description of the education and training courses provided under this section.

(B) A summary of the number of individuals receiving education and training through the Academy, set forth by country of origin and education or training provided.

(C) The amount paid by the Secretary for the operations and maintenance of the Academy.

(D) The amounts paid by the Secretary under subsections (d) and (e) in connection with the provision of education and training through the Academy.

(E) Any other matters the Secretary determines to be appropriate.

(h) EXPIRATION.—The authority in subsection (a) shall expire on September 30, 2019.

10 USC 5983 note.

SEC. 1269. DEPARTMENT OF DEFENSE SUPPORT TO SECURITY OF UNITED STATES DIPLOMATIC FACILITIES.

(a) MARINE CORPS SECURITY GUARD PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, shall—

(A) develop and implement a plan to incorporate the additional Marine Corps Security Guard personnel authorized under section 404 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 5983 note) at United States embassies, consulates, and other facilities;

(B) conduct an annual review of the Marine Corps Security Guard Program, including—

(i) an evaluation of whether the size and composition of the Marine Corps Security Guard Program is adequate to meet global diplomatic security requirements;

(ii) an assessment of whether Marine Corps security guards are appropriately deployed among facilities to respond to evolving security developments and potential threats to United States diplomatic facilities abroad; and

(iii) an assessment of the mission objectives of the Marine Corps Security Guard Program and the procedural rules of engagement to protect diplomatic personnel under the Program; and

(C) provide an assessment of the effectiveness of Department of Defense-provided Security Augmentation Units utilized during the previous year to improve security at high threat, high risk facilities, including an evaluation of any impediments to the effectiveness of such units.

(2) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees an unclassified report, with a classified annex as necessary, that addresses the requirements set forth in paragraph (1).

(b) REPORT ON "NEW NORMAL" AND GENERAL MISSION REQUIREMENTS OF UNITED STATES AFRICA COMMAND.—

(1) IN GENERAL.—Not later than March 1, 2015, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on what changes, if any, have been made to the force posture and structure of the United States Africa Command or adjacent combatant commands to respond, if requested, to a diplomatic facility's security requirements (so-called "new normal" requirements) and general mission of United States Africa Command.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following elements:

(A) A detailed description of the "new normal" requirements in the area of responsibility of the United States Africa Command.

(B) A description of any changes required for the United States Africa Command or adjacent combatant commands to meet the "new normal" and general mission requirements in the United States Africa Command area of responsibility, including the gaps in capability, size, posture, agreements, basing, and enabler support of crisis response forces and associated assets to respond to requests for support from the Secretary of State.

(C) A discussion and estimate of the military forces required to support mission requirements of the United States Africa Command and the shortfall, if any, in meeting such requirements.

(D) A discussion and estimate of the annual intelligence, surveillance, and reconnaissance requirements of the United States Africa Command and the shortfall, if any, in meeting such requirements.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1270. INFORMATION ON SANCTIONED PERSONS AND BUSINESSES THROUGH THE FEDERAL AWARDEE PERFORMANCE AND INTEGRITY INFORMATION SYSTEM.

Section 2313(c) of title 41, United States Code, is amended by adding at the end the following new paragraph:

"(8) Whether the person is included on any of the following lists maintained by the Office of Foreign Assets Control of the Department of the Treasury:

"(A) The specially designated nationals and blocked persons list (commonly known as the 'SDN list').

"(B) The sectoral sanctions identification list.

"(C) The foreign sanctions evaders list.

"(D) The list of persons sanctioned under the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C.

1701 note) that do not appear on the SDN list (commonly known as the 'Non-SDN Iranian Sanctions Act list').

"(E) The list of foreign financial institutions subject to part 561 of title 31, Code of Federal Regulations.".

22 USC 8701 note.

SEC. 1271. REPORTS ON NUCLEAR PROGRAM OF IRAN.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on the interim agreement relating to the nuclear program of Iran. Such report shall include—

(1) verification of whether Iran is complying with such agreement; and

(2) an assessment of the overall state of the nuclear program of Iran.

(b) ADDITIONAL REPORTS.—If the interim agreement described in subsection (a) is renewed or if a comprehensive and final agreement is entered into regarding the nuclear program of Iran, by not later than 90 days after such renewal or final agreement being entered into, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report on such renewed or final agreement. Such report shall include the matters described in paragraphs (1) and (2) of subsection (a).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(d) SUNSET.—This section shall terminate on the date that is 10 years after the date of the enactment of this Act.

SEC. 1272. SENSE OF CONGRESS ON DEFENSE MODERNIZATION BY NATO COUNTRIES.

(a) FINDINGS.—Congress findings the following:

(1) At the North Atlantic Treaty Organization (NATO) summit in Wales in September 2014, NATO members made important commitments to reverse the decline in their defense budgets and to aim to move toward the NATO guideline to spend a minimum of two percent of each member's Gross Domestic Product on defense within a decade.

(2) At the Wales summit, NATO members declared that increased investments in defense should be directed towards meeting the capability priorities of the Alliance.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should work with other NATO members as they seek to modernize their defense capabilities to encourage such members to procure defense systems, including air and missile defense systems, that are interoperable with NATO defense systems and help fill critical NATO shortfalls;

(2) such United States efforts to facilitate the modernization of defense capabilities are particularly important to help address the security requirements of the newer members of NATO in Eastern Europe; and

(3) the United States stands ready to assist other NATO members to modernize their defense capabilities and restructure their armed forces consistent with the objectives set out at the NATO summit in Wales in September 2014.

SEC. 1273. REPORT ON PROTECTION OF CULTURAL PROPERTY IN EVENT OF ARMED CONFLICT.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on efforts of the Department of Defense to protect cultural property abroad, including activities undertaken pursuant to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict.

(b) ELEMENTS OF REPORT.—The report required under subsection (a) shall include the following:

(1) A description of Department of Defense policies, directives, and regulations for the protection of cultural property abroad at risk of destruction due to armed conflict.

(2) A description of actions the Armed Forces have taken to protect cultural property abroad, including efforts to avoid damage to cultural property during military construction activities and efforts made to inform military personnel about the identification and protection of cultural property as part of the law of war.

(3) The status and number of specialist personnel in the Armed Forces assigned to secure respect for cultural property abroad and to cooperate with civilian authorities responsible for safeguarding cultural property abroad, consistent with the requirements of the 1954 Hague Convention.

SEC. 1274. UNITED STATES STRATEGY AND PLANS FOR ENHANCING SECURITY AND STABILITY IN EUROPE.

(a) REVIEW.—The Secretary of Defense shall conduct a review of the force posture, readiness, and responsiveness of United States forces and the forces of other members of the North Atlantic Treaty Organization (NATO) in the area of responsibility of the United States European Command, and of contingency plans for such United States forces, with the objective of ensuring that the posture, readiness, and responsiveness of such forces are appropriate to meet the obligations of collective self-defense under Article V of the North Atlantic Treaty. The review shall include an assessment of the capabilities and capacities needed by the Armed Forces of the United States to respond to unconventional or hybrid warfare tactics like those used by the Russian Federation in Crimea and Eastern Ukraine.

(b) UNITED STATES STRATEGY AND PLANS.—

(1) REPORT ON STRATEGY AND PLANS REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State, submit to the appropriate committees of Congress a report on a strategy and plans for enhancing security and stability in Europe.

(2) ELEMENTS.—The report required by this subsection shall include the following:

(A) A summary of the relevant findings of the review conducted under subsection (a).

(B) A description of any initiatives or recommendations of the Secretary of Defense for enhancing the force posture, readiness, and responsiveness of United States forces in

the area of responsibility of the United States European Command as a result of the review.

(C) A description of any initiatives of other members of NATO for enhancing the force posture, readiness, and responsiveness of their forces within the area of responsibility of NATO.

(D) A plan for reassuring Central European and Eastern European members of NATO regarding the commitment of the United States and other members of NATO to their obligations under the North Atlantic Treaty, including collective defense under Article V, including the following:

(i) A description of measures to be undertaken by the United States to reassure members of NATO regarding the commitment of the United States to its obligations under the North Atlantic Treaty.

(ii) A description of measures undertaken or to be undertaken by other members of NATO to provide assurances of their commitment to meet their obligations under the North Atlantic Treaty.

(iii) A description of any planned measures to increase the presence of the Armed Forces of the United States and the forces of other members of NATO, including on a rotational basis, on the territories of the Central European and Eastern European members of NATO.

(iv) A description of the measures undertaken by the United States and other members of NATO to enhance the capability of members of NATO to respond to tactics like those used by the Russian Federation in Crimea and Eastern Ukraine or to assist members of NATO in responding to such tactics.

(E) A plan for enhancing bilateral and multilateral security cooperation with appropriate countries participating in the NATO Partnership for Peace program using the authorities for enhancing security cooperation specified in subsection (c), which plan shall include the following:

(i) An identification of the objectives and priorities of such United States security assistance and cooperation programs, on a bilateral and regional basis, and the resources required to achieve such objectives and priorities.

(ii) A methodology for evaluating the effectiveness of such United States security assistance and cooperation programs, bilaterally and regionally, in making progress toward identified objectives and priorities.

(3) FORM.—The report required by this subsection shall be submitted in an unclassified form, but may include a classified annex.

(c) AUTHORITIES FOR ENHANCING SECURITY COOPERATION.—The authorities for enhancing security cooperation specified in this subsection include the following:

(1) Section 168 of title 10, United States Code, relating to the Warsaw Initiative Fund.

(2) Section 2282 of title 10, United States Code (as added by section 1205 of this Act), relating to authority to build the capacity of foreign military forces.

(3) Section 1206 of this Act, relating to training of security forces and associated ministries of foreign countries to promote respect for the rule of law and human rights.

(4) Section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 168 note), relating to the Ministry of Defense Advisors program.

(5) Section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151 note), relating to the Global Security Contingency Fund.

(6) Any other authority available to the Secretary of Defense or Secretary of State appropriate for the purpose of this section.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1275. REPORT ON MILITARY ASSISTANCE TO UKRAINE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should provide lethal and nonlethal military assistance to the Government of Ukraine to defend its territory and sovereignty from further aggressive actions designed to undermine regional peace and stability to the extent such assistance is defensive and non-provocative in nature.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Defense shall conduct an assessment and submit to the congressional defense committees a report related to military assistance to Ukraine.

(c) ELEMENTS.—At a minimum, the report required under subsection (b) should provide a detailed explanation of the following matters:

(1) Military equipment, supplies, and defense services, including type, quantity, and prioritization of such items, requested by the Government of Ukraine.

(2) Military equipment, supplies, and defense services, including type, quantity, and actual or estimated delivery date, that the United States Government has provided, is providing, and plans to provide to the Government of Ukraine.

(3) An assessment of what United States military assistance to the Government of Ukraine, including type and quantity, would most effectively improve the military readiness and capabilities of the Ukrainian military, including a discussion of those defensive, lethal capabilities that could be provided by the United States that would enable the Government of Ukraine to better ensure the territorial integrity of Ukraine.

(4) An assessment of the need for, appropriateness of, and force protection concerns of any United States military advisors that may be made available to the armed forces of Ukraine.

(5) Military training requested by the Government of Ukraine.

(6) Military training the United States Government has conducted with Ukraine in the previous six months.

(7) Military training the United States Government plans to conduct with the Government of Ukraine in the next year.

(d) FORM.—The report required under subsection (b) shall be unclassified in form, but may contain a classified annex.

(e) SUNSET.—The requirements in this section shall terminate on January 31, 2017.

SEC. 1276. SENSE OF CONGRESS ON EFFORTS TO REMOVE JOSEPH KONY FROM THE BATTLEFIELD AND END THE ATROCITIES OF THE LORD'S RESISTANCE ARMY.

Consistent with the provisions of the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111–172), it is the sense of Congress that—

(1) the ongoing United States advise and assist operation in support of regional governments in Central Africa and the African Union to remove Joseph Kony and his top commanders from the battlefield and end atrocities perpetuated by the Lord's Resistance Army, also known as Operation Observant Compass, has made significant progress in achieving its objectives;

(2) the Department of Defense should continue its support of Operation Observant Compass, particularly through the provision of key enablers, such as mobility assets and targeted intelligence collection and analytical support, to enable regional partners to effectively conduct operations against Joseph Kony and the Lord's Resistance Army;

(3) Operation Observant Compass must be integrated into a comprehensive strategy to support security and stability in the region; and

(4) the regional governments should recommit themselves to the Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army authorized by the African Union.

SEC. 1277. EXTENSION OF ANNUAL REPORTS ON THE MILITARY POWER OF IRAN.

Section 1245(d) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2544) is amended by striking "December 31 2014" and inserting "December 31, 2016".

SEC. 1278. REPORT AND STRATEGY REGARDING NORTH AFRICA, WEST AFRICA, AND THE SAHEL.

(a) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with other appropriate Federal officials, shall submit to the congressional defense committees a report that contains an assessment of the actions taken by the Department of Defense and other Federal agencies to identify, locate, and bring to justice those persons and organizations that planned, authorized, or committed the attacks against the United States facilities in Benghazi, Libya that occurred on September 11 and 12, 2012, and the legal authorities available for such purposes.

(b) STRATEGY.—

(1) TIMING AND CONTENT.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a comprehensive strategy to counter the growing threat posed by radical Islamist terrorist groups in North Africa, West Africa, and the Sahel, which shall include, among other things—

(A) a description of the radical Islamist terrorist groups active in the region, including an assessment of their origins, strategic aims, tactical methods, funding sources, leadership, and relationships with other terrorist groups or state actors;

(B) a strategy to stem the movement of foreign fighters from North Africa, West Africa, and the Sahel to other areas, including Syria and Iraq;

(C) a description of steps the United States is taking to stabilize the political and security situation in North Africa, West Africa, and the Sahel and support counterterrorism and stability efforts in the region;

(D) a description of the key military, diplomatic, intelligence, and public diplomacy resources available to address these growing regional terrorist threats; and

(E) a strategy to maximize the coordination between, and the effectiveness of, United States military, diplomatic, intelligence, and public diplomacy resources to counter these growing regional terrorist threats.

(2) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1279. RULE OF CONSTRUCTION.

22 USC 8784 note.

Nothing in this Act shall be construed as authorizing the use of force against Iran.

SEC. 1280. APPROVAL OF THE AMENDMENT TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES.

(a) IN GENERAL.—Notwithstanding the provisions for congressional consideration of a proposed agreement for cooperation in subsection d. of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), the amendments to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, done at Washington, July 22, 2014, and transmitted to Congress on July 24, 2014, including all portions thereof (hereinafter in this section referred to as the "Amendment"), may be brought into effect on or after the date of the enactment of this Act as if all the requirements in such section 123 for consideration of the Amendment had been satisfied, subject to subsection (b) of this section.

(b) APPLICABILITY OF ATOMIC ENERGY ACT OF 1954 AND OTHER PROVISIONS OF LAW.—Upon coming into effect, the Amendment shall be subject to the provisions of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and any other applicable United States law as if the Amendment had come into effect in accordance

with the requirements of section 123 of the Atomic Energy Act of 1954.

TITLE XIII—COOPERATIVE THREAT REDUCTION

Subtitle A—Funds

Subtitle B—Consolidation and Modernization of Statutes Relating to the Department of Defense Cooperative Threat Reduction Program

PART I—PROGRAM AUTHORITIES

PART II—RESTRICTIONS AND LIMITATIONS

PART III—RECURRING CERTIFICATIONS AND REPORTS

PART IV—REPEALS AND TRANSITION PROVISIONS

Subtitle A—Funds

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) FISCAL YEAR 2015 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this subtitle, the term "fiscal year 2015 Cooperative Threat Reduction funds" means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program established under section 1321.

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2015, 2016, and 2017.

SEC. 1302. FUNDING ALLOCATIONS.

Of the $365,108,000 authorized to be appropriated to the Department of Defense for fiscal year 2015 in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program established under section 1321, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $1,000,000.

(2) For chemical weapons destruction, $15,720,000.

(3) For global nuclear security, $20,703,000.

(4) For cooperative biological engagement, $256,762,000.

(5) For proliferation prevention, $40,704,000.

(6) For threat reduction engagement, $2,375,000.

(7) For activities designated as Other Assessments/Administrative Costs, $27,844,000.

Subtitle B—Consolidation and Modernization of Statutes Relating to the Department of Defense Cooperative Threat Reduction Program

Department of Defense Cooperative Threat Reduction Act.

SEC. 1311. SHORT TITLE.

50 USC 3701 note.

This subtitle may be cited as the "Department of Defense Cooperative Threat Reduction Act".

SEC. 1312. DEFINITIONS.

50 USC 3701.

In this subtitle:

(1) The term "congressional defense committees" has the meaning given that term in section 101(a)(16) of title 10, United States Code.

(2) The term "Cooperative Threat Reduction funds" means funds appropriated pursuant to an authorization of appropriations for the Program, or otherwise made available to the Program.

(3) The term "Program" means the Cooperative Threat Reduction Program of the Department of Defense established under section 1321.

PART I—PROGRAM AUTHORITIES

SEC. 1321. AUTHORITY TO CARRY OUT DEPARTMENT OF DEFENSE COOPERATIVE THREAT REDUCTION PROGRAM.

50 USC 3711.

(a) AUTHORITY.—The Secretary of Defense may carry out a program, referred to as the "Department of Defense Cooperative Threat Reduction Program", with respect to foreign countries to do the following:

(1) Facilitate the elimination and the safe and secure transportation and storage of chemical, biological, or other weapons, weapons components, weapons-related materials, and associated delivery vehicles.

(2) Facilitate—

(A) the safe and secure transportation and storage of nuclear weapons, nuclear weapons-usable or high-threat

radiological materials, nuclear weapons components, and associated delivery vehicles; and

(B) the elimination of nuclear weapons, nuclear weapons components, and nuclear weapons delivery vehicles.

(3) Prevent the proliferation of nuclear and chemical weapons, weapons components, and weapons-related materials, technology, and expertise.

(4) Prevent the proliferation of biological weapons, weapons components, and weapons-related materials, technology, and expertise, which may include activities that facilitate detection and reporting of highly pathogenic diseases or other diseases that are associated with or that could be used as an early warning mechanism for disease outbreaks that could affect the Armed Forces of the United States or allies of the United States, regardless of whether such diseases are caused by biological weapons.

(5) Prevent the proliferation of weapons of mass destruction-related materials, including materials, equipment, and technology that could be used for the design, development, production, or use of nuclear, chemical, and biological weapons and the means of delivery of such weapons.

(6) Carry out military-to-military and defense contacts for advancing the mission of the Program, subject to subsection (f).

(b) CONCURRENCE OF SECRETARY OF STATE.—The authority under subsection (a) to carry out the Program is subject to any concurrence of the Secretary of State or other appropriate agency head required under section 1322 or 1323 (unless such concurrence is otherwise exempted pursuant to section 1352 with respect to activities or determinations carried out or made before the date of the enactment of this Act).

(c) SCOPE OF AUTHORITY.—The authority to carry out the Program in subsection (a) includes authority to provide equipment, goods, and services, but does not include authority to provide funds directly for a project or activity carried out under the Program.

(d) TYPE OF PROGRAM.—The Program carried out under subsection (a) may involve assistance in planning and in resolving technical problems associated with weapons destruction and proliferation. The Program may also involve the funding of critical short-term requirements relating to weapons destruction.

(e) REIMBURSEMENT OF OTHER AGENCIES.—The Secretary of Defense may reimburse heads of other departments and agencies of the Federal Government under this section for costs of the participation of the respective departments and agencies in the Program.

(f) MILITARY-TO-MILITARY AND DEFENSE CONTACTS.—The Secretary of Defense shall ensure that the military-to-military and defense contacts carried out under subsection (a)(6)—

(1) are focused and expanded to support specific relationship-building opportunities, which could lead to the development of the Program in new geographic areas and achieve other benefits of the Program;

(2) are directly administered as part of the Program; and

(3) include cooperation and coordination with—

(A) the unified combatant commands; and

(B) the Department of State.

(g) PRIOR NOTICE TO CONGRESS OF OBLIGATION OF FUNDS.—

(1) ANNUAL REQUIREMENT.—Not less than 15 days before any obligation of any Cooperative Threat Reduction funds, the Secretary of Defense shall submit to the congressional defense committees a report on that proposed obligation of such funds for that fiscal year.

(2) MATTERS INCLUDED.—Each report under paragraph (1) shall specify—

(A) the activities and forms of assistance for which the Secretary plans to obligate funds;

(B) the amount of the proposed obligation; and

(C) the projected involvement (if any) of any other department or agency of the United States and of the private sector of the United States in the activities and forms of assistance for which the Secretary plans to obligate such funds.

(3) EXCEPTION FOR NOTIFICATIONS PREVIOUSLY PROVIDED.—Paragraph (1) shall not apply with respect to a proposed obligation of Cooperative Threat Reduction funds that is covered by a notification previously submitted by the Secretary to the congressional defense committees that includes the matters described in subparagraphs (A) through (C) of paragraph (2).

SEC. 1322. USE OF FUNDS FOR CERTAIN EMERGENT THREATS OR OPPORTUNITIES.

50 USC 3712.

(a) AUTHORITY.—For purposes of the Program, the Secretary of Defense may obligate and expend Cooperative Threat Reduction funds for a fiscal year, and any Cooperative Threat Reduction funds for a prior fiscal year that remain available for obligation, for a proliferation threat reduction project or activity if the Secretary, with the concurrence of the Secretary of State, determines each of the following:

(1) That such project or activity will—

(A) assist the United States in the resolution of a critical emerging proliferation threat; or

(B) permit the United States to take advantage of opportunities to achieve long-standing nonproliferation goals.

(2) That such project or activity will be completed in a period not exceeding five years.

(3) That the Department of Defense is the entity of the Federal Government that is most capable of carrying out such project or activity.

(b) CONGRESSIONAL NOTIFICATION.—At the time at which the Secretary obligates funds under subsection (a) for a project or activity, the Secretary of Defense shall notify, in writing, the congressional defense committees and the Secretary of State shall notify, in writing, the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of the determinations made under such subsection with respect to such project or activity, together with—

(1) a justification for such determinations; and

(2) a description of the scope and duration of such project or activity.

(c) NON-DEFENSE AGENCY PARTNER-NATION CONTACTS.—With respect to military-to-military and defense contacts carried out under subsection (a)(6) of section 1321, as further described in

subsection (f) of such section, concurrence of the Secretary of State under subsection (a) is required only for participation in such contacts by personnel from non-defense agencies of foreign countries.

(d) EXCEPTION TO REQUIREMENT FOR CERTAIN DETERMINATIONS.—The requirement for a determination under subsection (a) shall not apply to a state of the former Soviet Union.

50 USC 3713.

SEC. 1323. AUTHORITY FOR URGENT THREAT REDUCTION ACTIVITIES UNDER DEPARTMENT OF DEFENSE COOPERATIVE THREAT REDUCTION PROGRAM.

(a) LIMITATION ON USE OF FUNDS FOR URGENT THREAT REDUCTION ACTIVITIES.—Subject to subsections (b) and (c), not more than 15 percent of the total amount of Cooperative Threat Reduction funds for any fiscal year may be obligated or expended, notwithstanding any other provision of law, for covered activities.

(b) SECRETARY OF DEFENSE DETERMINATION AND NOTICE FOR URGENT THREAT REDUCTION ACTIVITIES IN GOVERNED AREAS.—With respect to an area not covered by subsection (c), the Secretary of Defense may obligate or expend funds pursuant to subsection (a) for covered activities if—

(1) the Secretary determines, in writing, that—

(A) a threat arising in such area from the proliferation of chemical, nuclear, or biological weapons or weapons-related materials, technologies, or expertise must be addressed urgently;

(B) certain provisions of law would unnecessarily impede the ability of the Secretary to carry out such covered activities to address such threat; and

(C) it is necessary to obligate or expend such funds to carry out such covered activities;

(2) the Secretary of State and the Secretary of Energy concur with such determination; and

(3) at the time at which the Secretary of Defense first obligates such funds, the Secretary of Defense, in consultation with the Secretary of State, submits to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate—

(A) the determination under paragraph (1);

(B) a description of the covered activities to be carried out using such funds;

(C) the expected time frame for such activities; and

(D) the expected cost of such activities.

(c) PRESIDENTIAL DETERMINATION AND NOTICE FOR URGENT THREAT REDUCTION ACTIVITIES IN UNGOVERNED AREAS.—With respect to an ungoverned area or an area that is not controlled by an effective governmental authority, as determined by the Secretary of State, the President may obligate or expend funds pursuant to subsection (a) for covered activities if—

(1) the President determines, in writing, that—

(A) a threat arising in such an area from the proliferation of chemical, nuclear, or biological weapons or weapons-related materials, technologies, or expertise must be addressed urgently; and

(B) it is necessary to obligate or expend such funds to carry out such covered activities to address such threat; and

(2) at the time at which the President first obligates such funds, the Secretary of Defense, in consultation with the Secretary of State, submits to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate—

(A) the determination under paragraph (1);

(B) a description of the covered activities to be carried out using such funds;

(C) the expected time frame for such activities; and

(D) the expected cost of such activities.

(d) COVERED ACTIVITY DEFINED.—In this section, the term "covered activity" means an activity under the Program to address a threat arising from the proliferation of chemical, nuclear, or biological weapons or weapons-related materials, technologies, or expertise.

SEC. 1324. USE OF FUNDS FOR UNSPECIFIED PURPOSES OR FOR INCREASED AMOUNTS. 50 USC 3714.

(a) NOTICE TO CONGRESS OF INTENT TO USE FUNDS FOR UNSPECIFIED PURPOSES.—

(1) REPORT.—For any fiscal year for which Cooperative Threat Reduction funds are specifically authorized in an Act other than an appropriations Act for specific purposes within the Program, the Secretary of Defense may obligate or expend such funds, or other funds otherwise made available for the Program for that fiscal year, for purposes other than such specified purposes if—

(A) the Secretary determines that such obligation or expenditure is necessary in the national interests of the United States;

(B) the Secretary submits to the congressional defense committees—

(i) notification of the intent of the Secretary to make such an obligation or expenditure of funds; and

(ii) a complete discussion of the purpose and justification for such obligation or expenditure, including the amount of funds to be obligated or expended; and

(C) a period of 15 days has elapsed following the date on which the Secretary submits the notification and discussion under subparagraph (B).

(2) CONSTRUCTION WITH OTHER LAWS.—Paragraph (1) may not be construed to authorize the obligation or expenditure of Cooperative Threat Reduction Program funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under section 1331 or any other provision of law.

(b) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS PROVIDED FOR ANY FISCAL YEAR FOR SPECIFIED PURPOSES.—For any fiscal year for which Cooperative Threat Reduction funds are specifically authorized in an Act other than an appropriations Act for specific purposes within the Program, the Secretary may obligate or expend such funds, or other funds otherwise made available for the Program for that fiscal year, in excess of the specific amount so authorized for that purpose if—

(1) the Secretary determines that such obligation or expenditure is necessary in the national interests of the United States;

(2) the Secretary submits to the congressional defense committees—

(A) notification of the intent of the Secretary to make such an obligation or expenditure of funds in excess of such authorized amount; and

(B) a complete discussion of the justification for exceeding such specified amounts, including the amount by which the Secretary will exceed such specified amounts; and

(3) a period of 15 days has elapsed following the date on which the Secretary submits the notification and discussion under paragraph (2).

50 USC 3715.

SEC. 1325. USE OF CONTRIBUTIONS TO DEPARTMENT OF DEFENSE COOPERATIVE THREAT REDUCTION PROGRAM.

(a) AUTHORITY TO ENTER INTO AGREEMENTS.—

(1) AUTHORITY.—Subject to paragraph (2), the Secretary of Defense may enter into one or more agreements with any person (including a foreign government, international organization, multinational entity, or any other entity) that the Secretary considers appropriate under which the person contributes funds for activities conducted under the Program.

(2) CONCURRENCE BY SECRETARY OF STATE.—The Secretary may enter into an agreement under paragraph (1) only with the concurrence of the Secretary of State.

(b) RETENTION AND USE OF FUNDS.—Notwithstanding section 3302 of title 31, United States Code, and subject to subsections (c) and (d), the Secretary of Defense may retain and obligate or expend funds contributed pursuant to subsection (a) for purposes of the Program. Funds so contributed shall be retained in a separate fund established in the Treasury for such purposes and shall be available to be obligated or expended without further appropriation.

(c) RETURN OF FUNDS NOT OBLIGATED OR EXPENDED WITHIN THREE YEARS.—If the Secretary does not obligate or expend funds contributed pursuant to subsection (a) by the date that is three years after the date on which the contribution was made, the Secretary shall return the amount to the person who made the contribution.

(d) NOTICE.—

(1) IN GENERAL.—Not later than 30 days after receiving funds contributed pursuant to subsection (a), the Secretary shall submit to the appropriate congressional committees a notice—

(A) specifying the value of the contribution and the purpose for which the contribution was made; and

(B) identifying the person who made the contribution.

(2) LIMITATION ON USE OF AMOUNTS.—The Secretary may not obligate funds contributed pursuant to subsection (a) until a period of 15 days elapses following the date on which the Secretary submits the notice under paragraph (1).

(e) ANNUAL REPORT.—Not later than the first Monday in February of each year, the Secretary shall submit to the appropriate congressional committees a report on amounts contributed pursuant

to subsection (a) during the preceding fiscal year. Each such report shall include, for the fiscal year covered by the report, the following:

(1) A statement of any funds contributed pursuant to subsection (a), including, for each such contribution, the value of the contribution and the identity of the person who made the contribution.

(2) A statement of any funds so contributed that were obligated or expended by the Secretary, including, for each such contribution, the purposes for which the funds were obligated or expended.

(3) A statement of any funds so contributed that were retained but not obligated or expended, including, for each such contribution, the purposes (if known) for which the Secretary intends to obligate or expend the amount.

(f) IMPLEMENTATION PLAN.—The Secretary shall submit to the congressional defense committees—

(1) an implementation plan for the authority provided under this section prior to obligating or expending any funds contributed pursuant to subsection (a); and

(2) any updates to such plan that the Secretary considers appropriate.

(g) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

PART II—RESTRICTIONS AND LIMITATIONS

SEC. 1331. PROHIBITION ON USE OF FUNDS FOR SPECIFIED PURPOSES. 50 USC 3731.

(a) IN GENERAL.—Cooperative Threat Reduction funds may not be obligated or expended for any of the following purposes:

(1) Conducting any peacekeeping exercise or other peacekeeping-related activity.

(2) Provision of housing.

(3) Provision of assistance to promote environmental restoration.

(4) Provision of assistance to promote job retraining.

(5) Provision of assistance to promote defense conversion.

(b) LIMITATION WITH RESPECT TO CONVENTIONAL WEAPONS.—Cooperative Threat Reduction funds may not be obligated or expended for the elimination of—

(1) conventional weapons; or

(2) delivery vehicles of conventional weapons, unless such delivery vehicles could reasonably be used or adapted to be used for the delivery of chemical, nuclear, or biological weapons.

SEC. 1332. REQUIREMENT FOR ON-SITE MANAGERS. 50 USC 3732.

(a) ON-SITE MANAGER REQUIREMENT.—Before obligating any Cooperative Threat Reduction funds for a project described in subsection (b), the Secretary of Defense shall appoint one on-site manager for that project. The manager shall be appointed from among employees of the Federal Government.

(b) PROJECTS COVERED.—Subsection (a) applies to a project—

(1) to be located in a state of the former Soviet Union;

(2) which involves dismantlement, destruction, or storage facilities, or construction of a facility; and

(3) with respect to which the total contribution by the Department of Defense is expected to exceed $50,000,000.

(c) DUTIES OF ON-SITE MANAGER.—The on-site manager appointed under subsection (a) shall—

(1) develop, in cooperation with representatives from governments of states participating in the project, a list of those steps or activities critical to achieving the disarmament or nonproliferation goals of the project;

(2) establish a schedule for completing those steps or activities;

(3) meet with all participants to seek assurances that those steps or activities are being completed on schedule; and

(4) suspend the participation of the United States in a project when a participant other than the United States fails to complete a scheduled step or activity on time, unless the Secretary of Defense directs the on-site manager to resume the participation of the United States.

(d) AUTHORITY TO MANAGE MORE THAN ONE PROJECT.—

(1) IN GENERAL.—Subject to paragraph (2), an employee of the Federal Government may serve as on-site manager for more than one project, including projects at different locations.

(2) LIMITATION.—If such an employee serves as on-site manager for more than one project in a fiscal year, the total cost of the projects for that fiscal year may not exceed $150,000,000.

(e) STEPS OR ACTIVITIES.—Steps or activities referred to in subsection (c)(1) are those steps or activities that, if not completed, will prevent a project from achieving its disarmament or nonproliferation goals, including, at a minimum, the following:

(1) Identification and acquisition of permits (as defined in section 1333).

(2) Verification that the items, substances, or capabilities to be dismantled, secured, or otherwise modified are available for dismantlement, securing, or modification.

(3) Timely provision of financial, personnel, management, transportation, and other resources.

(f) NOTIFICATION TO CONGRESS.—In any case in which the Secretary directs an on-site manager to resume the participation of the United States in a project under subsection (c)(4), the Secretary shall notify the congressional defense committees of such direction by not later than 30 days after the date of such direction.

50 USC 3733.

SEC. 1333. LIMITATION ON USE OF FUNDS UNTIL CERTAIN PERMITS OBTAINED.

(a) IN GENERAL.—The Secretary of Defense shall seek to obtain all the permits required to complete each phase of construction of a project under the Program in a state of the former Soviet Union before obligating more than 40 percent of the total costs of that phase of the project.

(b) USE OF FUNDS FOR NEW CONSTRUCTION PROJECTS.—Except as provided in subsection (c), with respect to a new construction project to be carried out by the Program, not more than 40 percent of the total costs of the project may be obligated from Cooperative Threat Reduction funds for any fiscal year until the Secretary—

(1) determines the number and type of permits that may be required for the lifetime of the project in the proposed location or locations of the project; and

(2) obtains from the state in which the project is to be located any permits that may be required to begin construction.

(c) EXCEPTION TO LIMITATIONS ON USE OF FUNDS.—The limitation in subsection (b) on the obligation of funds for a construction project otherwise covered by such subsection shall not apply with respect to the obligation of funds for a particular project if the Secretary—

(1) determines that it is necessary in the national interest to obligate funds for such project; and

(2) submits to the congressional defense committees a notification of the intent to obligate funds for such project, together with a complete discussion of the justification for doing so.

(d) DEFINITIONS.—In this section, with respect to a project under the Program:

(1) The term "new construction project" means a construction project for which no funds have been obligated or expended as of November 24, 2003.

(2) The term "permit" means any local or national permit for development, general construction, environmental, land use, or other purposes that is required for purposes of major construction.

SEC. 1334. LIMITATION ON AVAILABILITY OF FUNDS FOR COOPERATIVE THREAT REDUCTION ACTIVITIES WITH RUSSIAN FEDERATION.

50 USC 3734.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should carry out activities under the Program in the Russian Federation only if those activities are consistent with and in support of the security interests of the United States; and

(2) in carrying out any such activities after the date of the enactment of this Act, the Secretary of Defense should focus on only those activities that—

(A) are in support of the arms control obligations of the United States and the Russian Federation; or

(B) will reduce the threats posed by weapons of mass destruction and related materials and technology to the United States and countries in the Euro-Atlantic and Eurasian regions.

(b) COMPLETION OF COOPERATION THREAT REDUCTION ACTIVITIES IN RUSSIAN FEDERATION.—Cooperative Threat Reduction funds made available for a fiscal year after fiscal year 2015 may not be obligated or expended for activities in the Russian Federation unless such activities in Russia are specifically authorized by law.

PART III—RECURRING CERTIFICATIONS AND REPORTS

50 USC 3741.

SEC. 1341. ANNUAL CERTIFICATIONS ON USE OF FACILITIES BEING CONSTRUCTED FOR DEPARTMENT OF DEFENSE COOPERATIVE THREAT REDUCTION PROJECTS OR ACTIVITIES.

Not later than the first Monday in February each year, the Secretary of Defense shall submit to the congressional defense committees a certification for each facility of a project or activity of the Program for which construction occurred during the preceding fiscal year on matters as follows:

(1) Whether or not such facility will be used for its intended purpose by the government of the foreign country in which the facility is constructed.

(2) Whether or not the government of such country remains committed to the use of such facility for such purpose.

(3) Whether the actions needed to ensure security at the facility, including the secure transportation of any materials, substances, or weapons to, from, or within the facility, have been taken.

50 USC 3742.

SEC. 1342. REQUIREMENT TO SUBMIT SUMMARY OF AMOUNTS REQUESTED BY PROJECT CATEGORY.

(a) SUMMARY REQUIRED.—The Secretary of Defense shall submit to the congressional defense committees in the materials and manner specified in subsection (c)—

(1) a descriptive summary, with respect to the appropriations requested for the Program for the fiscal year after the fiscal year in which the summary is submitted, of the amounts requested for each project category under each program element; and

(2) a descriptive summary, with respect to appropriations for the Program for the fiscal year in which the list is submitted and the previous fiscal year, of the amounts obligated or expended, or planned to be obligated or expended, for each project category under each program element.

(b) DESCRIPTION OF PURPOSE AND INTENT.—The descriptive summary required under subsection (a) shall include a narrative description of each program and project category under each program element that explains the purpose and intent of the funds requested.

(c) INCLUSION IN CERTAIN MATERIALS SUBMITTED TO CONGRESS.—The summary required to be submitted in a fiscal year under subsection (a) shall be set forth by project category, and by amounts specified in paragraphs (1) and (2) of such subsection in connection with such project category, in each of the following:

(1) The annual report on activities and assistance under the Program required in such fiscal year under section 1343.

(2) The budget justification materials submitted to Congress in support of the Department of Defense budget for the fiscal year succeeding such fiscal year (as submitted with the budget of the President under section 1105 of title 31, United States Code).

SEC. 1343. REPORTS ON ACTIVITIES AND ASSISTANCE UNDER DEPARTMENT OF DEFENSE COOPERATIVE THREAT REDUCTION PROGRAM.

50 USC 3743.

(a) ANNUAL REPORT.—In any year in which the President submits to Congress, under section 1105 of title 31, United States Code, the budget for a fiscal year that requests funds for the Department of Defense for activities or assistance under the Program, the Secretary of Defense, after consultation with the Secretary of State, shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the activities and assistance carried out under the Program.

(b) DEADLINE.—Each report under subsection (a) shall be submitted not later than the first Monday in February of a year.

(c) MATTERS INCLUDED.—Each report under subsection (a) shall include the following:

(1) An estimate of the total amount that will be required to be expended by the United States during the fiscal year covered by the budget described in subsection (a) in order to achieve the objectives of the Program.

(2) A five-year plan setting forth the amount of funds and other resources proposed to be provided by the United States for the Program during the period covered by the plan, including the purpose for which such funds and resources will be used.

(3) A description of the activities and assistance carried out under the Program during the fiscal year preceding the submission of the report, including—

(A) the funds notified, obligated, and expended for such activities and assistance and the purposes for which such funds were notified, obligated, and expended for such fiscal year and cumulatively for the Program;

(B) a description of the participation, if any, of each department and agency of the Federal Government in such activities and assistance;

(C) a description of such activities and assistance, including the forms of assistance provided;

(D) a description of the United States private sector participation in the portion of such activities and assistance that were supported by the obligation and expenditure of funds for the Program; and

(E) such other information as the Secretary considers appropriate to fully inform Congress of the operation of activities and assistance carried out under the Program, including, with respect to proposed demilitarization or conversion projects, information on the progress toward demilitarization of facilities and the conversion of the demilitarized facilities to civilian activities.

(4) A description of the means (including program management, audits, examinations, and other means) used by the United States during the fiscal year preceding the submission of the report to ensure that assistance provided under the Program is fully accounted for, that such assistance is being used for its intended purpose, and that such assistance is being used efficiently and effectively, including—

(A) if such assistance consisted of equipment, a description of the current location of such equipment and the current condition of such equipment;

(B) if such assistance consisted of contracts or other services, a description of the status of such contracts or services and the methods used to ensure that such contracts and services are being used for their intended purpose;

(C) a determination whether the assistance described in subparagraphs (A) and (B) has been used for its intended purpose and an assessment of whether the assistance being provided is being used effectively and efficiently; and

(D) a description of the efforts planned to be carried out during the fiscal year beginning in the year of the report to ensure that Department of Defense Cooperative Threat Reduction assistance provided during such fiscal year is fully accounted for and is used for its intended purpose.

(5) A description of the defense and military activities carried out under section 1321(a)(6) during the fiscal year preceding the submission of the report, including—

(A) the amount of funds obligated or expended for such activities;

(B) the strategy, goals, and objectives for which such funds were obligated and expended;

(C) a description of the activities carried out, including the forms of assistance provided, and the justification for each form of assistance provided;

(D) the success of each activity, including the goals and objectives achieved for each activity;

(E) a description of participation by private sector entities in the United States in carrying out such activities, and the participation of any other department or agency of the Federal Government in such activities; and

(F) any other information that the Secretary considers relevant to provide a complete description of the operation and success of activities carried out under the Program.

50 USC 3744.

SEC. 1344. METRICS FOR DEPARTMENT OF DEFENSE COOPERATIVE THREAT REDUCTION PROGRAM.

The Secretary of Defense shall implement metrics to measure the impact and effectiveness of activities of the Program to address threats arising from the proliferation of chemical, nuclear, and biological weapons and weapons-related materials, technologies, and expertise.

PART IV—REPEALS AND TRANSITION PROVISIONS

SEC. 1351. REPEALS.

The following provisions of law are repealed:

(1) Sections 212, 221, 222, and 231 of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102–228; 22 U.S.C. 2551 note).

(2) Sections 1412 and 1431 of the Former Soviet Union Demilitarization Act of 1992 (22 U.S.C. 5902 and 5921).

(3) Sections 1203, 1204, 1206, and 1208 of the Cooperative Threat Reduction Act of 1993 (22 U.S.C. 5952, 5953, 5955, and 5957).

(4) Section 1205 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 22 U.S.C. 5955 note).

(5) Section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 50 U.S.C. 2362 note).

(6) Section 1307 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 22 U.S.C. 5952 note).

(7) Section 1303 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 22 U.S.C. 5952 note).

(8)(A) Sections 1303 and 1304 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 22 U.S.C. 5952 note).

(B) Section 1306 of such Act (as enacted into law by Public Law 106–398; 114 Stat. 1654A–340).

(C) Section 1308 of such Act (as enacted into law by Public Law 106–398; 22 U.S.C. 5959).

(9) Section 1304 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 22 U.S.C. 5952 note).

(10) Sections 1305 and 1306 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2673; 22 U.S.C. 5952 note).

(11) Sections 1303, 1305, 1307, and 1308 of the National Defense Authorization Act for Fiscal Year 2004 (22 U.S.C. 5960, 5961, 5962, and 5963).

(12)(A) Section 1303 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 22 U.S.C. 5952 note).

(B) Sections 1304 and 1305 of such Act (22 U.S.C. 5964 and 5965).

(C) Section 1306 of such Act (Public Law 111–84; 123 Stat. 2560; 22 U.S.C. 5952 note).

SEC. 1352. TRANSITION PROVISIONS. 50 USC 3751.

(a) DETERMINATIONS RELATING TO CERTAIN PROLIFERATION THREAT REDUCTION PROJECTS AND ACTIVITIES.—Any determination made before the date of the enactment of this Act under section 1308(a) of the National Defense Authorization Act for Fiscal Year 2004 (22 U.S.C. 5963(a)) shall be treated as a determination under section 1322(a).

(b) DETERMINATIONS RELATING TO URGENT THREAT REDUCTION ACTIVITIES.—Any determination made before the date of the enactment of this Act under section 1305(b) of the National Defense Authorization Act for Fiscal Year 2010 (22 U.S.C. 5965(b)) shall be treated as a determination under section 1323(b).

(c) FUNDS AVAILABLE FOR COOPERATIVE THREAT REDUCTION PROGRAM.—Funds made available for Cooperative Threat Reduction programs pursuant to the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1632) or the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 672) that remain available for obligation

as of the date of the enactment of this Act shall be available for the Program.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Subtitle B—Other Matters

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

Subtitle B—Other Matters

SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE–DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL FEDERAL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated for section 1405 and available for the Defense Health Program for operation and maintenance, $146,857,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2015 from the Armed Forces Retirement Home Trust Fund the sum of $63,400,000 for the operation of the Armed Forces Retirement Home.

SEC. 1413. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON CAPTAIN JAMES A. LOVELL FEDERAL HEALTH CARE CENTER, NORTH CHICAGO, ILLINOIS.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the submittal to Congress by the Secretary of Defense and the Secretary of Veterans Affairs of the evaluation report on the joint Department of Defense-Department of Veterans Affairs medical facility demonstration project known as the Captain James A. Lovell Federal Health Care Center, North Chicago, Illinois, that is required to be submitted in March 2016, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on that demonstration project.

(b) ELEMENTS.—The report required by subsection (a) shall include an assessment by the Comptroller General of the following:

(1) The evaluation measures, standards, and criteria used by the Department of Defense and the Department of Veterans Affairs to measure the overall effectiveness and success of the medical facility referred to in subsection (a).

(2) The measurable effect, if any, on the missions of the Department of the Navy and the Department of Veterans Affairs of the provision of care in a joint facility such as the medical facility.

(3) Such other matters with respect to the medical facility demonstration project described in subsection (a) as the Comptroller General considers appropriate.

(c) AVAILABILITY OF CERTAIN DOCUMENTS.—For purposes of the report required by subsection (a), the Secretary of Defense and the Secretary of Veterans Affairs shall make available to the Comptroller General any documents related to the medical facility demonstration project referred to in such subsection, including any evaluation plans, task summaries, in-process reviews, interim reports, and draft final report.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

Subtitle B—Financial Matters

Subtitle C—Limitations, Reports, and Other Matters

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2015 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2015 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise

provided for, for the Defense Health Program, as specified in the funding table in section 4502.

SEC. 1510. COUNTERTERRORISM PARTNERSHIPS FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise provided for, for the Counterterrorism Partnerships Fund, as specified in the funding table in section 4502.

(b) DURATION OF AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available for obligation through September 30, 2016.

SEC. 1511. EUROPEAN REASSURANCE INITIATIVE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2015 for expenses, not otherwise provided for, for the European Reassurance Initiative, as specified in the funding table in section 4502.

(b) DURATION OF AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available for obligation through September 30, 2016.

Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2015 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATIONS.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $3,500,000,000.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations, Reports, and Other Matters

SEC. 1531. AFGHANISTAN INFRASTRUCTURE FUND.

No amounts authorized to be appropriated by this Act may be available for, or used for purposes of, the Afghanistan Infrastructure Fund.

SEC. 1532. AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF EXISTING LIMITATION ON THE USE OF AMOUNTS IN FUND.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2015 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) EQUIPMENT DISPOSITION.—

(1) ACCEPTANCE OF CERTAIN EQUIPMENT.—Subject to paragraph (2), the Secretary of Defense may accept equipment that is procured using amounts in the Afghanistan Security Forces Fund authorized under this Act and is intended for transfer to the security forces of Afghanistan, but is not accepted by such security forces.

(2) CONDITIONS ON ACCEPTANCE OF EQUIPMENT.—Before accepting any equipment under the authority provided by paragraph (1)—

(A) the Secretary of Defense shall submit to the congressional defense committees the report required by subsection (c); and

(B) the Commander of United States forces in Afghanistan shall make a determination that the equipment was procured for the purpose of meeting requirements of the security forces of Afghanistan, as agreed to by both the Government of Afghanistan and the United States, but is no longer required by such security forces or was damaged before transfer to such security forces.

(3) ELEMENTS OF DETERMINATION.—In making a determination under paragraph (2)(B) regarding equipment, the Commander of United States forces in Afghanistan shall consider alternatives to Secretary of Defense acceptance of the equipment. An explanation of each determination, including the basis for the determination and the alternatives considered, shall be included in the relevant quarterly report required under paragraph (5).

(4) TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.—Equipment accepted under the authority provided by paragraph (1) may be treated as stocks of the Department of Defense upon notification to the congressional defense committees of such treatment.

(5) QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.—Not later than 90 days after the date of the enactment of this Act and every 90-day period thereafter during which the authority provided by paragraph (1) is exercised, the Secretary of Defense shall submit to the congressional defense committees

a report describing the equipment accepted under this subsection or section 1531(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 938; 10 U.S.C. 2302 note) during the period covered by the report. Each report shall include a list of all equipment that was accepted during the period covered by the report and treated as stocks of the Department and copies of the determinations made under paragraph (2)(B), as required by paragraph (3).

(c) REPORT ON AFGHANISTAN EQUIPMENT PROCUREMENT PROCESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Commander of United States forces in Afghanistan, shall submit to the congressional defense committees a report describing in detail—

(1) the methods used to identify equipment requirements for the security forces of Afghanistan and to incorporate such requirements into the procurement process for such security forces; and

(2) the steps being taken to improve coordination between United States forces in Afghanistan and the security forces of Afghanistan within such procurement process.

(d) CONFORMING AMENDMENTS.—Section 1531(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 938; 10 U.S.C. 2302 note)—

(1) in paragraph (1), by striking "prior Acts" and inserting "this Act or prior Acts"; and

(2) by striking paragraph (3).

SEC. 1533. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4649), but as amended by subsection (b) of this section, shall apply to the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2015.

(b) PLAN FOR CONSOLIDATION AND ALIGNMENT OF RAPID ACQUISITION ORGANIZATIONS.—

(1) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan to consolidate and align all of the rapid acquisition or quick reaction capability organizations, including, at a minimum, the following—

(A) The Joint Improvised Explosive Device Defeat Organization (JIEDDO).

(B) The Joint Rapid Acquisition Cell (JRAC).

(C) The Warfighter Senior Integration Group (SIG).

(D) The Intelligence, Surveillance, and Reconnaissance (ISR) Task Force.

(E) The Afghanistan Resources Oversight Council (AROC).

(F) Any other Department of Defense-wide or military department specific organizations, and associated capabilities and funding, carrying out comparable joint urgent

operational needs (JUONs) or joint emergent operational needs (JEONs) efforts.

(2) PLAN ELEMENTS.—The plan required by this subsection shall include the following elements:

(A) A review, and if necessary, recommended modifications to the current arrangements for oversight of the Joint Improvised Explosive Device Defeat Organization within the Office of the Secretary of Defense.

(B) A review and, if necessary, recommended modifications to the current policies and regulations governing the satisfaction of joint urgent operational needs (JUONs) and joint emergent operational needs (JEONs).

(C) A review, and if necessary, recommended modifications to authorities provided to enduring or successor rapid acquisition or quick reaction capability organizations.

(3) PLAN IMPLEMENTATION.—The plan required by this subsection shall include a timeline for—

(A) implementation of the consolidation and alignment decisions contained in the plan; and

(B) consolidation of funding sources, including the consolidation of the Joint Improvised Explosive Device Defeat Fund with the Joint Urgent Operational Needs Fund.

(c) EXTENSION OF INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS AUTHORITY.—Section 1532(c)(4) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2057), as amended by section 1532(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 939), is amended by striking "December 31, 2014" and inserting "December 31, 2015".

(d) PROHIBITION ON USE OF FUNDS.—

(1) PROHIBITION; EXCEPTIONS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Joint Improvised Explosive Device Defeat Organization may be used for the purposes of the Joint Improvised Explosive Device Defeat Organization assigning personnel or contractors on a permanent or temporary basis, or as a detail, to the combatant commands or associated military components unless such personnel or contractors are supporting—

(A) Operation Enduring Freedom and any successor operation to that operation,

(B) Operation Inherent Resolve and any successor operation to that operation, or

(C) another operation that, as determined by the Secretary of Defense, requires the direct support of the Joint Improvised Explosive Device Defeat Organization.

(2) CONGRESSIONAL NOTIFICATION.—If the Secretary of Defense makes a determination pursuant to paragraph (1)(C) that an operation requires the direct support of the Joint Improvised Explosive Device Defeat Organization, the Secretary shall submit to the congressional defense committees a notice of the determination and the reasons for the determination.

SEC. 1534. COUNTERTERRORISM PARTNERSHIPS FUND.

(a) AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated for fiscal year 2015 by this title for the Counterterrorism Partnerships Fund shall be available for the following purposes:

(1) To provide support and assistance to foreign security forces or other groups or individuals to conduct, support, or facilitate counterterrorism and crisis response activities under authority provided the Department of Defense by any other provision of law (in this section referred to as an "underlying Department of Defense authority").

(2) To improve the capacity of the United States Armed Forces to provide enabling support to counterterrorism and crisis response activities undertaken by foreign security forces or other groups or individuals under any underlying Department of Defense authority.

(b) GEOGRAPHIC LIMITATION.—

(1) IN GENERAL.—Activities using amounts available pursuant to subsection (a) may be conducted only in the area of responsibility of the United States Central Command or the United States Africa Command, but may not include activities for the provision of assistance or other support for the Government of Iraq.

(2) ADDITIONAL AREAS OF RESPONSIBILITY.—Activities using amounts available pursuant to subsection (a) may be conducted in an area of responsibility of a geographic combatant command not specified in paragraph (1) if the Secretary of Defense determines that—

(A) such activities are consistent with the purposes specified in subsection (a);

(B) the absence of such activities would result in an increased risk to the national security of the United States; and

(C) such activities could not be conducted using funds already available to the Department of Defense (other than funds transferred from the Counterterrorism Partnerships Fund).

(3) NOTICE OF DETERMINATION OF ADDITIONAL AREAS.—The Secretary shall submit to the congressional defense committees a notification of any determination made pursuant to paragraph (2) not later than 15 days before transferring amounts from the Counterterrorism Partnerships Fund for activities in the area of responsibility covered by such determination.

(c) CONTRACT AUTHORITY.—Activities using amounts available pursuant to subsection (a) may be conducted by contract, including contractor-operated capabilities, if the Secretary of Defense typically acquires services or equipment by contract in conducting a similar activity for the Department of Defense.

(d) TRANSFER REQUIREMENT AND AUTHORITIES.—

(1) USE OF FUNDS ONLY PURSUANT TO TRANSFER.—Amounts in the Counterterrorism Partnerships Fund may be used for the purposes specified in subsection (a) only pursuant to transfers authorized by this subsection.

(2) TRANSFERS AUTHORIZED.—Amounts in the Counterterrorism Partnerships Fund may be transferred from the Fund to any accounts of the Department of Defense for operation and maintenance for the purposes specified in subsection (a).

(3) REPROGRAMMING REQUIREMENT.—The Secretary of Defense shall submit a reprogramming or transfer request from amounts authorized to be appropriated by section 1510 to the congressional defense committees to carry out activities supported under this section. Each such request shall set forth the following:

(A) A detailed description of the activities to be supported by the reprogramming or transfer, including the request of the commander of the combatant command concerned for support, urgent operational need, or emergent operational need.

(B) The amount planned to be obligated or expended on such activities, the recipient of such amount, and the timeline for such obligation or expenditure.

(C) The underlying Department of Defense authorities that authorize such activities.

(4) EFFECT ON AUTHORIZATION AMOUNTS.—The transfer of an amount to an account under the authority in paragraph (2) shall be deemed to increase the amount authorized for such account by an amount equal to the amount transferred.

(5) TRANSFERS BACK TO THE FUND.—Upon a determination that all or part of the funds transferred from the Counterterrorism Partnerships Fund under paragraph (2) are not necessary for the purpose provided, such funds may be transferred back to the Fund.

(6) CONSTRUCTION WITH OTHER TRANSFER AUTHORITY.—The transfer authority provided by paragraph (2) is in addition to any other transfer authority available to the Department of Defense.

(e) CONSTRUCTION WITH OTHER LIMITATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), nothing in this section may be construed to terminate, alter, or override any requirement or limitation applicable to activities funded with amounts in the Counterterrorism Partnerships Fund under the underlying Department of Defense authority that authorizes such activities.

(2) INAPPLICABILITY OF LIMITATIONS ON AVAILABILITY OF FUNDS.—A limitation on the amount that may be used for activities in a fiscal year under the underlying Department of Defense authority that authorizes such activities shall not apply to amounts made available for such activities in such fiscal year pursuant to this section.

(f) PLAN.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for the intended management and use of the Counterterrorism Partnerships Fund. The plan shall include the following:

(1) An identification of the underlying Department of Defense authorities that the Secretary has identified as available for use pursuant to subsection (a).

(2) A detailed description, to the maximum extent practicable, of the requirements, activities, and planned allocation of amounts available for use pursuant to subsection (a).

(3) An identification of the senior civilian employee of the Department of Defense designated by the Secretary to serve as manager of the Fund.

(g) SEMI-ANNUAL REPORTS.—Not later than 60 days after the end of the first half of fiscal years 2015, 2016, and 2017, and the second half of fiscal years 2015 and 2016, the Secretary of Defense shall submit to the congressional defense committees a report setting forth, for the preceding fiscal half-year, the following:

(1) A description of the underlying Department of Defense authorities that authorized activities supported by the Counterterrorism Partnerships Fund.

(2) A description of the activities supported by the Fund.

(3) A description of any obligations and expenditures of amounts transferred from the Fund, including recipients of amounts, set forth by country (where applicable).

(4) A description of any determinations made as described in subsection (d)(5), and a description of any transfers back to the Fund pursuant to that subsection.

(5) A description of any revisions to the plan submitted pursuant to subsection (f).

(h) DURATION OF AUTHORITY.—No amounts may be transferred from the Counterterrorism Partnerships Fund after December 31, 2016.

SEC. 1535. EUROPEAN REASSURANCE INITIATIVE.

(a) TOTAL AMOUNT AND AUTHORIZED PURPOSES OF ERI.—The $1,000,000,000 authorized to be appropriated in sections 1502, 1504, 1505, 1511, and 2904 for fiscal year 2015 for the European Reassurance Initiative, as specified in the funding tables in sections 4102, 4302, 4402, 4502, and 4602, may be used by the Secretary of Defense solely for the following purposes:

(1) Activities to increase the presence of the United States Armed Forces in Europe.

(2) Bilateral and multilateral military exercises and training with allies and partner nations in Europe.

(3) Activities to improve infrastructure in Europe to enhance the responsiveness of the United States Armed Forces.

(4) Activities to enhance the prepositioning in Europe of equipment of the United States Armed Forces.

(5) Activities to build the defense and security capacity of allies and partner nations in Europe.

(b) ACTIVITIES TO BUILD DEFENSE AND SECURITY CAPACITY OF ALLIES AND PARTNER NATIONS.—Of the funds made available for the European Reassurance Initiative that will be used for the purpose specified in subsection (a)(5)—

(1) not less than $75,000,000 shall be available to be used for programs, activities, and assistance to support the Government of Ukraine;

(2) not less than $30,000,000 shall be available to be used for programs and activities to build the capacity of European allies and partner nations; and

(3) the Secretary of Defense may transfer the funds to support activities conducted under the authorities of the Department of Defense specified in section 1274(c) of this Act.

(c) TRANSFER REQUIREMENTS RELATED TO CERTAIN FUNDS.—

(1) USE OF FUNDS ONLY PURSUANT TO TRANSFER.—In the case of the funds authorized to be appropriated in section 1511 for the European Reassurance Initiative Fund, as specified in the funding tables in section 4502, the funds may be used for the purposes specified in subsection (a) only pursuant to

a transfer of the funds to either or both of the following accounts of the Department of Defense:

(A) Military personnel accounts.

(B) Operation and maintenance accounts.

(2) EFFECT ON AUTHORIZATION AMOUNTS.—During fiscal years 2015 and 2016, the transfer of an amount made available for the European Reassurance Initiative to an account under the authority provided by paragraph (1) or subsection (b)(3) shall be deemed to increase the amount authorized for such account by an amount equal to the amount transferred.

(3) CONSTRUCTION WITH OTHER TRANSFER AUTHORITY.—The transfer authority provided by paragraph (1) and subsection (b)(3) is in addition to any other transfer authority available to the Department of Defense.

(d) NOTIFICATION REQUIREMENTS.—Not later than 15 days before that date on which a transfer of funds under subsection (b)(3) or (c)(1) takes effect, the Secretary of Defense shall notify the congressional defense committees in writing of the planned transfer. Each notice of a transfer of funds shall include the following:

(1) A detailed description of the project or activity to be supported by the transfer of funds, including any request of the Commander of the United States European Command for support, urgent operational need, or emergent operational need.

(2) The amount planned to be transferred and expended on such project or activity.

(3) A timeline for expenditure of the transferred funds.

(e) DURATION OF TRANSFER AUTHORITY.—The transfer authority provided by subsections (b)(3) and (c)(1) expires September 30, 2016.

SEC. 1536. PLAN FOR TRANSITION OF FUNDING OF UNITED STATES SPECIAL OPERATIONS COMMAND FROM SUPPLEMENTAL FUNDING FOR OVERSEAS CONTINGENCY OPERATIONS TO RECURRING FUNDING FOR FUTURE-YEARS DEFENSE PROGRAMS.

At the same time the budget of the President for fiscal year 2016 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall submit to the congressional defense committees a plan to maintain critical and enduring special operations capabilities for the United States Special Operations Command by fully transitioning funding for the United States Special Operations Command from funds available for overseas contingency operations to funds available for the Department of Defense on a recurring basis for purposes of future-years defense programs.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

Subtitle A—Space Activities

SEC. 1601. DEPARTMENT OF DEFENSE SPACE SECURITY AND DEFENSE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) critical United States national security space systems are facing a serious growing foreign threat;

(2) the People's Republic of China and the Russian Federation are both developing capabilities to disrupt the use of space by the United States in a conflict, as recently outlined by the Director of National Intelligence in testimony before Congress; and

(3) a fully-developed multi-faceted space security and defense program is needed to deter and defeat any adversaries' acts of space aggression.

(b) REPORT ON ABILITY OF THE UNITED STATES TO DETER AND DEFEAT ADVERSARY SPACE AGGRESSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an assessment of the ability of the Department of Defense to deter and defeat any act of space aggression by an adversary.

(c) STUDY ON ALTERNATIVE DEFENSE AND DETERRENCE STRATEGIES IN RESPONSE TO FOREIGN COUNTERSPACE CAPABILITIES.—

(1) STUDY REQUIRED.—The Secretary of Defense, acting through the Office of Net Assessment, shall conduct a study of potential alternative defense and deterrent strategies in response to the existing and projected counterspace capabilities of China and Russia. Such study shall include an assessment of the congruence of such strategies with the current United States defense strategy and defense programs of record, and the associated implications of pursuing such strategies.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the results of the study required under paragraph (1).

SEC. 1602. EVOLVED EXPENDABLE LAUNCH VEHICLE NOTIFICATION.

(a) NOTIFICATION.—At the same time as the President submits the budget required under section 1105 of title 31, United States Code, for fiscal years 2016 and 2017, the Secretary of the Air

Force shall provide to the appropriate congressional committees notice of each change to the evolved expendable launch vehicle acquisition plan and schedule from the plan and schedule included in the budget submitted by the President under such section 1105 for fiscal year 2015. Such notification shall include—

(1) an identification of the change;

(2) a national security rationale for the change;

(3) the impact of the change on the evolved expendable launch vehicle block buy contract;

(4) the impact of the change on the opportunities for competition for certified evolved expendable launch vehicle launch providers; and

(5) the costs or savings of the change.

(b) INAPPLICABILITY OF NOTIFICATION REQUIREMENT IF NO CHANGES.—No notification under subsection (a) is required if at the time such notification would be required no change described in subsection (a) has occurred.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term "appropriate congressional committees" means—

(1) the congressional defense committees; and

(2) with respect to a change to the evolved expendable launch vehicle acquisition schedule for an intelligence-related launch, the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

10 USC 2271 note.

SEC. 1603. SATELLITE COMMUNICATIONS RESPONSIBILITIES OF EXECUTIVE AGENT FOR SPACE.

The Secretary of Defense shall, not later than 180 days after the date of the enactment of this Act, revise Department of Defense directives and guidance to require the Department of Defense Executive Agent for Space to ensure that in developing space strategies, architectures, and programs for satellite communications, the Executive Agent shall—

(1) conduct strategic planning to ensure the Department of Defense is effectively and efficiently meeting the satellite communications requirements of the military departments and commanders of the combatant commands;

(2) coordinate with the secretaries of the military departments, the commanders of the combatant commands, and the heads of Defense Agencies to eliminate duplication of effort and to ensure that resources are used to achieve the maximum effort in related satellite communication science and technology; research, development, test and evaluation; production; and operations and sustainment;

(3) coordinate with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Chief Information Officer of the Department to ensure that effective and efficient acquisition approaches are being used to acquire military and commercial satellite communications for the Department, including space, ground, and user terminal integration; and

(4) coordinate with the chairman of the Joint Requirements Oversight Council to develop a process to identify the current and projected satellite communications requirements of the Department.

SEC. 1604. ROCKET PROPULSION SYSTEM DEVELOPMENT PROGRAM. 10 USC 2273 note.

(a) DEVELOPMENT.—

(1) IN GENERAL.—The Secretary of Defense shall develop a next-generation rocket propulsion system that enables the effective, efficient, and expedient transition from the use of non-allied space launch engines to a domestic alternative for national security space launches.

(2) REQUIREMENTS.—The system developed under paragraph (1) shall—

(A) be made in the United States;

(B) meet the requirements of the national security space community;

(C) be developed by not later than 2019;

(D) be developed using full and open competition; and

(E) be available for purchase by all space launch providers of the United States.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that includes—

(1) a plan to carry out the development of the rocket propulsion system under subsection (a), including an analysis of the benefits of using public-private partnerships;

(2) the requirements of the program to develop such system; and

(3) the estimated cost of such system.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1605. PILOT PROGRAM FOR ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATION SERVICES. 10 USC 2208 note.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense may develop and carry out a pilot program to determine the feasibility and advisability of expanding the use of working capital funds by the Secretary to effectively and efficiently acquire commercial satellite communications services to meet the requirements of the military departments, Defense Agencies, and combatant commanders.

(2) FUNDING.—Of the funds authorized to be appropriated for any of fiscal years 2015 through 2020 for the Department of Defense for the acquisition of satellite communications, not more than $50,000,000 may be obligated or expended for such pilot program during such a fiscal year.

(3) CERTAIN AUTHORITIES.—In carrying out the pilot program under paragraph (1), the Secretary may not use the authorities provided in sections 2208(k) and 2210(b) of title 10, United States Code.

(b) GOALS.—In developing and carrying out the pilot program under subsection (a)(1), the Secretary shall ensure that the pilot program—

(1) provides a cost-effective and strategic method to acquire commercial satellite communications services;

(2) incentivizes private-sector participation and investment in technologies to meet future requirements of the Department of Defense with respect to commercial satellite communications services;

(3) takes into account the potential for a surge or other change in the demand of the Department for commercial satellite communications services in response to global or regional events; and

(4) ensures the ability of the Secretary to control and account for the cost of programs and work performed under the pilot program.

(c) DURATION.—The pilot program under subsection (a)(1) shall terminate on October 1, 2020.

(d) REPORTS.—

(1) INITIAL REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report that includes—

(A) a plan and schedule to carry out the pilot program under subsection (a)(1); or

(B) if the Secretary finds that carrying out the pilot program authorized under subsection (a)(1) is not an appropriate method to effectively and efficiently acquire commercial satellite communications services, a description of how the Secretary will achieve the goals described in subsection (b) without carrying out such pilot program.

(2) FINAL REPORT.—Not later than December 1, 2020, the Secretary shall submit to the congressional defense committees a report on the pilot program under subsection (a)(1). The report shall include—

(A) an assessment of expanding the use of working capital funds to effectively and efficiently acquire commercial satellite communications services to meet the requirements of the military departments, Defense Agencies, and combatant commanders; and

(B) a description of—

(i) any contract entered into under the pilot program, the funding used under such contract, and the efficiencies realized under such contract;

(ii) the advantages and challenges of using working capital funds as described in subparagraph (A);

(iii) any additional authorities the Secretary determines necessary to acquire commercial satellite communications services as described in subsection (a)(1); and

(iv) any recommendations of the Secretary with respect to improving or extending the pilot program.

SEC. 1606. UPDATE OF NATIONAL SECURITY SPACE STRATEGY TO INCLUDE SPACE CONTROL AND SPACE SUPERIORITY STRATEGY.

(a) IN GENERAL.—The Secretary of Defense shall, in consultation with the Director of National Intelligence, update the National Security Space Strategy to include a strategy relating to space control and space superiority for the protection of national security space assets.

(b) ELEMENTS.—The strategy relating to space control and space superiority required by subsection (a) shall address the following:

(1) Threats to national security space assets.
(2) Protection of national security space assets.
(3) The role of offensive space operations.
(4) Countering offensive space operations.
(5) Operations to implement the strategy.
(6) Projected resources required over the period covered by the current future-years defense program under section 221 of title 10, United States Code.
(7) The development of an effective deterrence posture.

(c) CONSISTENCY WITH SPACE PROTECTION STRATEGY.—The Secretary shall, in consultation with the Director, ensure that the strategy relating to space control and space superiority required by subsection (a) is consistent with the Space Protection Strategy developed under section 911 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2271 note).

(d) REPORT.—

(1) IN GENERAL.—Not later than March 31, 2015, the Secretary shall, in consultation with the Director, submit a report on the strategy relating to space control and space superiority required by subsection (a) to—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) FORM OF REPORT.—If the report required by paragraph (1) is submitted in classified form, such report shall also include an unclassified summary.

(e) SPACE PROTECTION STRATEGY.—Section 911(d) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2271 note) is amended by adding at the end the following new paragraph:

"(4) Fiscal years 2026 through 2030.".

SEC. 1607. ALLOCATION OF FUNDS FOR THE SPACE SECURITY AND DEFENSE PROGRAM; REPORT ON SPACE CONTROL.

(a) ALLOCATION OF FUNDS.—Of the funds authorized to be appropriated by this Act or any other Act and made available for the Space Security and Defense Program, a majority of such funds shall be allocated to the development of offensive space control and active defensive strategies and capabilities.

(b) STATEMENT WITH RESPECT TO ALLOCATION.—The Secretary of Defense shall include, in the budget justification materials submitted to Congress in support of the budget of the Department of Defense for a fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), a statement with respect to whether the budget of the Department allocates funds for the Space Security and Defense Program as required by subsection (a).

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report that contains the following:

(1) An updated integrated capabilities document for offensive space control.

(2) A concept of operations for the defense of critical national security space assets in all orbital regimes.

(3) An assessment of the effectiveness of existing deterrence strategies.

(4) A review of the appropriate types of accounts that should be used to fund space control programs in accordance with the direction required by subsection (a).

(d) TERMINATION OF REQUIREMENT.—The requirements under subsections (a) and (b) shall terminate on the date that is five years after the date of the enactment of this Act.

10 USC 2271 note.

SEC. 1608. PROHIBITION ON CONTRACTING WITH RUSSIAN SUPPLIERS OF ROCKET ENGINES FOR THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) IN GENERAL.—Except as provided by subsections (b) and (c), beginning on the date of the enactment of this Act, the Secretary of Defense may not award or renew a contract for the procurement of property or services for space launch activities under the evolved expendable launch vehicle program if such contract carries out such space launch activities using rocket engines designed or manufactured in the Russian Federation.

(b) WAIVER.—The Secretary may waive the prohibition under subsection (a) with respect to a contract for the procurement of property or services for space launch activities if the Secretary determines, and certifies to the congressional defense committees not later than 30 days before the waiver takes effect, that—

(1) the waiver is necessary for the national security interests of the United States; and

(2) the space launch services and capabilities covered by the contract could not be obtained at a fair and reasonable price without the use of rocket engines designed or manufactured in the Russian Federation.

(c) EXCEPTION.—

(1) IN GENERAL.—The prohibition in subsection (a) shall not apply to either—

(A) the placement of orders or the exercise of options under the contract numbered FA8811–13–C–0003 and awarded on December 18, 2013; or

(B) subject to paragraph (2), a contract awarded for the procurement of property or services for space launch activities that includes the use of rocket engines designed or manufactured in the Russian Federation that prior to February 1, 2014, were either fully paid for by the contractor or covered by a legally binding commitment of the contractor to fully pay for such rocket engines.

(2) CERTIFICATION.—The Secretary may not award or renew a contract for the procurement of property or services for space launch activities described in paragraph (1)(B) unless the Secretary, upon the advice of the General Counsel of the Department of Defense, certifies to the congressional defense committees that the offeror has provided to the Secretary sufficient documentation to conclusively demonstrate that prior to February 1, 2014, the offeror had either fully paid for the rocket engines described in such paragraph or made a legally binding commitment to fully pay for such rocket engines.

SEC. 1609. ASSESSMENT OF EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

Not later than June 1, 2015, the Comptroller General of the United States shall submit to the congressional defense committees

a report on the evolved expendable launch vehicle program that includes an assessment of the advisability of the Secretary of Defense requiring, when selecting launch providers for the program using competitive procedures as described in section 2304 of title 10, United States Code, that new entrant launch providers or incumbent launch providers establish or maintain business systems that comply with the data requirements and cost accounting standards of the Department of Defense, including certified cost or price data.

SEC. 1610. COMPETITIVE PROCEDURES REQUIRED TO LAUNCH PAYLOAD FOR MISSION NUMBER FIVE OF THE OPERATIONALLY RESPONSIVE SPACE PROGRAM.

(a) IN GENERAL.—In awarding a contract for the launch of the payload for mission number five of the Operationally Responsive Space Program, the Secretary of the Air Force shall use competitive procedures described in section 2304 of title 10, United States Code, and ensure that the policies of the Department of Defense concerning competitive space launch opportunities are followed.

(b) WAIVER.—The Secretary may waive the requirement under subsection (a) if—

(1) the Secretary—

(A) determines that the waiver is necessary in the national security interests of the United States; and

(B) submits to the congressional defense committees a report on such determination and use of the waiver; and

(2) a period of 15 days elapses following the date on which the Secretary submits such report.

SEC. 1611. AVAILABILITY OF ADDITIONAL ROCKET CORES PURSUANT TO COMPETITIVE PROCEDURES.

(a) IN GENERAL.—Relative to the number of rocket cores for which space launch providers certified under the evolved expendable launch vehicle program may submit bids or competitive proposals under competitive procedures pursuant to the National Security Space Launch Procurement Forecast, as of the date on which the President submitted the budget for fiscal year 2015 to Congress pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall—

(1) during fiscal year 2015, increase by one the number of such cores for which such providers may submit bids or competitive proposals; and

(2) for fiscal years 2015 through 2017, increase by one (in addition to the core referred to in paragraph (1)) the number of such cores for which such providers may submit bids or competitive proposals, unless the Secretary—

(A) determines that there is no practicable way to increase the number of such cores for which such providers may submit bids or competitive proposals and remain in compliance with the requirements of the firm fixed price contract for 36 rocket engine cores during the five fiscal years beginning with fiscal year 2013; and

(B) not later than 45 days after making such determination, submits to the congressional defense committees—

(i) a certification that there is no practicable way to make the increase described in subparagraph (A); and

(ii) a description of the basis for the determination.

(b) COMPETITIVE PROCEDURES DEFINED.—In this section, the term "competitive procedures" means procedures as described in section 2304 of title 10, United States Code.

SEC. 1612. LIMITATIONS ON AVAILABILITY OF FUNDS FOR WEATHER SATELLITE FOLLOW-ON SYSTEM AND DEFENSE METEOROLOGICAL SATELLITE PROGRAM.

(a) WEATHER SATELLITE FOLLOW-ON SYSTEM.—

(1) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for research, development, test, and evaluation, Air Force, for the weather satellite follow-on system, not more than 50 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees the plan under paragraph (2).

(2) PLAN REQUIRED.—The Secretary of Defense shall develop a plan to meet the meteorological and oceanographic collection requirements of the Joint Requirements Oversight Council, including the requirements of the combatant commands, the military departments, and the Defense Agencies (as defined in section 101(a)(11) of title 10, United States Code). The plan shall include the following:

(A) How the Secretary will use existing assets of the defense meteorological satellite program, including an identification of the extent to which requirements can be addressed by the Defense Meteorological Satellite program.

(B) How the Secretary will use other sources of data, such as civil, commercial satellite weather data, and international partnerships, to meet such requirements, and the extent to which requirements can be addressed by such sources of data.

(C) An explanation of the relevant risks, costs, and schedule.

(D) The requirements of the weather satellite follow-on system.

(3) GAO REVIEW.—

(A) The Comptroller General of the United States shall review the analysis of alternatives for the weather satellite follow-on system, or space based environmental monitoring, to determine—

(i) the extent that such analysis of alternatives met best practices and fully addressed the concerns of the acquisition, operation, and user communities; and

(ii) how the Department of Defense assessed and addressed the cost, schedule, and risks posed for each alternative evaluated under such analysis of alternatives.

(B) The Comptroller General shall submit to the congressional defense committees a report containing the review under subparagraph (A).

(b) DEFENSE METEOROLOGICAL SATELLITE PROGRAM.—

(1) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Defense Meteorological Satellite Program may be obligated or expended for the storage of a satellite of such program until the Secretary of Defense certifies to the congressional defense committees that—

(A) the Department of Defense intends to launch the satellite; and

(B) storing the satellite until the anticipated launch of the satellite is the most cost-effective approach to meeting the requirements of the Department.

(2) REQUIREMENTS IN THE EVENT OF NO LAUNCH.—

(A) If the Secretary determines not to launch the next satellite of the Defense Meteorological Satellite Program, the Secretary shall—

(i) certify to the congressional defense committees that the Secretary will be able to meet the related requirements of the Department; and

(ii) not later than 60 days after making such certification, submit to such committees a report on how the Secretary will meet such related requirements.

(B) The Comptroller General shall—

(i) review the report submitted under subparagraph (A)(ii) to ensure that such report fully addresses the concerns of the user communities; and

(ii) submit to the congressional defense committees a report containing such review.

SEC. 1613. LIMITATION ON AVAILABILITY OF FUNDS FOR SPACE-BASED INFRARED SYSTEMS SPACE DATA EXPLOITATION.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for research, development, test, and evaluation, Air Force, for data exploitation under the space-based infrared systems, not more than 50 percent may be obligated or expended until the date on which the Secretary of the Air Force, acting as the Department of Defense Executive Agent for Space, submits to the congressional defense committees certification that—

(1) such funds will be used in support of data exploitation of the current space-based infrared systems program of record, including the scanning and staring sensor; or

(2) the data from such program of record, including such scanning and starring sensor, is being fully exploited and no further efforts are warranted.

SEC. 1614. LIMITATIONS ON AVAILABILITY OF FUNDS FOR HOSTED PAYLOAD AND WIDE FIELD OF VIEW TESTBED OF THE SPACE-BASED INFRARED SYSTEMS.

(a) PHASED LIMITATIONS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for research, development, test, and evaluation, Air Force, for the hosted payload and wide field of view testbed of the space-based infrared systems program—

(1) not more than 50 percent may be obligated or expended on alternative approaches to the program of record of such program until the Secretary of the Air Force submits to the appropriate congressional committees a copy of the analysis of alternatives for such program of record; and

(2) following the date on which the Secretary submits such analysis of alternatives, not more than 75 percent may be obligated or expended on alternative approaches to the program of record of such program until a period of 30 days has elapsed following the date on which the Secretary and the Commander of the United States Strategic Command jointly provide to the appropriate congressional committees a briefing on the findings and recommendations of the Secretary and Commander under such analysis of alternatives, including the cost evaluation of the Director of Cost Assessment and Program Evaluation.

(b) EXCEPTION.—The limitations in subsection (a) shall not apply to efforts to examine and develop technology insertion opportunities for the program of record specified in subsection (a).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives.

(3) The Select Committee on Intelligence of the Senate.

SEC. 1615. LIMITATIONS ON AVAILABILITY OF FUNDS FOR PROTECTED TACTICAL DEMONSTRATION AND PROTECTED MILITARY SATELLITE COMMUNICATIONS TESTBED OF THE ADVANCED EXTREMELY HIGH FREQUENCY PROGRAM.

(a) PHASED LIMITATIONS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for research, development, test, and evaluation, Air Force, for the protected tactical demonstration and protected military satellite communications testbed of the advanced extremely high frequency program—

(1) not more than 50 percent may be obligated or expended on alternative approaches to the program of record for such program until the Secretary of the Air Force submits to the congressional defense committees a copy of the analysis of alternatives for such program of record; and

(2) following the date on which the Secretary submits such analysis of alternatives, not more than 75 percent may be obligated or expended on alternative approaches to the program of record for such program until a period of 30 days has elapsed following the date on which the Secretary and the Commander of the United States Strategic Command jointly provide to the congressional defense committees a briefing on the findings and recommendations of the Secretary and Commander under such analysis of alternatives, including the cost evaluation of the Director of Cost Assessment and Program Evaluation.

(b) EXCEPTION.—The limitations in subsection (a) shall not apply to efforts to examine and develop technology insertion opportunities for the current, as of the date of the enactment of this Act, programs of record.

SEC. 1616. STUDY OF SPACE SITUATIONAL AWARENESS ARCHITECTURE.

(a) IN GENERAL.—The Secretary of Defense shall direct the Defense Science Board to conduct a study of the effectiveness of the ground and space sensor system architecture for space situational awareness.

(b) ELEMENTS.—The study required by subsection (a) shall include an assessment of the following:

(1) Projected needs, based on current and future threats, for the ground and space sensor system during the five-, 10-, and 20-year periods beginning on the date of the enactment of this Act.

(2) Capabilities of the ground and space sensor system to conduct defensive and offensive operations.

(3) Integration of ground and space sensors with ground processing, control, and battle management systems.

(4) Any other matters relating to space situational awareness the Secretary considers appropriate.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study conducted under subsection (a).

(2) FORM OF REPORT.—If the report required by paragraph (1) is submitted in classified form, such report shall also include an unclassified summary.

SEC. 1617. BRIEFING ON RANGE SUPPORT FOR LAUNCHES IN SUPPORT OF NATIONAL SECURITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall provide to the congressional defense committees a briefing on the requirements and investments needed to modernize Department of Defense space launch facilities and supporting infrastructure.

(b) ELEMENTS.—The briefing required under subsection (a) shall include the following elements:

(1) The results of the investigation into the failure of the radar system supporting the Eastern range in March 2014, including the causes for the failure.

(2) An assessment of each current radar and other system as well as supporting infrastructure required to support the mission requirement of the range, including back-up systems.

(3) An estimate of the annual level of dedicated funding required to maintain and modernize the range infrastructure in adequate condition to meet national security requirements.

(4) A review of requirements to repair, upgrade, and modernize the radars and other mission support systems to current technologies.

(5) A prioritized list of projects, costs, and projected funding schedules needed to carry out the maintenance, repair, and modernization requirements.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

SEC. 1621. TACTICAL EXPLOITATION OF NATIONAL CAPABILITIES EXECUTIVE AGENT.

(a) ESTABLISHMENT.—Subchapter I of chapter 21 of title 10, United States Code, is amended by adding at the end the following new section:

10 USC 430.

"§ 430. Tactical Exploitation of National Capabilities Executive Agent

"(a) DESIGNATION.—The Under Secretary of Defense for Intelligence shall designate a civilian employee of the Department or a member of the armed forces to serve as the Tactical Exploitation of National Capabilities Executive Agent.

"(b) DUTIES.—The Executive Agent designated under subsection (a) shall—

"(1) report directly to the Under Secretary of Defense for Intelligence;

"(2) work with the combatant commands, military departments, and the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) to—

"(A) develop methods to increase warfighter effectiveness through the exploitation of national capabilities; and

"(B) promote cross-domain integration of such capabilities into military operations, training, intelligence, surveillance, and reconnaissance activities.".

(b) BRIEFINGS.—At the same time as the President submits to Congress the budget pursuant to section 1105 of title 31, for each of fiscal years 2016 through 2020, the Executive Agent designated under subsection (a) of section 430 of title 10, United States Code (as added by subsection (a) of this section), in consultation with the commanders of the combatant commands, the Secretaries of the military departments, and the heads of the Department of Defense intelligence agencies and offices (including the Directors of the Defense Intelligence Agency, the National Security Agency, the National Geospatial-Intelligence Agency, and the National Reconnaissance Office), shall provide to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a briefing on the investments, activities, challenges, and opportunities of the Executive Agent in carrying out the responsibilities under subsection (b) of such section 430.

SEC. 1622. ONE-YEAR EXTENSION OF REPORT ON IMAGERY INTELLIGENCE AND GEOSPATIAL INFORMATION SUPPORT PROVIDED TO REGIONAL ORGANIZATIONS AND SECURITY ALLIANCES.

Section 921(c)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1878) is amended by striking "2014 and 2015" and inserting "2014 through 2016".

SEC. 1623. EXTENSION OF SECRETARY OF DEFENSE AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

Section 431(a) of title 10, United States Code, is amended, in the second sentence, by striking "December 31, 2015" and inserting "December 31, 2017".

SEC. 1624. EXTENSION OF AUTHORITY RELATING TO JURISDICTION OVER DEPARTMENT OF DEFENSE FACILITIES FOR INTELLIGENCE COLLECTION OR SPECIAL OPERATIONS ACTIVITIES ABROAD.

Section 926(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1541) is amended, in the matter before paragraph (1)— 10 USC 2682 note.

(1) by striking "September 30, 2015" and inserting "September 30, 2017"; and

(2) by striking "fiscal year 2016" and inserting "fiscal year 2018".

SEC. 1625. ASSESSMENT AND LIMITATION ON AVAILABILITY OF FUNDS FOR INTELLIGENCE ACTIVITIES AND PROGRAMS OF UNITED STATES SPECIAL OPERATIONS COMMAND AND SPECIAL OPERATIONS FORCES.

(a) ASSESSMENT.—

(1) REQUIREMENT.—The Secretary of Defense, acting through the Under Secretary of Defense for Intelligence, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, and the Director of the Defense Intelligence Agency, shall submit to the appropriate committees of Congress and the Comptroller General of the United States an assessment of the intelligence activities and programs of United States Special Operations Command and special operations forces.

(2) INCLUSIONS.—The assessment under paragraph (1) shall include each of the following elements:

(A) An overall strategy defining such intelligence activities and programs, including definitions of intelligence activities and programs carried out by special operations forces and how such activities and programs relate to conventional military intelligence and the capabilities of the Armed Forces.

(B) The oversight roles and responsibilities of the Under Secretary of Defense for Intelligence, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, and the Assistant to the Secretary of Defense for Intelligence Oversight with respect to the employment of special operations forces for intelligence activities and programs, including an analysis of any oversight limitations or gaps.

(C) A strategy and roadmap of United States Special Operations Command intelligence, surveillance, and reconnaissance programs and requirements, including enabling capabilities provided by the Armed Forces, for special operations across the future years defense program.

(D) A comprehensive description of Joint Staff-validated current and anticipated future requirements for the intelligence activities and programs of each geographic combatant commander that are likely to be fulfilled by special operations forces, including those that can only be addressed by special operations forces, programs, or capabilities.

(E) Validated current and expected future United States Special Operations Command force structure requirements necessary to meet near-, mid-, and long-term

special operations intelligence activities and programs of the geographic combatant commanders.

(F) A comprehensive review and assessment of statutory authorities, and Department and interagency policies, including limitations, for special operations forces intelligence activities and programs.

(G) A cost estimate of special operations intelligence activities and programs, including an estimate of the costs of the period of the current future years defense program, including a description of all rules and assumptions used to develop the cost estimates.

(H) A copy of any memoranda of understanding or memoranda of agreement between the Department of Defense and other departments or agencies of the United States Government, or between components of the Department of Defense that are required to implement objectives of special operations intelligence activities and programs.

(I) Any other matters the Secretary considers appropriate.

(3) FORM.—The assessment required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) COMPTROLLER GENERAL REVIEW.—Not later than 60 days after the date on which the assessment required under paragraph (1) is submitted, the Comptroller General shall submit to the appropriate committees of Congress a review of such assessment. Such review shall include an assessment of—

(A) the extent to which the assessment required under paragraph (1) addressed the elements required under paragraph (2);

(B) the sufficiency of oversight of the intelligence activities and programs of special operations forces by the Under Secretary of Defense for Intelligence, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, and the Assistant to the Secretary of Defense for Intelligence Oversight;

(C) the validity of the cost estimate of special operations intelligence activities and programs required by paragraph (2)(G); and

(D) any other matters the Comptroller General determines are relevant.

(b) LIMITATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), not more than 50 percent of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for procurement, Defense-wide, for intelligence systems, and for research, development, test, and evaluation, Defense-wide, for intelligence systems development may be obligated until the assessment required under subsection (a) is submitted.

(2) EXCEPTION.—Paragraph (1) shall not apply—

(A) with respect to funds authorized to be appropriated for Overseas Contingency Operations under title XV; or

(B) in any case where the Secretary of Defense determines the limitation in paragraph (1) may impede a current operation.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate.

(2) FUTURE YEARS DEFENSE PROGRAM.—The term "future years defense program" means the future years defense program under section 221 of title 10, United States Code.

(3) GEOGRAPHIC COMBATANT COMMANDER.—The term "geographic combatant commander" means a commander of a combatant command (as defined in section 161(c) of title 10, United States Code) with a geographic area of responsibility.

SEC. 1626. ANNUAL BRIEFING ON THE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE REQUIREMENTS OF THE COMBATANT COMMANDS.

At the same time that the President's budget is submitted pursuant to section 1105(a) of title 31, United States Code, for each of fiscal years 2016 through 2020—

(1) the Chairman of the Joint Chiefs of Staff shall provide to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a briefing on—

(A) the intelligence, surveillance, and reconnaissance requirements, by specific intelligence capability type, of each of the combatant commands;

(B) for the year preceding the year in which the briefing is provided, the satisfaction rate of each of the combatant commands with the intelligence, surveillance, and reconnaissance requirements, by specific intelligence capability type, of such combatant command; and

(C) a risk analysis identifying the critical gaps and shortfalls in such requirements in relation to such satisfaction rate; and

(2) the Under Secretary of Defense for Intelligence shall provide to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a briefing on short-term, mid-term, and long-term strategies to address the critical intelligence, surveillance and reconnaissance requirements of the combatant commands.

SEC. 1627. PROHIBITION ON NATIONAL INTELLIGENCE PROGRAM CONSOLIDATION.

(a) PROHIBITION.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2015, to execute—

(1) the separation of the National Intelligence Program budget from the Department of Defense budget;

(2) the consolidation of the National Intelligence Program budget within the Department of Defense budget; or

(3) the establishment of a new appropriations account or appropriations account structure for the National Intelligence Program budget.

(b) DEFINITIONS.—In this section:

(1) NATIONAL INTELLIGENCE PROGRAM.—The term "National Intelligence Program" has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) NATIONAL INTELLIGENCE PROGRAM BUDGET.—The term "National Intelligence Program budget" means the portions of the Department of Defense budget designated as part of the National Intelligence Program.

SEC. 1628. PERSONNEL SECURITY AND INSIDER THREAT.

(a) REPORT REQUIRED.—Not later than March 30, 2015, the Secretary of Defense shall submit to Congress a report on the plans of the Department to address—

(1) the adoption of an interim capability to continuously evaluate the security status of the employees and contractors of the Department who have been determined eligible for and granted access to classified information by the Department of Defense Central Adjudication Facilities;

(2) the use of an interim system to assist in developing requirements, lessons learned, business rules, privacy standards, and operational concepts applicable to the objective automated records checks and continuous evaluation capability required by the strategy for modernizing personnel security;

(3) the engineering for an interim system and the objective automated records checks and continuous evaluation capability for initial investigations and reinvestigations required by the strategy for modernizing personnel security to support automation-assisted insider threat analyses conducted across the law enforcement, personnel security, human resources, counterintelligence, physical security, network behavior monitoring, and cybersecurity activities of all the components of the Department of Defense, pursuant to Executive Order 13587;

(4) how competitive processes and open systems designs will be used to acquire advanced commercial technologies throughout the life cycle of the objective continuous evaluation capability required by the strategy for modernizing personnel security;

(5) how the senior agency official in the Department of Defense for insider threat detection and prevention will be supported by experts in counterintelligence, personnel security, law enforcement, human resources, physical security, network monitoring, cybersecurity, and privacy and civil liberties from relevant components of the Department and experts in information technology, large-scale data analysis, systems engineering, and program acquisition;

(6) how the senior agency official, in developing the integrated, automation-assisted insider threat capability, will be supported by—

(A) the Under Secretary of Defense for Acquisition, Technology, and Logistics;

(B) the Chief Information Officer of the Department of Defense; and

(C) the Under Secretary of Defense for Personnel and Readiness; and

(7) who will be responsible and accountable for managing the development and fielding of the automation-assisted insider threat capability.

(b) INCLUSION OF GAPS.—The report required under subsection (a) shall include specific gaps in policy and statute to address the requirements placed on the Department by section 907(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66) and Executive Order 13587.

(c) STRATEGY FOR MODERNIZING PERSONNEL SECURITY DEFINED.—In this section, the term "strategy for modernizing personnel security" means the strategy developed under section 907(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66).

SEC. 1629. MIGRATION OF DISTRIBUTED COMMON GROUND SYSTEM OF DEPARTMENT OF THE ARMY TO AN OPEN SYSTEM ARCHITECTURE.

(a) MIGRATION REQUIRED.—Not later than three years after the date of the enactment of this Act, the Secretary of the Army shall migrate the Distributed Common Ground System of the Department of the Army, including the Red Disk initiative under development at the Intelligence and Security Command, to an open system architecture to enable—

(1) competitive acquisition of components, services, and applications for the Distributed Common Ground System; and

(2) rapid competitive development and integration of new capabilities for the Distributed Common Ground System.

(b) COMPLIANCE WITH OPEN SYSTEM ARCHITECTURE STANDARDS.—In carrying out the migration required by subsection (a), the Secretary shall ensure that the Distributed Common Ground System—

(1) is in compliance with the open system architecture standards developed under the Defense Intelligence Information Enterprise by the Under Secretary of Defense for Intelligence; and

(2) reuses services and components of the Defense Intelligence Information Enterprise.

(c) OPEN SYSTEM ARCHITECTURE DEFINED.—In this section, the term "open system architecture" means, with respect to an information technology system, an integrated business and technical strategy that—

(1) employs a modular design and uses widely supported and consensus-based standards for key interfaces;

(2) is subjected to successful validation and verification tests to ensure key interfaces comply with widely supported and consensus-based standards; and

(3) uses a system architecture that allows components to be added, modified, replaced, removed, or supported by different vendors throughout the life-cycle of the system to afford opportunities for enhanced competition and innovation while yielding—

(A) significant cost and schedule savings; and

(B) increased interoperability.

Subtitle C—Cyberspace-Related Matters

SEC. 1631. BUDGETING AND ACCOUNTING FOR CYBER MISSION FORCES.

(a) BUDGETING.—

(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section:

10 USC 238.

"§ 238. Cyber mission forces: program elements

"(a) BUDGET JUSTIFICATION DISPLAY.—The Secretary of Defense shall submit to Congress, as a part of the defense budget materials for fiscal year 2017 and each fiscal year thereafter, a budget justification display that includes—

"(1) a major force program category for the five-year defense plan of the Department of Defense for the training, manning, and equipping of the cyber mission forces; and

"(2) program elements for the cyber mission forces.

"(b) WAIVER.—The Secretary may waive the requirement under subsection (a) for fiscal year 2017 if the Secretary—

"(1) determines the Secretary is unable to comply with such requirement for fiscal year 2017; and

"(2) establishes a plan to implement the requirement for fiscal year 2018.".

10 USC prec. 221.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 9 of such title is amended by adding at the end the following new item:

"238. Cyber mission forces: program elements.".

(b) ASSESSMENT OF TRANSFER ACCOUNT FOR CYBER ACTIVITIES.—

(1) IN GENERAL.—The Secretary shall assess the feasibility and advisability of establishing a transfer account to execute the funds contained in the major force program category required by subsection (a).

(2) REPORT.—

(A) IN GENERAL.—Not later than April 1, 2015, the Secretary shall submit to the congressional defense committees a report on the assessment carried out under paragraph (1).

(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

(i) The findings of the Secretary with respect to the assessment carried out under paragraph (1).

(ii) A recommendation as to whether a transfer account should be established as described in such paragraph.

SEC. 1632. REPORTING ON CYBER INCIDENTS WITH RESPECT TO NETWORKS AND INFORMATION SYSTEMS OF OPERATIONALLY CRITICAL CONTRACTORS.

(a) REPORTING.—Part I of subtitle A of title 10, United States Code, is amended by inserting after chapter 18 the following new chapter:

10 USC prec. 391.

"CHAPTER 19—CYBER MATTERS

"Sec.

"391. Reporting on cyber incidents with respect to networks and information systems of operationally critical contractors.

"§ 391. Reporting on cyber incidents with respect to networks and information systems of operationally critical contractors and certain other contractors

10 USC 391.

"(a) DESIGNATION OF DEPARTMENT COMPONENT TO RECEIVE REPORTS.—The Secretary of Defense shall designate a component of the Department of Defense to receive reports of cyber incidents from contractors in accordance with this section and with section 941 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2224 note) or from other governmental entities.

"(b) PROCEDURES FOR REPORTING CYBER INCIDENTS.—The Secretary of Defense shall establish procedures that require an operationally critical contractor to report in a timely manner to component designated under subsection (a) each time a cyber incident occurs with respect to a network or information system of such operationally critical contractor.

"(c) PROCEDURE REQUIREMENTS.—

"(1) DESIGNATION AND NOTIFICATION.—The procedures established pursuant to subsection (a) shall include a process for—

"(A) designating operationally critical contractors; and

"(B) notifying a contractor that it has been designated as an operationally critical contractor.

"(2) RAPID REPORTING.—The procedures established pursuant to subsection (a) shall require each operationally critical contractor to rapidly report to the component of the Department designated pursuant to subsection (d)(2)(A) on each cyber incident with respect to any network or information systems of such contractor. Each such report shall include the following:

"(A) An assessment by the contractor of the effect of the cyber incident on the ability of the contractor to meet the contractual requirements of the Department.

"(B) The technique or method used in such cyber incident.

"(C) A sample of any malicious software, if discovered and isolated by the contractor, involved in such cyber incident.

"(D) A summary of information compromised by such cyber incident.

"(3) DEPARTMENT ASSISTANCE AND ACCESS TO EQUIPMENT AND INFORMATION BY DEPARTMENT PERSONNEL.—The procedures established pursuant to subsection (a) shall—

"(A) include mechanisms for Department personnel to, if requested, assist operationally critical contractors in detecting and mitigating penetrations; and

"(B) provide that an operationally critical contractor is only required to provide access to equipment or information as described in subparagraph (A) to determine whether information created by or for the Department in connection with any Department program was successfully exfiltrated from a network or information system of such contractor and, if so, what information was exfiltrated.

"(4) PROTECTION OF TRADE SECRETS AND OTHER INFORMATION.—The procedures established pursuant to subsection (a) shall provide for the reasonable protection of trade secrets, commercial or financial information, and information that can be used to identify a specific person.

"(5) DISSEMINATION OF INFORMATION.—The procedures established pursuant to subsection (a) shall limit the dissemination of information obtained or derived through the procedures to entities—

"(A) with missions that may be affected by such information;

"(B) that may be called upon to assist in the diagnosis, detection, or mitigation of cyber incidents;

"(C) that conduct counterintelligence or law enforcement investigations; or

"(D) for national security purposes, including cyber situational awareness and defense purposes.

"(d) DEFINITIONS.—In this section:

"(1) CYBER INCIDENT.—The term 'cyber incident' means actions taken through the use of computer networks that result in an actual or potentially adverse effect on an information system or the information residing therein.

"(2) OPERATIONALLY CRITICAL CONTRACTOR.—The term 'operationally critical contractor' means a contractor designated by the Secretary for purposes of this section as a critical source of supply for airlift, sealift, intermodal transportation services, or logistical support that is essential to the mobilization, deployment, or sustainment of the Armed Forces in a contingency operation.".

(b) ISSUANCE OF PROCEDURES.—The Secretary shall establish the procedures required by subsection (b) of section 391 of title 10, United States Code, as added by subsection (a) of this section, not later than 90 days after the date of the enactment of this Act.

(c) ASSESSMENT OF DEPARTMENT POLICIES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Act, the Secretary of Defense shall complete an assessment of—

(A) requirements that were in effect on the day before the date of the enactment of this Act for contractors to share information with Department components regarding cyber incidents (as defined in subsection (d) of such section 391) with respect to networks or information systems of contractors; and

(B) Department policies and systems for sharing information on cyber incidents with respect to networks or information systems of Department contractors.

(2) ACTIONS FOLLOWING ASSESSMENT.—Upon completion of the assessment required by paragraph (1), the Secretary shall—

(A) designate a Department component under subsection (a) of such section 391; and

(B) issue or revise guidance applicable to Department components that ensures the rapid sharing by the component designated pursuant to such section 391 or section 941 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2224 note) of information relating to cyber incidents with respect to networks or information systems of contractors with other appropriate Department components.

(d) TABLE OF CHAPTERS AMENDMENT.—The table of chapters at the beginning of subtitle A of title 10, United States Code, and at the beginning of part I of such subtitle, are each amended

10 USC prec. 101.

by inserting after the item relating to chapter 18 the following new item:

SEC. 1633. EXECUTIVE AGENTS FOR CYBER TEST AND TRAINING RANGES.

(a) EXECUTIVE AGENT.—Chapter 19 of title 10, United States Code, as added by section 1632 of this Act, is amended by adding at the end the following new section:

"§ 392. Executive agents for cyber test and training ranges 10 USC 392.

"(a) EXECUTIVE AGENT.—The Secretary of Defense, in consultation with the Principal Cyber Advisor, shall—

"(1) designate a senior official from among the personnel of the Department of Defense to act as the executive agent for cyber and information technology test ranges; and

"(2) designate a senior official from among the personnel of the Department of Defense to act as the executive agent for cyber and information technology training ranges.

"(b) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—

"(1) ESTABLISHMENT.—The Secretary of Defense shall prescribe the roles, responsibilities, and authorities of the executive agents designated under subsection (a). Such roles, responsibilities, and authorities shall include the development of a biennial integrated plan for cyber and information technology test and training resources.

"(2) BIENNIAL INTEGRATED PLAN.—The biennial integrated plan required under paragraph (1) shall include plans for the following:

"(A) Developing and maintaining a comprehensive list of cyber and information technology ranges, test facilities, test beds, and other means of testing, training, and developing software, personnel, and tools for accommodating the mission of the Department. Such list shall include resources from both governmental and nongovernmental entities.

"(B) Organizing and managing designated cyber and information technology test ranges, including—

"(i) establishing the priorities for cyber and information technology ranges to meet Department objectives;

"(ii) enforcing standards to meet requirements specified by the United States Cyber Command, the training community, and the research, development, testing, and evaluation community;

"(iii) identifying and offering guidance on the opportunities for integration amongst the designated cyber and information technology ranges regarding test, training, and development functions;

"(iv) finding opportunities for cost reduction, integration, and coordination improvements for the appropriate cyber and information technology ranges;

"(v) adding or consolidating cyber and information technology ranges in the future to better meet the evolving needs of the cyber strategy and resource requirements of the Department;

"(vi) finding opportunities to continuously enhance the quality and technical expertise of the cyber and information technology test workforce through training and personnel policies; and

"(vii) coordinating with interagency and industry partners on cyber and information technology range issues.

"(C) Defining a cyber range architecture that—

"(i) may add or consolidate cyber and information technology ranges in the future to better meet the evolving needs of the cyber strategy and resource requirements of the Department;

"(ii) coordinates with interagency and industry partners on cyber and information technology range issues;

"(iii) allows for integrated closed loop testing in a secure environment of cyber and electronic warfare capabilities;

"(iv) supports science and technology development, experimentation, testing and training; and

"(v) provides for interconnection with other existing cyber ranges and other kinetic range facilities in a distributed manner.

"(D) Certifying all cyber range investments of the Department of Defense.

"(E) Performing such other assessments or analyses as the Secretary considers appropriate.

"(3) STANDARD FOR CYBER EVENT DATA.—The executive agents designated under subsection (a), in consultation with the Chief Information Officer of the Department of Defense, shall jointly select a standard language from open-source candidates for representing and communicating cyber event and threat data. Such language shall be machine-readable for the Joint Information Environment and associated test and training ranges.

"(c) SUPPORT WITHIN DEPARTMENT OF DEFENSE.—The Secretary of Defense shall ensure that the military departments, Defense Agencies, and other components of the Department of Defense provide the executive agents designated under subsection (a) with the appropriate support and resources needed to perform the roles, responsibilities, and authorities of the executive agents.

"(d) COMPLIANCE WITH EXISTING DIRECTIVE.—The Secretary shall carry out this section in compliance with Directive 5101.1.

"(e) DEFINITIONS.—In this section:

"(1) The term 'designated cyber and information technology range' includes the National Cyber Range, the Joint Information Operations Range, the Defense Information Assurance Range, and the C4 Assessments Division of J6 of the Joint Staff.

"(2) The term 'Directive 5101.1' means Department of Defense Directive 5101.1, or any successor directive relating to the responsibilities of an executive agent of the Department of Defense.

"(3) The term 'executive agent' has the meaning given the term 'DoD Executive Agent' in Directive 5101.1.".

10 USC 392 note.

(b) DESIGNATION AND ROLES AND RESPONSIBILITIES.—The Secretary of Defense shall—

(1) not later than 120 days after the date of the enactment of this Act, designate the executive agents required under subsection (a) of section 392 of title 10, United States Code, as added by subsection (a) of this section; and

(2) not later than one year after the date of the enactment of this Act, prescribe the roles, responsibilities, and authorities required under subsection (b) of such section 392.

(c) SELECTION OF STANDARD LANGUAGE.—Not later than June 1, 2015, the executive agents designated under subsection (a) of section 392 of title 10, United States Code, as added by subsection (a) of this section, shall select the standard language under subsection (b)(3) of such section 392. 10 USC 392 note.

(d) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 19 of title 10, United States Code, as added by section 1632 of this Act, is amended by adding at the end the following new item: 10 USC prec. 391.

"392. Executive agents for cyber test and training ranges.".

SEC. 1634. CYBERSPACE MAPPING.

(a) DESIGNATION OF NETWORK.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan to use a controlled laboratory environment or an existing network or network segment within the Department of Defense to identify network mapping capabilities to meet requirements of the United States Cyber Command.

(b) RECOMMENDATIONS.—Not later than 180 days after the date of the enactment of this Act, the Principal Cyber Advisor shall submit to the Secretary policy recommendations regarding the mapping of cyberspace to support the operational requirements of the United States Cyber Command.

SEC. 1635. REVIEW OF CROSS DOMAIN SOLUTION POLICY AND REQUIREMENT FOR CROSS DOMAIN SOLUTION STRATEGY.

(a) REVIEW OF POLICY.—The Secretary of Defense shall review the policies and guidance of the Department of Defense concerning the procurement, approval, and use of cross domain solutions by the Department of Defense.

(b) STRATEGY FOR CROSS DOMAIN SOLUTIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop a strategy for procurement, approval, and use of cross domain solutions by the Department.

(2) ELEMENTS.—The strategy required by paragraph (1) shall include the following:

(A) Identification and assessment of the current cross domain solutions in use throughout the Department of Defense, including the relative capabilities of such solutions and any gaps in current capabilities.

(B) A determination of the requirements for cross domain solutions for enterprise applications as well as deployed warfighting operations, including operations with coalition partners.

(C) A plan to enable verification of compliance with Department of Defense policies regarding the use of cross domain solutions.

(D) A review of the current Department of Defense Information Assurance Certification and Accreditation Process for the applicability of such process to future virtualized cross domain technology.

(E) A plan to meet the cross domain solution requirements for the Defense Intelligence Information Enterprise that must operate within the Joint Information Environment and the Intelligence Community Information Technology Environment.

SEC. 1636. REQUIREMENT FOR STRATEGY TO DEVELOP AND DEPLOY DECRYPTION SERVICE FOR THE JOINT INFORMATION ENVIRONMENT.

(a) STRATEGY REQUIRED.—The Secretary of Defense shall develop a strategy to develop and deploy a decryption service that enables the efficient decryption and re-encryption of encrypted communications within the Joint Information Environment and through the Internet access points of the Joint Information Environment in a manner that allows the Secretary to inspect the content of such communications to detect cyber threats and insider threat activity.

(b) ELEMENTS.—The strategy required developed pursuant to subsection (a) shall include the following:

(1) Requirements.

(2) An estimate of the cost.

(3) An assessment of the added security benefit.

(4) An architecture.

(5) A concept of operations.

(c) CONGRESSIONAL BRIEFING.—Not later than October 1, 2015, the Secretary shall brief the congressional defense committees and the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) on the strategy developed under subsection (a).

50 USC 1708.

SEC. 1637. ACTIONS TO ADDRESS ECONOMIC OR INDUSTRIAL ESPIONAGE IN CYBERSPACE.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter through 2020, the President shall submit to the appropriate congressional committees a report on foreign economic and industrial espionage in cyberspace during the 12-month period preceding the submission of the report that—

(A) identifies—

(i) foreign countries that engage in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons;

(ii) foreign countries identified under clause (i) that the President determines engage in the most egregious economic or industrial espionage in cyberspace with respect to such trade secrets or proprietary information (to be known as "priority foreign countries");

(iii) categories of technologies or proprietary information developed by United States persons that—

(I) are targeted for economic or industrial espionage in cyberspace; and

(II) to the extent practicable, have been appropriated through such espionage;

(iv) articles manufactured or otherwise produced using technologies or proprietary information described in clause (iii)(II); and

(v) to the extent practicable, services provided using such technologies or proprietary information;

(B) describes the economic or industrial espionage engaged in by the foreign countries identified under clauses (i) and (ii) of subparagraph (A); and

(C) describes—

(i) actions taken by the President to decrease the prevalence of economic or industrial espionage in cyberspace; and

(ii) the progress made in decreasing the prevalence of such espionage.

(2) DETERMINATION OF FOREIGN COUNTRIES ENGAGING IN ECONOMIC OR INDUSTRIAL ESPIONAGE IN CYBERSPACE.—For purposes of clauses (i) and (ii) of paragraph (1)(A), the President shall identify a foreign country as a foreign country that engages in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons if the government of the foreign country—

(A) engages in economic or industrial espionage in cyberspace with respect to trade secrets or proprietary information owned by United States persons; or

(B) facilitates, supports, fails to prosecute, or otherwise permits such espionage by—

(i) individuals who are citizens or residents of the foreign country; or

(ii) entities that are organized under the laws of the foreign country or are otherwise subject to the jurisdiction of the government of the foreign country.

(3) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(b) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—The President may, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of each person described in paragraph (2), if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) PERSONS DESCRIBED.—A person described in this paragraph is a foreign person the President determines knowingly requests, engages in, supports, facilitates, or benefits from the significant appropriation, through economic or industrial espionage in cyberspace, of technologies or proprietary information developed by United States persons.

(3) EXCEPTION.—The authority to impose sanctions under paragraph (1) shall not include the authority to impose sanctions on the importation of goods.

(4) IMPLEMENTATION; PENALTIES.—

(A) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the

International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this subsection.

(B) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, or conspires to violate, or causes a violation of, this subsection or a regulation prescribed under this subsection to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the application of any penalty or the exercise of any authority provided for under any other provision of law.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Homeland Security and Governmental Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Homeland Security, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) CYBERSPACE.—The term "cyberspace"—

(A) means the interdependent network of information technology infrastructures; and

(B) includes the Internet, telecommunications networks, computer systems, and embedded processors and controllers.

(3) ECONOMIC OR INDUSTRIAL ESPIONAGE.—The term "economic or industrial espionage" means—

(A) stealing a trade secret or proprietary information or appropriating, taking, carrying away, or concealing, or by fraud, artifice, or deception obtaining, a trade secret or proprietary information without the authorization of the owner of the trade secret or proprietary information;

(B) copying, duplicating, downloading, uploading, destroying, transmitting, delivering, sending, communicating, or conveying a trade secret or proprietary information without the authorization of the owner of the trade secret or proprietary information; or

(C) knowingly receiving, buying, or possessing a trade secret or proprietary information that has been stolen or appropriated, obtained, or converted without the authorization of the owner of the trade secret or proprietary information.

(4) KNOWINGLY.—The term "knowingly", with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(5) OWN.—The term "own", with respect to a trade secret or proprietary information, means to hold rightful legal or equitable title to, or license in, the trade secret or proprietary information.

(6) PERSON.—The term "person" means an individual or entity.

(7) PROPRIETARY INFORMATION.—The term "proprietary information" means competitive bid preparations, negotiating strategies, executive emails, internal financial data, strategic business plans, technical designs, manufacturing processes, source code, data derived from research and development investments, and other commercially valuable information that a person has developed or obtained if—

(A) the person has taken reasonable measures to keep the information confidential; and

(B) the information is not generally known or readily ascertainable through proper means by the public.

(8) TECHNOLOGY.—The term "technology" has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(9) TRADE SECRET.—The term "trade secret" has the meaning given that term in section 1839 of title 18, United States Code.

(10) UNITED STATES PERSON.—The term "United States person" means—

(A) an individual who is a citizen or resident of the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States; or

(C) a person located in the United States.

SEC. 1638. SENSE OF CONGRESS REGARDING ROLE OF RESERVE COMPONENTS IN DEFENSE OF UNITED STATES AGAINST CYBER ATTACKS.

It is the sense of Congress that—

(1) members of the reserve components may possess knowledge of critical infrastructure in the States in which the members serve that may be of value for purposes of defending such infrastructure against cyber threats;

(2) traditional members of the reserve components and reserve component technicians may have experience in both the private and public sector that could benefit the readiness of the Department of Defense's cyber force and the development of cyber capabilities;

(3) the long-standing relationship the reserve components has with local and civil authorities may be beneficial for purposes of providing for a coordinated response to a cyber attack and defending against cyber threats;

(4) the States are already working to establish cyber partnerships with the reserve components; and

(5) the reserve components have a role in the defense of the United States against cyber threats and consideration should be given to how the reserve components might be integrated into a comprehensive national approach for cyber defense.

SEC. 1639. SENSE OF CONGRESS ON THE FUTURE OF THE INTERNET AND THE .MIL TOP-LEVEL DOMAIN.

It is the sense of Congress that the Secretary of Defense should—

(1) work within the existing interagency process underway as of the date of the enactment of this Act regarding the transfer of the remaining role of the United States Government in the functions of the Internet Assigned Numbers Authority to a global multi-stakeholder community and support transferring this role only if—

(A) assurances are provided for the protection of the current status of legacy top-level domain names and Internet Protocol address numbers, particularly those used by the Department of Defense and the components of the United States Government for national security purposes;

(B) mechanisms are institutionalized to uphold and protect consensus-based decision making in the multi-stakeholder approach; and

(C) existing stress-testing scenarios of the accountability process of the multi-stakeholder model can be confidently shown to work transparently, securely, and efficiently to maintain a free, open, and resilient Internet; and

(2) take all necessary steps to sustain the successful stewardship and good standing of the Internet root zone servers managed by components of the Department of Defense, including active participation, review, and analysis for transition planning documents and accountability stress testing.

Subtitle D—Nuclear Forces

SEC. 1641. PREPARATION OF ANNUAL BUDGET REQUEST REGARDING NUCLEAR WEAPONS.

Section 179(f) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

"(3)(A) With respect to the preparation of a budget for a fiscal year to be submitted by the President to Congress under section 1105(a) of title 31, the Secretary of Defense may not agree to a proposed transfer of estimated nuclear budget request authority unless the Secretary of Defense submits to the congressional defense committees a report described in subparagraph (B).

"(B) A report described in this subparagraph is a report that includes the following:

"(i) Except as provided by subparagraph (C), certification that, during the fiscal year prior to the fiscal year covered by the budget for which the report is submitted, the Secretary of Energy obligated or expended any amounts covered by a proposed transfer of estimated nuclear budget request authority made for such prior fiscal year in a manner consistent with a memorandum of agreement that was developed by the Nuclear Weapons Council and entered into by the Secretary of Defense and the Secretary of Energy.

"(ii) A detailed assessment by the Nuclear Weapons Council regarding how the Administrator for Nuclear Security implemented any agreements and decisions of the Council made during such prior fiscal year.

"(iii) An assessment from each of the Chairman of the Joints Chiefs of Staff and the Commander of the United States Strategic Command regarding any effects to the military during such prior fiscal year that were caused by the delay or failure of the Administrator to implement any agreements or decisions described in clause (ii).

"(C) With respect to a report described in subparagraph (B), the Secretary may waive the requirement to include the certification described in clause (i) of such subparagraph if the Secretary—

"(i) determines that such waiver is in the national security interests of the United States; and

"(ii) instead of the certification described in such clause (i), includes as part of such report—

"(I) a copy of the agreement that the Secretary has entered into with the Secretary of Energy regarding the manner and the purpose for which the Secretary of Energy will obligate or expend any amounts covered by a proposed transfer of estimated nuclear budget request authority for the fiscal year covered by the budget for which such report is submitted; and

"(II) an explanation for why the Secretary did not include such certification in such report.

"(4) The Secretary of Defense shall include with the defense budget materials for a fiscal year the memorandum of agreement described in subparagraph (B)(i) of paragraph (3), or the agreement described in subparagraph (C) of such paragraph, as the case may be, that covers such fiscal year.

"(5)(A) Not later than 30 days after the President submits to Congress the budget for a fiscal year under section 1105(a) of title 31, the Commander of the United States Strategic Command shall submit to the Chairman of the Joint Chiefs of Staff an assessment of—

"(i) whether such budget allows the Federal Government to meet the nuclear stockpile and stockpile stewardship program requirements during the fiscal year covered by the budget and the four subsequent fiscal years; and

"(ii) if the Commander determines that such budget does not allow the Federal Government to meet such requirements, a description of the steps being taken to meet such requirements.

"(B) Not later than 30 days after the date on which the Chairman of the Joint Chiefs of Staff receives the assessment of the Commander of the United States Strategic Command under subparagraph (A), the Chairman shall submit to the congressional defense committees—

"(i) such assessment as it was submitted to the Chairman; and

"(ii) any comments of the Chairman.

"(6) In this subsection:

"(A) The term 'budget' has the meaning given that term in section 231(f) of this title.

"(B) The term 'defense budget materials' has the meaning given that term in section 231(f) of this title.

"(C) The term 'proposed transfer of estimated nuclear budget request authority' means, in preparing a budget, a request for the Secretary of Defense to transfer an estimated amount of the proposed budget authority of the Secretary to

the Secretary of Energy for purposes relating to nuclear weapons.".

SEC. 1642. IMPROVEMENT TO BIENNIAL ASSESSMENT ON DELIVERY PLATFORMS FOR NUCLEAR WEAPONS AND THE NUCLEAR COMMAND AND CONTROL SYSTEM.

Section 492(a)(1) of title 10, United States Code, is amended by inserting ", and the ability to meet operational availability requirements for," after "military effectiveness of".

SEC. 1643. CONGRESSIONAL BUDGET OFFICE REVIEW OF COST ESTIMATES FOR NUCLEAR WEAPONS.

Section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576), as most recently amended by section 1054 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 861), is further amended by striking subsection (b) and inserting the following new subsection (b):

"(b) ESTIMATE OF COSTS BY CONGRESSIONAL BUDGET OFFICE.—

"(1) BUDGETS FOR ODD-NUMBERED FISCAL YEARS.—Not later than July 1 of each year in which the President transmits a covered odd-numbered fiscal year report, the Director of the Congressional Budget Office shall submit to the congressional defense committees a report that includes—

"(A) an estimate of the costs during the 10-year period beginning on the date of such covered odd-numbered fiscal year report associated with fielding and maintaining the current nuclear weapons and nuclear weapon delivery systems of the United States;

"(B) an estimate of the costs during such period of any life extension, modernization, or replacement of any current nuclear weapons or nuclear weapon delivery systems of the United States that is anticipated as of the date of such covered odd-numbered fiscal year report; and

"(C) an estimate of the relative percentage of total defense spending during such period represented by the costs estimated under subparagraphs (A) and (B).

"(2) BUDGETS FOR EVEN-NUMBERED FISCAL YEARS.—If the Director determines that a covered even-numbered fiscal year report contains a significant change that affects the estimates of the Director included in the report submitted under paragraph (1) in the year prior to the year in which such covered even-numbered fiscal year report is submitted, the Director shall submit to the congressional defense committees a letter describing such significant changes.

"(3) DEFINITIONS.—In this subsection:

"(A) The term 'covered even-numbered fiscal year report' means a report required to be transmitted under subsection (a)(1) not later than 30 days after the submission to Congress of the budget of the President for an even-numbered fiscal year.

"(B) The term 'covered odd-numbered fiscal year report' means a report required to be transmitted under subsection (a)(1) not later than 30 days after the submission to Congress of the budget of the President for an odd-numbered fiscal year.".

SEC. 1644. RETENTION OF MISSILE SILOS.

10 USC 494 note.

(a) REQUIREMENT.—During the period in which the New START Treaty (as defined in section 494(a)(2)(D) of title 10, United States Code) is in effect, the Secretary of Defense shall preserve each intercontinental ballistic missile silo that contains a deployed missile as of the date of the enactment of this Act in, at minimum, a warm status that enables such silo to—

(1) remain a fully functioning element of the interconnected and redundant command and control system of the missile field; and

(2) be made fully operational with a deployed missile.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (b) shall be construed to prohibit the Secretary of Defense from temporarily placing an intercontinental ballistic missile silo offline to perform maintenance activities.

SEC. 1645. PROCUREMENT AUTHORITY FOR CERTAIN PARTS OF INTERCONTINENTAL BALLISTIC MISSILE FUZES.

(a) IN GENERAL.—The Secretary of the Air Force may enter into contracts for the life-of-type procurement of covered parts of the intercontinental ballistic missile fuze.

(b) AVAILABILITY OF FUNDS.—Notwithstanding section 1502(a) of title 31, United States Code, of the amount authorized to be appropriated for fiscal year 2015 by section 101 and available for Missile Procurement, Air Force as specified in the funding table in section 4101, $4,700,000 shall be available for the procurement of covered parts pursuant to contracts entered into under subsection (a).

(c) COVERED PARTS DEFINED.—In this section, the term "covered parts" means commercially available off-the-shelf items as defined in section 104 of title 41, United States Code.

SEC. 1646. ASSESSMENT OF NUCLEAR WEAPON SECONDARY REQUIREMENT.

(a) ASSESSMENT.—The Secretary of Defense, in coordination with the Secretary of Energy and the Commander of the United States Strategic Command, shall assess the annual secondary production requirement needed to sustain a safe, secure, reliable, and effective nuclear deterrent.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Energy and the Commander of the United States Strategic Command, shall submit to the congressional defense committees a report regarding the assessment conducted under subsection (a).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) An explanation of the rationale and assumptions that led to the current 50 to 80 secondaries per year production requirement, including the factors considered in determining such requirement.

(B) An analysis of whether there are any changes to such 50 to 80 secondaries per year production requirement, including the reasons for any such changes.

(C) A description of how the secondary production requirement is affected by or related to—

(i) the demands of stockpile modernization, including the schedule for life extension programs;

(ii) the requirement for a responsive infrastructure, including the ability to hedge against technical failure and geopolitical risk; and

(iii) the number of secondaries held in reserve or the inactive stockpile, and the likelihood such secondaries may be reused.

(E) The proposed timeframe for achieving such 50 to 80 secondaries per year production requirement.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1647. CERTIFICATION ON NUCLEAR FORCE STRUCTURE.

Not later than 90 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff, in coordination with the Commander of the United States Strategic Command, shall certify to the congressional defense committees that the plan for implementation of the New START Treaty (as defined in section 494(a)(2)(D) of title 10, United States Code) announced on April 8, 2014, will enable the United States to meet its obligations under such treaty in a manner that ensures the nuclear forces of the United States—

(1) are capable, survivable, and balanced; and

(2) maintain strategic stability, deterrence and extended deterrence, and allied assurance.

SEC. 1648. ADVANCE NOTICE AND REPORTS ON B61 LIFE EXTENSION PROGRAM.

(a) NOTIFICATION AND REPORTS.—Not later than 30 days before any decision is made to reduce the number of final production units for the B61 life extension program below the total number of such units planned in the stockpile stewardship and management plan required by section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) for fiscal year 2015—

(1) the Chairman of the Nuclear Weapons Council established under section 179 of title 10, United States Code, shall submit to the congressional defense committees a report that includes—

(A) a notification of such decision;

(B) an explanation of the proposed changes to the life extension program; and

(C) a comprehensive discussion of the justification for such changes; and

(2) the Commander of the United States Strategic Command shall submit to the congressional defense committees a report that includes—

(A) an assessment of such changes to the life extension program;

(B) a description of the risks associated with such decision;

(C) an assessment of the impact of such decision on the ability of the United States Strategic Command to meet deterrence, extended deterrence, and assurance requirements during the expected lifetime of the B61–12 bomb; and

(D) such other matters as the Commander considers appropriate.

(b) FORM OF REPORTS.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1649. NOTIFICATION AND REPORT CONCERNING REMOVAL OR CONSOLIDATION OF DUAL-CAPABLE AIRCRAFT FROM EUROPE.

(a) NOTIFICATION AND REPORT.—Not later than 90 days before the date on which the Secretary of Defense removes or consolidates dual-capable aircraft of the United States from the area of responsibility of the United States European Command, the Secretary shall notify the congressional defense committees of such proposed removal or consolidation. Such notification shall include a report explaining—

(1) how such removal or consolidation is in the national security interests of the United States and the allies of the United States, including the North Atlantic Treaty Organization Alliance; and

(2) whether, and in what respects, such proposed removal or consolidation is affected by—

(A) the armed forces of the Russian Federation continuing to illegally occupy Ukrainian territory;

(B) the Russian Federation deploying or preparing to deploy its nuclear weapons to Ukrainian territory;

(C) the Russian Federation not complying with the INF Treaty and other treaties and agreements to which it is a party; and

(D) the Russian Federation not complying with the CFE Treaty and not lifting its suspension of Russian observance of its treaty obligations.

(b) DEFINITIONS.—In this section:

(1) The term "CFE Treaty" means the Treaty on Conventional Armed Forces in Europe, signed at Paris, November 19, 1990, and entered into force July 17, 1992.

(2) The "dual-capable aircraft" means tactical fighter aircraft that can perform both conventional and nuclear missions.

(3) The term "INF Treaty" means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at Washington, December 8, 1987, and entered into force June 1, 1988.

SEC. 1650. REPORTS ON INSTALLATION OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEMS AT HEADQUARTERS OF UNITED STATES STRATEGIC COMMAND.

(a) IN GENERAL.—Not later than 30 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Commander of the United States Strategic Command shall submit to the congressional defense committees a report on the installation and operation of nuclear command, control, and communications systems associated with the construction of the headquarters of the United States Strategic Command.

(b) ELEMENTS.—The report required by subsection (a) shall address, with respect to the installation and operation of nuclear command, control, and communications systems associated with

the construction of the headquarters of the United States Strategic Command, the following:

(1) Milestones and costs associated with installation of communications systems.

(2) Milestones and costs associated with integrating targeting and analysis planning tools.

(3) An assessment of progress on the upgrade of systems that existed before the date of the enactment of this Act, such as the Strategic Automated Command and Control System and the MILSTAR satellite communications system, for compatibility with such nuclear command, control, and communications systems.

(4) Such other information as the Commander of the United States Strategic Command considers necessary to assess adherence to overall cost, scope, and schedule milestones.

(c) TERMINATION.—The Commander of the United States Strategic Command shall not be required to submit a report under subsection (a) with the budget of the President for any fiscal year after the date on which the Commander certifies to the congressional defense committees that all milestones relating to the installation of nuclear command, control, and communications systems associated with the construction of the headquarters of the United States Strategic Command have been completed and such systems are fully operational.

SEC. 1651. REPORT ON PLANS FOR RESPONSE OF DEPARTMENT OF DEFENSE TO INF TREATY VIOLATION.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing a detailed description of any steps being taken or planned to be taken by the Secretary in response to actions of the Government of the Russian Federation in violation of its obligations under the INF Treaty in order to reduce the negative impact of such actions on the national security of the United States.

(b) ELEMENTS.—The report under subsection (a) shall include a description of any plans to conduct activities relating to the research, development, testing, or deployment of potential future military capabilities of the United States, including with respect to activities to modify, test, or deploy existing military systems, to deter or defend against the threat of intermediate-range nuclear force systems of Russia if Russia deploys such systems.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) INF TREATY DEFINED.—In this section, the term "INF Treaty" means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at Washington December 8, 1987, and entered into force June 1, 1988.

10 USC 491 note.

SEC. 1652. STATEMENT OF POLICY ON THE NUCLEAR TRIAD.

It is the policy of the United States—

(1) to operate, sustain, and modernize or replace the triad of strategic nuclear delivery systems consisting of—

(A) heavy bombers equipped with nuclear gravity bombs and air-launched nuclear cruise missiles;

(B) land-based intercontinental ballistic missiles equipped with nuclear warheads that are capable of carrying multiple independently targetable reentry vehicles; and

(C) ballistic missile submarines equipped with submarine launched ballistic missiles and multiple nuclear warheads;

(2) to operate, sustain, and modernize or replace a capability to forward-deploy nuclear weapons and dual-capable fighter-bomber aircraft;

(3) to deter potential adversaries and assure allies and partners of the United States through strong and long-term commitment to the nuclear deterrent of the United States and the personnel, systems, and infrastructure that comprise such deterrent; and

(4) to ensure that the members of the Armed Forces who operate the nuclear deterrent of the United States have the training, resources, and national support required to execute the critical national security mission of the members.

SEC. 1653. SENSE OF CONGRESS ON DETERRENCE AND DEFENSE POSTURE OF THE NORTH ATLANTIC TREATY ORGANIZATION.

It is the sense of Congress that the United States reaffirms and remains committed to the policies enumerated by the North Atlantic Treaty Organization in the Deterrence and Defense Posture Review, dated May 20, 2012, and the Wales Summit Declaration of September 2014, including the following statements:

(1) As stated in the Deterrence and Defense Posture Review:

(A) "The greatest responsibility of the Alliance is to protect and defend our territory and our populations against attack, as set out in Article 5 of the Washington Treaty. The Alliance does not consider any country to be its adversary. However, no one should doubt NATO's resolve if the security of any of its members were to be threatened. NATO will ensure that it maintains the full range of capabilities necessary to deter and defend against any threat to the safety and security of our populations, wherever it should arise. Allies' goal is to bolster deterrence as a core element of our collective defense and contribute to the indivisible security of the Alliance.".

(B) "Nuclear weapons are a core component of NATO's overall capabilities for deterrence and defense alongside conventional and missile defense forces. The review has shown that the Alliance's nuclear force posture currently meets the criteria for an effective deterrence and defense posture.".

(C) "The circumstances in which any use of nuclear weapons might have to be contemplated are extremely remote. As long as nuclear weapons exist, NATO will remain a nuclear alliance. The supreme guarantee of the security of the Allies is provided by the strategic nuclear forces of the Alliance, particularly those of the United States; the independent strategic forces of the United Kingdom and France, which have a deterrent role of their own, contribute to the overall deterrence and security of the Allies.".

(D) "NATO must have the full range of capabilities necessary to deter and defend against threats to the safety of its populations and the security of its territory, which is the Alliance's greatest responsibility.".

(E) "NATO is committed to maintaining an appropriate mix of nuclear, conventional, and missile defense capabilities for deterrence and defense to fulfill its commitments as set out in the Strategic Concept. These capabilities, underpinned by NATO's Integrated Command Structure, offer the strongest guarantee of the Alliance's security and will ensure that it is able to respond to a variety of challenges and unpredictable contingencies in a highly complex and evolving international security environment.".

(2) As stated in the Wales Summit Declaration:

(A) "Deterrence, based on an appropriate mix of nuclear, conventional, and missile defence capabilities, remains a core element of our overall strategy.".

(B) "Arms control, disarmament, and non-proliferation continue to play an important role in the achievement of the Alliance's security objectives. Both the success and failure of these efforts can have a direct impact on the threat environment of NATO. In this context, it is of paramount importance that disarmament and non-proliferation commitments under existing treaties are honoured, including the Intermediate-Range Nuclear Forces (INF) Treaty, which is a crucial element of Euro-Atlantic security. In that regard, Allies call on Russia to preserve the viability of the INF Treaty through ensuring full and verifiable compliance.".

Subtitle E—Missile Defense Programs

SEC. 1661. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.

(a) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by section 1502 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $350,972,000 may be provided to the Government of Israel to procure the Iron Dome short-range rocket defense system as specified in the funding table in section 4102, including for co-production of Iron Dome parts and components in the United States by industry of the United States.

(b) CONDITIONS.—

(1) AGREEMENT.—Funds described in subsection (a) to produce the Iron Dome short-range rocket defense program shall be available subject to the terms, conditions, and co-production targets specified for fiscal year 2015 in the "Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement," signed on March 5, 2014.

(2) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in subsection (a), the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology, and Logistics shall jointly submit to the congressional defense committees—

(A) a certification that the agreement specified in paragraph (1) is being implemented as provided in such agreement; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

SEC. 1662. TESTING AND ASSESSMENT OF MISSILE DEFENSE SYSTEMS PRIOR TO PRODUCTION AND DEPLOYMENT.

10 USC 2431 note.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is a high priority of the United States that the ballistic missile defense system should work in an operationally effective and cost-effective manner;

(2) prior to making final production decisions for such systems, and prior to the operational deployment of such systems, the United States should conduct operationally realistic intercept flight testing that should create sufficiently challenging operational conditions to establish confidence that such systems will work in an operationally effective and cost-effective manner when needed; and

(3) in order to achieve these objectives, and to avoid post-production and post-deployment problems, it is essential for the Department of Defense to follow a "fly before you buy" approach to adequately test and assess the elements of the ballistic missile defense system before final production decisions or operational deployment.

(b) SUCCESSFUL TESTING REQUIRED PRIOR TO FINAL PRODUCTION OR OPERATIONAL DEPLOYMENT.—The Secretary of Defense may not make a final production decision for, or operationally deploy, a covered system unless—

(1) the Secretary ensures that—

(A) sufficient and operationally realistic testing of the covered system is conducted to assess the performance of the covered system in order to inform a final production decision or an operational deployment decision; and

(B) the results of such testing have demonstrated a high probability that the covered system—

(i) will work in an operationally effective manner; and

(ii) has the ability to accomplish the intended mission of the covered system;

(2) the Director of Operational Test and Evaluation has carried out subsection (c) with respect to such covered system; and

(3) the Commander of the United States Strategic Command has carried out subsection (d) with respect to such covered system.

(c) ASSESSMENT BY DIRECTOR OF OPERATIONAL TEST AND EVALUATION.—The Director of Operational Test and Evaluation shall—

(1) provide to the Secretary the assessment of the Director, based on the available test data, of the sufficiency, adequacy, and results of the testing of each covered system, including an assessment of whether the covered system will be sufficiently effective, suitable, and survivable when needed; and

(2) submit to the congressional defense committees a written summary of such assessment.

(d) ASSESSMENT BY COMMANDER OF UNITED STATES STRATEGIC COMMAND.—The Commander of the United States Strategic Command shall—

(1) provide to the Secretary a military utility assessment of the operational utility of each covered system; and

(2) not later than 30 days after providing such assessment to the Secretary, submit to the congressional defense committees a written summary of such assessment.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter, modify, or otherwise affect a determination of the Secretary with respect to the participation of the Missile Defense Agency in the Joint Capabilities Integration Development System or the acquisition reporting process under the Department of Defense Directive 5000 series.

(f) COVERED SYSTEM.—In this section, the term "covered system" means a new or substantially upgraded interceptor or weapon system of the ballistic missile defense system, other than the re-designed exo-atmospheric kill vehicle covered by the acquisition plan developed under section 1663.

10 USC 2431 note.

SEC. 1663. ACQUISITION PLAN FOR RE-DESIGNED EXO-ATMOSPHERIC KILL VEHICLE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the existing models of the exo-atmospheric kill vehicle of the ground-based midcourse defense system are prototype designs that were developed and deployed without using traditional acquisition practices in order to provide an initial defensive capability for an emerging ballistic missile threat;

(2) consequently, while the deployed models of the exo-atmospheric kill vehicle have demonstrated an initial level of capability against a limited threat, such models do not have the degree of reliability, robustness, cost effectiveness, and performance that are desirable;

(3) the exo-atmospheric kill vehicle for the ground-based midcourse defense system needs to be re-designed to substantially improve the performance and reliability of such kill vehicles; and

(4) the Secretary of Defense should follow a robust and rigorous acquisition plan for the design, development, and testing of the re-designed exo-atmospheric kill vehicle.

(b) ACQUISITION PLAN REQUIRED.—The Secretary of Defense shall develop an acquisition plan for the re-design of the exo-atmospheric kill vehicle of the ground-based midcourse defense system that includes rigorous elements for system engineering, design, integration, development, testing, and evaluation.

(c) OBJECTIVES.—The objectives of the acquisition plan under subsection (b) shall be to ensure that the re-designed exo-atmospheric kill vehicle is operationally effective, reliable, producible, cost effective, maintainable, and testable.

(d) APPROVAL OF ACQUISITION PLAN REQUIRED.—The acquisition plan under subsection (b) shall be subject to approval by the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(e) TESTING REQUIRED.—Prior to operational deployment of the re-designed exo-atmospheric kill vehicle, the Secretary shall ensure that the re-designed kill vehicle has demonstrated, through successful, operationally realistic flight testing—

(1) a high probability of working in an operationally effective manner; and

(2) the ability to accomplish the intended mission of the re-designed kill vehicle, including against more complex emerging ballistic missile threats.

(f) REPORT REQUIRED.—Not later than 60 days after the date on which the Under Secretary of Defense for Acquisition, Technology, and Logistics approves the acquisition plan under subsection (d), the Director of the Missile Defense Agency shall submit to the congressional defense committees a report describing the acquisition plan and the manner in which the plan will meet the objectives described in subsection (c).

SEC. 1664. STUDY ON TESTING PROGRAM OF GROUND-BASED MIDCOURSE MISSILE DEFENSE SYSTEM.

(a) STUDY.— Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a federally funded research and development center to conduct a study on the testing program of the ground-based midcourse missile defense system.

(b) ELEMENTS.—The study under subsection (a) shall include the following:

(1) An assessment of whether the testing program described in subsection (a) has established, as of the date of the study, that the ground-based midcourse missile defense system has a high probability of performing reliably and effectively against limited missile threats from North Korea and Iran under realistic operational conditions, including an explanation of the degree of confidence supporting such assessment.

(2) An assessment of whether the currently planned testing program, if implemented, is sufficient to establish reasonable confidence that the ground-based midcourse missile defense system has a high probability of performing reliably and effectively under realistic operational conditions against current and plausible near- and medium-term limited ballistic missile threats from North Korea and Iran.

(3) Any recommendations for improvements that could be made to the testing program to—

(A) achieve reasonable confidence that the system would be reliable and effective under realistic operational conditions; or

(B) improve test and cost efficiencies.

(c) REPORT.—Not later than one year after entering into the contract under subsection (a), the Secretary shall submit to the congressional defense committees a report containing the study. The report shall be submitted in unclassified form, but may include a classified annex.

SEC. 1665. SENSE OF CONGRESS AND REPORT ON HOMELAND BALLISTIC MISSILE DEFENSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is a national priority to defend the United States homeland against the threat of limited ballistic missile attack (whether accidental, unauthorized, or deliberate);

(2) although the currently deployed ground-based midcourse defense system provides a level of protection of the entire United States homeland, including the East Coast, against the threat of limited ballistic missile attack from North

Korea and Iran, this capability needs to be improved to meet evolving ballistic missile threats;

(3) the initial step in this process of improvement is to correct the problems that caused the flight test failures with the current kill vehicles, and to improve the reliability of the deployed ground-based interceptor fleet;

(4) as indicated by senior officials of the Department of Defense, continued investments to enhance homeland defense sensor and discrimination capabilities are essential to improve the operational effectiveness and shot doctrine of the ground-based midcourse defense system;

(5) given limitations with the currently deployed exo-atmospheric kill vehicles, it is important to re-design the exo-atmospheric kill vehicle using a rigorous acquisition approach, including realistic testing, that can achieve a demonstrated capability as soon as practicable using sound acquisition principles and practices; and

(6) in order to stay ahead of evolving ballistic missile threats, the Department should design the next generation exo-atmospheric kill vehicle to take full advantage of improvements in sensors, discrimination, kill assessment, battle management, and command and control, including the potential to engage multiple objects.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency, in coordination with the Commander of the United States Northern Command, shall submit to the congressional defense committees a report setting forth the status of current and planned efforts to improve the homeland ballistic missile defense capability of the United States.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A detailed description of the current assessment of the threat to the United Sates from limited ballistic missile attack (whether accidental, unauthorized, or deliberate), particularly from countries such as North Korea and Iran, and an assessment of the projected future threat through 2023, including a discussion of confidence levels and uncertainties in such threat assessment.

(B) A detailed description of the status of efforts to correct the problems that caused the flight test failures of the capability enhancement-I and capability enhancement-II exo-atmospheric kill vehicles.

(C) A detailed description of the status of efforts to field the additional 14 ground-based interceptors planned for deployment at Fort Greely, Alaska, including the status of the refurbishment of Missile Field 1 at Fort Greely, and the operational impact of the additional interceptors.

(D) A detailed description of the plans and progress toward improving the capability, reliability, and availability of fielded ground-based interceptors, including progress toward improving the capabilities of ground-based interceptors deployed with upgraded capability enhancement-I and capability enhancement-II exo-atmospheric kill vehicles.

(E) A detailed description of the planned improvements to homeland ballistic missile defense sensor and discrimination capabilities, including through the use of additional sensor systems of the United States, and an assessment of the expected operational benefits of such improvements to homeland ballistic missile defense.

(F) A detailed description of the plans and efforts to redesign, develop, test, and field the exo-atmospheric kill vehicle for the ground-based midcourse defense system, and an explanation of the expected improvements of such kill vehicle with respect to capability, cost effectiveness, reliability, maintainability, and producibility.

(G) A detailed description of the plans for developing, testing, and fielding the next generation exo-atmospheric kill vehicle, and an explanation of how the anticipated capabilities are intended to remain ahead of evolving ballistic missile threats.

(H) A status of efforts on, and goals for, a common kill vehicle with multiple object kill capability, and an explanation of how such capability could keep the missile defense capability of the United States paced ahead of evolving ballistic missile threats.

(I) A detailed description of the options to improve the homeland ballistic missile defense capability that would respond to the emergence of a long-range ballistic missile threat from Iran, including an evaluation of the potential benefits and drawbacks of—

(i) the deployment of a missile defense interceptor site on the East Coast;

(ii) the deployment of a missile defense interceptor site in another location in the United States other than on the East Coast;

(iii) the deployment of a missile defense interceptor site in a location other than in the United States; and

(iv) the deployment of additional ground-based interceptors for the ground-based midcourse defense system at Fort Greely, Alaska, or Vandenberg Air Force Base, California, or both.

(J) Any other matters the Director considers appropriate.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1666. SENSE OF CONGRESS AND REPORT ON REGIONAL BALLISTIC MISSILE DEFENSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the regional ballistic missile capabilities of countries such as Iran and North Korea pose a serious and growing threat to forward deployed forces of the United States, allies, and partner countries;

(2) given this growing threat, it is a high priority for the United States to develop, test, and deploy effective regional missile defense capabilities to provide the commanders of the geographic combatant commands with capabilities to meet the operational requirements of the commanders, and for allies

and partners of the United States to improve their regional missile defense capabilities;

(3) the United States and its North Atlantic Treaty Organization partners should continue the development, testing, and implementation of phases 2 and 3 of the European Phased Adaptive Approach to defend forward deployed forces of the United States, allies, and partners in the North Atlantic Treaty Organization in Europe against the growing regional missile capability of Iran;

(4) the United States should continue efforts to improve regional missile defense capabilities in the Middle East, including its close cooperation with Israel and its efforts with countries of the Gulf Cooperation Council, in order to improve regional security against the growing regional missile capabilities of Iran; and

(5) the United States should continue to work closely with its allies in Asia, particularly Japan, South Korea, and Australia, to improve regional missile defense capabilities, particularly against the growing threat from North Korean ballistic missiles.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency, in coordination with the Commander of the United States Strategic Command, shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report setting forth the status and progress of efforts to improve the regional missile defense capabilities of the United States in Europe, the Middle East, and the Asia-Pacific region, including efforts and cooperation by allies and partner countries.

(c) ELEMENTS.—The report under subsection (b) shall include the following:

(1) A detailed description of the status of implementation (including on the basis of technical development and acquisition of systems and capabilities) of the European Phased Adaptive Approach, including—

(A) the status of efforts to develop, test, and deploy the capabilities planned for phases 2 and 3 of the European Phased Adaptive Approach;

(B) a detailed description of the current and projected defended area of each phase of the European Phased Adaptive Approach and the missile defense requirement for the capability provided under each such phase;

(C) a detailed description of current force structure plans of the United States and the North Atlantic Treaty Organization associated with the different phases of the European Phased Adaptive Approach at various alert conditions and readiness levels;

(D) a detailed explanation of the current concept of operations for phase 1 of the European Phased Adaptive Approach and information on phase 2, including—

(i) the arrangements for allocating the command of assets assigned to the missile defense of Europe between the Commander of the United States European Command and the Supreme Allied Commander, Europe;

(ii) an explanation of the circumstances under which such command would be allocated to each such commander; and

(iii) a description of the prioritization of defense of both the deployed forces of the United States and the territory of the member states of the North Atlantic Treaty Organization using available missile defense interceptor inventory;

(E) an explanation of the concept for the defense of assets of the European Phased Adaptive Approach in the event such assets are targeted by adversaries; and

(F) an explanation of the development and acquisition of the active layered theater ballistic missile defense system of the North Atlantic Treaty Organization, including the interoperability of such system with the ballistic missile defense system and other command and control systems of the United States.

(2) A detailed description of the status of efforts to improve the regional missile defense capabilities of the United States and the countries of the Gulf Cooperation Council in the Middle East against regional missile threats from Iran, including the progress made toward, and benefits of, multilateral cooperation and data sharing among the countries of the Gulf Cooperation Council with respect to multilateral integrated air and missile defense against threats from Iran.

(3) A detailed description of the progress of the United States and the allies of the United States in the Asia-Pacific region, particularly Japan, South Korea, and Australia, to improve regional ballistic missile defense capabilities and an assessment of the value of increasing cooperation, information sharing, and opportunities for additional interoperability on a bilateral and multilateral basis.

(4) A description of how the missile defense acquisitions of allies and partners of the United States, including the acquisition of missile defense technology of the United States, could be optimized to contribute to integrated and networked regional missile defense, including a description of any steps being taken to carry out such optimization.

(5) A detailed description of—

(A) the degree of coordination among the commanders of the geographic combatant commands with respect to integrated missile defense planning and operations, including obstacles and opportunities to improving such coordination and integrated capabilities; and

(B) efforts to integrate offensive and defensive forces, as specified in the "Joint Integrated Air and Missile Defense Strategy: Vision 2020" signed by the Chairman of the Joint Chiefs of Staff in December 2013.

(6) A detailed description of the phased and adaptive elements of the regional missile defense approaches of the United States tailored to the specific regional requirements in the areas of responsibility of the United States Central Command and the United States Pacific Command, including the role of missile defense capabilities of allies and partners of the United States in each region.

(7) A detailed description of the regional missile defense risk assessment and priorities of the commanders of the

geographic combatant commands and a detailed description of the assessed ballistic missile threat facing each geographic combatant command through 2024.

(8) A detailed explanation of the contributions made by the regional missile defense capabilities of the United States to the defense of the United States.

(9) Such other matters as the Director considers appropriate.

(d) FORM.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

TITLE XVII—NATIONAL COMMISSION ON THE FUTURE OF THE ARMY

Subtitle A—Establishment and Duties of Commission

Subtitle B—Related Limitations

National Commission on the Future of the Army Act of 2014.

Subtitle A—Establishment and Duties of Commission

SEC. 1701. SHORT TITLE.

This subtitle may be cited as the "National Commission on the Future of the Army Act of 2014".

SEC. 1702. NATIONAL COMMISSION ON THE FUTURE OF THE ARMY.

(a) ESTABLISHMENT.—There is established the National Commission on the Future of the Army (in this subtitle referred to as the "Commission").

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of eight members, of whom—

(A) four shall be appointed by the President;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) APPOINTMENT DATE.—The appointments of the members of the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(3) EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.—If one or more appointments under subparagraph (A) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make such appointment or appointments shall expire, and the number of members of the Commission shall be reduced by the number equal to the number of appointments so not made. If an appointment under subparagraph (B), (C), (D), or (E) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make an appointment under such subparagraph shall expire, and the number of members of the Commission shall be reduced by the number equal to the number otherwise appointable under such subparagraph.

(4) EXPERTISE.—In making appointments under this subsection, consideration should be given to individuals with expertise in national and international security policy and strategy, military forces capability, force structure design, organization, and employment, and reserve forces policy.

(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) CHAIR AND VICE CHAIR.—The Commission shall select a Chair and Vice Chair from among its members.

(e) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its initial meeting.

(f) MEETINGS.—The Commission shall meet at the call of the Chair.

(g) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

SEC. 1703. DUTIES OF THE COMMISSION.

(a) STUDY ON STRUCTURE OF THE ARMY.—

(1) IN GENERAL.—The Commission shall undertake a comprehensive study of the structure of the Army, and policy assumptions related to the size and force mixture of the Army, in order—

(A) to make an assessment of the size and force mixture of the active component of the Army and the reserve components of the Army; and

(B) to make recommendations on the modifications, if any, of the structure of the Army related to current and anticipated mission requirements for the Army at acceptable levels of national risk and in a manner consistent with available resources and anticipated future resources.

(2) CONSIDERATIONS.—In undertaking the study required by subsection (a), the Commission shall give particular consideration to the following:

(A) An evaluation and identification of a structure for the Army that—

(i) has the depth and scalability to meet current and anticipated requirements of the combatant commands;

(ii) achieves cost-efficiency between the regular and reserve components of the Army, manages military risk, takes advantage of the strengths and capabilities of each, and considers fully burdened lifecycle costs;

(iii) ensures that the regular and reserve components of the Army have the capacity needed to support current and anticipated homeland defense and disaster assistance missions in the United States;

(iv) provides for sufficient numbers of regular members of the Army to provide a base of trained personnel from which the personnel of the reserve components of the Army could be recruited;

(v) maintains a peacetime rotation force to avoid exceeding operational tempo goals of 1:2 for active members of the Army and 1:5 for members of the reserve components of the Army; and

(vi) manages strategic and operational risk by making tradeoffs among readiness, efficiency, effectiveness, capability, and affordability.

(B) An evaluation and identification of force generation policies for the Army with respect to size and force mixture in order to fulfill current and anticipated mission requirements for the Army in a manner consistent with available resources and anticipated future resources, including policies in connection with—

(i) readiness;

(ii) training;

(iii) equipment;

(iv) personnel; and

(v) maintenance of the reserve components as an operational reserve in order to maintain as much as possible the level of expertise and experience developed since September 11, 2001.

(C) An identification and evaluation of the distribution of responsibility and authority for the allocation of Army National Guard personnel and force structure to the States and territories.

(D) An identification and evaluation of the strategic basis or rationale, analytical methods, and decision-making processes for the allocation of Army National Guard personnel and force structure to the States and territories.

(b) STUDY ON TRANSFER OF CERTAIN AIRCRAFT.—

(1) IN GENERAL.—The Commission shall also conduct a study of a transfer of Army National Guard AH–64 Apache aircraft from the Army National Guard to the regular Army.

(2) CONSIDERATIONS.—In conducting the study required by paragraph (1), the Commission shall consider the factors specified in subsection (a)(2).

(c) REPORT.—Not later than February 1, 2016, the Commission shall submit to the President and the congressional defense committees a report setting forth a detailed statement of the findings and conclusions of the Commission as a result of the studies required by subsections (a) and (b), together with its recommendations for such legislative and administrative actions as the Commission considers appropriate in light of the results of the studies.

SEC. 1704. POWERS OF THE COMMISSION.

(a) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under this subtitle.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out its duties under this subtitle. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

SEC. 1705. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government may be compensated at a rate not to exceed the daily equivalent of the annual rate of $155,400 for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chair of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) COMPENSATION.—The Chair of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chair of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 1706. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its report under this subtitle.

SEC. 1707. FUNDING.

Amounts authorized to be appropriated for fiscal year 2015 by section 301 and available for operation and maintenance for the Army as specified in the funding table in section 4301 may be available for the activities of the Commission under this subtitle.

Subtitle B—Related Limitations

SEC. 1711. PROHIBITION ON USE OF FISCAL YEAR 2015 FUNDS TO REDUCE STRENGTHS OF ARMY PERSONNEL.

None of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 for the Army may be used to reduce Army personnel below the end strength authorizations for personnel of the Army specified in section 401(1) for active duty personnel and section 411 for Selected Reserve personnel of the reserve components of the Army.

SEC. 1712. LIMITATIONS ON THE TRANSFER, INCLUDING PREPARATIONS FOR THE TRANSFER, OF AH–64 APACHE HELICOPTERS ASSIGNED TO THE ARMY NATIONAL GUARD.

(a) PROHIBITION ON TRANSFERS DURING FISCAL YEAR 2015.—During fiscal year 2015, the Secretary of Defense and the Secretary of the Army may not transfer any AH–64 Apache helicopters from the Army National Guard to the regular Army.

(b) ADDITIONAL LIMITATION ON AIRCRAFT OR PERSONNEL TRANSFERS AND RELATED ACTIVITIES.—In addition to the prohibition on transfers imposed by subsection (a), but subject to the exceptions provided in subsection (e), the Secretary of Defense and the Secretary of the Army may not, before March 31, 2016—

(1) divest, retire, or transfer, or prepare to divest, retire, or transfer, any AH–64 Apache helicopters from the Army National Guard to the regular Army; or

(2) reduce personnel related to any AH–64 Apache helicopters of the Army National Guard below the levels of such personnel as of September 30, 2014.

(c) CONTINUED READINESS OF AIRCRAFT AND PERSONNEL.—The Secretary of the Army shall ensure the continuing readiness of AH–64 Apache helicopters during fiscal year 2015 as necessary to meet the requirements of combatant commanders.

(d) EFFECT ON PERSONNEL ACTIONS AND TRAINING.—Notwithstanding the prohibition imposed by subsection (a), the limitation imposed by subsection (b), and the duty imposed by subsection (c), the Secretary of the Army may—

(1) carry out any personnel action, as determined to be appropriate by the Secretary, necessary to support Army aviation readiness and operations;

(2) conduct qualification and reclassification training for pilots, crew, and military occupational specialties related to Army Aviation; and

(3) continue flight training and advanced qualification courses for selected National Guard personnel related to AH–64 Apache helicopters in accordance with Army readiness requirements.

(e) EXCEPTIONS.—Subject to the Secretary of Defense certification required by subsection (f), the Secretary of the Army may—

(1) during the period beginning on the date of the enactment of this Act and ending on March 31, 2016, make preparations for the transfer of not more than 48 AH–64 Apache helicopters from the Army National Guard to the regular Army; and

(2) during the period beginning on October 1, 2015, and ending on March 31, 2016, transfer not more than 48 AH–64 Apache helicopters from the Army National Guard to the regular Army.

(f) CERTIFICATION REQUIRED.—The certification referred to in subsection (e) is a certification by the Secretary of Defense in writing to the congressional defense committees that the commencement of preparations to transfer AH–64 Apache helicopters pursuant to the exception provided by subsection (e)(1) or a transfer of AH–64 Apache helicopters pursuant to the exception provided by subsection (e)(2) would not create unacceptable risk—

(1) to the strategic depth or regeneration capacities of the Army; and

(2) to the Army National Guard in its role as the combat reserve of the Army.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Military Construction Authorization Act for Fiscal Year 2015.

SEC. 2001. SHORT TITLE.

This division may be cited as the "Military Construction Authorization Act for Fiscal Year 2015".

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX of this division for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2017; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2018.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2017; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2018 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
California	Concord	$15,200,000
	Fort Irwin	$45,000,000
Colorado	Fort Carson	$89,000,000
Hawaii	Fort Shafter	$311,400,000
Kentucky	Blue Grass Army Depot	$15,000,000
	Fort Campbell	$23,000,000
New York	Fort Drum	$27,000,000
Pennsylvania	Letterkenny Army Depot	$16,000,000
South Carolina	Fort Jackson	$52,000,000
Texas	Fort Hood	$46,000,000
Virginia	Fort Lee	$86,000,000
	Joint Base Langley-Eustis	$7,700,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military construction project for the installations or locations outside the United States, and in the amount, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Guantanamo Bay	Guantanamo Bay	$23,800,000
Japan	Kadena Air Base	$10,600,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

State/Country	Installation	Units	Amount
Illinois	Rock Island	Family Housing New Construction	$19,500,000
Korea	Camp Walker	Family Housing New Construction	$57,800,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $1,309,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2014, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $226,400,000 (the balance of the amount authorized under section 2101(a) for a Command and Control Facility at Fort Shafter, Hawaii).

(3) $46,000,000 (the balance of the amount authorized under section 2101(a) for a Simulations Center at Fort Hood, Texas).

(4) $86,000,000 (the balance of the amount authorized under section 2101(a) for an Advanced Individual Training Barracks Complex, Ph 3, at Fort Lee, Virginia).

(5) $6,000,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) for cadet barracks at the United States Military Academy, New York).

(6) $78,000,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119), as amended by section 2105(d) of this Act, for a Secure Administration/Operations Facility at Fort Belvoir, Virginia).

SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2004 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1697) for Picatinny Arsenal, New Jersey, for construction of an Explosives Research and Development Loading Facility at the installation, the Secretary of the Army may use available unobligated balances of amounts appropriated for military construction for the Army to complete work on the project within the scope specified for the project in the justification data provided to Congress as part of the request for authorization of the project.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) FORT DRUM.—

(1) IN GENERAL.—In executing the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) for Fort Drum, New York, for construction of an Aircraft Maintenance Hangar at the installation, the Secretary of the Army may provide a capital contribution to a public or private utility company in order for the utility company to extend the utility company's gas line to the installation boundary.

(2) NO CHANGE IN SCOPE.—The capital contribution under subsection (a) shall not be construed as a change in the scope of work under section 2853 of title 10, United States Code.

(b) FORT LEONARD WOOD.—In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) for Fort Leonard Wood, Missouri, for construction of Battalion Complex Facilities at the installation, the Secretary of the Army may construct the Battalion Headquarters with classrooms for a unit other than a Global Defense Posture Realignment unit.

(c) FORT MCNAIR.—In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) for Fort McNair, District of Columbia, for construction of a Vehicle Storage Building at the installation, the Secretary of the Army may construct up to 20,227 square feet of vehicle storage.

(d) FORT BELVOIR.—The table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) is amended in the item relating to Fort Belvoir, Virginia, by striking "$94,000,000" in the amount column and inserting "$172,000,000".

SEC. 2106. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2011 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorization set forth in the table in subsection (b), as provided in section 2101 of that Act (124 Stat. 4437) and extended by section 2109 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 988), shall remain in effect until October 1, 2015, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2011 Project Authorization

State	Installation or Location	Project	Amount
Georgia	Fort Benning	Land Acquisition.	$12,200,000

SEC. 2107. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (125 Stat. 1661), shall remain in effect until October 1, 2015, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

(b) TABLE.—The table referred to in subsection (a) as follows:

Army: Extension of 2012 Project Authorizations

State	Installation or Location	Project	Amount
Georgia	Fort Benning	Land Acquisition	$5,100,000
	Fort Benning	Land Acquisition	$25,000,000
North Carolina	Fort Bragg	Unmanned Aerial Vehicle Maintenance Hanger	$54,000,000
Texas	Fort Bliss	Applied Instruction Building	$8,300,000
	Fort Bliss	Vehicle Maintenance Facility	$19,000,000
	Fort Hood	Unmanned Aerial Vehicle Maintenance Hanger	$47,000,000
Virginia	Fort Belvoir	Road and Infrastructure Improvements	$25,000,000

SEC. 2108. LIMITATION ON CONSTRUCTION OF CADET BARRACKS AT UNITED STATES MILITARY ACADEMY, NEW YORK.

No amounts may be obligated or expended for the construction of increment 3 of the Cadet Barracks at the United States Military Academy, New York, as authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119), until the Secretary of the Army certifies to the congressional defense committees that the Secretary intends to award a contract for the renovation of the MacArthur Long Barracks at the United States Military Academy concurrent with assuming beneficial occupancy of the renovated MacArthur Short Barracks at the United States Military Academy.

SEC. 2109. LIMITATION ON FUNDING FOR FAMILY HOUSING CONSTRUCTION AT CAMP WALKER, REPUBLIC OF KOREA.

(a) LIMITATION.—None of the funds authorized to be appropriated for fiscal year 2015 for construction of military family housing units at Camp Walker, Republic of Korea, may be obligated or expended until 30 days following the delivery of the report required under subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2015, the Secretary of the Army, in consultation with the Commander, U.S. Forces-Korea, shall submit to the congressional defense committees a report on future military family housing requirements in the Republic of Korea and potential courses of action for meeting those requirements.

(2) ELEMENTS.—The report required under paragraph (1) shall, at a minimum—

(A) identify the number of authorized Command Sponsored Families, by location, in the Republic of Korea;

(B) validate that the number of authorized Command Sponsored Families identified pursuant to subparagraph (A) is necessary for operational effectiveness;

(C) identify and validate each key and essential Command Sponsored Family billet requiring on-post housing in the Republic of Korea;

(D) identify and validate the number of authorized Command Sponsored Families in excess of key and essential requiring on-post housing in the Republic of Korea;

(E) identify the number and estimated cost of on-post family housing units required to support the validated requirements;

(F) contain a plan for meeting the on-post family housing requirements in the Republic of Korea, including the source of funding; and

(G) contain a prioritized list of planned military construction projects to be funded with Special Measures Agreement funds over the future-years defense plan, including a certification that each proposed project is a higher priority than family housing.

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	$16,608,000
California	Bridgeport	$16,180,000
	Lemoore	$38,985,000
	San Diego	$47,110,000
District of Columbia	Naval Support Activity Washington	$31,735,000
Florida	Jacksonville	$30,235,000
	Mayport	$20,520,000
Guam	Joint Region Marianas	$50,651,000
Hawaii	Kaneohe Bay	$53,382,000
	Pearl Harbor	$9,698,000
Maryland	Annapolis	$120,112,000
	Indian Head	$15,346,000
	Patuxent River	$9,860,000
Nevada	Fallon	$31,262,000
North Carolina	Camp Lejeune	$50,706,000
	Cherry Point Marine Corps Air Station.	$41,588,000
Pennsylvania	Philadelphia	$23,985,000
South Carolina	Charleston	$35,716,000
Virginia	Dahlgren	$27,313,000
	Norfolk	$39,274,000
	Portsmouth	$9,743,000
	Quantico	$12,613,000
	Yorktown	$26,988,000
Washington	Bangor	$13,833,000
	Bremerton	$16,401,000
	Port Angeles	$20,638,000
	Whidbey Island	$24,390,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)

and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	Southwest Asia	$27,826,000
Djibouti	Camp Lemonier	$9,923,000
Japan	Iwakuni	$6,415,000
	Kadena Air Base	$19,411,000
	Marine Corps Air Station Futenma	$4,639,000
	Okinawa	$35,685,000
Spain	Rota	$20,233,000

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $472,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $15,940,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2014, for military construction, land acquisition, and military family housing functions of the Department of the Navy as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $90,112,000 (the balance of the amount authorized under section 2201(a) for a Center for Cyber Security Studies Building at Annapolis, Maryland).

(3) $274,099,000 (the balance of the amount authorized under section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666) for an explosive handling wharf at Kitsap, Washington).

(4) $68,196,000 (the balance of the amount authorized under section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2633) for ramp parking at Joint Region Marianas, Guam.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) YUMA.—In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666), for Yuma, Arizona, for construction of a Double Aircraft Maintenance Hangar, the Secretary of the Navy may construct up to approximately 70,000 square feet of additional apron to be utilized as a taxi-lane using amounts appropriated for this project pursuant to the authorization of appropriations in section 2204 of such Act (125 Stat. 1667).

(b) CAMP PENDELTON.—In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666), for Camp Pendelton, California, for construction of an Infantry Squad Defense Range, the Secretary of the Navy may construct up to 9,000 square feet of vehicular bridge using amounts appropriated for this project pursuant to the authorization of appropriations in section 2204 of such Act (125 Stat. 1667).

(c) KINGS BAY.—In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666), for Kings Bay, Georgia, for construction of a Crab Island Security Enclave, the Secretary of the Navy may expand the enclave fencing system to three layers of fencing and construct two elevated fixed fighting positions with associated supporting facilities using amounts appropriated for this project pursuant to the authorization of appropriations in section 2204 of such Act (125 Stat. 1667).

SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 989), for Yorktown, Virginia, for construction of Small Arms Ranges, the Secretary of the Navy may construct 240 square meters of armory, 48 square meters of Safety Officer/Target Storage Building, and 667 square meters of Range Operations Building using appropriations available for the project pursuant to the authorization of appropriations in section 2204 of such Act (127 Stat. 990).

SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (124 Stat. 4441) and extended by section 2207 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 991), shall remain in

effect until October 1, 2015, or the date of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2011 Project Authorizations

State/Country	Installation or Location	Project	Amount
Bahrain	South West Asia	Navy Central Command Ammunition Magazines	$89,280,000
Guam	Naval Activities, Guam	Defense Access Roads Improvements	$66,730,000

SEC. 2208. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (125 Stat. 1666), shall remain in effect until October 1, 2015, or the date of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2012 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Camp Pendelton	North Area Waste Water Conveyance	$78,271,000
	Camp Pendelton	Infantry Squad Defense Range	$29,187,000
	Twentynine Palms.	Land Expansion	$8,665,000
Florida	Jacksonville	P–8A Hangar Upgrades	$6,085,000
Georgia	Kings Bay	Crab Island Security Enclave	$52,913,000
	Kings Bay	WRA Land/ Water Interface	$33,150,000
Maryland	Patuxent River	Aircraft Prototype Facility Phase 2	$45,844,000

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2302(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Clear Air Force Station	$11,500,000
Arizona	Luke Air Force Base	$26,800,000
Guam	Joint Region Marianas	$47,800,000
Kansas	McConnell Air Force Base	$34,400,000
Massachusetts	Hanscom Air Force Base	$13,500,000
Nevada	Nellis Air Force Base	$53,900,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$5,900,000
Oklahoma	Tinker Air Force Base	$111,000,000
Texas	Joint Base San Antonio	$5,800,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2302(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out the military construction project for the installation or location outside the United States, and in the amount, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
United Kingdom	Royal Air Force Croughton	$92,223,000

SEC. 2302. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2014, for military construction, land acquisition, and military family housing functions of the Department of the Air Force as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $107,000,000 (the balance of the amount authorized under section 2301(a) of the Military Construction Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 992) for the CYBERCOM Joint Operations Center at Fort Meade, Maryland).

SEC. 2303. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2008 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 515), for Shaw Air Force Base, South Carolina, for base infrastructure at that location, the Secretary of the Air Force may acquire fee or lesser real property interests in approximately 11.5 acres of land contiguous to Shaw Air Force Base for the project using funds appropriated to the Department of the Air Force for construction in years prior to fiscal year 2015.

SEC. 2304. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2011 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (124 Stat. 4444) and extended by section 2307 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 994), shall remain in effect until October 1, 2015, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2011 Project Authorization

Country	Installation or Location	Project	Amount
Bahrain	Shaikh Isa Air Base.	North Apron Expansion	$45,000,000.

SEC. 2305. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2012 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2301 of that Act (125 Stat. 1670), shall remain in effect until October 1, 2015, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2012 Project Authorization

State/Country	Installation or Location	Project	Amount
Italy	Sigonella Naval Air Station	UAS SATCOM Relay Pads and Facility	$15,000,000

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Subtitle A—Defense Agency Authorizations

Subtitle B—Chemical Demilitarization Authorizations

Subtitle A—Defense Agency Authorizations

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Arizona	Fort Huachuca	$1,871,000
California	Camp Pendelton	$11,841,000
	Coronado	$70,340,000
	Lemoore	$52,500,000
Colorado	Peterson Air Force Base	$15,200,000
Georgia	Hunter Army Airfield	$7,692,000
	Robins Air Force Base	$19,900,000
Hawaii	Joint Base Pearl Harbor-Hickam	$52,900,000
Kentucky	Fort Campbell	$18,000,000
Maryland	Fort Meade	$54,207,000
	Joint Base Andrews	$18,300,000
Michigan	Selfridge Air National Guard Base	$35,100,000

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
Mississippi	Stennis	$27,547,000
Nevada	Fallon	$20,241,000
New Mexico	Cannon Air Force Base	$23,333,000
North Carolina	Camp Lejeune	$52,748,000
	Fort Bragg	$93,136,000
	Seymour Johnson AFB	$8,500,000
South Carolina	Beaufort	$40,600,000
South Dakota	Ellsworth Air Force Base	$8,000,000
Texas	Joint Base San Antonio	$38,300,000
Virginia	Craney Island	$36,500,000
	Defense Distribution Depot Richmond	$5,700,000
	Fort Belvoir	$7,239,000
	Joint Base Langley-Eustis	$41,200,000
	Joint Expeditionary Base Little Creek-Story	$39,588,000
	Pentagon	$15,100,000
CONUS Classified	Classified Location	$53,073,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Australia	Geraldton	$9,600,000
Belgium	Brussels	$79,544,000
Guantanamo Bay	Guantanamo Bay	$76,290,000
Japan	Misawa Air Base	$37,775,000
	Okinawa	$170,901,000
	Sasebo	$37,681,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Inside the United States

State	Installation or Location	Amount
California	Edwards Air Force Base	$4,500,000

Energy Conservation Projects: Inside the United States— Continued

State	Installation or Location	Amount
	Fort Hunter Liggett	$13,500,000
	Vandenberg Air Force Base	$2,965,000
Colorado	Fort Carson	$3,000,000
Florida	Eglin Air Force Base	$3,850,000
Georgia	Moody Air Force Base	$3,600,000
Hawaii	Marine Corps Base Hawaii	$8,460,000
Illinois	Great Lakes Naval Station	$2,190,000
Maine	Portsmouth Naval Shipyard	$2,740,000
Maryland	Fort Detrick	$2,100,000
Nebraska	Offutt Air Force Base	$2,869,000
Oklahoma	Tinker Air Force Base	$3,609,000
Oregon	Oregon City Armory	$9,400,000
Utah	Dugway Proving Ground	$15,400,000
Virginia	Naval Station Norfolk	$11,360,000
	Pentagon	$2,120,000
Various Locations	Various Locations	$25,112,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

Country	Installation or Location	Amount
Diego Garcia	Naval Support Facility	$14,620,000
Japan	Fleet Activities Yokosuka	$8,030,000
Germany	Spangdahlem	$4,800,000
Various Locations	Various Locations	$5,776,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $79,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2128) for NSAW Recapitalize Building #1 at Fort Meade, Maryland).

(3) $20,800,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2129) for the Aegis Ashore Missile Defense System Complex at Deveselu, Romania).

(4) $141,039,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), as amended by section 2404(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B Public Law 112–239; 126 Stat. 2130), for a data center at Fort Meade, Maryland).

(5) $50,500,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672) for an Ambulatory Care Center at Joint Base Andrews, Maryland).

(6) $54,300,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672) for an Ambulatory Care Center at Joint Base San Antonio, Texas).

(7) $526,168,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1673) for a hospital at the Rhine Ordnance Barracks, Germany).

(8) $281,325,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2640) for a hospital at Fort Bliss, Texas).

(9) $123,827,000 (the balance of the amount authorized as a Military Construction, Defense-Wide project by title X of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1888) for a data center at Camp Williams, Utah).

SEC. 2404. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (124 Stat. 4446), shall remain in effect until October 1, 2015, or the date of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2011 Project Authorizations

State	Installation or Location	Project	Amount
District of Columbia.	Bolling Air Force Base	Cooling Tower Expansion	$2,070,000
		DIAC Parking Garage	$13,586,000
		Electrical Upgrades	$1,080,000

SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (125 Stat. 1672), shall remain in effect until October 1, 2015, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2012 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Coronado	SOF Support Activity Operations Facility	$42,000,000
Germany	USAG Baumholder.	Wetzel-Smith Elementary School	$59,419,000
Italy	USAG Vicenza ..	Vicenza High School	$41,864,000
Japan	Yokota Air Base	Yokota High School	$49,606,000
Virginia	Pentagon Reservation	Heliport Control Tower and Fire Station ...	$6,457,000
		Pedestrian Plaza	$2,285,000

SEC. 2406. LIMITATION ON PROJECT AUTHORIZATION TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECTS PENDING SUBMISSION OF REPORT.

(a) LIMITATION.—No amounts may be obligated or expended for the military construction projects described in subsection (b) and otherwise authorized by section 2401(a) until the report described in subsection (c) has been submitted to the Committees on Armed Services of the Senate and the House of Representatives.

(b) COVERED PROJECTS.—The limitation imposed by subsection (a) applies to the following military construction projects:

(1) The construction of a human performance center facility at Joint Expeditionary Base Little Creek–Story, Virginia.

(2) The construction of a squadron operations facility at Cannon Air Force Base, New Mexico.

(c) REPORT DESCRIBED.—The report referred to in subsection (a) is the report on the review of Department of Defense efforts regarding the prevention of suicide among members of United States Special Operations Forces and their dependents required by section 582 of this Act.

Subtitle B—Chemical Demilitarization Authorizations

SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2014, for military construction and land acquisition for chemical demilitarization, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under subsection (a) and the project described in paragraph (2) of this subsection may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $2,049,000 (the balance of the amount authorized for ammunition demilitarization at Blue Grass Army Depot, Kentucky, by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 835), as most recently amended by section 2412 of the Military Construction Authorization Act for Fiscal Year 2011 (division B Public Law 111–383; 124 Stat. 4450) and section 2412 of this Act.

SEC. 2412. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECT.

(a) MODIFICATION.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 835), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1298), section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), section 2414 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), and section 2412 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4450), is amended—

(1) in the item relating to Blue Grass Army Depot, Kentucky, by striking "$746,000,000" in the amount column and inserting "$780,000,000"; and

(2) by striking the amount identified as the total in the amount column and inserting "$1,237,920,000".

(b) CONFORMING AMENDMENT.—Section 2405(b)(3) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1298), section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), section 2414 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), and section 2412 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4450), is further amended by striking "$723,200,000" and inserting "$757,200,000".

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2014, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a) and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Location	Amount
Delaware	Dagsboro	$10,800,000
Maine	Augusta	$32,000,000
Maryland	Havre De Grace	$12,400,000
Montana	Helena	$38,000,000
New Mexico	Alamogordo	$5,000,000
North Dakota	Valley City	$10,800,000
Vermont	North Hyde Park	$4,400,000
Washington	Yakima	$19,000,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a) and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
California	Fresno	$22,000,000
	March Air Force Base	$25,000,000
Colorado	Fort Carson	$5,000,000
Illinois	Arlington Heights	$26,000,000
Mississippi	Starkville	$9,300,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$26,000,000
New York	Mattydale	$23,000,000
Virginia	Fort Lee	$16,000,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a) and available for the National Guard and Reserve as specified in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Pennsylvania	Pittsburgh	$17,650,000
Washington	Naval Station Everett	$47,869,000
	Whidbey Island	$27,755,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a) and available for the National Guard and Reserve as specified in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Arkansas	Fort Smith Municipal Airport	$13,200,000
Connecticut	Bradley International Airport	$16,306,000
Iowa	Des Moines Municipal Airport	$8,993,000
Michigan	W.K. Kellog Regional Airport	$6,000,000
New Hampshire	Pease International Trade Port.	$41,902,000
Pennsylvania	Horsham Air Guard Station (Willow Grove)	$5,662,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a) and available for the National Guard and Reserve as specified in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
Arizona	Davis-Monthan Air Force Base	$14,500,000

Air Force Reserve—Continued

State	Location	Amount
Georgia	Robins Air Force Base	$27,700,000
North Carolina	Seymour Johnson Air Force Base.	$9,800,000
Texas	Forth Worth	$3,700,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2014, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under sections 2601 through 2605 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) $10,800,000 (the balance of the amount authorized under section 2601 for a National Guard Vehicle Maintenance Shop at Dagsboro, Delaware).

(3) $19,000,000 (the balance of the amount authorized under section 2601 for an Enlisted Barracks, Transient Training at Yakima, Washington).

(4) $26,000,000 (the balance of the amount authorized under section 2602 for an Army Reserve Center at Arlington Heights, Illinois).

(5) $9,300,000 (the balance of the amount authorized under section 2602 for an Army Reserve Center at Starkville, Mississippi).

Subtitle B—Other Matters

SEC. 2611. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) KANSAS CITY.—

(1) MODIFICATION.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1678), for Kansas City, Kansas, for construction of an Army Reserve Center at that location, the Secretary of the Army may, instead of constructing a new facility in Kansas City, construct a new facility in the vicinity of Kansas City, Kansas.

(2) DURATION OF AUTHORITY.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal

Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorization set forth in subsection (a) shall remain in effect until October 1, 2015, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

(b) ATTLEBORO.—

(1) MODIFICATION.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1678), for Attleboro, Massachusetts, for construction of an Army Reserve Center at that location, the Secretary of the Army may, instead of constructing a new facility in Attleboro, construct a new facility in the vicinity of Attleboro, Massachusetts.

(2) DURATION OF AUTHORITY.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorization set forth in subsection (a) shall remain in effect until October 1, 2015, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) STORMVILLE.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2133) for Stormville, New York, for construction of a Combined Support Maintenance Shop Phase I, the Secretary of the Army may instead construct the facility at Camp Smith, New York, and build a 53,760 square foot maintenance facility in lieu of a 75,156 square foot maintenance facility.

(b) TUSTIN.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2135) for Tustin, California, for construction of an Army Reserve Center, the Secretary of the Army may construct the facility in the vicinity of Tustin instead of constructing the facility in Tustin.

SEC. 2613. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

The table in section 2604 of the Military Construction Authorization Act for Fiscal year 2014 (division B of Public Law 113–66; 127 Stat. 1002) is amended in the item relating to Martin State Airport, Maryland, for construction of a CYBER/ISR Facility by striking "$8,000,000" in the amount column and inserting "$12,900,000".

SEC. 2614. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorizations set forth in the table in subsection (b), as provided in sections 2601 and 2602 of that Act (124 Stat. 4452, 4453) and extended by section 2612 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1003),

shall remain in effect until October 1, 2015, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is a follows:

Extension of 2011 National Guard and Reserve Project Authorizations

State	Installation or Location	Project	Amount
Puerto Rico	Camp Santiago ..	Multipurpose Machine Gun Range	$9,200,000
Virginia	Fort Story	Army Reserve Center	$11,000,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Subtitle A—Authorization of Appropriations

Subtitle B—Prohibition on Additional BRAC Round

Subtitle C—Other Matters

Subtitle A—Authorization of Appropriations

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2014, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

Subtitle B—Prohibition on Additional BRAC Round

SEC. 2711. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

Subtitle C—Other Matters

SEC. 2721. MODIFICATION OF PROPERTY DISPOSAL PROCEDURES UNDER BASE REALIGNMENT AND CLOSURE PROCESS.

(a) REPORT ON EXCESS PROPERTY.—Section 2905 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by inserting after subsection (e) the following new subsection:

"(f) REPORT ON DESIGNATION OF PROPERTY AS EXCESS INSTEAD OF SURPLUS.—(1) Not later than 180 days after the date on which real property located at a military installation closed or realigned under this part is declared excess, but not surplus, the Secretary of Defense shall submit to the congressional defense committees a report identifying the property and including the information required by paragraph (2). The Secretary shall update the report every 180 days thereafter until the property is either declared surplus or transferred to another Federal agency.

"(2) Each report under paragraph (1) shall include the following elements:

"(A) The reason for the excess designation.

"(B) The nature of the contemplated transfer.

"(C) The proposed timeline for the transfer.

"(D) Any impediments to completing the Federal agency screening process.".

(b) EFFECT OF LACK OF RECOGNIZED REDEVELOPMENT AUTHORITY.—Section 2910(9) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) by striking "The term" and inserting "(A) The term"; and

(2) by adding at the end the following new subparagraph:

"(B) If no redevelopment authority referred to in subparagraph (A) exists with respect to a military installation, the term shall include the following:

"(i) The local government in whose jurisdiction the military installation is wholly located.

"(ii) A local government agency or State government agency designated by the chief executive officer of the State in which the military installation is located under subparagraph (B) of section 2905(b)(3) for the purpose of the consultation required by subparagraph (A) of such section.".

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Subtitle B—Real Property and Facilities Administration

Subtitle C—Provisions Related to Asia-Pacific Military Realignment

Subtitle D—Land Conveyances

Subtitle E—Military Memorials, Monuments, and Museums

Subtitle F—Designations

Subtitle G—Other Matters

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. CONGRESSIONAL NOTIFICATION OF CONSTRUCTION PROJECTS, LAND ACQUISITIONS, AND DEFENSE ACCESS ROAD PROJECTS CONDUCTED UNDER AUTHORITIES OTHER THAN A MILITARY CONSTRUCTION AUTHORIZATION ACT.

Section 2802 of title 10, United States Code, is amended by adding at the end the following new subsection: 10 USC 2802.

"(e)(1) If a construction project, land acquisition, or defense access road project described in paragraph (2) will be carried out pursuant to a provision of law other than a Military Construction Authorization Act, the Secretary concerned shall—

"(A) comply with the congressional notification requirement contained in the provision of law under which the construction project, land acquisition, or defense access road project will be carried out; or

"(B) in the absence of such a congressional notification requirement, submit to the congressional defense committees, in an electronic medium pursuant to section 480 of this title, a report describing the construction project, land acquisition, or defense access road project at least 15 days before commencing the construction project, land acquisition, or defense access road project.

"(2) Except as provided in paragraph (3), a construction project, land acquisition, or defense access road project subject to the notification requirement imposed by paragraph (1) is a construction project, land acquisition, or defense access road project that—

"(A) is not specifically authorized in a Military Construction Authorization Act;

"(B) will be carried out by a military department, Defense Agency, or Department of Defense Field Activity; and

"(C) will be located on a military installation.

"(3) This subsection does not apply to a construction project, land acquisition, or defense access road project described in paragraph (2) whose cost is less than or equal to the threshold amount specified in section 2805(b) of this title.".

SEC. 2802. MODIFICATION OF AUTHORITY TO CARRY OUT UNSPECIFIED MINOR MILITARY CONSTRUCTION. 10 USC 2805.

(a) UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECT DESCRIBED.—Subsection (a)(2) of section 2805 of title 10, United States Code, is amended—

(1) in the first sentence, by striking "$2,000,000" and inserting "$3,000,000"; and

(2) in the second sentence, by striking "$3,000,000" and inserting "$4,000,000".

(b) INCREASED THRESHOLD FOR APPLICATION OF SECRETORY APPROVAL AND CONGRESSIONAL NOTIFICATION REQUIREMENTS.—Subsection (b)(1) of such section is amended by striking "$750,000" and inserting "$1,000,000".

(c) MAXIMUM AMOUNT OF OPERATION AND MAINTENANCE FUNDS AUTHORIZED TO BE USED FOR PROJECTS.—Subsection (c) of such section is amended by striking "$750,000" and inserting "$1,000,000".

SEC. 2803. CLARIFICATION OF AUTHORIZED USE OF PAYMENTS-IN-KIND AND IN-KIND CONTRIBUTIONS.

(a) PAYMENTS-IN-KIND AND IN-KIND CONTRIBUTIONS.—Subsection (f) of section 2687a of title 10, United States Code, is amended to read as follows:

"(f) AUTHORIZED USE OF PAYMENTS-IN-KIND AND IN-KIND CONTRIBUTIONS.—(1) A military construction project, as defined in chapter 159 of this title, may be accepted as payment-in-kind or as an in-kind contribution required by a bilateral agreement with a host country only if that military construction project is authorized by law.

"(2) Operations of United States forces may be funded through payment-in-kind or an in-kind contribution required by a bilateral agreement with a host country under this section only if the costs covered by such payment or contribution are included in the budget justification documents for the Department of Defense submitted to Congress in connection with the budget submitted under 1105 of title 31.

"(3) If funds previously appropriated for a military construction project or operating costs are subsequently addressed in an agreement for payment-in-kind or by an in-kind contribution required by a bilateral agreement with a host country, the Secretary of Defense shall return to the Treasury funds in the amount equal to the value of the appropriated funds.

"(4) This subsection does not apply to a military construction project that—

"(A) was specified in a bilateral agreement with a host country that was entered into before December 26, 2013;

"(B) was the subject of negotiation between the United States and a host country as of the date of the enactment of the Military Construction Authorization Act for Fiscal Year 2015;

"(C) was accepted as payment-in-kind for the residual value of improvements made by the United States at military installations released to the host country under section 2921 of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510; 10 U.S.C. 2687 note) before December 26, 2013; or

"(D) subject to paragraph (6), will cost less than the cost specified in subsection (a)(2) of section 2805 of this title for certain unspecified minor military construction projects.

"(5) This subsection does not apply to an in-kind contribution toward operating costs that—

"(A) was specified in a bilateral agreement with a host country that was entered into before December 26, 2013;

"(B) was the subject of negotiation between the United States and a host country as of the date of the enactment of the Military Construction Authorization Act for Fiscal Year 2015; or

"(C) was accepted as an in-kind contribution for the residual value of improvements made by the United States at military installations released to the host country under section 2921 of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510; 10 U.S.C. 2687 note) before December 26, 2013.

"(6) In the case of a military construction project excluded pursuant to paragraph (4)(D) whose cost will exceed the cost specified in subsection (b) of section 2805 of this title for certain unspecified minor military construction projects, the congressional notification requirements and waiting period specified in paragraph (2) of such subsection shall apply.".

(b) CONFORMING AMENDMENTS.—Section 2802(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking "payment-in-kind contributions" and inserting "payments-in-kind or in-kind contributions";

(2) by striking paragraph (3) and inserting the following new paragraph:

"(3) This subsection does not apply to a military construction project covered by one of the exceptions in section 2687a(f)(4) of this title."; and

(3) in paragraph (4), by striking "paragraph (3)(C)" and inserting "paragraph (3), by reference to section 2687a(f)(4)(D) of this title,".

(c) CONGRESSIONAL NOTIFICATION.—

(1) NOTIFICATION REQUIRED.—During the period beginning on the date of the enactment of this Act and ending on the effective date specified in subsection (d), the Secretary of Defense shall submit to the congressional defense committees a written notification, at least 30 days before the initiation date for any military construction project to be built for Department of Defense personnel outside the United States using payments-in-kind or in-kind contributions.

(2) ELEMENTS OF NOTICE.—A written notifications under paragraph (1) shall include the following:

(A) The requirements for, and purpose and description of, the proposed military construction project.

(B) The cost of the proposed military construction project.

(C) The scope of the proposed military construction project.

(D) The schedule for the proposed military construction project.

(E) Such other details as the Secretary considers relevant.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the later of— 10 USC 2687a note.

(1) September 30, 2016; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017.

SEC. 2804. USE OF ONE-STEP TURN-KEY CONTRACTOR SELECTION PROCEDURES FOR ADDITIONAL FACILITY PROJECTS.

Section 2862 of title 10, United States Code, is amended to read as follows:

"§ 2862. Turn-key selection procedures

"(a) AUTHORITY TO USE FOR CERTAIN PURPOSES.—The Secretary concerned may use one-step turn-key selection procedures for the purpose of entering into a contract for any of the following purposes:

"(1) The construction of an authorized military construction project.

"(2) A repair project (as defined in section 2811(e) of this title) with an approved cost equal to or less than $4,000,000.

"(3) The construction of a facility as part of an authorized security assistance activity.

"(b) DEFINITIONS.—In this section:

"(1) The term 'one-step turn-key selection procedures' means procedures used for the selection of a contractor on the basis of price and other evaluation criteria to perform, in accordance with the provisions of a firm fixed-price contract, both the design and construction of a facility using performance specifications supplied by the Secretary concerned.

"(2) The term 'security assistance activity' means—

"(A) humanitarian and civic assistance authorized by sections 401 and 2561 of this title;

"(B) foreign disaster assistance authorized by section 404 of this title;

"(C) foreign military construction sales authorized by section 29 of the Arms Export Control Act (22 U.S.C. 2769);

"(D) foreign assistance authorized under sections 607 and 632 of the Foreign Assistance Act of 1961 (22 U.S.C. 2357, 2392); and

"(E) other international security assistance specifically authorized by law.".

SEC. 2805. LIMITATIONS ON MILITARY CONSTRUCTION IN EUROPEAN COMMAND AREA OF RESPONSIBILITY AND EUROPEAN REASSURANCE INITIATIVE.

(a) EXTENSION OF CURRENT LIMITATION ON CONSTRUCTION PROJECTS.—Section 2809 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1013) is amended—

(1) in subsection (a), by inserting "or the Military Construction Authorization Act for Fiscal Year 2015" after "this division"; and

(2) in subsection (b)(1), by striking "the date of the enactment of this Act" and inserting "December 26, 2013".

(b) LIMITATION RELATED TO EUROPEAN REASSURANCE INITIATIVE.—The Secretary of Defense or the Secretary of a military department shall not award any contract in connection with a construction project authorized in title XXIX of this division to be carried out at an installation operated in the European Command area of responsibility until—

(1) the Secretary of Defense submits to the congressional defense committees a project notification that—

(A) includes a completed military construction project data sheet (DD 1391); and

(B) certifies that a pre-financing statement for eligible projects has been submitted through the North Atlantic Treaty Organization Security Investment Program; and

(2) subject to subsection (c), the expiration of the 21-day period beginning on the date the notification is received by the committees or, if earlier, the 14-day period beginning on the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of title 10, United States Code.

(c) RELATION TO CURRENT LIMITATION ON CONSTRUCTION PROJECTS.—The limitation imposed by subsection (b) is in addition

to the limitation on construction projects carried out in the European Command area of responsibility imposed by section 2809 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1013), as amended by subsection (a).

SEC. 2806. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS IN CERTAIN AREAS OUTSIDE THE UNITED STATES.

Section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2808 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 112–239; 127 Stat. 1012), is further amended—

(1) in subsection (c)(1), by striking "shall not exceed" and all that follows through the period at the end and inserting "shall not exceed $100,000,000 between October 1, 2014, and the earlier of December 31, 2015, or the date of the enactment of an Act authorizing funds for military activities of the Department of Defense for fiscal year 2016."; and

(2) in subsection (h)—

(A) in paragraph (1), by striking "December 31, 2014" and inserting "December 31, 2015"; and

(B) in paragraph (2), by striking "fiscal year 2015" and inserting "fiscal year 2016".

SEC. 2807. APPLICATION OF RESIDENTIAL BUILDING CONSTRUCTION STANDARDS.

If a residential building project (including repair or remodeling project) is authorized by this Act or will be carried out using amounts appropriated pursuant to an authorization of appropriations in this Act and the project will be designed and constructed to meet an above code green building standard or rating system, the Secretary of Defense or the Secretary of the military department concerned may use the ICC 700 National Green Building Standard, the LEED Green Building Standard System, the Green Globes Green Building Certification System, or an equivalent protocol developed using a voluntary consensus standard, as defined in Office of Management and Budget Circular Number A–119.

SEC. 2808. LIMITATION ON CONSTRUCTION OF NEW FACILITIES AT GUANTANAMO BAY, CUBA.

(a) LIMITATION.—None of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense may be used to construct new facilities at Guantanamo Bay, Cuba, until the Secretary of Defense certifies to the congressional defense committees that any new construction of facilities at Guantanamo Bay, Cuba, has enduring military value independent of a high value detention mission.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed as limiting the ability of the Department of Defense to obligate or expend available funds to correct a deficiency that is life-threatening, health-threatening, or safety-threatening.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. RENEWALS, EXTENSIONS, AND SUCCEEDING LEASES FOR FINANCIAL INSTITUTIONS OPERATING ON MILITARY INSTALLATIONS.

Section 2667(h) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(4)(A) Paragraph (1) does not apply to a renewal, extension, or succeeding lease by the Secretary concerned with a financial institution selected in accordance with the Department of Defense Financial Management Regulation providing for the selection of financial institutions to operate on military installations if each of the following applies:

"(i) The on-base financial institution was selected before the date of the enactment of this paragraph or competitive procedures are used for the selection of any new financial institutions.

"(ii) A current and binding operating agreement is in place between the installation commander and the selected on-base financial institution.

"(B) The renewal, extension, or succeeding lease shall terminate upon the termination of the operating agreement described in subparagraph (A)(ii) associated with that lease.".

SEC. 2812. DEPOSIT OF REIMBURSED FUNDS TO COVER ADMINISTRATIVE EXPENSES RELATING TO CERTAIN REAL PROPERTY TRANSACTIONS.

(a) AUTHORITY TO CREDIT REIMBURSED FUNDS TO ACCOUNTS CURRENTLY AVAILABLE.—Section 2695(c) of title 10, United States Code, is amended—

(1) by striking the first sentence and inserting the following: "(1) Amounts collected by the Secretary of a military department under subsection (a) for administrative expenses shall be credited, at the option of the Secretary—

"(A) to the appropriation, fund, or account from which the expenses were paid; or

"(B) to an appropriate appropriation, fund, or account currently available to the Secretary for the purposes for which the expenses were paid."; and

(2) in the second sentence, by striking "Amounts so credited" and inserting the following:

"(2) Amounts credited under paragraph (1)".

10 USC 2695 note.

(b) PROSPECTIVE APPLICABILITY.—The amendments made by subsection (a) shall not apply to administrative expenses related to a real property transaction referred to in section 2695(b) of title 10, United States Code, that were covered by the Secretary of a military department using amounts appropriated to the Secretary before the date of the enactment of this Act.

Subtitle C—Provisions Related to Asia-Pacific Military Realignment

SEC. 2821. REALIGNMENT OF MARINES CORPS FORCES IN ASIA-PACIFIC REGION.

10 USC 2687 note.

(a) LIMITATION BASED ON COST ESTIMATES.—

(1) LIMITATION AMOUNT.—Pursuant to the Supplemental Environmental Impact Statement for the "Guam and Commonwealth of the Northern Mariana Islands Military Relocation (2012 Roadmap Adjustments)", the total amount obligated or expended from funds appropriated or otherwise made available for military construction for implementation of the Record of Decision for the relocation of Marine Corps forces to Guam associated with such Supplemental Environmental Impact Statement may not exceed $8,725,000,000, subject to such adjustment as may be made under paragraph (2).

(2) ADJUSTMENT OF LIMITATION AMOUNT.—The Secretary of the Navy may adjust the amount specified in paragraph (1) by the following:

(A) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2014.

(B) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, Guam or Commonwealth of the Northern Mariana Islands, or local laws enacted after September 30, 2014.

(3) WRITTEN NOTICE OF ADJUSTMENT.—At the same time that the budget for a fiscal year is submitted to Congress under section 1105(a) of title 31, United States Code, the Secretary of the Navy shall submit to the congressional defense committees written notice of any adjustment to the amount specified in paragraph (1) made by the Secretary during the preceding fiscal year pursuant to the authority provided by paragraph (2).

(b) RESTRICTION ON DEVELOPMENT OF PUBLIC INFRASTRUCTURE.—

(1) RESTRICTION.—If the Secretary of Defense determines that any grant, cooperative agreement, transfer of funds to another Federal agency, or supplement of funds available under Federal programs administered by agencies other than the Department of Defense will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, acquisition, or construction) of public infrastructure on Guam, the Secretary of Defense may not carry out such grant, transfer, cooperative agreement, or supplemental funding unless such grant, transfer, cooperative agreement, or supplemental funding—

(A) is specifically authorized by law; and

(B) will be used to carry out a public infrastructure project included in the report prepared by the Secretary of Defense under section 2822(d)(2) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1017), as in effect on the day before the date of the enactment of this Act.

(2) PUBLIC INFRASTRUCTURE DEFINED.—In this subsection, the term "public infrastructure" means any utility, method

of transportation, item of equipment, or facility under the control of a public entity or State or local government that is used by, or constructed for the benefit of, the general public.

(c) REPEAL OF SUPERSEDED LAW.—Section 2822 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1016) is repealed. The repeal of such section does not affect the validity of the amendment made by subsection (f) of such section or the responsibilities of the Economic Adjustment Committee and the Secretary of Defense under subsection (d) of such section, as in effect on the day before the date of the enactment of this Act.

SEC. 2822. ESTABLISHMENT OF SURFACE DANGER ZONE, RITIDIAN UNIT, GUAM NATIONAL WILDLIFE REFUGE.

(a) AGREEMENT TO ESTABLISH.—In order to accommodate the operation of a live-fire training range complex on Andersen Air Force Base-Northwest Field and the management of the adjacent Ritidian Unit of the Guam National Wildlife Refuge, the Secretary of the Navy and the Secretary of the Interior, notwithstanding the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), may enter into an agreement providing for the establishment and operation of a surface danger zone which overlays the Ritidian Unit or such portion thereof as the Secretaries consider necessary.

(b) ELEMENTS OF AGREEMENT.—The agreement to establish a surface danger zone over all or a portion of the Ritidian Unit of the Guam National Wildlife Refuge shall include—

(1) measures to maintain the purposes of the Refuge; and

(2) as appropriate, measures, funded by the Secretary of the Navy from funds appropriated after the date of enactment of this Act and otherwise available to the Secretary, for the following purposes:

(A) Relocation and reconstruction of structures and facilities of the Refuge in existence as of the date of the enactment of this Act.

(B) Mitigation of impacts to wildlife species present on the Refuge or to be reintroduced in the future in accordance with applicable laws.

(C) Use of Department of Defense personnel to undertake conservation activities within the Ritidian Unit normally performed by Department of the Interior personnel, including habitat maintenance, maintaining the boundary fence, and conducting the brown tree snake eradication program.

(D) Openings and closures of the surface danger zone to the public as may be necessary.

Subtitle D—Land Conveyances

SEC. 2831. LAND CONVEYANCE, GORDO ARMY RESERVE CENTER, GORDO, ALABAMA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the town of Gordo, Alabama (in this section referred to as the "Town"), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 3.79 acres

and containing the Gordo Army Reserve Center located at 25226 Highway 82 in Gordo, Alabama, for the purpose of permitting the Town to use the parcel for municipal government purposes, including use by municipal utilities management, the municipal police department, and municipal officials and use as a community center and polling place.

(b) REVERSIONARY INTEREST.—If the Secretary of the Army determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in subsection (a), all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) ALTERNATIVE CONSIDERATION OPTION.—

(1) CONSIDERATION OPTION.—In lieu of exercising the reversionary interest under subsection (b), if the Secretary of the Army determines that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance, the Secretary may require the Town to pay to the United States an amount equal to the fair market value of the property, excluding the value of any improvements on the property constructed by the Town, as determined by the Secretary.

(2) TREATMENT OF CONSIDERATION RECEIVED.—Consideration received by the Secretary under paragraph (1) shall be deposited in the special account in the Treasury established for the Secretary under subsection (e) of section 2667 of title 10, United States Code, and shall be available to the Secretary for the same uses and subject to the same limitations as provided in that section.

(d) PAYMENT OF COST OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require the Town to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation related to the conveyance, and any other administrative costs related to the conveyance. If amounts are collected from the Town in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Town.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance or, if the period of availability for obligations for that appropriation has expired, to the appropriations or fund that is currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2832. LAND CONVEYANCE, WEST NOME TANK FARM, NOME, ALASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the City of Nome, Alaska (in this section referred to as the "City") all right, title, and interest of the United States in and to a parcel of real property consisting of approximately seven acres, including improvements thereon, known as the USAF West Nome Tank Farm, and located adjacent to the City's port facilities along Port Road in Nome, Alaska, for the purpose of permitting the City to use the property for municipal purposes, including municipal office space, port development, fuel storage for the municipal power plant, and municipal public utility facilities.

(b) INTERIM LEASE.—Until such time as the real property described in subsection (a) may be conveyed to the City by deed, the Secretary of the Air Force may lease, without consideration, all or part of the real property to the City for municipal purposes, as described in such subsection.

(c) REVERSIONARY INTEREST AND ALTERNATIVE CONSIDERATION OPTION.—

(1) IN GENERAL.—If the Secretary of the Air Force determines at any time that the real property conveyed or leased to the City under this section is not being used for municipal purposes, then, at the option of the Secretary—

(A) all right, title, and interest in and to the real property, including any improvement thereto, shall revert to and become the property of the United States, and the United States shall have the right of immediate entry onto the property; or

(B) the Secretary may require the City to pay the Secretary an amount equal to the then current fair market value of the property, excluding the value of any improvements on the property constructed by the City, as determined by the Secretary.

(2) DETERMINATION PROCESS.—A determination by the Secretary under paragraph (1) shall be made on the record after an opportunity for a hearing.

(3) TREATMENT OF CASH PAYMENTS RECEIVED.—Any cash payment received by the Secretary under paragraph (1)(B) shall be deposited in the special account in the Treasury established for the Secretary under section 2667(e) of title 10, United State Code, and shall be available to the Secretary for the same uses and subject to the same limitations as provided in that section.

(d) PAYMENT OF COSTS.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred

by the Secretary, to carry out a conveyance or lease under this section, including survey costs, cost for environmental documentation, and other administrative costs related to the conveyance or lease. If amount are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance or lease, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance or lease or, if the period of availability for obligations for that appropriation has expired, to the appropriations or fund that is currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed or leased under this section shall be determined by a survey satisfactory to the Secretary of the Air Force.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force may require such additional terms and conditions in connection with a conveyance or lease under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2833. LAND CONVEYANCE, FORMER AIR FORCE NORWALK DEFENSE FUEL SUPPLY POINT, NORWALK, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the City of Norwalk, California (in this section referred to as the "City"), all right, title, and interest of the United States in and to the real property, including any improvements thereon, consisting of approximately 15 acres at the former Norwalk Defense Fuel Supply Point for the purpose of permitting the City to use the property for public purposes.

(b) PAYMENT OF COST OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation related to the conveyance, and any other administrative costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance or, if the period of availability for obligations for that appropriation has expired, to the appropriations or fund that is currently available

to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force.

(d) ADDITIONAL TERMS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2834. TRANSFER OF ADMINISTRATIVE JURISDICTION AND ALTERNATIVE LAND CONVEYANCE AUTHORITY, FORMER WALTER REED ARMY HOSPITAL, DISTRICT OF COLUMBIA.

(a) TRANSFER OF JURISDICTION AUTHORIZED.—

(1) TRANSFER AUTHORIZED.—The Secretary of the Army may transfer to the administrative jurisdiction of the Secretary of State a parcel of real property at former Walter Reed Army Hospital in the District of Columbia consisting of approximately 43.53 acres for the purpose of permitting the Secretary of State to develop a Foreign Missions Center on the property.

(2) DESCRIPTION OF PROPERTY.—The property authorized for transfer under this subsection includes the following:

(A) Building 3 (attached parking structure).

(B) Buildings 19, 21, 22, 25, 26, 29, 29a, 30, 35 (residences).

(C) Building 20 (Mologne House).

(D) Building 32 (Wagner Physical Fitness Center).

(E) Building 40 (Army Medical School–Walter Reed Institute of Research).

(F) Building 41 (Red Cross).

(G) Building 52 (warehouse and outpatient clinic).

(H) Building 53 (former post theater).

(I) Building 54 (The Armed Forces Institute of Pathology Building and former Military Medical Museum).

(J) Buildings 55 and 56 (Fisher Houses).

(K) Building 57 (Memorial Chapel).

(b) ALTERNATIVE CONVEYANCE AUTHORITY.—

(1) CONVEYANCE FOR PROTECTION OF PUBLIC HEALTH, INCLUDING RESEARCH.—If the transfer of administrative jurisdiction authorized by subsection (a) does not occur, the Secretary of the Army may convey, without consideration, to an authorized recipient described in paragraph (2) all right, title, and interest of the United States in and a parcel of real property at former Walter Reed Army Hospital consisting of approximately 13.25 acres and containing of the buildings specified in subparagraphs (A), (G), (H), and (I) of subsection (a) for the purpose of permitting the recipient to use the parcel for the protection of public health, including research.

(2) AUTHORIZED RECIPIENTS.—The conveyance authorized by this subsection may be made to the District of Columbia, a political subdivision or instrumentality of the District of Columbia, a tax-supported medical institution, or a hospital or similar institution not operated for profit that has been

exempt from taxation under section 501(c) of the Internal Revenue Code of 1986.

(3) REVERSIONARY INTEREST.—If the Secretary of the Army determines at any time that real property conveyed under this subsection is not being used in accordance with the purpose of the conveyance specified in paragraph (1), all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this paragraph shall be made on the record after an opportunity for a hearing.

(4) PAYMENT OF COSTS OF CONVEYANCE.—

(A) PAYMENT REQUIRED.—The Secretary of the Army shall require the recipient of the property under this subsection to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under this subsection, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the recipient of the property.

(B) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under subparagraph (A) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(5) RELATION TO OTHER LAWS.—Section 2905(b) of the Defense Base Closure and Realignment Act of 1990 (title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and section 2696 of title 10, United States Code, shall not apply with respect to real property conveyed under this subsection.

(c) DESCRIPTION OF PROPERTIES.—The exact acreage and legal description of the real property to be transferred or conveyed under this section shall be determined by a survey satisfactory to the Secretary of the Army.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with a transfer or conveyance under this section as the Secretary of the Army considers appropriate to protect the interests of the United States.

SEC. 2835. LAND CONVEYANCE, FORMER LYNN HAVEN FUEL DEPOT, LYNN HAVEN, FLORIDA.

(a) CONVEYANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary of the Air Force may convey to the City of Lynn Haven, Florida (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of real property, including

improvements thereon, consisting of approximately 144 acres at the former Lynn Haven Fuel Depot in Bay County, Florida.

(2) EXCLUDED PROPERTY.—The real property to be conveyed under paragraph (1) shall not include the portion of the former Lynn Haven Fuel Depot authorized to be conveyed by the Secretary to Florida State University by section 2843 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 553).

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the conveyance under subsection (a)(1), the City shall pay to the United States an amount equal to the fair market value of the real property to be conveyed, as determined by the Secretary of the Air Force.

(2) TREATMENT OF CONSIDERATION RECEIVED.—Consideration received by the Secretary under paragraph (1) shall be deposited in the special account in the Treasury established for the Secretary under subsection (e) of section 2667 of title 10, United States Code, and shall be available to the Secretary for the same uses and subject to the same limitations as provided in that section.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a)(1) shall be determined by a survey satisfactory to the Secretary of the Air Force.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2836. TRANSFERS OF ADMINISTRATIVE JURISDICTION, CAMP FRANK D. MERRILL AND LAKE LANIER, GEORGIA.

(a) TRANSFERS REQUIRED.—

(1) CAMP FRANK D. MERRILL.—Not later than September 30, 2015, the Secretary of Agriculture shall transfer to the administrative jurisdiction of the Secretary of the Army for required Army force protection measures certain Federal land administered as part of the Chattahoochee National Forest, but permitted to the Secretary of the Army for Camp Frank D. Merrill in Dahlonega, Georgia, consisting of approximately 282 acres identified in the permit numbers 0018–01.

(2) LAKE LANIER PROPERTY.—In exchange for the land transferred under paragraph (1), the Secretary of the Army (acting through the Chief of Engineers) shall transfer to the administrative jurisdiction of the Secretary of Agriculture certain Federal land administered by the Army Corps of Engineers and consisting of approximately 10 acres adjacent to Lake Lanier at 372 Dunlap Landing Road, Gainesville, Georgia.

(b) USE OF TRANSFERRED LAND.—

(1) CAMP FRANK D. MERRILL.—

(A) IN GENERAL.—On receipt of the land under subsection (a)(1), the Secretary of the Army shall—

(i) continue to use the land for military purposes;

(ii) maintain a public access road through the land or provide for alternative public access in coordination with the Secretary of Agriculture; and

(iii) make accommodations for public access and enjoyment of the land, when such public use is consistent with Army mission and force protection requirements.

(B) RETURN OF JURISDICTION.—The land transferred under subsection (a)(1) shall return to the jurisdiction of the Secretary of Agriculture, based on the best interests of the United States, if the Secretary of the Army determines that the transferred land is no longer needed for military purposes.

(2) LAKE LANIER PROPERTY.—

(A) IN GENERAL.—On receipt of the land under subsection (a)(2), the Secretary of Agriculture shall use the land for administrative purposes.

(B) SALE OF LAND.—The Secretary of Agriculture may—

(i) sell or exchange land transferred under subsection (a)(2);

(ii) deposit the proceeds of a sale or exchange under clause (i) in the fund established under Public Law 90–171 (commonly known as the Sisk Act; 16 U.S.C. 484a); and

(iii) retain the proceeds for future acquisition of land within the Chattahoochee-Oconee National Forest, with the proceeds to remain available for expenditure without further appropriation or fiscal year limitation.

(c) USE AND OCCUPANCY OF NATIONAL FOREST SYSTEM LAND.—Use and occupancy of National Forest System land by the Department of the Army, other than land transferred pursuant to this Act, shall continue to be subject to all laws (including regulations) applicable to the National Forest System.

(d) ENDANGERED SPECIES.—

(1) CRITICAL HABITAT DESIGNATION FOR DARTERS.—Nothing in the transfer required by subsection (a)(1) shall affect the prior designation of land within the Chattahoochee National Forest as critical habitat for the Etowah darter (Etheostoma etowahae) and the Holiday darter (Etheostoma brevistrum).

(2) FUTURE CRITICAL HABITAT LISTINGS AND DESIGNATIONS.—Nothing in the transfer required by subsection (a)(1) shall affect the operation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) for future listing or designations of critical habitat.

(e) LEGAL DESCRIPTION AND MAP.—

(1) PREPARATION AND PUBLICATION.—The Secretary of the Army and the Secretary of Agriculture shall publish in the Federal Register a legal description and map of both parcels of land to be transferred under subsection (a).

(2) FORCE OF LAW.—The legal description and map filed under paragraph (1) for a parcel of land shall have the same force and effect as if included in this Act, except that the Secretaries may correct errors in the legal description and map.

(f) REIMBURSEMENT OF COSTS.—The Secretary of the Army shall reimburse the Secretary of Agriculture for all costs related to the transfer required by subsection (a), including, at a minimum, any costs incurred by the Secretary of Agriculture to assist in

the preparation of the legal description and maps required by subsection (e).

SEC. 2837. LAND CONVEYANCE, JOINT BASE PEARL HARBOR-HICKAM, HAWAII.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to the Honolulu Authority for Rapid Transportation (in this section referred to as the "Honolulu Authority"), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 1.2 acres at or in the nearby vicinity of Radford Drive and the Makalapa Gate of Joint Base Pearl Harbor-Hickam, for the purpose of permitting the Honolulu Authority to use the property as the location for a rail platform for the public benefit.

(b) CONDITION ON USE OF REVENUES.—If the property conveyed under subsection (a) is used, consistent with such subsection, for a public purpose that results in the generation of revenue for the Honolulu Authority, the Honolulu Authority shall agree to use the generated revenue only for passenger rail transit purposes by depositing the revenue in a fund designated for passenger rail transit use.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the Honolulu Authority to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the Honolulu Authority in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Honolulu Authority.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2838. MODIFICATION OF CONDITIONS ON LAND CONVEYANCE, JOLIET ARMY AMMUNITION PLANT, ILLINOIS.

Section 2922(c)(2) of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 605), as added by section 2842 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law

106–65; 113 Stat. 863), is amended in the second sentence by striking "23 years of operation" and inserting "38 years of operation". 16 USC 1609 note.

SEC. 2839. TRANSFER OF ADMINISTRATIVE JURISDICTION, CAMP GRUBER, OKLAHOMA.

(a) TRANSFER AUTHORIZED.—Upon a determination by the Secretary of the Army that the parcel of property at Camp Gruber, Oklahoma, conveyed by the war asset deed dated June 29, 1949, between the United States of America and the State of Oklahoma, or any portion thereof, is needed for national defense purposes, including military training, and that the transfer of the parcel is in the best interest of the Department of the Army, the Administrator of General Services shall execute the reversionary clause in the deed and immediately transfer administrative jurisdiction to the Department of the Army.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of any real property to be transferred under subsection (a) may be determined by a survey satisfactory to the Secretary of the Army.

(c) ADDITIONAL TERM AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with a transfer under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2840. CONVEYANCE, JOINT BASE CHARLESTON, SOUTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey to the City of Hanahan (in this section referred to as the "City") all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 53 total acres at Joint Base Charleston, South Carolina, for the purpose of accommodating the City's recreation needs.

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a), the City shall provide the United States with consideration in an amount that is acceptable to the Secretary, whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure relating to the needs of Joint Base Charleston, South Carolina, that the Secretary considers acceptable.

(3) PUBLIC BENEFIT CONVEYANCE.—A public benefit conveyance may also be used to transfer the property under subsection (a) to the City for public use. The property use must benefit the community as a whole, including use for parks and recreation.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force may require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection

(a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2841. LAND EXCHANGES, ARLINGTON COUNTY, VIRGINIA.

(a) EXCHANGES AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense may convey—

(A) to Arlington County, Virginia (in this section referred to as the "County"), all right, title, and interest of the United States in and to one or more parcels of real property, together with any improvements thereon, located south of Columbia Pike and west of South Joyce Street in Arlington County, Virginia; and

(B) to the Commonwealth of Virginia (in this section referred to as the "Commonwealth"), all right, title, and interest of the United States in and to one or more parcels of property east of Joyce Street in Arlington County, Virginia, necessary for the realignment of Columbia Pike and the Washington Boulevard-Columbia Pike interchange, as well as for future improvements to Interstate 395 ramps.

(2) PHASING.—The conveyances authorized by this subsection may be accomplished through a phasing of several exchanges if necessary.

(b) CONSIDERATION.—As consideration for the conveyances of real property under subsection (a), the Secretary of Defense shall receive—

(1) from the County, all right, title, and interest of the County in and to one or more parcels of real property in the area known as the Southgate Road right-of-way, Columbia Pike right-of-way, and South Joyce Street right-of-way located in Arlington County, Virginia; and

(2) from the Commonwealth, all right, title, and interest of the Commonwealth in and to one or more parcels of property in the area known as the Columbia Pike right-of-way, and the Washington Boulevard-Columbia Pike interchange.

(c) SELECTION OF PROPERTY FOR CONVEYANCE.—The Memorandum of Understanding between the Department of the Army and Arlington County signed in January 2013 shall be used as a guide in determining the properties to be exchanged under this section. After consultation with the Commonwealth and the County, the Secretary of Defense shall determine the exact parcels to be exchanged, and such determination shall be final. In selecting the properties to be exchanged under subsections (a) and (b), the parties shall, within their respective authorities, seek—

(1) to remove existing barriers to contiguous expansion of Arlington National Cemetery north of Columbia Pike through a realignment of Southgate Road to the western boundary of the former Navy Annex site;

(2) to provide the County with sufficient property to construct a museum that honors the history of Freedman's Village, as well as any other County or public use that is compatible with a location immediately adjacent to Arlington National Cemetery; and

(3) to support the realignment and straightening of Columbia Pike, a redesign of the Washington Boulevard-Columbia Pike interchange, and future improvements to the Interstate 395 ramps.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under this section shall be determined by surveys satisfactory to the Secretary of Defense, in consultation with the Commonwealth and the County.

(e) TERMS AND CONDITIONS.—The conveyances of real property authorized under this section shall be accomplished by one or more exchange agreements upon terms and conditions mutually satisfactory to the Secretary of Defense, the Commonwealth, and the County.

(f) REPEAL OF OBSOLETE AUTHORITY.—Section 2881 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2153) is repealed. The repeal of such section does not affect the amendments made by subsections (g) and (h) of such section.

Subtitle E—Military Memorials, Monuments, and Museums

SEC. 2851. ACCEPTANCE OF IN-KIND GIFTS ON BEHALF OF HERITAGE CENTER FOR THE NATIONAL MUSEUM OF THE UNITED STATES ARMY.

Section 4772(c)(2)(A) of title 10, United States Code, is amended by striking "accept funds from the Army Historical Foundation" and insert "accept funds and in-kind gifts, including services, construction materials, and equipment used in construction, from the Army Historical Foundation and other persons".

SEC. 2852. MT. SOLEDAD VETERANS MEMORIAL, SAN DIEGO, CALIFORNIA.

54 USC 320301 note.

(a) REQUIREMENT TO CONVEY MT. SOLEDAD VETERANS MEMORIAL.—Subject to subsections (b) and (d), the Secretary of Defense shall convey all right, title, and interest of the United States in and to the Mt. Soledad Veterans Memorial in San Diego, California, to the Mount Soledad Memorial Association, Inc.

(b) CONTINGENCIES.—The requirement under subsection (a) to convey the Memorial to the Association is contingent upon—

(1) an agreement between the Association and the Secretary of the Defense regarding consideration to be paid by the Association as described in subsection (c); and

(2) the Association's agreement to accept the Memorial subject to the conditions described in subsection (d).

(c) CONSIDERATION.—

(1) DETERMINATION OF CONSIDERATION.—The Secretary of Defense shall convey the Memorial to the Association for consideration that, as determined by the Secretary, reasonably reflects—

(A) the price paid by the United States to purchase the Memorial pursuant to Public Law 109–272 (16 U.S.C. 431 note);

(B) significant reductions in the market value of the Memorial as a result of the conditions imposed by subsection (d); and

(C) any additional equities the Association may have, such as prior occupancy and any improvements made to the Memorial.

(2) TIME FOR PAYMENT.—The amount of consideration determined under paragraph (1) need not be received by the United States in full before conveyance of the Memorial. The consideration may be paid over a period of time or through installments, or such other financial instruments or arrangements, as may be reasonably convenient for the Secretary and the Association.

(d) CONDITIONS OF CONVEYANCE.—The conveyance of the Memorial under subsection (a) shall be subject to the following conditions:

(1) The Memorial shall be accepted in its condition at the time of the conveyance, commonly known as conveyance "as is".

(2) The Association, and any successive owner of the Memorial, shall maintain and use the Memorial as a veterans memorial in perpetuity.

(3) If the Secretary of Defense determines that the Memorial is ever put to a use other than as a veterans memorial, the United States shall have the right, at its election, to reacquire all right, title, and interest in and to the Memorial without any right of compensation to the owner or any other person. Any election to reacquire the Memorial under the authority of this paragraph shall be temporary and solely for the purpose of conveying, as expeditiously as practicable, the Memorial to another entity subject to the same conditions in this subsection.

(e) DEFINITIONS.—In this section:

(1) The term "Association" means the Mount Soledad Memorial Association, Inc.

(2) The terms "Mt. Soledad Veterans Memorial" and "Memorial" mean the memorial in San Diego, California, acquired by the United States pursuant to Public Law 109–272 (16 U.S.C. 431 note).

(3) The term "veterans memorial" means a display of commemorative objects, such as tablets, statuary, and other fixtures, that—

(A) pays tribute to those persons who served in the Armed Forces of the United States; and

(B) is unencumbered by structures not intended for the purpose specified in subparagraph (A).

SEC. 2853. ESTABLISHMENT OF MEMORIAL TO THE VICTIMS OF THE SHOOTING AT THE WASHINGTON NAVY YARD ON SEPTEMBER 16, 2013.

54 USC 320301 note.

(a) MEMORIAL AUTHORIZED.—The Secretary of the Navy may permit a third party to establish and maintain a memorial dedicated to the victims of the shooting attack at the Washington Navy Yard that occurred on September 16, 2013.

(b) LOCATION OF MEMORIAL.—The Secretary of the Navy may permit the memorial authorized by subsection (a) to be established at the Washington Navy Yard.

(c) ESTABLISHMENT OF ACCOUNT.—An account shall be established on the books of the Treasury for the purpose of managing contributions received pursuant to paragraph (d).

(d) ACCEPTANCE OF CONTRIBUTIONS.—The Secretary of the Navy may establish procedures under which the Secretary may solicit and accept monetary contributions or gifts of property for the purpose of the activities described in subsection (a).

(e) DEPOSIT OF CONTRIBUTIONS.—Without regard to the limitations set forth under section 2601(c)(2) of title 10, United States Code, amounts collected by the Secretary of the Navy under subsection (d) shall be—

(1) credited as discretionary offsetting collections in the account established under subsection (c); and

(2) available, to the extent and in amounts provided in advance in appropriations Acts, until expended for the purposes described in subsection (a).

(f) USE OF FEDERAL FUNDS PROHIBITED.—Federal funds may not be used to design, procure, prepare, install, or maintain the memorial authorized by subsection (a).

(g) CONDITION.—The memorial authorized by subsection (a) may not be established until the Secretary of the Navy determines that an assured source of non-Federal funding has been established for the design, procurement, installation, and maintenance of the memorial in perpetuity.

(h) DESIGN OF MEMORIAL.—The final design of the memorial authorized by subsection (a) shall be subject to the approval of the Secretary of the Navy.

Subtitle F—Designations

SEC. 2861. REDESIGNATION OF THE ASIA-PACIFIC CENTER FOR SECURITY STUDIES AS THE DANIEL K. INOUYE ASIA-PACIFIC CENTER FOR SECURITY STUDIES.

10 USC 184 note.

(a) REDESIGNATION.—The Department of Defense regional center for security studies known as the Asia-Pacific Center for Security Studies is hereby renamed the "Daniel K. Inouye Asia-Pacific Center for Security Studies".

(b) CONFORMING AMENDMENTS.—

(1) REFERENCE TO REGIONAL CENTERS FOR STRATEGIC STUDIES.—Section 184(b)(2)(B) of title 10, United States Code, is amended by striking "Asia-Pacific Center for Security Studies" and inserting "Daniel K. Inouye Asia-Pacific Center for Security Studies".

(2) ACCEPTANCE OF GIFTS AND DONATIONS.—Section 2611(a)(2)(B) of such title is amended by striking "Asia-Pacific Center for Security Studies" and inserting "Daniel K. Inouye Asia-Pacific Center for Security Studies".

10 USC 184 note, note prec. 2161.

(c) REFERENCES.—Any reference to the Department of Defense Asia-Pacific Center for Security Studies in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Daniel K. Inouye Asia-Pacific Center for Security Studies.

Subtitle G—Other Matters

SEC. 2871. REPORT ON PHYSICAL SECURITY AT DEPARTMENT OF DEFENSE FACILITIES.

(a) REPORT REQUIRED.—Not later than April 30, 2015, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a summary of the actions taken by the Department of Defense to respond to recommendations resulting from the reviews of security standards following the November 2009 shootings at Fort Hood, Texas, and the September 2013 shootings at the Washington Navy Yard, District of Columbia, which included an assessment of the ability of the Department to detect, prevent, and respond to future incidents of violence at Department facilities.

(b) ELEMENTS OF REPORT.—The report required by subsection (a) shall include the following:

(1) A summary of the recommendations resulting from the security standards reviews referred to in subsection (a).

(2) A description of the actions taken on each recommendation.

(3) An assessment of current and planned physical security capabilities at Department facilities, and their ability to meet Department physical security requirements.

(4) An identification and assessment of known and potential physical security shortfalls at Department facilities.

(5) An assessment of the ability of the Department to eliminate or mitigate shortfalls in physical security at Department facilities, including recommendations on means to increase physical security at such facilities and the funding required to implement such means.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECT.

The Secretary of the Army may acquire real property and carry out the military construction project for the installation outside the United States, and in the amount, set forth in the following table:

Army: Outside the United States

Country	Installation	Amount
Romania	Mihail Kogalniceanu	$37,000,000

SEC. 2902. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Air Force may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation	Amount
Bulgaria	Graf Ignatievo	$3,200,000
Estonia	Amari	$24,780,000
Italy	Camp Darby	$44,450,000
Latvia	Lielvarde	$10,710,000
Lithuania	Siauliai	$13,120,000
Poland	Lask	$22,400,000
Romania	Camp Turzii	$2,900,000

SEC. 2903. AUTHORIZED DEFENSE AGENCY CONSTRUCTION AND LAND ACQUISITION PROJECT.

The Secretary of Defense may acquire real property and carry out the military construction project for the installation outside the United States, and in the amount, set forth in the following table:

Defense Agency: Outside the United States

Installation	Defense Agency	Amount
Worldwide Classified.	National Security Agency	$46,000,000

SEC. 2904. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2014, for the military construction projects outside the United States authorized by this title as specified in the funding table in section 4602.

TITLE XXX—NATURAL RESOURCES RELATED GENERAL PROVISIONS

Subtitle A—Land Conveyances and Related Matters

Subtitle A—Land Conveyances and Related Matters

SEC. 3001. LAND CONVEYANCE, WAINWRIGHT, ALASKA.

(a) DEFINITIONS.—In this section:

(1) CORPORATION.—The term "Corporation" means the Olgoonik Corporation, an Alaska Native Corporation established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) CONVEYANCE.—Not later than 180 days after the date of enactment of this Act and after the date of completion of the appraisal required under subsection (d)(1)(B), the Secretary shall convey to the Corporation by quitclaim deed, for the amount of consideration determined under subsection (d)(1), all right, title, and interest of the United States in and to a parcel of real property described in subsection (c).

(c) DESCRIPTION OF PROPERTY.—The parcel to be conveyed under subsection (b) consists of approximately 1,518 acres and improvements comprising a former Distant Early Warning Line site in the National Petroleum Reserve in Alaska near Wainwright, Alaska, and described as United States Survey Number 5252 located within the Umiat Meridian.

(d) TERMS AND CONDITIONS.—

(1) CONSIDERATION.—

(A) IN GENERAL.—As consideration for the conveyance of the property under subsection (b), the Corporation shall pay to the Secretary an amount equal to not less than the fair market value of the conveyed property, to be determined as provided in subparagraph (B).

(B) APPRAISAL.—The fair market value of the property to be conveyed under subsection (b) shall be determined based on an appraisal that is conducted—

(i) by an independent appraiser selected by the Secretary; and

(ii) in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(2) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 3002. SEALASKA LAND ENTITLEMENT FINALIZATION.

(a) DEFINITIONS.—In this section:

(1) MAPS.—The term "maps" means the maps entitled "Sealaska Land Entitlement Finalization", numbered 1 through 18, and dated June 14, 2013.

(2) SEALASKA.—The term "Sealaska" means the Sealaska Corporation, a Regional Native Corporation established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) STATE.—The term "State" means the State of Alaska.

(b) FINALIZATION OF ENTITLEMENT.—

(1) IN GENERAL.—If, not later than 90 days after the date of enactment of this Act, the Secretary receives a corporate resolution adopted by the board of directors of Sealaska agreeing to accept the conveyance of land described in paragraph (2) in accordance with this section as full and final satisfaction of the remaining land entitlement of Sealaska under section 14(h) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)), the Secretary shall—

(A) implement the provisions of this section; and

(B) charge the entitlement pool under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) 70,075 acres, reduced by the number of acres deducted under paragraph (2)(B), in fulfillment of the remaining land entitlement for Sealaska under that Act, notwithstanding whether the surveyed acreage of the 18 parcels of land generally depicted on the maps as "Sealaska Selections" and patented under subsection (c) is less than or more than 69,585 acres, reduced by the number of acres deducted under paragraph (2)(B).

(2) FINAL ENTITLEMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the 70,075 acres of land described in paragraph (1) shall consist of—

(i) the 18 parcels of Federal land comprising approximately 69,585 acres that is generally depicted as "Sealaska Selections" on the maps; and

(ii) a total of not more than 490 acres of Federal land for cemetery sites and historical places comprised of parcels that are applied for in accordance with subsection (d).

(B) DEDUCTION.—

(i) IN GENERAL.—The Secretary shall deduct from the number of acres of Federal land described in

subparagraph (A)(i) the number of acres of Federal land for which the Secretary has issued a conveyance under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) during the period beginning on August 1, 2012, and ending on the date of receipt of the resolution under paragraph (1).

(ii) AGREEMENT.—The Secretary, the Secretary of Agriculture, and Sealaska shall negotiate in good faith to make a mutually agreeable adjustment to the parcel of Federal land generally depicted on the maps numbered 1 and 18 to implement the deduction of acres required by clause (i).

(3) EFFECT OF ACCEPTANCE.—The resolution filed by Sealaska in accordance with paragraph (1) shall—

(A) be final and irrevocable; and

(B) without any further administrative action by the Secretary, result in—

(i) the relinquishment of all existing selections made by Sealaska under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)); and

(ii) the termination of all withdrawals by section 16 of the Alaska Native Claims Settlement Act (43 U.S.C. 1615), except to the extent a selection by a Village Corporation under subsections (b) and (d) of section 16 of the Alaska Native Claims Settlement Act (43 U.S.C. 1615) remains pending, until the date on which those selections are resolved.

(4) FAILURE TO ACCEPT.—If Sealaska fails to file the resolution in accordance with paragraph (1)—

(A) the provisions of this section shall cease to be effective, except as otherwise provided in this subsection;

(B) the Secretary shall, not later than 5 years after the date of enactment of this Act, complete the interim conveyance of the remaining land entitlement to Sealaska under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) from prioritized selections on file with the Secretary on the date of enactment of this Act; and

(C)(i) the remaining land entitlement of Sealaska under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) shall be 70,075 acres, provided that the Secretary shall deduct the number of acres of Federal land for which the Secretary has issued a conveyance under section 14(h)(8) of that Act (43 U.S.C. 1613(h)(8)) during the period beginning on August 1, 2012, and ending 90 days after the date of enactment of this Act; and

(ii) if the Governor of the State does not approve the prioritized selections of Sealaska in the Saxman or Yakutat withdrawal areas as required by section 14(h)(8)(B) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)(B)) by the date that is 42 months after the date of enactment of this Act, the Secretary shall reject those selections and fulfill the remaining land entitlement of Sealaska from the remaining prioritized selections on

file with the Secretary on the date of enactment of this Act.

(5) SCOPE OF LAW.—Except as provided in paragraphs (4) and (6), this section provides the exclusive authority under which the remaining land entitlement of Sealaska under section 14(h) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)) may be fulfilled.

(6) EFFECT.—Nothing in this section affects any land that is—

(A) the subject of an application under subsection (h)(1) of section 14 of the Alaska Native Claims Settlement Act (43 U.S.C. 1613) that is pending on the date of enactment of this Act; and

(B) conveyed in accordance with that subsection.

(c) CONVEYANCES TO SEALASKA.—

(1) INTERIM CONVEYANCE.—

(A) IN GENERAL.—Subject to valid existing rights, paragraphs (3), (4), and (5), subsection (b)(2), and subsection (e)(1), the Secretary shall complete the interim conveyance of the 18 parcels of Federal land comprising approximately 69,585 acres generally depicted on the maps by the date that is 60 days after the date of receipt of the resolution under subsection (b)(1), subject to the Secretary identifying and reserving, by the date that is 2 years after the date of enactment of this Act, any easement under section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b)) that could have been reserved prior to the interim conveyance.

(B) FAILURE TO RESERVE EASEMENTS BY DEADLINE.—If the Secretary does not complete the reservation of easements under subparagraph (A) by the date that is 2 years after the date of enactment of this Act, the Secretary shall reserve the easements as soon as practicable after that date.

(2) WITHDRAWAL.—

(A) IN GENERAL.—Subject to valid existing rights, the Federal land described in paragraph (1) is withdrawn from—

(i) all forms of appropriation under the public land laws;

(ii) location, entry, and patent under the mining laws;

(iii) disposition under laws relating to mineral or geothermal leasing; and

(iv) selection under the Act of July 7, 1958 (commonly known as the "Alaska Statehood Act") (48 U.S.C. note prec. 21; Public Law 85–508).

(B) TERMINATION.—The withdrawal under subparagraph (A) shall remain in effect until—

(i) if Sealaska fails to file a resolution in accordance with subsection (b)(1), the date that is 90 days after the date of enactment of this Act; or

(ii) the date on which the Federal land is conveyed under paragraph (1).

(3) TREATMENT OF LAND CONVEYED.—Except as otherwise provided in this section, any land conveyed to Sealaska under paragraph (1) shall be—

(A) considered to be land conveyed by the Secretary under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)); and

(B) subject to all laws (including regulations) applicable to entitlements under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)), including section 907(d) of the Alaska National Interest Lands Conservation Act (43 U.S.C. 1636(d)).

(4) EASEMENTS.—

(A) PUBLIC EASEMENTS.—

(i) IN GENERAL.—The interim conveyance and patents for the land under paragraph (1) shall be subject to the reservation of public easements under section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b)).

(ii) TERMINATION.—No public easement reserved on land conveyed under paragraph (1) shall be terminated without publication of notice of the proposed termination in the Federal Register.

(iii) RESERVATION OF EASEMENTS.—In the interim conveyance and patents for the land under paragraph (1), the Secretary shall reserve the right of the Secretary to amend the interim conveyance and patents to include reservations of public easements under section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b)) until the completion of the easement reservation process.

(B) CONSERVATION EASEMENTS.—

(i) IN GENERAL.—In the interim conveyance and patents for the land under paragraph (1), the Secretary shall reserve a conservation easement to protect the aquatic and riparian habitat extending 100 feet on each side of the anadromous water bodies depicted as "100 Foot Conservation Easement" on the maps numbered 3, 4, and 6.

(ii) PROHIBITION.—The commercial harvest of timber within the conservation easements described in clause (i) shall be prohibited, except that Sealaska may, for the purpose of harvesting timber outside of the conservation easement—

(I) maintain roads within the conservation easement that are in existence on the date of enactment of this Act; and

(II) construct temporary roads and yarding corridors across the conservation easements in accordance with the applicable National Forest System construction standards.

(iii) ADMINISTRATION.—The Secretary of Agriculture shall administer the conservation easements described in clause (i).

(C) RESEARCH EASEMENT.—In the interim conveyance and patent for the land generally depicted on the map numbered 7, the Secretary shall reserve an easement—

(i) to access and continue Forest Service research activities on the study plots located on the land; and

(ii) that shall remain in effect for a 10-year period beginning on the date of enactment of this Act.

(D) KOSCUISKO ISLAND ROAD EASEMENT.—

(i) IN GENERAL.—Concurrently with the conveyance of land under paragraph (1), the Secretary shall grant to Sealaska an easement on Koscuisko Island providing access to and use by Sealaska of the sort yard and all other upland facilities at the sort yard that are associated with the transfer of logs to the marine environment, subject to—

(I) the agreement under clause (iii); and

(II) the agreement under subsection (e)(2).

(ii) SCOPE OF THE EASEMENT.—The easement under clause (i) shall enable Sealaska—

(I) to construct, use, and maintain a road connecting the National Forest System Road known as "Cape Pole Road" to the National Forest System Road known as "South Shipley Bay Road" within the corridor depicted on the map numbered 3;

(II) to use, maintain, and if necessary, reconstruct the National Forest System Road known as "South Shipley Bay Road" referred to in subclause (I) to access the sort yard and associated upland facilities at Shipley Bay; and

(III) to use, maintain, and expand the sort yard and associated upland facilities at Shipley Bay that are within the area depicted on the map numbered 3.

(iii) ROADS AND FACILITIES USE AGREEMENT.—In addition to the agreement under subsection (e)(2), the Secretary of Agriculture and Sealaska shall enter into an agreement relating to the access, use, maintenance, and improvement of the roads and facilities under this subparagraph.

(iv) EFFECT.—Nothing in this subparagraph preempts or otherwise affects State or local regulatory authority.

(5) HUNTING, FISHING, AND RECREATION.—

(A) IN GENERAL.—Any land conveyed under paragraph (1) that is located outside a withdrawal area designated under section 16(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1615(a)) shall remain open and available to subsistence uses, noncommercial recreational hunting and fishing, and other noncommercial recreational uses by the public under applicable law—

(i) without liability on the part of Sealaska, except for willful acts, to any user as a result of the use; and

(ii) subject to—

(I) any reasonable restrictions that may be imposed by Sealaska on the public use—

(aa) to ensure public safety;

(bb) to minimize conflicts between recreational and commercial uses;

(cc) to protect cultural resources;

(dd) to conduct scientific research; or

(ee) to provide environmental protection; and

(II) the condition that Sealaska post on any applicable property, in accordance with State law, notices of the restrictions on use.

(B) EFFECT.—Access provided to any individual or entity under subparagraph (A) shall not—

(i) create an interest in any third party in the land conveyed under paragraph (1); or

(ii) provide standing to any third party in any review of, or challenge to, any determination by Sealaska with respect to the management or development of the land conveyed under paragraph (1), except as against Sealaska for the management of public access under subparagraph (A).

(d) CEMETERY SITES AND HISTORICAL PLACES.—

(1) IN GENERAL.—Notwithstanding section 14(h)(1)(E) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)(E)), Sealaska may submit applications for the conveyance under section 14(h)(1)(A) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)(A)) of not more than 76 cemetery sites and historical places—

(A) that are listed in the document entitled "Sealaska Cemetery Sites and Historical Places" and dated October 17, 2012;

(B) that are cemetery sites and historical places included in the report by Wilsey and Ham, Inc., entitled "1975 Native Cemetery and Historic Sites of Southeast Alaska (Preliminary Report)" and dated October 1975;

(C) for which Sealaska has not previously submitted an application; and

(D) that are not located within a conservation system unit (as defined in section 102 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3102)).

(2) PROCEDURE FOR EVALUATING APPLICATIONS.—Except as otherwise provided in this subsection, the Secretary shall consider all applications submitted under this subsection in accordance with the criteria and procedures set forth in applicable regulations in effect as of the date of enactment of this Act.

(3) CONVEYANCE.—If approved under the procedures described in paragraph (2), the Secretary shall convey cemetery sites and historical places that result in the conveyance of a total of approximately 490 acres of Federal land comprised of parcels that are—

(A) applied for in accordance with this subsection; and

(B) subject to—

(i) valid existing rights;

(ii) the public access provisions of paragraph (7);

(iii) the condition that the conveyance of land for the site listed under paragraph (1)(A) as "Bay of Pillars Portage" is limited to not more than 25 acres in T.60 S., R.72 E., Sec. 28, Copper River Meridian; and

(iv) the condition that any access to or use of the cemetery sites and historical places shall be consistent with the management plans for adjacent public land, if the management plans are more restrictive than the laws (including regulations) applicable under paragraph (9).

(4) TIMELINE.—No application for a cemetery site or historical place may be submitted under paragraph (1) after the date that is 2 years after the date of enactment of this Act.

(5) CONSULTATION WITH RECOGNIZED TRIBAL ENTITY.—Sealaska shall—

(A) consult with any affected federally recognized Indian tribe before submitting any application for a cemetery site or historical place located within the vicinity of the Indian tribe; and

(B) include with each application described in subparagraph (A) a statement that the required consultation was carried out in accordance with that subparagraph.

(6) SELECTION OF ADDITIONAL CEMETERY SITES.—If Sealaska submits timely applications to the Secretary in accordance with paragraphs (1), (4), and (5), for all 76 sites listed under paragraph (1)(A), and the Secretary rejects any of those applications in whole or in part—

(A) not later than 2 years after the date on which the Secretary completes the conveyance of eligible cemetery sites and historical places applied for under paragraph (1), and subject to paragraph (5), Sealaska may submit applications for the conveyance under section 14 (h)(1)(A) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)(A)) of additional cemetery sites that are not located in a conservation system unit described in paragraph (1)(D), the total acreage of which, together with the cemetery sites and historical places previously conveyed by the Secretary under paragraph (3), shall not exceed 490 acres; and

(B) the Secretary shall—

(i) consider any applications for the conveyance of additional cemetery sites in accordance with paragraph (2); and

(ii) if the applications are approved, provide for the conveyance of the sites in accordance with paragraph (3).

(7) PUBLIC ACCESS.—

(A) IN GENERAL.—Subject to subparagraph (B), any land conveyed under this subsection shall be subject to—

(i) the reservation of public easements under section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b));

(ii) public access across the conveyed land in cases in which no reasonable alternative access around the land is available, without liability to Sealaska, except for willful acts, to any user by reason of the use; and

(iii) public access to and along any Class I stream described in section 705(e) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 539d(e)) for noncommercial recreational and subsistence fishing, without liability to Sealaska, except for willful acts, to any user by reason of the use.

(B) LIMITATIONS.—The public access and use under clauses (ii) and (iii) of subparagraph (A) shall be subject to—

(i) any reasonable restrictions that may be imposed by Sealaska on the public access and use—

(I) to ensure public safety;

(II) to protect and conduct research on the historic, archaeological, and cultural resources of the conveyed land; or

(III) to provide environmental protection;

(ii) the condition that Sealaska post on any applicable property, in accordance with State law, notices of the restrictions on the public access and use; and

(iii) the condition that the public access and use shall not be incompatible with or in derogation of the values of the area as a cemetery site or historical place, as provided in section 2653.11 of title 43, Code of Federal Regulations (or a successor regulation).

(C) EFFECT.—Access provided to any individual or entity by subparagraph (A) shall not—

(i) create an interest in any third party in the land conveyed under this subsection; or

(ii) provide standing to any third party in any review of, or challenge to, any determination by Sealaska with respect to the management or development of the land conveyed under this subsection, except as against Sealaska for the management of public access under subparagraph (B).

(8) PROHIBITION ON TRANSFER OR LOSS.—

(A) PROHIBITION ON TRANSFER.—Notwithstanding any other provision of law, Sealaska shall not—

(i) alienate, transfer, assign, mortgage, or pledge any cemetery site or historical place conveyed under this subsection to any person or entity other than the United States; or

(ii) permit development or improvement of the cemetery site or historical place for any use which is incompatible with, or is in derogation of, the values of the area as a cemetery site or historical place.

(B) PROHIBITION ON LOSS.—Notwithstanding any other provision of law, any cemetery site or historical place conveyed to Sealaska under this subsection shall be exempt from—

(i) adverse possession and similar claims based on estoppel;

(ii) title 11 of the United States Code or a successor law, any other insolvency or moratorium law, or any other law generally affecting creditors' rights;

(iii) judgments in any action at law or in equity to recover sums owed or penalties incurred by Sealaska or any employee, officer, director, or shareholder of Sealaska, except for liens from real property taxes; and

(iv) involuntary distributions or conveyances to any person or entity other than the United States related to the involuntary dissolution of Sealaska.

(9) TREATMENT OF LAND CONVEYED.—Except as otherwise provided in this section, any land conveyed to Sealaska under this subsection shall be—

(A) considered land conveyed by the Secretary under section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)); and

(B) subject to all laws (including regulations) applicable to conveyances under section 14(h)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(1)), including section 907(d) of the Alaska National Interest Lands Conservation Act (43 U.S.C. 1636(d)).

(e) MISCELLANEOUS.—

(1) SPECIAL USE AUTHORIZATIONS.—

(A) IN GENERAL.—On the conveyance of land to Sealaska under subsection (c)(1)—

(i) any guiding or outfitting special use authorization issued by the Forest Service for the use of the conveyed land shall terminate; and

(ii) as a condition of the conveyance and consistent with section 14(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(g)), Sealaska shall issue the holder of the special use authorization terminated under clause (i) an authorization to continue the authorized use, subject to the terms and conditions that were in the special use authorization issued by the Forest Service, for—

(I) the remainder of the term of the authorization; and

(II) 1 additional consecutive 10-year renewal period.

(B) NOTICE OF COMMERCIAL ACTIVITIES.—Sealaska and any holder of a guiding or outfitting authorization under this paragraph shall have a mutual obligation, subject to the guiding or outfitting authorization, to inform the other party of any commercial activities prior to engaging in the activities on the land conveyed to Sealaska under subsection (c)(1).

(C) NEGOTIATION OF NEW TERMS.—Nothing in this paragraph precludes Sealaska and the holder of a guiding or outfitting authorization from negotiating a new mutually agreeable guiding or outfitting authorization.

(D) LIABILITY.—Neither Sealaska nor the United States shall bear any liability, except for willful acts of Sealaska or the United States, regarding the use and occupancy of any land conveyed to Sealaska under this section, as provided in any outfitting or guiding authorization under this paragraph.

(2) ROADS AND FACILITIES.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture and Sealaska shall negotiate in good faith to develop a binding agreement—

(A) for the use of National Forest System roads and related transportation facilities by Sealaska; and

(B) the use of Sealaska roads and related transportation facilities by the Forest Service.

(3) TRADITIONAL TRADE AND MIGRATION ROUTES.—

(A) IDENTIFICATION OF ROUTES.—

(i) THE INSIDE PASSAGE.—The route from Yakutat to Dry Bay, as generally depicted on the map entitled "Traditional Trade and Migration Route, Neix naax

aan náx—The Inside Passage" and dated April 22, 2013, shall be known as "Neix naax aan náx" ("The Inside Passage").

(ii) CANOE ROAD.—The route from the Bay of Pillars to Port Camden, as generally depicted on the map entitled "Traditional Trade and Migration Route, Yakwdeiyí—Canoe Road" and dated April 22, 2013, shall be known as "Yakwdeiyí" ("Canoe Road").

(iii) THE PEOPLE'S ROAD.—The route from Portage Bay to Duncan Canal, as generally depicted on the map entitled "Traditional Trade and Migration Route, Lingít Deiyí—The People's Road" and dated April 22, 2013, shall be known as "Lingít Deiyí" ("The People's Road").

(B) ACCESS TO TRADITIONAL TRADE AND MIGRATION ROUTES.—The culturally and historically significant trade and migration routes described in subparagraph (A) shall be open to travel by Sealaska and the public in accordance with applicable law, subject to such terms, conditions, and special use authorizations as the Secretary of Agriculture may require.

(4) TONGASS NATIONAL FOREST YOUNG GROWTH MANAGEMENT.—

(A) IN GENERAL.—Notwithstanding subsection (m) of section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) and in addition to the authority provided under that subsection and the terms of section 705(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 539d(a)), the Secretary of Agriculture may allow the harvest of trees prior to the culmination of mean annual increment of growth in areas that are available for commercial timber harvest under the Tongass National Forest Land and Resource Management Plan to facilitate the transition from commercial timber harvest of old growth stands.

(B) LIMITATION.—Any sale of trees pursuant to the authority granted under subparagraph (A) shall not—

(i) exceed 15,000 acres during the 10-year period beginning on the date of enactment of this Act, with an annual maximum of 3,000 acres sold;

(ii) exceed a total of 50,000 acres, with an annual maximum of 5,000 acres sold after the first 10-year period;

(iii) be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the appraisal process of the Forest Service) when appraised using a residual value appraisal; or

(iv) apply to land withdrawn under subsection (c)(2).

(C) APPLICABLE LAW.—Nothing in this section affects the requirement under section 705(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 539d(a)) that the Forest Service seek to meet demand for timber from the Tongass National Forest.

(5) EFFECT ON OTHER LAWS.—

(A) IN GENERAL.—Nothing in this section delays the duty of the Secretary to convey land to—

(i) the State under the Act of July 7, 1958 (commonly known as the "Alaska Statehood Act") (48 U.S.C. note prec. 21; Public Law 85–508); or

(ii) a Native Corporation under—

(I) the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); or

(II) the Alaska Land Transfer Acceleration Act (43 U.S.C. 1611 note; Public Law 108–452).

(B) CONVEYANCES.—The Secretary shall promptly proceed with the conveyance of all land necessary to fulfill the final entitlement of all Native Corporations in accordance with—

(i) the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); and

(ii) the Alaska Land Transfer Acceleration Act (43 U.S.C. 1611 note; Public Law 108–452).

(C) FISH AND WILDLIFE.—Nothing in this section enlarges or diminishes the responsibility and authority of the State with respect to the management of fish and wildlife on public land in the State.

(6) ESCROW FUNDS.—If Sealaska files the resolution in accordance with subsection (b)(1)—

(A) the escrow requirements of section 2 of Public Law 94–204 (43 U.S.C. 1613 note) shall apply to proceeds (including interest) derived from the land withdrawn under subsection (c)(2) from the date of receipt of the resolution; and

(B) Sealaska shall have no right to any proceeds (including interest) held pursuant to the escrow requirements of section 2 of Public Law 94–204 (43 U.S.C. 1613 note) that were derived from land originally withdrawn for selection by section 16 of the Alaska Native Claims Settlement Act (43 U.S.C. 1615), but not conveyed.

(7) MAPS.—

(A) AVAILABILITY.—Each map referred to in this section shall be available in the appropriate offices of the Secretary and the Secretary of Agriculture.

(B) CORRECTIONS.—The Secretary of Agriculture may make any necessary correction to a clerical or typographical error in a map referred to in this section.

(f) CONSERVATION AREAS.—

(1) LUD II MANAGEMENT AREAS.—If Sealaska files a resolution in accordance with subsection (b)(1), section 508 of the Alaska National Interest Lands Conservation Act (Public Law 96–487; 104 Stat. 4428) is amended by adding at the end the following:

"(13) BAY OF PILLARS.—Certain land which comprises approximately 20,863 acres, as generally depicted on the map entitled 'Bay of Pillars LUD II Management Area—Proposed' and dated June 14, 2013.

"(14) KUSHNEAHIN CREEK.—Certain land which comprises approximately 33,613 acres, as generally depicted on the map entitled 'Kushneahin Creek LUD II Management Area—Proposed' and dated June 14, 2013.

"(15) NORTHERN PRINCE OF WALES.—Certain land which comprises approximately 8,728 acres, as generally depicted on the map entitled 'Northern Prince of Wales LUD II Management Area—Proposed' and dated June 14, 2013.

"(16) WESTERN KOSCIUSKO.—Certain land which comprises approximately 8,012 acres, as generally depicted on the map entitled 'Western Kosciusko LUD II Management Area—Proposed' and dated June 14, 2013.

"(17) EASTERN KOSCIUSKO.—Certain land which comprises approximately 1,664 acres, as generally depicted on the map entitled 'Eastern Kosciusko LUD II Management Area—Proposed' and dated June 14, 2013.

"(18) SARKAR LAKES.—Certain land which comprises approximately 24,509 acres, as generally depicted on the map entitled 'Sarkar Lakes LUD II Management Area—Proposed' and dated June 14, 2013.

"(19) HONKER DIVIDE.—Certain land which comprises approximately 19,805 acres, as generally depicted on the map entitled 'Honker Divide LUD II Management Area—Proposed' and dated June 14, 2013.

"(20) EEK LAKE AND SUKKWAN ISLAND.—Certain land which comprises approximately 34,873 acres, as generally depicted on the map entitled 'Eek Lake and Sukkwan Island LUD II Management Area—Proposed' and dated June 14, 2013.".

(2) NO BUFFER ZONES.—

(A) IN GENERAL.—The designation of the conservation areas by paragraphs (13) through (20) of section 508 of the Alaska National Interest Lands Conservation Act (Public Law 96–487; 104 Stat. 4428) (as added by paragraph (1)) (referred to in this subsection as the "conservation areas") is not intended to lead to the creation of protective perimeters or buffer zones around the conservation areas.

(B) OUTSIDE ACTIVITIES.—The fact that activities outside of the conservation areas are not consistent with the purposes of the conservation areas or can be seen or heard within the conservation areas shall not preclude the activities or uses outside the boundary of the conservation areas.

(g) REINSTATEMENT TO SEALASKA CORPORATION.—

(1) DEFINITION OF AFFECTED INDIVIDUAL.—In this subsection, the term "affected individual" means Michael G. Faber, who—

(A) is a former resident of the State of Alaska; and

(B) was previously enrolled in Sealaska under roll number 13–752–39665–01.

(2) REVOCATION OF MEMBERSHIP IN METLAKATLA INDIAN COMMUNITY.—Effective on the date on which the affected individual submits written notice to the Metlakatla Indian Community revoking the membership of the affected individual in the Metlakatla Indian Community, the membership of the affected individual in the Metlakatla Indian Community shall be considered to be revoked.

(3) REINSTATEMENT.—Notwithstanding any other provision of law, pursuant to section 5 of the Alaska Native Claims Settlement Act (43 U.S.C. 1604), the Secretary shall, immediately after the affected individual submits the notice under

paragraph (2), update the shareholder roll of Sealaska to include the affected individual.

(4) SHAREHOLDER STATUS.—As of the date on which the affected individual is added to the shareholder roll of Sealaska under paragraph (3), it is the intent of Congress that Sealaska—

(A) reinstate the affected individual to the shareholder roll of Sealaska; and

(B) ensure the provision to the affected individual of the number of shares originally allocated to the affected individual by Sealaska.

(5) EFFECT OF SUBSECTION.—Nothing in this subsection provides to the affected individual any retroactive benefit relating to membership in—

(A) Sealaska; or

(B) the Metlakatla Indian Community.

16 USC 539p.

SEC. 3003. SOUTHEAST ARIZONA LAND EXCHANGE AND CONSERVATION.

(a) PURPOSE.—The purpose of this section is to authorize, direct, facilitate, and expedite the exchange of land between Resolution Copper and the United States.

(b) DEFINITIONS.—In this section:

(1) APACHE LEAP.—The term "Apache Leap" means the approximately 807 acres of land depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Apache Leap" and dated March 2011.

(2) FEDERAL LAND.—The term "Federal land" means the approximately 2,422 acres of land located in Pinal County, Arizona, depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Federal Parcel–Oak Flat" and dated March 2011.

(3) INDIAN TRIBE.—The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) NON-FEDERAL LAND.—The term "non-Federal land" means the parcels of land owned by Resolution Copper that are described in subsection (d)(1) and, if necessary to equalize the land exchange under subsection (c), subsection (c)(5)(B)(i)(I).

(5) OAK FLAT CAMPGROUND.—The term "Oak Flat Campground" means the approximately 50 acres of land comprising approximately 16 developed campsites depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Oak Flat Campground" and dated March 2011.

(6) OAK FLAT WITHDRAWAL AREA.—The term "Oak Flat Withdrawal Area" means the approximately 760 acres of land depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Oak Flat Withdrawal Area" and dated March 2011.

(7) RESOLUTION COPPER.—The term "Resolution Copper" means Resolution Copper Mining, LLC, a Delaware limited liability company, including any successor, assign, affiliate, member, or joint venturer of Resolution Copper Mining, LLC.

(8) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(9) STATE.—The term "State" means the State of Arizona.

(10) TOWN.—The term "Town" means the incorporated town of Superior, Arizona.

(11) RESOLUTION MINE PLAN OF OPERATIONS.—The term "Resolution mine plan of operations" means the mine plan of operations submitted to the Secretary by Resolution Copper in November, 2013, including any amendments or supplements.

(c) LAND EXCHANGE.—

(1) IN GENERAL.—Subject to the provisions of this section, if Resolution Copper offers to convey to the United States all right, title, and interest of Resolution Copper in and to the non-Federal land, the Secretary is authorized and directed to convey to Resolution Copper, all right, title, and interest of the United States in and to the Federal land.

(2) CONDITIONS ON ACCEPTANCE.—Title to any non-Federal land conveyed by Resolution Copper to the United States under this section shall be in a form that—

(A) is acceptable to the Secretary, for land to be administered by the Forest Service and the Secretary of the Interior, for land to be administered by the Bureau of Land Management; and

(B) conforms to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(3) CONSULTATION WITH INDIAN TRIBES.—

(A) IN GENERAL.—The Secretary shall engage in government-to-government consultation with affected Indian tribes concerning issues of concern to the affected Indian tribes related to the land exchange.

(B) IMPLEMENTATION.—Following the consultations under paragraph (A), the Secretary shall consult with Resolution Copper and seek to find mutually acceptable measures to—

(i) address the concerns of the affected Indian tribes; and

(ii) minimize the adverse effects on the affected Indian tribes resulting from mining and related activities on the Federal land conveyed to Resolution Copper under this section.

(4) APPRAISALS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary and Resolution Copper shall select an appraiser to conduct appraisals of the Federal land and non-Federal land in compliance with the requirements of section 254.9 of title 36, Code of Federal Regulations.

(B) REQUIREMENTS.—

(i) IN GENERAL.—Except as provided in clause (ii), an appraisal prepared under this paragraph shall be conducted in accordance with nationally recognized appraisal standards, including—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice.

(ii) FINAL APPRAISED VALUE.—After the final appraised values of the Federal land and non-Federal land are determined and approved by the Secretary,

the Secretary shall not be required to reappraise or update the final appraised value—

(I) for a period of 3 years beginning on the date of the approval by the Secretary of the final appraised value; or

(II) at all, in accordance with section 254.14 of title 36, Code of Federal Regulations (or a successor regulation), after an exchange agreement is entered into by Resolution Copper and the Secretary.

(iii) IMPROVEMENTS.—Any improvements made by Resolution Copper prior to entering into an exchange agreement shall not be included in the appraised value of the Federal land.

(iv) PUBLIC REVIEW.—Before consummating the land exchange under this section, the Secretary shall make the appraisals of the land to be exchanged (or a summary thereof) available for public review.

(C) APPRAISAL INFORMATION.—The appraisal prepared under this paragraph shall include a detailed income capitalization approach analysis of the market value of the Federal land which may be utilized, as appropriate, to determine the value of the Federal land, and shall be the basis for calculation of any payment under subsection (e).

(5) EQUAL VALUE LAND EXCHANGE.—

(A) IN GENERAL.—The value of the Federal land and non-Federal land to be exchanged under this section shall be equal or shall be equalized in accordance with this paragraph.

(B) SURPLUS OF FEDERAL LAND VALUE.—

(i) IN GENERAL.—If the final appraised value of the Federal land exceeds the value of the non-Federal land, Resolution Copper shall—

(I) convey additional non-Federal land in the State to the Secretary or the Secretary of the Interior, consistent with the requirements of this section and subject to the approval of the applicable Secretary;

(II) make a cash payment to the United States; or

(III) use a combination of the methods described in subclauses (I) and (II), as agreed to by Resolution Copper, the Secretary, and the Secretary of the Interior.

(ii) AMOUNT OF PAYMENT.—The Secretary may accept a payment in excess of 25 percent of the total value of the land or interests conveyed, notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(iii) DISPOSITION AND USE OF PROCEEDS.—Any amounts received by the United States under this subparagraph shall be deposited in the fund established under Public Law 90–171 (commonly known as the "Sisk Act"; 16 U.S.C. 484a) and shall be made available to the Secretary for the acquisition of land or interests in land in Region 3 of the Forest Service.

(C) SURPLUS OF NON-FEDERAL LAND.—If the final appraised value of the non-Federal land exceeds the value of the Federal land—

(i) the United States shall not make a payment to Resolution Copper to equalize the value; and

(ii) except as provided in subsection (h), the surplus value of the non-Federal land shall be considered to be a donation by Resolution Copper to the United States.

(6) OAK FLAT WITHDRAWAL AREA.—

(A) PERMITS.—Subject to the provisions of this paragraph and notwithstanding any withdrawal of the Oak Flat Withdrawal Area from the mining, mineral leasing, or public land laws, the Secretary, upon enactment of this Act, shall issue to Resolution Copper—

(i) if so requested by Resolution Copper, within 30 days of such request, a special use permit to carry out mineral exploration activities under the Oak Flat Withdrawal Area from existing drill pads located outside the Area, if the activities would not disturb the surface of the Area; and

(ii) if so requested by Resolution Copper, within 90 days of such request, a special use permit to carry out mineral exploration activities within the Oak Flat Withdrawal Area (but not within the Oak Flat Campground), if the activities are conducted from a single exploratory drill pad which is located to reasonably minimize visual and noise impacts on the Campground.

(B) CONDITIONS.—Any activities undertaken in accordance with this paragraph shall be subject to such reasonable terms and conditions as the Secretary may require.

(C) TERMINATION.—The authorization for Resolution Copper to undertake mineral exploration activities under this paragraph shall remain in effect until the Oak Flat Withdrawal Area land is conveyed to Resolution Copper in accordance with this section.

(7) COSTS.—As a condition of the land exchange under this section, Resolution Copper shall agree to pay, without compensation, all costs that are—

(A) associated with the land exchange and any environmental review document under paragraph (9); and

(B) agreed to by the Secretary.

(8) USE OF FEDERAL LAND.—The Federal land to be conveyed to Resolution Copper under this section shall be available to Resolution Copper for mining and related activities subject to and in accordance with applicable Federal, State, and local laws pertaining to mining and related activities on land in private ownership.

(9) ENVIRONMENTAL COMPLIANCE.—

(A) IN GENERAL.—Except as otherwise provided in this section, the Secretary shall carry out the land exchange in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) ENVIRONMENTAL ANALYSIS.—Prior to conveying Federal land under this section, the Secretary shall prepare a single environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321

et seq.), which shall be used as the basis for all decisions under Federal law related to the proposed mine and the Resolution mine plan of operations and any related major Federal actions significantly affecting the quality of the human environment, including the granting of any permits, rights-of-way, or approvals for the construction of associated power, water, transportation, processing, tailings, waste disposal, or other ancillary facilities.

(C) IMPACTS ON CULTURAL AND ARCHEOLOGICAL RESOURCES.—The environmental impact statement prepared under subparagraph (B) shall—

(i) assess the effects of the mining and related activities on the Federal land conveyed to Resolution Copper under this section on the cultural and archeological resources that may be located on the Federal land; and

(ii) identify measures that may be taken, to the extent practicable, to minimize potential adverse impacts on those resources, if any.

(D) EFFECT.—Nothing in this paragraph precludes the Secretary from using separate environmental review documents prepared in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or other applicable laws for exploration or other activities not involving—

(i) the land exchange; or

(ii) the extraction of minerals in commercial quantities by Resolution Copper on or under the Federal land.

(10) TITLE TRANSFER.—Not later than 60 days after the date of publication of the final environmental impact statement, the Secretary shall convey all right, title, and interest of the United States in and to the Federal land to Resolution Copper.

(d) CONVEYANCE AND MANAGEMENT OF NON-FEDERAL LAND.—

(1) CONVEYANCE.—On receipt of title to the Federal land, Resolution Copper shall simultaneously convey—

(A) to the Secretary, all right, title, and interest that the Secretary determines to be acceptable in and to—

(i) the approximately 147 acres of land located in Gila County, Arizona, depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Turkey Creek" and dated March 2011;

(ii) the approximately 148 acres of land located in Yavapai County, Arizona, depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Tangle Creek" and dated March 2011;

(iii) the approximately 149 acres of land located in Maricopa County, Arizona, depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Cave Creek" and dated March 2011;

(iv) the approximately 640 acres of land located in Coconino County, Arizona, depicted on the map

entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–East Clear Creek" and dated March 2011; and

(v) the approximately 110 acres of land located in Pinal County, Arizona, depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Apache Leap South End" and dated March 2011; and

(B) to the Secretary of the Interior, all right, title, and interest that the Secretary of the Interior determines to be acceptable in and to—

(i) the approximately 3,050 acres of land located in Pinal County, Arizona, identified as "Lands to DOI" as generally depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Lower San Pedro River" and dated July 6, 2011;

(ii) the approximately 160 acres of land located in Gila and Pinal Counties, Arizona, identified as "Lands to DOI" as generally depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Dripping Springs" and dated July 6, 2011; and

(iii) the approximately 940 acres of land located in Santa Cruz County, Arizona, identified as "Lands to DOI" as generally depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Appleton Ranch" and dated July 6, 2011.

(2) MANAGEMENT OF ACQUIRED LAND.—

(A) LAND ACQUIRED BY THE SECRETARY.—

(i) IN GENERAL.—Land acquired by the Secretary under this section shall—

(I) become part of the national forest in which the land is located; and

(II) be administered in accordance with the laws applicable to the National Forest System.

(ii) BOUNDARY REVISION.—On the acquisition of land by the Secretary under this section, the boundaries of the national forest shall be modified to reflect the inclusion of the acquired land.

(iii) LAND AND WATER CONSERVATION FUND.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundaries of a national forest in which land acquired by the Secretary is located shall be deemed to be the boundaries of that forest as in existence on January 1, 1965.

(B) LAND ACQUIRED BY THE SECRETARY OF THE INTERIOR.—

(i) SAN PEDRO NATIONAL CONSERVATION AREA.—

(I) IN GENERAL.—The land acquired by the Secretary of the Interior under paragraph (1)(B)(i) shall be added to, and administered as part of, the San Pedro National Conservation Area in accordance with the laws (including regulations) applicable to the Conservation Area.

(II) MANAGEMENT PLAN.—Not later than 2 years after the date on which the land is acquired, the Secretary of the Interior shall update the management plan for the San Pedro National Conservation Area to reflect the management requirements of the acquired land.

(ii) DRIPPING SPRINGS.—Land acquired by the Secretary of the Interior under paragraph (1)(B)(ii) shall be managed in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and applicable land use plans.

(iii) LAS CIENEGAS NATIONAL CONSERVATION AREA.—Land acquired by the Secretary of the Interior under paragraph (1)(B)(iii) shall be added to, and administered as part of, the Las Cienegas National Conservation Area in accordance with the laws (including regulations) applicable to the Conservation Area.

(e) VALUE ADJUSTMENT PAYMENT TO UNITED STATES.—

(1) ANNUAL PRODUCTION REPORTING.—

(A) REPORT REQUIRED.—As a condition of the land exchange under this section, Resolution Copper shall submit to the Secretary of the Interior an annual report indicating the quantity of locatable minerals produced during the preceding calendar year in commercial quantities from the Federal land conveyed to Resolution Copper under subsection (c). The first report is required to be submitted not later than February 15 of the first calendar year beginning after the date of commencement of production of valuable locatable minerals in commercial quantities from such Federal land. The reports shall be submitted February 15 of each calendar year thereafter.

(B) SHARING REPORTS WITH STATE.—The Secretary shall make each report received under subparagraph (A) available to the State.

(C) REPORT CONTENTS.—The reports under subparagraph (A) shall comply with any recordkeeping and reporting requirements prescribed by the Secretary or required by applicable Federal laws in effect at the time of production.

(2) PAYMENT ON PRODUCTION.—If the cumulative production of valuable locatable minerals produced in commercial quantities from the Federal land conveyed to Resolution Copper under subsection (c) exceeds the quantity of production of locatable minerals from the Federal land used in the income capitalization approach analysis prepared under subsection (c)(4)(C), Resolution Copper shall pay to the United States, by not later than March 15 of each applicable calendar year, a value adjustment payment for the quantity of excess production at the same rate assumed for the income capitalization approach analysis prepared under subsection (c)(4)(C).

(3) STATE LAW UNAFFECTED.—Nothing in this subsection modifies, expands, diminishes, amends, or otherwise affects any State law relating to the imposition, application, timing, or collection of a State excise or severance tax.

(4) USE OF FUNDS.—

(A) SEPARATE FUND.—All funds paid to the United States under this subsection shall be deposited in a special fund established in the Treasury and shall be available, in such amounts as are provided in advance in appropriation Acts, to the Secretary and the Secretary of the Interior only for the purposes authorized by subparagraph (B).

(B) AUTHORIZED USE.—Amounts in the special fund established pursuant to subparagraph (A) shall be used for maintenance, repair, and rehabilitation projects for Forest Service and Bureau of Land Management assets.

(f) WITHDRAWAL.—Subject to valid existing rights, Apache Leap and any land acquired by the United States under this section are withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under the mineral leasing, mineral materials, and geothermal leasing laws.

(g) APACHE LEAP SPECIAL MANAGEMENT AREA.—

(1) DESIGNATION.—To further the purpose of this section, the Secretary shall establish a special management area consisting of Apache Leap, which shall be known as the "Apache Leap Special Management Area" (referred to in this subsection as the "special management area").

(2) PURPOSE.—The purposes of the special management area are—

(A) to preserve the natural character of Apache Leap;

(B) to allow for traditional uses of the area by Native American people; and

(C) to protect and conserve the cultural and archeological resources of the area.

(3) SURRENDER OF MINING AND EXTRACTION RIGHTS.—As a condition of the land exchange under subsection (c), Resolution Copper shall surrender to the United States, without compensation, all rights held under the mining laws and any other law to commercially extract minerals under Apache Leap.

(4) MANAGEMENT.—

(A) IN GENERAL.—The Secretary shall manage the special management area in a manner that furthers the purposes described in paragraph (2).

(B) AUTHORIZED ACTIVITIES.—The activities that are authorized in the special management area are—

(i) installation of seismic monitoring equipment on the surface and subsurface to protect the resources located within the special management area;

(ii) installation of fences, signs, or other measures necessary to protect the health and safety of the public; and

(iii) operation of an underground tunnel and associated workings, as described in the Resolution mine plan of operations, subject to any terms and conditions the Secretary may reasonably require.

(5) PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with affected Indian tribes, the Town, Resolution Copper,

and other interested members of the public, shall prepare a management plan for the Apache Leap Special Management Area.

(B) CONSIDERATIONS.—In preparing the plan under subparagraph (A), the Secretary shall consider whether additional measures are necessary to—

(i) protect the cultural, archaeological, or historical resources of Apache Leap, including permanent or seasonal closures of all or a portion of Apache Leap; and

(ii) provide access for recreation.

(6) MINING ACTIVITIES.—The provisions of this subsection shall not impose additional restrictions on mining activities carried out by Resolution Copper adjacent to, or outside of, the Apache Leap area beyond those otherwise applicable to mining activities on privately owned land under Federal, State, and local laws, rules and regulations.

(h) CONVEYANCES TO TOWN OF SUPERIOR, ARIZONA.—

(1) CONVEYANCES.—On request from the Town and subject to the provisions of this subsection, the Secretary shall convey to the Town the following:

(A) Approximately 30 acres of land as depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Federal Parcel–Fairview Cemetery" and dated March 2011.

(B) The reversionary interest and any reserved mineral interest of the United States in the approximately 265 acres of land located in Pinal County, Arizona, as depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Federal Reversionary Interest–Superior Airport" and dated March 2011.

(C) The approximately 250 acres of land located in Pinal County, Arizona, as depicted on the map entitled "Southeast Arizona Land Exchange and Conservation Act of 2011–Federal Parcel–Superior Airport Contiguous Parcels" and dated March 2011.

(2) PAYMENT.—The Town shall pay to the Secretary the market value for each parcel of land or interest in land acquired under this subsection, as determined by appraisals conducted in accordance with subsection (c)(4).

(3) SISK ACT.—Any payment received by the Secretary from the Town under this subsection shall be deposited in the fund established under Public Law 90–171 (commonly known as the "Sisk Act") (16 U.S.C. 484a) and shall be made available to the Secretary for the acquisition of land or interests in land in Region 3 of the Forest Service.

(4) TERMS AND CONDITIONS.—The conveyances under this subsection shall be subject to such terms and conditions as the Secretary may require.

(i) MISCELLANEOUS PROVISIONS.—

(1) REVOCATION OF ORDERS; WITHDRAWAL.—

(A) REVOCATION OF ORDERS.—Any public land order that withdraws the Federal land from appropriation or disposal under a public land law shall be revoked to the extent necessary to permit disposal of the land.

(B) WITHDRAWAL.—On the date of enactment of this Act, if the Federal land or any Federal interest in the non-Federal land to be exchanged under subsection (c)

is not withdrawn or segregated from entry and appropriation under a public land law (including mining and mineral leasing laws and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.)), the land or interest shall be withdrawn, without further action required by the Secretary concerned, from entry and appropriation. The withdrawal shall be terminated—

(i) on the date of consummation of the land exchange; or

(ii) if Resolution Copper notifies the Secretary in writing that it has elected to withdraw from the land exchange pursuant to section 206(d) of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1716(d)).

(C) RIGHTS OF RESOLUTION COPPER.—Nothing in this section shall interfere with, limit, or otherwise impair, the unpatented mining claims or rights currently held by Resolution Copper on the Federal land, nor in any way change, diminish, qualify, or otherwise impact Resolution Copper's rights and ability to conduct activities on the Federal land under such unpatented mining claims and the general mining laws of the United States, including the permitting or authorization of such activities.

(2) MAPS, ESTIMATES, AND DESCRIPTIONS.—

(A) MINOR ERRORS.—The Secretary concerned and Resolution Copper may correct, by mutual agreement, any minor errors in any map, acreage estimate, or description of any land conveyed or exchanged under this section.

(B) CONFLICT.—If there is a conflict between a map, an acreage estimate, or a description of land in this section, the map shall control unless the Secretary concerned and Resolution Copper mutually agree otherwise.

(C) AVAILABILITY.—On the date of enactment of this Act, the Secretary shall file and make available for public inspection in the Office of the Supervisor, Tonto National Forest, each map referred to in this section.

(3) PUBLIC ACCESS IN AND AROUND OAK FLAT CAMPGROUND.—As a condition of conveyance of the Federal land, Resolution Copper shall agree to provide access to the surface of the Oak Flat Campground to members of the public, including Indian tribes, to the maximum extent practicable, consistent with health and safety requirements, until such time as the operation of the mine precludes continued public access for safety reasons, as determined by Resolution Copper.

SEC. 3004. LAND EXCHANGE, CIBOLA NATIONAL WILDLIFE REFUGE, ARIZONA, AND BUREAU OF LAND MANAGEMENT LAND IN RIVERSIDE COUNTY, CALIFORNIA.

(a) DEFINITIONS.—In this section—

(1) MAP 1.—The term "Map 1" means the map entitled "Specified Parcel of Public Land in California" and dated July 18, 2014.

(2) MAP 2.—The term "Map 2" means the map entitled "River Bottom Farm Lands" and dated July 18, 2014.

(b) LAND EXCHANGE.—

(1) CONVEYANCE OF BUREAU OF LAND MANAGEMENT LAND.—In exchange for the land described in paragraph (2), the Secretary of the Interior shall convey to River Bottom Farms of La Paz County, Arizona, all right, title and interest of the United States in and to certain Federal land administered by the Secretary through the Bureau of Land Management consisting of a total of approximately 80 acres in Riverside County, California, identified as "Parcel A" on Map 1. The conveyed land shall be subject to valid existing rights, including easements, rights-of-way, utility lines, and any other valid encumbrances on the land as of the date of the conveyance under this section.

(2) CONSIDERATION.—As consideration for the conveyance of the Federal land under paragraph (1), River Bottom Farms shall convey to the United States all right, title, and interest of River Bottom Farms in and to two parcels of land contiguous to the Cibola National Wildlife Refuge in La Paz County, Arizona, consisting of a total of approximately 40 acres in La Paz County, Arizona, identified as "Parcel 301–05–005B–9" and "Parcel 301–05–008–0" on Map 2.

(3) EQUAL VALUE EXCHANGE.—The values of the Federal land and non-Federal land to be exchanged under this section shall be equal or equalized by the payment of cash to the Secretary by River Bottom Farms, if appropriate, pursuant to section 206(b) of the Federal Land Policy Management Act (43 U.S.C. 1716(b)). The value of the land shall be determined by the Secretary through an appraisal performed by a qualified appraiser mutually agreed to by the Secretary and River Bottom Farms and performed in conformance with the Uniform Appraisal Standards for Federal Land Acquisitions (U.S. Department of Justice, December 2000). If the final appraised value of the non-Federal land ("Parcel 301–05–005B–9" and "Parcel 301–05–008–0" on Map 2) exceeds the value of the Federal land ("Parcel A" on Map 1), the surplus value of the non-Federal land shall be considered to be a donation by River Bottom Farms to the United States.

(4) EXCHANGE TIMETABLE.—The Secretary shall complete the land exchange under this section not later than 1 year after the date of the expiration of any existing Bureau of Land Management lease agreement or agreements affecting the Federal land ("Parcel A" on Map 1) to be exchanged under this section, unless the Secretary and River Bottom Farms mutually agree to extend such deadline.

(5) ADMINISTRATION OF ACQUIRED LAND.—The land acquired by the Secretary under paragraph (2) shall become part of the Cibola National Wildlife Refuge and be administered in accordance with the laws and regulations generally applicable to the National Wildlife Refuge System.

SEC. 3005. SPECIAL RULES FOR INYO NATIONAL FOREST, CALIFORNIA, LAND EXCHANGE.

(a) AUTHORITY TO ACCEPT LANDS OUTSIDE BOUNDARIES OF INYO NATIONAL FOREST.—In any land exchange involving the conveyance of certain National Forest System land located within the boundaries of Inyo National Forest in California, as shown on the map titled "Federal Parcel Mammoth Base Facility" and dated June 29, 2011, the Secretary of Agriculture may accept for

acquisition in the exchange certain non-Federal lands in California lying outside the boundaries of Inyo National Forest, as shown on the maps titled "DWP Parcel – Interagency Visitor Center Parcel" and "DWP Parcel – Town of Bishop Parcel" and dated June 29, 2011, if the Secretary determines that acquisition of the non-Federal lands is desirable for National Forest System purposes.

(b) CASH EQUALIZATION PAYMENT; USE.—In an exchange described in subsection (a), the Secretary of Agriculture may accept a cash equalization payment in excess of 25 percent. Any such cash equalization payment shall be deposited into the account in the Treasury of the United States established by Public Law 90–171 (commonly known as the Sisk Act; 16 U.S.C. 484a) and shall be made available to the Secretary for the acquisition of land for addition to the National Forest System.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to grant the Secretary of Agriculture new land exchange authority. This section modifies the use of land exchange authorities already available to the Secretary as of the date of the enactment of this Act.

SEC. 3006. LAND EXCHANGE, TRINITY PUBLIC UTILITIES DISTRICT, TRINITY COUNTY, CALIFORNIA, THE BUREAU OF LAND MANAGEMENT, AND THE FOREST SERVICE.

(a) LAND EXCHANGE REQUIRED.—If not later than three years after enactment of this Act, the Utilities District conveys to the Secretary of the Interior all right, title, and interest of the Utilities District in and to Parcel A, subject to such terms and conditions as the Secretary of the Interior may require, the Secretary of Agriculture shall convey Parcel B to the Utilities District, subject to such terms and conditions as the Secretary of Agriculture may require, including the reservation of easements for all roads and trails considered to be necessary for administrative purposes and to ensure public access to National Forest System lands.

(b) AVAILABILITY OF MAPS AND LEGAL DESCRIPTIONS.—Maps are entitled "Trinity County Land Exchange Act of 2014 – Parcel A" and "Trinity County Land Exchange Act of 2014 – Parcel B", both dated March 24, 2014. The maps shall be on file and available for public inspection in the Office of the Chief of the Forest Service and the appropriate office of the Bureau of Land Management. With the agreement of the parties to the conveyances under subsection (a), the Secretary of the Interior and the Secretary of Agriculture may make technical corrections to the maps and legal descriptions.

(c) EQUAL VALUE EXCHANGE.—

(1) LAND EXCHANGE PROCESS.—The land exchange under this section shall be an equal value exchange. Except as provided in paragraph (3), the Secretary of the Interior and the Secretary of Agriculture shall carry out the land exchange in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(2) APPRAISAL OF PARCELS.—The values of Parcel A and Parcel B shall by determined by appraisals performed by a qualified appraiser mutually agreed to by the parties to the conveyances under subsection (a). The appraisals shall be approved by the Secretary of Interior and the Secretary of Agriculture and conducted in conformity with the Uniform Appraisal Standards for Federal Land.

(3) CASH EQUALIZATION.—If the values of Parcel A and Parcel B are not equal, the values may be equalized through the use of a cash equalization payment, however, if the final appraised value of Parcel A exceeds the value of Parcel B, the surplus value of Parcel A shall be considered to be a donation by the Utilities District. Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), a cash equalization payment may be made in excess of 25 percent of the appraised value of the Parcel B.

(d) DISPOSITION OF PROCEEDS.—

(1) IN GENERAL.—Any cash equalization payment received by the United States under subsection (c) shall be deposited in the fund established under Public Law 90–171 (16 U.S.C. 484a; commonly known as the Sisk Act).

(2) USE OF PROCEEDS.—Amounts deposited under paragraph (1) shall be available to the Secretary of Agriculture, without further appropriation and until expended, for the improvement, maintenance, reconstruction, or construction of a facility or improvement for the National Forest System.

(e) SURVEY.—The exact acreage and legal description of Parcel A and Parcel B shall be determined by a survey satisfactory to the Secretary of the Interior and the Secretary of Agriculture.

(f) COSTS.—As a condition of the land exchange under subsection (a), the Utilities District shall pay the costs associated with—

(1) the surveys described in subsection (e);

(2) the appraisals described in subsection (c)(2); and

(3) any other reasonable administrative or remediation cost determined by the Secretary of Agriculture.

(g) MANAGEMENT OF ACQUIRED LAND.—Upon the acquisition of Parcel A, the Secretary of the Interior, acting through the Redding Field Office of the Bureau of Land Management, shall administer Parcel A as public land in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and the laws and regulations applicable to public land administered by the Bureau of Land Management, except that public recreation and public access to and for recreation shall be the highest and best use of Parcel A.

(h) COMPLETION OF LAND EXCHANGE.—Once the Utilities District offers to convey Parcel A to the Secretary of the Interior, the Secretary of Agriculture shall complete the conveyance of Parcel B not later than one year after the date of enactment of this Act.

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

(1) PARCEL A.—The term "Parcel A" means the approximately 47 acres of land, known as the "Sky Ranch parcel", adjacent to public land administered by the Redding Field Office of the Bureau of Land Management as depicted on the map entitled "Trinity County Land Exchange Act of 2014 – Parcel A", dated March 24, 2014, more particularly described as a portion of Mineral Survey 178, south Highway 299, generally located in the S1/2 of the S1/2 of Section 7 and the N1/2 of the N1/2 of Section 8, Township 33 North, Range 10 West, Mount Diablo Meridian.

(2) PARCEL B.—The term "Parcel B" means the approximately 100 acres land in the Shasta-Trinity National Forest

in the State of California near the Weaverville Airport in Trinity County as depicted on the map entitled "Trinity County Land Exchange Act of 2014 – Parcel B" dated March 24, 2014, more particularly described as Lot 8, SW1/4 SE1/4, and S1/2 N1/2 SE, Section 31, Township 34 North, Range 9 West, Mount Diablo Meridian.

(3) UTILITIES DISTRICT.—The term "Utilities District" means the Trinity Public Utilities District of Trinity County, California.

SEC. 3007. IDAHO COUNTY, IDAHO, SHOOTING RANGE LAND CONVEYANCE.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term "County" means Idaho County in the State of Idaho.

(2) MAP.—The term "map" means the map entitled "Idaho County Land Conveyance" and dated April 11, 2014.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) CONVEYANCE OF LAND TO IDAHO COUNTY.—

(1) IN GENERAL.—As soon as practicable after notification by the County and subject to valid existing rights, the Secretary shall convey to the County, without consideration, all right, title, and interest of the United States in and to the land described in paragraph (2).

(2) DESCRIPTION OF LAND.—The land referred to in paragraph (1) consists of approximately 31 acres of land managed by the Bureau of Land Management and generally depicted on the map as "Conveyance Area".

(3) MAP AND LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this section.

(B) MINOR ERRORS.—The Secretary may correct any minor error in—

(i) the map; or

(ii) the legal description.

(C) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(4) USE OF CONVEYED LAND.—The land conveyed under this section shall be used only—

(A) as a shooting range; or

(B) for any other public purpose consistent with uses allowed under the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.).

(5) ADMINISTRATIVE COSTS.—The Secretary shall require the County to pay all survey costs and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in paragraph (2).

(6) CONDITIONS.—As a condition of the conveyance under paragraph (1), the County shall agree—

(A) to pay any administrative costs associated with the conveyance including the costs of any environmental, wildlife, cultural, or historical resources studies;

(B) to release and indemnify the United States from any claims or liabilities that may arise from uses carried out on the land described in paragraph (2) on or before the date of the enactment of this Act by the United States or any person; and

(C) to accept such reasonable terms and conditions as the Secretary determines necessary.

(7) REVERSION.—If the land conveyed under this section ceases to be used for a public purpose in accordance with paragraph (4), the land shall, at the discretion of the Secretary, revert to the United States.

SEC. 3008. SCHOOL DISTRICT 318, MINNESOTA, LAND EXCHANGE.

(a) PURPOSES.—The purposes of this section are—

(1) to provide greater safety to the students of the Robert J. Elkington Middle School and the families of those students in Grand Rapids, Minnesota; and

(2) to promote the mission of the United States Geological Survey.

(b) DEFINITIONS.—In this section:

(1) DISTRICT.—The term "District" means Minnesota Independent School District number 318 in Grand Rapids, Minnesota.

(2) FEDERAL LAND.—

(A) IN GENERAL.—The term "Federal land" means the parcel of approximately 1.3 acres of United States Geological Survey land identified as USGS Parcel 91-016-4111 on the map, which was transferred to the Department of the Interior by the General Services Administration by a letter dated July 22, 1965.

(B) INCLUSION.—The term "Federal land" includes any structures on the land described in subparagraph (A).

(3) MAP.—The term "map" means each of the maps entitled "USGS and School Parcel Locations" and dated January 15, 2014.

(4) NON-FEDERAL LAND.—

(A) IN GENERAL.—The term "non-Federal land" means the parcel of approximately 1.6 acres of District land identified as School Parcel 91-540-1210 on the map.

(B) INCLUSION.—The term "non-Federal land" includes any structures on the land described in subparagraph (A).

(5) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(c) AUTHORIZATION OF EXCHANGE.—If the District offers to convey to the United States all right, title, and interest of the District in and to the non-Federal land, the Secretary shall—

(1) accept the offer; and

(2) convey to the District all right, title, and interest of the United States in and to the Federal land.

(d) VALUATION.—

(1) IN GENERAL.—The value of the Federal land and non-Federal land to be exchanged under subsection (c) shall be determined—

(A) by an independent appraiser selected by the Secretary; and

(B) in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(2) APPROVAL.—Appraisals conducted under paragraph (1) shall be submitted to the Secretary for approval.

(3) CASH EQUALIZATION PAYMENTS.—

(A) IN GENERAL.—If the value of the Federal land and non-Federal land to be exchanged under subsection (c) is not of equal value, the value shall be equalized through a cash equalization payment.

(B) USE OF AMOUNTS.—Amounts received by the United States under subparagraph (A) shall be deposited in the Treasury and credited to miscellaneous receipts.

SEC. 3009. NORTHERN NEVADA LAND CONVEYANCES.

(a) LAND CONVEYANCE TO YERINGTON, NEVADA.—

(1) DEFINITIONS.—In this subsection:

(A) CITY.—The term "City" means the city of Yerington, Nevada.

(B) FEDERAL LAND.—The term "Federal land" means the land located in Lyon County and Mineral County, Nevada, that is identified on the map as "City of Yerington Sustainable Development Conveyance Lands".

(C) MAP.—The term "map" means the map entitled "Yerington Land Conveyance" and dated December 19, 2012.

(D) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) CONVEYANCES OF LAND TO CITY OF YERINGTON, NEVADA.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, subject to valid existing rights and to such terms and conditions as the Secretary determines to be necessary and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to the City, subject to the agreement of the City, all right, title, and interest of the United States in and to the Federal land identified on the map.

(B) APPRAISAL TO DETERMINE FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the Federal land to be conveyed—

(i) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(ii) based on an appraisal that is conducted in accordance with—

(I) the Uniform Appraisal Standards for Federal Land Acquisition; and

(II) the Uniform Standards of Professional Appraisal Practice.

(C) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(D) APPLICABLE LAW.—Beginning on the date on which the Federal land is conveyed to the City, the development of and conduct of activities on the Federal land shall be subject to all applicable Federal laws (including regulations).

(E) COSTS.—As a condition of the conveyance of the Federal land under subparagraph (A), the City shall pay—

(i) an amount equal to the appraised value determined in accordance with subparagraph (B); and

(ii) all costs related to the conveyance, including all surveys, appraisals, and other administrative costs associated with the conveyance of the Federal land to the City under subparagraph (A).

(3) NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.—Nothing in this subsection alters or diminishes the treaty rights of any Indian tribe.

(b) CONVEYANCE OF CERTAIN FEDERAL LAND TO CITY OF CARLIN, NEVADA.—

(1) DEFINITIONS.—In this subsection:

(A) CITY.—The term "City" means the City of Carlin, Nevada.

(B) FEDERAL LAND.—The term "Federal land" means the approximately 1,329 acres of land located in the City of Carlin, Nevada, that is identified on the map as "Carlin Selected Parcels".

(C) MAP.—The term "map" means the map entitled "Proposed Carlin, Nevada Land Sales" map dated October 25, 2013.

(D) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) CONVEYANCE.—Subject to valid existing rights and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to the City all right, title, and interest of the United States to and in the Federal land.

(3) CONSIDERATION.—As consideration for the conveyance authorized under paragraph (2), the City shall pay to the Secretary an amount equal to the appraised value of the Federal land, as determined under paragraph (4).

(4) APPRAISAL.—The Secretary shall conduct an appraisal of the Federal land in accordance with—

(A) the Uniform Standards for Federal Land Acquisitions; and

(B) the Uniform Standards of Professional Appraisal Practice.

(5) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(6) COSTS.—At closing for the conveyance authorized under paragraph (2) the City shall pay or reimburse the Secretary, as appropriate, for the reasonable transaction and administrative personnel costs associated with the conveyance authorized under such paragraph, including the costs of title searches, maps, and boundary and cadastral surveys.

(7) RELEASE OF UNITED STATES.—Upon making the conveyance under paragraph (2), notwithstanding any other provision

of law, the United States is released from any and all liabilities or claims of any kind or nature arising from the presence, release, or threat of release of any hazardous substance, pollutant, contaminant, petroleum product (or derivative of a petroleum product of any kind), solid waste, mine materials or mining related features (including tailings, overburden, waste rock, mill remnants, pits, or other hazards resulting from the presence of mining related features) on the Federal land in existence on or before the date of the conveyance.

(8) WITHDRAWAL.—Subject to valid existing rights, the Federal land identified for conveyance shall be withdrawn from all forms of—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) disposition under the mineral leasing, mineral materials and geothermal leasing laws.

(c) CONVEYANCE TO THE CITY OF FERNLEY, NEVADA.—

(1) DEFINITIONS.—In this subsection:

(A) CITY.—The term "City" means the city of Fernley, Nevada.

(B) FEDERAL LAND.—The term "Federal land" means the land located in the City that is identified as "Proposed Sale Parcels" on the map.

(C) MAP.—The term "map" means the map entitled "Proposed Fernley, Nevada, Land Sales" and dated January 25, 2013.

(D) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) CONVEYANCE AUTHORIZED.—Subject to valid existing rights and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), not later than 180 days after the date on which the Secretary receives a request from the City for the conveyance of the Federal land, the Secretary shall convey to the City, without consideration, all right, title, and interest of the United States to and in the Federal land.

(3) USE OF CONVEYED LAND.—

(A) IN GENERAL.—The Federal land conveyed under paragraph (2)—

(i) may be used by the City for any public purposes consistent with the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.); and

(ii) shall not be disposed of by the City.

(B) REVERSION.—If the City ceases to use a parcel of the Federal land conveyed under paragraph (2) in accordance with subparagraph (A)—

(i) title to the parcel shall revert to the Secretary, at the option of the Secretary; and

(ii) the City shall be responsible for any reclamation necessary to revert the parcel to the United States.

(4) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(5) RESERVATION OF EASEMENTS AND RIGHTS-OF-WAY.—The City and the Commissioner of Reclamation may retain easements or rights-of-way on the Federal land to be conveyed, including easements or rights-of-way that the Commissioner of Reclamation determines are necessary to carry out—

(A) the operation and maintenance of the Truckee Canal Irrigation District Canal; or

(B) the Newlands Project.

(6) COSTS.—At closing for the conveyance authorized under paragraph (2), the City shall pay or reimburse the Secretary, as appropriate, for the reasonable transaction and administrative personnel costs associated with the conveyance authorized under that paragraph, including the costs of title searches, maps, and boundary and cadastral surveys.

(7) RELEASE OF UNITED STATES.—On conveyance of the Federal land under paragraph (2), notwithstanding any other provision of law, the United States is released from any and all liabilities or claims of any kind or nature arising from the presence, release, or threat of release of any hazardous substance, pollutant, contaminant, petroleum product (or derivative of a petroleum product of any kind), solid waste, mine materials, or mining related features (including tailings, overburden, waste rock, mill remnants, pits, or other hazards resulting from the presence of mining related features) on the Federal land in existence before or on the date of the conveyance.

(8) ACQUISITION OF FEDERAL REVERSIONARY INTEREST.—

(A) REQUEST.—After the date of conveyance of the Federal land under paragraph (2), the City may submit to the Secretary a request to acquire the Federal reversionary interest in all or any portion of the Federal land.

(B) APPRAISAL.—

(i) IN GENERAL.—Not later than 180 days after the date of receipt of a request under subparagraph (A), the Secretary shall complete an appraisal of the Federal reversionary interest in the Federal land requested by the City under that subparagraph.

(ii) REQUIREMENT.—The appraisal under clause (i) shall be completed in accordance with—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice.

(C) CONVEYANCE REQUIRED.—If, by the date that is 1 year after the date of completion of the appraisal under subparagraph (B), the City submits to the Secretary an offer to acquire the Federal reversionary requested under subparagraph (A), the Secretary shall, not later than the date that is 30 days after the date on which the offer is submitted, convey to the City the reversionary interest covered by the offer.

(D) CONSIDERATION.—As consideration for the conveyance of the Federal reversionary interest under subparagraph (C), the City shall pay to the Secretary an amount equal to the appraised value of the Federal reversionary interest, as determined under subparagraph (B).

(E) COSTS OF CONVEYANCE.—As a condition of the conveyance under subparagraph (C), all costs associated with the conveyance (including the cost of the appraisal under subparagraph (B)), shall be paid by the City.

(d) CONVEYANCE OF FEDERAL LAND, STOREY COUNTY, NEVADA.—

(1) DEFINITIONS.—In this subsection:

(A) COUNTY.—The term "County" means Storey County, Nevada.

(B) FEDERAL LAND.—The term "Federal land" means the approximately 1,745 acres of Federal land identified on the map as "BLM Owned–County Request Transfer".

(C) MAP.—The term "map" means the map entitled "Restoring Storey County Act" and dated November 20, 2012.

(D) MINING TOWNSITE.—The term "mining townsite" means the real property—

(i) located in the Virginia City townsite within the County;

(ii) owned by the Federal Government; and

(iii) on which improvements were constructed based on the belief that—

(I) the property had been or would be acquired from the Federal Government by the entity operating the relevant mine on the date of construction; or

(II) the individual or entity that made the improvements had a valid claim for acquiring the property from the Federal Government.

(E) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) MINING CLAIM VALIDITY REVIEW.—

(A) IN GENERAL.—The Secretary shall carry out an expedited program to examine each unpatented mining claim (including each unpatented mining claim for which a patent application has been filed) within the mining townsite.

(B) DETERMINATION OF VALIDITY.—With respect to a mining claim described in subparagraph (A), if the Secretary determines that the elements of a contest are present, the Secretary shall immediately determine the validity of the mining claim.

(C) DECLARATION BY SECRETARY.—If the Secretary determines a mining claim to be invalid under subparagraph (B), as soon as practicable after the date of the determination, the Secretary shall declare the mining claim to be null and void.

(D) TREATMENT OF VALID MINING CLAIMS.—

(i) IN GENERAL.—Each mining claim that the Secretary determines to be valid under subparagraph (B) shall be maintained in compliance with the general mining laws and paragraph (3)(B)(ii).

(ii) EFFECT ON HOLDERS.—A holder of a mining claim described in clause (i) shall not be entitled to a patent.

(E) ABANDONMENT OF CLAIM.—The Secretary shall provide—

(i) a public notice that each mining claim holder may affirmatively abandon the claim of the mining claim holder prior to the validity review under subparagraph (B); and

(ii) to each mining claim holder an opportunity to abandon the claim of the mining claim holder before the date on which the land that is subject to the mining claim is conveyed.

(3) CONVEYANCE TO COUNTY.—

(A) CONVEYANCE.—

(i) IN GENERAL.—Subject to valid existing rights and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), after completing the mining claim validity review under paragraph (2)(B), if requested by the County, the Secretary shall convey to the County, by quitclaim deed, all surface rights of the United States in and to the Federal land, including any improvements on the Federal land, in accordance with this paragraph.

(ii) RESERVATION OF RIGHTS.—All mineral and geothermal rights in and to the Federal land are reserved to the United States.

(B) VALID MINING CLAIMS.—

(i) IN GENERAL.—With respect to each parcel of land located in a mining townsite subject to a valid mining claim, the Secretary shall—

(I) reserve the mineral rights in and to the mining townsite; and

(II) otherwise convey, without consideration, the remaining right, title, and interest of the United States in and to the mining townsite (including improvements to the mining townsite), as identified for conveyance on the map.

(ii) PROCEDURES AND REQUIREMENTS.—Each valid mining claim shall be subject to each procedure and requirement described in section 9 of the Act of December 29, 1916 (43 U.S.C. 299) (commonly known as the "Stockraising Homestead Act of 1916") (including regulations).

(4) RECIPIENTS.—

(A) IN GENERAL.—In the case of a mining townsite conveyed under paragraph (3)(B)(i)(II) for which a valid interest is proven by 1 or more individuals in accordance with chapter 244.2825 of the Nevada Revised Statutes, the County shall reconvey the property to the 1 or more individuals by appropriate deed or other legal conveyance in accordance with that chapter.

(B) AUTHORITY OF COUNTY.—The County shall not be required to recognize a claim under this paragraph that is submitted on a date that is later than 5 years after the date of enactment of this Act.

(5) VALID EXISTING RIGHTS.—The conveyance of a mining townsite under paragraph (3) shall be subject to valid existing rights, including any easement or other right-of-way or lease in existence as of the date of the conveyance.

(6) WITHDRAWALS.—Subject to valid rights in existence on the date of enactment of this Act, and except as otherwise provided in this Act, the mining townsite is withdrawn from—

(A) all forms of entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(7) SURVEY.—A mining townsite to be conveyed by the United States under paragraph (3) shall be sufficiently surveyed as a whole to legally describe the land for patent conveyance.

(8) CONVEYANCE OF TERMINATED MINING CLAIMS.—If a mining claim determined by the Secretary to be valid under paragraph (2)(B) is abandoned, invalidated, or otherwise returned to the Bureau of Land Management, the mining claim shall be—

(A) withdrawn in accordance with paragraph (6); and

(B) subject to the agreement of the owner, conveyed to the owner of the surface rights covered by the mining claim.

(9) RELEASE.—On completion of the conveyance of a mining townsite under paragraph (3), the United States shall be relieved from liability for, and shall be held harmless from, any claim arising from the presence of an improvement or material on the mining townsite.

(10) SENSE OF CONGRESS REGARDING DEADLINE FOR REVIEW AND CONVEYANCES.—It is the sense of Congress that the examination of the unpatented mining claims under paragraph (2) and the conveyances under paragraph (3) should be completed by not later than 18 months after the date of enactment of this Act.

(e) ELKO MOTOCROSS LAND CONVEYANCE.—

(1) DEFINITIONS.—In this subsection:

(A) COUNTY.—The term "county" means the county of Elko, Nevada.

(B) MAP.—The term "map" means the map entitled "Elko Motocross Park" and dated April 19, 2013.

(C) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(2) AUTHORIZATION OF CONVEYANCE.—As soon as practicable after the date of enactment of this Act, subject to valid existing rights and the provisions of this subsection, if requested by the county the Secretary shall convey to the county, without consideration, all right, title, and interest of the United States in and to the land described in paragraph (3).

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) consists of approximately 275 acres of land managed by the Bureau of Land Management, Elko District, Nevada, as generally depicted on the map as "Elko Motocross Park".

(4) MAP AND LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this subsection.

(B) MINOR ERRORS.—The Secretary may correct any minor error in the map or the legal description.

(C) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(5) USE OF CONVEYED LAND.—The land conveyed under this subsection shall be used only as a motocross, bicycle, off-highway vehicle, or stock car racing area, or for any other public purpose consistent with uses allowed under the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.).

(6) ADMINISTRATIVE COSTS.—The Secretary shall require the county to pay all survey costs and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in paragraph (3).

(f) LAND TO BE HELD IN TRUST FOR THE TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA (ELKO BAND).—

(1) DEFINITIONS.—In this subsection:

(A) MAP.—The term "map" means the map entitled "Te-moak Tribal Land Expansion" and dated April 19, 2013.

(B) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(C) TRIBE.—The term "Tribe" means the Te-moak Tribe of Western Shoshone Indians of Nevada (Elko Band).

(2) LAND TO BE HELD IN TRUST.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) shall be held in trust by the United States for the benefit and use of the Tribe; and

(B) shall be part of the reservation of the Tribe.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 373 acres of land administered by the Bureau of Land Management, as generally depicted on the map as "Expansion Area".

(4) MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(5) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under paragraph (2).

(6) USE OF TRUST LAND.—

(A) GAMING.—Land taken into trust under paragraph (2) shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(B) GENERAL USES.—

(i) IN GENERAL.—The Tribe shall use the land taken into trust under paragraph (2) only for—

(I) traditional and customary uses;

(II) stewardship conservation for the benefit of the Tribe; or

(III) residential or recreational development.

(ii) OTHER USES.—If the Tribe uses any portion of the land taken into trust under paragraph (2) for a purpose other than a purpose described in clause (i), the Tribe shall pay to the Secretary an amount that is equal to the fair market value of the portion of the land, as determined by an appraisal.

(C) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under paragraph (2), the Secretary, in consultation and coordination with the Tribe, may carry out any fuels reduction and other landscape restoration activities on the land that is beneficial to the Tribe and the Bureau of Land Management.

(g) NAVAL AIR STATION FALLON LAND CONVEYANCE.—

(1) TRANSFER OF DEPARTMENT OF THE INTERIOR LAND.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall transfer to the Secretary of the Navy, without reimbursement, the Federal land described in subparagraph (B).

(B) DESCRIPTION OF FEDERAL LAND.—The Federal land referred to in subparagraph (A) is the parcel of approximately 400 acres of land under the jurisdiction of the Secretary of the Interior that—

(i) is adjacent to Naval Air Station Fallon in Churchill County, Nevada; and

(ii) was withdrawn under Public Land Order 6834 (NV–943–4214–10; N–37875).

(C) MANAGEMENT.—On transfer of the Federal land described under subparagraph (B) to the Secretary of the Navy, the Secretary of the Navy shall have full jurisdiction, custody, and control of the Federal land.

(2) WATER RIGHTS.—

(A) WATER RIGHTS.—Nothing in this subsection shall be construed—

(i) to establish a reservation in favor of the United States with respect to any water or water right on land transferred by this subsection; or

(ii) to authorize the appropriation of water on land transferred by this subsection except in accordance with applicable State law.

(B) EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.—This subsection shall not be construed to affect any water rights acquired or reserved by the United States before the date of enactment of this Act.

SEC. 3010. SAN JUAN COUNTY, NEW MEXICO, FEDERAL LAND CONVEYANCE.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term "Federal land" means the approximately 19 acres of Federal surface estate generally depicted as "Lands Authorized for Conveyance" on the map.

(2) LANDOWNER.—The term "landowner" means the plaintiffs in the case styled Blancett v. United States Department of the Interior, et al., No. 10–cv–00254–JAP–KBM, United States District Court for the District of New Mexico.

(3) MAP.—The term "map" means the map entitled "San Juan County Land Conveyance" and dated June 20, 2012.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(5) STATE.—The term "State" means the State of New Mexico.

(b) CONVEYANCE OF CERTAIN FEDERAL LAND IN SAN JUAN COUNTY, NEW MEXICO.—

(1) IN GENERAL.—On request of the landowner, the Secretary shall, under such terms and conditions as the Secretary may prescribe and subject to valid existing rights, convey to the landowner all right, title, and interest of the United States in and to any portion of the Federal land (including any improvements or appurtenances to the Federal land) by sale.

(2) SURVEY; ADMINISTRATIVE COSTS.—

(A) SURVEY.—The exact acreage and legal description of the Federal land to be conveyed under paragraph (1) shall be determined by a survey approved by the Secretary.

(B) COSTS.—The administrative costs associated with the conveyance shall be paid by the landowner.

(3) CONSIDERATION.—

(A) IN GENERAL.—As consideration for the conveyance of the Federal land under paragraph (1), the landowner shall pay to the Secretary an amount equal to the fair market value of the Federal land conveyed, as determined under subparagraph (B).

(B) APPRAISAL.—The fair market value of any Federal land that is conveyed under paragraph (1) shall be determined by an appraisal acceptable to the Secretary that is performed in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions;

(ii) the Uniform Standards of Professional Appraisal Practice; and

(iii) any other applicable law (including regulations).

(4) DISPOSITION AND USE OF PROCEEDS.—

(A) DISPOSITION OF PROCEEDS.—The Secretary shall deposit the proceeds of any conveyance of Federal land under paragraph (1) in a special account in the Treasury for use in accordance with subparagraph (B).

(B) USE OF PROCEEDS.—Amounts deposited under subparagraph (A) shall be available to the Secretary, without further appropriation and until expended, for the acquisition of land or interests in land from willing sellers in the State or the State of Arizona for bald eagle habitat protection.

(5) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions for a conveyance under paragraph (1) as the Secretary determines to be appropriate to protect the interests of the United States.

(6) WITHDRAWAL.—Subject to valid existing rights, the Federal land is withdrawn from—

(A) location, entry, and patent under the mining laws; and

(B) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

SEC. 3011. LAND CONVEYANCE, UINTA-WASATCH-CACHE NATIONAL FOREST, UTAH.

(a) CONVEYANCE REQUIRED.—On the request of Brigham Young University submitted to the Secretary of Agriculture not later than one year after the date of the enactment of this Act, the Secretary shall convey, not later than one year after receiving the request, to Brigham Young University all right, title, and interest of the United States in and to an approximately 80-acre parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in the State of Utah, as generally depicted on the map entitled "Upper Y Mountain Trail and Y Conveyance Act" and dated June 6, 2013, subject to valid existing rights and by quitclaim deed.

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the land conveyed under subsection (a), Brigham Young University shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary and conducted in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(2) DEPOSIT.—The consideration received by the Secretary under paragraph (1) shall be deposited in the general fund of the Treasury to reduce the Federal deficit.

(c) PUBLIC ACCESS TO Y MOUNTAIN TRAIL.—After the conveyance under subsection (a), Brigham Young University will—

(1) continue to allow the same reasonable public access to the trailhead and portion of the Y Mountain Trail already owned by Brigham Young University as of the date of the enactment of this Act that Brigham Young University has historically allowed; and

(2) allow that same reasonable public access to the portion of the Y Mountain Trail and the "Y" symbol located on the land described in subsection (a).

(d) SURVEY AND ADMINISTRATIVE COSTS.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. Brigham Young University shall pay the reasonable costs of survey, appraisal, and any administrative analyses required by law.

SEC. 3012. CONVEYANCE OF CERTAIN LAND TO THE CITY OF FRUIT HEIGHTS, UTAH.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term "City" means the city of Fruit Heights, Utah.

(2) MAP.—The term "map" means the map entitled "Proposed Fruit Heights City Conveyance" and dated September 13, 2012.

(3) NATIONAL FOREST SYSTEM LAND.—The term "National Forest System land" means the approximately 100 acres of National Forest System land, as depicted on the map.

(4) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(b) IN GENERAL.—The Secretary shall convey to the City, without consideration, all right, title, and interest of the United States in and to the National Forest System land.

(c) SURVEY.—

(1) IN GENERAL.—If determined by the Secretary to be necessary, the exact acreage and legal description of the National Forest System land shall be determined by a survey approved by the Secretary.

(2) COSTS.—The City shall pay the reasonable survey and other administrative costs associated with a survey conducted under paragraph (1).

(d) EASEMENT.—As a condition of the conveyance under subsection (b), the Secretary shall reserve an easement to the National Forest System land for the Bonneville Shoreline Trail.

(e) USE OF NATIONAL FOREST SYSTEM LAND.—As a condition of the conveyance under subsection (b), the City shall use the National Forest System land only for public purposes.

(f) REVERSIONARY INTEREST.—In the quitclaim deed to the City for the National Forest System land, the Secretary shall provide that the National Forest System land shall revert to the Secretary, at the election of the Secretary, if the National Forest System land is used for other than a public purpose.

SEC. 3013. LAND CONVEYANCE, HANFORD SITE, WASHINGTON.

(a) CONVEYANCE REQUIRED.—

(1) IN GENERAL.—Not later than September 30, 2015, the Secretary of Energy shall convey to the Community Reuse Organization of the Hanford Site (in this section referred to as the "Organization") all right, title, and interest of the United States in and to two parcels of real property, including any improvements thereon, consisting of approximately 1,341 acres and 300 acres, respectively, of the Hanford Reservation, as requested by the Organization on May 31, 2011, and October 13, 2011, and as depicted within the proposed boundaries on the map titled "Attachment 2–Revised Map" included in the October 13, 2011, letter.

(2) MODIFICATION OF CONVEYANCE.—Upon the agreement of the Secretary and the Organization, the Secretary may adjust the boundaries of one or both of the parcels specified for conveyance under paragraph (1).

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the Organization shall pay to the United States an amount equal to the estimated fair market value of the conveyed real property, as determined by the Secretary of Energy, except that the Secretary may convey the property without consideration or for consideration below the estimated fair market value of the property if the Organization—

(1) agrees that the net proceeds from any sale or lease of the property (or any portion thereof) received by the Organization during at least the seven-year period beginning on the date of such conveyance will be used to support the economic redevelopment of, or related to, the Hanford Site; and

(2) executes the agreement for such conveyance and accepts control of the real property within a reasonable time.

(c) EXPEDITED NOTIFICATION TO CONGRESS.—Except as provided in subsection (d)(2), the enactment of this section shall be construed to satisfy any notice to Congress otherwise required for the land conveyance required by this section.

(d) ADDITIONAL TERMS AND CONDITIONS.—

(1) IN GENERAL.—The Secretary of Energy may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary deems necessary to protect the interests of the United States.

(2) CONGRESSIONAL NOTIFICATION.—If the Secretary uses the authority provided by paragraph (1) to impose a term or condition on the conveyance, the Secretary shall submit to Congress written notice of the term or condition and the reason for imposing the term or condition.

SEC. 3014. RANCH A WYOMING CONSOLIDATION AND MANAGEMENT IMPROVEMENT.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term "Secretary" means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(2) STATE.—The term "State" means the State of Wyoming.

(b) CONVEYANCE.—

(1) IN GENERAL.—Upon the request of the State submitted to the Secretary not later than 180 days after the date of enactment of this Act, the Secretary shall convey to the State, without consideration and by quitclaim deed, all right, title and interest of the United States in and to the parcel of National Forest System land described in paragraph (2).

(2) DESCRIPTION OF LAND.—The parcel of land referred to in paragraph (1) is approximately 10 acres of National Forest System land located on the Black Hills National Forest, in Crook County, State of Wyoming more specifically described as the E½ NE¼ NW¼ SE¼ less the south 50 feet, W½ NW¼ NE¼ SE¼ less the south 50 feet, Section 24, Township 52 North, Range 61 West Sixth P.M.

(3) TERMS AND CONDITIONS.—The conveyance under paragraph (1) shall be—

(A) subject to valid existing rights; and

(B) made notwithstanding the requirements of subsection (a) of section 1 of Public Law 104–276.

(4) SURVEY.—If determined by the Secretary to be necessary, the exact acreage and legal description of the land to be conveyed under paragraph (1) shall be determined by a survey that is approved by the Secretary and paid for by the State.

(c) AMENDMENTS.—Section 1 of the Act of October 9, 1996 (Public Law 104–276) is amended—

(1) by striking subsection (b); and

(2) by designating subsection (c) as subsection (b).

Subtitle B—Public Lands and National Forest System Management

SEC. 3021. BUREAU OF LAND MANAGEMENT PERMIT PROCESSING.

(a) PROGRAM TO IMPROVE FEDERAL PERMIT COORDINATION.—Section 365 of the Energy Policy Act of 2005 (42 U.S.C. 15924) is amended—

(1) in the section heading, by striking "**PILOT**";

(2) by striking "Pilot Project" each place it appears and inserting "Project";

(3) in subsection (b)(2), by striking "Wyoming, Montana, Colorado, Utah, and New Mexico" and inserting "the States in which Project offices are located";

(4) in subsection (d)—

(A) in the subsection heading, by striking "PILOT"; and

(B) by adding at the end the following:

"(8) Any other State, district, or field office of the Bureau of Land Management determined by the Secretary.";

(5) by striking subsection (e) and inserting the following:

"(e) REPORT TO CONGRESS.—Not later than February 1 of the first fiscal year beginning after the date of enactment of the National Defense Authorization Act for Fiscal Year 2015 and each February 1 thereafter, the Secretary shall report to the Chairman and ranking minority Member of the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives, which shall include—

"(1) the allocation of funds to each Project office for the previous fiscal year; and

"(2) the accomplishments of each Project office relating to the coordination and processing of oil and gas use authorizations during that fiscal year.";

(6) in subsection (h), by striking paragraph (6) and inserting the following:

"(6) the States in which Project offices are located.";

(7) by striking subsection (i); and

(8) by redesignating subsection (j) as subsection (i).

(b) BLM OIL AND GAS PERMIT PROCESSING FEE.—Section 35 of the Mineral Leasing Act (30 U.S.C. 191) is amended by adding at the end the following:

"(d) BLM OIL AND GAS PERMIT PROCESSING FEE.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, for each of fiscal years 2016 through 2026, the Secretary, acting through the Director of the Bureau of Land Management, shall collect a fee for each new application for a permit to drill that is submitted to the Secretary.

"(2) AMOUNT.—The amount of the fee shall be $9,500 for each new application, as indexed for United States dollar inflation from October 1, 2015 (as measured by the Consumer Price Index).

"(3) USE.—Of the fees collected under this subsection for a fiscal year, the Secretary shall transfer—

"(A) for each of fiscal years 2016 through 2019—

"(i) 15 percent to the field offices that collected the fees and used to process protests, leases, and permits under this Act, subject to appropriation; and

"(ii) 85 percent to the BLM Permit Processing Improvement Fund established under subsection (c)(2)(B) (referred to in this subsection as the 'Fund'); and

"(B) for each of fiscal years 2020 through 2026, all of the fees to the Fund.

"(4) ADDITIONAL COSTS.—During each of fiscal years of 2016 through 2026, the Secretary shall not implement a rulemaking that would enable an increase in fees to recover additional costs related to processing applications for permits to drill.".

(c) BLM PERMIT PROCESSING IMPROVEMENT FUND.—

(1) IN GENERAL.—Section 35(c) of the Mineral Leasing Act (30 U.S.C. 191(c)) is amended by striking paragraph (3) and inserting the following:

"(3) USE OF FUND.—

"(A) IN GENERAL.—The Fund shall be available to the Secretary of the Interior for expenditure, without further appropriation and without fiscal year limitation, for the coordination and processing of oil and gas use authorizations on onshore Federal and Indian trust mineral estate land.

"(B) ACCOUNTS.—The Secretary shall divide the Fund into—

"(i) a Rental Account (referred to in this subsection as the 'Rental Account') comprised of rental receipts collected under this section; and

"(ii) a Fee Account (referred to in this subsection as the 'Fee Account') comprised of fees collected under subsection (d).

"(4) RENTAL ACCOUNT.—

"(A) IN GENERAL.—The Secretary shall use the Rental Account for—

"(i) the coordination and processing of oil and gas use authorizations on onshore Federal and Indian trust mineral estate land under the jurisdiction of the Project offices identified under section 365(d) of the Energy Policy Act of 2005 (42 U.S.C. 15924(d)); and

"(ii) training programs for development of expertise related to coordinating and processing oil and gas use authorizations.

"(B) ALLOCATION.—In determining the allocation of the Rental Account among Project offices for a fiscal year, the Secretary shall consider—

"(i) the number of applications for permit to drill received in a Project office during the previous fiscal year;

"(ii) the backlog of applications described in clause (i) in a Project office;

"(iii) publicly available industry forecasts for development of oil and gas resources under the jurisdiction of a Project office; and

"(iv) any opportunities for partnership with local industry organizations and educational institutions in developing training programs to facilitate the coordination and processing of oil and gas use authorizations.

"(5) FEE ACCOUNT.—

"(A) IN GENERAL.—The Secretary shall use the Fee Account for the coordination and processing of oil and gas use authorizations on onshore Federal and Indian trust mineral estate land.

"(B) ALLOCATION.—The Secretary shall transfer not less than 75 percent of the revenues collected by an office for the processing of applications for permits to the State office of the State in which the fees were collected.".

(2) INTEREST ON OVERPAYMENT ADJUSTMENT.—Section 111(h) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721(h)) is amended in the first sentence

by striking "the rate" and all that follows through the period at the end of the sentence and inserting "a rate equal to the sum of the Federal short-term rate determined under section 6621(b) of the Internal Revenue Code of 1986 plus 1 percentage point.".

SEC. 3022. INTERNET-BASED ONSHORE OIL AND GAS LEASE SALES.

(a) AUTHORIZATION.—Section 17(b)(1) of the Mineral Leasing Act (30 U.S.C. 226(b)(1)) is amended—

(1) in subparagraph (A), in the third sentence, by inserting ", except as provided in subparagraph (C)" after "by oral bidding"; and

(2) by adding at the end the following:

"(C) In order to diversify and expand the Nation's onshore leasing program to ensure the best return to the Federal taxpayer, reduce fraud, and secure the leasing process, the Secretary may conduct onshore lease sales through Internet-based bidding methods. Each individual Internet-based lease sale shall conclude within 7 days.".

(b) REPORT.—Not later than 90 days after the tenth Internet-based lease sale conducted under the amendment made by subsection (a), the Secretary of the Interior shall analyze the first 10 such lease sales and report to Congress the findings of the analysis. The report shall include—

(1) estimates on increases or decreases in such lease sales, compared to sales conducted by oral bidding, in—

(A) the number of bidders;

(B) the average amount of bid;

(C) the highest amount bid; and

(D) the lowest bid;

(2) an estimate on the total cost or savings to the Department of the Interior as a result of such sales, compared to sales conducted by oral bidding; and

(3) an evaluation of the demonstrated or expected effectiveness of different structures for lease sales which may provide an opportunity to better maximize bidder participation, ensure the highest return to the Federal taxpayers, minimize opportunities for fraud or collusion, and ensure the security and integrity of the leasing process.

SEC. 3023. GRAZING PERMITS AND LEASES.

Section 402 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752) is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(B) by striking "So long as" and inserting the following:

"(1) RENEWAL OF EXPIRING OR TRANSFERRED PERMIT OR LEASE.—During any period in which"; and

(C) by adding at the end the following:

"(2) CONTINUATION OF TERMS UNDER NEW PERMIT OR LEASE.—The terms and conditions in a grazing permit or lease that has expired, or was terminated due to a grazing preference transfer, shall be continued under a new permit or lease until the date on which the Secretary concerned completes any environmental analysis and documentation for the permit or lease required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable laws.

"(3) COMPLETION OF PROCESSING.—As of the date on which the Secretary concerned completes the processing of a grazing permit or lease in accordance with paragraph (2), the permit or lease may be canceled, suspended, or modified, in whole or in part.

"(4) ENVIRONMENTAL REVIEWS.—The Secretary concerned shall seek to conduct environmental reviews on an allotment or multiple allotment basis, to the extent practicable, if the allotments share similar ecological conditions, for purposes of compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable laws.";

(2) by redesignating subsection (h) as subsection (j); and

(3) by inserting after subsection (g) the following:

"(h) NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—

"(1) IN GENERAL.—The issuance of a grazing permit or lease by the Secretary concerned may be categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) if—

"(A) the issued permit or lease continues the current grazing management of the allotment; and

"(B) the Secretary concerned—

"(i) has assessed and evaluated the grazing allotment associated with the lease or permit; and

"(ii) based on the assessment and evaluation under clause (i), has determined that the allotment—

"(I) with respect to public land administered by the Secretary of the Interior—

"(aa) is meeting land health standards; or

"(bb) is not meeting land health standards due to factors other than existing livestock grazing; or

"(II) with respect to National Forest System land administered by the Secretary of Agriculture—

"(aa) is meeting objectives in the applicable land and resource management plan; or

"(bb) is not meeting the objectives in the applicable land resource management plan due to factors other than existing livestock grazing.

"(2) TRAILING AND CROSSING.—The trailing and crossing of livestock across public land and National Forest System land and the implementation of trailing and crossing practices by the Secretary concerned may be categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

"(i) PRIORITY AND TIMING FOR COMPLETION OF ENVIRONMENTAL ANALYSES.—The Secretary concerned, in the sole discretion of the Secretary concerned, shall determine the priority and timing for completing each required environmental analysis with respect to a grazing allotment, permit, or lease based on—

"(1) the environmental significance of the grazing allotment, permit, or lease; and

"(2) the available funding for the environmental analysis.".

16 USC 6214.

SEC. 3024. CABIN USER AND TRANSFER FEES.

(a) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the "Secretary") shall establish a fee in accordance with this section for the issuance of a special use permit for the use and occupancy of National Forest System land for recreational residence purposes.

(b) INTERIM FEE.—During the period beginning on January 1, 2014, and ending on the last day of the calendar year during which the current appraisal cycle is completed under subsection (c), the Secretary shall assess an interim annual fee for recreational residences on National Forest System land that is an amount equal to the lesser of—

(1) the fee determined under the Cabin User Fee Fairness Act of 2000 (16 U.S.C. 6201 et seq.), subject to the requirement that any increase over the fee assessed during the previous year shall be limited to not more than 25 percent; or

(2) $5,600.

(c) COMPLETION OF CURRENT APPRAISAL CYCLE.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall complete the current appraisal cycle, including receipt of timely second appraisals, for recreational residences on National Forest System land in accordance with the Cabin User Fee Fairness Act of 2000 (16 U.S.C. 6201 et seq.) (referred to in this section as the "current appraisal cycle").

(d) LOT VALUE.—Only appraisals conducted and approved by the Secretary in accordance with the Cabin User Fee Fairness Act of 2000 (16 U.S.C. 6201 et seq.) during the current appraisal cycle shall be used to establish the base value assigned to the lot, subject to the adjustment in subsection (e). If a second appraisal—

(1) was approved by the Secretary, the value established by the second appraisal shall be the base value assigned to the lot; or

(2) was not approved by the Secretary, the value established by the initial appraisal shall be the base value assigned to the lot.

(e) ADJUSTMENT.—On the date of completion of the current appraisal cycle, and before assessing a fee under subsection (f), the Secretary shall make a 1-time adjustment to the value of each appraised lot on which a recreational residence is located to reflect any change in value occurring after the date of the most recent appraisal for the lot, in accordance with the 4th quarter of 2012 National Association of Homebuilders/Wells Fargo Housing Opportunity Index.

(f) ANNUAL FEE.—

(1) BASE.—After the date on which appraised lot values have been adjusted in accordance with subsection (e), the annual fee assessed prospectively by the Secretary for recreational residences on National Forest System land shall be in accordance with the following tiered fee structure:

Fee Tier	Approximate Percent of Permits Nationally	Fee Amount
Tier 1	6 percent	$650
Tier 2	16 percent	$1,150
Tier 3	26 percent	$1,650
Tier 4	22 percent	$2,150
Tier 5	10 percent	$2,650
Tier 6	5 percent	$3,150
Tier 7	5 percent	$3,650
Tier 8	3 percent	$4,150
Tier 9	3 percent	$4,650
Tier 10	3 percent	$5,150
Tier 11	1 percent	$5,650.

(2) INFLATION ADJUSTMENT.—The Secretary shall increase or decrease the annual fees set forth in the table under paragraph (1) to reflect changes in the Implicit Price Deflator for the Gross Domestic Product published by the Bureau of Economic Analysis of the Department of Commerce, applied on a 5-year rolling average.

(3) ACCESS AND OCCUPANCY ADJUSTMENT.—

(A) IN GENERAL.—The Secretary shall by regulation establish criteria pursuant to which the annual fee determined in accordance with this section may be suspended or reduced temporarily if access to, or the occupancy of, the recreational residence is significantly restricted.

(B) APPEAL.—The Secretary shall by regulation grant the cabin owner the right of an administrative appeal of the determination made in accordance with subparagraph (A) whether to suspend or reduce temporarily the annual fee.

(g) PERIODIC REVIEW.—

(1) IN GENERAL.—Beginning on the date that is 10 years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that—

(A) analyzes the annual fees set forth in the table under subsection (f) to ensure that the fees reflect fair value for the use of the land for recreational residence purposes, taking into account all use limitations and restrictions (including any limitations and restrictions imposed by the Secretary); and

(B) includes any recommendations of the Secretary with respect to modifying the fee system.

(2) LIMITATION.—The use of appraisals shall not be required for any modifications to the fee system based on the recommendations under paragraph (1)(B).

(h) CABIN TRANSFER FEES.—

(1) IN GENERAL.—The Secretary shall establish a fee in the amount of $1,200 for the issuance of a new recreational residence permit due to a change of ownership of the recreational residence.

(2) ADJUSTMENTS.—The Secretary shall annually increase or decrease the transfer fee established under paragraph (1) to reflect changes in the Implicit Price Deflator for the Gross Domestic Product published by the Bureau of Economic Analysis of the Department of Commerce, applied on a 5-year rolling average.

(i) EFFECT.—

(1) IN GENERAL.—Nothing in this section limits or restricts any right, title, or interest of the United States in or to any land or resource in the National Forest System.

(2) ALASKA.—The Secretary shall not establish or impose a fee or condition under this section for permits in the State of Alaska that is inconsistent with section 1303(d) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3193(d)).

(j) RETENTION OF FEES.—

(1) IN GENERAL.—Beginning 10 years after the date of the enactment of this Act, the Secretary may retain, and expend, for the purposes described in paragraph (2), any fees collected under this section without further appropriation.

(2) USE.—Amounts made available under paragraph (1) shall be used to administer the recreational residence program and other recreation programs carried out on National Forest System land.

(k) REPEAL OF CABIN USER FEE FAIRNESS ACT OF 2000.—Effective on the date of the assessment of annual permit fees in accordance with subsection (f) (as certified to Congress by the Secretary), the Cabin User Fee Fairness Act of 2000 (16 U.S.C. 6201 et seq.) is repealed.

16 USC 6201 and note, 6202–6213.

Subtitle C—National Park System Units

SEC. 3030. ADDITION OF ASHLAND HARBOR BREAKWATER LIGHT TO THE APOSTLE ISLANDS NATIONAL SEASHORE.

Public Law 91–424 (16 U.S.C. 460w et seq.) is amended as follows:

16 USC 460w.

(1) In the first section as follows:

(A) In the matter preceding subsection (a)—

(i) by striking "islands and shoreline" and inserting "islands, shoreline, and light stations"; and

(ii) by inserting "historic," after "scenic,".

(B) In subsection (a)—

(i) by striking "the area" and inserting "The area"; and

(ii) by striking "; and" and inserting a period.

(C) In subsection (b), by striking the final period.

(D) By inserting after "1985." the following:

"(c) ASHLAND HARBOR BREAKWATER LIGHT.—

"(1) The Ashland Harbor Breakwater Light generally depicted on the map titled 'Ashland Harbor Breakwater Light Addition to Apostle Islands National Lakeshore' and dated February 11, 2014, located at the end of the breakwater on Chequamegon Bay, Wisconsin.

"(2) Congress does not intend for the designation of the property under paragraph (1) to create a protective perimeter or buffer zone around the boundary of that property.".

16 USC 460w–5.

(2) In section 6 as follows:

(A) By striking "The lakeshore" and inserting:

"(a) IN GENERAL.—The lakeshore".

(B) By inserting "this section and" before "the provisions of".

(C) By adding after subsection (a) the following:

"(b) FEDERAL USE.—Notwithstanding subsection (c) of the first section—

"(1) the Secretary of the department in which the Coast Guard is operating may operate, maintain, keep, locate, inspect, repair, and replace any Federal aid to navigation located at the Ashland Harbor Breakwater Light for as long as such aid is needed for navigational purposes; and

"(2) in carrying out the activities described in paragraph (1), such Secretary may enter, at any time, the Ashland Harbor Breakwater Light or any Federal aid to navigation at the Ashland Harbor Breakwater Light, for as long as such aid is needed for navigational purposes, without notice to the extent that it is not possible to provide advance notice.

"(c) CLARIFICATION OF AUTHORITY.—Pursuant to existing authorities, the Secretary may enter into agreements with the City of Ashland, County of Ashland, and County of Bayfield, Wisconsin, for the purpose of cooperative law enforcement and emergency services within the boundaries of the lakeshore.".

SEC. 3031. BLACKSTONE RIVER VALLEY NATIONAL HISTORICAL PARK. 16 USC 410ppp.

(a) PURPOSE.—The purpose of this section is to establish the Blackstone River Valley National Historical Park—

(1) to help preserve, protect, and interpret the nationally significant resources that exemplify the industrial heritage of the Blackstone River Valley for the benefit and inspiration of future generations;

(2) to support the preservation, protection, and interpretation of the urban, rural, and agricultural landscape features (including the Blackstone River and Canal) of the region that provide an overarching context for the industrial heritage of the Blackstone River Valley;

(3) to educate the public about—

(A) the nationally significant sites and districts that convey the industrial history of the Blackstone River Valley; and

(B) the significance of the Blackstone River Valley to the past and present of the United States; and

(4) to support and enhance the network of partners in the protection, improvement, management, and operation of related resources and facilities throughout the John H. Chafee Blackstone River Valley National Heritage Corridor.

(b) DEFINITIONS.—In this section:

(1) NATIONAL HERITAGE CORRIDOR.—The term "National Heritage Corridor" means the John H. Chafee Blackstone River Valley National Heritage Corridor.

(2) PARK.—The term "Park" means the Blackstone River Valley National Historical Park established by subsection (c)(1).

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) STATES.—The term "States" means—

(A) the State of Massachusetts; and

(B) the State of Rhode Island.

(c) BLACKSTONE RIVER VALLEY NATIONAL HISTORICAL PARK.—

(1) ESTABLISHMENT.—There is established in the States a unit of the National Park System, to be known as the "Blackstone River Valley National Historical Park".

(2) HISTORIC SITES AND DISTRICTS.—The Park shall include—

(A) Blackstone River State Park; and

(B) the following resources, as described in Management Option 3 of the study entitled "Blackstone River Valley Special Resource Study—Study Report 2011":

(i) Old Slater Mill National Historic Landmark District.

(ii) Slatersville Historic District.

(iii) Ashton Historic District.

(iv) Whitinsville Historic District.

(v) Hopedale Village Historic District.

(vi) Blackstone River and the tributaries of Blackstone River.

(vii) Blackstone Canal.

(3) ACQUISITION OF LAND; PARK BOUNDARY.—

(A) LAND ACQUISITION.—

(i) IN GENERAL.—The Secretary may acquire land or interests in land that are considered contributing historic resources in the historic sites and districts described in paragraph (2)(B) for inclusion in the Park boundary by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

(ii) NO CONDEMNATION.—No land or interest in land may be acquired for the Park by condemnation.

(B) PARK BOUNDARY.—On a determination by the Secretary that a sufficient quantity of land or interests in land has been acquired to constitute a manageable park unit, the Secretary shall establish a boundary for the Park by publishing a boundary map in the Federal Register.

(C) OTHER RESOURCES.—The Secretary may include in the Park boundary any resources that are the subject of an agreement with the States or a subdivision of the States entered into under paragraph (4)(D).

(D) BOUNDARY ADJUSTMENT.—On the acquisition of additional land or interests in land under subparagraph (A), or on entering an agreement under subparagraph (C), the boundary of the Park shall be adjusted to reflect the acquisition or agreement by publishing a Park boundary map in the Federal Register.

(E) AVAILABILITY OF MAP.—The maps referred to in this paragraph shall be available for public inspection in the appropriate offices of the National Park Service.

(F) ADMINISTRATIVE FACILITIES.—The Secretary may acquire not more than 10 acres in Woonsocket, Rhode Island for the development of administrative, curatorial, maintenance, or visitor facilities for the Park.

(G) LIMITATION.—Land owned by the States or a political subdivision of the States may be acquired under this paragraph only by donation.

(4) ADMINISTRATION.—

(A) IN GENERAL.—The Secretary shall administer land within the boundary of the Park in accordance with—

(i) this subsection; and

(ii) the laws generally applicable to units of the National Park System, including—

(I) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(II) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(B) GENERAL MANAGEMENT PLAN.—

(i) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this subsection, the Secretary shall prepare a general management plan for the Park—

(I) in consultation with the States and other interested parties; and

(II) in accordance with section 12(b) of the National Park System General Authorities Act (16 U.S.C. 1a–7(b)).

(ii) REQUIREMENTS.—The plan shall consider ways to use preexisting or planned visitor facilities and recreational opportunities developed in the National Heritage Corridor, including—

(I) the Blackstone Valley Visitor Center, Pawtucket, Rhode Island;

(II) the Captain Wilbur Kelly House, Blackstone River State Park, Lincoln, Rhode Island;

(III) the Museum of Work and Culture, Woonsocket, Rhode Island;

(IV) the River Bend Farm/Blackstone River and Canal Heritage State Park, Uxbridge, Massachusetts;

(V) the Worcester Blackstone Visitor Center, located at the former Washburn & Moen wire mill facility, Worcester, Massachusetts;

(VI) the Route 295 Visitor Center adjacent to Blackstone River State Park; and

(VII) the Blackstone River Bikeway.

(C) RELATED SITES.—The Secretary may provide technical assistance, visitor services, interpretive tours, and educational programs to sites and resources in the National Heritage Corridor that are located outside the boundary of the Park and associated with the purposes for which the Park is established.

(D) COOPERATIVE AGREEMENTS.—

(i) IN GENERAL.—To further the purposes of this subsection and notwithstanding chapter 63 of title 31, United States Code, the Secretary may enter into cooperative agreements with the States, political subdivisions of the States, nonprofit organizations (including the local coordinating entity for the National Heritage Corridor), and other interested parties—

(I) to provide technical assistance, interpretation, and educational programs in the historic sites and districts described in paragraph (2)(B); and

(II) subject to the availability of appropriations and clauses (ii) and (iii), to provide not more than 50 percent of the cost of any natural, historic, or cultural resource protection project in the Park

that is consistent with the general management plan prepared under subparagraph (B).

(ii) MATCHING REQUIREMENT.—As a condition of the receipt of funds under clause (i)(II), the Secretary shall require that any Federal funds made available under a cooperative agreement entered into under this paragraph are to be matched on a 1-to-1 basis by non-Federal funds.

(iii) REIMBURSEMENT.—Any payment made by the Secretary under clause (i)(ii) shall be subject to an agreement that the conversion, use, or disposal of the project for purposes that are inconsistent with the purposes of this subsection, as determined by the Secretary, shall result in a right of the United States to reimbursement of the greater of—

(I) the amount provided by the Secretary to the project under clause (i)(II); or

(II) an amount equal to the increase in the value of the project that is attributable to the funds, as determined by the Secretary at the time of the conversion, use, or disposal.

(iv) PUBLIC ACCESS.—Any cooperative agreement entered into under this subparagraph shall provide for reasonable public access to the resources covered by the cooperative agreement.

(5) DEDICATION; MEMORIAL.—

(A) IN GENERAL.—Congress dedicates the Park to John H. Chafee, the former United States Senator from Rhode Island, in recognition of—

(i) the role of John H. Chafee in the preservation of the resources of the Blackstone River Valley and the heritage corridor that bears the name of John H. Chafee; and

(ii) the decades of the service of John H. Chafee to the people of Rhode Island and the United States.

(B) MEMORIAL.—The Secretary shall display a memorial at an appropriate location in the Park that recognizes the role of John H. Chafee in preserving the resources of the Blackstone River Valley for the people of the United States.

16 USC 410qqq.

SEC. 3032. COLTSVILLE NATIONAL HISTORICAL PARK.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term "city" means the city of Hartford, Connecticut.

(2) COMMISSION.—The term "Commission" means the Coltsville National Historical Park Advisory Commission established by subsection (k)(1).

(3) HISTORIC DISTRICT.—The term "Historic District" means the Coltsville Historic District.

(4) MAP.—The term "map" means the map entitled "Coltsville National Historical Park—Proposed Boundary", numbered T25/102087, and dated May 11, 2010.

(5) PARK.—The term "park" means the Coltsville National Historical Park in the State of Connecticut.

(6) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(7) STATE.—The term "State" means the State of Connecticut.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to paragraph (2), there is established in the State a unit of the National Park System to be known as the "Coltsville National Historical Park".

(2) CONDITIONS FOR ESTABLISHMENT.—The park shall not be established until the date on which the Secretary determines that—

(A) the Secretary has acquired by donation sufficient land or an interest in land within the boundary of the park to constitute a manageable unit;

(B) the State, city, or private property owner, as appropriate, has entered into a written agreement with the Secretary to donate at least 10,000 square feet of space in the East Armory which would include facilities for park administration and visitor services; and

(C) the Secretary has entered into a written agreement with the State, city, or other public entity, as appropriate, providing that land owned by the State, city, or other public entity within the Coltsville Historic District shall be managed consistent with this section.

(3) NOTICE.—Not later than 30 days after the date on which the Secretary makes a determination under paragraph (2), the Secretary shall publish in the Federal Register notice of the establishment of the park.

(c) BOUNDARIES.—The park shall include and provide appropriate interpretation and viewing of the following sites, as generally depicted on the map:

(1) The East Armory.

(2) The Church of the Good Shepherd.

(3) The Caldwell/Colt Memorial Parish House.

(4) Colt Park.

(5) The Potsdam Cottages.

(6) Armsmear.

(7) The James Colt House.

(d) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in appropriate offices of the National Park Service.

(e) COLLECTIONS.—The Secretary may enter into a written agreement with the State of Connecticut State Library, Wadsworth Atheneum, and the Colt Trust, or other public entities, as appropriate, to gain appropriate access to Colt-related artifacts for the purposes of having items routinely on display in the East Armory or within other areas of the park to enhance the visitor experience.

(f) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the park in accordance with—

(A) this section; and

(B) the laws generally applicable to units of the National Park System, including—

(i) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) STATE AND LOCAL JURISDICTION.—Nothing in this section enlarges, diminishes, or modifies any authority of the

State, or any political subdivision of the State (including the city)—

(A) to exercise civil and criminal jurisdiction; or

(B) to carry out State laws (including regulations) and rules on non-Federal land located within the boundary of the park.

(g) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—As the Secretary determines to be appropriate to carry out this section, the Secretary may enter into cooperative agreements to carry out this section, under which the Secretary may identify, interpret, restore, rehabilitate, and provide technical assistance for the preservation of nationally significant properties within the boundary of the park.

(2) RIGHT OF ACCESS.—A cooperative agreement entered into under paragraph (1) shall provide that the Secretary, acting through the Director of the National Park Service, shall have the right of access at all reasonable times to all public portions of the property covered by the agreement for the purposes of—

(A) conducting visitors through the properties; and

(B) interpreting the properties for the public.

(3) CHANGES OR ALTERATIONS.—No changes or alterations shall be made to any properties covered by a cooperative agreement entered into under paragraph (1) unless the Secretary and the other party to the agreement agree to the changes or alterations.

(4) CONVERSION, USE, OR DISPOSAL.—Any payment by the Secretary under this subsection shall be subject to an agreement that the conversion, use, or disposal of a project for purposes contrary to the purposes of this section, as determined by the Secretary, shall entitle the United States to reimbursement in an amount equal to the greater of—

(A) the amounts made available to the project by the United States; or

(B) the portion of the increased value of the project attributable to the amounts made available under this subsection, as determined at the time of the conversion, use, or disposal.

(5) MATCHING FUNDS.—

(A) IN GENERAL.—As a condition of the receipt of funds under this subsection, the Secretary shall require that any Federal funds made available under a cooperative agreement shall be matched on a 1-to-1 basis by non-Federal funds.

(B) FORM.—With the approval of the Secretary, the non-Federal share required under subparagraph (A) may be in the form of donated property, goods, or services from a non-Federal source, fairly valued.

(h) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary is authorized to acquire land and interests in land by donation, purchase with donated or appropriated funds, or exchange, except that land or interests in land owned by the State or any political subdivision of the State may be acquired only by donation.

(2) NO CONDEMNATION.—The Secretary may not acquire any land or interest in land for the purposes of this section by condemnation.

(i) TECHNICAL ASSISTANCE AND PUBLIC INTERPRETATION.—The Secretary may provide technical assistance and public interpretation of related historic and cultural resources within the boundary of the historic district.

(j) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 fiscal years after the date on which funds are made available to carry out this section, the Secretary, in consultation with the Commission, shall complete a management plan for the park in accordance with—

(A) section 12(b) of Public Law 91–383 (commonly known as the "National Park Service General Authorities Act") (16 U.S.C. 1a–7(b)); and

(B) other applicable laws.

(2) COST SHARE.—The management plan shall include provisions that identify costs to be shared by the Federal Government, the State, and the city, and other public or private entities or individuals for necessary capital improvements to, and maintenance and operations of, the park.

(3) SUBMISSION TO CONGRESS.—On completion of the management plan, the Secretary shall submit the management plan to—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(k) COLTSVILLE NATIONAL HISTORICAL PARK ADVISORY COMMISSION.—

(1) ESTABLISHMENT.—There is established a Commission to be known as the "Coltsville National Historical Park Advisory Commission".

(2) DUTY.—The Commission shall advise the Secretary in the development and implementation of the management plan.

(3) MEMBERSHIP.—

(A) COMPOSITION.—The Commission shall be composed of 11 members, to be appointed by the Secretary, of whom—

(i) 2 members shall be appointed after consideration of recommendations submitted by the Governor of the State;

(ii) 1 member shall be appointed after consideration of recommendations submitted by the State Senate President;

(iii) 1 member shall be appointed after consideration of recommendations submitted by the Speaker of the State House of Representatives;

(iv) 2 members shall be appointed after consideration of recommendations submitted by the Mayor of Hartford, Connecticut;

(v) 2 members shall be appointed after consideration of recommendations submitted by Connecticut's 2 United States Senators;

(vi) 1 member shall be appointed after consideration of recommendations submitted by Connecticut's First Congressional District Representative;

(vii) 2 members shall have experience with national parks and historic preservation;

(viii) all appointments must have significant experience with and knowledge of the Coltsville Historic District; and

(ix) 1 member of the Commission must live in the Sheldon/Charter Oak neighborhood within the Coltsville Historic District.

(B) INITIAL APPOINTMENTS.—The Secretary shall appoint the initial members of the Commission not later than the earlier of—

(i) the date that is 30 days after the date on which the Secretary has received all of the recommendations for appointments under subparagraph (A); or

(ii) the date that is 30 days after the park is established.

(4) TERM; VACANCIES.—

(A) TERM.—

(i) IN GENERAL.—A member shall be appointed for a term of 3 years.

(ii) REAPPOINTMENT.—A member may be reappointed for not more than 1 additional term.

(B) VACANCIES.—A vacancy on the Commission shall be filled in the same manner as the original appointment was made.

(5) MEETINGS.—The Commission shall meet at the call of—

(A) the Chairperson; or

(B) a majority of the members of the Commission.

(6) QUORUM.—A majority of the Commission shall constitute a quorum.

(7) CHAIRPERSON AND VICE CHAIRPERSON.—

(A) IN GENERAL.—The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.

(B) VICE CHAIRPERSON.—The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson.

(C) TERM.—A member may serve as Chairperson or Vice Chairperson for not more than 1 year in each office.

(8) COMMISSION PERSONNEL MATTERS.—

(A) COMPENSATION OF MEMBERS.—

(i) IN GENERAL.—Members of the Commission shall serve without compensation.

(ii) TRAVEL EXPENSES.—Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duty of the Commission.

(B) STAFF.—

(i) IN GENERAL.—The Secretary shall provide the Commission with any staff members and technical assistance that the Secretary, after consultation with the Commission, determines to be appropriate to enable the Commission to carry out the duty of the Commission.

(ii) DETAIL OF EMPLOYEES.—The Secretary may accept the services of personnel detailed from the State or any political subdivision of the State.

(9) FACA NONAPPLICABILITY.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(10) TERMINATION.—

(A) IN GENERAL.—Unless extended under subparagraph (B), the Commission shall terminate on the date that is 10 years after the date of the enactment of this Act.

(B) EXTENSION.—

(i) RECOMMENDATION.—Eight years after the date of the enactment of this Act, the Commission shall make a recommendation to the Secretary if a body of its nature is still necessary to advise on the development of the park.

(ii) TERM OF EXTENSION.—If, based on a recommendation under clause (i), the Secretary determines that the Commission is still necessary, the Secretary may extend the life of the Commission for not more than 10 years.

SEC. 3033. FIRST STATE NATIONAL HISTORICAL PARK. 16 USC 410rrr.

(a) DEFINITIONS.—In this section:

(1) HISTORICAL PARK.—The term "historical park" means the First State National Historical Park.

(2) MAP.—The term "map" means the map with pages numbered 1–6 entitled "First State National Historical Park, New Castle, Kent, Sussex Counties, DE and Delaware County, PA, Proposed Boundary", numbered T19/80,000G, and dated October 2014.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) ESTABLISHMENT.—

(1) REDESIGNATION OF FIRST STATE NATIONAL MONUMENT.—

(A) IN GENERAL.—The First State National Monument is redesignated as the First State National Historical Park, as generally depicted on the map.

(B) AVAILABILITY OF FUNDS.—Any funds available for purposes of the First State National Monument shall be available for purposes of the historical park.

(C) REFERENCES.—Any references in a law, regulation, document, record, map, or other paper of the United States to the First State National Monument shall be considered to be a reference to the historical park.

(2) PURPOSES.—The purposes of the historical park are to preserve, protect, and interpret the nationally significant cultural and historic resources that are associated with—

(A) early Dutch, Swedish, and English settlement of the Colony of Delaware and portions of the Colony of Pennsylvania; and

(B) the role of Delaware—

(i) in the birth of the United States; and

(ii) as the first State to ratify the Constitution.

(3) INCLUSION OF ADDITIONAL HISTORIC SITES.—In addition to sites included in the historical park (as redesignated by paragraph (1)(A)) as of the date of enactment of this section,

the Secretary may include the following sites within the boundary of the historical park, as generally depicted on the map:

(A) Fort Christina National Historic Landmark in New Castle County, Delaware, as depicted on page 3 of 6 of the map.

(B) Old Swedes Church National Historic Landmark in New Castle County, Delaware, as depicted on page 3 of 6 of the map.

(C) John Dickinson Plantation National Historic Landmark in Kent County, Delaware, as depicted on page 5 of 6 of the map.

(D) Ryves Holt House in Sussex County, Delaware, as depicted on page 6 of 6 of the map.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the historical park in accordance with—

(A) this section; and

(B) the laws generally applicable to units of the National Park System, including—

(i) the National Park System Organic Act (16 U.S.C. 1 et seq.); and

(ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) LAND ACQUISITION.—

(A) METHODS.—

(i) IN GENERAL.—Except as provided in clause (ii), the Secretary may acquire all or a portion of any of the sites described in subsection (b)(3), including easements or other interests in land, by purchase from a willing seller, donation, or exchange.

(ii) DONATION ONLY.—The Secretary may acquire only by donation all or a portion of the property identified as "Area for Potential Addition by Donation" on page 2 of 6 of the map.

(iii) LIMITATION.—No land or interest land may be acquired for inclusion in the historical park by condemnation.

(B) BOUNDARY ADJUSTMENT.—On acquisition of land or an interest in land under subparagraph (A), the boundary of the historical park shall be adjusted to reflect the acquisition.

(3) INTERPRETIVE TOURS.—The Secretary may provide interpretive tours to sites and resources in the State that are located outside the boundary of the historical park and associated with the purposes for which the historical park is established, including—

(A) Fort Casimir;

(B) DeVries Monument;

(C) Amstel House;

(D) Dutch House; and

(E) Zwaanendael Museum.

(4) COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into a cooperative agreement with the State of Delaware, political subdivisions of the State of Delaware, institutions of higher education, nonprofit organizations, and individuals to

mark, interpret, and restore nationally significant historic or cultural resources within the boundaries of the historical park, if the cooperative agreement provides for reasonable public access to the resources.

(B) COST-SHARING REQUIREMENT.—

(i) FEDERAL SHARE.—The Federal share of the total cost of any activity carried out under a cooperative agreement entered into under subparagraph (A) shall be not more than 50 percent.

(ii) FORM OF NON-FEDERAL SHARE.—The non-Federal share may be in the form of in-kind contributions or goods or services fairly valued.

(5) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 fiscal years after the date on which funds are made available to carry out this paragraph, the Secretary shall complete a management plan for the historical park.

(B) APPLICABLE LAW.—The management plan shall be prepared in accordance with section 12(b) of the National Park System General Authorities Act (16 U.S.C. 1a–7(b)) and other applicable laws.

(d) NATIONAL LANDMARK STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall complete a study assessing the historical significance of additional properties in the State of Delaware that are associated with the purposes of historical park.

(2) REQUIREMENTS.—The study prepared under paragraph (1) shall include an assessment of the potential for designating the additional properties as National Historic Landmarks.

(e) OFFSET.—Section 7302(f) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 469n(f)) is amended by inserting before the period at the end the following: ", except that the amount authorized to be appropriated to carry out this section not appropriated as of the date of enactment of the First State National Historical Park Act shall be reduced by $6,500,000". 54 USC 311105.

SEC. 3034. GETTYSBURG NATIONAL MILITARY PARK.

(a) BOUNDARY REVISION.—Section 1(b) of Public Law 101–377 (16 U.S.C. 430g–4(b)) is amended—

(1) by striking "include the" and insert "include—

"(1) the";

(2) at the end of paragraph (1) (as designated by paragraph (1)), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(2) the properties depicted as 'Proposed Addition' on the map entitled 'Gettysburg National Military Park Proposed Boundary Addition', numbered 305/80,045, and dated January, 2010 (2 sheets), including—

"(A) the property commonly known as the 'Gettysburg Train Station'; and

"(B) the property located adjacent to Plum Run in Cumberland Township.".

(b) ACQUISITION OF LAND.—Section 2(a) of Public Law 101–377 (16 U.S.C. 430g–5(a)) is amended—

(1) in the first sentence, by striking "The Secretary" and inserting the following:

"(1) AUTHORITY TO ACQUIRE LAND.—The Secretary";

(2) in the second sentence, by striking "In acquiring" and inserting the following:

"(2) MINIMUM FEDERAL INTERESTS.—In acquiring"; and

(3) by adding at the end the following:

"(3) METHOD OF ACQUISITION FOR CERTAIN LAND.—Notwithstanding paragraph (1), the Secretary may acquire the properties added to the park by section 1(b)(2) only by donation.".

16 USC 410sss.

SEC. 3035. HARRIET TUBMAN UNDERGROUND RAILROAD NATIONAL HISTORICAL PARK, MARYLAND.

(a) DEFINITIONS.—In this section:

(1) HISTORICAL PARK.—The term "historical park" means the Harriet Tubman Underground Railroad National Historical Park established by subsection (b)(1)(A).

(2) MAP.—The term "map" means the map entitled "Harriet Tubman Underground Railroad National Historical Park, Proposed Boundary and Authorized Acquisition Areas", numbered T20/80,001A, and dated March 2014.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) STATE.—The term "State" means the State of Maryland.

(b) HARRIET TUBMAN UNDERGROUND RAILROAD NATIONAL HISTORICAL PARK.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is established as a unit of the National Park System the Harriet Tubman Underground Railroad National Historical Park in the State, consisting of the area depicted on the map as "Harriet Tubman Underground Railroad National Historical Park Boundary".

(B) BOUNDARY.—The boundary of the historical park shall consist of—

(i) the land described in subparagraph (A); and

(ii) any land and interests in land acquired under paragraph (3).

(C) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in appropriate offices of the National Park Service.

(2) PURPOSE.—The purpose of the historical park is to preserve and interpret for the benefit of present and future generations the historical, cultural, and natural resources associated with the life of Harriet Tubman and the Underground Railroad.

(3) LAND ACQUISITION.—

(A) IN GENERAL.—The Secretary may acquire land and interests in land within the areas depicted on the map as "Authorized Acquisition Areas for the National Historical Park" only by purchase from willing sellers, donation, or exchange.

(B) LIMITATION.—The Secretary may not acquire land or an interest in land for purposes of this section by condemnation.

(C) BOUNDARY ADJUSTMENT.—On acquisition of land or an interest in land under subparagraph (A), the boundary of the historical park shall be adjusted to reflect the acquisition.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the historical park and the portion of the Harriet Tubman Underground Railroad National Monument administered by the National Park Service as a single unit of the National Park System, which shall be known as the "Harriet Tubman Underground Railroad National Historical Park".

(2) APPLICABLE LAW.—The Secretary shall administer the historical park in accordance with this section, Presidential Proclamation Number 8943 (78 Fed. Reg. 18763), and the laws generally applicable to units of the National Park System, including—

(A) the National Park System Organic Act (16 U.S.C. 1 et seq.); and

(B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(3) INTERAGENCY AGREEMENT.—Not later than 1 year after the date of enactment of this Act, the Director of the National Park Service and the Director of the United States Fish and Wildlife Service shall enter into an agreement to allow the National Park Service to provide for archeological research and the public interpretation of historic resources located within the boundary of the Blackwater National Wildlife Refuge that are associated with the life of Harriet Tubman, consistent with the management requirements of the Refuge.

(4) INTERPRETIVE TOURS.—The Secretary may provide interpretive tours to sites and resources located outside the boundary of the historical park in Caroline, Dorchester, and Talbot Counties, Maryland, relating to the life of Harriet Tubman and the Underground Railroad.

(5) LAND USES AND AGREEMENTS.—Nothing in this section affects—

(A) land within the boundaries of the Blackwater National Wildlife Refuge;

(B) agreements between the Secretary and private landowners regarding hunting, fishing, farming, or other activities; or

(C) land use rights of private property owners within or adjacent to the historical park or the Harriet Tubman Underground Railroad National Monument, including activities or uses on private land that can be seen or heard within the historical park or the Harriet Tubman Underground Railroad National Monument.

(6) AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into an agreement with the State, political subdivisions of the State, colleges and universities, non-profit organizations, and individuals—

(i) to mark, interpret, and restore nationally significant historic or cultural resources relating to the life of Harriet Tubman or the Underground Railroad within the boundaries of the historical park, if the agreement provides for reasonable public access; or

(ii) to conduct research relating to the life of Harriet Tubman and the Underground Railroad.

(B) VISITOR CENTER.—The Secretary may enter into an agreement to design, construct, operate, and maintain a joint visitor center on land owned by the State—

(i) to provide for National Park Service visitor and interpretive facilities for the historical park; and

(ii) to provide to the Secretary, at no additional cost, sufficient office space to administer the historical park.

(C) COST-SHARING REQUIREMENT.—

(i) FEDERAL SHARE.—The Federal share of the total cost of any activity carried out under this paragraph shall not exceed 50 percent.

(ii) FORM OF NON-FEDERAL SHARE.—The non-Federal share of the cost of carrying out an activity under this paragraph may be in the form of in-kind contributions or goods or services fairly valued.

(d) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall prepare a general management plan for the historical park in accordance with section 12(b) of the National Park Service General Authorities Act (16 U.S.C. 1a–7(b)).

(2) CONSULTATION.—The general management plan shall be prepared in consultation with the State (including political subdivisions of the State).

(3) PUBLIC COMMENT.—The Secretary shall—

(A) hold not less than 1 public meeting in the area of the historical park on the proposed general management plan, including opportunity for public comment; and

(B) publish the draft general management plan on the internet and provide an opportunity for public comment on the plan.

(4) COORDINATION.—The Secretary shall coordinate the preparation and implementation of the management plan with—

(A) the Blackwater National Wildlife Refuge;

(B) the Harriet Tubman National Historical Park established by section 3(b)(1)(A); and

(C) the National Underground Railroad Network to Freedom.

16 USC 410ttt.

SEC. 3036. HARRIET TUBMAN NATIONAL HISTORICAL PARK, AUBURN, NEW YORK.

(a) DEFINITIONS.—In this section:

(1) HISTORICAL PARK.—The term "historical park" means the Harriet Tubman National Historical Park established by subsection (b)(1)(A).

(2) HOME.—The term "Home" means The Harriet Tubman Home, Inc., located in Auburn, New York.

(3) MAP.—The term "map" means the map entitled "Harriet Tubman National Historical Park", numbered T18/80,000, and dated March 2009.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(5) STATE.—The term "State" means the State of New York.

(b) HARRIET TUBMAN NATIONAL HISTORICAL PARK.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), there is established the Harriet Tubman National Historical Park in Auburn, New York, as a unit of the National Park System.

(B) DETERMINATION BY SECRETARY.—The historical park shall not be established until the date on which the Secretary determines that a sufficient quantity of land, or interests in land, has been acquired to constitute a manageable park unit.

(C) NOTICE.—Not later than 30 days after the date on which the Secretary makes a determination under subparagraph (B), the Secretary shall publish in the Federal Register notice of the establishment of the historical park.

(D) MAP.—The map shall be on file and available for public inspection in appropriate offices of the National Park Service.

(2) BOUNDARY.—The historical park shall include the Harriet Tubman Home, the Tubman Home for the Aged, the Thompson Memorial AME Zion Church and Rectory, and associated land, as identified in the area entitled "National Historical Park Proposed Boundary" on the map.

(3) PURPOSE.—The purpose of the historical park is to preserve and interpret for the benefit of present and future generations the historical, cultural, and natural resources associated with the life of Harriet Tubman.

(4) LAND ACQUISITION.—

(A) IN GENERAL.—The Secretary may acquire land and interests in land within the areas depicted on the map by purchase from a willing seller, donation, or exchange.

(B) NO CONDEMNATION.—No land or interest in land within the areas depicted on the map may be acquired by condemnation.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the historical park in accordance with this section and the laws generally applicable to units of the National Park System, including—

(A) the National Park System Organic Act (16 U.S.C. 1 et seq.); and

(B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) INTERPRETIVE TOURS.—The Secretary may provide interpretive tours to sites and resources located outside the boundary of the historical park in Auburn, New York, relating to the life of Harriet Tubman.

(3) AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into an agreement with the owner of any land within the historical park to mark, interpret, or restore nationally significant historic or cultural resources relating to the life of Harriet Tubman, if the agreement provides that—

(i) the Secretary shall have the right of access to any public portions of the land covered by the agreement to allow for—

(I) access at reasonable times by historical park visitors to the land; and

(II) interpretation of the land for the public; and

(ii) no changes or alterations shall be made to the land except by mutual agreement of the Secretary and the owner of the land.

(B) RESEARCH.—The Secretary may enter into an agreement with the State, political subdivisions of the State, institutions of higher education, the Home and other nonprofit organizations, and individuals to conduct research relating to the life of Harriet Tubman.

(C) COST-SHARING REQUIREMENT.—

(i) FEDERAL SHARE.—The Federal share of the total cost of any activity carried out under this paragraph shall not exceed 50 percent.

(ii) FORM OF NON-FEDERAL SHARE.—The non-Federal share may be in the form of in-kind contributions or goods or services fairly valued.

(D) ATTORNEY GENERAL.—

(i) IN GENERAL.—The Secretary shall submit to the Attorney General for review any agreement under this paragraph involving religious property or property owned by a religious institution.

(ii) FINDING.—No agreement subject to review under this subparagraph shall take effect until the date on which the Attorney General issues a finding that the proposed agreement does not violate the Establishment Clause of the first amendment to the Constitution.

(d) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall prepare a general management plan for the historical park in accordance with section 12(b) of the National Park Service General Authorities Act (16 U.S.C. 1a–7(b)).

(2) COORDINATION.—The Secretary shall coordinate the preparation and implementation of the management plan with—

(A) the Harriet Tubman Underground Railroad National Historical Park established by section 2(b)(1); and

(B) the National Underground Railroad Network to Freedom.

(e) OFFSET.—Section 101(b)(12) of the Water Resources Development Act of 1996 (Public Law 104–303; 110 Stat. 3667) is amended by striking "$53,852,000" and inserting "$29,852,000".

SEC. 3037. HINCHLIFFE STADIUM ADDITION TO PATERSON GREAT FALLS NATIONAL HISTORICAL PARK.

(a) PATERSON GREAT FALLS NATIONAL HISTORICAL PARK BOUNDARY ADJUSTMENT.—Section 7001 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 410lll) is amended as follows:

(1) In subsection (b)(3)—

(A) by striking "The Park shall" and inserting "(A) The Park shall";

(B) by redesignating subparagraphs (A) through (G) as clauses (i) through (vii), respectively; and

(C) by adding at the end the following:

"(B) In addition to the lands described in subparagraph (A), the Park shall include the approximately 6 acres of land containing Hinchliffe Stadium and generally depicted as the 'Boundary Modification Area' on the map entitled 'Paterson Great Falls National Historical Park, Proposed Boundary Modification', numbered T03/120,155, and dated April 2014, which shall be administered as part of the Park in accordance with subsection (c)(1) and section 3 of the Hinchliffe Stadium Heritage Act.".

(2) In subsection (b)(4), by striking "The Map" and inserting "The Map and the map referred to in paragraph (3)(B)".

(3) In subsection (c)(4)—

(A) in subparagraph (A), by striking "The Secretary" and inserting "Except as provided in subparagraphs (B) and (C), the Secretary"; and

(B) by inserting after subparagraph (B) the following:

"(C) HINCHLIFFE STADIUM.—The Secretary may not acquire fee title to Hinchliffe Stadium, but may acquire a preservation easement in Hinchliffe Stadium if the Secretary determines that doing so will facilitate resource protection of the stadium.".

(b) ADDITIONAL CONSIDERATIONS FOR HINCHLIFFE STADIUM.— 16 USC 410111 note.

(1) IN GENERAL.—In administering the approximately 6 acres of land containing Hinchliffe Stadium and generally depicted as the "Boundary Modification Area" on the map entitled "Paterson Great Falls National Historical Park, Proposed Boundary Modification", numbered T03/120,155, and dated April 2014, the Secretary of the Interior—

(A) may not include non-Federal property within the approximately 6 acres of land as part of Paterson Great Falls National Historical Park without the written consent of the owner;

(B) may not acquire by condemnation any land or interests in land within the approximately 6 acres of land; and

(C) shall not construe the inclusion of Hinchliffe Stadium made by this section to create buffer zones outside the boundaries of the Paterson Great Falls National Historical Park.

(2) OUTSIDE ACTIVITIES.—The fact that activities can be seen or head from within the approximately 6 acres of land described in paragraph (1) shall not preclude such activities outside the boundary of the Paterson Great Falls National Historical Park.

SEC. 3038. LOWER EAST SIDE TENEMENT NATIONAL HISTORIC SITE.

Public Law 105–378 is amended—

(1) in section 101(a)— 54 USC 320101 note.

(A) in paragraph (4), by striking "the Lower East Side Tenement at 97 Orchard Street in New York City is an outstanding survivor" and inserting "the Lower East Side Tenements at 97 and 103 Orchard Street in New York City are outstanding survivors"; and

(B) in paragraph (5), by striking "the Lower East Side Tenement is" and inserting "the Lower East Side Tenements are";

(2) in section 102—

(A) in paragraph (1), by striking "Lower East Side Tenement found at 97 Orchard Street" and inserting "Lower East Side Tenements found at 97 and 103 Orchard Street"; and

(B) in paragraph (2), by striking "which owns and operates the tenement building at 97 Orchard Street" and inserting "which owns and operates the tenement buildings at 97 and 103 Orchard Street";

(3) in section 103(a), by striking "the Lower East Side Tenement at 97 Orchard Street, in the City of New York, State of New York, is designated" and inserting "the Lower East Side Tenements at 97 and 103 Orchard Street, in the City of New York, State of New York, are designated"; and

(4) in section 104(d), by striking "the property at 97 Orchard Street" and inserting "the properties at 97 and 103 Orchard Street".

16 USC 410uuu.

SEC. 3039. MANHATTAN PROJECT NATIONAL HISTORICAL PARK.

(a) PURPOSES.—The purposes of this section are—

(1) to preserve and protect for the benefit of present and future generations the nationally significant historic resources associated with the Manhattan Project;

(2) to improve public understanding of the Manhattan Project and the legacy of the Manhattan Project through interpretation of the historic resources associated with the Manhattan Project;

(3) to enhance public access to the Historical Park consistent with protection of public safety, national security, and other aspects of the mission of the Department of Energy; and

(4) to assist the Department of Energy, Historical Park communities, historical societies, and other interested organizations and individuals in efforts to preserve and protect the historically significant resources associated with the Manhattan Project.

(b) DEFINITIONS.—In this section:

(1) HISTORICAL PARK.—The term "Historical Park" means the Manhattan Project National Historical Park established under subsection (c).

(2) MANHATTAN PROJECT.—The term "Manhattan Project" means the Federal military program to develop an atomic bomb ending on December 31, 1946.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(c) ESTABLISHMENT OF MANHATTAN PROJECT NATIONAL HISTORICAL PARK.—

(1) ESTABLISHMENT.—

(A) DATE.—Not later than 1 year after the date of enactment of this section, there shall be established as a unit of the National Park System the Manhattan Project National Historical Park.

(B) AREAS INCLUDED.—The Historical Park shall consist of facilities and areas listed under paragraph (2) as

determined by the Secretary, in consultation with the Secretary of Energy. The Secretary shall include the area referred to in paragraph (2)(C)(i), the B Reactor National Historic Landmark, in the Historical Park.

(2) ELIGIBLE AREAS.—The Historical Park may only be comprised of one or more of the following areas, or portions of the areas, as generally depicted in the map titled "Manhattan Project National Historical Park Sites", numbered 540/108,834–C, and dated September 2012:

(A) OAK RIDGE, TENNESSEE.—Facilities, land, or interests in land that are—

(i) Buildings 9204–3 and 9731 at the Department of Energy Y–12 National Security Complex;

(ii) the X–10 Graphite Reactor at the Department of Energy Oak Ridge National Laboratory;

(iii) the K–25 Building site at the Department of Energy East Tennessee Technology Park;

(iv) the former Guest House located at 210 East Madison Road; and

(v) at other sites in Oak Ridge, Tennessee, that are not depicted on the map but are determined by the Secretary to be suitable and appropriate for inclusion in the Historical Park, except that sites administered by the Secretary of Energy may be included only with the concurrence of the Secretary of Energy.

(B) LOS ALAMOS, NEW MEXICO.—Facilities, land, or interests in land that are—

(i) within the Los Alamos Scientific Laboratory National Historic Landmark District, or any addition to the Landmark District proposed in the National Historic Landmark Nomination—Los Alamos Scientific Laboratory (LASL) NHL District (Working Draft of NHL Revision), Los Alamos National Laboratory document LA–UR 12–00387 (January 26, 2012);

(ii) the former East Cafeteria located at 1670 Nectar Street; and

(iii) the former dormitory located at 1725 17th Street.

(C) HANFORD, WASHINGTON.—Facilities, land, or interests in land on the Department of Energy Hanford Nuclear Reservation that are—

(i) the B Reactor National Historic Landmark;

(ii) the Hanford High School in the town of Hanford and Hanford Construction Camp Historic District;

(iii) the White Bluffs Bank building in the White Bluffs Historic District;

(iv) the warehouse at the Bruggemann's Agricultural Complex;

(v) the Hanford Irrigation District Pump House; and

(vi) the T Plant (221–T Process Building).

(d) AGREEMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary and the Secretary of Energy (acting through the Oak Ridge, Los Alamos, and Richland site offices) shall enter into an agreement governing the respective roles of the Secretary and the Secretary of Energy

in administering the facilities, land, or interests in land under the administrative jurisdiction of the Department of Energy that is to be included in the Historical Park under subsection (c)(2), including provisions for enhanced public access, management, interpretation, and historic preservation.

(2) RESPONSIBILITIES OF THE SECRETARY.—Any agreement under paragraph (1) shall provide that the Secretary shall—

(A) have decisionmaking authority for the content of historic interpretation of the Manhattan Project for purposes of administering the Historical Park; and

(B) ensure that the agreement provides an appropriate advisory role for the National Park Service in preserving the historic resources covered by the agreement.

(3) RESPONSIBILITIES OF THE SECRETARY OF ENERGY.—Any agreement under paragraph (1) shall provide that the Secretary of Energy—

(A) shall ensure that the agreement appropriately protects public safety, national security, and other aspects of the ongoing mission of the Department of Energy at the Oak Ridge Reservation, Los Alamos National Laboratory, and Hanford Site;

(B) may consult with and provide historical information to the Secretary concerning the Manhattan Project;

(C) shall retain responsibility, in accordance with applicable law, for any environmental remediation or activities relating to structural safety that may be necessary in or around the facilities, land, or interests in land governed by the agreement; and

(D) shall retain authority and legal obligations for historic preservation and general maintenance, including to ensure safe access, in connection with the Department's Manhattan Project resources.

(4) AMENDMENTS.—The agreement under paragraph (1) may be amended, including to add to the Historical Park facilities, land, or interests in land within the eligible areas described in subsection (c)(2) that are under the jurisdiction of the Secretary of Energy.

(e) PUBLIC PARTICIPATION.—

(1) IN GENERAL.—The Secretary shall consult with interested State, county, and local officials, organizations, and interested members of the public—

(A) before executing any agreement under subsection (d); and

(B) in the development of the general management plan under subsection (f)(2).

(2) NOTICE OF DETERMINATION.—Not later than 30 days after the date on which an agreement under subsection (d) is entered into, the Secretary shall publish in the Federal Register notice of the establishment of the Historical Park, including an official boundary map.

(3) AVAILABILITY OF MAP.—The official boundary map published under paragraph (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service. The map shall be updated to reflect any additions to the Historical Park from eligible areas described in subsection (c)(2).

(4) ADDITIONS.—Any land, interest in land, or facility within the eligible areas described in subsection (c)(2) that is acquired by the Secretary or included in an amendment to the agreement under subsection (d)(4) shall be added to the Historical Park.

(f) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Historical Park in accordance with—

(A) this section; and

(B) the laws generally applicable to units of the National Park System, including—

(i) the National Park System Organic Act (16 U.S.C. 1 et seq.); and

(ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) GENERAL MANAGEMENT PLAN.—Not later than 3 years after the date on which funds are made available to carry out this subsection, the Secretary, with the concurrence of the Secretary of Energy, with respect to land administered by the Secretary of Energy, and in consultation and collaboration with the Oak Ridge, Los Alamos and Richland Department of Energy site offices, shall complete a general management plan for the Historical Park in accordance with section 12(b) of Public Law 91–383 (commonly known as the National Park Service General Authorities Act; 16 U.S.C. 1a–7(b)).

(3) INTERPRETIVE TOURS.—The Secretary may, subject to applicable law, provide interpretive tours of historically significant Manhattan Project sites and resources in the States of Tennessee, New Mexico, and Washington that are located outside the boundary of the Historical Park.

(4) LAND ACQUISITION.—

(A) IN GENERAL.—The Secretary may acquire land and interests in land within the eligible areas described in subsection (c)(2) by—

(i) transfer of administrative jurisdiction from the Department of Energy by agreement between the Secretary and the Secretary of Energy;

(ii) donation;

(iii) exchange; or

(iv) in the case of land and interests in land within the eligible areas described in subparagraphs (A) and (B) of subsection (c)(2), purchase from a willing seller.

(B) NO USE OF CONDEMNATION.—The Secretary may not acquire by condemnation any land or interest in land under this section.

(C) FACILITIES.—The Secretary may acquire land or interests in land in the vicinity of the Historical Park for visitor and administrative facilities.

(5) DONATIONS; COOPERATIVE AGREEMENTS.—

(A) FEDERAL FACILITIES.—

(i) IN GENERAL.—The Secretary may enter into one or more agreements with the head of a Federal agency to provide public access to, and management, interpretation, and historic preservation of, historically significant Manhattan Project resources under the jurisdiction or control of the Federal agency.

(ii) DONATIONS; COOPERATIVE AGREEMENTS.—The Secretary may accept donations from, and enter into cooperative agreements with, State governments, units of local government, tribal governments, organizations, or individuals to further the purpose of an interagency agreement entered into under clause (i) or to provide visitor services and administrative facilities within reasonable proximity to the Historical Park.

(B) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to State, local, or tribal governments, organizations, or individuals for the management, interpretation, and historic preservation of historically significant Manhattan Project resources not included within the Historical Park.

(C) DONATIONS TO DEPARTMENT OF ENERGY.—For the purposes of this section, or for the purpose of preserving and providing access to historically significant Manhattan Project resources, the Secretary of Energy may accept, hold, administer, and use gifts, bequests, and devises (including labor and services).

(g) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in this section creates a protective perimeter or buffer zone around the boundary of the Historical Park.

(2) ACTIVITIES OUTSIDE THE BOUNDARY OF THE HISTORICAL PARK.—The fact that an activity or use on land outside the boundary of the Historical Park can be seen or heard from within the boundary shall not preclude the activity or use outside the boundary of the Historical Park.

(h) NO CAUSE OF ACTION.—Nothing in this section shall be construed to create a cause of action with respect to activities outside or adjacent to the established boundary of the Historical Park.

16 USC 90b note.

SEC. 3040. NORTH CASCADES NATIONAL PARK AND STEPHEN MATHER WILDERNESS.

Title II of the Washington Park Wilderness Act of 1988 (16 U.S.C. 1132 note; Public Law 100–668) is amended by adding at the end the following:

16 USC 1132 note.

"SEC. 207. BOUNDARY ADJUSTMENTS FOR ROAD.

"(a) IN GENERAL.—The Secretary may adjust the boundaries of the North Cascades National Park and the Stephen Mather Wilderness in order to provide a 100-foot-wide corridor along which the Stehekin Valley Road may be rebuilt—

"(1) outside of the floodplain between milepost 12.9 and milepost 22.8;

"(2) within the boundaries of the North Cascades National Park; and

"(3) outside of the boundaries of the Stephen Mather Wilderness.

"(b) NO NET LOSS OF LANDS.—The boundary adjustments made under this section shall be such that equal acreage amounts are exchanged between the Stephen Mather Wilderness and the North Cascades National Park, resulting in no net loss of acreage to either the Stephen Mather Wilderness or the North Cascades National Park.".

SEC. 3041. OREGON CAVES NATIONAL MONUMENT AND PRESERVE. 16 USC 410vvv.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term "map" means the map entitled "Oregon Caves National Monument and Preserve", numbered 150/80,023, and dated May 2010.

(2) MONUMENT.—The term "Monument" means the Oregon Caves National Monument established by Presidential Proclamation Number 876 (36 Stat. 2497), dated July 12, 1909.

(3) NATIONAL MONUMENT AND PRESERVE.—The term "National Monument and Preserve" means the Oregon Caves National Monument and Preserve designated by subsection (b)(1)(A).

(4) NATIONAL PRESERVE.—The term "National Preserve" means the National Preserve designated by subsection (b)(1)(B).

(5) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(6) SECRETARY CONCERNED.—The term "Secretary concerned" means—

(A) the Secretary of Agriculture (acting through the Chief of the Forest Service), with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to land managed by the Bureau of Land Management.

(7) STATE.—The term "State" means the State of Oregon.

(b) DESIGNATIONS; LAND TRANSFER; BOUNDARY ADJUSTMENT.—

(1) DESIGNATIONS.—

(A) IN GENERAL.—The Monument and the National Preserve shall be administered as a single unit of the National Park System and collectively known and designated as the "Oregon Caves National Monument and Preserve".

(B) NATIONAL PRESERVE.—The approximately 4,070 acres of land identified on the map as "Proposed Addition Lands" shall be designated as a National Preserve.

(2) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(A) IN GENERAL.—Administrative jurisdiction over the land designated as a National Preserve under paragraph (1)(B) is transferred from the Secretary of Agriculture to the Secretary, to be administered as part of the National Monument and Preserve.

(B) EXCLUSION OF LAND.—The boundaries of the Rogue River-Siskiyou National Forest are adjusted to exclude the land transferred under subparagraph (A).

(3) BOUNDARY ADJUSTMENT.—The boundary of the National Monument and Preserve is modified to exclude approximately 4 acres of land—

(A) located in the City of Cave Junction; and

(B) identified on the map as the "Cave Junction Unit".

(4) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(5) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Monument shall be considered to be a reference to the "Oregon Caves National Monument and Preserve".

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the National Monument and Preserve in accordance with—

(A) this section;

(B) Presidential Proclamation Number 876 (36 Stat. 2497), dated July 12, 1909; and

(C) any law (including regulations) generally applicable to units of the National Park System, including the National Park Service Organic Act (16 U.S.C. 1 et seq.).

(2) FIRE MANAGEMENT.—As soon as practicable after the date of enactment of this Act, in accordance with paragraph (1), the Secretary shall—

(A) revise the fire management plan for the Monument to include the land transferred under subsection (b)(2)(A); and

(B) in accordance with the revised plan, carry out hazardous fuel management activities within the boundaries of the National Monument and Preserve.

(3) EXISTING FOREST SERVICE CONTRACTS.—

(A) IN GENERAL.—The Secretary shall—

(i) allow for the completion of any Forest Service stewardship or service contract executed as of the date of enactment of this Act with respect to the National Preserve; and

(ii) recognize the authority of the Secretary of Agriculture for the purpose of administering a contract described in clause (i) through the completion of the contract.

(B) TERMS AND CONDITIONS.—All terms and conditions of a contract described in subparagraph (A)(i) shall remain in place for the duration of the contract.

(C) LIABILITY.—The Forest Service shall be responsible for any liabilities relating to a contract described in subparagraph (A)(i).

(4) GRAZING.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may allow the grazing of livestock within the National Preserve to continue as authorized under permits or leases in existence as of the date of enactment of this Act.

(B) APPLICABLE LAW.—Grazing under subparagraph (A) shall be—

(i) at a level not greater than the level at which the grazing exists as of the date of enactment of this Act, as measured in Animal Unit Months; and

(ii) in accordance with each applicable law (including National Park Service regulations).

(5) FISH AND WILDLIFE.—The Secretary shall permit hunting and fishing on land and waters within the National Preserve in accordance with applicable Federal and State laws, except that the Secretary may, in consultation with the Oregon Department of Fish and Wildlife, designate zones in which, and establish periods during which, no hunting or fishing shall be permitted for reasons of public safety, administration, or compliance by the Secretary with any applicable law (including regulations).

(d) VOLUNTARY GRAZING LEASE OR PERMIT DONATION PROGRAM.—

(1) DONATION OF LEASE OR PERMIT.—

(A) ACCEPTANCE BY SECRETARY CONCERNED.—The Secretary concerned shall accept a grazing lease or permit that is donated by a lessee or permittee for—

(i) the Big Grayback Grazing Allotment located in the Rogue River-Siskiyou National Forest; and

(ii) the Billy Mountain Grazing Allotment located on a parcel of land that is managed by the Secretary (acting through the Director of the Bureau of Land Management).

(B) TERMINATION.—With respect to each grazing permit or lease donated under subparagraph (A), the Secretary shall—

(i) terminate the grazing permit or lease; and

(ii) ensure a permanent end to grazing on the land covered by the grazing permit or lease.

(2) EFFECT OF DONATION.—A lessee or permittee that donates a grazing lease or grazing permit (or a portion of a grazing lease or grazing permit) under this section shall be considered to have waived any claim to any range improvement on the associated grazing allotment or portion of the associated grazing allotment, as applicable.

(e) WILD AND SCENIC RIVER DESIGNATIONS.—

(1) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

"(208) RIVER STYX, OREGON.—The subterranean segment of Cave Creek, known as the River Styx, to be administered by the Secretary of the Interior as a scenic river.".

(2) POTENTIAL ADDITIONS.—

(A) IN GENERAL.—Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end the following:

"(141) OREGON CAVES NATIONAL MONUMENT AND PRESERVE, OREGON.—

"(A) CAVE CREEK, OREGON.—The 2.6-mile segment of Cave Creek from the headwaters at the River Styx to the boundary of the Rogue River Siskiyou National Forest.

"(B) LAKE CREEK, OREGON.—The 3.6-mile segment of Lake Creek from the headwaters at Bigelow Lakes to the confluence with Cave Creek.

"(C) NO NAME CREEK, OREGON.—The 0.6-mile segment of No Name Creek from the headwaters to the confluence with Cave Creek.

"(D) PANTHER CREEK.—The 0.8-mile segment of Panther Creek from the headwaters to the confluence with Lake Creek.

"(E) UPPER CAVE CREEK.—The segment of Upper Cave Creek from the headwaters to the confluence with River Styx.".

(B) STUDY; REPORT.—Section 5(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)) is amended by adding at the end the following:

"(20) OREGON CAVES NATIONAL MONUMENT AND PRESERVE, OREGON.—Not later than 3 years after the date on which funds are made available to carry out this paragraph, the Secretary shall—

"(A) complete the study of the Oregon Caves National Monument and Preserve segments described in subsection (a)(141); and

"(B) submit to Congress a report containing the results of the study.".

SEC. 3042. SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK.

Section 201 of Public Law 95–629 (16 U.S.C. 410ee) is amended—

(1) by striking "SEC. 201. (a) In order" and inserting the following:

"SEC. 201. SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—In order"; and

(2) in subsection (a)—

(A) in the second sentence, by striking "The park shall also" and inserting the following:

"(2) ADDITIONAL LAND.—The park shall also";

(B) in the third sentence, by striking "After advising the" and inserting the following:

"(4) REVISIONS.—After advising the"; and

(C) by inserting after paragraph (2) (as designated by subparagraph (A)) the following:

"(3) BOUNDARY MODIFICATION.—

"(A) IN GENERAL.—The boundary of the park is modified to include approximately 137 acres, as depicted on the map entitled 'San Antonio Missions National Historical Park Proposed Boundary Addition', numbered 472/113,006A, and dated June 2012.

"(B) AVAILABILITY OF MAP.—The map described in subparagraph (A) shall be on file and available for inspection in the appropriate offices of the National Park Service.

"(C) ACQUISITION OF LAND.—The Secretary of the Interior may acquire the land or any interest in the land described in subparagraph (A) only by donation or exchange.".

16 USC 698v–11.

SEC. 3043. VALLES CALDERA NATIONAL PRESERVE, NEW MEXICO.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE EMPLOYEE.—The term "eligible employee" means a person who was a full-time or part-time employee of the Trust during the 180-day period immediately preceding the date of enactment of this Act.

(2) FUND.—The term "Fund" means the Valles Caldera Fund established by section 106(h)(2) of the Valles Caldera Preservation Act (16 U.S.C. 698v–4(h)(2)).

(3) PRESERVE.—The term "Preserve" means the Valles Caldera National Preserve in the State.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(5) STATE.—The term "State" means the State of New Mexico.

(6) TRUST.—The term "Trust" means the Valles Caldera Trust established by section 106(a) of the Valles Caldera Preservation Act (16 U.S.C. 698v–4(a)).

(b) DESIGNATION OF VALLES CALDERA NATIONAL PRESERVE AS A UNIT OF THE NATIONAL PARK SYSTEM.—

(1) IN GENERAL.—To protect, preserve, and restore the fish, wildlife, watershed, natural, scientific, scenic, geologic, historic, cultural, archaeological, and recreational values of the area, the Valles Caldera National Preserve is designated as a unit of the National Park System.

(2) BOUNDARY.—

(A) IN GENERAL.—The boundary of the Preserve shall consist of approximately 89,900 acres of land as depicted on the map entitled "Valles Caldera National Preserve Proposed Boundary", numbered P80/102,036C, and dated November 4, 2014.

(B) AVAILABILITY OF MAP.—The map described in subparagraph (A) shall be on file and available for public inspection in appropriate offices of the National Park Service.

(3) MANAGEMENT.—

(A) APPLICABLE LAW.—The Secretary shall administer the Preserve in accordance with—

(i) this section; and

(ii) the laws generally applicable to units of the National Park System, including—

(I) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(II) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(B) MANAGEMENT COORDINATION.—The Secretary may coordinate the management and operations of the Preserve with the Bandelier National Monument.

(C) MANAGEMENT PLAN.—

(i) IN GENERAL.—Not later than 3 fiscal years after the date on which funds are made available to implement this subparagraph, the Secretary shall prepare a management plan for the Preserve.

(ii) APPLICABLE LAW.—The management plan shall be prepared in accordance with—

(I) section 12(b) of Public Law 91–383 (commonly known as the "National Park Service General Authorities Act") (16 U.S.C. 1a–7(b)); and

(II) any other applicable laws.

(iii) CONSULTATION.—The management plan shall be prepared in consultation with—

(I) the Secretary of Agriculture;

(II) State and local governments;

(III) Indian tribes and pueblos, including the Pueblos of Jemez, Santa Clara, and San Ildefonso; and

(IV) the public.

(4) ACQUISITION OF LAND.—

(A) IN GENERAL.—The Secretary may acquire land and interests in land within the boundaries of the Preserve by—

(i) purchase from a willing seller with donated or appropriated funds; or

(ii) donation.

(B) PROHIBITION OF CONDEMNATION.—No land or interest in land within the boundaries of the Preserve may be acquired by condemnation.

(C) ADMINISTRATION OF ACQUIRED LAND.—On acquisition of any land or interests in land under subparagraph (A), the acquired land or interests in land shall be administered as part of the Preserve.

(5) SCIENCE AND EDUCATION PROGRAM.—

(A) IN GENERAL.—The Secretary shall—

(i) until the date on which a management plan is completed in accordance with paragraph (3)(C), carry out the science and education program for the Preserve established by the Trust; and

(ii) beginning on the date on which a management plan is completed in accordance with paragraph (3)(C), establish a science and education program for the Preserve that—

(I) allows for research and interpretation of the natural, historic, cultural, geologic and other scientific features of the Preserve;

(II) provides for improved methods of ecological restoration and science-based adaptive management of the Preserve; and

(III) promotes outdoor educational experiences in the Preserve.

(B) SCIENCE AND EDUCATION CENTER.—As part of the program established under subparagraph (A)(ii), the Secretary may establish a science and education center outside the boundaries of the Preserve in Jemez Springs, New Mexico.

(6) GRAZING.—The Secretary shall allow the grazing of livestock within the Preserve to continue—

(A) at levels and locations determined by the Secretary to be appropriate, consistent with this section; and

(B) to the extent the use furthers scientific research or interpretation of the ranching history of the Preserve.

(7) HUNTING, FISHING, AND TRAPPING.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall permit hunting, fishing, and trapping on land and water within the Preserve in accordance with applicable Federal and State law.

(B) ADMINISTRATIVE EXCEPTIONS.—The Secretary may designate areas in which, and establish limited periods during which, no hunting, fishing, or trapping shall be permitted under subparagraph (A) for reasons of public safety, administration, or compliance with applicable law.

(C) AGENCY AGREEMENT.—Except in an emergency, regulations closing areas within the Preserve to hunting, fishing, or trapping under this paragraph shall be made in consultation with the appropriate agency of the State having responsibility for fish and wildlife administration.

(D) SAVINGS CLAUSE.—Nothing in this section affects any jurisdiction or responsibility of the State with respect to fish and wildlife in the Preserve.

(8) ECOLOGICAL RESTORATION.—

(A) IN GENERAL.—The Secretary shall undertake activities to improve the health of forest, grassland, and riparian areas within the Preserve, including any activities carried out in accordance with title IV of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7301 et seq.).

(B) AGREEMENTS.—The Secretary may enter into agreements with adjacent pueblos to coordinate activities carried out under subparagraph (A) on the Preserve and adjacent pueblo land.

(9) WITHDRAWAL.—Subject to valid existing rights, all land and interests in land within the boundaries of the Preserve are withdrawn from—

(A) entry, disposal, or appropriation under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing laws, geothermal leasing laws, and mineral materials laws.

(10) VOLCANIC DOMES AND OTHER PEAKS.—

(A) IN GENERAL.—Except as provided in subparagraph (C), for the purposes of preserving the natural, cultural, religious, archaeological, and historic resources of the volcanic domes and other peaks in the Preserve described in subparagraph (B) within the area of the domes and peaks above 9,600 feet in elevation or 250 feet below the top of the dome, whichever is lower—

(i) no roads or buildings shall be constructed; and

(ii) no motorized access shall be allowed.

(B) DESCRIPTION OF VOLCANIC DOMES.—The volcanic domes and other peaks referred to in subparagraph (A) are—

(i) Redondo Peak;
(ii) Redondito;
(iii) South Mountain;
(iv) San Antonio Mountain;
(v) Cerro Seco;
(vi) Cerro San Luis;
(vii) Cerros Santa Rosa;
(viii) Cerros del Abrigo;
(ix) Cerro del Medio;
(x) Rabbit Mountain;
(xi) Cerro Grande;
(xii) Cerro Toledo;
(xiii) Indian Point;
(xiv) Sierra de los Valles; and
(xv) Cerros de los Posos.

(C) EXCEPTION.—Subparagraph (A) shall not apply in cases in which construction or motorized access is necessary for administrative purposes (including ecological restoration activities or measures required in emergencies to protect the health and safety of persons in the area).

(11) TRADITIONAL CULTURAL AND RELIGIOUS SITES.—

(A) IN GENERAL.—The Secretary, in consultation with Indian tribes and pueblos, shall ensure the protection of traditional cultural and religious sites in the Preserve.

(B) ACCESS.—The Secretary, in accordance with Public Law 95–341 (commonly known as the "American Indian Religious Freedom Act") (42 U.S.C. 1996)—

(i) shall provide access to the sites described in subparagraph (A) by members of Indian tribes or pueblos for traditional cultural and customary uses; and

(ii) may, on request of an Indian tribe or pueblo, temporarily close to general public use 1 or more specific areas of the Preserve to protect traditional cultural and customary uses in the area by members of the Indian tribe or pueblo.

(C) PROHIBITION ON MOTORIZED ACCESS.—The Secretary shall maintain prohibitions on the use of motorized or mechanized travel on Preserve land located adjacent to the Santa Clara Indian Reservation, to the extent the prohibition was in effect on the date of enactment of this Act.

(12) CALDERA RIM TRAIL.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, affected Indian tribes and pueblos, and the public, shall study the feasibility of establishing a hiking trail along the rim of the Valles Caldera on—

(i) land within the Preserve; and

(ii) National Forest System land that is adjacent to the Preserve.

(B) AGREEMENTS.—On the request of an affected Indian tribe or pueblo, the Secretary and the Secretary of Agriculture shall seek to enter into an agreement with the Indian tribe or pueblo with respect to the Caldera Rim Trail that provides for the protection of—

(i) cultural and religious sites in the vicinity of the trail; and

(ii) the privacy of adjacent pueblo land.

(13) VALID EXISTING RIGHTS.—Nothing in this section affects valid existing rights.

(c) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—Administrative jurisdiction over the Preserve is transferred from the Secretary of Agriculture and the Trust to the Secretary, to be administered as a unit of the National Park System, in accordance with subsection (b).

(2) EXCLUSION FROM SANTA FE NATIONAL FOREST.—The boundaries of the Santa Fe National Forest are modified to exclude the Preserve.

(3) INTERIM MANAGEMENT.—

(A) MEMORANDUM OF AGREEMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary and the Trust shall enter into a memorandum of agreement to facilitate the orderly transfer to the Secretary of the administration of the Preserve.

(B) EXISTING MANAGEMENT PLANS.—Notwithstanding the repeal made by subsection (d)(1), until the date on which the Secretary completes a management plan for the Preserve in accordance with subsection (b)(3)(C), the Secretary may administer the Preserve in accordance with any management activities or plans adopted by the Trust under the Valles Caldera Preservation Act (16 U.S.C. 698v et seq.), to the extent the activities or plans are consistent with subsection (b)(3)(A).

(C) PUBLIC USE.—The Preserve shall remain open to public use during the interim management period, subject

to such terms and conditions as the Secretary determines to be appropriate.

(4) VALLES CALDERA TRUST.—

(A) TERMINATION.—The Trust shall terminate 180 days after the date of enactment of this Act unless the Secretary determines that the termination date should be extended to facilitate the transitional management of the Preserve.

(B) ASSETS AND LIABILITIES.—

(i) ASSETS.—On termination of the Trust—

(I) all assets of the Trust shall be transferred to the Secretary; and

(II) any amounts appropriated for the Trust shall remain available to the Secretary for the administration of the Preserve.

(ii) ASSUMPTION OF OBLIGATIONS.—

(I) IN GENERAL.—On termination of the Trust, the Secretary shall assume all contracts, obligations, and other liabilities of the Trust.

(II) NEW LIABILITIES.—

(aa) BUDGET.—Not later than 90 days after the date of enactment of this Act, the Secretary and the Trust shall prepare a budget for the interim management of the Preserve.

(bb) WRITTEN CONCURRENCE REQUIRED.—The Trust shall not incur any new liabilities not authorized in the budget prepared under item (aa) without the written concurrence of the Secretary.

(C) PERSONNEL.—

(i) HIRING.—The Secretary and the Secretary of Agriculture may hire employees of the Trust on a noncompetitive basis for comparable positions at the Preserve or other areas or offices under the jurisdiction of the Secretary or the Secretary of Agriculture.

(ii) SALARY.—Any employees hired from the Trust under clause (i) shall be subject to the provisions of chapter 51, and subchapter III of chapter 53, title 5, United States Code, relating to classification and General Schedule pay rates.

(iii) INTERIM RETENTION OF ELIGIBLE EMPLOYEES.—For a period of not less than 180 days beginning on the date of enactment of this Act, all eligible employees of the Trust shall be—

(I) retained in the employment of the Trust;

(II) considered to be placed on detail to the Secretary; and

(III) subject to the direction of the Secretary.

(iv) TERMINATION FOR CAUSE.—Nothing in this subparagraph precludes the termination of employment of an eligible employee for cause during the period described in clause (iii).

(D) RECORDS.—The Secretary shall have access to all records of the Trust pertaining to the management of the Preserve.

(E) VALLES CALDERA FUND.—

(i) IN GENERAL.—Effective on the date of enactment of this Act, the Secretary shall assume the powers of the Trust over the Fund.

(ii) AVAILABILITY AND USE.—Any amounts in the Fund as of the date of enactment of this Act shall be available to the Secretary for use, without further appropriation, for the management of the Preserve.

(d) REPEAL OF VALLES CALDERA PRESERVATION ACT.—

16 USC 698v and note, 698v–1—698v–10.

(1) REPEAL.—On the termination of the Trust, the Valles Caldera Preservation Act (16 U.S.C. 698v et seq.) is repealed.

(2) EFFECT OF REPEAL.—Notwithstanding the repeal made by paragraph (1)—

(A) the authority of the Secretary of Agriculture to acquire mineral interests under section 104(e) of the Valles Caldera Preservation Act (16 U.S.C. 698v–2(e)) is transferred to the Secretary and any proceeding for the condemnation of, or payment of compensation for, an outstanding mineral interest pursuant to the transferred authority shall continue;

(B) the provisions in section 104(g) of the Valles Caldera Preservation Act (16 U.S.C. 698v–2(g)) relating to the Pueblo of Santa Clara shall remain in effect; and

(C) the Fund shall not be terminated until all amounts in the Fund have been expended by the Secretary.

(3) BOUNDARIES.—The repeal of the Valles Caldera Preservation Act (16 U.S.C. 698v et seq.) shall not affect the boundaries as of the date of enactment of this Act (including maps and legal descriptions) of—

(A) the Preserve;

(B) the Santa Fe National Forest (other than the modification made by subsection (c)(2));

(C) Bandelier National Monument; and

(D) any land conveyed to the Pueblo of Santa Clara.

16 USC 430h–14.

SEC. 3044. VICKSBURG NATIONAL MILITARY PARK.

(a) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary of the Interior (referred to in this section as the "Secretary") may acquire the land or any interests in land within the area identified as "Modified Core Battlefield" for the Port Gibson Unit, the Champion Hill Unit, and the Raymond Unit as generally depicted on the map entitled "Vicksburg National Military Park—Proposed Battlefield Additions", numbered 306/100986A (4 sheets), and dated July 2012.

(2) METHODS OF ACQUISITION.—Land may be acquired under paragraph (1) by donation, purchase with donated or appropriated funds, or exchange, except that land owned by the State of Mississippi or any political subdivisions of the State may be acquired only by donation.

(b) AVAILABILITY OF MAP.—The map described in subsection (a)(1) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) BOUNDARY ADJUSTMENT.—On the acquisition of land by the Secretary under this section—

(1) the acquired land shall be added to Vicksburg National Military Park;

(2) the boundary of the Vicksburg National Military Park shall be adjusted to reflect the acquisition of the land; and

(3) the acquired land shall be administered as part of the Vicksburg National Military Park in accordance with applicable laws (including regulations).

Subtitle D—National Park System Studies, Management, and Related Matters

SEC. 3050. REVOLUTIONARY WAR AND WAR OF 1812 AMERICAN BATTLEFIELD PROTECTION PROGRAM.

Section 7301(c) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11) is amended as follows: 54 USC 308103.

(1) In paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

"(A) BATTLEFIELD REPORT.—The term 'battlefield report' means, collectively—

"(i) the report entitled 'Report on the Nation's Civil War Battlefields', prepared by the Civil War Sites Advisory Commission, and dated July 1993; and

"(ii) the report entitled 'Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States', prepared by the National Park Service, and dated September 2007."; and

(B) in subparagraph (C)(ii), by striking "Battlefield Report" and inserting "battlefield report".

(2) In paragraph (2), by inserting "eligible sites or" after "acquiring".

(3) In paragraph (3), by inserting "an eligible site or" after "acquire".

(4) In paragraph (4), by inserting "an eligible site or" after "acquiring".

(5) In paragraph (5), by striking "An" and inserting "An eligible site or an".

(6) By redesignating paragraph (6) as paragraph (9).

(7) By inserting after paragraph (5) the following new paragraphs:

"(6) WILLING SELLERS.—Acquisition of land or interests in land under this subsection shall be from willing sellers only.

"(7) REPORT.—Not later than 5 years after the date of the enactment of this paragraph, the Secretary shall submit to Congress a report on the activities carried out under this subsection, including a description of—

"(A) preservation activities carried out at the battlefields and associated sites identified in the battlefield report during the period between publication of the battlefield report and the report required under this paragraph;

"(B) changes in the condition of the battlefields and associated sites during that period; and

"(C) any other relevant developments relating to the battlefields and associated sites during that period.

"(8) PROHIBITION ON LOBBYING.—None of the funds provided pursuant to this section shall be used in any way, directly

or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress.".

(8) In paragraph (9) (as redesignated by paragraph (6)), by striking "2014" and inserting "2021".

SEC. 3051. SPECIAL RESOURCE STUDIES.

(a) IN GENERAL.—The Secretary of the Interior (referred to in this section as the "Secretary") shall conduct a special resource study regarding each area, site, and issue identified in subsection (b) to evaluate—

(1) the national significance of the area, site, or issue; and

(2) the suitability and feasibility of designating such an area or site as a unit of the National Park System.

(b) STUDIES.—The areas, sites, and issues referred to in subsection (a) are the following:

(1) LOWER MISSISSIPPI RIVER, LOUISIANA.—Sites along the lower Mississippi River in the State of Louisiana, including Fort St. Philip, Fort Jackson, the Head of Passes, and any related and supporting historical, cultural, or recreational resource located in Plaquemines Parish, Louisiana.

(2) BUFFALO SOLDIERS.—The role of the Buffalo Soldiers in the early years of the National Park System, including an evaluation of appropriate ways to enhance historical research, education, interpretation, and public awareness of the story of the stewardship role of the Buffalo Soldiers in the National Parks, including ways to link the story to the development of National Parks and the story of African-American military service following the Civil War.

(3) ROTA, COMMONWEALTH OF NORTHERN MARIANA ISLANDS.—Prehistoric, historic, and limestone forest sites on the island of Rota, Commonwealth of the Northern Mariana Islands.

(4) PRISON SHIP MONUMENT, NEW YORK.—The Prison Ship Martyrs' Monument in Fort Greene Park, Brooklyn, New York.

(5) FLUSHING REMONSTRANCE, NEW YORK.—The John Bowne House, located at 3701 Bowne Street, Queens, New York, the Friends Meeting House located at 137-17 Northern Boulevard, Queens, New York, and other resources in the vicinity of Flushing, New York, relating to the history of religious freedom during the era of the signing of the Flushing Remonstrance.

(6) WEST HUNTER STREET BAPTIST CHURCH, GEORGIA.—The historic West Hunter Street Baptist Church, located at 775 Martin Luther King Jr. Drive, SW, Atlanta, Georgia, and the block on which the church is located.

(7) MILL SPRINGS BATTLEFIELD, KENTUCKY.—The area encompassed by the National Historic Landmark designations relating to the 1862 Battle of Mill Springs located in Pulaski and Wayne Counties in the State of Kentucky.

(8) NEW PHILADELPHIA, ILLINOIS.—The New Philadelphia archeological site and surrounding land in the State of Illinois.

(c) CRITERIA.—In conducting a study under this section, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System described in section 8(c) of Public Law 91–383 (commonly known as the "National Park System General Authorities Act") (16 U.S.C. 1a–5(c)).

(d) CONTENTS.—Each study authorized by this section shall—

(1) determine the suitability and feasibility of designating the applicable area or site as a unit of the National Park System;

(2) include cost estimates for any necessary acquisition, development, operation, and maintenance of the applicable area or site;

(3) include an analysis of the effect of the applicable area or site on—

(A) existing commercial and recreational activities;

(B) the authorization, construction, operation, maintenance, or improvement of energy production and transmission or other infrastructure in the area; and

(C) the authority of State and local governments to manage those activities;

(4) include an identification of any authorities, including condemnation, that will compel or permit the Secretary to influence or participate in local land use decisions (such as zoning) or place restrictions on non-Federal land if the applicable area or site is designated as a unit of the National Park System; and

(5) identify alternatives for the management, administration, and protection of the applicable area or site.

(e) REPORT.—Not later than 3 years after the date on which funds are made available to carry out a study authorized by this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report the describes—

(1) the findings and recommendations of the study; and

(2) any applicable recommendations of the Secretary.

SEC. 3052. NATIONAL HERITAGE AREAS AND CORRIDORS.

(a) EXTENSION OF NATIONAL HERITAGE AREA AUTHORITIES.—

(1) EXTENSIONS.—

(A) Section 12 of Public Law 100–692 (16 U.S.C. 461 note; 102 Stat. 4558; 112 Stat. 3258; 123 Stat. 1292; 127 Stat. 420; 128 Stat. 314) is amended— 54 USC 320101 note.

(i) in subsection (c)(1), by striking "2015" and inserting "2021"; and

(ii) in subsection (d), by striking "2015" and inserting "2021".

(B) Division II of Public Law 104–333 (16 U.S.C. 461 note) is amended by striking "2015" each place it appears in the following sections and inserting "2021": 54 USC 320101 note.

(i) Section 107 (110 Stat. 4244; 127 Stat. 420; 128 Stat. 314).

(ii) Section 408 (110 Stat. 4256; 127 Stat. 420; 128 Stat. 314).

(iii) Section 507 (110 Stat. 4260; 127 Stat. 420; 128 Stat. 314).

(iv) Section 707 (110 Stat. 4267; 127 Stat. 420; 128 Stat. 314).

(v) Section 809 (110 Stat. 4275; 122 Stat. 826; 127 Stat. 420; 128 Stat. 314).

(vi) Section 910 (110 Stat. 4281; 127 Stat. 420; 128 Stat. 314).

54 USC 320101 note.

(C) Section 109 of Public Law 105–355 (16 U.S.C. 461 note; 112 Stat. 3252) is amended by striking "September 30, 2014" and inserting "September 30, 2021".

54 USC 320101 note.

(D) Public Law 106–278 (16 U.S.C. 461 note) is amended—

(i) in section 108 (114 Stat. 818; 127 Stat. 420; 128 Stat. 314), by striking "2015" and inserting "2021"; and

(ii) in section 209 (114 Stat. 824), by striking "the date that is 15 years after the date of enactment of this title" and inserting "September 30, 2021".

54 USC 320101 note.

(E) Section 157(i) of Public Law 106–291 (16 U.S.C. 461 note; 114 Stat. 967) is amended by striking "2015" and inserting "2021".

54 USC 320101 note.

(F) Section 7 of Public Law 106–319 (16 U.S.C. 461 note; 114 Stat. 1284) is amended by striking "2015" and inserting "2021".

54 USC 320101 note.

(G) Title VIII of division B of H.R. 5666 (Appendix D) as enacted into law by section 1(a)(4) of Public Law 106–554 (16 U.S.C. 461 note; 114 Stat. 2763, 2763A–295; 123 Stat. 1294) is amended—

(i) in section 804(j), by striking "the day occurring 15 years after the date of enactment of this title" and inserting "September 30, 2021"; and

(ii) by adding at the end the following:

"SEC. 811. TERMINATION OF ASSISTANCE.

"The authority of the Secretary to provide financial assistance under this title shall terminate on September 30, 2021.".

54 USC 320101 note.

(H) Section 106(b) of Public Law 103–449 (16 U.S.C. 461 note; 108 Stat. 4755; 113 Stat. 1726; 123 Stat. 1291) is amended, by striking "2015" and inserting "2021".

54 USC 320101 note.

(2) CONDITIONAL EXTENSION OF AUTHORITIES.—

(A) IN GENERAL.—The amendments made by paragraph (1) (other than the amendments made by clauses (iii) and (iv) of paragraph (1)(B)), shall apply only through September 30, 2020, unless the Secretary of the Interior (referred to in this section as the "Secretary")—

(i) conducts an evaluation of the accomplishments of the national heritage areas extended under paragraph (1), in accordance with subparagraph (B); and

(ii) prepares a report in accordance with subparagraph (C) that recommends a future role for the National Park Service with respect to the applicable national heritage area.

(B) EVALUATION.—An evaluation conducted under subparagraph (A)(i) shall—

(i) assess the progress of the local management entity with respect to—

(I) accomplishing the purposes of the authorizing legislation for the national heritage area; and

(II) achieving the goals and objectives of the approved management plan for the national heritage area;

(ii) analyze the investments of Federal, State, tribal, and local government and private entities in

each national heritage area to determine the impact of the investments; and

(iii) review the management structure, partnership relationships, and funding of the national heritage area for purposes of identifying the critical components for sustainability of the national heritage area.

(C) REPORT.—Based on the evaluation conducted under subparagraph (A)(i), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes recommendations for the future role of the National Park Service with respect to the national heritage area.

(b) JOHN H. CHAFEE BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR AMENDMENTS.—Public Law 99–647 (16 U.S.C. 461 note; 100 Stat. 3625) is amended— 54 USC 320101 note.

(1) in the first sentence of section 2 (110 Stat. 4202), by striking "the map entitled 'Blackstone River Valley National Heritage Corridor Boundary Map', numbered BRV–80–80,011, and dated May 2, 1993" and inserting "the map entitled 'John H. Chafee Blackstone River Valley National Heritage Corridor—Proposed Boundary', numbered 022/111530, and dated November 10, 2011";

(2) in section 7 (120 Stat. 1858; 125 Stat. 155)—

(A) in the section heading, by striking "**TERMINATION OF COMMISSION**" and inserting "**TERMINATION OF COMMISSION; DESIGNATION OF LOCAL COORDINATING ENTITY**";

(B) by striking "The Commission" and inserting the following:

"(a) IN GENERAL.—The Commission"; and

(C) by adding at the end the following:

"(b) LOCAL COORDINATING ENTITY.—

"(1) DESIGNATION.—The Commission shall select, subject to the approval of the Secretary, a qualified nonprofit organization to be the local coordinating entity for the Corridor (referred to in this section as the 'local coordinating entity').

"(2) IMPLEMENTATION OF MANAGEMENT PLAN.—The local coordinating entity shall assume the duties of the Commission for the implementation of the Cultural Heritage and Land Management Plan developed and approved under section 6.

"(c) USE OF FUNDS.—For the purposes of carrying out the management plan, the local coordinating entity may use amounts made available under this Act—

"(1) to make grants to the States of Massachusetts and Rhode Island (referred to in this section as the 'States'), political subdivisions of the States, nonprofit organizations, and other persons;

"(2) to enter into cooperative agreements with or provide technical assistance to the States, political subdivisions of the States, nonprofit organizations, Federal agencies, and other interested parties;

"(3) to hire and compensate staff, including individuals with expertise in—

"(A) natural, historical, cultural, educational, scenic, and recreational resource conservation;

"(B) economic and community development; or

"(C) heritage planning;

"(4) to obtain funds or services from any source, including funds and services provided under any other Federal law or program;

"(5) to contract for goods or services; and

"(6) to support activities of partners and any other activities that further the purposes of the Corridor and are consistent with the approved management plan.";

(3) in section 8 (120 Stat. 1858)—

(A) in subsection (b)—

(i) by striking "The Secretary" and inserting the following:

"(1) IN GENERAL.—The Secretary"; and

(ii) by adding at the end the following:

"(2) COOPERATIVE AGREEMENTS.—Notwithstanding chapter 63 of title 31, United States Code, the Secretary may enter into cooperative agreements with the local coordinating entity selected under paragraph (1) and other public or private entities for the purpose of—

"(A) providing technical assistance; or

"(B) implementing the plan under section 6(c)."; and

(B) by striking subsection (d) and inserting the following:

"(d) TRANSITION MEMORANDUM OF UNDERSTANDING.—The Secretary shall enter into a memorandum of understanding with the local coordinating entity to ensure—

"(1) the appropriate transition of management of the Corridor from the Commission to the local coordinating entity; and

"(2) coordination regarding the implementation of the Cultural Heritage and Land Management Plan.";

(4) in section 10 (104 Stat. 1018; 120 Stat. 1858)—

(A) in subsection (a), by striking "in which the Commission is in existence" and inserting "until September 30, 2021"; and

(B) by striking subsection (c); and

(5) by adding at the end the following:

"SEC. 11. REFERENCES TO THE COMMISSION.

"For purposes of sections 6, 8 (other than section 8(d)(1)), 9, and 10, a reference to the 'Commission' shall be considered to be a reference to the local coordinating entity.".

(c) NATIONAL HERITAGE AREA REDESIGNATIONS.—

(1) REDESIGNATION OF THE LAST GREEN VALLEY NATIONAL HERITAGE CORRIDOR.—

(A) IN GENERAL.—The Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 (16 U.S.C. 461 note; Public Law 103–449) is amended—

54 USC 320101 note.

(i) in section 103—

(I) in the heading, by striking "**QUINEBAUG AND SHETUCKET RIVERS VALLEY NATIONAL HERITAGE CORRIDOR**" and inserting "**LAST GREEN VALLEY NATIONAL HERITAGE CORRIDOR**"; and

(II) in subsection (a), by striking "the Quinebaug and Shetucket Rivers Valley National Heritage Corridor" and inserting "The Last Green Valley National Heritage Corridor"; and

(ii) in section 108(2), by striking "the Quinebaug and Shetucket Rivers Valley National Heritage Corridor under" and inserting "The Last Green Valley National Heritage Corridor established by".

(B) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Quinebaug and Shetucket Rivers Valley National Heritage Corridor shall be deemed to be a reference to the "The Last Green Valley National Heritage Corridor".

(2) REDESIGNATION OF MOTORCITIES NATIONAL HERITAGE AREA.—

(A) IN GENERAL.—The Automobile National Heritage Area Act of 1998 (16 U.S.C. 461 note; Public Law 105–355) is amended— 54 USC 320101 note.

(i) in section 102—

(I) in subsection (a)—

(aa) in paragraph (7), by striking "Automobile National Heritage Area Partnership" and inserting "MotorCities National Heritage Area Partnership"; and

(bb) in paragraph (8), by striking "Automobile National Heritage Area" each place it appears and inserting "MotorCities National Heritage Area"; and

(II) in subsection (b)—

(aa) in the matter preceding paragraph (1), by striking "Automobile National Heritage Area" and inserting "MotorCities National Heritage Area"; and

(bb) in paragraph (2), by striking "Automobile National Heritage Area" and inserting "MotorCities National Heritage Area";

(ii) in section 103—

(I) in paragraph (2), by striking "Automobile National Heritage Area" and inserting "MotorCities National Heritage Area"; and

(II) in paragraph (3), by striking "Automobile National Heritage Area Partnership" and inserting "MotorCities National Heritage Area Partnership";

(iii) in section 104—

(I) in the heading, by striking "**AUTOMOBILE NATIONAL HERITAGE AREA**" and inserting "**MOTORCITIES NATIONAL HERITAGE AREA**"; and

(II) in subsection (a), by striking "Automobile National Heritage Area" and inserting "MotorCities National Heritage area"; and

(iv) in section 106, in the heading, by striking "**AUTOMOBILE NATIONAL HERITAGE AREA PARTNERSHIP**" and inserting "**MOTORCITIES NATIONAL HERITAGE AREA PARTNERSHIP**".

(B) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Automobile National Heritage Area shall be deemed to be a reference to the "MotorCities National Heritage Area".

54 USC 320102 note.

SEC. 3053. NATIONAL HISTORIC SITE SUPPORT FACILITY IMPROVEMENTS.

(a) IMPROVEMENT.—The Secretary of the Interior, acting through the Director of the National Park Service (referred to in this section as the "Secretary"), may make improvements to a support facility, including a visitor center, for a National Historic Site operated by the National Park Service if the project—

(1) is conducted using amounts included in the budget of the National Park Service in effect on the date on which the project is authorized;

(2) is subject to a 50 percent non-Federal cost-sharing requirement; and

(3) is conducted in an area in which the National Park Service was authorized by law in effect before the date of enactment of this Act to establish a support facility.

(b) OPERATION AND USE.—The Secretary may operate and use all or part of a support facility, including a visitor center, for a National Historic Site operated by the National Park Service—

(1) to carry out duties associated with operating and supporting the National Historic Site; and

(2) only in accordance with an agreement between the Secretary and the unit of local government in which the support facility is located.

54 USC 101101 note.

SEC. 3054. NATIONAL PARK SYSTEM DONOR ACKNOWLEDGMENT.

(a) DEFINITIONS.—In this section:

(1) DONOR ACKNOWLEDGMENT.—The term "donor acknowledgment" means an appropriate statement or credit acknowledging a donation.

(2) NATIONAL PARK SYSTEM.—The term "National Park System" includes each program and individual unit of the National Park System.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) DONOR ACKNOWLEDGMENTS IN UNITS OF NATIONAL PARK SYSTEM.—

(1) IN GENERAL.—The Secretary may authorize a donor acknowledgment to recognize a donation to—

(A) the National Park Service; or

(B) the National Park System.

(2) RESTRICTIONS.—A donor acknowledgment shall not be used to state or imply—

(A) recognition of the donor or any product or service of the donor as an official sponsor, or any similar form of recognition, of the National Park Service or the National Park System;

(B) a National Park Service endorsement of the donor or any product or service of the donor; or

(C) naming rights to any unit of the National Park System or a National Park System facility, including a visitor center.

(3) REQUIREMENTS.—

(A) DISPLAY.—A donor acknowledgment shall be displayed—

(i) in a manner that is approved by the Secretary; and

(ii) for a period of time, as determined by the Secretary, that is commensurate with the amount of the contribution and the life of the structure.

(B) GUIDELINES.—The Secretary shall establish donor acknowledgment guidelines that take into account the unique requirements of individual units and programs of the National Park System.

(C) USE OF SLOGANS PROHIBITED.—A donor acknowledgment shall not permit the use of—

(i) an advertising slogan; or

(ii) a statement or credit promoting or opposing a political candidate or issue.

(4) PLACEMENT.—

(A) VISITOR AND ADMINISTRATIVE FACILITIES.—A donor acknowledgment may be located on or inside a visitor center or administrative facility of the National Park System (including in a specific room or section) or any other appropriate location, such as on a donor recognition wall or plaque.

(B) OUTSIDE.—A donor acknowledgment may be located in an area outside of a visitor or administrative facility described in subparagraph (A), including a bench, brick, pathway, area of landscaping, or plaza.

(C) PROJECTS.—A donor acknowledgment may be located near a park construction or restoration project, if the donation directly relates to the project.

(D) VEHICLES.—A donor acknowledgment may be placed on a National Park Service vehicle, if the donation directly relates to the vehicle.

(E) LIMITATION.—Any donor acknowledgment associated with a historic structure or placed outside a park restoration project—

(i) shall be freestanding; and

(ii) shall not obstruct a natural or historical site or view.

(5) PRINTED, DIGITAL, AND MEDIA PLATFORMS.—The Secretary may authorize the use of donor acknowledgments under this subsection to include donor acknowledgments on printed, digital, and media platforms, including brochures or Internet websites relating to a specific unit of the National Park System.

(c) COMMEMORATIVE WORKS ACT AMENDMENTS.—Section 8905 of title 40, United States Code, is amended—

(1) in subsection (b), by striking paragraph (7); and

(2) by adding at the end the following:

"(c) DONOR CONTRIBUTIONS.—

"(1) ACKNOWLEDGMENT OF DONOR CONTRIBUTION.—Except as otherwise provided in this subsection, the Secretary of the Interior or Administrator of General Services, as applicable, may permit a sponsor to acknowledge donor contributions at the commemorative work.

"(2) REQUIREMENTS.—An acknowledgment under paragraph (1) shall—

"(A) be displayed—

"(i) inside an ancillary structure associated with the commemorative work; or

"(ii) as part of a manmade landscape feature at the commemorative work; and

"(B) conform to applicable National Park Service or General Services Administration guidelines for donor recognition, as applicable.

"(3) LIMITATIONS.—An acknowledgment under paragraph (1) shall—

"(A) be limited to an appropriate statement or credit recognizing the contribution;

"(B) be displayed in a form in accordance with National Park Service and General Services Administration guidelines;

"(C) be displayed for a period of up to 10 years, with the display period to be commensurate with the level of the contribution, as determined in accordance with the plan and guidelines described in subparagraph (B);

"(D) be freestanding; and

"(E) not be affixed to—

"(i) any landscape feature at the commemorative work; or

"(ii) any object in a museum collection.

"(4) COST.—The sponsor shall bear all expenses related to the display of donor acknowledgments under paragraph (1).

"(5) APPLICABILITY.—This subsection shall apply to any commemorative work dedicated after January 1, 2010.".

(d) EFFECT OF SECTION.—Nothing in this section or an amendment made by this section—

(1) requires the Secretary to accept a donation; or

(2) modifies section 145 of Public Law 108–108 (16 U.S.C. 1a–1 note; 117 Stat. 1280).

31 USC 5112 note.

SEC. 3055. COIN TO COMMEMORATE 100TH ANNIVERSARY OF THE NATIONAL PARK SERVICE.

(a) COIN SPECIFICATIONS.—

(1) DENOMINATIONS.—The Secretary of the Treasury (in this section referred to as the "Secretary") shall mint and issue the following coins:

(A) $5 GOLD COINS.—Not more than 100,000 $5 coins, which shall—

(i) weigh 8.359 grams;

(ii) have a diameter of 0.850 inches; and

(iii) contain 90 percent gold and 10 percent alloy.

(B) $1 SILVER COINS.—Not more than 500,000 $1 coins, which shall—

(i) weigh 26.73 grams;

(ii) have a diameter of 1.500 inches; and

(iii) contain 90 percent silver and 10 percent copper.

(C) HALF DOLLAR CLAD COINS.—Not more than 750,000 half dollar coins, which shall—

(i) weigh 11.34 grams;

(ii) have a diameter of 1.205 inches; and

(iii) be minted to the specifications for half dollar coins, contained in section 5112(b) of title 31, United States Code.

(2) LEGAL TENDER.—The coins minted under this section shall be legal tender, as provided in section 5103 of title 31, United States Code.

(3) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this section shall be considered to be numismatic items.

(b) DESIGN OF COINS.—

(1) DESIGN REQUIREMENTS.—

(A) IN GENERAL.—The design of the coins minted under this section shall be emblematic of the 100th anniversary of the National Park Service.

(B) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this section there shall be—

(i) a designation of the face value of the coin;

(ii) an inscription of the year "2016"; and

(iii) inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(2) SELECTION.—The design for the coins minted under this section shall be—

(A) selected by the Secretary after consultation with—

(i) the National Park Service;

(ii) the National Park Foundation; and

(iii) the Commission of Fine Arts; and

(B) reviewed by the Citizens Coinage Advisory Committee.

(c) ISSUANCE OF COINS.—

(1) QUALITY OF COINS.—Coins minted under this section shall be issued in uncirculated and proof qualities.

(2) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this section only during the period beginning on January 1, 2016, and ending on December 31, 2016.

(d) SALE OF COINS.—

(1) SALE PRICE.—The coins issued under this section shall be sold by the Secretary at a price equal to the sum of—

(A) the face value of the coins;

(B) the surcharge provided in subsection (e)(1) with respect to the coins; and

(C) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(2) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this section at a reasonable discount.

(3) PREPAID ORDERS.—

(A) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this section before the issuance of such coins.

(B) DISCOUNT.—Sale prices with respect to prepaid orders under subparagraph (A) shall be at a reasonable discount.

(e) SURCHARGES.—

(1) IN GENERAL.—All sales of coins minted under this section shall include a surcharge as follows:

(A) A surcharge of $35 per coin for the $5 coin.

(B) A surcharge of $10 per coin for the $1 coin.

(C) A surcharge of $5 per coin for the half dollar coin.

(2) DISTRIBUTION.—

(A) IN GENERAL.—Subject to section 5134(f) of title 31, United States Code, all surcharges which are received

by the Secretary from the sale of coins issued under this section shall be promptly paid by the Secretary to the National Park Foundation for projects and programs that help preserve and protect resources under the stewardship of the National Park Service and promote public enjoyment and appreciation of those resources.

(B) PROHIBITION ON LAND ACQUISITION.—Surcharges paid to the National Park Foundation pursuant to subparagraph (A) may not be used for land acquisition.

(3) AUDITS.—The National Park Foundation shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received by the Foundation under paragraph (2).

(4) LIMITATIONS.—Notwithstanding paragraph (1), no surcharge may be included with respect to the issuance under this section of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this paragraph.

(f) FINANCIAL ASSURANCES.—The Secretary shall take such actions as may be necessary to ensure that—

(1) minting and issuing coins under this section will not result in any net cost to the United States Government; and

(2) no funds, including applicable surcharges, shall be disbursed to any recipient designated in subsection (e) until the total cost of designing and issuing all of the coins authorized by this section (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping) is recovered by the United States Treasury, consistent with sections 5112(m) and 5134(f) of title 31, United States Code.

(g) BUDGET COMPLIANCE.—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this section, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, provided that such statement has been submitted prior to the vote on passage.

SEC. 3056. COMMISSION TO STUDY THE POTENTIAL CREATION OF A NATIONAL WOMEN'S HISTORY MUSEUM.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term "Commission" means the Commission to Study the Potential Creation of a National Women's History Museum established by subsection (b)(1).

(2) MUSEUM.—The term "Museum" means the National Women's History Museum.

(b) ESTABLISHMENT OF COMMISSION.—

(1) IN GENERAL.—There is established the Commission to Study the Potential Creation of a National Women's History Museum.

(2) MEMBERSHIP.—The Commission shall be composed of 8 members, of whom—

(A) 2 members shall be appointed by the majority leader of the Senate;

(B) 2 members shall be appointed by the Speaker of the House of Representatives;

(C) 2 members shall be appointed by the minority leader of the Senate; and

(D) 2 members shall be appointed by the minority leader of the House of Representatives.

(3) QUALIFICATIONS.—Members of the Commission shall be appointed to the Commission from among individuals, or representatives of institutions or entities, who possess—

(A)(i) a demonstrated commitment to the research, study, or promotion of women's history, art, political or economic status, or culture; and

(ii)(I) expertise in museum administration;

(II) expertise in fundraising for nonprofit or cultural institutions;

(III) experience in the study and teaching of women's history;

(IV) experience in studying the issue of the representation of women in art, life, history, and culture at the Smithsonian Institution; or

(V) extensive experience in public or elected service;

(B) experience in the administration of, or the planning for, the establishment of, museums; or

(C) experience in the planning, design, or construction of museum facilities.

(4) PROHIBITION.—No employee of the Federal Government may serve as a member of the Commission.

(5) DEADLINE FOR INITIAL APPOINTMENT.—The initial members of the Commission shall be appointed not later than the date that is 90 days after the date of enactment of this Act.

(6) VACANCIES.—A vacancy in the Commission—

(A) shall not affect the powers of the Commission; and

(B) shall be filled in the same manner as the original appointment was made.

(7) CHAIRPERSON.—The Commission shall, by majority vote of all of the members, select 1 member of the Commission to serve as the Chairperson of the Commission.

(c) DUTIES OF THE COMMISSION.—

(1) REPORTS.—

(A) PLAN OF ACTION.—The Commission shall submit to the President and Congress a report containing the recommendations of the Commission with respect to a plan of action for the establishment and maintenance of a National Women's History Museum in Washington, DC.

(B) REPORT ON ISSUES.—The Commission shall submit to the President and Congress a report that addresses the following issues:

(i) The availability and cost of collections to be acquired and housed in the Museum.

(ii) The impact of the Museum on regional women history-related museums.

(iii) Potential locations for the Museum in Washington, DC, and its environs.

(iv) Whether the Museum should be part of the Smithsonian Institution.

(v) The governance and organizational structure from which the Museum should operate.

(vi) Best practices for engaging women in the development and design of the Museum.

(vii) The cost of constructing, operating, and maintaining the Museum.

(C) DEADLINE.—The reports required under subparagraphs (A) and (B) shall be submitted not later than the date that is 18 months after the date of the first meeting of the Commission.

(2) FUNDRAISING PLAN.—

(A) IN GENERAL.—The Commission shall develop a fundraising plan to support the establishment, operation, and maintenance of the Museum through contributions from the public.

(B) CONSIDERATIONS.—In developing the fundraising plan under subparagraph (A), the Commission shall consider—

(i) the role of the National Women's History Museum (a nonprofit, educational organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that was incorporated in 1996 in Washington, DC, and dedicated for the purpose of establishing a women's history museum) in raising funds for the construction of the Museum; and

(ii) issues relating to funding the operations and maintenance of the Museum in perpetuity without reliance on appropriations of Federal funds.

(C) INDEPENDENT REVIEW.—The Commission shall obtain an independent review of the viability of the plan developed under subparagraph (A) and such review shall include an analysis as to whether the plan is likely to achieve the level of resources necessary to fund the construction of the Museum and the operations and maintenance of the Museum in perpetuity without reliance on appropriations of Federal funds.

(D) SUBMISSION.—The Commission shall submit the plan developed under subparagraph (A) and the review conducted under subparagraph (C) to the Committees on Transportation and Infrastructure, House Administration, Natural Resources, and Appropriations of the House of Representatives and the Committees on Rules and Administration, Energy and Natural Resources, and Appropriations of the Senate.

(3) LEGISLATION TO CARRY OUT PLAN OF ACTION.—Based on the recommendations contained in the report submitted under subparagraphs (A) and (B) of paragraph (1), the Commission shall submit for consideration to the Committees on Transportation and Infrastructure, House Administration, Natural Resources, and Appropriations of the House of Representatives and the Committees on Rules and Administration, Energy and Natural Resources, and Appropriations of the Senate recommendations for a legislative plan of action to establish and construct the Museum.

(4) NATIONAL CONFERENCE.—Not later than 18 months after the date on which the initial members of the Commission are appointed under subsection (b), the Commission may, in carrying out the duties of the Commission under this subsection, convene a national conference relating to the Museum, to be comprised of individuals committed to the advancement of the life, art, history, and culture of women.

(d) DIRECTOR AND STAFF OF COMMISSION.—

(1) DIRECTOR AND STAFF.—

(A) IN GENERAL.—The Commission may employ and compensate an executive director and any other additional personnel that are necessary to enable the Commission to perform the duties of the Commission.

(B) RATES OF PAY.—Rates of pay for persons employed under subparagraph (A) shall be consistent with the rates of pay allowed for employees of a temporary organization under section 3161 of title 5, United States Code.

(2) NOT FEDERAL EMPLOYMENT.—Any individual employed under this section shall not be considered a Federal employee for the purpose of any law governing Federal employment.

(3) TECHNICAL ASSISTANCE.—

(A) IN GENERAL.—Subject to subparagraph (B), on request of the Commission, the head of a Federal agency may provide technical assistance to the Commission.

(B) PROHIBITION.—No Federal employees may be detailed to the Commission.

(e) ADMINISTRATIVE PROVISIONS.—

(1) COMPENSATION.—

(A) IN GENERAL.—A member of the Commission—

(i) shall not be considered to be a Federal employee for any purpose by reason of service on the Commission; and

(ii) shall serve without pay.

(B) TRAVEL EXPENSES.—A member of the Commission shall be allowed a per diem allowance for travel expenses, at rates consistent with those authorized under subchapter I of chapter 57 of title 5, United States Code.

(2) GIFTS, BEQUESTS, DEVISES.—The Commission may solicit, accept, use, and dispose of gifts, bequests, or devises of money, services, or real or personal property for the purpose of aiding or facilitating the work of the Commission.

(3) FEDERAL ADVISORY COMMITTEE ACT.—The Commission shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(f) TERMINATION.—The Commission shall terminate on the date that is 30 days after the date on which the final versions of the reports required under section (c)(1) are submitted.

(g) FUNDING.—

(1) IN GENERAL.—The Commission shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the Commission.

(2) PROHIBITION.—No Federal funds may be obligated to carry out this section.

SEC. 3057. CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA.

16 USC 459a–1 note.

(a) DEFINITIONS.—In this section:

(1) FINAL RULE.—The term "Final Rule" means the final rule entitled "Special Regulations, Areas of the National Park System, Cape Hatteras National Seashore—Off-Road Vehicle Management" (77 Fed. Reg. 3123 (January 23, 2012)).

(2) NATIONAL SEASHORE.—The term "National Seashore" means the Cape Hatteras National Seashore Recreational Area.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) STATE.—The term "State" means the State of North Carolina.

(b) REVIEW AND ADJUSTMENT OF WILDLIFE PROTECTION BUFFERS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review and modify wildlife buffers in the National Seashore in accordance with this subsection and any other applicable law.

(2) BUFFER MODIFICATIONS.—In modifying wildlife buffers under paragraph (1), the Secretary shall, using adaptive management practices—

(A) ensure that the buffers are of the shortest duration and cover the smallest area necessary to protect a species, as determined in accordance with peer-reviewed scientific data; and

(B) designate pedestrian and vehicle corridors around areas of the National Seashore closed because of wildlife buffers, to allow access to areas that are open.

(3) COORDINATION WITH STATE.—The Secretary, after coordinating with the State, shall determine appropriate buffer protections for species that are not listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), but that are identified for protection under State law.

(c) MODIFICATIONS TO FINAL RULE.—The Secretary shall undertake a public process to consider, consistent with management requirements at the National Seashore, the following changes to the Final Rule:

(1) Opening beaches at the National Seashore that are closed to night driving restrictions, by opening beach segments each morning on a rolling basis as daily management reviews are completed.

(2) Extending seasonal off-road vehicle routes for additional periods in the Fall and Spring if off-road vehicle use would not create resource management problems at the National Seashore.

(3) Modifying the size and location of vehicle-free areas.

(d) CONSTRUCTION OF NEW VEHICLE ACCESS POINTS.—The Secretary shall construct new vehicle access points and roads at the National Seashore—

(1) as expeditiously as practicable; and

(2) in accordance with applicable management plans for the National Seashore.

(e) REPORT.—The Secretary shall report to Congress within 1 year after the date of enactment of this Act on measures taken to implement this section.

Subtitle E—Wilderness and Withdrawals

SEC. 3060. ALPINE LAKES WILDERNESS ADDITIONS AND PRATT AND MIDDLE FORK SNOQUALMIE RIVERS PROTECTION.

16 USC 1132 note.

(a) EXPANSION OF ALPINE LAKES WILDERNESS.—

(1) IN GENERAL.—There is designated as wilderness and as a component of the National Wilderness Preservation System certain Federal land in the Mount Baker-Snoqualmie National Forest in the State of Washington comprising approximately 22,173 acres that is within the Proposed Alpine Lakes Wilderness Additions Boundary, as generally depicted on the map entitled "Proposed Alpine Lakes Wilderness Additions" and dated December 3, 2009, which is incorporated in and shall be considered to be a part of the Alpine Lakes Wilderness.

(2) ADMINISTRATION.—

(A) MANAGEMENT.—Subject to valid existing rights, the land designated as wilderness by paragraph (1) shall be administered by the Secretary of Agriculture (referred to in this section as the "Secretary"), in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(B) MAP AND DESCRIPTION.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the land designated as wilderness by paragraph (1) with—

(I) the Committee on Natural Resources of the House of Representatives; and

(II) the Committee on Energy and Natural Resources of the Senate.

(ii) FORCE OF LAW.—A map and legal description filed under clause (i) shall have the same force and effect as if included in this section, except that the Secretary may correct minor errors in the map and legal description.

(iii) PUBLIC AVAILABILITY.—The map and legal description filed under clause (i) shall be filed and made available for public inspection in the appropriate office of the Forest Service.

(3) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interests in land within the Proposed Alpine Lakes Wilderness Additions Boundary, as generally depicted on the map entitled "Proposed Alpine Lakes Wilderness Additions" and dated December 3, 2009, that is acquired by the United States shall—

(A) become part of the wilderness area; and

(B) be managed in accordance with paragraph (2)(A).

(b) WILD AND SCENIC RIVER DESIGNATIONS.—

(1) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by inserting after paragraph (208), as added by section 3040(e), the following:

"(209) MIDDLE FORK SNOQUALMIE, WASHINGTON.—The 27.4-mile segment from the headwaters of the Middle Fork Snoqualmie River near La Bohn Gap in NE ¼ sec. 20, T.

24 N., R. 13 E., to the northern boundary of sec. 11, T. 23 N., R. 9 E., to be administered by the Secretary of Agriculture in the following classifications:

"(A) The approximately 6.4-mile segment from the headwaters of the Middle Fork Snoqualmie River near La Bohn Gap in NE ¼ sec. 20, T. 24 N., R. 13 E., to the west section line of sec. 3, T. 23 N., R. 12 E., as a wild river.

"(B) The approximately 21-mile segment from the west section line of sec. 3, T. 23 N., R. 12 E., to the northern boundary of sec. 11, T. 23 N., R. 9 E., as a scenic river.

"(210) PRATT RIVER, WASHINGTON.—The entirety of the Pratt River in the State of Washington, located in the Mount Baker-Snoqualmie National Forest, to be administered by the Secretary of Agriculture as a wild river.".

16 USC 1274 note.

(2) NO CONDEMNATION.—No land or interest in land within the boundary of the river segment designated by paragraph (209) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) may be acquired by condemnation.

16 USC 1274 note.

(3) ADJACENT MANAGEMENT.—

(A) IN GENERAL.—Nothing in paragraph (209) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) creates a protective perimeter or buffer zone outside the designated boundary of the river segment designated by that paragraph.

(B) OUTSIDE ACTIVITIES.—The fact that an activity or use can be seen or heard within the boundary of the river segment designated by paragraph (209) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) shall not preclude the activity or use outside the boundary of the river segment.

SEC. 3061. COLUMBINE-HONDO WILDERNESS.

(a) DEFINITIONS.—In this section:

(1) RED RIVER CONVEYANCE MAP.—The term "Red River Conveyance Map" means the map entitled "Town of Red River Town Site Act Proposal" and dated April 19, 2012.

(2) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(3) STATE.—The term "State" means the State of New Mexico.

(4) TOWN.—The term "Town" means the town of Red River, New Mexico.

(5) VILLAGE.—The term "Village" means the village of Taos Ski Valley, New Mexico.

(6) WILDERNESS.—The term "Wilderness" means the Columbine-Hondo Wilderness designated by subsection (b)(1)(A).

(7) WILDERNESS MAP.—The term "Wilderness Map" means the map entitled "Columbine-Hondo, Wheeler Peak Wilderness" and dated April 25, 2012.

(b) ADDITION TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM.—

(1) DESIGNATION OF THE COLUMBINE-HONDO WILDERNESS.—

16 USC 1132 note.

(A) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 45,000 acres of land in the Carson National Forest in the State, as generally depicted on the Wilderness Map, is designated

as wilderness and as a component of the National Wilderness Preservation System, which shall be known as the "Columbine-Hondo Wilderness".

(B) MANAGEMENT.—

(i) IN GENERAL.—Subject to valid existing rights, the Wilderness shall be administered by the Secretary in accordance with this section and the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(ii) ADJACENT MANAGEMENT.—

(I) IN GENERAL.—Congress does not intend for the designation of the Wilderness to create a protective perimeter or buffer zone around the Wilderness.

(II) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within the Wilderness shall not preclude the conduct of the activities or uses outside the boundary of the Wilderness.

(C) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land that is within the boundary of the Wilderness that is acquired by the United States shall—

(i) become part of the Wilderness; and

(ii) be managed in accordance with—

(I) the Wilderness Act (16 U.S.C. 1131 et seq.);

(II) this subsection; and

(III) any other applicable laws.

(D) GRAZING.—Grazing of livestock in the Wilderness, where established before the date of enactment of this Act, shall be allowed to continue in accordance with—

(i) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(ii) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(E) COLUMBINE-HONDO WILDERNESS STUDY AREA.—

(i) FINDING.—Congress finds that, for purposes of section 103(a)(2) of Public Law 96–550 (16 U.S.C. 1132 note; 94 Stat. 3223), any Federal land in the Columbine-Hondo Wilderness Study Area administered by the Forest Service that is not designated as wilderness by subparagraph (A) has been adequately reviewed for wilderness designation.

(ii) APPLICABILITY.—The Federal land described in clause (i) is no longer subject to subsections (a)(2) and (b) of section 103 of Public Law 96–550 (16 U.S.C. 1132 note; 94 Stat. 3223).

(F) MAPS AND LEGAL DESCRIPTIONS.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of the Wilderness.

(ii) FORCE OF LAW.—The maps and legal descriptions prepared under clause (i) shall have the same

force and effect as if included in this section, except that the Secretary may correct errors in the maps and legal descriptions.

(iii) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under clause (i) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(G) FISH AND WILDLIFE.—

(i) IN GENERAL.—Nothing in this section affects the jurisdiction of the State with respect to fish and wildlife located on public land in the State, except that the Secretary may designate areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the Wilderness.

(ii) CONSULTATION.—Except in emergencies, the Secretary shall consult with the appropriate State agency and notify the public before taking any action under clause (i).

(H) WITHDRAWALS.—Subject to valid existing rights, the Federal land described in subparagraphs (A) and (E)(i) and any land or interest in land that is acquired by the United States in the Wilderness after the date of enactment of this Act is withdrawn from—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

16 USC 1132 note.

(2) WHEELER PEAK WILDERNESS BOUNDARY MODIFICATION.—

(A) IN GENERAL.—The boundary of the Wheeler Peak Wilderness in the State is modified as generally depicted in the Wilderness Map.

(B) WITHDRAWAL.—Subject to valid existing rights, any Federal land added to or excluded from the boundary of the Wheeler Peak Wilderness under subparagraph (A) is withdrawn from—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(c) LAND CONVEYANCES AND SALES.—

(1) TOWN OF RED RIVER LAND CONVEYANCE.—

(A) IN GENERAL.—Subject to the provisions of this paragraph, the Secretary shall convey to the Town, without consideration and by quitclaim deed, all right, title, and interest of the United States in and to the one or more parcels of Federal land described in subparagraph (B) for which the Town submits a request to the Secretary by the date that is not later than 1 year after the date of enactment of this Act.

(B) DESCRIPTION OF LAND.—The parcels of Federal land referred to in subparagraph (A) are the parcels of National

Forest System land (including any improvements to the land) in Taos County, New Mexico, that are identified as "Parcel 1", "Parcel 2", "Parcel 3", and "Parcel 4" on the Red River Conveyance Map.

(C) CONDITIONS.—The conveyance under subparagraph (A) shall be subject to—

(i) valid existing rights;

(ii) public rights-of-way through "Parcel 1", "Parcel 3", and "Parcel 4";

(iii) an administrative right-of-way through "Parcel 2" reserved to the United States; and

(iv) such additional terms and conditions as the Secretary may require.

(D) USE OF LAND.—As a condition of the conveyance under subparagraph (A), the Town shall use—

(i) "Parcel 1" for a wastewater treatment plant;

(ii) "Parcel 2" for a cemetery;

(iii) "Parcel 3" for a public park; and

(iv) "Parcel 4" for a public road.

(E) REVERSION.—In the quitclaim deed to the Town under subparagraph (A), the Secretary shall provide that any parcel of Federal land conveyed to the Town under subparagraph (A) shall revert to the Secretary, at the election of the Secretary, if the parcel of Federal land is used for a purpose other than the purpose for which the parcel was conveyed, as required under subparagraph (D).

(F) SURVEY; ADMINISTRATIVE COSTS.—

(i) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subparagraph (A) shall be determined by a survey approved by the Secretary.

(ii) COSTS.—The Town shall pay the reasonable survey and other administrative costs associated with the conveyance.

(2) VILLAGE OF TAOS SKI VALLEY LAND CONVEYANCE.—

(A) IN GENERAL.—Subject to the provisions of this paragraph, the Secretary shall convey to the Village, without consideration and by quitclaim deed, all right, title, and interest of the United States in and to the parcel of Federal land described in subparagraph (B) for which the Village submits a request to the Secretary by the date that is not later than 1 year after the date of enactment of this Act.

(B) DESCRIPTION OF LAND.—The parcel of Federal land referred to in subparagraph (A) is the parcel comprising approximately 4.6 acres of National Forest System land (including any improvements to the land) in Taos County generally depicted as "Parcel 1" on the map entitled "Village of Taos Ski Valley Town Site Act Proposal" and dated April 19, 2012.

(C) CONDITIONS.—The conveyance under subparagraph (A) shall be subject to—

(i) valid existing rights;

(ii) an administrative right-of-way through the parcel of Federal land described in subparagraph (B) reserved to the United States; and

(iii) such additional terms and conditions as the Secretary may require.

(D) USE OF LAND.—As a condition of the conveyance under subparagraph (A), the Village shall use the parcel of Federal land described in subparagraph (B) for a wastewater treatment plant.

(E) REVERSION.—In the quitclaim deed to the Village, the Secretary shall provide that the parcel of Federal land conveyed to the Village under subparagraph (A) shall revert to the Secretary, at the election of the Secretary, if the parcel of Federal land is used for a purpose other than the purpose for which the parcel was conveyed, as described in subparagraph (D).

(F) SURVEY; ADMINISTRATIVE COSTS.—

(i) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subparagraph (A) shall be determined by a survey approved by the Secretary.

(ii) COSTS.—The Village shall pay the reasonable survey and other administrative costs associated with the conveyance.

(3) AUTHORIZATION OF SALE OF CERTAIN NATIONAL FOREST SYSTEM LAND.—

(A) IN GENERAL.—Subject to the provisions of this paragraph and in exchange for consideration in an amount that is equal to the fair market value of the applicable parcel of National Forest System land, the Secretary may convey—

(i) to the holder of the permit numbered "QUE302101" for use of the parcel, the parcel of National Forest System land comprising approximately 0.2 acres that is generally depicted as "Parcel 5" on the Red River Conveyance Map; and

(ii) to the owner of the private property adjacent to the parcel, the parcel of National Forest System land comprising approximately 0.1 acres that is generally depicted as "Parcel 6" on the Red River Conveyance Map.

(B) DISPOSITION OF PROCEEDS.—Any amounts received by the Secretary as consideration for a conveyance under subparagraph (A) shall be—

(i) deposited in the fund established under Public Law 90–171 (commonly known as the "Sisk Act") (16 U.S.C. 484a); and

(ii) available to the Secretary, without further appropriation and until expended, for the acquisition of land or interests in land in Region 3 of the Forest Service.

(C) CONDITIONS.—The conveyance under subparagraph (A) shall be subject to—

(i) valid existing rights; and

(ii) such additional terms and conditions as the Secretary may require.

(D) SURVEY; ADMINISTRATIVE COSTS.—

(i) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under

subparagraph (A) shall be determined by a survey approved by the Secretary.

(ii) COSTS.—The reasonable survey and other administrative costs associated with the conveyance shall be paid by the holder of the permit or the owner of the private property, as applicable.

SEC. 3062. HERMOSA CREEK WATERSHED PROTECTION. 16 USC 539q.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term "City" means the city of Durango, Colorado.

(2) COUNTY.—The term "County" means La Plata County, Colorado.

(3) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(4) SPECIAL MANAGEMENT AREA.—The term "Special Management Area" means the Hermosa Creek Special Management Area designated by subsection (b)(1).

(5) STATE.—The term "State" means the State of Colorado.

(b) DESIGNATION OF HERMOSA CREEK SPECIAL MANAGEMENT AREA.—

(1) DESIGNATION.—Subject to valid existing rights, certain Federal land in the San Juan National Forest comprising approximately 70,650 acres, as generally depicted on the map entitled "Proposed Hermosa Creek Special Management Area and Proposed Hermosa Creek Wilderness Area" and dated November 12, 2014, is designated as the "Hermosa Creek Special Management Area".

(2) PURPOSE.—The purpose of the Special Management Area is to conserve and protect for the benefit of present and future generations the watershed, geological, cultural, natural, scientific, recreational, wildlife, riparian, historical, educational, and scenic resources of the Special Management Area.

(3) ADMINISTRATION.—

(A) IN GENERAL.—The Secretary shall administer the Special Management Area—

(i) in a manner that conserves, protects, and manages the resources of the Special Management Area described in paragraph (2); and

(ii) in accordance with—

(I) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);

(II) this Act; and

(III) any other applicable laws.

(B) USES.—

(i) IN GENERAL.—The Secretary shall allow only such uses of the Special Management Area as the Secretary determines would further the purposes described in paragraph (2).

(ii) MOTORIZED AND MECHANIZED VEHICLES.—

(I) IN GENERAL.—Except as provided in subclause (II) and as needed for administrative purposes or to respond to an emergency, the use of motorized or mechanized vehicles in the Special Management Area shall be permitted only on roads and trails designated by the Secretary for use by those vehicles.

(II) OVERSNOW VEHICLES.—The Secretary shall authorize the use of snowmobiles and other oversnow vehicles within the Special Management Area—

(aa) when there exists adequate snow coverage; and

(bb) subject to such terms and conditions as the Secretary may require.

(iii) GRAZING.—The Secretary shall permit grazing within the Special Management Area, if established before the date of enactment of this Act, subject to all applicable laws (including regulations) and Executive orders.

(iv) PROHIBITED ACTIVITIES.—Within the area of the Special Management Area identified as "East Hermosa Area" on the map entitled "Proposed Hermosa Creek Special Management Area and Proposed Hermosa Creek Wilderness Area" and dated November 12, 2014, the following activities shall be prohibited:

(I) New permanent or temporary road construction or the renovation of existing nonsystem roads, except as allowed under the final rule entitled "Special Areas; Roadless Area Conservation; Applicability to the National Forests in Colorado" (77 Fed. Reg. 39576 (July 3, 2012)).

(II) Projects undertaken for the purpose of harvesting commercial timber (other than activities relating to the harvest of merchantable products that are byproducts of activities conducted for ecological restoration or to further the purposes described in this section).

(4) STATE AND FEDERAL WATER MANAGEMENT.—Nothing in this subsection affects the potential for development, operation, or maintenance of a water storage reservoir at the site in the Special Management Area that is identified in—

(A) pages 17 through 20 of the Statewide Water Supply Initiative studies prepared by the Colorado Water Conservation Board and issued by the State in November 2004; and

(B) page 27 of the Colorado Dam Site Inventory prepared by the Colorado Water Conservation Board and dated August 1996.

(5) WITHDRAWAL.—

(A) IN GENERAL.—Subject to valid rights in existence on the date of enactment of this Act and except as provided in subparagraph (B), the Federal land within the Special Management Area is withdrawn from—

(i) all forms of entry, appropriation, and disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(B) EXCEPTION.—The withdrawal under subparagraph (A) shall not apply to the areas identified as parcels A

and B on the map entitled "Proposed Hermosa Creek Special Management Area and Proposed Hermosa Creek Wilderness Area" and dated November 12, 2014.

(6) WINTER SKIING AND RELATED WINTER ACTIVITIES.—Nothing in this subsection alters or limits—

(A) a permit held by a ski area;

(B) the implementation of the activities governed by a ski area permit; or

(C) the authority of the Secretary to modify or expand an existing ski area permit.

(7) VEGETATION MANAGEMENT.—Nothing in this subsection prevents the Secretary from conducting vegetation management projects within the Special Management Area—

(A) subject to—

(i) such reasonable regulations, policies, and practices as the Secretary determines to be appropriate; and

(ii) all applicable laws (including regulations); and

(B) in a manner consistent with—

(i) the purposes described in paragraph (2); and

(ii) this subsection.

(8) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—In accordance with this subsection, the Secretary may—

(A) carry out any measures that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Special Management Area; and

(B) coordinate those measures with the appropriate State or local agency, as the Secretary determines to be necessary.

(9) MANAGEMENT PLAN.—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term protection and management of the Special Management Area that—

(A) takes into account public input; and

(B) provides for recreational opportunities to occur within the Special Management Area, including skiing, biking, hiking, fishing, hunting, horseback riding, snowmobiling, motorcycle riding, off-highway vehicle use, snowshoeing, and camping.

(10) TRAIL AND OPEN AREA SNOWMOBILE USAGE.—Nothing in this subsection affects the use or status of trails authorized for motorized or mechanized vehicle or open area snowmobile use on the date of enactment of this Act.

(11) STATE WATER RIGHTS.—Nothing in this subsection affects access to, use of, or allocation of any absolute or conditional water right that is—

(A) decreed under the laws of the State; and

(B) in existence on the date of enactment of this Act.

(c) HERMOSA CREEK WILDERNESS.—

(1) DESIGNATION OF WILDERNESS.—Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; 107 Stat. 756; 114 Stat. 1955; 116 Stat. 1055) is amended by adding at the end the following:

"(22) Certain land within the San Juan National Forest that comprises approximately 37,236 acres, as generally depicted on the map entitled 'Proposed Hermosa Creek Special

Management Area and Proposed Hermosa Creek Wilderness Area' and dated November 12, 2014, which shall be known as the 'Hermosa Creek Wilderness'.".

(2) EFFECTIVE DATE.—Any reference contained in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act for purposes of administering the wilderness area designated by section 2(a)(22) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; 107 Stat. 756; 114 Stat. 1955; 116 Stat. 1055) (as added by paragraph (1)).

(3) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), within the wilderness areas designated by section 2(a)(22) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; 107 Stat. 756; 114 Stat. 1955; 116 Stat. 1055) (as added by paragraph (1)), the Secretary may carry out any measure that the Secretary determines to be necessary to control fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(d) DURANGO AREA MINERAL WITHDRAWAL.—

(1) WITHDRAWAL.—Subject to valid existing rights, the land and mineral interests described in paragraph (2) are withdrawn from all forms of—

(A) entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) disposition under all laws relating to mineral leasing, geothermal leasing, or mineral materials.

(2) DESCRIPTION OF LAND AND MINERAL INTERESTS.—The land and mineral interests referred to in paragraph (1) are the Federal land and mineral interests generally depicted within the areas designated as "Withdrawal Areas" on the map entitled "Perins Peak & Animas City Mountain, Horse Gulch and Lake Nighthorse Mineral Withdrawal" and dated April 5, 2013.

(3) PUBLIC PURPOSE CONVEYANCE.—Notwithstanding paragraph (1), the Secretary of the Interior may convey any portion of the land described in paragraph (2) that is administered by the Bureau of Land Management to the City, the County, or the State—

(A) pursuant to the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.); or

(B) by exchange in accordance with applicable laws (including regulations).

(e) CONVEYANCE OF BUREAU OF LAND MANAGEMENT LAND TO COUNTY.—

(1) IN GENERAL.—On the expiration of the permit numbered COC 64651 (09) and dated February 24, 2009, on request and agreement of the County, the Secretary of the Interior shall convey to the County, without consideration and subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (2), subject to—

(A) paragraph (3);

(B) the condition that the County shall pay all administrative and other costs associated with the conveyance; and

(C) such other terms and conditions as the Secretary of the Interior determines to be necessary.

(2) DESCRIPTION OF LAND.—The land referred to in paragraph (1) consists of approximately 82 acres of land managed by the Bureau of Land Management, Tres Rios District, Colorado, as generally depicted on the map entitled "La Plata County Grandview Conveyance" and dated May 5, 2014.

(3) USE OF CONVEYED LAND.—The Federal land conveyed pursuant to this subsection may be used by the County for any public purpose, in accordance with the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.).

(4) REVERSION.—If the County ceases to use a parcel of the Federal land conveyed pursuant to this subsection in accordance with paragraph (1), title to the parcel shall revert to the Secretary of the Interior, at the option of the Secretary of the Interior.

(f) MOLAS PASS RECREATION AREA; WILDERNESS STUDY AREA RELEASE; WILDERNESS STUDY AREA TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) MOLAS PASS RECREATION AREA.—

(A) DESIGNATION.—The approximately 461 acres of land in San Juan County, Colorado, that is generally depicted as "Molas Pass Recreation Area" on the map entitled "Molas Pass Recreation Area and Molas Pass Wilderness Study Area" and dated November 13, 2014, is designated as the "Molas Pass Recreation Area".

(B) USE OF SNOWMOBILES.—The use of snowmobiles shall be authorized in the Molas Pass Recreation Area—

(i) during periods of adequate snow coverage;

(ii) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable laws (including regulations);

(iii) on designated trails for winter motorized travel and grooming;

(iv) in designated areas for open area motorized travel; and

(v) subject to such terms and conditions as the Secretary may require.

(C) OTHER RECREATIONAL OPPORTUNITIES.—In addition to the uses authorized under subparagraph (B), the Secretary may authorize other recreational uses in the Molas Pass Recreation Area.

(2) MOLAS PASS WILDERNESS STUDY AREA.—

(A) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the Federal land generally depicted as "Molas Pass Wilderness Study Area" on the map entitled "Molas Pass Recreation Area and Molas Pass Wilderness Study Area", and dated November 13, 2014, is transferred from the Bureau of Land Management to the Forest Service.

(B) ADMINISTRATION.—The Federal land described in subparagraph (A) shall—

(i) be known as the "Molas Pass Wilderness Study Area"; and

(ii) be administered by the Secretary, so as to maintain the wilderness character and potential of the Federal land for inclusion in the National Wilderness Preservation System.

(3) RELEASE.—

(A) FINDING.—Congress finds that the land described in subparagraph (C) has been adequately studied for wilderness designation under section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782).

(B) RELEASE.—Effective beginning on the date of enactment of this Act, the land described in subparagraph (C)—

(i) shall not be subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c));

(ii) shall be managed in accordance with land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and

(iii) shall not be subject to Secretarial Order 3310 issued on December 22, 2010.

(C) DESCRIPTION OF LAND.—The land referred to in subparagraphs (A) and (B) is the approximately 461 acres located in the West Needles Contiguous Wilderness Study Area of San Juan County, Colorado, that is generally depicted as "Molas Pass Recreation Area" on the map entitled "Molas Pass Recreation Area and Molas Pass Wilderness Study Area" and dated November 13, 2014.

(g) GENERAL PROVISIONS.—

(1) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction or responsibility of the State with regard to fish and wildlife in the State.

(2) MAPS AND LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary or the Secretary of the Interior, as appropriate, shall prepare maps and legal descriptions of—

(i) the Special Management Area;

(ii) the wilderness area designated by the amendment made by subsection (c)(1);

(iii) the withdrawal pursuant to subsection (d);

(iv) the conveyance pursuant to subsection (e);

(v) the recreation area designated by subsection (f)(1); and

(vi) the wilderness study area designated by subsection (f)(2)(B)(i).

(B) FORCE OF LAW.—The maps and legal descriptions prepared under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary concerned may correct any clerical or typographical errors in the maps and legal descriptions.

(C) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Forest Service and the Bureau of Land Management.

(3) ADJACENT MANAGEMENT.—

(A) IN GENERAL.—Nothing in this section establishes a protective perimeter or buffer zone around—

(i) the Special Management Area;

(ii) the wilderness area designated by an amendment made by subsection (c)(1); or

(iii) the wilderness study area designated by subsection (f)(2)(B)(i).

(B) NONWILDERNESS ACTIVITIES.—The fact that a nonwilderness activity or use can be seen or heard from areas within the wilderness area designated by an amendment made by subsection (c)(1) or the wilderness study area designated by subsection (f)(2)(B)(i) shall not preclude the conduct of the activity or use outside the boundary of the wilderness area or wilderness study area.

(4) MILITARY OVERFLIGHTS.—Nothing in this section restricts or precludes—

(A) any low-level overflight of military aircraft over an area designated as a wilderness area under an amendment made by this section, including military overflights that can be seen, heard, or detected within the wilderness area;

(B) flight testing or evaluation; or

(C) the designation or establishment of—

(i) new units of special use airspace; or

(ii) any military flight training route over a wilderness area described in subparagraph (A).

SEC. 3063. NORTH FORK FEDERAL LANDS WITHDRAWAL AREA.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE FEDERAL LAND.—The term "eligible Federal land" means—

(A) any federally owned land or interest in land depicted on the Map as within the North Fork Federal Lands Withdrawal Area; or

(B) any land or interest in land located within the North Fork Federal Lands Withdrawal Area that is acquired by the Federal Government after the date of enactment of this Act.

(2) MAP.—The term "Map" means the Bureau of Land Management map entitled "North Fork Federal Lands Withdrawal Area" and dated June 9, 2010.

(b) WITHDRAWAL.—Subject to valid existing rights, the eligible Federal land is withdrawn from—

(1) all forms of location, entry, and patent under the mining laws; and

(2) disposition under all laws relating to mineral leasing and geothermal leasing.

(c) AVAILABILITY OF MAP.—Not later than 30 days after the date of enactment of this Act, the Map shall be made available to the public at each appropriate office of the Bureau of Land Management.

(d) EFFECT OF SECTION.—Nothing in this section prohibits the Secretary of the Interior from taking any action necessary to complete any requirement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) required for permitting surface-

disturbing activity to occur on any lease issued before the date of enactment of this Act.

SEC. 3064. PINE FOREST RANGE WILDERNESS.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term "County" means Humboldt County, Nevada.

(2) MAP.—The term "Map" means the map entitled "Proposed Pine Forest Wilderness Area" and dated October 28, 2013.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) STATE.—The term "State" means the State of Nevada.

(5) WILDERNESS.—The term "Wilderness" means the Pine Forest Range Wilderness designated by section (b)(1).

(b) ADDITION TO NATIONAL WILDERNESS PRESERVATION SYSTEM.—

16 USC 1132 note.

(1) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 26,000 acres of Federal land managed by the Bureau of Land Management, as generally depicted on the Map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the "Pine Forest Range Wilderness".

(2) BOUNDARY.—

(A) ROAD ACCESS.—The boundary of any portion of the Wilderness that is bordered by a road shall be 100 feet from the edge of the road.

(B) ROAD ADJUSTMENTS.—The Secretary shall—

(i) reroute the road running through Long Meadow to the west to remove the road from the riparian area;

(ii) reroute the road currently running through Rodeo Flat/Corral Meadow to the east to remove the road from the riparian area;

(iii) close, except for administrative use, the road along Lower Alder Creek south of Bureau of Land Management road #2083; and

(iv)(I) leave open the Coke Creek Road to Little Onion Basin; but

(II) close spur roads connecting to the roads described in subclause (I).

(C) RESERVOIR ACCESS.—The boundary of the Wilderness shall be 160 feet downstream from the dam at Little Onion Reservoir.

(3) MAP AND LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Wilderness.

(B) EFFECT.—The map and legal description prepared under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(C) AVAILABILITY.—The map and legal description prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(4) WITHDRAWAL.—Subject to valid existing rights, the Wilderness is withdrawn from—

(A) all forms of entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(c) ADMINISTRATION.—

(1) MANAGEMENT.—Subject to valid existing rights, the Wilderness shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(A) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(B) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(2) LIVESTOCK.—The grazing of livestock in the Wilderness, if established before the date of enactment of this Act, shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(B) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405).

(3) ADJACENT MANAGEMENT.—

(A) IN GENERAL.—Congress does not intend for the designation of the Wilderness to create a protective perimeter or buffer zone around the Wilderness.

(B) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen, heard, or detected from areas within the Wilderness shall not limit or preclude the conduct of the activities or uses outside the boundary of the Wilderness.

(4) MILITARY OVERFLIGHTS.—Nothing in this section restricts or precludes—

(A) low-level overflights of military aircraft over the Wilderness, including military overflights that can be seen, heard, or detected within the Wilderness;

(B) flight testing and evaluation; or

(C) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the Wilderness.

(5) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take such measures in the Wilderness as are necessary for the control of fire, insects, and diseases (including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency).

(6) WILDFIRE MANAGEMENT OPERATIONS.—Nothing in this section precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment).

(7) WATER RIGHTS.—

(A) PURPOSE.—The purpose of this paragraph is to protect the wilderness values of the land designated as wilderness by this section by means other than a federally reserved water right.

(B) STATUTORY CONSTRUCTION.—Nothing in this section—

(i) constitutes an express or implied reservation by the United States of any water or water rights with respect to the Wilderness;

(ii) affects any water rights in the State (including any water rights held by the United States) in existence on the date of enactment of this Act;

(iii) establishes a precedent with regard to any future wilderness designations;

(iv) affects the interpretation of, or any designation made under, any other Act; or

(v) limits, alters, modifies, or amends any interstate compact or equitable apportionment decree that apportions water among and between the State and other States.

(C) NEVADA WATER LAW.—The Secretary shall follow the procedural and substantive requirements of State law in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the Wilderness.

(D) NEW PROJECTS.—

(i) DEFINITION OF WATER RESOURCE FACILITY.—

(I) IN GENERAL.—In this subparagraph, the term "water resource facility" means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

(II) EXCLUSION.—In this subparagraph, the term "water resource facility" does not include wildlife guzzlers.

(ii) RESTRICTION ON NEW WATER RESOURCE FACILITIES.—Except as otherwise provided in this section, on or after the date of enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within a wilderness area, any portion of which is located in the County.

(d) RELEASE OF WILDERNESS STUDY AREAS.—

(1) FINDING.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the land described in paragraph (3) has been adequately studied for wilderness designation.

(2) RELEASE.—Any public land described in paragraph (3) that is not designated as wilderness by this section—

(A) is no longer subject to—

(i) section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); or

(ii) Secretarial Order No. 3310 issued by the Secretary on December 22, 2010; and

(B) shall be managed in accordance with the applicable land use plans adopted under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

(3) DESCRIPTION OF LAND.—The land referred to in paragraphs (1) and (2) consists of the portions of the Blue Lakes and Alder Creek wilderness study areas not designated as wilderness by subsection (b)(1), including the approximately 990 acres in the following areas:

(A) Lower Alder Creek Basin.

(B) Little Onion Basin.

(C) Lands east of Knott Creek Reservoir.

(D) Portions of Corral Meadow and the Blue Lakes Trailhead.

(e) WILDLIFE MANAGEMENT.—

(1) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this section affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the Wilderness.

(2) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activities in the Wilderness that are necessary to maintain or restore fish and wildlife populations and the habitats to support the populations, if the activities are carried out—

(A) consistent with relevant wilderness management plans; and

(B) in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(ii) the guidelines set forth in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405), including the occasional and temporary use of motorized vehicles if the use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values with the minimal impact necessary to reasonably accomplish those tasks.

(3) EXISTING ACTIVITIES.—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and in accordance with the guidelines set forth in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405), the State may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and provide water for wildlife populations in the Wilderness.

(4) HUNTING, FISHING, AND TRAPPING.—

(A) IN GENERAL.—The Secretary may designate areas in which, and establish periods during which, for reasons

of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the Wilderness.

(B) CONSULTATION.—Except in emergencies, the Secretary shall consult with the appropriate State agency and notify the public before taking any action under subparagraph (A).

(5) AGREEMENT.—

(A) IN GENERAL.—The State, including a designee of the State, may conduct wildlife management activities in the Wilderness—

(i) in accordance with the terms and conditions specified in the agreement between the Secretary and the State entitled "Memorandum of Understanding between the Bureau of Land Management and the Nevada Department of Wildlife Supplement No. 9" and signed November and December 2003, including any amendments to the agreement agreed to by the Secretary and the State; and

(ii) subject to all applicable laws (including regulations).

(B) REFERENCES; CLARK COUNTY.—For the purposes of this paragraph, any reference to Clark County in the agreement described in subparagraph (A)(i) shall be considered to be a reference to the Wilderness.

(f) LAND EXCHANGES.—

(1) DEFINITIONS.—In this subsection:

(A) FEDERAL LAND.—The term "Federal land" means Federal land in the County that is identified for disposal by the Secretary through the Winnemucca Resource Management Plan.

(B) NON-FEDERAL LAND.—The term "non-Federal land" means land identified on the Map as "non-Federal lands for exchange".

(2) ACQUISITION OF LAND AND INTERESTS IN LAND.—Consistent with applicable law and subject to paragraph (3), the Secretary may exchange the Federal land for non-Federal land.

(3) CONDITIONS.—Each land exchange under paragraph (1) shall be subject to—

(A) the condition that the owner of the non-Federal land pay not less than 50 percent of all costs relating to the land exchange, including the costs of appraisals, surveys, and any necessary environmental clearances; and

(B) such additional terms and conditions as the Secretary may require.

(4) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any non-Federal land or interest in the non-Federal land within the boundary of the Wilderness that is acquired by the United States under this subsection after the date of enactment of this Act shall be added to and administered as part of the Wilderness.

(5) DEADLINE FOR COMPLETION OF LAND EXCHANGE.—It is the intent of Congress that the land exchanges under this subsection be completed by not later than 5 years after the date of enactment of this Act.

(g) NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.—Nothing in this section alters or diminishes the treaty rights of

any Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

SEC. 3065. ROCKY MOUNTAIN FRONT CONSERVATION MANAGEMENT AREA AND WILDERNESS ADDITIONS. 16 USC 539r.

(a) DEFINITIONS.—In this section:

(1) CONSERVATION MANAGEMENT AREA.—The term "Conservation Management Area" means the Rocky Mountain Front Conservation Management Area established by subsection (b)(1)(A).

(2) DECOMMISSION.—The term "decommission" means—

(A) to reestablish vegetation on a road; and

(B) to restore any natural drainage, watershed function, or other ecological processes that are disrupted or adversely impacted by the road by removing or hydrologically disconnecting the road prism.

(3) DISTRICT.—The term "district" means the Rocky Mountain Ranger District of the Lewis and Clark National Forest.

(4) MAP.—The term "map" means the map entitled "Rocky Mountain Front Heritage Act" and dated October 27, 2011.

(5) NONMOTORIZED RECREATION TRAIL.—The term "nonmotorized recreation trail" means a trail designed for hiking, bicycling, or equestrian use.

(6) SECRETARY.—The term "Secretary" means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(7) STATE.—The term "State" means the State of Montana.

(b) ROCKY MOUNTAIN FRONT CONSERVATION MANAGEMENT AREA.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—Subject to valid existing rights, there is established the Rocky Mountain Front Conservation Management Area in the State.

(B) AREA INCLUDED.—The Conservation Management Area shall consist of approximately 195,073 acres of Federal land managed by the Forest Service and 13,087 acres of Federal land managed by the Bureau of Land Management in the State, as generally depicted on the map.

(C) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land that is located in the Conservation Management Area and is acquired by the United States from a willing seller shall—

(i) become part of the Conservation Management Area; and

(ii) be managed in accordance with—

(I) in the case of land managed by the Forest Service—

(aa) the Act of March 1, 1911 (commonly known as the "Weeks Law") (16 U.S.C. 552 et seq.); and

(bb) any laws (including regulations) applicable to the National Forest System;

(II) in the case of land managed, by the Bureau of Land Management, the Federal Land Policy

and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(III) this subsection; and

(IV) any other applicable law (including regulations).

(2) PURPOSES.—The purposes of the Conservation Management Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the recreational, scenic, historical, cultural, fish, wildlife, roadless, and ecological values of the Conservation Management Area.

(3) MANAGEMENT.—

(A) IN GENERAL.—The Secretary shall manage the Conservation Management Area—

(i) in a manner that conserves, protects, and enhances the resources of the Conservation Management Area; and

(ii) in accordance with—

(I) the laws (including regulations) and rules applicable to the National Forest System for land managed by the Forest Service;

(II) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) for land managed by the Bureau of Land Management;

(III) this subsection; and

(IV) any other applicable law (including regulations).

(B) USES.—

(i) IN GENERAL.—The Secretary shall only allow such uses of the Conservation Management Area that the Secretary determines would further the purposes described in paragraph (2).

(ii) MOTORIZED VEHICLES.—

(I) IN GENERAL.—The use of motorized vehicles in the Conservation Management Area shall be permitted only on existing roads, trails, and areas designated for use by such vehicles as of the date of enactment of this Act.

(II) NEW OR TEMPORARY ROADS.—Except as provided in subclause (III), no new or temporary roads shall be constructed within the Conservation Management Area.

(III) EXCEPTIONS.—Nothing in subclause (I) or (II) prevents the Secretary from—

(aa) rerouting or closing an existing road or trail to protect natural resources from degradation, as determined to be appropriate by the Secretary;

(bb) constructing a temporary road on which motorized vehicles are permitted as part of a vegetation management project in any portion of the Conservation Management Area located not more than ¼ mile from the Teton Road, South Teton Road, Sun River Road, Beaver Willow Road, or Benchmark Road;

(cc) authorizing the use of motorized vehicles for administrative purposes (including

noxious weed eradication or grazing management); or

(dd) responding to an emergency.

(IV) DECOMMISSIONING OF TEMPORARY ROADS.—The Secretary shall decommission any temporary road constructed under subclause (III)(bb) not later than 3 years after the date on which the applicable vegetation management project is completed.

(iii) GRAZING.—The Secretary shall permit grazing within the Conservation Management Area, if established on the date of enactment of this Act—

(I) subject to—

(aa) such reasonable regulations, policies, and practices as the Secretary determines appropriate; and

(bb) all applicable laws; and

(II) in a manner consistent with—

(aa) the purposes described in paragraph (2); and

(bb) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(iv) VEGETATION MANAGEMENT.—Nothing in this section prevents the Secretary from conducting vegetation management projects within the Conservation Management Area—

(I) subject to—

(aa) such reasonable regulations, policies, and practices as the Secretary determines appropriate; and

(bb) all applicable laws (including regulations); and

(II) in a manner consistent with the purposes described in paragraph (2).

(4) ADJACENT MANAGEMENT.—

(A) IN GENERAL.—The designation of the Conservation Management Area shall not create a protective perimeter or buffer zone around the Conservation Management Area.

(B) EFFECT.—The fact that activities or uses can be seen or heard from areas within the Conservation Management Area shall not preclude the conduct of the activities or uses outside the boundary of the Conservation Management Area.

(c) DESIGNATION OF WILDERNESS ADDITIONS.—

(1) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following Federal land in the State is designated as wilderness and as additions to existing components of the National Wilderness Preservation System:

(A) BOB MARSHALL WILDERNESS.—Certain land in the Lewis and Clark National Forest, comprising approximately 50,401 acres, as generally depicted on the map, which shall be added to and administered as part of the Bob Marshall Wilderness designated under section 3 of the Wilderness Act (16 U.S.C. 1132). 16 USC 1132 note.

16 USC 1132 note.

(B) SCAPEGOAT WILDERNESS.—Certain land in the Lewis and Clark National Forest, comprising approximately 16,711 acres, as generally depicted on the map, which shall be added to and administered as part of the Scapegoat Wilderness designated by the first section of Public Law 92–395 (16 U.S.C. 1132 note).

(2) MANAGEMENT OF WILDERNESS ADDITIONS.—Subject to valid existing rights, the land designated as wilderness additions by paragraph (1) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be deemed to be a reference to the date of the enactment of this Act.

(3) LIVESTOCK.—The grazing of livestock and the maintenance of existing facilities relating to grazing in the wilderness additions designated by this subsection, if established before the date of enactment of this Act, shall be permitted to continue in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(B) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(4) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), within the wilderness additions designated by this subsection, the Secretary may take any measures that the Secretary determines to be necessary to control fire, insects, and diseases, including, as the Secretary determines appropriate, the coordination of those activities with a State or local agency.

(5) ADJACENT MANAGEMENT.—

(A) IN GENERAL.—The designation of a wilderness addition by this subsection shall not create any protective perimeter or buffer zone around the wilderness area.

(B) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness addition designated by this subsection shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

(d) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of the Conservation Management Area and the wilderness additions designated by subsections (b) and (c), respectively.

(2) FORCE OF LAW.—The maps and legal descriptions prepared under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct typographical errors in the map and legal descriptions.

(3) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(e) NOXIOUS WEED MANAGEMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall prepare a comprehensive management strategy for preventing, controlling, and eradicating noxious weeds in the district.

(2) CONTENTS.—The management strategy shall—

(A) include recommendations to protect wildlife, forage, and other natural resources in the district from noxious weeds;

(B) identify opportunities to coordinate noxious weed prevention, control, and eradication efforts in the district with State and local agencies, Indian tribes, nonprofit organizations, and others;

(C) identify existing resources for preventing, controlling, and eradicating noxious weeds in the district;

(D) identify additional resources that are appropriate to effectively prevent, control, or eradicate noxious weeds in the district; and

(E) identify opportunities to coordinate with county weed districts in Glacier, Pondera, Teton, and Lewis and Clark Counties in the State to apply for grants and enter into agreements for noxious weed control and eradication projects under the Noxious Weed Control and Eradication Act of 2004 (7 U.S.C. 7781 et seq.).

(3) CONSULTATION.—In developing the management strategy required under paragraph (1), the Secretary shall consult with—

(A) the Secretary of the Interior;

(B) appropriate State, tribal, and local governmental entities; and

(C) members of the public.

(f) NONMOTORIZED RECREATION OPPORTUNITIES.—Not later than 2 years after the date of enactment of this Act, the Secretary of Agriculture, in consultation with interested parties, shall conduct a study to improve nonmotorized recreation trail opportunities (including mountain bicycling) on land not designated as wilderness within the district.

(g) MANAGEMENT OF FISH AND WILDLIFE; HUNTING AND FISHING.—Nothing in this section affects the jurisdiction of the State with respect to fish and wildlife management (including the regulation of hunting and fishing) on public land in the State.

(h) OVERFLIGHTS.—

(1) JURISDICTION OF THE FEDERAL AVIATION ADMINISTRATION.—Nothing in this section affects the jurisdiction of the Federal Aviation Administration with respect to the airspace above the wilderness or the Conservation Management Area.

(2) BENCHMARK AIRSTRIP.—Nothing in this section affects the continued use, maintenance, and repair of the Benchmark (3U7) airstrip.

(i) RELEASE OF WILDERNESS STUDY AREAS.—

(1) FINDING.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the Zook Creek and Buffalo Creek wilderness study areas in the State have been adequately studied for wilderness designation.

(2) RELEASE.—The Zook Creek and Buffalo Creek wilderness study areas—

(A) are no longer subject to—

(i) section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); or

(ii) Secretarial Order 3310 issued on December 22, 2010; and

(B) shall be managed in accordance with the applicable land use plans adopted under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

(j) ASSESSMENT UPDATE.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the Secretary shall review and update the assessment for oil and gas potential for the following wilderness study areas in the State:

(A) Bridge Coulee.

(B) Musselshell Breaks.

(2) REPORT.—Not later than 30 days after the date on which the review is completed under paragraph (1), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the oil and gas potential for the wilderness study areas.

SEC. 3066. WOVOKA WILDERNESS.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term "County" means Lyon County, Nevada.

(2) MAP.—The term "map" means the map entitled "Wovoka Wilderness Area" and dated December 18, 2012.

(3) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(4) STATE.—The term "State" means the State of Nevada.

(5) WILDERNESS.—The term "Wilderness" means the Wovoka Wilderness designated by subsection (b)(1).

(b) WOVOKA WILDERNESS.—

16 USC 1132 note.

(1) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the Federal land managed by the Forest Service, as generally depicted on the Map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the "Wovoka Wilderness".

(2) BOUNDARY.—The boundary of any portion of the Wilderness that is bordered by a road shall be 150 feet from the centerline of the road.

(3) MAP AND LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Wilderness.

(B) EFFECT.—The map and legal description prepared under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct any clerical and typographical errors in the map or legal description.

(C) AVAILABILITY.—Each map and legal description prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(4) WITHDRAWAL.—Subject to valid existing rights, the Wilderness is withdrawn from—

(A) all forms of entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(c) ADMINISTRATION.—

(1) MANAGEMENT.—Subject to valid existing rights, the Wilderness shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act.

(2) LIVESTOCK.—The grazing of livestock in the Wilderness, if established before the date of enactment of this Act, shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary, in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(B) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405).

(3) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land within the boundary of the Wilderness that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the Wilderness.

(4) ADJACENT MANAGEMENT.—

(A) IN GENERAL.—Congress does not intend for the designation of the Wilderness to create a protective perimeter or buffer zone around the Wilderness.

(B) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within the Wilderness shall not preclude the conduct of the activities or uses outside the boundary of the Wilderness.

(5) OVERFLIGHTS.—

(A) MILITARY OVERFLIGHTS.—Nothing in this section restricts or precludes—

(i) low-level overflights of military aircraft over the Wilderness, including military overflights that can been seen or heard within the Wilderness;

(ii) flight testing and evaluation; or

(iii) the designation or creation of new units of special airspace, or the establishment of military flight training routes, over the Wilderness.

(B) EXISTING AIRSTRIPS.—Nothing in this section restricts or precludes low-level overflights by aircraft originating from airstrips in existence on the date of enactment of this Act that are located within 5 miles of the proposed boundary of the Wilderness.

(6) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C.

1133(d)(1)), the Secretary may take any measures in the Wilderness that the Secretary determines to be necessary for the control of fire, insects, and diseases, including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency.

(7) WATER RIGHTS.—

(A) FINDINGS.—Congress finds that—

(i) the Wilderness is located—

(I) in the semiarid region of the Great Basin; and

(II) at the headwaters of the streams and rivers on land with respect to which there are few—

(aa) actual or proposed water resource facilities located upstream; and

(bb) opportunities for diversion, storage, or other uses of water occurring outside the land that would adversely affect the wilderness values of the land;

(ii) the Wilderness is generally not suitable for use or development of new water resource facilities; and

(iii) because of the unique nature of the Wilderness, it is possible to provide for proper management and protection of the wilderness and other values of land in ways different from those used in other laws.

(B) PURPOSE.—The purpose of this paragraph is to protect the wilderness values of the Wilderness by means other than a federally reserved water right.

(C) STATUTORY CONSTRUCTION.—Nothing in this paragraph—

(i) constitutes an express or implied reservation by the United States of any water or water rights with respect to the Wilderness;

(ii) affects any water rights in the State (including any water rights held by the United States) in existence on the date of enactment of this Act;

(iii) establishes a precedent with regard to any future wilderness designations;

(iv) affects the interpretation of, or any designation made under, any other Act; or

(v) limits, alters, modifies, or amends any interstate compact or equitable apportionment decree that apportions water among and between the State and other States.

(D) NEVADA WATER LAW.—The Secretary shall follow the procedural and substantive requirements of State law in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the Wilderness.

(E) NEW PROJECTS.—

(i) DEFINITION OF WATER RESOURCE FACILITY.—

(I) IN GENERAL.—In this subparagraph, the term "water resource facility" means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, transmission and other

ancillary facilities, and other water diversion, storage, and carriage structures.

(II) EXCLUSION.—In this subparagraph, the term "water resource facility" does not include wildlife guzzlers.

(ii) RESTRICTION ON NEW WATER RESOURCE FACILITIES.—

(I) IN GENERAL.—Except as otherwise provided in this section, on or after the date of enactment of this Act, no officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within the Wilderness, any portion of which is located in the County.

(II) EXCEPTION.—If a permittee within the Bald Mountain grazing allotment submits an application for the development of water resources for the purpose of livestock watering by the date that is 10 years after the date of enactment of this Act, the Secretary shall issue a water development permit within the non-wilderness boundaries of the Bald Mountain grazing allotment for the purposes of carrying out activities under paragraph (2).

(8) NONWILDERNESS ROADS.—Nothing in this section prevents the Secretary from implementing or amending a final travel management plan.

(d) WILDLIFE MANAGEMENT.—

(1) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this section affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the Wilderness.

(2) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activities in the Wilderness that are necessary to maintain or restore fish and wildlife populations and the habitats to support the populations, if the activities are carried out—

(A) consistent with relevant wilderness management plans; and

(B) in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(ii) the guidelines set forth in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405), including the occasional and temporary use of motorized vehicles and aircraft, if the use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values with the minimal impact necessary to reasonably accomplish those tasks.

(3) EXISTING ACTIVITIES.—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and in accordance with the guidelines set forth in Appendix B of House Report

101–405, the State may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and provide water for wildlife populations in the Wilderness.

(4) HUNTING, FISHING, AND TRAPPING.—

(A) IN GENERAL.—The Secretary may designate areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the Wilderness.

(B) CONSULTATION.—Except in emergencies, the Secretary shall consult with the appropriate State agency and notify the public before making any designation under subparagraph (A).

(5) AGREEMENT.—The State, including a designee of the State, may conduct wildlife management activities in the Wilderness—

(A) in accordance with the terms and conditions specified in the agreement between the Secretary and the State entitled "Memorandum of Understanding: Intermountain Region USDA Forest Service and the Nevada Department of Wildlife State of Nevada" and signed by the designee of the State on February 6, 1984, and by the designee of the Secretary on January 24, 1984, including any amendments, appendices, or additions to the agreement agreed to by the Secretary and the State or a designee; and

(B) subject to all applicable laws (including regulations).

(e) WILDLIFE WATER DEVELOPMENT PROJECTS.—Subject to subsection (c), the Secretary shall authorize structures and facilities, including existing structures and facilities, for wildlife water development projects (including guzzlers) in the Wilderness if—

(1) the structures and facilities will, as determined by the Secretary, enhance wilderness values by promoting healthy, viable, and more naturally distributed wildlife populations; and

(2) the visual impacts of the structures and facilities on the Wilderness can reasonably be minimized.

(f) NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.—Nothing in this section alters or diminishes the treaty rights of any Indian tribe.

SEC. 3067. WITHDRAWAL AREA RELATED TO WOVOKA WILDERNESS.

(a) DEFINITION OF WITHDRAWAL AREA.—In this section, the term "Withdrawal Area" means the land administered by the Forest Service and identified as "Withdrawal Area" on the map entitled "Wovoka Wilderness Area" and dated December 18, 2012.

(b) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the Withdrawal Area is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral laws, geothermal leasing laws, and mineral materials laws.

(c) MOTORIZED AND MECHANICAL VEHICLES.—

(1) IN GENERAL.—Subject to paragraph (2), use of motorized and mechanical vehicles in the Withdrawal Area shall be permitted only on roads and trails designated for the use of those vehicles, unless the use of those vehicles is needed—

(A) for administrative purposes; or

(B) to respond to an emergency.

(2) EXCEPTION.—Paragraph (1) does not apply to aircraft (including helicopters).

(d) NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.—Nothing in this section alters or diminishes the treaty rights of any Indian tribe.

SEC. 3068. WITHDRAWAL AND RESERVATION OF ADDITIONAL PUBLIC LAND FOR NAVAL AIR WEAPONS STATION, CHINA LAKE, CALIFORNIA.

(a) IN GENERAL.—Section 2971(b) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1044) is amended—

(1) by striking "subsection (a) is the Federal land" and inserting the following: "subsection (a) is—

"(1) the Federal land"; and

(2) by striking "section 2912." and inserting the following: "section 2912;

"(2) approximately 7,556 acres of public land described at Public Law 88–46 and commonly known as the Cuddeback Lake Air Force Range; and

"(3) approximately 4,480 acres comprised of all the public lands within: Sections 31 and 32 of Township 29S, Range 43E; Sections 12, 13, 24, and 25 of Township 30S, Range 42E; and Section 5 and the northern half of Section 6 of Township 31S, Range 43E, Mount Diablo Meridian, in the county of San Bernardino in the State of California, (but excluding the parcel identified as 'AF Fee Simple') as depicted on the map entitled: 'Cuddeback Area of the Golden Valley Proposed Wilderness Additions, June 2014'.".

(b) EXPIRATIONAL REPEAL.—The Act entitled "An Act to provide for the withdrawal and reservation for the use of the Department of the Air Force of certain public lands of the United States at Cuddeback Lake Air Force Range, California, for defense purposes", as approved June 21, 1963 (Public Law 88–46; 77 Stat. 69), is repealed.

Subtitle F—Wild and Scenic Rivers

SEC. 3071. ILLABOT CREEK, WASHINGTON, WILD AND SCENIC RIVER.

(a) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by inserting after paragraph (210), as added by section 3060(b), the following:

"(211) ILLABOT CREEK, WASHINGTON.—

"(A) The 14.3-mile segment from the headwaters of Illabot Creek to the northern terminus as generally depicted on the map titled 'Illabot Creek Proposed WSR–Northern Terminus', dated September 15, 2009, to be administered by the Secretary of Agriculture as follows:

"(i) The 4.3-mile segment from the headwaters of Illabot Creek to the boundary of Glacier Peak Wilderness Area as a wild river.

"(ii) The 10-mile segment from the boundary of Glacier Peak Wilderness to the northern terminus as generally depicted on the map titled 'Illabot Creek Proposed WSR–Northern Terminus', dated September 15, 2009, as a recreational river.

"(B) Action required to be taken under subsection (d)(1) for the river segments designated under this paragraph shall be completed through revision of the Skagit Wild and Scenic River comprehensive management plan.".

16 USC 1274 note.

(b) NO CONDEMNATION.—No land or interest in land within the boundary of the river segment designated by paragraph (211) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) may be acquired by condemnation.

16 USC 1274 note.

(c) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in paragraph (211) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) creates a protective perimeter or buffer zone outside the designated boundary of the river segment designated by that paragraph.

(2) OUTSIDE ACTIVITIES.—The fact that an activity or use can be seen or heard within the boundary of the river segment designated by paragraph (211) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) shall not preclude the activity or use outside the boundary of the river segment.

SEC. 3072. MISSISQUOI AND TROUT WILD AND SCENIC RIVERS, VERMONT.

(a) DESIGNATION OF WILD AND SCENIC RIVER SEGMENTS.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by inserting after paragraph (211), as added by section 3071(a), the following:

"(212) MISSISQUOI RIVER AND TROUT RIVER, VERMONT.—The following segments in the State of Vermont, to be administered by the Secretary of the Interior as a recreational river:

"(A) The 20.5-mile segment of the Missisquoi River from the Lowell/Westfield town line to the Canadian border in North Troy, excluding the property and project boundary of the Troy and North Troy hydroelectric facilities.

"(B) The 14.6-mile segment of the Missisquoi River from the Canadian border in Richford to the upstream project boundary of the Enosburg Falls hydroelectric facility in Sampsonville.

"(C) The 11-mile segment of the Trout River from the confluence of the Jay and Wade Brooks in Montgomery to where the Trout River joins the Missisquoi River in East Berkshire.".

16 USC 1274 note.

(b) MANAGEMENT.—

(1) MANAGEMENT.—

(A) IN GENERAL.—The river segments designated by paragraph (212) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) shall be managed in accordance with—

(i) the Upper Missisquoi and Trout Rivers Management Plan developed during the study described in

section 5(b)(19) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)(19)) (referred to in this subsection as the "management plan"); and

(ii) such amendments to the management plan as the Secretary of the Interior determines are consistent with this section and as are approved by the Upper Missisquoi and Trout Rivers Wild and Scenic Committee (referred to in this subsection as the "Committee").

(B) COMPREHENSIVE MANAGEMENT PLAN.—The management plan, as finalized in March 2013, and as amended, shall be considered to satisfy the requirements for a comprehensive management plan pursuant to section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(C) ADJACENT MANAGEMENT.—

(i) IN GENERAL.—Nothing in paragraph (212) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) creates a protective perimeter or buffer zone outside the designated boundary of the river segments designated by that paragraph.

(ii) OUTSIDE ACTIVITIES.—The fact that an activity or use can be seen or heard within the boundary of the river segments designated by paragraph (212) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) shall not preclude the activity or use outside the boundary of the river segments.

(2) COMMITTEE.—The Secretary shall coordinate management responsibility of the Secretary of the Interior under this section with the Committee, as specified in the management plan.

(3) COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—In order to provide for the long-term protection, preservation, and enhancement of the river segments designated by paragraph (212) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), the Secretary of the Interior may enter into cooperative agreements pursuant to sections 10(e) and 11(b)(1) (16 U.S.C. 1281(e), 1282(b)(1)) of the Wild and Scenic Rivers Act with—

(i) the State of Vermont;

(ii) the municipalities of Berkshire, Enosburg Falls, Enosburgh, Montgomery, North Troy, Richford, Troy, and Westfield; and

(iii) appropriate local, regional, statewide, or multistate planning, environmental, or recreational organizations.

(B) CONSISTENCY.—Each cooperative agreement entered into under this paragraph shall be consistent with the management plan and may include provisions for financial or other assistance from the United States.

(4) EFFECT ON EXISTING HYDROELECTRIC FACILITIES.—

(A) IN GENERAL.—The designation of the river segments by paragraph (212) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), does not—

(i) preclude the Federal Energy Regulatory Commission from licensing, relicensing, or otherwise authorizing the operation or continued operation of

the Troy Hydroelectric, North Troy, or Enosburg Falls hydroelectric project under the terms of licenses or exemptions in effect on the date of enactment of this Act; or

(ii) limit modernization, upgrade, or other changes to the projects described in clause (i), subject to written determination by the Secretary of the Interior that the changes are consistent with the purposes of the designation.

(B) HYDROPOWER PROCEEDINGS.—Resource protection, mitigation, or enhancement measures required by Federal Energy Regulatory Commission hydropower proceedings—

(i) shall not be considered to be project works for purposes of this section; and

(ii) may be located within the river segments designated by paragraph (212) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), subject to a written determination by the Secretary that the measures are consistent with the purposes of the designation.

(5) LAND MANAGEMENT.—

(A) ZONING ORDINANCES.—For the purpose of the segments designated by paragraph (212) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), the zoning ordinances adopted by the towns of Berkshire, Enosburg Falls, Enosburgh, Montgomery, North Troy, Richford, Troy, and Westfield in the State of Vermont, including provisions for conservation of floodplains, wetlands, and watercourses associated with the segments, shall be considered to satisfy the standards and requirements of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

(B) ACQUISITIONS OF LAND.—The authority of the Secretary to acquire land for the purposes of the segments designated by paragraph (212) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) shall be—

(i) limited to acquisition by donation or acquisition with the consent of the owner of the land; and

(ii) subject to the additional criteria set forth in the management plan.

(C) NO CONDEMNATION.—No land or interest in land within the boundary of the river segments designated by paragraph (212) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) may be acquired by condemnation.

(6) RELATION TO NATIONAL PARK SYSTEM.—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), the Missisquoi and Trout Rivers shall not be administered as part of the National Park System or be subject to regulations that govern the National Park System.

SEC. 3073. WHITE CLAY CREEK WILD AND SCENIC RIVER EXPANSION.

(a) DESIGNATION OF SEGMENTS OF WHITE CLAY CREEK, AS SCENIC AND RECREATIONAL RIVERS.—Section 3(a)(163) of the Wild and Scenic Rivers Act (16 U.S. C. 1274(a)(163)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking "190 miles" and inserting "199 miles"; and

(B) by striking "the recommended designation and classification maps (dated June 2000)" and inserting "the map entitled 'White Clay Creek Wild and Scenic River Designated Area Map' and dated July 2008, the map entitled 'White Clay Creek Wild and Scenic River Classification Map' and dated July 2008, and the map entitled 'White Clay Creek National Wild and Scenic River Proposed Additional Designated Segments-July 2008'";

(2) by striking subparagraph (B) and inserting the following:

"(B) 22.4 miles of the east branch beginning at the southern boundary line of the Borough of Avondale, including Walnut Run, Broad Run, and Egypt Run, outside the boundaries of the White Clay Creek Preserve, as a recreational river."; and

(3) by striking subparagraph (H) and inserting the following:

"(H) 14.3 miles of the main stem, including Lamborn Run, that flow through the boundaries of the White Clay Creek Preserve, Pennsylvania and Delaware, and White Clay Creek State Park, Delaware, beginning at the confluence of the east and middle branches in London Britain Township, Pennsylvania, downstream to the northern boundary line of the City of Newark, Delaware, as a scenic river.".

(b) ADMINISTRATION OF WHITE CLAY CREEK.—Sections 4 through 8 of Public Law 106–357 (16 U.S.C. 1274 note; 114 Stat. 1393), shall be applicable to the additional segments of White Clay Creek designated by the amendments made by subsection (a). 16 USC 1274 note.

(c) NO CONDEMNATION.—No land or interest in land within the boundary of the additional segments of White Clay Creek designated by the amendments made by subsection (a) may be acquired by condemnation. 16 USC 1274 note.

(d) ADJACENT MANAGEMENT.— 16 USC 1274 note.

(1) IN GENERAL.—Nothing in the amendments made by subsection (a) creates a protective perimeter or buffer zone outside the designated boundary of the additional segments of White Clay Creek designated by the amendments made by that subsection.

(2) OUTSIDE ACTIVITIES.—The fact that an activity or use can be seen or heard within the boundary of the additional segments of White Clay Creek designated by the amendments made by subsection (a) shall not preclude the activity or use outside the boundary of the segment.

SEC. 3074. STUDIES OF WILD AND SCENIC RIVERS.

(a) DESIGNATION FOR STUDY.—Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by inserting after paragraph (141), as added by section 3041(e), the following:

"(142) BEAVER, CHIPUXET, QUEEN, WOOD, AND PAWCATUCK RIVERS, RHODE ISLAND AND CONNECTICUT.—The following segments:

"(A) The approximately 10-mile segment of the Beaver River from the headwaters in Exeter, Rhode Island, to the confluence with the Pawcatuck River.

"(B) The approximately 5-mile segment of the Chipuxet River from Hundred Acre Pond to the outlet into Worden Pond.

"(C) The approximately 10-mile segment of the upper Queen River from the headwaters to the Usquepaugh Dam in South Kingstown, Rhode Island, including all tributaries of the upper Queen River.

"(D) The approximately 5-mile segment of the lower Queen (Usquepaugh) River from the Usquepaugh Dam to the confluence with the Pawcatuck River.

"(E) The approximately 11-mile segment of the upper Wood River from the headwaters to Skunk Hill Road in Richmond and Hopkinton, Rhode Island, including all tributaries of the upper Wood River.

"(F) The approximately 10-mile segment of the lower Wood River from Skunk Hill Road to the confluence with the Pawcatuck River.

"(G) The approximately 28-mile segment of the Pawcatuck River from Worden Pond to Nooseneck Hill Road (Rhode Island Rte 3) in Hopkinton and Westerly, Rhode Island.

"(H) The approximately 7-mile segment of the lower Pawcatuck River from Nooseneck Hill Road to Pawcatuck Rock, Stonington, Connecticut, and Westerly, Rhode Island.

"(143) NASHUA RIVER, MASSACHUSETTS.—The following segments:

"(A) The approximately 19-mile segment of the mainstem of the Nashua River from the confluence with the North and South Nashua Rivers in Lancaster, Massachusetts, north to the Massachusetts-New Hampshire State line, excluding the approximately 4.8-mile segment of the mainstem of the Nashua River from the Route 119 bridge in Groton, Massachusetts, downstream to the confluence with the Nissitissit River in Pepperell, Massachusetts.

"(B) The 10-mile segment of the Squannacook River from the headwaters at Ash Swamp downstream to the confluence with the Nashua River in the towns of Shirley and Ayer, Massachusetts.

"(C) The 3.5-mile segment of the Nissitissit River from the Massachusetts-New Hampshire State line downstream to the confluence with the Nashua River in Pepperell, Massachusetts.

"(144) YORK RIVER, MAINE.—The segment of the York River that flows 11.25 miles from the headwaters of the York River at York Pond to the mouth of the river at York Harbor, and any associated tributaries.".

(b) STUDY AND REPORT.—Section 5(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)) is amended by inserting after paragraph (20), as added by section 3041(e), the following:

"(21) BEAVER, CHIPUXET, QUEEN, WOOD, AND PAWCATUCK RIVERS, RHODE ISLAND AND CONNECTICUT; NASHUA RIVER, MASSACHUSETTS; YORK RIVER, MAINE.—

"(A) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this paragraph, the Secretary of the Interior shall—

"(i) complete each of the studies described in paragraphs (142), (143), and (144) of subsection (a); and

"(ii) submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the results of each of the studies.

"(B) REPORT REQUIREMENTS.—In assessing the potential additions to the wild and scenic river system, the report submitted under subparagraph (A)(ii) shall—

"(i) determine the effect of the designation on—

"(I) existing commercial and recreational activities, such as hunting, fishing, trapping, recreational shooting, motor boat use, and bridge construction;

"(II) the authorization, construction, operation, maintenance, or improvement of energy production, transmission, or other infrastructure; and

"(III) the authority of State and local governments to manage the activities described in subclauses (I) and (II);

"(ii) identify any authorities that, in a case in which an area studied under paragraph (142), (143), or (144) of subsection (a) is designated under this Act—

"(I) would authorize or require the Secretary of the Interior—

"(aa) to influence local land use decisions, such as zoning; or

"(bb) to place restrictions on non-Federal land if designated under this Act; and

"(II) the Secretary of the Interior may use to condemn property; and

"(iii) identify any private property located in an area studied under paragraph (142), (143), or (144) of subsection (a).".

Subtitle G—Trust Lands

SEC. 3077. LAND TAKEN INTO TRUST FOR BENEFIT OF THE NORTHERN CHEYENNE TRIBE.

(a) DEFINITIONS.—In this section:

(1) FUND.—The term "Fund" means the Northern Cheyenne Trust Fund identified in the June 7, 1999 Agreement Settling Certain Issues Relating to the Tongue River Dam Project, which was entered into by the Tribe, the State, and delegates of the Secretary, and managed by the Office of Special Trustee in the Department of the Interior.

(2) GREAT NORTHERN PROPERTIES.—The term "Great Northern Properties" means the Great Northern Properties Limited Partnership, which is a Delaware limited partnership.

(3) PERMANENT FUND.—The term "Permanent Fund" means the Northern Cheyenne Tribe Permanent Fund managed by the Tribe pursuant to the Plan for Investment, Management

and Use of the Fund, as amended by vote of the tribal membership on November 2, 2010.

(4) RESERVATION.—The term "Reservation" means the Northern Cheyenne Reservation.

(5) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(6) STATE.—The term "State" means the State of Montana.

(7) TRIBE.—The term "Tribe" means the Northern Cheyenne Tribe.

(b) TRIBAL FEE LAND TO BE TAKEN INTO TRUST.—

(1) IN GENERAL.—Subject to paragraph (2), not later than 60 days after the date of enactment of this Act, the Secretary shall take into trust for the benefit of the Tribe the approximately 932 acres of land depicted on—

(A) the map entitled "Northern Cheyenne Lands Act – Fee-to-Trust Lands" and dated April 22, 2014; and

(B) the map entitled "Northern Cheyenne Lands Act – Fee-to-Trust Lands – Lame Deer Townsite" and dated April 22, 2014.

(2) LIMITATION.—Any land located in the State of South Dakota that is included on the maps referred to in subparagraphs (A) and (B) of paragraph (1) shall not be taken into trust pursuant to that paragraph.

(c) MINERAL RIGHTS TO BE TAKEN INTO TRUST.—

(1) COMPLETION OF MINERAL CONVEYANCES.—

(A) IN GENERAL.—Not later than 60 days after the date on which the Secretary receives the notification described in paragraph (3), in a single transaction—

(i) Great Northern Properties shall convey to the Tribe all right, title, and interest of Great Northern Properties, consisting of coal and iron ore mineral interests, underlying the land on the Reservation generally depicted as "Great Northern Properties" on the map entitled "Northern Cheyenne Land Act – Coal Tracts" and dated April 22, 2014; and

(ii) subject to subparagraph (B), the Secretary shall convey to Great Northern Properties all right, title, and interest of the United States in and to the coal mineral interests underlying the land generally depicted as "Bull Mountains" and "East Fork" on the map entitled "Northern Cheyenne Federal Tracts" and dated April 22, 2014.

(B) REQUIREMENT.—The Secretary shall ensure that the deed for the conveyance authorized by subparagraph (A)(ii) shall include a covenant running with the land that—

(i) precludes the coal conveyed from being mined by any method other than underground mining techniques until any surface owner (as defined in section 714(e) of Public Law 95–87 (30 U.S.C. 1304(e))) for a specific tract has provided to Great Northern Properties written consent to enter the specific tract and commence surface mining;

(ii) shall not create any property interest in the United States or any surface owner (as defined in section 714(e) of Public Law 95–87 (30 U.S.C. 1304(e))); and

(iii) shall not affect, abridge, or amend any valid existing rights of any surface owner of a specific tract or any adjacent tracts.

(2) TREATMENT OF LAND TRANSFERRED TO TRIBE.—

(A) IN GENERAL.—At the request of the Tribe, the Secretary shall take into trust for the benefit of the Tribe the mineral interests conveyed to the Tribe under paragraph (1)(A)(i).

(B) NO STATE TAXATION.—The mineral interests conveyed to the Tribe under paragraph (1)(A)(i) shall not be subject to taxation by the State (including any political subdivision of the State).

(3) REVENUE SHARING AGREEMENT.—The Tribe shall notify the Secretary, in writing, that—

(A) consistent with a settlement agreement entered into between the Tribe and the State in 2002, the Tribe and Great Northern Properties have agreed on a formula for sharing revenue from development of the mineral interests described in paragraph (1)(A)(ii) if those mineral interests are developed;

(B) the revenue sharing agreement remains in effect as of the date of enactment of this Act; and

(C) Great Northern Properties has offered to convey the mineral interests described in paragraph (1)(A)(i) to the Tribe.

(4) WAIVER OF LEGAL CLAIMS.—As a condition of the conveyances of mineral interests under paragraph (1)(A)—

(A) the Tribe shall waive any and all claims relating to the failure of the United States to acquire and take into trust on behalf of the Tribe the mineral interests described in paragraph (1)(A)(i), as directed by Congress in 1900; and

(B) Great Northern Properties shall waive any and all claims against the United States relating to the value of the coal mineral interests described in paragraph (1)(A)(ii).

(5) RESCISSION OF MINERAL CONVEYANCES.—If any portion of the mineral interests conveyed under paragraph (1)(A) is invalidated by final judgment of a court of the United States—

(A) not later than 1 year after the date on which the final judgment is rendered, the Secretary or Great Northern Properties may agree to rescind the conveyances under paragraph (1)(A); and

(B) if the conveyances are rescinded under subparagraph (A), the waivers under paragraph (4) shall no longer apply.

(d) TRANSFER OF NORTHERN CHEYENNE TRUST FUND TO TRIBE.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, all amounts in the Fund shall be deposited in the Permanent Fund.

(2) USE OF AMOUNTS.—Of the amounts transferred to the Permanent Fund under paragraph (1)—

(A) the portion that is attributable to the principal of the Fund shall be maintained in perpetuity; and

(B) any interest earned on the amounts described in subparagraph (A) shall be used in the same manner as

interest earned on amounts in the Permanent Fund may be used.

(3) WAIVER OF LEGAL CLAIMS.—As a condition of the transfer under paragraph (1), the Tribe shall waive any and all claims arising from the management of the Fund by the United States.

(e) LAND CONSOLIDATION AND FRACTIONATION REPORTING.—

(1) INVENTORY.—

(A) IN GENERAL.—The Secretary, in consultation with the Tribe, shall prepare an inventory of fractionated land interests held by the United States in trust for the benefit of—

(i) the Tribe; or

(ii) individual Indians on the Reservation.

(B) AGRICULTURAL PURPOSES.—The inventory prepared by the Secretary under this paragraph shall include details currently available about fractionated land on the Reservation suitable for agricultural purposes.

(C) SUBMISSION.—The Secretary shall submit the inventory prepared under this paragraph to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives by not later than 180 days after the date of enactment of this Act.

(2) REPORT.—

(A) IN GENERAL.—The Secretary, in consultation with the Tribe, shall prepare periodic reports regarding obstacles to consolidating trust land ownership on the Reservation.

(B) CONTENTS.—The reports under this paragraph shall include—

(i) a description of existing obstacles to consolidating trust land ownership, including the extent of fractionation;

(ii) a description of progress achieved by the Tribe toward reducing fractionation and increasing trust land ownership;

(iii) an analysis of progress achieved by the Tribe toward making agricultural use economical on trust land; and

(iv) any applicable outcomes and lessons learned from land consolidation activities undertaken pursuant to the Indian Land Consolidation Act (25 U.S.C. 2201 et seq.).

(C) SUBMISSION.—The Secretary shall submit the reports under this paragraph to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives not less frequently than once each calendar year for the 5-year period beginning on the date of enactment of this Act.

(f) ELIGIBILITY FOR OTHER FEDERAL BENEFITS.—The transfer under subsection (d) shall not result in the reduction or denial of any Federal service, benefit, or program to the Tribe or to any member of the Tribe to which the Tribe or member is entitled or eligible because of—

(1) the status of the Tribe as a federally recognized Indian tribe; or

(2) the status of the member as a member of the Tribe.

SEC. 3078. TRANSFER OF ADMINISTRATIVE JURISDICTION, BADGER ARMY AMMUNITION PLANT, BARABOO, WISCONSIN.

(a) DEFINITION.—In this section, the term "Property" means approximately 1,553 acres, including federally owned structures thereon, located within the boundary of the former Badger Army Ammunition Plant near Baraboo, Wisconsin.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—Administrative jurisdiction over the Property is hereby transferred from the Secretary of the Army to the Secretary of the Interior.

(2) STRUCTURES.—Upon receipt by the Secretary of the Interior of a resolution from the Ho-Chunk Nation accepting title to the structures, all federally owned structures on the Property are hereby transferred to the Ho-Chunk Nation in fee.

(3) TRUST STATUS.—The Property, less the structures thereon, shall be held in trust by the Secretary of the Interior for the benefit of the Ho-Chunk Nation and shall be a part of the reservation of the Ho-Chunk Nation.

(4) LEGAL DESCRIPTION.—As soon as practicable after the transfer, the Secretary of the Interior, with the concurrence of the Secretary of the Army, shall publish in the Federal Register a legal description of the Property.

(c) RETENTION OF ENVIRONMENTAL RESPONSE RESPONSIBILITIES BY THE ARMY.—

(1) IN GENERAL.—Notwithstanding the transfer of the Property by subsection (b), the Secretary of the Army shall be responsible—

(A) for obtaining final case closure and no-action-required remedial determinations for the Property from the Wisconsin Department of Natural Resources; and

(B) for any additional remedial actions, with respect to any hazardous substance remaining on the Property, found to be necessary to protect human health and the environment to support the recreational and grazing land reuse (including agricultural activities necessary to sustain such reuse) considered for the final case closure and no-action-required determinations of the Wisconsin Department of Natural Resources.

(2) LIMITATION.—The responsibility described in paragraph (1) is limited to the remediation of releases of hazardous substances resulting from the activities of the Department of Defense that occurred before the date on which administrative jurisdiction of the Property is transferred under this section.

(3) OTHER USES OF THE PROPERTY BY THE SECRETARY OF THE INTERIOR OR THE HO-CHUNK NATION.—The Secretary of the Interior shall not take any action to authorize, nor shall the Ho-Chunk Nation undertake or allow, any activity on or use of the Property inconsistent with the case closure conditions required by the Wisconsin Department of Natural Resources except as provided in this paragraph. Nothing in this section shall preclude the Ho-Chunk Nation from undertaking, in accordance with applicable laws and regulations and without any cost to the Department of Defense or the Department of the Interior, such additional action necessary to allow for uses of the Property other than uses that are consistent with

the case closure conditions required by the Wisconsin Department of Natural Resources.

(4) ACCESS BY THE UNITED STATES.—(A) The United States retains and reserves a perpetual and assignable easement and right of access on, over, and through the Property, to enter upon the Property in any case in which an environmental response or corrective action is found to be necessary on the part of the United States, without regard to whether such environmental response or corrective action is on the Property or on adjoining or nearby lands. Such easement and right of access includes, without limitation, the right to perform any environmental investigation, survey, monitoring, sampling, testing, drilling, boring, coring, testpitting, installing monitoring or pumping wells or other treatment facilities, response action, corrective action, or any other action necessary for the United States to meet its responsibilities under applicable laws and as provided for in this section.

(B) In exercising such easement and right of access, the United States shall provide the property holder or owner and their successors or assigns, as the case may be, with reasonable notice of its intent to enter upon the Property and exercise its rights under this clause, which notice may be severely curtailed or even eliminated in emergency situations. The United States shall use reasonable means to avoid and to minimize interference with the property holder's or owner's and their successors' and assigns', as the case may be, quiet enjoyment of the Property. At the completion of work, the work site shall be reasonably restored. Such easement and right of access includes the right to obtain and use utility services, including water, gas, electricity, sewer, and communications services available on the Property at a reasonable charge to the United States. Excluding the reasonable charges for such utility services, no fee, charge, or compensation will be due the property holder or owner, their successors and assigns, for the exercise of the easement and right of access hereby retained and reserved by the United States.

(C) In exercising such easement and right of access, neither the Ho-Chunk Nation nor its successors and assigns, as the case may be, shall have any claim at law or equity against the United States or any officer, employee, agent, contractor of any tier, or servant of the United States based on actions taken by the United States or its officers, employees, agents, contractors of any tier, or servants pursuant to and in accordance with this clause: Provided, however, that nothing in this paragraph shall be considered as a waiver by the Ho-Chunk Nation, its successors and assigns, of any remedy available to them under the Federal Tort Claims Act.

(d) TREATMENT OF EXISTING EASEMENTS, PERMIT RIGHTS, AND RIGHTS-OF-WAY.—

(1) IN GENERAL.—The transfer of administrative jurisdiction under this section recognizes and preserves, in perpetuity and without the right of revocation except as provided in paragraph (2), easements, permit rights, and rights-of-way and access to such easements and rights-of-way of any applicable utility service provider in existence at the time of the conveyance prior to the date of enactment of this Act. The rights recognized

and preserved include the right to upgrade applicable utility services.

(2) TERMINATION.—An easement, permit right, or right-of-way recognized and preserved under paragraph (1) shall terminate only—

(A) on the relocation of an applicable utility service referred to in paragraph (1), and then only with respect to that portion of those utility facilities that are relocated; or

(B) with the consent of the holder of the easement, permit right, or right-of-way.

(3) ADDITIONAL EASEMENTS.—The Secretary of the Interior shall grant to a utility service provider, without consideration, such additional easements across the property transferred under this section as the Secretary considers necessary to accommodate the relocation or reconnection of a utility service existing prior to the date of enactment of this section on property held by the Secretary of the Interior in trust for the Ho-Chunk Nation.

(e) PROHIBITION ON GAMING.—Any real property taken into trust under this section shall not be eligible, or used, for any gaming activity carried out under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

(f) LIABILITY OF THE UNITED STATES UNCHANGED.—Nothing in this section shall diminish or increase the liability of the United States or otherwise affect the liability of the United States under any provision of law.

Subtitle H—Miscellaneous Access and Property Issues

SEC. 3081. ENSURING PUBLIC ACCESS TO THE SUMMIT OF RATTLESNAKE MOUNTAIN IN THE HANFORD REACH NATIONAL MONUMENT.

(a) IN GENERAL.—The Secretary of the Interior shall provide public access to the summit of Rattlesnake Mountain in the Hanford Reach National Monument for educational, recreational, historical, scientific, cultural, and other purposes, including—

(1) motor vehicle access; and

(2) pedestrian and other nonmotorized access.

(b) COOPERATIVE AGREEMENTS.—The Secretary of the Interior may enter into cooperative agreements to facilitate access to the summit of Rattlesnake Mountain—

(1) with the Secretary of Energy, the State of Washington, or any local government agency or other interested persons, for guided tours, including guided motorized tours to the summit of Rattlesnake Mountain; and

(2) with the Secretary of Energy, and with the State of Washington or any local government agency or other interested persons, to maintain the access road to the summit of Rattlesnake Mountain.

SEC. 3082. ANCHORAGE, ALASKA, CONVEYANCE OF REVERSIONARY INTERESTS.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term "City" means the municipality of Anchorage, Alaska.

(2) NON-FEDERAL LAND.—The term "non-Federal land" means certain parcels of land located in the City and owned by the City, which are more particularly described as follows:

(A) Block 42, Original Townsite of Anchorage, Anchorage Recording District, Third Judicial District, State of Alaska, consisting of approximately 1.93 acres, commonly known as the Egan Center, Petrovich Park, and Old City Hall.

(B) Lots 9, 10, and 11, Block 66, Original Townsite of Anchorage, Anchorage Recording District, Third Judicial District, State of Alaska, consisting of approximately 0.48 acres, commonly known as the parking lot at 7th Avenue and I Street.

(C) Lot 13, Block 15, Original Townsite of Anchorage, Anchorage Recording District, Third Judicial District, State of Alaska, consisting of approximately 0.24 acres, an unimproved vacant lot located at H Street and Christensen Drive.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(b) CONVEYANCE OF REVERSIONARY INTERESTS, ANCHORAGE, ALASKA.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall convey to the City, without consideration, the reversionary interests of the United States in and to the non-Federal land for the purpose of unencumbering the title to the non-Federal land to enable economic development of the non-Federal land.

(2) LEGAL DESCRIPTIONS.—As soon as practicable after the date of enactment of this Act, the exact legal descriptions of the non-Federal land shall be determined in a manner satisfactory to the Secretary.

(3) COSTS.—The City shall pay all costs associated with the conveyance under paragraph (1), including the costs of any surveys, recording costs, and other reasonable costs.

SEC. 3083. RELEASE OF PROPERTY INTERESTS IN BUREAU OF LAND MANAGEMENT LAND CONVEYED TO THE STATE OF OREGON FOR ESTABLISHMENT OF HERMISTON AGRICULTURAL RESEARCH AND EXTENSION CENTER.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term "Map" means the map entitled "Hermiston Agricultural Research and Extension Center" and dated April 7, 2014.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(3) STATE.—The term "State" means the State of Oregon (acting through the Oregon State Board of Higher Education on behalf of Oregon State University).

(b) RELEASE OF RETAINED INTERESTS.—

(1) IN GENERAL.—Any reservation or reversionary interest retained by the United States to the approximately 290 acres in Hermiston, Oregon, depicted as "Reversionary Interest Area" on the Map, is hereby released without consideration.

(2) INSTRUMENT OF RELEASE.—The Secretary shall execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument reflecting the release of retained interests under paragraph (1).

(c) CONVEYANCE OF ORPHAN PARCEL.—Notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), not later than 180 days after the date on which the Secretary receives a request from the State, the Secretary shall convey to the State, without consideration, all right, title, and interest of the United States to and in the approximately 6 acres identified on the Map as "Bureau of Land Management Administered Land".

Subtitle I—Water Infrastructure

SEC. 3087. BUREAU OF RECLAMATION HYDROPOWER DEVELOPMENT.

Section 9 of the Act of August 11, 1939 (commonly known as the "Water Conservation and Utilization Act") (16 U.S.C. 590z–7) is amended—

(1) by striking "In connection with" and inserting "(a) IN GENERAL.—In connection with"; and

(2) by adding at the end the following:

"(b) CERTAIN LEASES AUTHORIZED.—

"(1) IN GENERAL.—Notwithstanding subsection (a), the Secretary—

"(A) may enter into leases of power privileges for electric power generation in connection with any project constructed pursuant to this Act; and

"(B) shall have authority over any project constructed pursuant to this Act in addition to and alternative to any existing authority relating to a particular project.

"(2) PROCESS.—In entering into a lease of power privileges under paragraph (1), the Secretary shall use the processes, terms, and conditions applicable to a lease under section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)).

"(3) FINDINGS NOT REQUIRED.—No findings under section 3 shall be required for a lease under paragraph (1).

"(4) RIGHTS RETAINED BY LESSEE.—Except as otherwise provided under paragraph (5), all right, title, and interest in and to installed power facilities constructed by non-Federal entities pursuant to a lease under paragraph (1), and any direct revenues derived from that lease, shall remain with the lessee.

"(5) LEASE CHARGES.—Notwithstanding section 8, lease charges shall be credited to the project from which the power is derived.

"(6) EFFECT.—Nothing in this section alters or affects any agreement in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2015 for the development of hydropower projects or disposition of revenues.".

SEC. 3088. TOLEDO BEND HYDROELECTRIC PROJECT.

Notwithstanding section 3(2) of the Federal Power Act (16 U.S.C. 796(2)), Federal land within the Sabine National Forest or the Indian Mounds Wilderness Area occupied by the Toledo Bend Hydroelectric Project numbered 2305 shall not be considered to be—

(1) a reservation, for purposes of section 4(e) of that Act (16 U.S.C. 797(e));

(2) land or other property of the United States for purposes of recompensing the United States for the use, occupancy, or enjoyment of the land under section 10(e)(1) of that Act (16 U.S.C. 803(e)(1)); or

(3) land of the United States, for purposes of section 24 of that Act (16 U.S.C. 818).

SEC. 3089. EAST BENCH IRRIGATION DISTRICT CONTRACT EXTENSION.

Section 2(1) of the East Bench Irrigation District Water Contract Extension Act (Public Law 112–139; 126 Stat. 390) is amended by striking "4 years" and inserting "10 years".

Subtitle J—Other Matters

SEC. 3091. COMMEMORATION OF CENTENNIAL OF WORLD WAR I.

36 USC note prec. 101.

(a) LIBERTY MEMORIAL AS WORLD WAR I MUSEUM AND MEMORIAL.—

(1) DESIGNATION OF LIBERTY MEMORIAL.—The Liberty Memorial of Kansas City at America's National World War I Museum in Kansas City, Missouri, is hereby designated as a "World War I Museum and Memorial".

(2) CEREMONIES.—The World War I Centennial Commission (in this section referred to as the "Commission") may plan, develop, and execute ceremonies to recognize the designation of the Liberty Memorial of Kansas City as a World War I Museum and Memorial.

36 USC note prec. 101.

(b) PERSHING PARK AS WORLD WAR I MEMORIAL.—

(1) REDESIGNATION OF PERSHING PARK.—Pershing Park in the District of Columbia is hereby redesignated as a "World War I Memorial".

(2) CEREMONIES.—The Commission may plan, develop, and execute ceremonies for the rededication of Pershing Park, as it approaches its 50th anniversary, as a World War I Memorial and for the enhancement of the General Pershing Commemorative Work as authorized by paragraph (3).

(3) AUTHORITY TO ENHANCE COMMEMORATIVE WORK.—

(A) IN GENERAL.—The Commission may enhance the General Pershing Commemorative Work by constructing on the land designated by paragraph (1) as a World War I Memorial appropriate sculptural and other commemorative elements, including landscaping, to further honor the service of members of the United States Armed Forces in World War I.

(B) GENERAL PERSHING COMMEMORATIVE WORK DEFINED.—In this subsection, the term "General Pershing Commemorative Work" means the memorial to the late John J. Pershing, General of the Armies of the United States, who commanded the American Expeditionary Forces in World War I, and to the officers and men under his command, as authorized by Public Law 89–786 (80 Stat. 1377).

(4) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), chapter 89 of title 40, United States Code, applies to the enhancement of the General Pershing Commemorative Work under this subsection.

(B) WAIVER OF CERTAIN REQUIREMENTS.—

(i) SITE SELECTION FOR MEMORIAL.—Section 8905 of such title does not apply with respect to the selection of the site for the World War I Memorial.

(ii) CERTAIN CONDITIONS.—Section 8908(b) of such title does not apply to this subsection.

(5) NO INFRINGEMENT UPON EXISTING MEMORIAL.—The World War I Memorial designated by paragraph (1) may not interfere with or encroach on the District of Columbia War Memorial.

(6) DEPOSIT OF EXCESS FUNDS.—

(A) USE FOR OTHER WORLD WAR I COMMEMORATIVE ACTIVITIES.—If, upon payment of all expenses for the enhancement of the General Pershing Commemorative Work under this subsection (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), there remains a balance of funds received for such purpose, the Commission may use the amount of the balance for other commemorative activities authorized under the World War I Centennial Commission Act (Public Law 112–272; 126 Stat. 2448).

(B) USE FOR OTHER COMMEMORATIVE WORKS.—If the authority for enhancement of the General Pershing Commemorative Work and the authority of the Commission to plan and conduct commemorative activities under the World War I Centennial Commission Act have expired and there remains a balance of funds received for the enhancement of the General Pershing Commemorative Work, the Commission shall transmit the amount of the balance to a separate account with the National Park Foundation, to be available to the Secretary of the Interior following the process provided in section 8906(b)(4) of title 40, United States Code, for accounts established under section 8906(b)(3) of such title, except that funds in such account may only be obligated subject to appropriation.

(7) AUTHORIZATION TO COMPLETE CONSTRUCTION AFTER TERMINATION OF COMMISSION.—Section 8 of the World War I Centennial Commission Act (Public Law 112–272) is amended— 126 Stat. 2452.

(A) in subsection (a), by striking "The Centennial Commission" and inserting "Except as provided in subsection (c), the Centennial Commission"; and

(B) by adding at the end the following new subsection:

"(c) EXCEPTION FOR COMPLETION OF WORLD WAR I MEMORIAL.—The Centennial Commission may perform such work as is necessary to complete the rededication of a World War I Memorial and enhancement of the General Pershing Commemorative Work under section 3091(b) of the National Defense Authorization Act for Fiscal Year 2015, subject to section 8903 of title 40, United States Code.".

(c) ADDITIONAL AMENDMENTS TO WORLD WAR I CENTENNIAL COMMISSION ACT.— 36 USC note prec. 101.

(1) EX OFFICIO AND OTHER ADVISORY MEMBERS.—Section 4 of the World War I Centennial Commission Act (Public Law

112–272; 126 Stat. 2449) is amended by adding at the end the following new subsection:

"(e) EX OFFICIO AND OTHER ADVISORY MEMBERS.—

"(1) POWERS.—The individuals listed in paragraphs (2) and (3), or their designated representative, shall serve on the Centennial Commission solely to provide advice and information to the members of the Centennial Commission appointed pursuant to subsection (b)(1), and shall not be considered members for purposes of any other provision of this Act.

"(2) EX OFFICIO MEMBERS.—The following individuals shall serve as ex officio members:

"(A) The Archivist of the United States.

"(B) The Librarian of Congress.

"(C) The Secretary of the Smithsonian Institution.

"(D) The Secretary of Education.

"(E) The Secretary of State.

"(F) The Secretary of Veterans Affairs.

"(G) The Administrator of General Services.

"(3) OTHER ADVISORY MEMBERS.—The following individuals shall serve as other advisory members:

"(A) Four members appointed by the Secretary of Defense in the following manner: One from the Navy, one from the Marine Corps, one from the Army, and one from the Air Force.

"(B) Two members appointed by the Secretary of Homeland Security in the following manner: One from the Coast Guard and one from the United States Secret Service.

"(C) Two members appointed by the Secretary of the Interior, including one from the National Parks Service.

"(4) VACANCIES.—A vacancy in a member position under paragraph (3) shall be filled in the same manner in which the original appointment was made.".

(2) PAYABLE RATE OF STAFF.—Section 7(c)(2) of the World War I Centennial Commission Act (Public Law 112–272; 126 Stat. 2451) is amended—

(A) in subparagraph (A), by striking the period at the end and inserting ", without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates."; and

(B) in subparagraph (B), by striking "level IV" and inserting "level II".

(3) LIMITATION ON OBLIGATION OF FEDERAL FUNDS.—

(A) LIMITATION.—Section 9 of the World War I Centennial Commission Act (Public Law 112–272; 126 Stat. 2453) is amended to read as follows:

"SEC. 9. LIMITATION ON OBLIGATION OF FEDERAL FUNDS.

"No Federal funds may be obligated or expended for the designation, establishment, or enhancement of a memorial or commemorative work by the World War I Centennial Commission.".

(B) CONFORMING AMENDMENT.—Section 7(f) of the World War I Centennial Commission Act (Public Law 112–272; 126 Stat. 2452) is repealed.

(C) CLERICAL AMENDMENT.—The item relating to section 9 in the table of contents of the World War I Centennial

Commission Act (Public Law 112–272; 126 Stat. 2448) is amended to read as follows:

"Sec. 9. Limitation on obligation of Federal funds.".

SEC. 3092. MISCELLANEOUS ISSUES RELATED TO LAS VEGAS VALLEY PUBLIC LAND AND TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT.

54 USC 320301 note.

(a) TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT.—

(1) DEFINITIONS.—In this subsection:

(A) COUNCIL.—The term "Council" means the Tule Springs Fossil Beds National Monument Advisory Council established by paragraph (6)(A).

(B) COUNTY.—The term "County" means Clark County, Nevada.

(C) LOCAL GOVERNMENT.—The term "local government" means the City of Las Vegas, City of North Las Vegas, or the County.

(D) MANAGEMENT PLAN.—The term "management plan" means the management plan for the Monument developed under paragraph (3)(E).

(E) MAP.—The term "Map" means the map entitled "Tule Springs Fossil Beds National Monument Proposed Boundary", numbered 963/123,142, and dated December 2013.

(F) MONUMENT.—The term "Monument" means the Tule Springs Fossil Beds National Monument established by paragraph (2)(A).

(G) PUBLIC LAND.—The term "public land" has the meaning given the term "public lands" in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(H) PUBLIC WATER AGENCY.—The term "public water agency" means a regional wholesale water provider that is engaged in the acquisition of water on behalf of, or the delivery of water to, water purveyors who are member agencies of the public water agency.

(I) QUALIFIED ELECTRIC UTILITY.—The term "qualified electric utility" means any public or private utility determined by the Secretary to be technically and financially capable of developing the high-voltage transmission facilities described in paragraph (4).

(J) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(K) STATE.—The term "State" means the State of Nevada.

(2) ESTABLISHMENT.—

(A) IN GENERAL.—In order to conserve, protect, interpret, and enhance for the benefit of present and future generations the unique and nationally important paleontological, scientific, educational, and recreational resources and values of the land described in this paragraph, there is established in the State, subject to valid existing rights, the Tule Springs Fossil Beds National Monument.

(B) BOUNDARIES.—The Monument shall consist of approximately 22,650 acres of public land in the County identified as "Tule Springs Fossil Beds National Monument", as generally depicted on the Map.

(C) MAP; LEGAL DESCRIPTION.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this section, the Secretary shall prepare an official map and legal description of the boundaries of the Monument.

(ii) LEGAL EFFECT.—The map and legal description prepared under clause (i) shall have the same force and effect as if included in this subsection, except that the Secretary may correct any clerical or typographical errors in the legal description or the map.

(iii) AVAILABILITY OF MAP AND LEGAL DESCRIPTION.—The map and legal description prepared under clause (i) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the National Park Service.

(D) ACQUISITION OF LAND.—

(i) IN GENERAL.—Subject to clause (ii), the Secretary may acquire land or interests in land within the boundaries of the Monument by donation, purchase from a willing seller with donated or appropriated funds, exchange, or transfer from another Federal agency.

(ii) LIMITATIONS.—

(I) ACQUISITION OF CERTAIN LAND.—Land or interests in land that are owned by the State or a political subdivision of the State may be acquired under clause (i) only by donation or exchange.

(II) PROHIBITION OF CONDEMNATION.—No land or interest in land may be acquired under clause (i) by condemnation.

(E) WITHDRAWALS.—Subject to valid existing rights and paragraphs (4) and (5), any land within the Monument or any land or interest in land that is acquired by the United States for inclusion in the Monument after the date of enactment of this section is withdrawn from—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) operation of the mineral leasing laws, geothermal leasing laws, and minerals materials laws.

(F) RELATIONSHIP TO CLARK COUNTY MULTI-SPECIES HABITAT CONSERVATION PLAN.—

(i) AMENDMENT TO PLAN.—The Secretary shall credit, on an acre-for-acre basis, approximately 22,650 acres of the land conserved for the Monument under this section toward the development of additional non-Federal land within the County through an amendment to the Clark County Multi-Species Habitat Conservation Plan.

(ii) EFFECT ON PLAN.—Nothing in this section otherwise limits, alters, modifies, or amends the Clark County Multi-Species Habitat Conservation Plan.

(G) TERMINATION OF UPPER LAS VEGAS WASH CONSERVATION TRANSFER AREA.—The Upper Las Vegas Wash Conservation Transfer Area established by the Record of Decision dated October 21, 2011, for the Upper Las Vegas

Wash Conservation Transfer Area Final Supplemental Environmental Impact Statement, is terminated.

(3) ADMINISTRATION OF MONUMENT.—

(A) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the approximately 22,650 acres of public land depicted on the Map as "Tule Springs Fossil Bed National Monument" is transferred from the Bureau of Land Management to the National Park Service.

(B) ADMINISTRATION.—The Secretary shall administer the Monument—

(i) in a manner that conserves, protects, interprets, and enhances the resources and values of the Monument; and

(ii) in accordance with—

(I) this subsection;

(II) the provisions of laws generally applicable to units of the National Park System (including the National Park Service Organic Act (16 U.S.C. 1 et seq.)); and

(III) any other applicable laws.

(C) BUFFER ZONES.—The establishment of the Monument shall not—

(i) lead to the creation of express or implied protective perimeters or buffer zones around or over the Monument;

(ii) preclude disposal or development of public land adjacent to the boundaries of the Monument, if the disposal or development is consistent with other applicable law; or

(iii) preclude an activity on, or use of, private land adjacent to the boundaries of the Monument, if the activity or use is consistent with other applicable law.

(D) AIR AND WATER QUALITY.—Nothing in this section alters the standards governing air or water quality outside the boundary of the Monument.

(E) MANAGEMENT PLAN.—

(i) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this subparagraph, the Secretary shall develop a management plan that provides for the long-term protection and management of the Monument.

(ii) COMPONENTS.—The management plan—

(I) shall—

(aa) be prepared in accordance with section 12(b) of the National Park System General Authorities Act (16 U.S.C. 1a–7(b)); and

(bb) consistent with this subsection and the purposes of the Monument, allow for continued scientific research at the Monument; and

(II) may—

(aa) incorporate any appropriate decisions contained in an existing management or activity plan for the land designated as the Monument under paragraph (2)(A); and

(bb) use information developed in any study of land within, or adjacent to, the boundary of the Monument that was conducted before the date of enactment of this section.

(iii) PUBLIC PROCESS.—In preparing the management plan, the Secretary shall—

(I) consult with, and take into account the comments and recommendations of, the Council;

(II) provide an opportunity for public involvement in the preparation and review of the management plan, including holding public meetings;

(III) consider public comments received as part of the public review and comment process of the management plan; and

(IV) consult with governmental and nongovernmental stakeholders involved in establishing and improving the regional trail system to incorporate, where appropriate, trails in the Monument that link to the regional trail system.

(F) INTERPRETATION, EDUCATION, AND SCIENTIFIC RESEARCH.—

(i) IN GENERAL.—The Secretary shall provide for public interpretation of, and education and scientific research on, the paleontological resources of the Monument, with priority given to the onsite exhibition and curation of the resources, to the extent practicable.

(ii) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the State, political subdivisions of the State, nonprofit organizations, and appropriate public and private entities to carry out clause (i).

(4) RENEWABLE ENERGY TRANSMISSION FACILITIES.—

(A) IN GENERAL.—On receipt of a complete application from a qualified electric utility, the Secretary, in accordance with applicable laws (including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.)), shall issue to the qualified electric utility a 400-foot-wide right-of-way for the construction and maintenance of high-voltage transmission facilities depicted on the map entitled "North Las Vegas Valley Overview" and dated November 5, 2013, as "Renewable Energy Transmission Corridor" if the high-voltage transmission facilities do not conflict with other previously authorized rights-of-way within the corridor.

(B) REQUIREMENTS.—

(i) IN GENERAL.—The high-voltage transmission facilities shall—

(I) be used—

(aa) primarily, to the maximum extent practicable, for renewable energy resources; and

(bb) to meet reliability standards set by the North American Electric Reliability Corporation, the Western Electricity Coordinating

Council, or the public utilities regulator of the State; and

(II) employ best management practices identified as part of the compliance of the Secretary with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to limit impacts on the Monument.

(ii) CAPACITY.—The Secretary shall consult with the qualified electric utility that is issued the right-of-way under subparagraph (A) and the public utilities regulator of the State to seek to maximize the capacity of the high-voltage transmission facilities.

(C) TERMS AND CONDITIONS.—The issuance of a notice to proceed on the construction of the high-voltage transmission facilities within the right-of-way under subparagraph (A) shall be subject to terms and conditions that the Secretary (in consultation with the qualified electric utility), as part of the compliance of the Secretary with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), determines appropriate to protect and conserve the resources for which the Monument is managed.

(D) EXPIRATION OF RIGHT-OF-WAY.—The right-of-way issued under subparagraph (A) shall expire on the date that is 15 years after the date of enactment of this section if construction of the high-voltage transmission facilities described in subparagraph (A) has not been initiated by that date, unless the Secretary determines that it is in the public interest to continue the right-of-way.

(5) WATER CONVEYANCE FACILITIES.—

(A) WATER CONVEYANCE FACILITIES CORRIDOR.—

(i) IN GENERAL.—On receipt of 1 or more complete applications from a public water agency and except as provided in clause (ii), the Secretary, in accordance with applicable laws (including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.)), shall issue to the public water agency a 100-foot-wide right-of-way for the construction, maintenance, repair, and replacement of a buried water conveyance pipeline and associated facilities within the "Water Conveyance Facilities Corridor" and the "Renewable Energy Transmission Corridor" depicted on the map entitled "North Las Vegas Valley Overview" and dated November 5, 2013.

(ii) LIMITATION.—A public water agency right-of-way shall not be granted under clause (i) within the portion of the Renewable Energy Transmission Corridor that is located along the Moccasin Drive alignment, which is generally between T. 18 S. and T. 19 S., Mount Diablo Baseline and Meridian.

(B) BURIED WATER CONVEYANCE PIPELINE.—On receipt of 1 or more complete applications from a unit of local government or public water agency, the Secretary, in accordance with applicable laws (including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.)), shall issue to the

unit of local government or public water agency a 100-foot-wide right-of-way for the construction, operation, maintenance, repair, and replacement of a buried water conveyance pipeline to access the existing buried water pipeline turnout facility and surge tank located in the NE¼ sec. 16 of T. 19 S. and R. 61 E.

(C) REQUIREMENTS.—

(i) BEST MANAGEMENT PRACTICES.—The water conveyance facilities shall employ best management practices identified as part of the compliance of the Secretary with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to limit the impacts of the water conveyance facilities on the Monument.

(ii) CONSULTATIONS.—The water conveyance facilities within the "Renewable Energy Transmission Corridor" shall be sited in consultation with the qualified electric utility to limit the impacts of the water conveyance facilities on the high-voltage transmission facilities.

(D) TERMS AND CONDITIONS.—The issuance of a notice to proceed on the construction of the water conveyance facilities within the right-of-way under subparagraph (A) shall be subject to any terms and conditions that the Secretary, in consultation with the public water agency, as part of the compliance of the Secretary with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), determines appropriate to protect and conserve the resources for which the Monument is managed.

(6) TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT ADVISORY COUNCIL.—

(A) ESTABLISHMENT.—To provide guidance for the management of the Monument, there is established the Tule Springs Fossil Beds National Monument Advisory Council.

(B) MEMBERSHIP.—

(i) COMPOSITION.—The Council shall consist of 10 members, to be appointed by the Secretary, of whom—

(I) 1 member shall be a member of, or be nominated by, the County Commission;

(II) 1 member shall be a member of, or be nominated by, the city council of Las Vegas, Nevada;

(III) 1 member shall be a member of, or be nominated by, the city council of North Las Vegas, Nevada;

(IV) 1 member shall be a member of, or be nominated by, the tribal council of the Las Vegas Paiute Tribe;

(V) 1 member shall be a representative of the conservation community in southern Nevada;

(VI) 1 member shall be a representative of Nellis Air Force Base;

(VII) 1 member shall be nominated by the State;

(VIII) 1 member shall reside in the County and have a background that reflects the purposes for which the Monument was established; and

(IX) 2 members shall reside in the County or adjacent counties, both of whom shall have experience in the field of paleontology, obtained through higher education, experience, or both.

(ii) INITIAL APPOINTMENT.—Not later than 180 days after the date of enactment of this section, the Secretary shall appoint the initial members of the Council in accordance with clause (i).

(C) DUTIES OF COUNCIL.—The Council shall advise the Secretary with respect to the preparation and implementation of the management plan.

(D) COMPENSATION.—Members of the Council shall receive no compensation for serving on the Council.

(E) CHAIRPERSON.—

(i) IN GENERAL.—Subject to clause (ii), the Council shall elect a Chairperson from among the members of the Council.

(ii) LIMITATION.—The Chairperson shall not be a member of a Federal or State agency.

(iii) TERM.—The term of the Chairperson shall be 3 years.

(F) TERM OF MEMBERS.—

(i) IN GENERAL.—The term of a member of the Council shall be 3 years.

(ii) SUCCESSORS.—Notwithstanding the expiration of a 3-year term of a member of the Council, a member may continue to serve on the Council until—

(I) the member is reappointed by the Secretary; or

(II) a successor is appointed.

(G) VACANCIES.—

(i) IN GENERAL.—A vacancy on the Council shall be filled in the same manner in which the original appointment was made.

(ii) APPOINTMENT FOR REMAINDER OF TERM.—A member appointed to fill a vacancy on the Council—

(I) shall serve for the remainder of the term for which the predecessor was appointed; and

(II) may be nominated for a subsequent term.

(H) TERMINATION.—Unless an extension is jointly recommended by the Director of the National Park Service and the Director of the Bureau of Land Management, the Council shall terminate on the date that is 6 years after the date of enactment of this section.

(7) WITHDRAWAL.—Subject to valid existing rights, the land identified on the Map as "BLM Withdrawn Lands" is withdrawn from—

(A) entry under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, geothermal leasing, and mineral materials laws.

(b) ADDITION OF LAND TO RED ROCK CANYON NATIONAL CONSERVATION AREA.— 16 USC 460ccc–4 note.

(1) DEFINITIONS.—In this subsection:

(A) CONSERVATION AREA.—The term "Conservation Area" means the Red Rock Canyon National Conservation

Area established by the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.).

(B) MAP.—The term "Map" means the map entitled "North Las Vegas Valley Overview" and dated November 5, 2013.

(C) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Bureau of Land Management.

(2) ADDITION OF LAND TO CONSERVATION AREA.—

(A) IN GENERAL.—The Conservation Area is expanded to include the land depicted on the Map as "Additions to Red Rock NCA".

(B) MANAGEMENT PLAN.—Not later than 2 years after the date on which the land is acquired, the Secretary shall update the management plan for the Conservation Area to reflect the management requirements of the acquired land.

(C) MAP AND LEGAL DESCRIPTION.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this section, the Secretary shall finalize the legal description of the parcel to be conveyed under this subsection.

(ii) MINOR ERRORS.—The Secretary may correct any minor error in—

(I) the Map; or

(II) the legal description.

(iii) AVAILABILITY.—The Map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(c) CONVEYANCE OF BUREAU OF LAND MANAGEMENT LAND TO NORTH LAS VEGAS.—

(1) DEFINITIONS.—In this subsection:

(A) MAP.—The term "Map" means the map entitled "North Las Vegas Valley Overview" and dated November 5, 2013.

(B) NORTH LAS VEGAS.—The term "North Las Vegas" means the city of North Las Vegas, Nevada.

(C) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Bureau of Land Management.

(2) CONVEYANCE.—As soon as practicable after the date of enactment of this section and subject to valid existing rights, upon the request of North Las Vegas, the Secretary shall convey to North Las Vegas, without consideration, all right, title, and interest of the United States in and to the land described in paragraph (3).

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) consists of the land managed by the Bureau of Land Management described on the Map as the "North Las Vegas Job Creation Zone" (including the interests in the land).

(4) MAP AND LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this section, the Secretary shall finalize the legal description of the parcel to be conveyed under this subsection.

(B) MINOR ERRORS.—The Secretary may correct any minor error in—

(i) the Map; or

(ii) the legal description.

(C) AVAILABILITY.—The Map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(5) USE OF LAND FOR NONRESIDENTIAL DEVELOPMENT.—

(A) IN GENERAL.—North Las Vegas may sell any portion of the land described in paragraph (3) for nonresidential development.

(B) METHOD OF SALE.—The sale of land under subparagraph (A) shall be carried out—

(i) through a competitive bidding process; and

(ii) for not less than fair market value.

(C) FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the land under subparagraph (B)(ii) based on an appraisal that is performed in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions;

(ii) the Uniform Standards of Professional Appraisal Practices; and

(iii) any other applicable law (including regulations).

(D) DISPOSITION OF PROCEEDS.—The gross proceeds from the sale of land under subparagraph (A) shall be distributed in accordance with section 4(e) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2345; 116 Stat. 2007; 117 Stat. 1317; 118 Stat. 2414; 120 Stat. 3045).

(6) USE OF LAND FOR RECREATION OR OTHER PUBLIC PURPOSES.—

(A) IN GENERAL.—North Las Vegas may retain a portion of the land described in paragraph (3) for public recreation or other public purposes consistent with the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.) by providing written notice of the election to the Secretary.

(B) REVOCATION.—If North Las Vegas retains land for public recreation or other public purposes under subparagraph (A), North Las Vegas may—

(i) revoke that election; and

(ii) sell the land in accordance with paragraph (5).

(7) ADMINISTRATIVE COSTS.—North Las Vegas shall pay all appraisal costs, survey costs, and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in paragraph (3).

(8) REVERSION.—

(A) IN GENERAL.—If any parcel of land described in paragraph (3) is not conveyed for nonresidential development under this subsection or reserved for recreation or other public purposes under paragraph (6) by the date that is 30 years after the date of enactment of this section,

the parcel of land shall, at the discretion of the Secretary, revert to the United States.

(B) INCONSISTENT USE.—If North Las Vegas uses any parcel of land described in paragraph (3) in a manner that is inconsistent with this subsection—

(i) at the discretion of the Secretary, the parcel shall revert to the United States; or

(ii) if the Secretary does not make an election under clause (i), North Las Vegas shall sell the parcel of land in accordance with this subsection.

(d) CONVEYANCE OF BUREAU OF LAND MANAGEMENT LAND TO LAS VEGAS.—

(1) DEFINITIONS.—In this subsection:

(A) LAS VEGAS.—The term "Las Vegas" means the city of Las Vegas, Nevada.

(B) MAP.—The term "Map" means the map entitled "North Las Vegas Valley Overview" and dated November 5, 2013.

(C) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Bureau of Land Management.

(2) CONVEYANCE.—As soon as practicable after the date of enactment of this section, subject to valid existing rights, and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to Las Vegas, without consideration, all right, title, and interest of the United States in and to the land described in paragraph (3).

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) consists of land managed by the Bureau of Land Management described on the Map as "Las Vegas Job Creation Zone" (including interests in the land).

(4) MAP AND LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this section, the Secretary shall finalize the legal description of the parcel to be conveyed under this subsection.

(B) MINOR ERRORS.—The Secretary may correct any minor error in—

(i) the Map; or

(ii) the legal description.

(C) AVAILABILITY.—The Map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(5) USE OF LAND.—

(A) IN GENERAL.—Las Vegas may sell any portion of the land described in paragraph (3) for nonresidential development.

(B) METHOD OF SALE.—The sale of land under subparagraph (A) shall be carried out, after consultation with the Las Vegas Paiute Tribe—

(i) through a competitive bidding process; and

(ii) for not less than fair market value.

(C) FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the land under subparagraph

(B)(ii) based on an appraisal that is performed in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions;

(ii) the Uniform Standards of Professional Appraisal Practices; and

(iii) any other applicable law (including regulations).

(D) DISPOSITION OF PROCEEDS.—The gross proceeds from the sale of land under subparagraph (A) shall be distributed in accordance with section 4(e) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2345; 116 Stat. 2007; 117 Stat. 1317; 118 Stat. 2414; 120 Stat. 3045).

(6) USE OF LAND FOR RECREATION OR OTHER PUBLIC PURPOSES.—

(A) IN GENERAL.—Las Vegas may retain a portion of the land described in paragraph (3) for public recreation or other public purposes consistent with the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.) by providing written notice of the election to the Secretary.

(B) REVOCATION.—If Las Vegas retains land for public recreation or other public purposes under subparagraph (A), Las Vegas may—

(i) revoke that election; and

(ii) sell the land in accordance with paragraph (5).

(7) ADMINISTRATIVE COSTS.—Las Vegas shall pay all appraisal costs, survey costs, and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in paragraph (3).

(8) REVERSION.—

(A) IN GENERAL.—If any parcel of land described in paragraph (3) is not conveyed for nonresidential development under this subsection or reserved for recreation or other public purposes under paragraph (6) by the date that is 30 years after the date of enactment of this section, the parcel of land shall, at the discretion of the Secretary, revert to the United States.

(B) INCONSISTENT USE.—If Las Vegas uses any parcel of land described in paragraph (3) in a manner that is inconsistent with this subsection—

(i) at the discretion of the Secretary, the parcel shall revert to the United States; or

(ii) if the Secretary does not make an election under clause (i), Las Vegas shall sell the parcel of land in accordance with this subsection.

(e) EXPANSION OF CONVEYANCE TO LAS VEGAS METROPOLITAN POLICE DEPARTMENT.—Section 703 of the Clark County Conservation of Public Land and Natural Resources Act of 2002 (Public Law 107–282; 116 Stat. 2013) is amended by inserting before the period at the end the following: "and, subject to valid existing rights, the parcel of land identified as 'Las Vegas Police Shooting Range' on the map entitled 'North Las Vegas Valley Overview' and dated November 5, 2013".

(f) SPRING MOUNTAINS NATIONAL RECREATION AREA WITHDRAWAL.—Section 8 of the Spring Mountains National Recreation Area Act (16 U.S.C. 460hhh–6) is amended—

(1) in subsection (a), by striking "for lands described" and inserting "as provided"; and

(2) by striking subsection (b) and inserting the following:

"(b) EXCEPTIONS.—

"(1) IN GENERAL.—Notwithstanding subsection (a), W½E½ and W½ sec. 27, T. 23 S., R. 58 E., Mt. Diablo Meridian is not subject to withdrawal under that subsection.

"(2) EFFECT OF ENTRY UNDER PUBLIC LAND LAWS.—Notwithstanding paragraph (1) of subsection (a), the following are not subject to withdrawal under that paragraph:

"(A) Any Federal land in the Recreation Area that qualifies for conveyance under Public Law 97–465 (commonly known as the 'Small Tracts Act') (16 U.S.C. 521c et seq.), which, notwithstanding section 7 of that Act (16 U.S.C. 521i), may be conveyed under that Act.

"(B) Any Federal land in the Recreation Area that the Secretary determines to be appropriate for conveyance by exchange for non-Federal land within the Recreation Area under authorities generally providing for the exchange of National Forest System land.".

(g) SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT OF 1998 AMENDMENTS.—Section 4 of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2344; 116 Stat. 2007) is amended—

(1) in the first sentence of subsection (a), by striking "dated October 1, 2002" and inserting "dated September 17, 2012"; and

(2) in subsection (g), by adding at the end the following:

"(5) Notwithstanding paragraph (4), subject to paragraphs (1) through (3), Clark County may convey to a unit of local government or regional governmental entity, without consideration, land located within the Airport Environs Overlay District, as identified in the Cooperative Management Agreement described in section 3(3) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2343), if the land is used for a water or wastewater treatment facility or any other public purpose consistent with uses allowed under the Act of June 14, 1926 (commonly known as the 'Recreation and Public Purposes Act') (43 U.S.C. 869 et seq.).".

(h) CONVEYANCE OF LAND TO THE NEVADA SYSTEM OF HIGHER EDUCATION.—

(1) DEFINITIONS.—In this subsection:

(A) BOARD OF REGENTS.—The term "Board of Regents" means the Board of Regents of the Nevada System of Higher Education.

(B) CAMPUSES.—The term "Campuses" means the Great Basin College, College of Southern Nevada, and University of Las Vegas, Nevada, campuses.

(C) FEDERAL LAND.—The term "Federal land" means—

(i) the approximately 40 acres to be conveyed for the College of Southern Nevada, identified as "Parcel to be Conveyed", as generally depicted on the map entitled "College of Southern Nevada Land Conveyance" and dated June 26, 2012;

(ii) the approximately 2,085 acres to be conveyed for the University of Nevada, Las Vegas, identified as "UNLV North Campus", as generally depicted on the map entitled "North Las Vegas Valley Overview" and dated November 5, 2013; and

(iii) the approximately 285 acres to be conveyed for the Great Basin College, identified as "Parcel to be Conveyed", as generally depicted on the map entitled "College of Southern Nevada Land Conveyance" and dated June 26, 2012.

(D) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(E) STATE.—The term "State" means the State of Nevada.

(F) SYSTEM.—The term "System" means the Nevada System of Higher Education.

(2) CONVEYANCES OF FEDERAL LAND TO SYSTEM.—

(A) CONVEYANCES.—Notwithstanding section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) and section 1(c) of the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869(c)), and subject to all valid existing rights and such terms and conditions as the Secretary determines to be necessary, the Secretary shall—

(i) not later than 180 days after the date of enactment of this section, convey to the System, without consideration, all right, title, and interest of the United States in and to—

(I) the Federal land identified on the map entitled "Great Basin College Land Conveyance" and dated June 26, 2012, for the Great Basin College; and

(II) the Federal land identified on the map entitled "College of Southern Nevada Land Conveyance" and dated June 26, 2012, for the College of Southern Nevada, subject to the requirement that, as a precondition of the conveyance, the Board of Regents shall, by mutual assent, enter into a binding development agreement with the City of Las Vegas that—

(aa) provides for the orderly development of the Federal land to be conveyed under this item; and

(bb) complies with State law; and

(ii) convey to the System, without consideration, all right, title, and interest of the United States in and to the Federal land identified on the map entitled "North Las Vegas Valley Overview" and dated November 5, 2013, for the University of Nevada, Las Vegas, if the area identified as "Potential Utility Schedule" on the map is reserved for use for a potential 400-foot-wide utility corridor of certain rights-of-way for transportation and public utilities.

(B) CONDITIONS.—

(i) IN GENERAL.—As a condition of the conveyance under subparagraph (A), the Board of Regents shall agree in writing—

(I) to pay any administrative costs associated with the conveyance, including the costs of any environmental, wildlife, cultural, or historical resources studies;

(II) to use the Federal land conveyed for educational and recreational purposes; and

(III) to release and indemnify the United States from any claims or liabilities that may arise from uses carried out on the Federal land on or before the date of enactment of this section by the United States or any person.

(ii) AGREEMENT WITH NELLIS AIR FORCE BASE.—

(I) IN GENERAL.—The Federal land conveyed to the System under subparagraph (A)(ii) shall be used in accordance with the agreement entitled the "Cooperative Interlocal Agreement between the Board of Regents of the Nevada System of Higher Education, on Behalf of the University of Nevada, Las Vegas, and the 99th Air Base Wing, Nellis Air Force Base, Nevada" and dated June 19, 2009.

(II) MODIFICATIONS.—Any modifications to the agreement described in subclause (I) or any related master plan shall require the mutual assent of the parties to the agreement.

(III) LIMITATION.—In no case shall the use of the Federal land conveyed under subparagraph (A)(ii) compromise the national security mission or navigation rights of Nellis Air Force Base.

(C) USE OF FEDERAL LAND.—The System may use the Federal land conveyed under subparagraph (A) for any public purposes consistent with uses allowed under the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.).

(D) REVERSION.—

(i) IN GENERAL.—If the Federal land or any portion of the Federal land conveyed under subparagraph (A) ceases to be used for the System, the Federal land, or any portion of the Federal land shall, at the discretion of the Secretary, revert to the United States.

(ii) UNIVERSITY OF NEVADA, LAS VEGAS.—If the System fails to complete the first building or show progression toward development of the University of Nevada, Las Vegas campus on the applicable parcels of Federal land by the date that is 50 years after the date of receipt of certification of acceptable remediation of environmental conditions, the parcels of the Federal land described in paragraph (1)(C)(ii) shall, at the discretion of the Secretary, revert to the United States.

(iii) COLLEGE OF SOUTHERN NEVADA.—If the System fails to complete the first building or show progression toward development of the College of Southern Nevada campus on the applicable parcels of Federal land by the date that is 12 years after the date of conveyance of the applicable parcels of Federal land to the College of Southern Nevada, the parcels of the Federal land described in paragraph

(1)(C)(i) shall, at the discretion of the Secretary, revert to the United States.

(i) LAND CONVEYANCE FOR SOUTHERN NEVADA SUPPLEMENTAL AIRPORT.—

(1) FINDINGS.—Congress finds that—

(A) flood mitigation infrastructure is critical to the safe and uninterrupted operation of the proposed Southern Nevada Supplemental Airport authorized by the Ivanpah Valley Airport Public Lands Transfer Act (Public Law 106–362; 114 Stat. 1404); and

(B) through proper engineering, the land described in this subsection for flood mitigation infrastructure for the Southern Nevada Supplemental Airport may be consistent with the role of the Bureau of Land Management—

(i) to protect and prevent irreparable damage to—

(I) important historic, cultural, or scenic values;

(II) fish and wildlife resources; or

(III) other natural systems or processes; or

(ii) to protect life and safety from natural hazards in the County and nearby areas.

(2) DEFINITIONS.—In this subsection:

(A) COUNTY.—The term "County" means Clark County, Nevada.

(B) MAP.—The term "Map" means the map entitled "Land Conveyance for Southern Nevada Supplemental Airport" and dated June 26, 2012.

(C) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(3) LAND CONVEYANCE.—

(A) AUTHORIZATION OF CONVEYANCE.—

(i) IN GENERAL.—As soon as practicable after the date described in subparagraph (B), subject to valid existing rights and subparagraph (C), and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to the County, without consideration, all right, title, and interest of the United States in and to the land described in paragraph (4), subject to such terms and conditions as the Secretary determines to be necessary.

(ii) COSTS.—The County shall be responsible for all costs associated with the conveyance under clause (i).

(B) DATE ON WHICH CONVEYANCE MAY BE MADE.—The Secretary shall not make the conveyance described in subparagraph (A) until the later of the date on which the Administrator of the Federal Aviation Administration has—

(i) approved an airport layout plan for an airport to be located in the Ivanpah Valley; and

(ii) with respect to the construction and operation of an airport on the site conveyed to the County pursuant to section 2(a) of the Ivanpah Valley Airport Public Lands Transfer Act (Public Law 106–362; 114 Stat. 1404), issued a record of decision after the preparation

of an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(C) RESERVATION OF MINERAL RIGHTS.—In conveying the public land under subparagraph (A), the Secretary shall reserve the mineral estate, except for purposes related to flood mitigation (including removal from aggregate flood events).

(D) WITHDRAWAL.—Subject to valid existing rights, the public land to be conveyed under subparagraph (A) is withdrawn from—

(i) location, entry, and patent under the mining laws; and

(ii) operation of the mineral leasing and geothermal leasing laws.

(E) USE.—The public land conveyed under subparagraph (A) shall be used for the development of flood mitigation infrastructure for the Southern Nevada Supplemental Airport.

(F) REVERSION AND REENTRY.—

(i) IN GENERAL.—If the land conveyed to the County under the Ivanpah Valley Airport Public Lands Transfer Act (Public Law 106–362; 114 Stat. 1404) reverts to the United States, the land conveyed to the County under this subsection shall revert, at the option of the Secretary, to the United States.

(ii) USE OF LAND.—If the Secretary determines that the County is not using the land conveyed under this subsection for a purpose described in subparagraph (D), all right, title, and interest of the County in and to the land shall revert, at the option of the Secretary, to the United States.

(4) DESCRIPTION OF LAND.—The land referred to in paragraph (3) consists of the approximately 2,320 acres of land managed by the Bureau of Land Management and described on the Map as the "Conveyance Area".

(5) MAP AND LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this section, the Secretary shall prepare an official legal description and map of the parcel to be conveyed under this subsection.

(B) MINOR ERRORS.—The Secretary may correct any minor error in—

(i) the map prepared under subparagraph (A); or

(ii) the legal description.

(C) AVAILABILITY.—The map prepared under subparagraph (A) and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

16 USC 460aaaa.

(j) NELLIS DUNES OFF-HIGHWAY VEHICLE RECREATION AREA.—

(1) DEFINITIONS.—In this subsection:

(A) CITY.—The term "City" means the city of North Las Vegas, Nevada.

(B) CLARK COUNTY OFF-HIGHWAY VEHICLE RECREATION PARK.—The term "Clark County Off-Highway Vehicle Recreation Park" means the approximately 960 acres of

land identified on the Map as "Clark County Off-Highway Vehicle Recreation Park".

(C) COUNTY.—The term "County" means Clark County, Nevada.

(D) MAP.—The term "Map" means the map entitled "Nellis Dunes OHV Recreation Area" and dated December 17, 2013.

(E) NELLIS DUNES OFF-HIGHWAY RECREATION AREA.—The term "Nellis Dunes Off-Highway Recreation Area" means the approximately 10,035 acres of land identified on the Map as "Nellis Dunes OHV Recreation Area".

(F) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(G) STATE.—The term "State" means the State of Nevada.

(2) CONVEYANCE OF FEDERAL LAND TO COUNTY.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this section, the Secretary shall convey to the County, subject to valid existing rights and subparagraph (B), without consideration, all right, title, and interest of the United States in and to the Clark County Off-Highway Vehicle Recreation Park.

(B) RESERVATION OF MINERAL ESTATE.—In conveying the parcels of Federal land under subparagraph (A), the Secretary shall reserve the mineral estate, except for purposes related to flood mitigation (including removal from aggregate flood events).

(C) USE OF CONVEYED LAND.—

(i) IN GENERAL.—The parcels of land conveyed under subparagraph (A) may be used by the County for any public purposes described in clause (ii), consistent with the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.).

(ii) AUTHORIZED USES.—The land conveyed under subparagraph (A)—

(I) shall be used by the County—

(aa) to provide a suitable location for the establishment of a centralized off-road vehicle recreation park in the County;

(bb) to provide the public with opportunities for off-road vehicle recreation, including a location for races, competitive events, training and other commercial services that directly support a centralized off-road vehicle recreation area and County park;

(cc) to provide a designated area and facilities that would discourage unauthorized use of off-highway vehicles in areas that have been identified by the Federal Government, State government, or County government as containing environmentally sensitive land; and

(II) shall not be disposed of by the County.

(iii) REVERSION.—If the County ceases to use any parcel of land conveyed under subparagraph (A) for the purposes described in clause (ii)—

(I) title to the parcel shall revert to the Secretary, at the option of the Secretary; and

(II) the County shall be responsible for any reclamation necessary to revert the parcel to the United States.

(iv) MANAGEMENT PLAN.—The Secretary of the Air Force and the County, may develop a special management plan for the land conveyed under subparagraph (A)—

(I) to enhance public safety and safe off-highway vehicle recreation use in the Nellis Dunes Recreation Area;

(II) to ensure compatible development with the mission requirements of the Nellis Air Force Base; and

(III) to avoid and mitigate known public health risks associated with off-highway vehicle use in the Nellis Dunes Recreation Area.

(D) AGREEMENT WITH NELLIS AIR FORCE BASE.—

(i) IN GENERAL.—Before the Federal land may be conveyed to the County under subparagraph (A), the Clark County Board of Commissioners and Nellis Air Force Base shall enter into an interlocal agreement for the Federal land and the Nellis Dunes Recreation Area—

(I) to enhance safe off-highway recreation use; and

(II) to ensure that development of the Federal land is consistent with the long-term mission requirements of Nellis Air Force Base.

(ii) LIMITATION.—The use of the Federal land conveyed under subparagraph (A) shall not compromise the national security mission of Nellis Air Force Base.

(E) ADDITIONAL TERMS AND CONDITIONS.—With respect to the conveyance of Federal land under subparagraph (A), the Secretary may require such additional terms and conditions as the Secretary considers to be appropriate to protect the interests of the United States.

(3) DESIGNATION OF NELLIS DUNES OFF-HIGHWAY VEHICLE RECREATION AREA.—

(A) IN GENERAL.—The approximately 10,035 acres of land identified on the Map as the "Nellis Dunes OHV Recreation Area" shall be known and designated as the "Nellis Dunes Off-Highway Vehicle Recreation Area".

(B) MANAGEMENT PLAN.—The Secretary may develop a special management plan for the Nellis Dunes Off-Highway Recreation Area to enhance the safe use of off-highway vehicles for recreational purposes.

(k) WITHDRAWAL AND RESERVATION OF LAND FOR NELLIS AIR FORCE BASE EXPANSION.—

(1) WITHDRAWALS.—Section 3011(b) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 886) is amended—

(A) in paragraph (4)—

(i) by striking "comprise approximately" and inserting the following: "comprise—

"(A) approximately";

(ii) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

"(B) approximately 710 acres of land in Clark County, Nevada, identified as 'Addition to Nellis Air Force Base' on the map entitled 'Nellis Dunes Off-Highway Vehicle Recreation Area' and dated June 26, 2012; and

"(C) approximately 410 acres of land in Clark County, Nevada, identified as 'Addition to Nellis Air Force Base' on the map entitled 'North Las Vegas Valley Overview' and dated November 5, 2013."; and

(B) by adding at the end the following:

"(6) EXISTING MINERAL MATERIALS CONTRACTS.—

"(A) APPLICABILITY.—Section 3022 shall not apply to any mineral material resource authorized for sale by the Secretary of the Interior under a valid contract for the duration of the contract.

"(B) ACCESS.—Notwithstanding any other provision of this subtitle, the Secretary of the Air Force shall allow adequate and reasonable access to mineral material resources authorized for sale by the Secretary of the Interior under a valid contract for the duration of the contract.".

(2) CONFORMING AMENDMENT.—Section 3022 of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 897) is amended by striking "section 3011(b)(5)(B)" and inserting "paragraphs (5)(B) and (6) of section 3011(b)".

(l) MILITARY OVERFLIGHTS.— 16 USC 460ccc–4 note.

(1) FINDINGS.—Congress finds that military aircraft testing and training activities in the State of Nevada—

(A) are an important part of the national defense system of the United States; and

(B) are essential in order to secure an enduring and viable national defense system for the current and future generations of people of the United States.

(2) OVERFLIGHTS.—Nothing in this section restricts or precludes any military overflight, including—

(A) low-level overflights of military aircraft over the Federal land;

(B) flight testing and evaluation; and

(C) the designation or creation of new units of special airspace, or the use or establishment of military flight training routes, over—

(i) the Tule Springs Fossil Beds National Monument established by subsection (a)(2)(A); or

(ii) the Red Rock Canyon National Conservation Area established by the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.) (as modified by subsection (b)).

SEC. 3093. NATIONAL DESERT STORM AND DESERT SHIELD MEMORIAL. 40 USC 8903 note.

(a) DEFINITIONS.—In this section:

(1) ASSOCIATION.—The term "Association" means the National Desert Storm Memorial Association, a corporation organized under the laws of the State of Arkansas and described in section 501(c)(3) and exempt from taxation under section 501(a) of the Internal Revenue Code of 1986.

(2) MEMORIAL.—The term "memorial" means the National Desert Storm and Desert Shield Memorial authorized to be established under subsection (b).

(b) MEMORIAL TO COMMEMORATE.—

(1) AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.—The Association may establish the National Desert Storm and Desert Shield Memorial as a commemorative work, on Federal land in the District of Columbia to commemorate and honor those who, as a member of the Armed Forces, served on active duty in support of Operation Desert Storm or Operation Desert Shield.

(2) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS ACT.—The establishment of the commemorative work shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the "Commemorative Works Act").

(3) USE OF FEDERAL FUNDS PROHIBITED.—Federal funds may not be used to pay any expense of the establishment of the memorial. The Association shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the memorial.

(4) DEPOSIT OF EXCESS FUNDS.—

(A) IN GENERAL.—If upon payment of all expenses for the establishment of the memorial (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), there remains a balance of funds received for the establishment of the commemorative work, the Association shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

(B) ON EXPIRATION OF AUTHORITY.—If upon expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Association shall transmit the balance to a separate account with the National Park Foundation for memorials, to be available to the Secretary of the Interior or the Administrator (as appropriate) following the process provided in section 8906(b)(4) of title 40, United States Code, for accounts established under section 8906(b)(2) or (3) of title 40, United States Code.

SEC. 3094. EXTENSION OF LEGISLATIVE AUTHORITY FOR ESTABLISHMENT OF COMMEMORATIVE WORK IN HONOR OF FORMER PRESIDENT JOHN ADAMS.

Section 1 of Public Law 107–62 (40 U.S.C. 8903 note), as amended by Public Law 111–169, is amended—

(1) by striking "2013" and inserting "2020" in subsection (c); and

(2) by amending subsection (e) to read as follows:

"(e) DEPOSIT OF EXCESS FUNDS FOR ESTABLISHED MEMORIAL.—

"(1) If upon payment of all expenses for the establishment of the memorial (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), there remains a balance of funds received for the

establishment of the commemorative work, the Adams Memorial Foundation shall transmit the amount of the balance to the account provided for in section 8906(b)(3) of title 40, United States Code.

"(2) If upon expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Adams Memorial Foundation shall transmit the amount of the balance to a separate account with the National Park Foundation for memorials, to be available to the Secretary of the Interior or the Administrator (as appropriate) following the process provided for in section 8906(b)(4) of title 40, United States Code, for accounts established under section 8906(b)(2) or (3) of title 40, United States Code.".

SEC. 3095. REFINANCING OF PACIFIC COAST GROUNDFISH FISHING CAPACITY REDUCTION LOAN.

(a) IN GENERAL.—The Secretary of Commerce, upon receipt of such assurances as the Secretary considers appropriate to protect the interests of the United States, shall issue a loan to refinance the existing debt obligation funding the fishing capacity reduction program for the West Coast groundfish fishery implemented under section 212 of the Department of Commerce and Related Agencies Appropriations Act, 2003 (title II of division B of Public Law 108–7; 117 Stat. 80).

(b) APPLICABLE LAW.—Except as otherwise provided in this section, the Secretary shall issue the loan under this section in accordance with subsections (b) through (e) of section 312 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a) and sections 53702 and 53735 of title 46, United States Code.

(c) LOAN TERM.—

(1) IN GENERAL.—Notwithstanding section 53735(c)(4) of title 46, United States Code, a loan under this section shall have a maturity that expires at the end of the 45-year period beginning on the date of issuance of the loan.

(2) EXTENSION.—Notwithstanding paragraph (1) and if there is an outstanding balance on the loan after the period described in paragraph (1), a loan under this section shall have a maturity of 45 years or until the loan is repaid in full.

(d) LIMITATION ON FEE AMOUNT.—Notwithstanding section 312(d)(2)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(d)(2)(B)), the fee established by the Secretary with respect to a loan under this section shall not exceed 3 percent of the ex-vessel value of the harvest from each fishery for where the loan is issued.

(e) INTEREST RATE.—

(1) IN GENERAL.—Notwithstanding section 53702(b)(2) of title 46, United States Code, the annual rate of interest an obligor shall pay on a direct loan obligation under this section is the percent the Secretary must pay as interest to borrow from the Treasury the funds to make the loan.

(2) SUBLOANS.—Each subloan under the loan authorized by this section—

(A) shall receive the interest rate described in paragraph (1); and

(B) may be paid off at any time notwithstanding subsection (c)(1).

(f) EX-VESSEL LANDING FEE.—

(1) CALCULATIONS AND ACCURACY.—The Secretary shall set the ex-vessel landing fee to be collected for payment of the loan under this section—

(A) as low as possible, based on recent landings value in the fishery, to meet the requirements of loan repayment;

(B) upon issuance of the loan in accordance with paragraph (2); and

(C) on a regular interval not to exceed every 5 years beginning on the date of issuance of the loan.

(2) DEADLINE FOR INITIAL EX-VESSEL LANDINGS FEE CALCULATION.—Not later than 60 days after the date of issuance of the loan under this section, the Secretary shall recalculate the ex-vessel landing fee based on the most recent value of the fishery.

(g) AUTHORIZATION.—There is authorized to be appropriated to the Secretary of Commerce to carry out this section an amount equal to 1 percent of the amount of the loan authorized under this section for purposes of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 3096. PAYMENTS IN LIEU OF TAXES.

For payments in lieu of taxes under chapter 69 of title 31, United States Code, which shall be available without further appropriation to the Secretary of the Interior—

(1) $33,000,000 for fiscal year 2015; and

(2) $37,000,000 to be available for obligation and payment beginning on October 1, 2015.

Funds available for obligation and payment under paragraph (2) shall be paid in October 2015.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

Subtitle B—Program Authorizations, Restrictions, and Limitations

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2015 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 15–D–613, Emergency Operations Center, Y–12 National Security Complex, Oak Ridge, Tennessee, $2,000,000.

Project 15–D–612, Emergency Operations Center, Lawrence Livermore National Laboratory, Livermore, California, $2,000,000.

Project 15–D–611, Emergency Operations Center, Sandia National Laboratories, Albuquerque, New Mexico, $4,000,000.

Project 15–D–302, TA–55 Reinvestment Project Phase III, Los Alamos National Laboratory, Los Alamos, New Mexico, $16,062,000.

Project 15–D–301, High Explosive Science and Engineering Facility, Pantex Plant, Amarillo, Texas, $11,800,000.

Project 15–D–904, Overpack Storage Expansion 3, Naval Reactors Facility, Idaho, $400,000.

Project 15–D–903, Fire System Upgrade, Knolls Atomic Power Laboratory, Schenectady, New York, $600,000.

Project 15–D–902, Engine Room Team Trainer Facility, Kesselring Site, West Milton, New York, $1,500,000.

Project 15–D–901, Central Office and Prototype Staff Building, Kesselring Site, West Milton, New York, $24,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2015 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant projects:

Project 15–D–401, KW Basin Sludge Removal Project, Hanford, Washington, $26,290,000.

Project 15–D–402, Saltstone Disposal Unit #6, Savannah River Site, Aiken, South Carolina, $34,642,000.

Project 15–D–405, Sludge Processing Facility Build Out, Oak Ridge, Tennessee, $4,200,000.

Project 15–D–406, Hexavalent Chromium Pump and Treatment Remedy Project, Los Alamos National Laboratory, Los Alamos, New Mexico, $28,600,000.

Project 15–D–409, Low Activity Waste Pretreatment System, Hanford, Washington, $23,000,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2015 for other defense activities in carrying out programs as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. DESIGN AND USE OF PROTOTYPES OF NUCLEAR WEAPONS FOR INTELLIGENCE PURPOSES.

(a) IN GENERAL.—Subsection (a) of section 4509 of the Atomic Energy Defense Act (50 U.S.C. 2660) is amended to read as follows:

"(a) PROTOTYPES.—(1) Not later than the date on which the President submits to Congress under section 1105(a) of title 31, United States Code, the budget for fiscal year 2016, the directors of the national security laboratories shall jointly develop a multiyear plan to design and build prototypes of nuclear weapons to further intelligence estimates with respect to foreign nuclear weapons activities and capabilities.

"(2) Not later than the date on which the President submits to Congress under section 1105(a) of title 31, United States Code, the budget for an even-numbered fiscal year occurring after fiscal year 2017, the directors shall jointly develop an update to the plan developed under paragraph (1).

"(3)(A) The directors shall jointly submit to the Secretary of Energy and the Director of National Intelligence the plan and each update developed under paragraphs (1) and (2), respectively.

"(B) Not later than 30 days after the date on which the directors submit the plan or an update under subparagraph (A), the Secretary—

"(i) shall submit to the congressional defense committees and the congressional intelligence committees the plan or update, as the case may be, without change; and

"(ii) may include, with the plan or update submitted under clause (i), the views of the Secretary with respect to the plan or update.

"(4)(A) The Secretary, in coordination with the directors, shall carry out the plan developed under paragraph (1), including the updates to the plan developed under paragraph (2).

"(B) The Secretary may determine the manner in which the designing and building of prototypes of nuclear weapons is carried out under such plan.

"(C) The Secretary shall promptly submit to the congressional defense committees and the congressional intelligence committees written notification of any changes the Secretary makes to such plan pursuant to subparagraph (B), including justifications for such changes.".

(b) MATTERS INCLUDED.—Such section is further amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection (b):

"(b) MATTERS INCLUDED.—(1) The directors shall ensure that the plan developed and updated under subsection (a) provides increased information upon which to base intelligence assessments and emphasizes the competencies of the national security laboratories with respect to designing and building prototypes of nuclear weapons.

"(2) To carry out paragraph (1), the plan developed and updated under subsection (a) shall include the following:

"(A) Design and system engineering activities of full-scale engineering prototypes (using surrogate special nuclear materials), including weaponization features as required.

"(B) Design, system engineering, and experimental testing (using surrogate special nuclear materials) of above-ground experiment test hardware.

"(C) Design and system engineering of scaled or subcomponent experimental test articles (using special nuclear materials) for conducting experiments at the Nevada National Security Site.".

(c) CONFORMING AMENDMENT.—Subsection (c) of such section, as redesignated by subsection (b), is amended by striking "subsection (a), the Administrator" and inserting "this section, the Secretary".

SEC. 3112. PLUTONIUM PIT PRODUCTION CAPACITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the requirement to create a modern, responsive nuclear infrastructure that includes the capability and capacity to produce, at minimum, 50 to 80 pits per year, is a national security priority;

(2) delaying creation of a modern, responsive nuclear infrastructure until the 2030s is an unacceptable risk to the nuclear deterrent and the national security of the United States; and

(3) timelines for creating certain capacities for production of plutonium pits and other nuclear weapons components must be driven by the requirement to hedge against technical and

geopolitical risk and not solely by the needs of life extension programs.

(b) PIT PRODUCTION.—

(1) IN GENERAL.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

50 USC 2538a.

"SEC. 4219. PLUTONIUM PIT PRODUCTION CAPACITY.

"(a) REQUIREMENT.—Consistent with the requirements of the Secretary of Defense, the Secretary of Energy shall ensure that the nuclear security enterprise—

"(1) during 2021, begins production of qualification plutonium pits;

"(2) during 2024, produces not less than 10 war reserve plutonium pits;

"(3) during 2025, produces not less than 20 war reserve plutonium pits;

"(4) during 2026, produces not less than 30 war reserve plutonium pits; and

"(5) during a pilot period of not less than 90 days during 2027 (subject to subsection (b)), demonstrates the capability to produce war reserve plutonium pits at a rate sufficient to produce 80 pits per year.

"(b) AUTHORIZATION OF TWO-YEAR DELAY OF DEMONSTRATION REQUIREMENT.—The Secretary of Energy and the Secretary of Defense may jointly delay, for not more than two years, the requirement under subsection (a)(5) if—

"(1) the Secretary of Defense and the Secretary of Energy jointly submit to the congressional defense committees a report describing—

"(A) the justification for the proposed delay;

"(B) the effects of the proposed delay on stockpile stewardship and modernization, life extension programs, future stockpile strategy, and dismantlement efforts; and

"(C) whether the proposed delay is consistent with national policy regarding creation of a responsive nuclear infrastructure; and

"(2) the Commander of the United States Strategic Command submits to the congressional defense committees a report containing the assessment of the Commander with respect to the potential risks to national security of the proposed delay in meeting—

"(A) the nuclear deterrence requirements of the United States Strategic Command; and

"(B) national requirements related to creation of a responsive nuclear infrastructure.

"(c) ANNUAL CERTIFICATION.—Not later than March 1, 2015, and each year thereafter through 2027 (or, if the authority under subsection (b) is exercised, 2029), the Secretary of Energy shall certify to the congressional defense committees and the Secretary of Defense that the programs and budget of the Secretary of Energy will enable the nuclear security enterprise to meet the requirements under subsection (a).

"(d) PLAN.—If the Secretary of Energy does not make a certification under subsection (c) by March 1 of any year in which a certification is required under that subsection, by not later than May 1 of such year, the Chairman of the Nuclear Weapons Council

shall submit to the congressional defense committees a plan to enable the nuclear security enterprise to meet the requirements under subsection (a). Such plan shall include identification of the resources of the Department of Energy that the Chairman determines should be redirected to support the plan to meet such requirements.".

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4218 the following new item:

"Sec. 4219. Plutonium pit production capacity.".

SEC. 3113. LIFE-CYCLE COST ESTIMATES OF CERTAIN ATOMIC ENERGY DEFENSE CAPITAL ASSETS.

(a) IN GENERAL.—Subtitle A of title XLVII of the Atomic Energy Defense Act (50 U.S.C. 2741 et seq.) is amended by adding at the end the following new section:

"SEC. 4714. LIFE-CYCLE COST ESTIMATES OF CERTAIN ATOMIC ENERGY DEFENSE CAPITAL ASSETS. 50 USC 2754.

"(a) IN GENERAL.—The Secretary of Energy shall ensure that an independent life-cycle cost estimate under Department of Energy Order 413.3 (relating to program management and project management for the acquisition of capital assets) of each capital asset described in subsection (b) is conducted before the asset achieves critical decision 2 in the acquisition process.

"(b) CAPITAL ASSETS DESCRIBED.—A capital asset described in this subsection is an atomic energy defense capital asset—

"(1) the total project cost of which exceeds $100,000,000; and

"(2) the purpose of which is to perform a limited-life, single-purpose mission.

"(c) INDEPENDENT DEFINED.—For purposes of subsection (a), the term 'independent', with respect to a life-cycle cost estimate of a capital asset, means that the life-cycle cost estimate is prepared by an organization independent of the project sponsor, using the same detailed technical and procurement information as the sponsor, to determine if the life-cycle cost estimate of the sponsor is accurate and reasonable.".

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4713 the following new item:

"Sec. 4714. Life-cycle cost estimates of certain atomic energy defense capital assets.".

SEC. 3114. EXPANSION OF REQUIREMENT FOR INDEPENDENT COST ESTIMATES ON LIFE EXTENSION PROGRAMS AND NEW NUCLEAR FACILITIES.

(a) IN GENERAL.—Subsection (b)(1) of section 4217 of the Atomic Energy Defense Act (50 U.S.C. 2537) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and by moving such clauses, as so redesignated, two ems to the right;

(2) in clause (iii), as redesignated by paragraph (1), by striking "critical decision 2" and inserting "critical decision 1 and before such facility achieves critical decision 2";

(3) in the matter preceding clause (i), as so redesignated, by striking "an independent cost estimate of";

(4) by inserting before clause (i), as so redesignated, the following:

"(A) An independent cost estimate of the following:"; and

(5) by adding at the end the following:

"(B) An independent cost review of each nuclear weapon system undergoing life extension at the completion of phase 6.2, relating to study of feasibility and down-select.".

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Such section is further amended—

(1) in the section heading, by striking "**ESTIMATES ON**" and inserting "**ESTIMATES AND REVIEWS OF**"; and

(2) in subsection (b)—

(A) in the subsection heading, by inserting "AND REVIEWS" after "ESTIMATES"; and

(B) in paragraphs (2) and (3), by inserting "or review" after "estimate" each place it appears.

(c) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4217 and inserting the following new item:

"Sec. 4217. Selected Acquisition Reports and independent cost estimates and reviews of life extension programs and new nuclear facilities.".

SEC. 3115. DEFINITION OF BASELINE AND THRESHOLD FOR STOCKPILE LIFE EXTENSION PROJECT.

Section 4713 of the Atomic Energy Defense Act (50 U.S.C. 2753) is amended—

(1) in subsection (a)(1)(A), by adding after the period the following new sentence: "In addition to the requirement under subparagraph (B), the cost and schedule baseline of a nuclear stockpile life extension project established under this subparagraph shall be the cost and schedule as described in the first Selected Acquisition Report submitted under section 4217(a) for the project."; and

(2) in subsection (b)(2), by striking "200" and inserting "150".

SEC. 3116. AUTHORIZED PERSONNEL LEVELS OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) FULL-TIME EQUIVALENT PERSONNEL LEVELS.—Subsection (a) of section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) is amended—

(1) in paragraph (1)—

(A) by striking "2014" and inserting "2015"; and

(B) by striking "1,825" and inserting "1,690"; and

(2) in paragraph (2)—

(A) by striking "2015" and inserting "2016"; and

(B) by striking "1,825" and inserting "1,690".

(b) DEFINITION.—Such section is further amended by adding at the end the following new subsection:

"(e) OFFICE OF THE ADMINISTRATOR EMPLOYEES.—In this section, the term 'Office of the Administrator', with respect to the employees of the Administration, includes employees whose funding is derived from an account of the Administration titled 'Federal Salaries and Expenses'.".

SEC. 3117. COST ESTIMATION AND PROGRAM EVALUATION BY NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 3221(h) of the National Nuclear Security Administration Act (50 U.S.C. 2411(h)) is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph (1):

"(1) ADMINISTRATION.—The term 'Administration', with respect to any authority, duty, or responsibility provided by this section, does not include the Office of Naval Reactors.".

SEC. 3118. COST CONTAINMENT FOR URANIUM CAPABILITIES REPLACEMENT PROJECT.

Section 3123 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2177), as amended by section 3126 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1063), is further amended—

(1) by striking subsections (g) and (h);

(2) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(3) by striking subsection (d) and inserting the following new subsections:

"(d) COST OF PHASE I.—

"(1) LIMITATION.—The total cost of Phase I under subsection (a) of the project referred to in that subsection may not exceed $4,200,000,000.

"(2) ADJUSTMENT.—If the Secretary determines the total cost of Phase I under subsection (a) of the project referred to in that subsection will exceed the amount set forth in paragraph (1), the Secretary may adjust that amount if, by not later than March 1, 2015, the Secretary submits to the congressional defense committees a detailed justification for the adjustment, including—

"(A) the amount of the adjustment and the proposed total cost of Phase I;

"(B) a detailed justification for the adjustment, including a description of the changes to the project that would be required for Phase I to not exceed the total cost set forth in paragraph (1);

"(C) a detailed description of the actions taken to hold appropriate contractors, employees of contractors, and employees of the Federal Government accountable for the repeated failures within the project;

"(D) a description of the clear lines of responsibility, authority, and accountability for the project as the project continues, including descriptions of the roles and responsibilities for each key Federal and contractor position; and

"(E) a detailed description of the structural reforms planned or implemented by the Secretary to ensure Phase I is executed on time and on schedule.

"(3) ANNUAL CERTIFICATION.—Not later than March 1 of each year through 2025, the Secretary shall certify in writing to the congressional defense committees and the Secretary of Defense that Phase I under subsection (a) of the project referred to in that subsection will—

"(A) not exceed the total cost set forth in paragraph (1) (as adjusted pursuant to paragraph (2), if so adjusted); and

"(B) meet a schedule that enables, by not later than 2025—

"(i) uranium operations in building 9212 to cease; and

"(ii) uranium operations in a new facility constructed under the project to begin.

"(4) REPORT.—If the Secretary of Energy does not make a certification under paragraph (3) by March 1 of any year in which a certification is required under that paragraph, by not later than May 1 of that year, the Chairman of the Nuclear Weapons Council shall submit to the congressional defense committees a report that identifies the resources of the Department of Energy that the Chairman determines should be redirected to enable the Department of Energy to meet the total cost and schedule requirements described in subparagraphs (A) and (B) of that paragraph.

"(e) TECHNOLOGY READINESS LEVELS DURING PHASE I.—

"(1) IN GENERAL.—Critical decision 3 in the acquisition process may not be approved for Phase I under subsection (a) of the project referred to in that subsection until all processes (or substitute processes) that require Category I and II special nuclear material protection and are actively used to support the stockpile in building 9212—

"(A) are present in the facility to be built under Phase I with a technology readiness level of 7 or higher; or

"(B) can be accommodated in other facilities of the Y–12 National Security Complex with a technology readiness level of 7 or higher.

"(2) TECHNOLOGY READINESS LEVEL DEFINED.—In this subsection, the term 'technology readiness level' has the meaning given that term in Department of Energy Guide 413.3–4A (relating to technology readiness assessment).''; and

(4) in subsection (f), as redesignated by paragraph (2), by adding at the end the following new paragraph:

"(3) REPORT.—Not later than March 1, 2015, the Secretary of Energy and the Secretary of the Navy shall jointly submit to the congressional defense committees a report detailing the implementation of paragraphs (1) and (2), including—

"(A) a description of the program management, oversight, design, and other responsibilities for the project referred to in subsection (a) that are provided to the Commander of the Naval Facilities Engineering Command pursuant to paragraph (1); and

"(B) a description of the funding used by the Secretary under paragraph (2) to carry out paragraph (1).''.

SEC. 3119. PRODUCTION OF NUCLEAR WARHEAD FOR LONG-RANGE STANDOFF WEAPON.

(a) FIRST PRODUCTION UNIT.—The Secretary of Energy shall deliver a first production unit for a nuclear warhead for the long-range standoff weapon by not later than September 30, 2025.

(b) AUTHORIZATION OF ONE-YEAR DELAY.—The Secretary may delay the requirement under subsection (a) by not more than one year if the Commander of the United States Strategic Command

certifies to the Chairman of the Nuclear Weapons Council (established by section 179 of title 10, United States Code) and the congressional defense committees that the delay—

(1) is in the interest of national security; and

(2) does not negatively affect the ability of the Commander to meet nuclear deterrence and assurance requirements.

(c) PLAN.—

(1) DEVELOPMENT.—The Secretary of Energy and the Secretary of Defense shall jointly develop a plan to carry out subsection (a).

(2) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Secretaries shall jointly submit to the congressional defense committees the plan developed under paragraph (1).

(d) NOTIFICATION AND ASSESSMENT.—

(1) NOTIFICATION.—If at any time the Secretary of Energy determines that the Secretary will not deliver a first production unit for a nuclear warhead for the long-range standoff weapon by not later than September 30, 2025 (or, if the authority under subsection (b) is exercised, September 30, 2026), the Secretary shall—

(A) notify the congressional defense committees, the Secretary of Defense, and the Commander of the United States Strategic Command of such determination; and

(B) include in the notification under subparagraph (A) an explanation for why the delivery will be delayed.

(2) ASSESSMENT.—If the Secretary of Energy makes a notification under paragraph (1)(A), the Commander of the United States Strategic Command shall submit to the congressional defense committees an assessment of the delay described in the notification, including—

(A) the effects of such delay to national security and nuclear deterrence and assurance; and

(B) any mitigation options available.

(e) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Commander of the United States Strategic Command, shall provide to the congressional defense committees a briefing on the justification for the long-range standoff weapon, including—

(1) why such weapon is needed, including any potential redundancies with existing weapons;

(2) the estimated cost of such weapon; and

(3) what warhead, existing or otherwise, is planned to be used for such weapon.

SEC. 3120. DISPOSITION OF WEAPONS-USABLE PLUTONIUM.

(a) MIXED OXIDE FUEL FABRICATION FACILITY.—

(1) IN GENERAL.—Using funds described in paragraph (2), the Secretary of Energy shall carry out construction and project support activities relating to the MOX facility.

(2) FUNDS DESCRIBED.—The funds described in this paragraph are the following:

(A) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the National Nuclear Security Administration for the MOX facility for construction and project support activities.

(B) Funds authorized to be appropriated for a fiscal year prior to fiscal year 2015 for the National Nuclear Security Administration for the MOX facility for construction and project support activities that are unobligated as of the date of the enactment of this Act.

(b) STUDY.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall seek to enter into a contract with a federally funded research and development center to conduct a study to assess and validate the analysis of the Secretary with respect to surplus weapon-grade plutonium options.

(2) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the federally funded research and development center conducting the study under paragraph (1) shall submit to the Secretary a report on the study, including any findings and recommendations.

(c) REPORT.—

(1) PLAN.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study conducted under subsection (b)(1).

(2) ELEMENTS INCLUDED.—The report under paragraph (1) shall include the following:

(A) The report of the federally funded research and development center under subsection (b)(2), without change.

(B) Identification of the alternatives to the MOX facility considered by the Secretary, including a life-cycle cost analysis for each such alternative.

(C) Identification of the portions of such life cycle cost analyses that are common to all such alternatives.

(D) Discussion on continuation of the MOX facility, including a future funding profile or a detailed discussion of selected alternatives determined appropriate by the Secretary for such discussion.

(E) Discussion of the issues regarding implementation of such selected alternatives, including all regulatory and public acceptance issues, including interactions with affected States.

(F) Explanation of how the alternatives to the MOX facility conform with the Plutonium Disposition Agreement, and if an alternative does not so conform, what measures must be taken to ensure conformance.

(G) Identification of steps the Secretary would have to take to close out all activities related to the MOX facility, as well as the associated cost.

(H) Any other matters the Secretary determines appropriate.

(d) EXCLUSION OF CERTAIN OPTIONS.—

(1) IN GENERAL.—The study under subsection (b)(1) and the report under subsection (c)(1) shall not include any assessment or discussion of options that involve moving plutonium to a State where the Federal Government—

(A) is not meeting all legally binding deadlines and milestones required under the Tri-Party Agreement and the Consent Decree;

(B) has provided notification that any element of the Tri-Party Agreement or the Consent Decree is at risk of being breached; or

(C) is in dispute resolution with the State regarding the Tri-Party Agreement or the Consent Decree.

(2) DEFINITIONS.—In this subsection:

(A) The term "Tri-Party Agreement" means the comprehensive cleanup and compliance agreement between the Secretary, the Administrator of the Environmental Protection Agency, and the State of Washington entered into on May 15, 1989.

(B) The term "Consent Decree" means the legal agreement between the Secretary and the State of Washington finalized in 2010.

(e) DEFINITIONS.—In this section:

(1) The term "MOX facility" means the mixed-oxide fuel fabrication facility at the Savannah River Site, Aiken, South Carolina.

(2) The term "Plutonium Disposition Agreement" means the Agreement Concerning the Management and Disposition of Plutonium Designated As No Longer Required for Defense Purposes and Related Cooperation, signed at Moscow and Washington August 29 and September 1, 2000, and entered into force July 13, 2011 (TIAS 11–713.1), between the United States and the Russian Federation.

(3) The term "project support activities" means activities that support the design, long-lead equipment procurement, and site preparation of the MOX facility.

SEC. 3121. LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.

(a) LIMITATION.—Of the funds authorized to be appropriated for fiscal year 2015 by section 3101 and available for the Office of the Administrator as specified in the funding table in section 4701, or otherwise made available for that Office for that fiscal year, not more than 75 percent may be obligated or expended until—

(1) the President transmits to Congress the matters required to be transmitted during 2015 under section 4205(f)(2) of the Atomic Energy Defense Act (50 U.S.C. 2525(f)(2));

(2) the President transmits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives the matters—

(A) required to be transmitted during 2015 under section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576), as most recently amended by section 1054 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 861); and

(B) with respect to which the Secretary of Energy is responsible;

(3) the Secretary submits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives the report required to be submitted during 2015 under section 3122(b) of the National Defense Authorization

Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1710); and

(4) the Administrator for Nuclear Security submits to the congressional defense committees the detailed report on the stockpile stewardship, management, and infrastructure plan required to be submitted during 2015 under section 4203(b)(2) of the Atomic Energy Defense Act (50 U.S.C. 2523(b)(2)).

(b) OFFICE OF THE ADMINISTRATOR DEFINED.—In this section, the term "Office of the Administrator", with respect to accounts of the National Nuclear Security Administration, includes any account from which funds are derived for "Federal Salaries and Expenses".

SEC. 3122. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN NONPROLIFERATION ACTIVITIES BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should carry out nuclear nonproliferation activities in the Russian Federation only if those activities are consistent with and in support of the security interests of the United States; and

(2) in carrying out any such activities after the date of the enactment of this Act, the Secretary of Energy should focus on only those activities that—

(A) are in support of the arms control obligations of the United States and the Russian Federation; or

(B) will reduce the threats posed by weapons of mass destruction and related materials and technology to the United States and countries in the Euro-Atlantic and Eurasian regions.

50 USC 2565 note.

(b) COMPLETION OF MATERIAL PROTECTION, CONTROL, AND ACCOUNTING ACTIVITIES IN THE RUSSIAN FEDERATION.—

(1) IN GENERAL.—Except as provided in paragraph (2) or specifically authorized by Congress, international material protection, control, and accounting activities in the Russian Federation shall be completed not later than fiscal year 2018.

(2) EXCEPTION.—The limitation in paragraph (1) shall not apply to international material protection, control, and accounting activities in the Russian Federation associated with the Agreement Concerning the Management and Disposition of Plutonium Designated as No Longer Required for Defense Purposes and Related Cooperation, signed at Moscow and Washington August 29 and September 1, 2000, and entered into force July 13, 2011 (TIAS 11–713.1), between the United States and the Russian Federation.

(c) LIMITATION ON TRANSFER OF MILES TECHNOLOGY.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the National Nuclear Security Administration may be used for the transfer of Multiple Integrated Laser Engagement System technology between the United States and the Russian Federation.

SEC. 3123. IDENTIFICATION OF AMOUNTS REQUIRED FOR URANIUM TECHNOLOGY SUSTAINMENT IN BUDGET MATERIALS FOR FISCAL YEAR 2016.

The Administrator for Nuclear Security shall include, in the budget justification materials submitted to Congress in support of the budget of the President for fiscal year 2016 (as submitted

to Congress under section 1105(a) of title 31, United States Code), specific identification, as a budgetary line item, of the amounts required for uranium technology sustainment in support of the nuclear weapons stockpile in a manner that minimizes the use of plant-directed research and development funds for full-scale technology development past a technology readiness level of 5 (as defined in Department of Energy Guide 413.3–4A (relating to technology readiness assessment)).

Subtitle C—Plans and Reports

SEC. 3131. ANALYSIS AND REPORT ON W88 ALT 370 PROGRAM HIGH EXPLOSIVES OPTIONS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy, the Administrator for Nuclear Security, and the Chairman of the Nuclear Weapons Council (established by section 179 of title 10, United States Code) shall jointly submit to the congressional defense committees a report on the W88 Alt 370 program that contains analyses of the costs, benefits, risks, and feasibility of each of the following options:

(1) Incorporating a refresh of the conventional high explosives of the W88 warhead as part of such program.

(2) Not incorporating such a refresh as part of such program.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include, for each option described in paragraphs (1) and (2) of subsection (a), an analysis of the following:

(1) Near-term and lifecycle cost estimates, including costs to both the Navy and the National Nuclear Security Administration.

(2) Potential cost avoidance.

(3) Operational effects to the Navy and to the capacity and throughput of the nuclear security enterprise (as defined in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501)) of the National Nuclear Security Administration.

(4) The expected longevity of the W88 warhead.

(5) Near-term and long-term safety and security risks and potential risk-mitigation measures.

(6) Any other matters the Secretary, the Administrator, or the Chairman considers appropriate.

SEC. 3132. ANALYSIS OF EXISTING FACILITIES AND SENSE OF CONGRESS WITH RESPECT TO PLUTONIUM STRATEGY.

(a) ANALYSIS REQUIRED.—The Administrator for Nuclear Security shall include, as part of the Administrator's planned analysis of alternatives to support the plutonium strategy of the National Nuclear Security Administration, an analysis of using or modifying existing facilities of the nuclear security enterprise (as defined in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501)) to support that strategy, as part of critical decision 1 in the acquisition process for the design and construction of modular structures associated with operations of the PF–4 facility at Los Alamos National Laboratory, Los Alamos, New Mexico.

(b) MATTERS INCLUDED.—The analysis required by subsection (a) shall include an analysis of the following:

(1) The costs, benefits, cost savings, risks, and effects of using or modifying existing facilities of the nuclear security enterprise to support the plutonium strategy of the Administration.

(2) Such other matters as the Administrator considers appropriate.

(c) SUBMISSION.—The Administrator shall submit the analysis required by subsection (a) to the congressional defense committees not later than 30 days after completing the analysis.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the requirement to create a modern, responsive plutonium infrastructure is a national security priority, and that the Administrator must fulfill the obligations of the Administrator under section 3114(c) of the National Defense Authorization Act for Fiscal Year 2013 (50 U.S.C. 2535 note), as well as the commitment made by the Chairman of the Nuclear Weapons Council (established by section 179 of title 10, United States Code) in the letter of the Chairman, dated July 25, 2014, to the Committees on Armed Services of the Senate and the House of Representatives, to carry out a modular building strategy for plutonium capabilities that—

(1) meets the requirements for maintaining the nuclear weapons stockpile over a 30-year period;

(2) meets the requirements for implementation of a responsive infrastructure, including meeting plutonium pit production requirements; and

(3) includes plans to construct two modular structures that will achieve full operating capability not later than 2027.

SEC. 3133. PLAN FOR VERIFICATION AND MONITORING OF PROLIFERATION OF NUCLEAR WEAPONS AND FISSILE MATERIAL.

(a) PLAN.—The President, in consultation with the Secretary of State, the Secretary of Defense, the Secretary of Energy, the Secretary of Homeland Security, and the Director of National Intelligence, shall develop an interagency plan for verification and monitoring relating to the potential proliferation of nuclear weapons, components of such weapons, and fissile material.

(b) ELEMENTS.—The plan developed under subsection (a) shall include the following:

(1) An interagency plan and road map for verification and monitoring, with respect to policy, operations, and research, development, testing, and evaluation, including—

(A) identifying requirements (including funding requirements) for such verification and monitoring; and

(B) identifying and integrating roles, responsibilities, and planning for such verification and monitoring.

(2) An engagement plan for building cooperation and transparency to improve inspections and monitoring.

(3) A research and development program to—

(A) improve monitoring, detection, and in-field inspection and analysis capabilities, including persistent surveillance, remote monitoring, and rapid analysis of large data sets, including open-source data; and

(B) coordinate technical and operational requirements early in the process.

(4) Engagement of relevant departments and agencies of the Federal Government and the military departments (including the Open Source Center and the United States

Atomic Energy Detection System), national laboratories, industry, and academia.

(c) SUBMISSION.—

(1) IN GENERAL.—Not later than September 1, 2015, the President shall submit to the appropriate congressional committees the plan developed under subsection (a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term "appropriate congressional committees" means the following:

(A) The congressional defense committees.

(B) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(C) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(D) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(E) The Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

SEC. 3134. COMMENTS OF ADMINISTRATOR FOR NUCLEAR SECURITY AND CHAIRMAN OF NUCLEAR WEAPONS COUNCIL ON FINAL REPORT OF CONGRESSIONAL ADVISORY PANEL ON THE GOVERNANCE OF THE NUCLEAR SECURITY ENTERPRISE.

Not later than 90 days after the date of the enactment of this Act, the Administrator for Nuclear Security and the Chairman of the Nuclear Weapons Council (established by section 179 of title 10, United States Code) shall each submit to the congressional defense committees the comments of the Administrator or the Chairman, as the case may be, with respect to the findings, conclusions, and recommendations included in the final report of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise under section 3166(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2209), as amended by section 3142 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1069).

Subtitle D—Other Matters

SEC. 3141. ESTABLISHMENT OF ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH; EXTENSION OF AUTHORITY OF OFFICE OF OMBUDSMAN FOR ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.—Subtitle E of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385o et seq.) is amended by adding at the end the following:

42 USC 7385s–16.

"SEC. 3687. ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.

"(a) ESTABLISHMENT.—(1) Not later than 120 days after the date of the enactment of this section, the President shall establish and appoint an Advisory Board on Toxic Substances and Worker Health (in this section referred to as the 'Board').

"(2) The President shall make appointments to the Board in consultation with organizations with expertise on worker health issues in order to ensure that the membership of the Board reflects a proper balance of perspectives from the scientific, medical, and claimant communities.

"(3) The President shall designate a Chair of the Board from among its members.

"(b) DUTIES.—The Board shall—

"(1) advise the Secretary of Labor with respect to—

"(A) the site exposure matrices of the Department of Labor;

"(B) medical guidance for claims examiners for claims under this subtitle with respect to the weighing of the medical evidence of claimants;

"(C) evidentiary requirements for claims under subtitle B related to lung disease; and

"(D) the work of industrial hygienists and staff physicians and consulting physicians of the Department and reports of such hygienists and physicians to ensure quality, objectivity, and consistency; and

"(2) coordinate exchanges of data and findings with the Advisory Board on Radiation and Worker Health established under section 3624 to the extent necessary.

"(c) STAFF AND POWERS.—(1) The President shall appoint a staff to facilitate the work of the Board. The staff of the Board shall be headed by a Director, who shall be appointed under subchapter VIII of chapter 33 of title 5, United States Code.

"(2) The President may authorize the detail of employees of Federal agencies to the Board as necessary to enable the Board to carry out its duties under this section. The detail of such personnel may be on a nonreimbursable basis.

"(3) The Secretary may employ outside contractors and specialists to support the work of the Board.

"(d) CONFLICTS OF INTEREST.—No member, employee, or contractor of the Board shall have any financial interest, employment, or contractual relationship (other than a routine consumer transaction) with any person that has provided, or sought to provide during the two years preceding the appointment or during the service of the member, employee, or contractor under this section, goods or services related to medical benefits under this title.

"(e) EXPENSES.—Members of the Board, other than full-time employees of the United States, while attending meetings of the Board or while otherwise serving at the request of the President, and while serving away from their homes or regular places of business, shall be allowed travel and meal expenses, including per diem in lieu of subsistence (as authorized by section 5703 of title 5, United States Code) for individuals in the Federal Government serving without pay.

"(f) SECURITY CLEARANCES.—(1) The Secretary of Energy shall ensure that the members and staff of the Board, and the contractors

performing work in support of the Board, are afforded the opportunity to apply for a security clearance for any matter for which such a clearance is appropriate.

"(2) The Secretary of Energy should, not later than 180 days after receiving a completed application for a security clearance for an individual under this subsection, make a determination of whether or not the individual is eligible for the clearance.

"(3) For fiscal year 2016 and each fiscal year thereafter, the Secretary of Energy shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report specifying the number of applications for security clearances under this subsection, the number of such applications granted, and the number of such applications denied.

"(g) INFORMATION.—The Secretary of Energy shall, in accordance with law, provide to the Board and the contractors of the Board, access to any information that the Board considers relevant to carry out its responsibilities under this section, including information such as Restricted Data (as defined in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y))) and information covered by section 552a of title 5, United States Code (commonly known as the 'Privacy Act').

"(h) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

"(2) TREATMENT AS DISCRETIONARY SPENDING.—Amounts appropriated to carry out this section—

"(A) shall not be appropriated to the account established under subsection (a) of section 151 of title I of division B of Appendix D of the Consolidated Appropriations Act, 2001 (Public Law 106–554; 114 Stat. 2763A–251); and

"(B) shall not be subject to subsection (b) of that section.

"(i) SUNSET.—The Board shall terminate on the date that is 5 years after the date of the enactment of this section.".

(b) DEPARTMENT OF LABOR RESPONSE TO THE OFFICE OF THE OMBUDSMAN ANNUAL REPORT; EXTENSION OF AUTHORITY.—Section 3686 of such Act (42 U.S.C. 7385s–15) is amended—

(1) in subsection (e)—

(A) in paragraph (1), by striking "February 15" and inserting "July 30"; and

(B) by adding at the end the following:

"(4) Not later than 180 days after the submission to Congress of the annual report under paragraph (1), the Secretary shall submit to Congress in writing, and post on the public Internet website of the Department of Labor, a response to the report that—

"(A) includes a statement of whether the Secretary agrees or disagrees with the specific issues raised by the Ombudsman in the report;

"(B) if the Secretary agrees with the Ombudsman on those issues, describes the actions to be taken to correct those issues; and

"(C) if the Secretary does not agree with the Ombudsman on those issues, describes the reasons the Secretary does not agree."; and

(2) in subsection (h), by striking "2012" and inserting "2019".

SEC. 3142. TECHNICAL CORRECTIONS TO ATOMIC ENERGY DEFENSE ACT.

(a) DEFINITIONS.—Section 4002(3) of the Atomic Energy Defense Act (50 U.S.C. 2501(3)) is amended by striking "Executive Order No. 12333 of December 4, 1981 (50 U.S.C. 401 note), Executive Order No. 12958 of April 17, 1995 (50 U.S.C. 435 note)," and inserting "Executive Order No. 12333 of December 4, 1981 (50 U.S.C. 3001 note), Executive Order No. 12958 of April 17, 1995 (50 U.S.C. 3161 note), Executive Order No. 13526 of December 29, 2009 (50 U.S.C. 3161 note),".

(b) MANAGEMENT STRUCTURE.—Section 4102(b)(3) of such Act (50 U.S.C. 2512(b)(3)) is amended—

(1) in the matter preceding subparagraph (A), by striking "for improving the";

(2) in subparagraph (A), by inserting "for improving the" before "governance"; and

(3) in subparagraph (B), by inserting "relating to" before "any other".

(c) STOCKPILE STEWARDSHIP.—Section 4203(d)(4)(A)(i) of such Act (50 U.S.C. 2523(d)(4)(A)(i)) is amended by striking "50 U.S.C. 404a" and inserting "50 U.S.C. 3043".

(d) REPORTS ON STOCKPILE.—Section 4205(b)(2) of such Act (50 U.S.C. 2525(b)(2)) is amended by striking "commander" and inserting "Commander".

(e) ADVICE ON RELIABILITY OF STOCKPILE.—Section 4218 of such Act (50 U.S.C. 2538) is amended—

(1) in subsection (d), by striking "commander" and inserting "Commander"; and

(2) in subsection (e)(1), by striking "representatives" and inserting "a representative".

(f) DISPOSITION OF CERTAIN PLUTONIUM.—Section 4306 of such Act (50 U.S.C. 2566) is amended—

(1) in subsection (b)(6)(C), by striking "paragraph (A)" and inserting "subparagraph (A)";

(2) in subsection (c)(2), by striking "2002" and inserting "2002,"; and

(3) in subsection (d)(3), by inserting "of Energy" after "Department".

(g) DEFENSE ENVIRONMENTAL CLEANUP TECHNOLOGY PROGRAM.—Section 4406(a) of such Act (50 U.S.C. 2586(a)) is amended—

(1) by inserting an em dash after "useful for";

(2) by realigning paragraphs (1) and (2) so as to be indented two ems from the left margin; and

(3) in paragraph (1), by striking ", and" and inserting "; and".

(h) REPORT ON HANFORD TANK SAFETY.—Section 4441 of such Act (50 U.S.C. 2621) is amended by striking subsection (d).

(i) LIMITATION ON USE OF FUNDS IN RELATION TO F–CANYON FACILITY.—Section 4454 of such Act (50 U.S.C. 2638) is amended in paragraphs (1) and (2) by inserting "of" after "assessment".

(j) INSPECTIONS OF CERTAIN FACILITIES.—Section 4501(a) of such Act (50 U.S.C. 2651(a)) is amended by striking "nuclear

weapons facility" and inserting "national security laboratory or nuclear weapons production facility".

(k) NOTICE RELATING TO CERTAIN FAILURES.—Section 4505 of such Act (50 U.S.C. 2656) is amended—

(1) in subsection (b), by striking the subsection heading and inserting the following: "SIGNIFICANT ATOMIC ENERGY DEFENSE INTELLIGENCE LOSSES"; and

(2) in subsection (e)(2), by striking "50 U.S.C. 413" and inserting "50 U.S.C. 3091".

(l) REVIEW OF CERTAIN DOCUMENTS BEFORE DECLASSIFICATION AND RELEASE.—Section 4521(b) of such Act (50 U.S.C. 2671(b)) is amended by striking "Executive Order 12958" and inserting "Executive Order No. 13526 (50 U.S.C. 3161 note)".

(m) PROTECTION AGAINST RELEASE OF RESTRICTED DATA.—Section 4522 of such Act (50 U.S.C. 2672) is amended—

(1) in subsection (a), by striking "Executive Order No. 12958 (50 U.S.C. 435 note)" and inserting "Executive Order No. 13526 (50 U.S.C. 3161 note)";

(2) in subsection (b)(1), by striking "Executive Order No. 12958" and inserting "Executive Order No. 13526"; and

(3) in subsection (f)(2), by striking "Executive Order No. 12958" and inserting "Executive Order No. 13526".

(n) IDENTIFICATION OF DECLASSIFICATION ACTIVITIES IN BUDGET MATERIALS.—Section 4525(a) of such Act (50 U.S.C. 2675(a)) is amended by striking "Executive Order No. 12958 (50 U.S.C. 435 note)" and inserting "Executive Order No. 13526 (50 U.S.C. 3161 note)".

(o) WORKFORCE RESTRUCTURING PLAN.—Section 4604(f)(3) of such Act (50 U.S.C. 2704(f)(3)) is amended by striking "Nevada and" and inserting "Nevada, and".

(p) AVAILABILITY OF FUNDS.—Section 4709(b) of such Act (50 U.S.C. 2749(b)) is amended by striking "athorization" and inserting "authorization".

(q) TRANSFER OF DEFENSE ENVIRONMENTAL CLEANUP FUNDS.—Section 4710(b)(3)(B) of such Act (50 U.S.C. 2750(b)(3)(B)) is amended by striking "management" and inserting "cleanup".

(r) RESTRICTION ON USE OF FUNDS TO PAY CERTAIN PENALTIES.—Section 4722 of such Act (50 U.S.C. 2762) is amended—

(1) by inserting an em dash after "Department of Energy if";

(2) by realigning paragraphs (1) and (2) so as to be indented two ems from the left margin; and

(3) in paragraph (1), by striking ", or" and inserting "; or".

(s) ENHANCED PROCUREMENT AUTHORITY.—Section 4806(g)(1) of such Act (50 U.S.C. 2786(g)(1)) is amended by striking "the date that is 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014" and inserting "June 24, 2014".

(t) CRITICAL TECHNOLOGY PARTNERSHIPS.—Section 4813(a) of such Act (50 U.S.C. 2794(a)) is amended by striking "that atomic energy defense activities research on, and development of, any dual-use critical technology" and inserting "that research on and development of dual-use critical technology carried out through atomic energy defense activities".

(u) RESEARCH AND DEVELOPMENT BY CERTAIN FACILITIES.—Section 4832(a) of such Act (50 U.S.C. 2812(a)) is amended by striking "for Nuclear Security".

(v) TABLE OF CONTENTS.—The table of contents for such Act is amended by striking the item relating to section 4710 and inserting the following:

"Sec. 4710. Transfer of defense environmental cleanup funds.".

SEC. 3143. TECHNICAL CORRECTIONS TO NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.

(a) STATUS OF CERTAIN PERSONNEL.—Section 3220(c) of the National Nuclear Security Administration Act (50 U.S.C. 2410(c)) is amended—

(1) by inserting an em dash after "activities between";

(2) by realigning paragraphs (1) and (2) so as to be indented two ems from the left margin; and

(3) in paragraph (1), by striking ", and" and inserting "; and".

(b) CONGRESSIONAL OVERSIGHT OF CERTAIN PROGRAMS.—Section 3236(a)(2)(B)(iv) of such Act (50 U.S.C. 2426(a)(2)(B)(iv)) is amended—

(1) by inserting an em dash after "program for";

(2) by realigning subclauses (I), (II), and (III) so as to be indented six ems from the left margin;

(3) in subclause (I), by striking "year," and inserting "year;"; and

(4) in subclause (II), by striking ", and" and inserting "; and".

SEC. 3144. TECHNOLOGY COMMERCIALIZATION FUND.

Section 1001(e) of the Energy Policy Act of 2005 (42 U.S.C. 16391(e)) is amended by inserting "based on future planned activities and the amount of the appropriations for the fiscal year" after "fiscal year".

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.
Sec. 3202. Inspector General of Defense Nuclear Facilities Safety Board.
Sec. 3203. Number of employees of Defense Nuclear Facilities Safety Board.

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2015, $29,150,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

SEC. 3202. INSPECTOR GENERAL OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

Subsection (a) of section 322 of the Atomic Energy Act of 1954 (42 U.S.C. 2286k(a)) is amended to read as follows:

"(a) IN GENERAL.—The Inspector General of the Nuclear Regulatory Commission shall serve as the Inspector General of the Board, in accordance with the Inspector General Act of 1978 (5 U.S.C. App.).".

SEC. 3203. NUMBER OF EMPLOYEES OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

(a) IN GENERAL.—Section 313(b)(1)(A) of the Atomic Energy Act of 1954 (42 U.S.C. 2286b(b)(1)(A)) is amended by striking "150 full-time employees" and inserting "130 full-time employees".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2015. 26 USC 2286b note.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Authorization of appropriations.

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $19,950,000 for fiscal year 2015 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Authorization of appropriations for national security aspects of the Merchant Marine for fiscal year 2015.
Sec. 3502. Floating dry docks.
Sec. 3503. Sense of Congress on the role of domestic maritime industry in national security.
Sec. 3504. United States Merchant Marine Academy Board of Visitors.

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE FOR FISCAL YEAR 2015.

Funds are hereby authorized to be appropriated for fiscal year 2015, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $79,790,000, of which—

(A) $65,290,000 shall remain available until expended for Academy operations;

(B) $14,500,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $17,650,000, of which—

(A) $2,400,000 shall remain available until expended for student incentive payments;

(B) $3,600,000 shall remain available until expended for direct payments to such academies;

(C) $11,300,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels; and

(D) $350,000 shall remain available until expended for improving the monitoring of graduates' service obligation.

(3) For expenses necessary to support Maritime Administration operations and programs, $50,960,000.

(4) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $4,800,000, to remain available until expended.

(5) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $186,000,000.

(6) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $73,100,000, of which $3,100,000 shall remain available until expended for administrative expenses of the program.

SEC. 3502. FLOATING DRY DOCKS.

(a) IN GENERAL.—Chapter 551 of title 46, United States Code, is amended by adding at the end the following new section:

46 USC 55122.

"§ 55122. Floating dry docks

"(a) IN GENERAL.—Section 55102 of this title does not apply to the movement of a floating dry dock if—

"(1) the floating dry dock—

"(A) is being used to launch or raise a vessel in connection with the construction, maintenance, or repair of that vessel;

"(B) is owned and operated by—

"(i) a shipyard located in the United States that is an eligible owner specified under section 12103(b) of this title; or

"(ii) an affiliate of such a shipyard; and

"(C) was owned or contracted for purchase by such shipyard or affiliate prior to the date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015; and

"(2) the movement occurs within 5 nautical miles of the shipyard or affiliate that owns and operates such floating dry dock.

"(b) DEFINITION.—In this section, the term 'floating dry dock' means equipment with wing walls and a fully submersible deck.".

(b) CLERICAL AMENDMENT.—The analysis for chapter 551 of title 46, United States Code, is amended by adding at the end the following new item:

46 USC prec. 55101.

"55122. Floating dry docks.".

SEC. 3503. SENSE OF CONGRESS ON THE ROLE OF DOMESTIC MARITIME INDUSTRY IN NATIONAL SECURITY.

(a) FINDINGS.—Congress finds that—

(1) the United States domestic maritime industry carries hundreds of million of tons of cargo annually, supports nearly 500,000 jobs, and provides nearly 100 billion in annual economic output;

(2) the Nation's military sealift capacity will benefit from one of the fastest growing segments of the domestic trades, 14 domestic trade tankers that are on order to be constructed at United States shipyards as of February 1, 2014;

(3) the domestic trades' vessel innovations that transformed worldwide maritime commerce include the development of containerships, self-unloading vessels, articulated tug-barges, trailer barges, chemical parcel tankers, railroad-on-barge carfloats, and river flotilla towing systems;

(4) the national security benefits of the domestic maritime industry are unquestioned as the Department of Defense depends on United States domestic trades' fleet of container ships, roll-on/roll-off ships, and product tankers to carry military cargoes;

(5) the Department of Defense benefits from a robust commercial shipyard and ship repair industry and current growth in that sector is particularly important as Federal budget cuts may reduce the number of new constructed military vessels; and

(6) the domestic fleet is essential to national security and was a primary source of mariners needed to crew United States Government-owned sealift vessels activated from reserve status during Operations Enduring Freedom and Iraqi Freedom in the period 2002 through 2010.

(b) SENSE OF CONGRESS.—It is the sense of Congress that United States coastwise trade laws promote a strong domestic trade maritime industry, which supports the national security and economic vitality of the United States and the efficient operation of the United States transportation system.

SEC. 3504. UNITED STATES MERCHANT MARINE ACADEMY BOARD OF VISITORS.

(a) IN GENERAL.—Section 51312 of title 46, United States Code, is amended to read as follows:

"§ 51312. Board of Visitors

"(a) IN GENERAL.—There shall be a Board of Visitors to the United States Merchant Marine Academy (referred to in this section as the 'Board' and the 'Academy', respectively) to provide independent advice and recommendations on matters relating to the United States Merchant Marine Academy.

"(b) MEMBERSHIP.—

"(1) IN GENERAL.—The Board shall be composed of—

"(A) 2 Senators appointed by the Chairman of the Committee on Commerce, Science, and Transportation of the Senate in consultation with the ranking member of such Committee;

"(B) 3 Members of the House of Representatives appointed by the Chairman of the Committee on Armed Services of the House of Representatives in consultation with the ranking member of such Committee;

"(C) 1 Senator appointed by the Vice President, who shall be a member of the Committee on Appropriations of the Senate;

"(D) 2 Members of the House of Representatives appointed by the Speaker of the House of Representatives, in consultation with the Minority Leader, at least 1 of

whom shall be a member of the Committee on Appropriations of the House of Representatives;

"(E) 5 individuals appointed by the President; and

"(F) as ex officio members—

"(i) the Commander of the Military Sealift Command;

"(ii) the Deputy Commandant for Operations of the Coast Guard;

"(iii) the chairman of the Committee on Commerce, Science, and Transportation of the Senate;

"(iv) the chairman of the Committee on Armed Services of the House of Representatives;

"(v) the chairman of the Advisory Board to the Academy established under section 51313; and

"(vi) the Member of the House of Representatives for the congressional district in which the Academy is located, as a nonvoting member, unless such Member of the House of Representatives is appointed as a voting member of the Board under subparagraph (B) or (D).

"(2) PRESIDENTIAL APPOINTEES.—Of the individuals appointed by the President under paragraph (1)(E)—

"(A) at least 2 shall be graduates of the Academy;

"(B) at least 1 shall be a senior corporate officer from a United States maritime shipping company that participates in the Maritime Security Program, or in any Maritime Administration program providing incentives for companies to register their vessels in the United States, and this appointment shall rotate biennially among such companies; and

"(C) 1 or more may be a Senate-confirmed Presidential appointee, a member of the Senior Executive Service, or an officer of flag-rank who from the Coast Guard, the National Oceanic and Atmospheric Administration, or any of the military services that commission graduates of the Academy, other than the individuals who are members of the Board under clauses (i) and (ii) of paragraph (1)(F).

"(3) TERM OF SERVICE.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), each member of the Board, other than an ex officio member under paragraph (1)(F), shall serve for a term of 2 years commencing at the beginning of each Congress.

"(B) CONTINUATION OF SERVICE.—Any member described in subparagraph (A) whose term on the Board has expired, other than a member appointed under any of subparagraphs (A) through (D) of paragraph (1) who is no longer a Member of Congress, shall continue to serve until a successor is appointed.

"(4) VACANCIES.—If a member of the Board is no longer able to serve on the Board or resigns, the Designated Federal Officer selected under subsection (g)(2) shall immediately notify the person who appointed such member. Not later than 60 days after that notification, such person shall designate a replacement to serve the remainder of such member's term.

"(5) DESIGNATION AND RESPONSIBILITY OF SUBSTITUTE BOARD MEMBERS.—

"(A) AUTHORITY TO DESIGNATE.—A member of the Board under clause (i) or (ii) of paragraph (1)(F) or appointed under subparagraph (B) or (C) of paragraph (2) may, if unable to attend or participate in an activity described in subsection (d), (e), or (f), designate another individual to serve as a substitute member of the Board, on a temporary basis, to attend or participate in such activity.

"(B) REQUIREMENTS.—A substitute member of the Board designated under subparagraph (A) shall be—

"(i) an individual serving in a position for which the individual was appointed by the President and confirmed by the Senate;

"(ii) a member of the Senior Executive Service; or

"(iii) an officer of flag-rank who is employed by—

"(I) the Coast Guard; or

"(II) the Military Sealift Command.

"(C) PARTICIPATION.—A substitute member of the Board designated under subparagraph (A)—

"(i) shall be permitted by the Board to fully participate in the proceedings and activities of the Board;

"(ii) shall report to the member that designated the substitute member on the Board's activities not later than 15 days following the substitute member's participation in such activities; and

"(iii) shall be permitted by the Board to participate in the preparation of reports described in paragraph (j) related to any proceedings or activities of the Board in which such substitute member participates.

"(c) CHAIRPERSON.—

"(1) IN GENERAL.—On a biennial basis and subject to paragraph (2), the Board shall select from among its members a Member of the House of Representatives or a Senator to serve as the Chairperson.

"(2) ROTATION.—A Member of the House of Representatives and a Member of the Senate shall alternately be selected as the Chairperson of the Board.

"(3) TERM.—An individual may not serve as Chairperson for consecutive terms.

"(d) MEETINGS.—

"(1) IN GENERAL.—The Board shall meet as provided for in the Charter adopted under paragraph (2)(B), including at least 1 meeting held at the Academy.

"(2) CHAIRPERSON AND CHARTER.—The Designated Federal Officer selected under subsection (g)(2) shall organize a meeting of the Board for the purposes of—

"(A) selecting a Chairperson under subsection (c); and

"(B) adopting an official Charter for the Board, which shall establish the schedule of meetings of the Board.

"(e) VISITING THE ACADEMY.—

"(1) ANNUAL VISIT.—The Board shall visit the Academy annually on a date selected by the Board, in consultation with the Secretary of Transportation and the Superintendent of the Academy.

"(2) OTHER VISITS.—In cooperation with the Superintendent, the Board or its members may make other visits to the Academy in connection with the duties of the Board.

"(3) ACCESS.—While visiting the Academy under this subsection, members of the Board shall have reasonable access to the grounds, facilities, midshipmen, faculty, staff, and other personnel of the Academy for the purpose of carrying out the duties of the Board.

"(f) RESPONSIBILITY.—The Board shall inquire into the state of morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, and academic methods of the Academy, and other matters relating to the Academy that the Board decides to consider.

"(g) DEPARTMENT OF TRANSPORTATION SUPPORT.—The Secretary of Transportation shall—

"(1) provide support as deemed necessary by the Board for the performance of the Board's functions;

"(2) select a Designated Federal Officer to support the performance of the Board's functions; and

"(3) in cooperation with the Maritime Administrator and the Superintendent of the Academy, advise the Board of any institutional issues, consistent with applicable laws concerning the disclosure of information.

"(h) STAFF.—Each of the chairman of the Committee on Commerce, Science, and Transportation of the Senate and the chairman of the Committee on Armed Services of the House of Representatives may designate staff members of such Committee to serve, without additional reimbursement (except as provided in subsection (i)), as staff for the Board.

"(i) TRAVEL EXPENSES.—While serving away from his or her home or regular place of business, a member of the Board or a staff member designated under subsection (h) shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized under section 5703 of title 5, United States Code.

"(j) REPORTS.—

"(1) ANNUAL REPORT.—Not later than 60 days after each annual visit required under subsection (e)(1), the Board shall submit to the President a written report of its actions, views, and recommendations pertaining to the Academy.

"(2) OTHER REPORTS.—If the members of the Board visit the Academy under subsection (e)(2), the Board may—

"(A) prepare a report on such visit; and

"(B) if approved by a majority of the members of the Board, submit such report to the President not later than 60 days after the date of the approval.

"(3) ADVISORS.—The Board may call in advisers—

"(A) for consultation regarding the execution of the Board's responsibility under subsection (f); or

"(B) to assist in the preparation of a report described in paragraph (1) or (2).

"(4) SUBMISSION.—A report submitted to the President under paragraph (1) or (2) shall be concurrently submitted to—

"(A) the Secretary of Transportation;

"(B) the Committee on Commerce, Science, and Transportation of the Senate; and

"(C) the Committee on Armed Services of the House of Representatives.".

(b) DEADLINES.—

46 USC 51312 note.

(1) SELECTION OF DESIGNATED FEDERAL OFFICER.—The Secretary of Transportation shall select a Designated Federal Officer under subsection (g)(2) of section 51312 of title 46, United States Code, as amended by this Act, by not later than 30 days after the date of the enactment of this Act.

(2) APPOINTMENT OF MEMBERS.—Appointments under subsection (b)(1) of such section shall be completed by not later than 60 days after the date of the enactment of this Act.

(3) ORGANIZATION OF FIRST MEETING.—Such Designated Federal Officer shall organize a meeting of the Board under section (d)(2) of such section by not later than 60 days after the date of the enactment of this Act.

(c) CONTINUATION OF SERVICE OF CURRENT MEMBERS.—Each member of the Board of Visitors serving as a member of the Board on the date of the enactment of this Act shall continue to serve on the Board for the remainder of such member's term.

46 USC 51312 note.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
002	UTILITY F/W AIRCRAFT	13,617	13,617
003	AERIAL COMMON SENSOR (ACS) (MIP)	185,090	136,290
	Program decrease		[–48,800]
004	MQ–1 UAV	190,581	239,581
	Extended range modifications Per Army UFR		[49,000]
005	RQ–11 (RAVEN)	3,964	3,964
	ROTARY		
006	HELICOPTER, LIGHT UTILITY (LUH)	416,617	416,617
007	AH–64 APACHE BLOCK IIIA REMAN	494,009	494,009
008	ADVANCE PROCUREMENT (CY)	157,338	157,338
012	UH–60 BLACKHAWK M MODEL (MYP)	1,237,001	1,340,027
	ARNG Modernization–6 additional UH–60M aircraft		[103,026]
013	ADVANCE PROCUREMENT (CY)	132,138	132,138
014	CH–47 HELICOPTER	892,504	892,504
015	ADVANCE PROCUREMENT (CY)	102,361	102,361
	MODIFICATION OF AIRCRAFT		
016	MQ–1 PAYLOAD (MIP)	26,913	26,913
018	GUARDRAIL MODS (MIP)	14,182	14,182
019	MULTI SENSOR ABN RECON (MIP)	131,892	131,892
020	AH–64 MODS	181,869	181,869
021	CH–47 CARGO HELICOPTER MODS (MYP)	32,092	32,092
022	UTILITY/CARGO AIRPLANE MODS	15,029	15,029
023	UTILITY HELICOPTER MODS	76,515	76,515
025	NETWORK AND MISSION PLAN	114,182	114,182
026	COMMS, NAV SURVEILLANCE	115,795	115,795
027	GATM ROLLUP	54,277	54,277
028	RQ–7 UAV MODS	125,380	125,380
	GROUND SUPPORT AVIONICS		
029	AIRCRAFT SURVIVABILITY EQUIPMENT	66,450	98,850
	Army requested realignment		[32,400]
030	SURVIVABILITY CM		7,800
	Army requested realignment		[7,800]
031	CMWS	107,364	60,364
	Army requested reduction		[–47,000]
	OTHER SUPPORT		
032	AVIONICS SUPPORT EQUIPMENT	6,847	6,847
033	COMMON GROUND EQUIPMENT	29,231	29,231
034	AIRCREW INTEGRATED SYSTEMS	48,081	48,081
035	AIR TRAFFIC CONTROL	127,232	127,232
036	INDUSTRIAL FACILITIES	1,203	1,203
037	LAUNCHER, 2.75 ROCKET	2,931	2,931
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**5,102,685**	**5,199,111**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
002	LOWER TIER AIR AND MISSILE DEFENSE (AMD)	110,300	110,300
003	MSE MISSILE	384,605	384,605
	AIR-TO-SURFACE MISSILE SYSTEM		
004	HELLFIRE SYS SUMMARY	4,452	4,452
	ANTI-TANK/ASSAULT MISSILE SYS		
005	JAVELIN (AAWS-M) SYSTEM SUMMARY	77,668	77,668
006	TOW 2 SYSTEM SUMMARY	50,368	50,368
007	ADVANCE PROCUREMENT (CY)	19,984	19,984
008	GUIDED MLRS ROCKET (GMLRS)	127,145	127,145
009	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	21,274	21,274
	MODIFICATIONS		
012	PATRIOT MODS	131,838	131,838
013	STINGER MODS	1,355	1,355
014	AVENGER MODS	5,611	5,611
015	ITAS/TOW MODS	19,676	19,676

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(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
016	MLRS MODS	10,380	10,380
017	HIMARS MODIFICATIONS	6,008	6,008
	SPARES AND REPAIR PARTS		
018	SPARES AND REPAIR PARTS	36,930	36,930
	SUPPORT EQUIPMENT & FACILITIES		
019	AIR DEFENSE TARGETS	3,657	3,657
020	ITEMS LESS THAN $5.0M (MISSILES)	1,522	1,522
021	PRODUCTION BASE SUPPORT	4,710	4,710
	TOTAL MISSILE PROCUREMENT, ARMY	**1,017,483**	**1,017,483**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	STRYKER VEHICLE	385,110	435,110
	Unfunded requirement—fourth DVH brigade set		[50,000]
	MODIFICATION OF TRACKED COMBAT VEHICLES		
002	STRYKER (MOD)	39,683	39,683
003	FIST VEHICLE (MOD)	26,759	26,759
004	BRADLEY PROGRAM (MOD)	107,506	144,506
	Army unfunded priority and industrial base risk mitigation ..		[37,000]
005	HOWITZER, MED SP FT 155MM M109A6 (MOD)	45,411	45,411
006	PALADIN INTEGRATED MANAGEMENT (PIM)	247,400	247,400
007	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	50,451	126,364
	Army unfunded priority and industrial base risk mitigation ..		[75,913]
008	ASSAULT BRIDGE (MOD)	2,473	2,473
009	ASSAULT BREACHER VEHICLE	36,583	36,583
010	M88 FOV MODS	1,975	1,975
011	JOINT ASSAULT BRIDGE	49,462	34,362
	Early to need		[–15,100]
012	M1 ABRAMS TANK (MOD)	237,023	237,023
013	ABRAMS UPGRADE PROGRAM		120,000
	Industrial Base initiative		[120,000]
	SUPPORT EQUIPMENT & FACILITIES		
014	PRODUCTION BASE SUPPORT (TCV-WTCV)	6,478	6,478
	WEAPONS & OTHER COMBAT VEHICLES		
016	MORTAR SYSTEMS	5,012	5,012
017	XM320 GRENADE LAUNCHER MODULE (GLM)	28,390	28,390
018	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	148	148
019	CARBINE	29,366	20,616
	Army requested realignment		[–8,750]
021	COMMON REMOTELY OPERATED WEAPONS STATION	8,409	8,409
022	HANDGUN	3,957	3,957
	MOD OF WEAPONS AND OTHER COMBAT VEH		
024	M777 MODS	18,166	18,166
025	M4 CARBINE MODS	3,446	6,446
	Army requested realignment		[3,000]
026	M2 50 CAL MACHINE GUN MODS	25,296	25,296
027	M249 SAW MACHINE GUN MODS	5,546	5,546
028	M240 MEDIUM MACHINE GUN MODS	4,635	2,635
	Army requested realignment		[–2,000]
029	SNIPER RIFLES MODIFICATIONS	4,079	4,079
030	M119 MODIFICATIONS	72,718	72,718
031	M16 RIFLE MODS	1,952	0
	At Army request transfer to WTCV 31 and RDTEA 70 and 86.		[–1,952]
032	MORTAR MODIFICATION	8,903	8,903
033	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	2,089	2,089
	SUPPORT EQUIPMENT & FACILITIES		
034	ITEMS LESS THAN $5.0M (WOCV-WTCV)	2,005	2,005
035	PRODUCTION BASE SUPPORT (WOCV-WTCV)	8,911	8,911
036	INDUSTRIAL PREPAREDNESS	414	414
037	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	1,682	1,682
	TOTAL PROCUREMENT OF W&TCV, ARMY	**1,471,438**	**1,729,549**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	34,943	34,943
002	CTG, 7.62MM, ALL TYPES	12,418	12,418

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Line	Item	FY 2015 Request	Agreement Authorized
003	CTG, HANDGUN, ALL TYPES	9,655	9,655
004	CTG, .50 CAL, ALL TYPES	29,304	29,304
006	CTG, 25MM, ALL TYPES	8,181	8,181
007	CTG, 30MM, ALL TYPES	52,667	52,667
008	CTG, 40MM, ALL TYPES	40,904	40,904
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	41,742	41,742
010	81MM MORTAR, ALL TYPES	42,433	42,433
011	120MM MORTAR, ALL TYPES	39,365	39,365
	TANK AMMUNITION		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	101,900	101,900
	ARTILLERY AMMUNITION		
013	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	37,455	37,455
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	47,023	47,023
015	PROJ 155MM EXTENDED RANGE M982	35,672	35,672
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	94,010	74,010
	Precision Guided Kits Schedule Delay		[–20,000]
	ROCKETS		
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	945	945
020	ROCKET, HYDRA 70, ALL TYPES	27,286	27,286
	OTHER AMMUNITION		
021	DEMOLITION MUNITIONS, ALL TYPES	22,899	22,899
022	GRENADES, ALL TYPES	22,751	22,751
023	SIGNALS, ALL TYPES	7,082	7,082
024	SIMULATORS, ALL TYPES	11,638	11,638
	MISCELLANEOUS		
025	AMMO COMPONENTS, ALL TYPES	3,594	3,594
027	CAD/PAD ALL TYPES	5,430	5,430
028	ITEMS LESS THAN $5 MILLION (AMMO)	8,337	8,337
029	AMMUNITION PECULIAR EQUIPMENT	14,906	14,906
030	FIRST DESTINATION TRANSPORTATION (AMMO)	14,349	14,349
031	CLOSEOUT LIABILITIES	111	111
	PRODUCTION BASE SUPPORT		
032	PROVISION OF INDUSTRIAL FACILITIES	148,092	148,092
033	CONVENTIONAL MUNITIONS DEMILITARIZATION	113,881	113,881
034	ARMS INITIATIVE	2,504	2,504
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**1,031,477**	**1,011,477**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	TACTICAL TRAILERS/DOLLY SETS	7,987	7,987
002	SEMITRAILERS, FLATBED:	160	160
004	JOINT LIGHT TACTICAL VEHICLE	164,615	164,615
005	FAMILY OF MEDIUM TACTICAL VEH (FMTV)		50,000
	Additional FMTVs – Industrial Base initiative		[50,000]
006	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	8,415	8,415
007	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	28,425	78,425
	Additional HEMTT ESP Vehicles-Industrial Base initiative		[50,000]
008	PLS ESP	89,263	89,263
013	TACTICAL WHEELED VEHICLE PROTECTION KITS	38,226	38,226
014	MODIFICATION OF IN SVC EQUIP	91,173	83,173
	Early to need		[–8,000]
015	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	14,731	14,731
	NON-TACTICAL VEHICLES		
016	HEAVY ARMORED SEDAN	175	175
017	PASSENGER CARRYING VEHICLES	1,338	1,338
018	NONTACTICAL VEHICLES, OTHER	11,101	11,101
	COMM—JOINT COMMUNICATIONS		
019	WIN-T—GROUND FORCES TACTICAL NETWORK	763,087	638,087
	Point of Presence (POP) and Soldier Network Extension (SNE) delay.		[–125,000]
020	SIGNAL MODERNIZATION PROGRAM	21,157	21,157
021	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY	7,915	7,915
022	JCSE EQUIPMENT (USREDCOM)	5,440	5,440
	COMM—SATELLITE COMMUNICATIONS		
023	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	118,085	118,085
024	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS.	13,999	13,999

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Line	Item	FY 2015 Request	Agreement Authorized
025	SHF TERM	6,494	6,494
026	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	1,635	1,635
027	SMART-T (SPACE)	13,554	13,554
028	GLOBAL BRDCST SVC—GBS	18,899	18,899
029	MOD OF IN-SVC EQUIP (TAC SAT)	2,849	2,849
030	ENROUTE MISSION COMMAND (EMC)	100,000	100,000
	COMM—COMBAT COMMUNICATIONS		
033	JOINT TACTICAL RADIO SYSTEM	175,711	125,711
	Unobligated balances		[–50,000]
034	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	9,692	4,692
	Unobligated balances		[–5,000]
035	RADIO TERMINAL SET, MIDS LVT(2)	17,136	17,136
037	AMC CRITICAL ITEMS—OPA2	22,099	22,099
038	TRACTOR DESK	3,724	3,724
039	SPIDER APLA REMOTE CONTROL UNIT	969	969
040	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	294	294
041	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	24,354	24,354
042	UNIFIED COMMAND SUITE	17,445	17,445
043	RADIO, IMPROVED HF (COTS) FAMILY	1,028	1,028
044	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	22,614	22,614
	COMM—INTELLIGENCE COMM		
046	CI AUTOMATION ARCHITECTURE	1,519	1,519
047	ARMY CA/MISO GPF EQUIPMENT	12,478	12,478
	INFORMATION SECURITY		
050	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	2,113	2,113
051	COMMUNICATIONS SECURITY (COMSEC)	69,646	69,646
	COMM—LONG HAUL COMMUNICATIONS		
052	BASE SUPPORT COMMUNICATIONS	28,913	28,913
	COMM—BASE COMMUNICATIONS		
053	INFORMATION SYSTEMS	97,091	97,091
054	DEFENSE MESSAGE SYSTEM (DMS)	246	246
055	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	5,362	5,362
056	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	79,965	79,965
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
060	JTT/CIBS-M	870	870
061	PROPHET GROUND	55,896	55,896
063	DCGS-A (MIP)	128,207	128,207
064	JOINT TACTICAL GROUND STATION (JTAGS)	5,286	5,286
065	TROJAN (MIP)	12,614	12,614
066	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	3,901	3,901
067	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	7,392	7,392
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
068	LIGHTWEIGHT COUNTER MORTAR RADAR	24,828	24,828
070	AIR VIGILANCE (AV)	7,000	7,000
072	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,285	1,285
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
075	SENTINEL MODS	44,305	44,305
076	NIGHT VISION DEVICES	160,901	160,901
078	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	18,520	18,520
080	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	68,296	68,296
081	FAMILY OF WEAPON SIGHTS (FWS)	49,205	34,205
	Early to need		[–15,000]
082	ARTILLERY ACCURACY EQUIP	4,896	4,896
083	PROFILER	3,115	3,115
084	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	4,186	4,186
085	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	97,892	87,892
	Schedule delay		[–10,000]
086	JOINT EFFECTS TARGETING SYSTEM (JETS)	27,450	27,450
087	MOD OF IN-SVC EQUIP (LLDR)	14,085	14,085
088	MORTAR FIRE CONTROL SYSTEM	29,040	29,040
089	COUNTERFIRE RADARS	209,050	159,050
	Excessive LRIP/concurrency costs		[–50,000]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
092	FIRE SUPPORT C2 FAMILY	13,823	13,823
095	AIR & MSL DEFENSE PLANNING & CONTROL SYS	27,374	27,374
097	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	2,508	2,508
099	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	21,524	21,524

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Line	Item	FY 2015 Request	Agreement Authorized
100	MANEUVER CONTROL SYSTEM (MCS)	95,455	95,455
101	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	118,600	118,600
102	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	32,970	32,970
104	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	10,113	10,113
	ELECT EQUIP—AUTOMATION		
105	ARMY TRAINING MODERNIZATION	9,015	9,015
106	AUTOMATED DATA PROCESSING EQUIP	155,223	152,282
	Reduce IT procurement		[–2,941]
107	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	16,581	16,581
108	HIGH PERF COMPUTING MOD PGM (HPCMP)	65,252	65,252
110	RESERVE COMPONENT AUTOMATION SYS (RCAS)	17,631	17,631
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
112	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	5,437	5,437
	ELECT EQUIP—SUPPORT		
113	PRODUCTION BASE SUPPORT (C-E)	426	426
	CLASSIFIED PROGRAMS		
114A	CLASSIFIED PROGRAMS	3,707	3,707
	CHEMICAL DEFENSIVE EQUIPMENT		
115	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	937	937
116	BASE DEFENSE SYSTEMS (BDS)	1,930	1,930
117	CBRN DEFENSE	17,468	17,468
	BRIDGING EQUIPMENT		
119	TACTICAL BRIDGE, FLOAT-RIBBON	5,442	5,442
120	COMMON BRIDGE TRANSPORTER (CBT) RECAP	11,013	11,013
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
121	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	37,649	33,249
	Early to need		[–4,400]
122	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	18,545	18,545
123	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	4,701	4,701
124	EOD ROBOTICS SYSTEMS RECAPITALIZATION	6,346	6,346
125	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	15,856	15,856
126	REMOTE DEMOLITION SYSTEMS	4,485	4,485
127	< $5M, COUNTERMINE EQUIPMENT	4,938	4,938
	COMBAT SERVICE SUPPORT EQUIPMENT		
128	HEATERS AND ECU'S	9,235	9,235
130	SOLDIER ENHANCEMENT	1,677	1,677
131	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	16,728	16,728
132	GROUND SOLDIER SYSTEM	84,761	84,761
134	FIELD FEEDING EQUIPMENT	15,179	15,179
135	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	28,194	28,194
137	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	41,967	41,967
138	ITEMS LESS THAN $5M (ENG SPT)	20,090	20,090
	PETROLEUM EQUIPMENT		
139	QUALITY SURVEILLANCE EQUIPMENT	1,435	1,435
140	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	40,692	40,692
	MEDICAL EQUIPMENT		
141	COMBAT SUPPORT MEDICAL	46,957	46,957
	MAINTENANCE EQUIPMENT		
142	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	23,758	23,758
143	ITEMS LESS THAN $5.0M (MAINT EQ)	2,789	2,789
	CONSTRUCTION EQUIPMENT		
144	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	5,827	5,827
145	SCRAPERS, EARTHMOVING	14,926	14,926
147	COMPACTOR	4,348	4,348
148	HYDRAULIC EXCAVATOR	4,938	4,938
149	TRACTOR, FULL TRACKED	34,071	34,071
150	ALL TERRAIN CRANES	4,938	4,938
151	PLANT, ASPHALT MIXING	667	667
153	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP	14,924	14,924
154	CONST EQUIP ESP	15,933	15,933
155	ITEMS LESS THAN $5.0M (CONST EQUIP)	6,749	6,749
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
156	ARMY WATERCRAFT ESP	10,509	10,509
157	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	2,166	2,166
	GENERATORS		
158	GENERATORS AND ASSOCIATED EQUIP	115,190	105,190
	Cost savings from new contract		[–10,000]

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Line	Item	FY 2015 Request	Agreement Authorized
	MATERIAL HANDLING EQUIPMENT		
160	FAMILY OF FORKLIFTS	14,327	14,327
	TRAINING EQUIPMENT		
161	COMBAT TRAINING CENTERS SUPPORT	65,062	65,062
162	TRAINING DEVICES, NONSYSTEM	101,295	101,295
163	CLOSE COMBAT TACTICAL TRAINER	13,406	13,406
164	AVIATION COMBINED ARMS TACTICAL TRAINER	14,440	14,440
165	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	10,165	10,165
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
166	CALIBRATION SETS EQUIPMENT	5,726	5,726
167	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	37,482	37,482
168	TEST EQUIPMENT MODERNIZATION (TEMOD)	16,061	16,061
	OTHER SUPPORT EQUIPMENT		
170	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	2,380	2,380
171	PHYSICAL SECURITY SYSTEMS (OPA3)	30,686	30,686
172	BASE LEVEL COMMON EQUIPMENT	1,008	1,008
173	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	98,559	83,559
	Early to need—watercraft C4ISR		[–15,000]
174	PRODUCTION BASE SUPPORT (OTH)	1,697	1,697
175	SPECIAL EQUIPMENT FOR USER TESTING	25,394	25,394
176	AMC CRITICAL ITEMS OPA3	12,975	12,975
	OPA2		
180	INITIAL SPARES—C&E	50,032	50,032
	TOTAL OTHER PROCUREMENT, ARMY	**4,893,634**	**4,698,293**
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	STAFF AND INFRASTRUCTURE		
004	OPERATIONS	115,058	0
	Transfer of JIEDDO to Overseas Contingency Operations		[–65,463]
	Unjustified request		[–49,595]
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND.	**115,058**	**0**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	EA–18G	43,547	493,547
	Additional EA–18G aircraft		[450,000]
005	JOINT STRIKE FIGHTER CV	610,652	610,652
006	ADVANCE PROCUREMENT (CY)	29,400	29,400
007	JSF STOVL	1,200,410	1,200,410
008	ADVANCE PROCUREMENT (CY)	143,885	143,885
009	V–22 (MEDIUM LIFT)	1,487,000	1,487,000
010	ADVANCE PROCUREMENT (CY)	45,920	45,920
011	H–1 UPGRADES (UH–1Y/AH–1Z)	778,757	778,757
012	ADVANCE PROCUREMENT (CY)	80,926	75,626
	Advance procurement efficiencies		[–5,300]
013	MH–60S (MYP)	210,209	210,209
015	MH–60R (MYP)	933,882	878,882
	CVN 73 Refueling and Complex Overhaul (RCOH)		[–53,400]
	Shutdown funding ahead of need		[–1,600]
016	ADVANCE PROCUREMENT (CY)	106,686	106,686
017	P–8A POSEIDON	2,003,327	1,985,927
	Anticipated unit price savings		[–11,300]
	Unjustified growth--production engineering support		[–6,100]
018	ADVANCE PROCUREMENT (CY)	48,457	48,457
019	E–2D ADV HAWKEYE	819,870	819,870
020	ADVANCE PROCUREMENT (CY)	225,765	225,765
	OTHER AIRCRAFT		
023	KC–130J	92,290	92,290
026	ADVANCE PROCUREMENT (CY)	37,445	37,445
027	MQ–8 UAV	40,663	40,663
	MODIFICATION OF AIRCRAFT		
029	EA–6 SERIES	10,993	10,993
030	AEA SYSTEMS	34,768	34,768
031	AV–8 SERIES	65,472	65,472
032	ADVERSARY	8,418	8,418
033	F–18 SERIES	679,177	679,177

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Line	Item	FY 2015 Request	Agreement Authorized
034	H–46 SERIES	480	480
036	H–53 SERIES	38,159	38,159
037	SH–60 SERIES	108,850	108,850
038	H–1 SERIES	45,033	45,033
039	EP–3 SERIES	32,890	32,890
040	P–3 SERIES	2,823	2,823
041	E–2 SERIES	21,208	21,208
042	TRAINER A/C SERIES	12,608	12,608
044	C–130 SERIES	40,378	40,378
045	FEWSG	640	640
046	CARGO/TRANSPORT A/C SERIES	4,635	4,635
047	E–6 SERIES	212,876	212,876
048	EXECUTIVE HELICOPTERS SERIES	71,328	71,328
049	SPECIAL PROJECT AIRCRAFT	21,317	21,317
050	T–45 SERIES	90,052	90,052
051	POWER PLANT CHANGES	19,094	19,094
052	JPATS SERIES	1,085	1,085
054	COMMON ECM EQUIPMENT	155,644	155,644
055	COMMON AVIONICS CHANGES	157,531	157,531
056	COMMON DEFENSIVE WEAPON SYSTEM	1,958	1,958
057	ID SYSTEMS	38,880	38,880
058	P–8 SERIES	29,797	29,797
059	MAGTF EW FOR AVIATION	14,770	14,770
060	MQ–8 SERIES	8,741	8,741
061	RQ–7 SERIES	2,542	2,542
062	V–22 (TILT/ROTOR ACFT) OSPREY	135,584	135,584
063	F–35 STOVL SERIES	285,968	285,968
064	F–35 CV SERIES	20,502	20,502
	AIRCRAFT SPARES AND REPAIR PARTS		
065	SPARES AND REPAIR PARTS	1,229,651	1,107,506
	Reduce rate of growth in replenishment spares		[–122,145]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
066	COMMON GROUND EQUIPMENT	418,355	398,488
	Unobligated balances		[–19,867]
067	AIRCRAFT INDUSTRIAL FACILITIES	23,843	23,843
068	WAR CONSUMABLES	15,939	15,939
069	OTHER PRODUCTION CHARGES	5,630	5,630
070	SPECIAL SUPPORT EQUIPMENT	65,839	65,839
071	FIRST DESTINATION TRANSPORTATION	1,768	1,768
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**13,074,317**	**13,304,605**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,190,455	1,185,455
	Guidance hardware cost growth		[–5,000]
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	5,671	5,671
	STRATEGIC MISSILES		
003	TOMAHAWK	194,258	276,258
	Minimum sustaining rate increase		[82,000]
	TACTICAL MISSILES		
004	AMRAAM	32,165	22,165
	Program decrease		[–10,000]
005	SIDEWINDER	73,928	71,948
	Block II AUR cost growth		[–1,980]
006	JSOW	130,759	128,200
	AUR cost growth		[–2,559]
007	STANDARD MISSILE	445,836	444,836
	Installation, checkout, and training growth		[–1,000]
008	RAM	80,792	80,792
011	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	1,810	1,810
012	AERIAL TARGETS	48,046	48,046
013	OTHER MISSILE SUPPORT	3,295	3,295
	MODIFICATION OF MISSILES		
014	ESSM	119,434	119,434
015	HARM MODS	111,739	106,489
	AUR kit cost growth		[–3,250]

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(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	Tooling and test equipment growth		[–2,000]
	SUPPORT EQUIPMENT & FACILITIES		
016	WEAPONS INDUSTRIAL FACILITIES	2,531	2,531
017	FLEET SATELLITE COMM FOLLOW-ON	208,700	206,700
	Excess to need		[–2,000]
	ORDNANCE SUPPORT EQUIPMENT		
018	ORDNANCE SUPPORT EQUIPMENT	73,211	73,211
	TORPEDOES AND RELATED EQUIP		
019	SSTD	6,562	6,562
020	MK–48 TORPEDO	14,153	14,153
021	ASW TARGETS	2,515	2,515
	MOD OF TORPEDOES AND RELATED EQUIP		
022	MK–54 TORPEDO MODS	98,928	98,928
023	MK–48 TORPEDO ADCAP MODS	46,893	46,893
024	QUICKSTRIKE MINE	6,966	6,966
	SUPPORT EQUIPMENT		
025	TORPEDO SUPPORT EQUIPMENT	52,670	52,670
026	ASW RANGE SUPPORT	3,795	3,795
	DESTINATION TRANSPORTATION		
027	FIRST DESTINATION TRANSPORTATION	3,692	3,692
	GUNS AND GUN MOUNTS		
028	SMALL ARMS AND WEAPONS	13,240	13,240
	MODIFICATION OF GUNS AND GUN MOUNTS		
029	CIWS MODS	75,108	75,108
030	COAST GUARD WEAPONS	18,948	18,948
031	GUN MOUNT MODS	62,651	62,651
033	AIRBORNE MINE NEUTRALIZATION SYSTEMS	15,006	15,006
	SPARES AND REPAIR PARTS		
035	SPARES AND REPAIR PARTS	74,188	74,188
	TOTAL WEAPONS PROCUREMENT, NAVY	**3,217,945**	**3,272,156**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	107,069	107,069
002	AIRBORNE ROCKETS, ALL TYPES	70,396	70,396
003	MACHINE GUN AMMUNITION	20,284	20,284
004	PRACTICE BOMBS	26,701	26,701
005	CARTRIDGES & CART ACTUATED DEVICES	53,866	53,866
006	AIR EXPENDABLE COUNTERMEASURES	59,294	59,294
007	JATOS	2,766	2,766
008	LRLAP 6″ LONG RANGE ATTACK PROJECTILE	113,092	113,092
009	5 INCH/54 GUN AMMUNITION	35,702	35,702
010	INTERMEDIATE CALIBER GUN AMMUNITION	36,475	26,837
	MK–296 57MM contract delay		[–9,638]
011	OTHER SHIP GUN AMMUNITION	43,906	43,906
012	SMALL ARMS & LANDING PARTY AMMO	51,535	51,535
013	PYROTECHNIC AND DEMOLITION	11,652	11,652
014	AMMUNITION LESS THAN $5 MILLION	4,473	4,473
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	31,708	31,708
016	LINEAR CHARGES, ALL TYPES	692	692
017	40 MM, ALL TYPES	13,630	13,630
018	60MM, ALL TYPES	2,261	2,261
019	81MM, ALL TYPES	1,496	1,496
020	120MM, ALL TYPES	14,855	14,855
022	GRENADES, ALL TYPES	4,000	4,000
023	ROCKETS, ALL TYPES	16,853	16,853
024	ARTILLERY, ALL TYPES	14,772	14,772
026	FUZE, ALL TYPES	9,972	9,972
027	NON LETHALS	998	998
028	AMMO MODERNIZATION	12,319	12,319
029	ITEMS LESS THAN $5 MILLION	11,178	11,178
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**771,945**	**762,307**
	SHIPBUILDING & CONVERSION, NAVY		
	OTHER WARSHIPS		
001	CARRIER REPLACEMENT PROGRAM	1,300,000	1,300,000

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(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
002	VIRGINIA CLASS SUBMARINE	3,553,254	3,553,254
003	ADVANCE PROCUREMENT (CY)	2,330,325	2,330,325
004	CVN REFUELING OVERHAULS		483,600
	CVN 73 Refueling and Complex Overhaul (RCOH)		[483,600]
006	DDG 1000	419,532	419,532
007	DDG–51	2,671,415	2,671,415
008	ADVANCE PROCUREMENT (CY)	134,039	134,039
009	LITTORAL COMBAT SHIP	1,427,049	1,427,049
	AMPHIBIOUS SHIPS		
010	LPD–17	12,565	812,565
	Incremental funding for LPD–28		[800,000]
014	LHA REPLACEMENT ADVANCE PROCURMENT (CY)	29,093	29,093
015	JOINT HIGH SPEED VESSEL	4,590	0
	Program closeout ahead of need		[–4,590]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
016	MOORED TRAINING SHIP	737,268	737,268
017	ADVANCE PROCUREMENT (CY)	64,388	64,388
018	OUTFITTING	546,104	521,104
	Early to need		[–25,000]
019	SHIP TO SHORE CONNECTOR	123,233	123,233
020	LCAC SLEP	40,485	40,485
021	COMPLETION OF PY SHIPBUILDING PROGRAMS	1,007,285	1,007,285
	TOTAL SHIPBUILDING & CONVERSION, NAVY	**14,400,625**	**15,654,635**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	LM–2500 GAS TURBINE	7,822	7,822
002	ALLISON 501K GAS TURBINE	2,155	2,155
003	HYBRID ELECTRIC DRIVE (HED)	22,704	19,278
	Excess installation funding		[–1,926]
	Modification funding ahead of need		[–1,500]
	GENERATORS		
004	SURFACE COMBATANT HM&E	29,120	26,664
	Surface Combatant HM&E		[–2,456]
	NAVIGATION EQUIPMENT		
005	OTHER NAVIGATION EQUIPMENT	45,431	44,894
	AN/WSN–9 procurement ahead of need		[–537]
	PERISCOPES		
006	SUB PERISCOPES & IMAGING EQUIP	60,970	57,221
	Excess installation funding		[–649]
	Interim contractor support carryover		[–3,100]
	OTHER SHIPBOARD EQUIPMENT		
007	DDG MOD	338,569	338,569
008	FIREFIGHTING EQUIPMENT	15,486	15,486
009	COMMAND AND CONTROL SWITCHBOARD	2,219	2,219
010	LHA/LHD MIDLIFE	17,928	17,928
011	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	22,025	22,025
012	POLLUTION CONTROL EQUIPMENT	12,607	12,607
013	SUBMARINE SUPPORT EQUIPMENT	16,492	16,492
014	VIRGINIA CLASS SUPPORT EQUIPMENT	74,129	74,129
015	LCS CLASS SUPPORT EQUIPMENT	36,206	36,206
016	SUBMARINE BATTERIES	37,352	37,352
017	LPD CLASS SUPPORT EQUIPMENT	49,095	44,562
	HM&E mechanical modifications ahead of need		[–2,778]
	SWAN CANES procurement ahead of need		[–1,755]
018	ELECTRONIC DRY AIR	2,996	2,996
019	STRATEGIC PLATFORM SUPPORT EQUIP	11,558	11,558
020	DSSP EQUIPMENT	5,518	5,518
022	LCAC	7,158	7,158
023	UNDERWATER EOD PROGRAMS	58,783	53,783
	MK–18 UUV retrofit kits and ancilliary equipment contract delay.		[–5,000]
024	ITEMS LESS THAN $5 MILLION	68,748	68,748
025	CHEMICAL WARFARE DETECTORS	2,937	2,937
026	SUBMARINE LIFE SUPPORT SYSTEM	8,385	8,385
	REACTOR PLANT EQUIPMENT		
027	REACTOR POWER UNITS		298,200

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Line	Item	FY 2015 Request	Agreement Authorized
	CVN 73 Refueling and Complex Overhaul (RCOH)		[298,200]
028	REACTOR COMPONENTS	288,822	288,822
	OCEAN ENGINEERING		
029	DIVING AND SALVAGE EQUIPMENT	10,572	10,572
	SMALL BOATS		
030	STANDARD BOATS	129,784	126,445
	7M RIB contract delay		[–772]
	Large force protection boat contract delay		[–791]
	Medium workboat contract delay		[–1,776]
	TRAINING EQUIPMENT		
031	OTHER SHIPS TRAINING EQUIPMENT	17,152	17,152
	PRODUCTION FACILITIES EQUIPMENT		
032	OPERATING FORCES IPE	39,409	39,409
	OTHER SHIP SUPPORT		
033	NUCLEAR ALTERATIONS	118,129	118,129
034	LCS COMMON MISSION MODULES EQUIPMENT	37,413	33,817
	MPCE cost growth		[–1,026]
	SUW support and shipping container cost growth		[–2,570]
035	LCS MCM MISSION MODULES	15,270	15,270
036	LCS ASW MISSION MODULES	2,729	2,729
037	LCS SUW MISSION MODULES	44,208	39,697
	Gun module cost growth		[–3,080]
	Maritime security module cost growth		[–1,431]
038	REMOTE MINEHUNTING SYSTEM (RMS)	42,276	42,276
	SHIP SONARS		
040	SPQ–9B RADAR	28,007	28,007
041	AN/SQQ–89 SURF ASW COMBAT SYSTEM	79,802	79,802
042	SSN ACOUSTICS	165,655	165,655
043	UNDERSEA WARFARE SUPPORT EQUIPMENT	9,487	9,487
044	SONAR SWITCHES AND TRANSDUCERS	11,621	11,621
	ASW ELECTRONIC EQUIPMENT		
046	SUBMARINE ACOUSTIC WARFARE SYSTEM	24,221	24,221
047	SSTD	12,051	12,051
048	FIXED SURVEILLANCE SYSTEM	170,831	170,831
049	SURTASS	9,619	9,619
050	MARITIME PATROL AND RECONNSAISANCE FORCE	14,390	14,390
	ELECTRONIC WARFARE EQUIPMENT		
051	AN/SLQ–32	214,582	214,582
	RECONNAISSANCE EQUIPMENT		
052	SHIPBOARD IW EXPLOIT	124,862	124,862
053	AUTOMATED IDENTIFICATION SYSTEM (AIS)	164	164
	SUBMARINE SURVEILLANCE EQUIPMENT		
054	SUBMARINE SUPPORT EQUIPMENT PROG	45,362	45,362
	OTHER SHIP ELECTRONIC EQUIPMENT		
055	COOPERATIVE ENGAGEMENT CAPABILITY	33,939	33,939
056	TRUSTED INFORMATION SYSTEM (TIS)	324	324
057	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	18,192	18,192
058	ATDLS	16,768	16,768
059	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	5,219	5,219
060	MINESWEEPING SYSTEM REPLACEMENT	42,108	41,499
	AN/SQQ–32 integration cost growth		[–609]
062	NAVSTAR GPS RECEIVERS (SPACE)	15,232	15,232
063	AMERICAN FORCES RADIO AND TV SERVICE	4,524	4,524
064	STRATEGIC PLATFORM SUPPORT EQUIP	6,382	6,382
	TRAINING EQUIPMENT		
065	OTHER TRAINING EQUIPMENT	46,122	44,058
	BFTT installation kit cost growth		[–2,064]
	AVIATION ELECTRONIC EQUIPMENT		
066	MATCALS	16,999	16,999
067	SHIPBOARD AIR TRAFFIC CONTROL	9,366	9,366
068	AUTOMATIC CARRIER LANDING SYSTEM	21,357	21,357
069	NATIONAL AIR SPACE SYSTEM	26,639	26,639
070	FLEET AIR TRAFFIC CONTROL SYSTEMS	9,214	9,214
071	LANDING SYSTEMS	13,902	13,902
072	ID SYSTEMS	34,901	34,901
073	NAVAL MISSION PLANNING SYSTEMS	13,950	13,950
	OTHER SHORE ELECTRONIC EQUIPMENT		

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Line	Item	FY 2015 Request	Agreement Authorized
074	DEPLOYABLE JOINT COMMAND & CONTROL	1,205	1,205
075	MARITIME INTEGRATED BROADCAST SYSTEM	3,447	3,447
076	TACTICAL/MOBILE C4I SYSTEMS	16,766	16,766
077	DCGS-N	23,649	23,649
078	CANES	357,589	357,589
079	RADIAC	8,343	8,343
080	CANES-INTELL	65,015	65,015
081	GPETE	6,284	6,284
082	INTEG COMBAT SYSTEM TEST FACILITY	4,016	4,016
083	EMI CONTROL INSTRUMENTATION	4,113	4,113
084	ITEMS LESS THAN $5 MILLION	45,053	45,053
	SHIPBOARD COMMUNICATIONS		
085	SHIPBOARD TACTICAL COMMUNICATIONS	14,410	14,410
086	SHIP COMMUNICATIONS AUTOMATION	20,830	20,830
088	COMMUNICATIONS ITEMS UNDER $5M	14,145	14,145
	SUBMARINE COMMUNICATIONS		
089	SUBMARINE BROADCAST SUPPORT	11,057	11,057
090	SUBMARINE COMMUNICATION EQUIPMENT	67,852	67,852
	SATELLITE COMMUNICATIONS		
091	SATELLITE COMMUNICATIONS SYSTEMS	13,218	13,218
092	NAVY MULTIBAND TERMINAL (NMT)	272,076	272,076
	SHORE COMMUNICATIONS		
093	JCS COMMUNICATIONS EQUIPMENT	4,369	4,369
094	ELECTRICAL POWER SYSTEMS	1,402	1,402
	CRYPTOGRAPHIC EQUIPMENT		
095	INFO SYSTEMS SECURITY PROGRAM (ISSP)	110,766	110,766
096	MIO INTEL EXPLOITATION TEAM	979	979
	CRYPTOLOGIC EQUIPMENT		
097	CRYPTOLOGIC COMMUNICATIONS EQUIP	11,502	11,502
	OTHER ELECTRONIC SUPPORT		
098	COAST GUARD EQUIPMENT	2,967	2,967
	SONOBUOYS		
100	SONOBUOYS—ALL TYPES	182,946	182,946
	AIRCRAFT SUPPORT EQUIPMENT		
101	WEAPONS RANGE SUPPORT EQUIPMENT	47,944	47,944
103	AIRCRAFT SUPPORT EQUIPMENT	76,683	76,683
106	METEOROLOGICAL EQUIPMENT	12,575	12,875
	CVN 73 Refueling and Complex Overhaul (RCOH)		[300]
107	DCRS/DPL	1,415	1,415
109	AIRBORNE MINE COUNTERMEASURES	23,152	23,152
114	AVIATION SUPPORT EQUIPMENT	52,555	52,555
	SHIP GUN SYSTEM EQUIPMENT		
115	SHIP GUN SYSTEMS EQUIPMENT	5,572	5,572
	SHIP MISSILE SYSTEMS EQUIPMENT		
118	SHIP MISSILE SUPPORT EQUIPMENT	165,769	165,769
123	TOMAHAWK SUPPORT EQUIPMENT	61,462	61,462
	FBM SUPPORT EQUIPMENT		
126	STRATEGIC MISSILE SYSTEMS EQUIP	229,832	229,832
	ASW SUPPORT EQUIPMENT		
127	SSN COMBAT CONTROL SYSTEMS	66,020	60,804
	688 TI04 installation cost growth		[–5,216]
128	ASW SUPPORT EQUIPMENT	7,559	7,559
	OTHER ORDNANCE SUPPORT EQUIPMENT		
132	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	20,619	20,619
133	ITEMS LESS THAN $5 MILLION	11,251	11,251
	OTHER EXPENDABLE ORDNANCE		
137	TRAINING DEVICE MODS	84,080	84,080
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
138	PASSENGER CARRYING VEHICLES	2,282	2,282
139	GENERAL PURPOSE TRUCKS	547	547
140	CONSTRUCTION & MAINTENANCE EQUIP	8,949	8,949
141	FIRE FIGHTING EQUIPMENT	14,621	14,621
142	TACTICAL VEHICLES	957	957
143	AMPHIBIOUS EQUIPMENT	8,187	8,187
144	POLLUTION CONTROL EQUIPMENT	2,942	2,942
145	ITEMS UNDER $5 MILLION	17,592	16,143
	Emergency response truck cost growth		[–1,449]

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Line	Item	FY 2015 Request	Agreement Authorized
146	PHYSICAL SECURITY VEHICLES	1,177	1,177
	SUPPLY SUPPORT EQUIPMENT		
147	MATERIALS HANDLING EQUIPMENT	10,937	10,937
148	OTHER SUPPLY SUPPORT EQUIPMENT	10,374	10,374
149	FIRST DESTINATION TRANSPORTATION	5,668	5,668
150	SPECIAL PURPOSE SUPPLY SYSTEMS	90,921	90,921
	TRAINING DEVICES		
151	TRAINING SUPPORT EQUIPMENT	22,046	22,046
	COMMAND SUPPORT EQUIPMENT		
152	COMMAND SUPPORT EQUIPMENT	24,208	24,208
153	EDUCATION SUPPORT EQUIPMENT	874	874
154	MEDICAL SUPPORT EQUIPMENT	2,634	2,634
156	NAVAL MIP SUPPORT EQUIPMENT	3,573	3,573
157	OPERATING FORCES SUPPORT EQUIPMENT	3,997	3,997
158	C4ISR EQUIPMENT	9,638	9,638
159	ENVIRONMENTAL SUPPORT EQUIPMENT	21,001	21,001
160	PHYSICAL SECURITY EQUIPMENT	94,957	94,957
161	ENTERPRISE INFORMATION TECHNOLOGY	87,214	87,214
	OTHER		
164	NEXT GENERATION ENTERPRISE SERVICE	116,165	116,165
	CLASSIFIED PROGRAMS		
164A	CLASSIFIED PROGRAMS	10,847	10,847
	SPARES AND REPAIR PARTS		
165	SPARES AND REPAIR PARTS	325,084	325,084
	TOTAL OTHER PROCUREMENT, NAVY	**5,975,828**	**6,233,843**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	16,756	16,756
002	LAV PIP	77,736	77,736
	ARTILLERY AND OTHER WEAPONS		
003	EXPEDITIONARY FIRE SUPPORT SYSTEM	5,742	642
	Per Marine Corps excess to need		[–5,100]
004	155MM LIGHTWEIGHT TOWED HOWITZER	4,532	4,532
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	19,474	19,474
006	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	7,250	7,250
	OTHER SUPPORT		
007	MODIFICATION KITS	21,909	21,909
008	WEAPONS ENHANCEMENT PROGRAM	3,208	3,208
	GUIDED MISSILES		
009	GROUND BASED AIR DEFENSE	31,439	31,439
010	JAVELIN	343	343
011	FOLLOW ON TO SMAW	4,995	4,995
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	1,589	1,589
	OTHER SUPPORT		
013	MODIFICATION KITS	5,134	5,134
	COMMAND AND CONTROL SYSTEMS		
014	UNIT OPERATIONS CENTER	9,178	9,178
015	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	12,272	12,272
	REPAIR AND TEST EQUIPMENT		
016	REPAIR AND TEST EQUIPMENT	30,591	30,591
	OTHER SUPPORT (TEL)		
017	COMBAT SUPPORT SYSTEM	2,385	2,385
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
019	ITEMS UNDER $5 MILLION (COMM & ELEC)	4,205	4,205
020	AIR OPERATIONS C2 SYSTEMS	8,002	8,002
	RADAR + EQUIPMENT (NON-TEL)		
021	RADAR SYSTEMS	19,595	19,375
	Sustainment—unjustified growth		[–220]
022	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	89,230	89,230
023	RQ–21 UAS	70,565	70,565
	INTELL/COMM EQUIPMENT (NON-TEL)		
024	FIRE SUPPORT SYSTEM	11,860	11,860
025	INTELLIGENCE SUPPORT EQUIPMENT	44,340	42,550
	Unjustified program growth		[–1,790]
028	RQ–11 UAV	2,737	2,737
030	DCGS-MC	20,620	20,620

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Line	Item	FY 2015 Request	Agreement Authorized
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
031	NIGHT VISION EQUIPMENT	9,798	9,798
	OTHER SUPPORT (NON-TEL)		
032	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	2,073	2,073
033	COMMON COMPUTER RESOURCES	33,570	33,570
034	COMMAND POST SYSTEMS	38,186	38,186
035	RADIO SYSTEMS	64,494	64,494
036	COMM SWITCHING & CONTROL SYSTEMS	72,956	64,325
	Unjustified program growth		[–8,631]
037	COMM & ELEC INFRASTRUCTURE SUPPORT	43,317	43,317
	CLASSIFIED PROGRAMS		
037A	CLASSIFIED PROGRAMS	2,498	2,498
	ADMINISTRATIVE VEHICLES		
038	COMMERCIAL PASSENGER VEHICLES	332	332
039	COMMERCIAL CARGO VEHICLES	11,035	11,035
	TACTICAL VEHICLES		
040	5/4T TRUCK HMMWV (MYP)	57,255	37,255
	Early to need		[–20,000]
041	MOTOR TRANSPORT MODIFICATIONS	938	938
044	JOINT LIGHT TACTICAL VEHICLE	7,500	7,500
045	FAMILY OF TACTICAL TRAILERS	10,179	10,179
	OTHER SUPPORT		
046	ITEMS LESS THAN $5 MILLION	11,023	11,023
	ENGINEER AND OTHER EQUIPMENT		
047	ENVIRONMENTAL CONTROL EQUIP ASSORT	994	994
048	BULK LIQUID EQUIPMENT	1,256	1,256
049	TACTICAL FUEL SYSTEMS	3,750	3,750
050	POWER EQUIPMENT ASSORTED	8,985	8,985
051	AMPHIBIOUS SUPPORT EQUIPMENT	4,418	4,418
052	EOD SYSTEMS	6,528	6,528
	MATERIALS HANDLING EQUIPMENT		
053	PHYSICAL SECURITY EQUIPMENT	26,510	26,510
054	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	1,910	1,910
055	MATERIAL HANDLING EQUIP	8,807	8,807
056	FIRST DESTINATION TRANSPORTATION	128	128
	GENERAL PROPERTY		
058	TRAINING DEVICES	3,412	3,412
059	CONTAINER FAMILY	1,662	1,662
060	FAMILY OF CONSTRUCTION EQUIPMENT	3,669	3,669
	OTHER SUPPORT		
062	ITEMS LESS THAN $5 MILLION	4,272	4,272
	SPARES AND REPAIR PARTS		
063	SPARES AND REPAIR PARTS	16,210	16,210
	TOTAL PROCUREMENT, MARINE CORPS	**983,352**	**947,611**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F–35	3,553,046	3,553,046
002	ADVANCE PROCUREMENT (CY)	291,880	291,880
	TACTICAL AIRLIFT		
003	KC–46A TANKER	1,582,685	1,582,685
	OTHER AIRLIFT		
004	C–130J	482,396	482,396
005	ADVANCE PROCUREMENT (CY)	140,000	140,000
006	HC–130J	332,024	332,024
007	ADVANCE PROCUREMENT (CY)	50,000	50,000
008	MC–130J	190,971	190,971
009	ADVANCE PROCUREMENT (CY)	80,000	80,000
	MISSION SUPPORT AIRCRAFT		
012	CIVIL AIR PATROL A/C	2,562	2,562
	OTHER AIRCRAFT		
013	TARGET DRONES	98,576	98,576
016	RQ–4	54,475	44,475
	MPRTIP Sensor Trainer reduction		[–10,000]
017	AC–130J	1	1
018	MQ–9	240,218	338,218
	Program increase		[120,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	Use available prior year funds for FY 15 requirements		[–22,000]
	STRATEGIC AIRCRAFT		
020	B–2A	23,865	23,865
021	B–1B	140,252	140,252
022	B–52	180,148	180,148
023	LARGE AIRCRAFT INFRARED COUNTERMEASURES	13,159	13,159
	TACTICAL AIRCRAFT		
025	F–15	387,314	387,314
026	F–16	12,336	12,336
027	F–22A	180,207	180,207
028	F–35 MODIFICATIONS	187,646	187,646
029	ADVANCE PROCUREMENT (CY)	28,500	28,500
	AIRLIFT AIRCRAFT		
030	C–5	14,731	14,731
031	C–5M	331,466	281,466
	Program execution delay		[–50,000]
033	C–17A	127,494	127,494
034	C–21	264	264
035	C–32A	8,767	8,767
036	C–37A	18,457	18,457
	TRAINER AIRCRAFT		
038	GLIDER MODS	132	132
039	T–6	14,486	14,486
040	T–1	7,650	7,650
041	T–38	34,845	34,845
044	KC–10A (ATCA)	34,313	34,313
045	C–12	1,960	1,960
048	VC–25A MOD	1,072	1,072
049	C–40	7,292	7,292
050	C–130	35,869	124,269
	C–130 8–Bladed Propeller upgrade		[30,000]
	C–130 AMP		[35,800]
	T–56 3.5 Engine Mod		[22,600]
051	C–130J MODS	7,919	7,919
052	C–135	63,568	63,568
053	COMPASS CALL MODS	57,828	57,828
054	RC–135	152,746	152,746
055	E–3	16,491	16,491
056	E–4	22,341	22,341
058	AIRBORNE WARNING AND CONTROL SYSTEM	160,284	160,284
059	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	32,026	32,026
060	H–1	8,237	8,237
061	H–60	60,110	60,110
062	RQ–4 MODS	21,354	21,354
063	HC/MC–130 MODIFICATIONS	1,902	1,902
064	OTHER AIRCRAFT	32,106	32,106
065	MQ–1 MODS	4,755	4,755
066	MQ–9 MODS	155,445	155,445
069	CV–22 MODS	74,874	74,874
069A	EJECTION SEAT RELIABILITY IMPROVEMENT PROGRAM		2,500
	Initial aircraft installation		[2,500]
	AIRCRAFT SPARES AND REPAIR PARTS		
070	INITIAL SPARES/REPAIR PARTS	466,562	466,562
	COMMON SUPPORT EQUIPMENT		
071	AIRCRAFT REPLACEMENT SUPPORT EQUIP	22,470	22,470
	POST PRODUCTION SUPPORT		
074	B–2A	44,793	44,793
075	B–52	5,249	5,249
077	C–17A	20,110	20,110
078	CV–22 POST PRODUCTION SUPPORT	16,931	16,931
080	C–135	4,414	4,414
081	F–15	1,122	1,122
082	F–16	10,994	10,994
083	F–22A	5,929	5,929
084	OTHER AIRCRAFT	27	27
	INDUSTRIAL PREPAREDNESS		
085	INDUSTRIAL RESPONSIVENESS	21,363	21,363

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	WAR CONSUMABLES		
086	WAR CONSUMABLES	82,906	82,906
	OTHER PRODUCTION CHARGES		
087	OTHER PRODUCTION CHARGES	1,007,276	1,007,276
	CLASSIFIED PROGRAMS		
087A	CLASSIFIED PROGRAMS	69,380	69,380
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**11,542,571**	**11,671,471**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	80,187	80,187
	TACTICAL		
003	JOINT AIR-SURFACE STANDOFF MISSILE	337,438	337,438
004	SIDEWINDER (AIM–9X)	132,995	132,995
005	AMRAAM	329,600	329,600
006	PREDATOR HELLFIRE MISSILE	33,878	33,878
007	SMALL DIAMETER BOMB	70,578	50,578
	Delay in Milestone C and contract award		[–20,000]
	INDUSTRIAL FACILITIES		
008	INDUSTR'L PREPAREDNS/POL PREVENTION	749	749
	CLASS IV		
009	MM III MODIFICATIONS	28,477	28,477
010	AGM–65D MAVERICK	276	276
011	AGM–88A HARM	297	297
012	AIR LAUNCH CRUISE MISSILE (ALCM)	16,083	16,083
013	SMALL DIAMETER BOMB	6,924	6,924
	MISSILE SPARES AND REPAIR PARTS		
014	INITIAL SPARES/REPAIR PARTS	87,366	87,366
	SPACE PROGRAMS		
015	ADVANCED EHF	298,890	298,890
016	WIDEBAND GAPFILLER SATELLITES(SPACE)	38,971	36,071
	Unjustified growth		[–2,900]
017	GPS III SPACE SEGMENT	235,397	235,397
018	ADVANCE PROCUREMENT (CY)	57,000	57,000
019	SPACEBORNE EQUIP (COMSEC)	16,201	16,201
020	GLOBAL POSITIONING (SPACE)	52,090	52,090
021	DEF METEOROLOGICAL SAT PROG(SPACE)	87,000	87,000
022	EVOLVED EXPENDABLE LAUNCH VEH (INFRAST.)	750,143	715,143
	Excess growth		[–35,000]
023	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	630,903	630,903
024	SBIR HIGH (SPACE)	450,884	450,884
	SPECIAL PROGRAMS		
028	SPECIAL UPDATE PROGRAMS	60,179	60,179
	CLASSIFIED PROGRAMS		
	UNDISTRIBUTED		
028A	CLASSIFIED PROGRAMS	888,000	888,000
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**4,690,506**	**4,632,606**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	4,696	4,696
	CARTRIDGES		
002	CARTRIDGES	133,271	133,271
	BOMBS		
003	PRACTICE BOMBS	31,998	31,998
004	GENERAL PURPOSE BOMBS	148,614	148,614
005	JOINT DIRECT ATTACK MUNITION	101,400	101,400
	OTHER ITEMS		
006	CAD/PAD	29,989	29,989
007	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,925	6,925
008	SPARES AND REPAIR PARTS	494	494
009	MODIFICATIONS	1,610	1,610
010	ITEMS LESS THAN $5 MILLION	4,237	4,237
	FLARES		
011	FLARES	86,101	86,101
	FUZES		
012	FUZES	103,417	103,417

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	SMALL ARMS		
013	SMALL ARMS	24,648	24,648
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE.	**677,400**	**677,400**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	6,528	6,528
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	7,639	7,639
003	CAP VEHICLES	961	961
004	ITEMS LESS THAN $5 MILLION	11,027	11,027
	SPECIAL PURPOSE VEHICLES		
005	SECURITY AND TACTICAL VEHICLES	4,447	4,447
006	ITEMS LESS THAN $5 MILLION	693	693
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	10,152	10,152
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN $5 MILLION	15,108	15,108
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV & CLEANING EQUIP	10,212	10,212
010	ITEMS LESS THAN $5 MILLION	57,049	57,049
	COMM SECURITY EQUIPMENT(COMSEC)		
011	COMSEC EQUIPMENT	106,182	104,093
	VACM modernization devices unit cost growth		[–2,089]
012	MODIFICATIONS (COMSEC)	1,363	1,363
	INTELLIGENCE PROGRAMS		
013	INTELLIGENCE TRAINING EQUIPMENT	2,832	2,832
014	INTELLIGENCE COMM EQUIPMENT	32,329	32,329
016	MISSION PLANNING SYSTEMS	15,649	15,649
	ELECTRONICS PROGRAMS		
017	AIR TRAFFIC CONTROL & LANDING SYS	42,200	30,000
	D-ILS program restructure funds early to need		[–12,200]
018	NATIONAL AIRSPACE SYSTEM	6,333	6,333
019	BATTLE CONTROL SYSTEM—FIXED	2,708	2,708
020	THEATER AIR CONTROL SYS IMPROVEMENTS	50,033	50,033
021	WEATHER OBSERVATION FORECAST	16,348	16,348
022	STRATEGIC COMMAND AND CONTROL	139,984	139,984
023	CHEYENNE MOUNTAIN COMPLEX	20,101	20,101
026	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,060	9,060
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	39,100	39,100
028	AF GLOBAL COMMAND & CONTROL SYS	19,010	19,010
029	MOBILITY COMMAND AND CONTROL	11,462	11,462
030	AIR FORCE PHYSICAL SECURITY SYSTEM	37,426	37,426
031	COMBAT TRAINING RANGES	26,634	26,634
032	MINIMUM ESSENTIAL EMERGENCY COMM N	1,289	1,289
033	C3 COUNTERMEASURES	11,508	11,508
034	GCSS-AF FOS	3,670	3,670
035	DEFENSE ENTERPRISE ACCOUNTING AND MGMT SYSTEM	15,298	15,298
036	THEATER BATTLE MGT C2 SYSTEM	9,565	9,565
037	AIR & SPACE OPERATIONS CTR-WPN SYS	25,772	25,772
	AIR FORCE COMMUNICATIONS		
038	INFORMATION TRANSPORT SYSTEMS	81,286	112,586
	Air Force requested program transfer from AFNET		[31,300]
039	AFNET	122,228	90,928
	Air Force requested program transfer to BITI		[–31,300]
041	USCENTCOM	16,342	16,342
	SPACE PROGRAMS		
042	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	60,230	60,230
043	SPACE BASED IR SENSOR PGM SPACE	26,100	26,100
044	NAVSTAR GPS SPACE	2,075	2,075
045	NUDET DETECTION SYS SPACE	4,656	4,656
046	AF SATELLITE CONTROL NETWORK SPACE	54,630	54,630
047	SPACELIFT RANGE SYSTEM SPACE	69,713	69,713
048	MILSATCOM SPACE	41,355	41,355
049	SPACE MODS SPACE	31,722	31,722

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
050	COUNTERSPACE SYSTEM	61,603	61,603
	ORGANIZATION AND BASE		
051	TACTICAL C-E EQUIPMENT	50,335	50,335
053	RADIO EQUIPMENT	14,846	14,846
054	CCTV/AUDIOVISUAL EQUIPMENT	3,635	3,635
055	BASE COMM INFRASTRUCTURE	79,607	79,607
	MODIFICATIONS		
056	COMM ELECT MODS	105,398	105,398
	PERSONAL SAFETY & RESCUE EQUIP		
057	NIGHT VISION GOGGLES	12,577	12,577
058	ITEMS LESS THAN $5 MILLION	31,209	31,209
	DEPOT PLANT+MTRLS HANDLING EQ		
059	MECHANIZED MATERIAL HANDLING EQUIP	7,670	7,670
	BASE SUPPORT EQUIPMENT		
060	BASE PROCURED EQUIPMENT	14,125	14,125
061	CONTINGENCY OPERATIONS	16,744	16,744
062	PRODUCTIVITY CAPITAL INVESTMENT	2,495	2,495
063	MOBILITY EQUIPMENT	10,573	10,573
064	ITEMS LESS THAN $5 MILLION	5,462	5,462
	SPECIAL SUPPORT PROJECTS		
066	DARP RC135	24,710	24,710
067	DCGS-AF	206,743	206,743
069	SPECIAL UPDATE PROGRAM	537,370	537,370
070	DEFENSE SPACE RECONNAISSANCE PROG.	77,898	77,898
	CLASSIFIED PROGRAMS		
	UNDISTRIBUTED		
070A	CLASSIFIED PROGRAMS	13,990,196	13,990,196
	SPARES AND REPAIR PARTS		
072	SPARES AND REPAIR PARTS	32,813	32,813
	TOTAL OTHER PROCUREMENT, AIR FORCE	**16,566,018**	**16,551,729**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCAA		
001	ITEMS LESS THAN $5 MILLION	1,594	1,594
	MAJOR EQUIPMENT, DCMA		
002	MAJOR EQUIPMENT	4,325	4,325
	MAJOR EQUIPMENT, DHRA		
003	PERSONNEL ADMINISTRATION	17,268	17,268
	MAJOR EQUIPMENT, DISA		
008	INFORMATION SYSTEMS SECURITY	10,491	10,491
010	TELEPORT PROGRAM	80,622	80,622
011	ITEMS LESS THAN $5 MILLION	14,147	14,147
012	NET CENTRIC ENTERPRISE SERVICES (NCES)	1,921	1,921
013	DEFENSE INFORMATION SYSTEM NETWORK	80,144	80,144
015	CYBER SECURITY INITIATIVE	8,755	8,755
016	WHITE HOUSE COMMUNICATION AGENCY	33,737	33,737
017	SENIOR LEADERSHIP ENTERPRISE	32,544	32,544
018	JOINT INFORMATION ENVIRONMENT	13,300	13,300
	MAJOR EQUIPMENT, DLA		
020	MAJOR EQUIPMENT	7,436	7,436
	MAJOR EQUIPMENT, DMACT		
021	MAJOR EQUIPMENT	11,640	11,640
	MAJOR EQUIPMENT, DODEA		
022	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,269	1,269
	MAJOR EQUIPMENT, DSS		
024	VEHICLES	1,500	1,500
025	MAJOR EQUIPMENT	1,039	1,039
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
026	VEHICLES	50	50
027	OTHER MAJOR EQUIPMENT	7,639	7,639
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
028	ADVANCE PROCUREMENT (CY)	68,880	0
	Transfer to line 30 for All Up Round procurement		[–68,880]
029	THAAD	464,424	464,424
030	AEGIS BMD	435,430	534,430
	Program increase		[99,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
031	BMDS AN/TPY–2 RADARS	48,140	48,140
032	AEGIS ASHORE PHASE III	225,774	225,774
034	IRON DOME	175,972	0
	Program increase for Iron Dome		[175,000]
	Realignment of Iron Dome to Overseas Contingency Operations.		[–350,972]
	MAJOR EQUIPMENT, NSA		
041	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	3,448	3,448
	MAJOR EQUIPMENT, OSD		
042	MAJOR EQUIPMENT, OSD	43,708	43,708
	MAJOR EQUIPMENT, TJS		
044	MAJOR EQUIPMENT, TJS	10,783	10,783
	MAJOR EQUIPMENT, WHS		
046	MAJOR EQUIPMENT, WHS	29,599	29,599
	CLASSIFIED PROGRAMS		
046A	CLASSIFIED PROGRAMS	540,894	540,894
	AVIATION PROGRAMS		
047	MC–12	40,500	0
	Unjustified Request		[–40,500]
048	ROTARY WING UPGRADES AND SUSTAINMENT	112,226	112,226
049	MH–60 MODERNIZATION PROGRAM	3,021	3,021
050	NON-STANDARD AVIATION	48,200	48,200
052	MH–47 CHINOOK	22,230	22,230
053	RQ–11 UNMANNED AERIAL VEHICLE	6,397	6,397
054	CV–22 MODIFICATION	25,578	25,578
056	MQ–9 UNMANNED AERIAL VEHICLE	15,651	15,651
057	STUASL0	1,500	1,500
058	PRECISION STRIKE PACKAGE	145,929	145,929
059	AC/MC–130J	65,130	65,130
061	C–130 MODIFICATIONS	39,563	39,563
	SHIPBUILDING		
063	UNDERWATER SYSTEMS	25,459	25,459
	AMMUNITION PROGRAMS		
065	ORDNANCE ITEMS <$5M	144,336	144,336
	OTHER PROCUREMENT PROGRAMS		
068	INTELLIGENCE SYSTEMS	81,001	81,001
070	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	17,323	17,323
071	OTHER ITEMS <$5M	84,852	84,852
072	COMBATANT CRAFT SYSTEMS	51,937	51,937
074	SPECIAL PROGRAMS	31,017	31,017
075	TACTICAL VEHICLES	63,134	63,134
076	WARRIOR SYSTEMS <$5M	192,448	192,448
078	COMBAT MISSION REQUIREMENTS	19,984	19,984
081	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	5,044	5,044
082	OPERATIONAL ENHANCEMENTS INTELLIGENCE	38,126	38,126
088	OPERATIONAL ENHANCEMENTS	243,849	243,849
	CBDP		
095	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	170,137	170,137
096	CB PROTECTION & HAZARD MITIGATION	150,392	150,392
	TOTAL PROCUREMENT, DEFENSE-WIDE	**4,221,437**	**4,035,085**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	20,000	0
	Unjustified request		[–20,000]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND.	**20,000**	**0**
	PRIOR YEAR RESCISSIONS		
	PRIOR YEAR RESCISSIONS		
010	PRIOR YEAR RESCISSIONS	–265,685	0
	Denied Prior Year Rescission request		[265,685]
	TOTAL PRIOR YEAR RESCISSIONS	**–265,685**	**0**
	TOTAL PROCUREMENT	**89,508,034**	**91,399,361**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
003	AERIAL COMMON SENSOR (ACS) (MIP)	36,000	36,000
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**36,000**	**36,000**
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
004	HELLFIRE SYS SUMMARY	32,136	32,136
	TOTAL MISSILE PROCUREMENT, ARMY	**32,136**	**32,136**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
007	CTG, 30MM, ALL TYPES	35,000	35,000
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	5,000	5,000
	ARTILLERY AMMUNITION		
013	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	10,000	10,000
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	15,000	15,000
	ROCKETS		
020	ROCKET, HYDRA 70, ALL TYPES	66,905	66,905
	OTHER AMMUNITION		
021	DEMOLITION MUNITIONS, ALL TYPES	3,000	3,000
022	GRENADES, ALL TYPES	1,000	1,000
023	SIGNALS, ALL TYPES	5,000	5,000
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**140,905**	**140,905**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
005	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	95,624	95,624
008	PLS ESP	60,300	60,300
010	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	192,620	192,620
015	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	197,000	197,000
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
063	DCGS-A (MIP)	63,831	63,831
065A	TROJAN SPIRIT—TERMINALS (TIARA)	2,600	2,600
067	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	6,910	6,910
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
071	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	32,083	32,083
072	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	47,535	47,535
	CLASSIFIED PROGRAMS		
114A	CLASSIFIED PROGRAMS	1,000	1,000
	COMBAT SERVICE SUPPORT EQUIPMENT		
133	FORCE PROVIDER	51,500	51,500
135	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	2,580	2,580
	OTHER SUPPORT EQUIPMENT		
170	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	25,000	25,000
	TOTAL OTHER PROCUREMENT, ARMY	**778,583**	**778,583**
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
001	ATTACK THE NETWORK	189,700	189,700
	JIEDDO DEVICE DEFEAT		
002	DEFEAT THE DEVICE	94,600	94,600
	FORCE TRAINING		
003	TRAIN THE FORCE	15,700	15,700
	STAFF AND INFRASTRUCTURE		
004	OPERATIONS	79,000	144,463
	Transfer from Base		[65,463]
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND.	**379,000**	**444,463**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
011	H–1 UPGRADES (UH–1Y/AH–1Z)	30,000	30,000

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	OTHER AIRCRAFT		
027	MQ–8 UAV	40,888	40,888
028A	STUASL0 UAV	55,000	55,000
	MODIFICATION OF AIRCRAFT		
039	EP–3 SERIES	34,955	34,955
049	SPECIAL PROJECT AIRCRAFT	2,548	2,548
054	COMMON ECM EQUIPMENT	31,920	31,920
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
067	AIRCRAFT INDUSTRIAL FACILITIES	936	936
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**196,247**	**196,247**
	WEAPONS PROCUREMENT, NAVY		
	STRATEGIC MISSILES		
003	TOMAHAWK	45,500	45,500
	TACTICAL MISSILES		
010	LASER MAVERICK	16,485	16,485
011	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	4,800	4,800
	TOTAL WEAPONS PROCUREMENT, NAVY	**66,785**	**66,785**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	7,596	7,596
002	AIRBORNE ROCKETS, ALL TYPES	8,862	8,862
003	MACHINE GUN AMMUNITION	3,473	3,473
006	AIR EXPENDABLE COUNTERMEASURES	29,376	29,376
011	OTHER SHIP GUN AMMUNITION	3,919	3,919
012	SMALL ARMS & LANDING PARTY AMMO	3,561	3,561
013	PYROTECHNIC AND DEMOLITION	2,913	2,913
014	AMMUNITION LESS THAN $5 MILLION	2,764	2,764
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	9,475	9,475
016	LINEAR CHARGES, ALL TYPES	8,843	8,843
017	40 MM, ALL TYPES	7,098	7,098
018	60MM, ALL TYPES	5,935	5,935
019	81MM, ALL TYPES	9,318	9,318
020	120MM, ALL TYPES	6,921	6,921
022	GRENADES, ALL TYPES	3,218	3,218
023	ROCKETS, ALL TYPES	7,642	7,642
024	ARTILLERY, ALL TYPES	30,289	30,289
025	DEMOLITION MUNITIONS, ALL TYPES	1,255	1,255
026	FUZE, ALL TYPES	2,061	2,061
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**154,519**	**154,519**
	OTHER PROCUREMENT, NAVY		
	OTHER SHIPBOARD EQUIPMENT		
023	UNDERWATER EOD PROGRAMS	8,210	8,210
	OTHER SHORE ELECTRONIC EQUIPMENT		
078	CANES		400
	ERI: Information Sharing with Coalition Partners		[400]
084	ITEMS LESS THAN $5 MILLION	5,870	5,870
	SHIPBOARD COMMUNICATIONS		
088	COMMUNICATIONS ITEMS UNDER $5M	1,100	1,100
	OTHER ORDNANCE SUPPORT EQUIPMENT		
132	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	207,860	207,860
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
138	PASSENGER CARRYING VEHICLES	1,063	1,063
139	GENERAL PURPOSE TRUCKS	152	152
142	TACTICAL VEHICLES	26,300	26,300
145	ITEMS UNDER $5 MILLION	3,300	3,300
	COMMAND SUPPORT EQUIPMENT		
152	COMMAND SUPPORT EQUIPMENT	10,745	10,745
157	OPERATING FORCES SUPPORT EQUIPMENT	3,331	3,331
158	C4ISR EQUIPMENT	35,923	36,073
	ERI: Black Sea Information Sharing Initiatives		[150]
159	ENVIRONMENTAL SUPPORT EQUIPMENT	514	514
	CLASSIFIED PROGRAMS		
164A	CLASSIFIED PROGRAMS	2,400	2,400

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
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Line	Item	FY 2015 Request	Agreement Authorized
	TOTAL OTHER PROCUREMENT, NAVY	**306,768**	**307,318**
	PROCUREMENT, MARINE CORPS		
	OTHER SUPPORT		
007	MODIFICATION KITS	3,190	3,190
	GUIDED MISSILES		
010	JAVELIN	17,100	17,100
	OTHER SUPPORT		
013	MODIFICATION KITS	13,500	13,500
	REPAIR AND TEST EQUIPMENT		
016	REPAIR AND TEST EQUIPMENT	980	980
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
019	ITEMS UNDER $5 MILLION (COMM & ELEC)	996	996
	INTELL/COMM EQUIPMENT (NON-TEL)		
025	INTELLIGENCE SUPPORT EQUIPMENT	1,450	1,450
028	RQ–11 UAV	1,740	1,740
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
031	NIGHT VISION EQUIPMENT	134	134
	OTHER SUPPORT (NON-TEL)		
036	COMM SWITCHING & CONTROL SYSTEMS	3,119	3,119
	TACTICAL VEHICLES		
042	MEDIUM TACTICAL VEHICLE REPLACEMENT	584	584
	ENGINEER AND OTHER EQUIPMENT		
052	EOD SYSTEMS	5,566	5,566
	MATERIALS HANDLING EQUIPMENT		
055	MATERIAL HANDLING EQUIP	3,230	3,230
	GENERAL PROPERTY		
058	TRAINING DEVICES	2,000	2,000
	TOTAL PROCUREMENT, MARINE CORPS	**53,589**	**53,589**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRLIFT		
004	C–130J	70,000	70,000
	OTHER AIRCRAFT		
018	MQ–9	192,000	192,000
	STRATEGIC AIRCRAFT		
021	B–1B	91,879	91,879
	OTHER AIRCRAFT		
050	C–130	47,840	47,840
051	C–130J MODS	18,000	18,000
053	COMPASS CALL MODS	24,800	24,800
063	HC/MC–130 MODIFICATIONS	44,300	44,300
064	OTHER AIRCRAFT	111,990	111,990
	AIRCRAFT SPARES AND REPAIR PARTS		
070	INITIAL SPARES/REPAIR PARTS	45,410	45,410
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**646,219**	**646,219**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
006	PREDATOR HELLFIRE MISSILE	125,469	125,469
007	SMALL DIAMETER BOMB	10,720	10,720
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**136,189**	**136,189**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
002	CARTRIDGES	2,469	2,469
	BOMBS		
004	GENERAL PURPOSE BOMBS	56,293	56,293
005	JOINT DIRECT ATTACK MUNITION	117,039	117,039
	FLARES		
011	FLARES	19,136	19,136
	FUZES		
012	FUZES	24,848	24,848
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE.	**219,785**	**219,785**
	OTHER PROCUREMENT, AIR FORCE		

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Line	Item	FY 2015 Request	Agreement Authorized
	CARGO AND UTILITY VEHICLES		
004	ITEMS LESS THAN $5 MILLION	3,000	3,000
	SPECIAL PURPOSE VEHICLES		
006	ITEMS LESS THAN $5 MILLION	1,878	1,878
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN $5 MILLION	5,131	5,131
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV & CLEANING EQUIP	1,734	1,734
010	ITEMS LESS THAN $5 MILLION	22,000	22,000
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	3,857	3,857
033	C3 COUNTERMEASURES	900	900
	SPACE PROGRAMS		
048	MILSATCOM SPACE	19,547	19,547
	ORGANIZATION AND BASE		
055	BASE COMM INFRASTRUCTURE	1,970	1,970
	PERSONAL SAFETY & RESCUE EQUIP		
057	NIGHT VISION GOGGLES	765	765
	BASE SUPPORT EQUIPMENT		
060	BASE PROCURED EQUIPMENT	2,030	2,030
061	CONTINGENCY OPERATIONS	99,590	99,590
063	MOBILITY EQUIPMENT	107,361	107,361
064	ITEMS LESS THAN $5 MILLION	10,975	10,975
	SPECIAL SUPPORT PROJECTS		
070	DEFENSE SPACE RECONNAISSANCE PROG.	6,100	6,100
	CLASSIFIED PROGRAMS		
	UNDISTRIBUTED		
070A	CLASSIFIED PROGRAMS	3,143,936	3,143,936
	TOTAL OTHER PROCUREMENT, AIR FORCE	**3,430,774**	**3,430,774**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
010	TELEPORT PROGRAM	4,330	4,330
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
034	IRON DOME		350,972
	Realignment of Iron Dome to Overseas Contingency Operations.		[350,972]
	CLASSIFIED PROGRAMS		
046A	CLASSIFIED PROGRAMS	65,829	65,829
	AVIATION PROGRAMS		
056	MQ–9 UNMANNED AERIAL VEHICLE		5,700
	MQ–9 Capability Enhancements		[5,700]
	AMMUNITION PROGRAMS		
065	ORDNANCE ITEMS <$5M	28,873	28,873
	OTHER PROCUREMENT PROGRAMS		
068	INTELLIGENCE SYSTEMS	13,549	13,549
071	OTHER ITEMS <$5M	32,773	32,773
076	WARRIOR SYSTEMS <$5M	78,357	78,357
088	OPERATIONAL ENHANCEMENTS	4,175	4,175
	TOTAL PROCUREMENT, DEFENSE-WIDE	**227,886**	**584,558**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	50,000	0
	Program decrease		[–50,000]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND.	**50,000**	**0**
	NATIONAL GUARD & RESERVE EQUIPMENT		
	UNDISTRIBUTED		
007	MISCELLANEOUS EQUIPMENT		1,250,000
	Program increase		[1,250,000]
	TOTAL NATIONAL GUARD & RESERVE EQUIPMENT.		**1,250,000**
	PRIOR YEAR RESCISSIONS		
	PRIOR YEAR RESCISSIONS		

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(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
010	PRIOR YEAR RESCISSIONS	–117,000	0
	Denied Prior Year Rescission request		[117,000]
	TOTAL PRIOR YEAR RESCISSIONS	**–117,000**	**0**
	TOTAL PROCUREMENT	**6,738,385**	**8,478,070**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2015 Request	Agreement Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH.	13,464	13,464
002	0601102A	DEFENSE RESEARCH SCIENCES	238,167	238,167
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	69,808	89,808
		Basic research program increase		[20,000]
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	102,737	102,737
		SUBTOTAL BASIC RESEARCH	**424,176**	**444,176**
		APPLIED RESEARCH		
005	0602105A	MATERIALS TECHNOLOGY	28,006	28,006
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	33,515	33,515
007	0602122A	TRACTOR HIP	16,358	16,358
008	0602211A	AVIATION TECHNOLOGY	63,433	63,433
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	18,502	18,502
010	0602303A	MISSILE TECHNOLOGY	46,194	46,194
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	28,528	28,528
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	27,435	27,435
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY.	72,883	72,883
014	0602618A	BALLISTICS TECHNOLOGY	85,597	85,597
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY.	3,971	3,971
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	6,853	6,853
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	38,069	38,069
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	56,435	56,435
019	0602709A	NIGHT VISION TECHNOLOGY	38,445	38,445
020	0602712A	COUNTERMINE SYSTEMS	25,939	25,939
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	23,783	23,783
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	15,659	15,659
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY.	33,817	33,817
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	10,764	10,764
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	63,311	63,311
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	23,295	23,295
027	0602786A	WARFIGHTER TECHNOLOGY	25,751	28,330
		Joint Service Combat Feeding Technology		[2,579]
028	0602787A	MEDICAL TECHNOLOGY	76,068	76,068
		SUBTOTAL APPLIED RESEARCH	**862,611**	**865,190**
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	65,139	65,813
		Joint Service Combat Feeding Tech Demo		[674]
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	67,291	67,291
031	0603003A	AVIATION ADVANCED TECHNOLOGY	88,990	88,990

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(In Thousands of Dollars)

Line	Program Element	Item	FY 2015 Request	Agreement Authorized
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY.	57,931	57,931
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY.	110,031	110,031
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	6,883	6,883
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	13,580	13,580
036	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	44,871	44,871
037	0603009A	TRACTOR HIKE	7,492	7,492
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS.	16,749	16,749
039	0603020A	TRACTOR ROSE	14,483	14,483
041	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT.	24,270	24,270
042	0603130A	TRACTOR NAIL	3,440	3,440
043	0603131A	TRACTOR EGGS	2,406	2,406
044	0603270A	ELECTRONIC WARFARE TECHNOLOGY	26,057	26,057
045	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	44,957	44,957
046	0603322A	TRACTOR CAGE	11,105	11,105
047	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	181,609	181,609
048	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY.	13,074	13,074
049	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	7,321	7,321
050	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	44,138	44,138
051	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS.	9,197	9,197
052	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY.	17,613	17,613
053	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY.	39,164	39,164
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**917,791**	**918,465**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
054	0603305A	ARMY MISSLE DEFENSE SYSTEMS INTEGRATION	12,797	12,797
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	13,999	13,999
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	29,334	29,334
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	9,602	11,002
		Food Advanced Development		[1,400]
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV.	8,953	8,953
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT.	3,052	3,052
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL.	7,830	7,830
065	0603790A	NATO RESEARCH AND DEVELOPMENT	2,954	2,954
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV.	13,386	13,386
069	0603807A	MEDICAL SYSTEMS—ADV DEV	23,659	23,659
070	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT ...	6,830	9,830
		Army requested realignment—Caliber Config Study		[3,000]
072	0604100A	ANALYSIS OF ALTERNATIVES	9,913	9,913
073	0604115A	TECHNOLOGY MATURATION INITIATIVES	74,740	74,740
074	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT).	9,930	9,930
076	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2–INTERCEPT (IFPC2).	96,177	71,177
		Program delay and funds requested early to need		[–25,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**323,156**	**302,556**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
079	0604201A	AIRCRAFT AVIONICS	37,246	37,246
081	0604270A	ELECTRONIC WARFARE DEVELOPMENT	6,002	6,002
082	0604280A	JOINT TACTICAL RADIO	9,832	9,832

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2015 Request	Agreement Authorized
083	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR).	9,730	9,730
084	0604321A	ALL SOURCE ANALYSIS SYSTEM	5,532	5,532
085	0604328A	TRACTOR CAGE	19,929	19,929
086	0604601A	INFANTRY SUPPORT WEAPONS	27,884	34,586
		Army requested realignment		[6,702]
087	0604604A	MEDIUM TACTICAL VEHICLES	210	210
088	0604611A	JAVELIN	4,166	4,166
089	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	12,913	12,913
090	0604633A	AIR TRAFFIC CONTROL	16,764	16,764
091	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	6,770	6,770
092	0604710A	NIGHT VISION SYSTEMS—ENG DEV	65,333	65,333
093	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,335	1,897
		Military Subsistence Systems		[562]
094	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	8,945	8,945
096	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	15,906	15,906
097	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT.	4,394	4,394
098	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	11,084	11,084
099	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	10,027	10,027
100	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE.	42,430	42,430
101	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION.	105,279	105,279
102	0604802A	WEAPONS AND MUNITIONS—ENG DEV	15,006	15,006
103	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV.	24,581	24,581
104	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	4,433	4,433
105	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	30,397	30,397
106	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	57,705	57,705
108	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	29,683	29,683
109	0604820A	RADAR DEVELOPMENT	5,224	5,224
111	0604823A	FIREFINDER	37,492	37,492
112	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	6,157	6,157
113	0604854A	ARTILLERY SYSTEMS—EMD	1,912	1,912
116	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	69,761	69,761
117	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A).	138,465	138,465
118	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	92,353	92,353
119	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	8,440	8,440
120	0605031A	JOINT TACTICAL NETWORK (JTN)	17,999	17,999
121	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM).	145,409	145,409
122	0605350A	WIN-T INCREMENT 3—FULL NETWORKING	113,210	113,210
123	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	6,882	6,882
124	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	83,838	83,838
125	0605456A	PAC–3/MSE MISSILE	35,009	35,009
126	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD).	142,584	142,584
127	0605625A	MANNED GROUND VEHICLE	49,160	49,160
128	0605626A	AERIAL COMMON SENSOR	17,748	17,748
129	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	15,212	15,212
130	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	45,718	45,718
131	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	10,041	10,041
132	0210609A	PALADIN INTEGRATED MANAGEMENT (PIM)	83,300	83,300
133	0303032A	TROJAN—RH12	983	983
134	0304270A	ELECTRONIC WARFARE DEVELOPMENT	8,961	8,961
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**1,719,374**	**1,726,638**

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Line	Program Element	Item	FY 2015 Request	Agreement Authorized
		RDT&E MANAGEMENT SUPPORT		
135	0604256A	THREAT SIMULATOR DEVELOPMENT	18,062	18,062
136	0604258A	TARGET SYSTEMS DEVELOPMENT	10,040	10,040
137	0604759A	MAJOR T&E INVESTMENT	60,317	60,317
138	0605103A	RAND ARROYO CENTER	20,612	20,612
139	0605301A	ARMY KWAJALEIN ATOLL	176,041	176,041
140	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	19,439	19,439
142	0605601A	ARMY TEST RANGES AND FACILITIES	275,025	275,025
143	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS.	45,596	45,596
144	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	33,295	33,295
145	0605606A	AIRCRAFT CERTIFICATION	4,700	4,700
146	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES.	6,413	6,413
147	0605706A	MATERIEL SYSTEMS ANALYSIS	20,746	20,746
148	0605709A	EXPLOITATION OF FOREIGN ITEMS	7,015	7,015
149	0605712A	SUPPORT OF OPERATIONAL TESTING	49,221	49,221
150	0605716A	ARMY EVALUATION CENTER	55,039	55,039
151	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG.	1,125	1,125
152	0605801A	PROGRAMWIDE ACTIVITIES	64,169	64,169
153	0605803A	TECHNICAL INFORMATION ACTIVITIES	32,319	32,319
154	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	49,052	49,052
155	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT.	2,612	2,612
156	0605898A	MANAGEMENT HQ—R&D	49,592	49,592
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**1,000,430**	**1,000,430**
		OPERATIONAL SYSTEMS DEVELOPMENT		
158	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	17,112	17,112
159	0607141A	LOGISTICS AUTOMATION	3,654	3,654
160	0607664A	BIOMETRIC ENABLING CAPABILITY (BEC)	1,332	1,332
161	0607865A	PATRIOT PRODUCT IMPROVEMENT	152,991	152,991
162	0102419A	AEROSTAT JOINT PROJECT OFFICE	54,076	41,576
		Funding ahead of need		[–12,500]
163	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	22,374	22,374
164	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS).	24,371	24,371
165	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	295,177	321,177
		Stryker ECP risk mitigation		[26,000]
166	0203740A	MANEUVER CONTROL SYSTEM	45,092	45,092
167	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS.	264,887	264,887
168	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.	381	381
169	0203758A	DIGITIZATION	10,912	10,912
170	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM.	5,115	5,115
171	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS.	49,848	44,848
		Contract delay for ATACMS		[–5,000]
172	0203808A	TRACTOR CARD	22,691	22,691
173	0205402A	INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV.	4,364	4,364
174	0205410A	MATERIALS HANDLING EQUIPMENT	834	834
175	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	280	280
176	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM.	78,758	78,758
177	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS).	45,377	45,377
178	0208053A	JOINT TACTICAL GROUND SYSTEM	10,209	10,209
181	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	12,525	12,525
182	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	14,175	14,175
183	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	4,527	4,527
184	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	11,011	11,011

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185	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM.	2,151	2,151
187	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	22,870	22,870
188	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	20,155	20,155
189	0305219A	MQ–1C GRAY EAGLE UAS	46,472	46,472
191	0305233A	RQ–7 UAV	16,389	16,389
192	0307665A	BIOMETRICS ENABLED INTELLIGENCE	1,974	1,974
193	0310349A	WIN-T INCREMENT 2—INITIAL NETWORKING	3,249	3,249
194	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES.	76,225	76,225
194A	9999999999	CLASSIFIED PROGRAMS	4,802	4,802
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**1,346,360**	**1,354,860**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**6,593,898**	**6,612,315**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	113,908	133,908
		Basic research program increase		[20,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH.	18,734	18,734
003	0601153N	DEFENSE RESEARCH SCIENCES	443,697	443,697
		SUBTOTAL BASIC RESEARCH	**576,339**	**596,339**
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	95,753	95,753
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	139,496	139,496
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	45,831	45,831
007	0602235N	COMMON PICTURE APPLIED RESEARCH	43,541	43,541
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	46,923	46,923
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH.	107,872	107,872
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH.	45,388	65,388
		Service Life extension for the AGOR ships		[20,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH.	5,887	5,887
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	86,880	86,880
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH.	170,786	170,786
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH.	32,526	32,526
		SUBTOTAL APPLIED RESEARCH	**820,883**	**840,883**
		ADVANCED TECHNOLOGY DEVELOPMENT		
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	37,734	37,734
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	25,831	25,831
017	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY.	64,623	64,623
018	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD).	128,397	128,397
019	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	11,506	11,506
020	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	256,144	256,144
021	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY.	4,838	4,838
022	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	9,985	9,985
023	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	53,956	53,956
024	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	2,000	2,000

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		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**595,014**	**595,014**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
025	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	40,429	40,429
026	0603216N	AVIATION SURVIVABILITY	4,325	4,325
027	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	2,991	2,991
028	0603251N	AIRCRAFT SYSTEMS	12,651	12,651
029	0603254N	ASW SYSTEMS DEVELOPMENT	7,782	7,782
030	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	5,275	5,275
031	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,646	1,646
032	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.	100,349	100,349
033	0603506N	SURFACE SHIP TORPEDO DEFENSE	52,781	52,781
034	0603512N	CARRIER SYSTEMS DEVELOPMENT	5,959	5,959
035	0603525N	PILOT FISH	148,865	148,865
036	0603527N	RETRACT LARCH	25,365	25,365
037	0603536N	RETRACT JUNIPER	80,477	80,477
038	0603542N	RADIOLOGICAL CONTROL	669	669
039	0603553N	SURFACE ASW	1,060	1,060
040	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	70,551	70,551
041	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	8,044	8,044
042	0603563N	SHIP CONCEPT ADVANCED DESIGN	17,864	17,864
043	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES.	23,716	20,411
		CSC contract award delay		[–3,305]
044	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	499,961	499,961
045	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	21,026	21,026
046	0603576N	CHALK EAGLE	542,700	542,700
047	0603581N	LITTORAL COMBAT SHIP (LCS)	88,734	88,734
048	0603582N	COMBAT SYSTEM INTEGRATION	20,881	20,881
049	0603595N	OHIO REPLACEMENT	849,277	849,277
050	0603596N	LCS MISSION MODULES	196,948	173,348
		Program execution		[–23,600]
051	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	8,115	8,115
052	0603609N	CONVENTIONAL MUNITIONS	7,603	7,603
053	0603611M	MARINE CORPS ASSAULT VEHICLES	105,749	105,749
054	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM.	1,342	1,342
055	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.	21,399	21,399
056	0603658N	COOPERATIVE ENGAGEMENT	43,578	42,578
		Common array block antenna program growth		[–1,000]
057	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT.	7,764	7,764
058	0603721N	ENVIRONMENTAL PROTECTION	13,200	13,200
059	0603724N	NAVY ENERGY PROGRAM	69,415	69,415
060	0603725N	FACILITIES IMPROVEMENT	2,588	2,588
061	0603734N	CHALK CORAL	176,301	176,301
062	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,873	3,873
063	0603746N	RETRACT MAPLE	376,028	376,028
064	0603748N	LINK PLUMERIA	272,096	272,096
065	0603751N	RETRACT ELM	42,233	42,233
066	0603764N	LINK EVERGREEN	46,504	46,504
067	0603787N	SPECIAL PROCESSES	25,109	25,109
068	0603790N	NATO RESEARCH AND DEVELOPMENT	9,659	9,659
069	0603795N	LAND ATTACK TECHNOLOGY	318	318
070	0603851M	JOINT NON-LETHAL WEAPONS TESTING	40,912	40,912
071	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL.	54,896	41,896
		Program delay		[–13,000]
073	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS.	58,696	58,696
074	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	43,613	43,613
075	0604122N	REMOTE MINEHUNTING SYSTEM (RMS)	21,110	21,110

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076	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM).	5,657	5,657
077	0604279N	ASE SELF-PROTECTION OPTIMIZATION	8,033	5,923
		Unjustified request for test assets		[–2,110]
078	0604454N	LX (R)	36,859	36,859
079	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW).	15,227	15,227
081	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT.	22,393	22,393
082	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT.	202,939	202,939
083	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	11,450	11,450
084	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	6,495	6,495
085	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	332	332
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,591,812**	**4,548,797**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
086	0603208N	TRAINING SYSTEM AIRCRAFT	25,153	25,153
087	0604212N	OTHER HELO DEVELOPMENT	46,154	46,154
088	0604214N	AV–8B AIRCRAFT—ENG DEV	25,372	25,372
089	0604215N	STANDARDS DEVELOPMENT	53,712	53,712
090	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT.	11,434	11,434
091	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	2,164	2,164
092	0604221N	P–3 MODERNIZATION PROGRAM	1,710	1,710
093	0604230N	WARFARE SUPPORT SYSTEM	9,094	9,094
094	0604231N	TACTICAL COMMAND SYSTEM	70,248	62,140
		64–bit architecture phasing		[–3,000]
		Program execution		[–5,108]
095	0604234N	ADVANCED HAWKEYE	193,200	193,200
096	0604245N	H–1 UPGRADES	44,115	44,115
097	0604261N	ACOUSTIC SEARCH SENSORS	23,227	23,227
098	0604262N	V–22A	61,249	61,249
099	0604264N	AIR CREW SYSTEMS DEVELOPMENT	15,014	15,014
100	0604269N	EA–18	18,730	18,730
101	0604270N	ELECTRONIC WARFARE DEVELOPMENT	28,742	28,742
102	0604273N	EXECUTIVE HELO DEVELOPMENT	388,086	388,086
103	0604274N	NEXT GENERATION JAMMER (NGJ)	246,856	246,856
104	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY).	7,106	7,106
105	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING.	189,112	189,112
106	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	376	376
107	0604329N	SMALL DIAMETER BOMB (SDB)	71,849	61,849
		Small diameter bomb II integration program growth		[–10,000]
108	0604366N	STANDARD MISSILE IMPROVEMENTS	53,198	53,198
109	0604373N	AIRBORNE MCM	38,941	38,941
110	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION.	7,832	7,832
111	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	15,263	15,263
112	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM.	403,017	403,017
113	0604501N	ADVANCED ABOVE WATER SENSORS	20,409	20,409
114	0604503N	SSN–688 AND TRIDENT MODERNIZATION	71,565	71,565
115	0604504N	AIR CONTROL	29,037	29,037
116	0604512N	SHIPBOARD AVIATION SYSTEMS	122,083	122,083
118	0604522N	ADVANCED MISSILE DEFENSE RADAR (AMDR) SYSTEM.	144,706	144,706
119	0604558N	NEW DESIGN SSN	72,695	72,695
120	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	38,985	38,985
121	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	48,470	48,470
122	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,935	3,935
123	0604580N	VIRGINIA PAYLOAD MODULE (VPM)	132,602	132,602

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124	0604601N	MINE DEVELOPMENT	19,067	14,067
		Mine Development program growth		[–5,000]
125	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	25,280	25,280
126	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.	8,985	8,985
127	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS.	7,669	7,669
128	0604727N	JOINT STANDOFF WEAPON SYSTEMS	4,400	4,400
129	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	56,889	56,889
130	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	96,937	96,937
131	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	134,564	121,339
		SEWIP block 3 preliminary design contract delay		[–13,225]
132	0604761N	INTELLIGENCE ENGINEERING	200	200
133	0604771N	MEDICAL DEVELOPMENT	8,287	8,287
134	0604777N	NAVIGATION/ID SYSTEM	29,504	29,504
135	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	513,021	513,021
136	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	516,456	516,456
137	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	2,887	2,887
138	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	66,317	66,317
139	0605212N	CH–53K RDTE	573,187	573,187
140	0605220N	SHIP TO SHORE CONNECTOR (SSC)	67,815	67,815
141	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	6,300	6,300
142	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	308,037	319,037
		Spiral 2 government systems engineering program growth.		[–4,000]
		Wideband Communication Development		[15,000]
143	0204202N	DDG–1000	202,522	202,522
144	0304231N	TACTICAL COMMAND SYSTEM—MIP	1,011	1,011
145	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	10,357	10,357
146	0305124N	SPECIAL APPLICATIONS PROGRAM	23,975	23,975
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**5,419,108**	**5,393,775**
		MANAGEMENT SUPPORT		
147	0604256N	THREAT SIMULATOR DEVELOPMENT	45,272	45,272
148	0604258N	TARGET SYSTEMS DEVELOPMENT	79,718	69,718
		GQM–173A program delay		[–10,000]
149	0604759N	MAJOR T&E INVESTMENT	123,993	123,993
150	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION.	4,960	4,960
151	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	8,296	8,296
152	0605154N	CENTER FOR NAVAL ANALYSES	45,752	45,752
154	0605804N	TECHNICAL INFORMATION SERVICES	876	876
155	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT.	72,070	72,070
156	0605856N	STRATEGIC TECHNICAL SUPPORT	3,237	3,237
157	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT.	73,033	73,033
158	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	138,304	138,304
159	0605864N	TEST AND EVALUATION SUPPORT	336,286	336,286
160	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY.	16,658	16,658
161	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT.	2,505	2,505
162	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,325	8,325
163	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	17,866	17,866
		SUBTOTAL MANAGEMENT SUPPORT	**977,151**	**967,151**
		OPERATIONAL SYSTEMS DEVELOPMENT		
168	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT.	35,949	35,949
169	0604766M	MARINE CORPS DATA SYSTEMS	215	215
170	0605525N	CARRIER ONBOARD DELIVERY (COD) FOLLOW ON	8,873	8,873
172	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	96,943	96,943
173	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	30,057	30,057
174	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	4,509	4,509

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175	0101402N	NAVY STRATEGIC COMMUNICATIONS	13,676	13,676
176	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	12,480	12,480
177	0204136N	F/A–18 SQUADRONS	76,216	76,216
179	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	27,281	27,281
180	0204228N	SURFACE SUPPORT	2,878	2,878
181	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC).	32,385	32,385
182	0204311N	INTEGRATED SURVEILLANCE SYSTEM	39,371	39,371
183	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	4,609	4,609
184	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	99,106	92,106
		Unjustified cost growth		[–7,000]
185	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT.	39,922	39,922
186	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,157	1,157
187	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT.	22,067	22,067
188	0205601N	HARM IMPROVEMENT	17,420	17,420
189	0205604N	TACTICAL DATA LINKS	151,208	151,208
190	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	26,366	26,366
191	0205632N	MK–48 ADCAP	25,952	25,952
192	0205633N	AVIATION IMPROVEMENTS	106,936	106,936
194	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	104,023	104,023
195	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	77,398	77,398
196	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S).	32,495	32,495
197	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	156,626	156,626
198	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	20,999	20,999
199	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP).	14,179	14,179
200	0207161N	TACTICAL AIM MISSILES	47,258	47,258
201	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	10,210	10,210
206	0303109N	SATELLITE COMMUNICATIONS (SPACE)	41,829	41,829
207	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES).	22,780	22,780
208	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	23,053	23,053
209	0303150M	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM.	296	296
212	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC).	359	359
213	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES.	6,166	6,166
214	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,505	8,505
216	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	11,613	11,613
217	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	18,146	18,146
218	0305220N	RQ–4 UAV	498,003	463,003
		Milestone C delay		[–35,000]
219	0305231N	MQ–8 UAV	47,294	47,294
220	0305232M	RQ–11 UAV	718	718
221	0305233N	RQ–7 UAV	851	851
222	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	4,813	4,813
223	0305239M	RQ–21A	8,192	8,192
224	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	22,559	18,664
		Program execution		[–3,895]
225	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP).	2,000	2,000
226	0308601N	MODELING AND SIMULATION SUPPORT	4,719	4,719
227	0702207N	DEPOT MAINTENANCE (NON-IF)	21,168	21,168
228	0708011N	INDUSTRIAL PREPAREDNESS	37,169	37,169
229	0708730N	MARITIME TECHNOLOGY (MARITECH)	4,347	4,347
229A	9999999999	CLASSIFIED PROGRAMS	1,162,684	1,162,684
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**3,286,028**	**3,240,133**

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		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**16,266,335**	**16,182,092**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	314,482	314,482
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	127,079	147,079
		Basic research program increase		[20,000]
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	12,929	12,929
		SUBTOTAL BASIC RESEARCH	**454,490**	**474,490**
		APPLIED RESEARCH		
004	0602102F	MATERIALS	105,680	105,680
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	105,747	105,747
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	81,957	81,957
007	0602203F	AEROSPACE PROPULSION	172,550	172,550
008	0602204F	AEROSPACE SENSORS	118,343	118,343
009	0602601F	SPACE TECHNOLOGY	98,229	98,229
010	0602602F	CONVENTIONAL MUNITIONS	87,387	87,387
011	0602605F	DIRECTED ENERGY TECHNOLOGY	125,955	125,955
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS.	147,789	147,789
013	0602890F	HIGH ENERGY LASER RESEARCH	37,496	37,496
		SUBTOTAL APPLIED RESEARCH	**1,081,133**	**1,081,133**
		ADVANCED TECHNOLOGY DEVELOPMENT		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	32,177	42,177
		Metals Affordability Initiative		[10,000]
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	15,800	15,800
016	0603203F	ADVANCED AEROSPACE SENSORS	34,420	34,420
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	91,062	91,062
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY.	124,236	124,236
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	47,602	47,602
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	69,026	69,026
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	14,031	14,031
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.	21,788	21,788
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	42,046	42,046
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	23,542	23,542
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	42,772	42,772
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	35,315	35,315
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**593,817**	**603,817**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,408	5,408
031	0603438F	SPACE CONTROL TECHNOLOGY	6,075	6,075
032	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	10,980	10,980
033	0603790F	NATO RESEARCH AND DEVELOPMENT	2,392	2,392
034	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	833	833
035	0603830F	SPACE SECURITY AND DEFENSE PROGRAM	32,313	32,313
037	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL.	30,885	30,885
039	0603859F	POLLUTION PREVENTION—DEM/VAL	1,798	1,798
040	0604015F	LONG RANGE STRIKE	913,728	913,728
042	0604317F	TECHNOLOGY TRANSFER	2,669	2,669
045	0604422F	WEATHER SYSTEM FOLLOW-ON	39,901	39,901
049	0604800F	F–35—EMD	4,976	0
		Transfer F–35 EMD: Air Force requested to line #75		[–4,976]
050	0604857F	OPERATIONALLY RESPONSIVE SPACE		20,000
		Program Increase		[20,000]
051	0604858F	TECH TRANSITION PROGRAM	59,004	59,004
054	0207110F	NEXT GENERATION AIR DOMINANCE	15,722	15,722

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055	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR).	88,825	88,825
056	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	156,659	156,659
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**1,372,168**	**1,387,192**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
059	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING.	13,324	13,324
060	0604270F	ELECTRONIC WARFARE DEVELOPMENT	1,965	1,965
061	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	39,110	39,110
062	0604287F	PHYSICAL SECURITY EQUIPMENT	3,926	3,926
063	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	68,759	68,759
064	0604421F	COUNTERSPACE SYSTEMS	23,746	23,746
065	0604425F	SPACE SITUATION AWARENESS SYSTEMS	9,462	9,462
066	0604426F	SPACE FENCE	214,131	200,131
		Program delay		[–14,000]
067	0604429F	AIRBORNE ELECTRONIC ATTACK	30,687	30,687
068	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD.	319,501	311,501
		Wide field of view test bed		[–8,000]
069	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	31,112	31,112
070	0604604F	SUBMUNITIONS	2,543	2,543
071	0604617F	AGILE COMBAT SUPPORT	46,340	46,340
072	0604706F	LIFE SUPPORT SYSTEMS	8,854	8,854
073	0604735F	COMBAT TRAINING RANGES	10,129	10,129
075	0604800F	F–35—EMD	563,037	568,013
		Transfer F–35 EMD: Air Force requested from line #49.		[4,976]
077	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD.		220,000
		Rocket propulsion system		[220,000]
078	0604932F	LONG RANGE STANDOFF WEAPON	4,938	3,438
		Execution adjustment		[–1,500]
079	0604933F	ICBM FUZE MODERNIZATION	59,826	59,826
080	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	78	78
081	0605213F	F–22 MODERNIZATION INCREMENT 3.2B	173,647	173,647
082	0605214F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	5,332	5,332
083	0605221F	KC–46	776,937	776,937
084	0605223F	ADVANCED PILOT TRAINING	8,201	8,201
086	0605278F	HC/MC–130 RECAP RDT&E	7,497	7,497
087	0605431F	ADVANCED EHF MILSATCOM (SPACE)	314,378	314,378
088	0605432F	POLAR MILSATCOM (SPACE)	103,552	103,552
089	0605433F	WIDEBAND GLOBAL SATCOM (SPACE)	31,425	31,425
090	0605458F	AIR & SPACE OPS CENTER 10.2 RDT&E	85,938	85,938
091	0605931F	B–2 DEFENSIVE MANAGEMENT SYSTEM	98,768	98,768
092	0101125F	NUCLEAR WEAPONS MODERNIZATION	198,357	198,357
094	0207701F	FULL COMBAT MISSION TRAINING	8,831	8,831
095	0307581F	NEXTGEN JSTARS	73,088	73,088
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**3,337,419**	**3,538,895**
		MANAGEMENT SUPPORT		
097	0604256F	THREAT SIMULATOR DEVELOPMENT	24,418	24,418
098	0604759F	MAJOR T&E INVESTMENT	47,232	47,232
099	0605101F	RAND PROJECT AIR FORCE	30,443	30,443
101	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	12,266	12,266
102	0605807F	TEST AND EVALUATION SUPPORT	689,509	689,509
103	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	34,364	34,364
104	0605864F	SPACE TEST PROGRAM (STP)	21,161	21,161
105	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	46,955	46,955
106	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	32,965	32,965
107	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	13,850	13,850

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108	0606116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT.	19,512	19,512
110	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE.	181,727	177,800
		Personnel costs excess to need		[–3,927]
111	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	4,938	4,938
112	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	18,644	18,644
113	0804731F	GENERAL SKILL TRAINING	1,425	1,425
114	1001004F	INTERNATIONAL ACTIVITIES	3,790	3,790
114A	XXXXXXXF	EJECTION SEAT RELIABILITY IMPROVEMENT PROGRAM.		3,500
		Initial Aircraft Qualification		[3,500]
		SUBTOTAL MANAGEMENT SUPPORT	**1,183,199**	**1,182,772**
		OPERATIONAL SYSTEMS DEVELOPMENT		
115	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	299,760	299,760
116	0604445F	WIDE AREA SURVEILLANCE		2,000
		Implementation of the Secretary's Cruise Missile Defense Program.		[2,000]
118	0604618F	JOINT DIRECT ATTACK MUNITION	2,469	2,469
119	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS).	90,218	60,218
		Delayed contract award		[–30,000]
120	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	34,815	34,815
122	0101113F	B–52 SQUADRONS	55,457	55,457
123	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	450	450
124	0101126F	B–1B SQUADRONS	5,353	4,353
		Execution adjustment		[–1,000]
125	0101127F	B–2 SQUADRONS	131,580	111,580
		Flexible Strike execution delay		[–20,000]
126	0101213F	MINUTEMAN SQUADRONS	139,109	139,109
127	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	35,603	35,603
128	0101314F	NIGHT FIST—USSTRATCOM	32	32
130	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM.	1,522	1,522
131	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES.	3,134	3,134
133	0205219F	MQ–9 UAV	170,396	170,396
136	0207133F	F–16 SQUADRONS	133,105	133,105
137	0207134F	F–15E SQUADRONS	261,969	251,969
		Execution adjustment		[–10,000]
138	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,831	14,831
139	0207138F	F–22A SQUADRONS	156,962	151,962
		Unjustified increase— laboratory test and operations.		[–5,000]
140	0207142F	F–35 SQUADRONS	43,666	43,666
141	0207161F	TACTICAL AIM MISSILES	29,739	29,739
142	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	82,195	82,195
144	0207171F	F–15 EPAWSS	68,944	53,444
		Delays in pre-EMD phase		[–15,500]
145	0207224F	COMBAT RESCUE AND RECOVERY	5,095	5,095
146	0207227F	COMBAT RESCUE—PARARESCUE	883	883
147	0207247F	AF TENCAP	5,812	5,812
148	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,081	1,081
149	0207253F	COMPASS CALL	14,411	14,411
150	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.	109,664	109,664
151	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM).	15,897	15,897
152	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	41,066	41,066
153	0207412F	CONTROL AND REPORTING CENTER (CRC)	552	552
154	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS).	180,804	180,804
155	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	3,754	3,754
157	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	7,891	7,891

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158	0207444F	TACTICAL AIR CONTROL PARTY-MOD	5,891	5,891
159	0207448F	C2ISR TACTICAL DATA LINK	1,782	1,782
161	0207452F	DCAPES	821	821
163	0207590F	SEEK EAGLE	23,844	23,844
164	0207601F	USAF MODELING AND SIMULATION	16,723	16,723
165	0207605F	WARGAMING AND SIMULATION CENTERS	5,956	5,956
166	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,457	4,457
167	0208006F	MISSION PLANNING SYSTEMS	60,679	60,679
169	0208059F	CYBER COMMAND ACTIVITIES	67,057	67,057
170	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	13,355	13,355
171	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	5,576	5,576
179	0301400F	SPACE SUPERIORITY INTELLIGENCE	12,218	12,218
180	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC).	28,778	22,978
		Low Frequency Transmit System—delay to contract award.		[–5,800]
181	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	81,035	81,035
182	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	70,497	70,497
183	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	692	692
185	0303601F	MILSATCOM TERMINALS	55,208	55,208
187	0304260F	AIRBORNE SIGINT ENTERPRISE	106,786	106,786
190	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,157	4,157
193	0305110F	SATELLITE CONTROL NETWORK (SPACE)	20,806	20,806
194	0305111F	WEATHER SERVICE	25,102	25,102
195	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS).	23,516	23,516
196	0305116F	AERIAL TARGETS	8,639	8,639
199	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	498	498
200	0305145F	ARMS CONTROL IMPLEMENTATION	13,222	13,222
201	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES.	360	360
206	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER.	3,674	3,674
207	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	2,480	2,480
208	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	8,592	8,592
209	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	13,462	13,462
210	0305202F	DRAGON U–2	5,511	5,511
212	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	28,113	38,113
		Per Air Force UFR		[10,000]
213	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,516	13,516
214	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	27,265	27,265
215	0305219F	MQ–1 PREDATOR A UAV	1,378	1,378
216	0305220F	RQ–4 UAV	244,514	244,514
217	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	11,096	11,096
218	0305236F	COMMON DATA LINK (CDL)	36,137	36,137
219	0305238F	NATO AGS	232,851	232,851
220	0305240F	SUPPORT TO DCGS ENTERPRISE	20,218	20,218
221	0305265F	GPS III SPACE SEGMENT	212,571	212,571
222	0305614F	JSPOC MISSION SYSTEM	73,779	73,779
223	0305881F	RAPID CYBER ACQUISITION	4,102	4,102
225	0305913F	NUDET DETECTION SYSTEM (SPACE)	20,468	20,468
226	0305940F	SPACE SITUATION AWARENESS OPERATIONS	11,596	11,596
227	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT.	4,938	4,938
228	0308699F	SHARED EARLY WARNING (SEW)	1,212	1,212
230	0401119F	C–5 AIRLIFT SQUADRONS (IF)	38,773	38,773
231	0401130F	C–17 AIRCRAFT (IF)	83,773	83,773
232	0401132F	C–130J PROGRAM	26,715	26,715
233	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM).	5,172	5,172
234	0401219F	KC–10S	2,714	2,714
235	0401314F	OPERATIONAL SUPPORT AIRLIFT	27,784	27,784
236	0401318F	CV–22	38,719	38,719
237	0401319F	PRESIDENTIAL AIRCRAFT REPLACEMENT (PAR)	11,006	11,006

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238	0408011F	SPECIAL TACTICS / COMBAT CONTROL	8,405	8,405
239	0702207F	DEPOT MAINTENANCE (NON-IF)	1,407	1,407
241	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	109,685	109,685
242	0708611F	SUPPORT SYSTEMS DEVELOPMENT	16,209	16,209
243	0804743F	OTHER FLIGHT TRAINING	987	987
244	0808716F	OTHER PERSONNEL ACTIVITIES	126	126
245	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,603	2,603
246	0901218F	CIVILIAN COMPENSATION PROGRAM	1,589	1,589
247	0901220F	PERSONNEL ADMINISTRATION	5,026	5,026
248	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,394	1,394
249	0901279F	FACILITIES OPERATION—ADMINISTRATIVE	3,798	3,798
250	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	107,314	102,685
		Defense Enterprise Accounting Management System Increment 2.		[–4,629]
250A	9999999999	CLASSIFIED PROGRAMS	11,441,120	11,412,120
		Classified program reduction		[–29,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**15,717,666**	**15,608,737**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**23,739,892**	**23,877,036**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	37,778	37,778
002	0601101E	DEFENSE RESEARCH SCIENCES	312,146	332,146
		Basic research program increase		[20,000]
003	0601110D8Z	BASIC RESEARCH INITIATIVES	44,564	34,564
		National Security Science and Engineering Faculty Fellowship program.		[–10,000]
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE.	49,848	49,848
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	45,488	55,488
		Military Child STEM Education programs		[10,000]
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	24,412	34,412
		Program increase		[10,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	48,261	48,261
		SUBTOTAL BASIC RESEARCH	**562,497**	**592,497**
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	20,065	20,065
009	0602115E	BIOMEDICAL TECHNOLOGY	112,242	112,242
011	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	51,875	51,875
012	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	41,965	41,965
013	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY.	334,407	334,407
015	0602383E	BIOLOGICAL WARFARE DEFENSE	44,825	44,825
016	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	226,317	226,317
018	0602668D8Z	CYBER SECURITY RESEARCH	15,000	15,000
020	0602702E	TACTICAL TECHNOLOGY	305,484	305,484
021	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	160,389	160,389
022	0602716E	ELECTRONICS TECHNOLOGY	179,203	179,203
023	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES.	151,737	151,737
024	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	9,156	9,156
025	1160401BB	SOF TECHNOLOGY DEVELOPMENT	39,750	39,750
		SUBTOTAL APPLIED RESEARCH	**1,692,415**	**1,692,415**
		ADVANCED TECHNOLOGY DEVELOPMENT		
026	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	26,688	26,688
027	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	8,682	8,682
028	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	69,675	89,675

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		Program emphasis for CT and Irregular Warfare Programs.		[20,000]
029	0603133D8Z	FOREIGN COMPARATIVE TESTING	30,000	24,000
		Program decrease		[–6,000]
030	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT.	283,694	283,694
032	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT.	8,470	8,470
033	0603177C	DISCRIMINATION SENSOR TECHNOLOGY	45,110	43,110
		Unjustified growth		[–2,000]
034	0603178C	WEAPONS TECHNOLOGY	14,068	14,068
035	0603179C	ADVANCED C4ISR	15,329	15,329
036	0603180C	ADVANCED RESEARCH	16,584	16,584
037	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT.	19,335	19,335
038	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY.	2,544	2,544
039	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	51,033	51,033
040	0603286E	ADVANCED AEROSPACE SYSTEMS	129,723	129,723
041	0603287E	SPACE PROGRAMS AND TECHNOLOGY	179,883	179,883
042	0603288D8Z	ANALYTIC ASSESSMENTS	12,000	12,000
043	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS.	60,000	50,000
		Program reduction		[–10,000]
044	0603294C	COMMON KILL VEHICLE TECHNOLOGY	25,639	25,639
045	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	132,674	132,674
046	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	10,965	10,965
047	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS.	131,960	121,960
		Program reduction		[–10,000]
052	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	91,095	91,095
053	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT.	33,706	33,706
054	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS.	16,836	16,836
055	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY.	29,683	29,683
056	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM.	57,796	57,796
057	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	72,144	72,144
058	0603727D8Z	JOINT WARFIGHTING PROGRAM	7,405	7,405
059	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	92,246	92,246
060	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS.	243,265	243,265
062	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	386,926	386,926
063	0603767E	SENSOR TECHNOLOGY	312,821	312,821
064	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	10,692	10,692
065	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	15,776	15,776
066	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	69,319	64,319
		Program decrease		[–5,000]
068	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE.	3,000	3,000
071	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	81,148	81,148
072	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT.	31,800	31,800
073	0303310D8Z	CWMD SYSTEMS	46,066	46,066
074	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	57,622	57,622
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**2,933,402**	**2,920,402**
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2015 Request	Agreement Authorized
077	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	41,072	41,072
079	0603600D8Z	WALKOFF	90,558	90,558
080	0603714D8Z	ADVANCED SENSORS APPLICATION PROGRAM	15,518	19,518
		Continue important test programs		[4,000]
081	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	51,462	51,462
082	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	299,598	292,798
		THAAD 2.0 early to need		[–6,800]
083	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	1,003,768	1,043,768
		GMD reliability and maintenance improvements		[40,000]
084	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL.	179,236	179,236
085	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	392,893	392,893
086	0603890C	BMD ENABLING PROGRAMS	410,863	410,863
087	0603891C	SPECIAL PROGRAMS—MDA	310,261	310,261
088	0603892C	AEGIS BMD	929,208	929,208
089	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	31,346	31,346
090	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS.	6,389	6,389
091	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	443,484	431,484
		Spiral 8.2–3—unjustified growth without baseline		[–12,000]
092	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT.	46,387	46,387
093	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	58,530	58,530
094	0603906C	REGARDING TRENCH	16,199	16,199
095	0603907C	SEA BASED X-BAND RADAR (SBX)	64,409	64,409
096	0603913C	ISRAELI COOPERATIVE PROGRAMS	96,803	270,603
		Program increase for Israeli Cooperative Programs		[173,800]
097	0603914C	BALLISTIC MISSILE DEFENSE TEST	386,482	366,482
		Test efficiencies		[–20,000]
098	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	485,294	485,294
099	0603920D8Z	HUMANITARIAN DEMINING	10,194	10,194
100	0603923D8Z	COALITION WARFARE	10,139	10,139
101	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM.	2,907	7,907
		Program increase		[5,000]
102	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	190,000	170,000
		Program decrease		[–20,000]
103	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	3,702	3,702
104	0604445J	WIDE AREA SURVEILLANCE	53,000	53,000
106	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM		75,000
		Program increase		[75,000]
107	0604787J	JOINT SYSTEMS INTEGRATION	7,002	7,002
108	0604828J	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM.	7,102	7,102
109	0604880C	LAND-BASED SM–3 (LBSM3)	123,444	123,444
110	0604881C	AEGIS SM–3 BLOCK IIA CO-DEVELOPMENT	263,695	263,695
113	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.	12,500	12,500
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM.	2,656	2,656
115	0305103C	CYBER SECURITY INITIATIVE	961	961
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES	**6,047,062**	**6,286,062**
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
116	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	7,936	7,936

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2015 Request	Agreement Authorized
117	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT.	70,762	70,762
118	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD.	345,883	345,883
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO).	25,459	25,459
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	17,562	17,562
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES.	6,887	6,887
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,530	12,530
123	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	286	286
124	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	3,244	3,244
125	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	6,500	6,500
126	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	15,326	15,326
127	0605075D8Z	DCMO POLICY AND INTEGRATION	19,351	19,351
128	0605080S	DEFENSE AGENCY INTIATIVES (DAI)—FINANCIAL SYSTEM.	41,465	41,465
129	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS).	10,135	10,135
130	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	9,546	9,546
131	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	14,241	14,241
132	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM).	3,660	3,660
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION	**610,773**	**610,773**
		MANAGEMENT SUPPORT		
133	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	5,616	5,616
134	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	3,092	3,092
135	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	254,503	254,503
136	0604942D8Z	ASSESSMENTS AND EVALUATIONS	21,661	21,661
138	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC).	27,162	27,162
139	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	24,501	24,501
142	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	43,176	43,176
145	0605142D8Z	SYSTEMS ENGINEERING	44,246	44,246
146	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	2,665	2,665
147	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	4,366	4,366
148	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.	27,901	27,901
149	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	2,855	2,855
150	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	105,944	105,944
156	0605502KA	SMALL BUSINESS INNOVATIVE RESEARCH	400	400
159	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	1,634	1,634
160	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	12,105	12,105
161	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	50,389	50,389
162	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	8,452	8,452
163	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	15,187	19,187
		Program increase		[4,000]
164	0605898E	MANAGEMENT HQ—R&D	71,362	71,362
165	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,100	4,100
166	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI).	1,956	1,956
167	0204571J	JOINT STAFF ANALYTICAL SUPPORT	10,321	10,321
170	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES.	11,552	11,552
172	0305193D8Z	CYBER INTELLIGENCE	6,748	6,748
174	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2).	44,005	44,005

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2015 Request	Agreement Authorized
175	0901598C	MANAGEMENT HQ—MDA	36,998	36,998
176	0901598D8W	MANAGEMENT HEADQUARTERS WHS	612	612
177A	9999999999	CLASSIFIED PROGRAMS	44,367	44,367
		SUBTOTAL MANAGEMENT SUPPORT	**887,876**	**891,876**
		OPERATIONAL SYSTEM DEVELOPMENT		
178	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	3,988	3,988
179	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	1,750	1,750
180	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS).	286	286
181	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT.	14,778	14,778
182	0607310D8Z	OPERATIONAL SYSTEMS DEVELOPMENT	2,953	2,953
183	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	10,350	10,350
184	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	28,496	28,496
185	0607828J	JOINT INTEGRATION AND INTEROPERABILITY	11,968	11,968
186	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	1,842	1,842
187	0208045K	C4I INTEROPERABILITY	63,558	63,558
189	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING.	3,931	3,931
193	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT.	924	924
194	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	9,657	9,657
195	0303126K	LONG-HAUL COMMUNICATIONS—DCS	25,355	25,355
196	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	12,671	12,671
197	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	222	222
198	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	32,698	32,698
199	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	11,304	11,304
200	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	125,854	155,854
		Accelerate SHARKSEER deployment		[30,000]
202	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	33,793	33,793
203	0303153K	DEFENSE SPECTRUM ORGANIZATION	13,423	13,423
204	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	3,774	3,774
205	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO).	951	951
206	0303610K	TELEPORT PROGRAM	2,697	2,697
208	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	19,294	19,294
212	0305103K	CYBER SECURITY INITIATIVE	3,234	3,234
213	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	8,846	8,846
217	0305186D8Z	POLICY R&D PROGRAMS	7,065	7,065
218	0305199D8Z	NET CENTRICITY	23,984	23,984
221	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	5,286	5,286
224	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	3,400	3,400
229	0305327V	INSIDER THREAT	8,670	8,670
230	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM.	2,110	2,110
239	0708011S	INDUSTRIAL PREPAREDNESS	22,366	22,366
240	0708012S	LOGISTICS SUPPORT ACTIVITIES	1,574	1,574
241	0902298J	MANAGEMENT HQ—OJCS	4,409	4,409
242	1105219BB	MQ–9 UAV	9,702	9,702
243	1105232BB	RQ–11 UAV	259	259
245	1160403BB	AVIATION SYSTEMS	164,233	164,233
247	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	9,490	9,490
248	1160408BB	OPERATIONAL ENHANCEMENTS	75,253	75,253
252	1160431BB	WARRIOR SYSTEMS	24,661	24,661
253	1160432BB	SPECIAL PROGRAMS	20,908	20,908
259	1160480BB	SO F TACTICAL VEHICLES	3,672	3,672
262	1160483BB	MARITIME SYSTEMS	57,905	57,905
264	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,788	3,788
265	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	16,225	16,225

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2015 Request	Agreement Authorized
265A	9999999999	CLASSIFIED PROGRAMS	3,118,502	3,118,502
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT.	**4,032,059**	**4,062,059**
		UNDISTRIBUTED		
266	9999999999	UNDISTRIBUTED		–69,000
		DARPA undistributed reduction		[–69,000]
		SUBTOTAL UNDISTRIBUTED		**–69,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**16,766,084**	**16,987,084**
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	74,583	74,583
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	45,142	45,142
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	48,013	48,013
		SUBTOTAL MANAGEMENT SUPPORT	**167,738**	**167,738**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE.	**167,738**	**167,738**
		TOTAL RDT&E	**63,533,947**	**63,826,265**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2015 Request	Agreement Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	4,500	4,500
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,500**	**4,500**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**4,500**	**4,500**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		OPERATIONAL SYSTEMS DEVELOPMENT		
225	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP).	940	940
229A	9999999999	CLASSIFIED PROGRAMS	35,080	35,080
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**36,020**	**36,020**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**36,020**	**36,020**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		OPERATIONAL SYSTEMS DEVELOPMENT		
250A	9999999999	CLASSIFIED PROGRAMS	14,706	14,706
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**14,706**	**14,706**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**14,706**	**14,706**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		APPLIED RESEARCH		

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2015 Request	Agreement Authorized
009	0602115E	BIOMEDICAL TECHNOLOGY	112,000	112,000
		SUBTOTAL APPLIED RESEARCH	**112,000**	**112,000**
		OPERATIONAL SYSTEM DEVELOPMENT		
242	1105219BB	MQ–9 UAV		5,200
		MQ–9 enhancements		[5,200]
248	1160408BB	OPERATIONAL ENHANCEMENTS	6,000	6,000
265A	9999999999	CLASSIFIED PROGRAMS	163,447	163,447
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT.	**169,447**	**174,647**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**281,447**	**286,647**
		TOTAL RDT&E	**336,673**	**341,873**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	969,281	969,281
020	MODULAR SUPPORT BRIGADES	61,990	61,990
030	ECHELONS ABOVE BRIGADE	450,987	450,987
040	THEATER LEVEL ASSETS	545,773	545,773
050	LAND FORCES OPERATIONS SUPPORT	1,057,453	1,057,453
060	AVIATION ASSETS	1,409,347	1,409,347
070	FORCE READINESS OPERATIONS SUPPORT	3,592,334	3,524,334
	Fully fund two Combat Training Center rotations—Army requested transfer to OM,ARNG and MP,ARNG		[–68,000]
080	LAND FORCES SYSTEMS READINESS	411,388	411,388
090	LAND FORCES DEPOT MAINTENANCE	1,001,232	1,001,232
100	BASE OPERATIONS SUPPORT	7,428,972	7,428,972
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,066,434	2,154,434
	Facilities Sustainment		[18,750]
	Readiness funding increase—fully funds 6% CIP		[94,250]
	Transfer to Arlington National Cemetery		[–25,000]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	411,863	411,863
130	COMBATANT COMMANDERS CORE OPERATIONS	179,399	179,399
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT	432,281	432,281
	SUBTOTAL OPERATING FORCES	**20,018,734**	**20,038,734**
	MOBILIZATION		
180	STRATEGIC MOBILITY	316,776	316,776
190	ARMY PREPOSITIONED STOCKS	187,609	187,609
200	INDUSTRIAL PREPAREDNESS	6,463	86,463
	Industrial Base Intiative-Body Armor		[80,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	SUBTOTAL MOBILIZATION	**510,848**	**590,848**
	TRAINING AND RECRUITING		
210	OFFICER ACQUISITION	124,766	124,766
220	RECRUIT TRAINING	51,968	51,968
230	ONE STATION UNIT TRAINING	43,735	43,735
240	SENIOR RESERVE OFFICERS TRAINING CORPS	456,563	456,563
250	SPECIALIZED SKILL TRAINING	886,529	886,529
260	FLIGHT TRAINING	890,070	890,070
270	PROFESSIONAL DEVELOPMENT EDUCATION	193,291	193,291
280	TRAINING SUPPORT	552,359	552,359
290	RECRUITING AND ADVERTISING	466,927	466,927
300	EXAMINING	194,588	194,588
310	OFF-DUTY AND VOLUNTARY EDUCATION	205,782	205,782
320	CIVILIAN EDUCATION AND TRAINING	150,571	150,571
330	JUNIOR RESERVE OFFICER TRAINING CORPS	169,784	169,784
	SUBTOTAL TRAINING AND RECRUITING	**4,386,933**	**4,386,933**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	541,877	541,877
360	CENTRAL SUPPLY ACTIVITIES	722,291	722,291
370	LOGISTIC SUPPORT ACTIVITIES	602,034	602,034
380	AMMUNITION MANAGEMENT	422,277	422,277
390	ADMINISTRATION	405,442	405,442
400	SERVICEWIDE COMMUNICATIONS	1,624,742	1,624,742
410	MANPOWER MANAGEMENT	289,771	289,771
420	OTHER PERSONNEL SUPPORT	390,924	390,924
430	OTHER SERVICE SUPPORT	1,118,540	1,118,540
440	ARMY CLAIMS ACTIVITIES	241,234	241,234
450	REAL ESTATE MANAGEMENT	243,509	243,509
460	FINANCIAL MANAGEMENT AND AUDIT READINESS	200,615	200,615
470	INTERNATIONAL MILITARY HEADQUARTERS	462,591	462,591
480	MISC. SUPPORT OF OTHER NATIONS	27,375	27,375
520A	CLASSIFIED PROGRAMS	1,030,411	1,030,411
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**8,323,633**	**8,323,633**
	UNDISTRIBUTED		
530	UNDISTRIBUTED		–296,400
	Foreign Currency adjustments		[–48,900]
	Program decrease—overestimate of civilian personnel		[–247,500]
	SUBTOTAL UNDISTRIBUTED		**–296,400**
	TOTAL OPERATION & MAINTENANCE, ARMY	**33,240,148**	**33,043,748**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	MODULAR SUPPORT BRIGADES	15,200	15,200
030	ECHELONS ABOVE BRIGADE	502,664	502,664
040	THEATER LEVEL ASSETS	107,489	107,489
050	LAND FORCES OPERATIONS SUPPORT	543,989	543,989
060	AVIATION ASSETS	72,963	72,963
070	FORCE READINESS OPERATIONS SUPPORT	360,082	360,082
080	LAND FORCES SYSTEMS READINESS	72,491	72,491
090	LAND FORCES DEPOT MAINTENANCE	58,873	58,873
100	BASE OPERATIONS SUPPORT	388,961	388,961

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	228,597	233,597
	Facilities Sustainment		[5,000]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	39,590	39,590
	SUBTOTAL OPERATING FORCES	**2,390,899**	**2,395,899**
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	10,608	10,608
140	ADMINISTRATION	18,587	18,587
150	SERVICEWIDE COMMUNICATIONS	6,681	6,681
160	MANPOWER MANAGEMENT	9,192	9,192
170	RECRUITING AND ADVERTISING	54,602	54,602
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**99,670**	**99,670**
	UNDISTRIBUTED		
180	UNDISTRIBUTED		–13,800
	Overestimation of civilian FTE targets		[–13,800]
	SUBTOTAL UNDISTRIBUTED		**–13,800**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**2,490,569**	**2,481,769**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	660,648	683,648
	Transfer funding for 2 CTC rotations		[23,000]
020	MODULAR SUPPORT BRIGADES	165,942	165,942
030	ECHELONS ABOVE BRIGADE	733,800	733,800
040	THEATER LEVEL ASSETS	83,084	83,084
050	LAND FORCES OPERATIONS SUPPORT	22,005	22,005
060	AVIATION ASSETS	920,085	920,085
070	FORCE READINESS OPERATIONS SUPPORT	680,887	680,887
080	LAND FORCES SYSTEMS READINESS	69,726	69,726
090	LAND FORCES DEPOT MAINTENANCE	138,263	138,263
100	BASE OPERATIONS SUPPORT	804,517	794,517
	Remove one-time fiscal year 2014 funding increase		[–10,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	490,205	495,205
	Facilities Sustainment		[5,000]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	872,140	872,140
	SUBTOTAL OPERATING FORCES	**5,641,302**	**5,659,302**
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	6,690	6,690
140	REAL ESTATE MANAGEMENT	1,765	1,765
150	ADMINISTRATION	63,075	63,075
160	SERVICEWIDE COMMUNICATIONS	37,372	37,372
170	MANPOWER MANAGEMENT	6,484	6,484
180	OTHER PERSONNEL SUPPORT	274,085	260,285
	Program decrease for advertising		[–13,800]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**389,471**	**375,671**
	TOTAL OPERATION & MAINTENANCE, ARNG	**6,030,773**	**6,034,973**
	OPERATION & MAINTENANCE, NAVY		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,947,202	4,947,202
020	FLEET AIR TRAINING	1,647,943	1,647,943
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	37,050	37,050
040	AIR OPERATIONS AND SAFETY SUPPORT	96,139	96,139
050	AIR SYSTEMS SUPPORT	363,763	363,763
060	AIRCRAFT DEPOT MAINTENANCE	814,770	824,870
	CVN 73 Refueling and Complex Overhaul (RCOH)		[10,100]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	36,494	36,494
080	AVIATION LOGISTICS	350,641	350,641
090	MISSION AND OTHER SHIP OPERATIONS	3,865,379	3,865,379
100	SHIP OPERATIONS SUPPORT & TRAINING	711,243	711,243
110	SHIP DEPOT MAINTENANCE	5,296,408	5,330,108
	CVN 73 Refueling and Complex Overhaul (RCOH)		[33,700]
120	SHIP DEPOT OPERATIONS SUPPORT	1,339,077	1,339,377
	CVN 73 Refueling and Complex Overhaul (RCOH)		[300]
130	COMBAT COMMUNICATIONS	708,634	708,634
140	ELECTRONIC WARFARE	91,599	91,599
150	SPACE SYSTEMS AND SURVEILLANCE	207,038	207,038
160	WARFARE TACTICS	432,715	432,715
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	338,116	338,116
180	COMBAT SUPPORT FORCES	892,316	892,316
190	EQUIPMENT MAINTENANCE	128,486	128,486
200	DEPOT OPERATIONS SUPPORT	2,472	2,472
210	COMBATANT COMMANDERS CORE OPERATIONS	101,200	101,200
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	188,920	188,920
230	CRUISE MISSILE	109,911	109,911
240	FLEET BALLISTIC MISSILE	1,172,823	1,172,823
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	104,139	104,139
260	WEAPONS MAINTENANCE	490,911	490,911
270	OTHER WEAPON SYSTEMS SUPPORT	324,861	324,861
290	ENTERPRISE INFORMATION	936,743	936,743
300	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,483,495	1,587,495
	Facilities Sustainment		[18,750]
	Readiness funding increase—fully funds 6% CIP		[85,250]
310	BASE OPERATING SUPPORT	4,398,667	4,398,667
	SUBTOTAL OPERATING FORCES	**31,619,155**	**31,767,255**
	MOBILIZATION		
320	SHIP PREPOSITIONING AND SURGE	526,926	526,926
330	READY RESERVE FORCE	195	195
340	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,704	6,704
350	SHIP ACTIVATIONS/INACTIVATIONS	251,538	205,538
	CVN 73 Refueling and Complex Overhaul (RCOH)		[–46,000]
360	EXPEDITIONARY HEALTH SERVICES SYSTEMS	124,323	124,323
370	INDUSTRIAL READINESS	2,323	2,323
380	COAST GUARD SUPPORT	20,333	20,333
	SUBTOTAL MOBILIZATION	**932,342**	**886,342**
	TRAINING AND RECRUITING		
390	OFFICER ACQUISITION	156,214	156,214

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
400	RECRUIT TRAINING	8,863	8,963
	CVN 73 Refueling and Complex Overhaul (RCOH)		[100]
410	RESERVE OFFICERS TRAINING CORPS	148,150	148,150
420	SPECIALIZED SKILL TRAINING	601,501	608,701
	CVN 73 Refueling and Complex Overhaul (RCOH)		[7,200]
430	FLIGHT TRAINING	8,239	8,239
440	PROFESSIONAL DEVELOPMENT EDUCATION	164,214	165,214
	CVN 73 Refueling and Complex Overhaul (RCOH)		[1,000]
450	TRAINING SUPPORT	182,619	183,519
	CVN 73 Refueling and Complex Overhaul (RCOH)		[900]
460	RECRUITING AND ADVERTISING	230,589	231,737
	Naval Sea Cadet Corps		[1,148]
470	OFF-DUTY AND VOLUNTARY EDUCATION	115,595	115,595
480	CIVILIAN EDUCATION AND TRAINING	79,606	79,606
490	JUNIOR ROTC	41,664	41,664
	SUBTOTAL TRAINING AND RECRUITING	**1,737,254**	**1,747,602**
	ADMIN & SRVWD ACTIVITIES		
500	ADMINISTRATION	858,871	858,871
510	EXTERNAL RELATIONS	12,807	12,807
520	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	119,863	119,863
530	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	356,113	357,013
	CVN 73 Refueling and Complex Overhaul (RCOH)		[900]
540	OTHER PERSONNEL SUPPORT	255,605	255,605
550	SERVICEWIDE COMMUNICATIONS	339,802	339,802
570	SERVICEWIDE TRANSPORTATION	172,203	172,203
590	PLANNING, ENGINEERING AND DESIGN	283,621	283,621
600	ACQUISITION AND PROGRAM MANAGEMENT	1,111,464	1,111,464
610	HULL, MECHANICAL AND ELECTRICAL SUPPORT	43,232	43,232
620	COMBAT/WEAPONS SYSTEMS	25,689	25,689
630	SPACE AND ELECTRONIC WARFARE SYSTEMS	73,159	73,159
640	NAVAL INVESTIGATIVE SERVICE	548,640	548,640
700	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,713	4,713
720A	CLASSIFIED PROGRAMS	531,324	531,324
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,737,106**	**4,738,006**
	UNDISTRIBUTED		
730	UNDISTRIBUTED		–154,200
	Civilian personnel underexecution		[–80,000]
	Foreign Currency adjustments		[–74,200]
	SUBTOTAL UNDISTRIBUTED		**–154,200**
	TOTAL OPERATION & MAINTENANCE, NAVY	**39,025,857**	**38,985,005**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	905,744	939,544
	Crisis Response Operations Unfunded Requirement		[33,800]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
020	FIELD LOGISTICS	921,543	921,543
030	DEPOT MAINTENANCE	229,058	229,058
040	MARITIME PREPOSITIONING	87,660	87,660
050	SUSTAINMENT, RESTORATION & MODERNIZATION	573,926	592,676
	Facilities Sustainment		[18,750]
060	BASE OPERATING SUPPORT	1,983,118	1,983,118
	SUBTOTAL OPERATING FORCES	**4,701,049**	**4,753,599**
	TRAINING AND RECRUITING		
070	RECRUIT TRAINING	18,227	18,227
080	OFFICER ACQUISITION	948	948
090	SPECIALIZED SKILL TRAINING	98,448	98,448
100	PROFESSIONAL DEVELOPMENT EDUCATION	42,305	42,305
110	TRAINING SUPPORT	330,156	330,156
120	RECRUITING AND ADVERTISING	161,752	161,752
130	OFF-DUTY AND VOLUNTARY EDUCATION	19,137	19,137
140	JUNIOR ROTC	23,277	23,277
	SUBTOTAL TRAINING AND RECRUITING	**694,250**	**694,250**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	36,359	36,359
160	ADMINISTRATION	362,608	353,508
	Marine Museum Unjustified Growth		[–9,100]
180	ACQUISITION AND PROGRAM MANAGEMENT	70,515	70,515
180A	CLASSIFIED PROGRAMS	44,706	44,706
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**514,188**	**505,088**
	UNDISTRIBUTED		
190	UNDISTRIBUTED		–28,400
	Foreign Currency adjustments		[–28,400]
	SUBTOTAL UNDISTRIBUTED		**–28,400**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**5,909,487**	**5,924,537**
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	565,842	573,742
	CVN 73 Refueling and Complex Overhaul (RCOH)		[7,900]
020	INTERMEDIATE MAINTENANCE	5,948	5,948
040	AIRCRAFT DEPOT MAINTENANCE	82,636	84,936
	CVN 73 Refueling and Complex Overhaul (RCOH)		[2,300]
050	AIRCRAFT DEPOT OPERATIONS SUPPORT	353	353
060	AVIATION LOGISTICS	7,007	7,007
070	MISSION AND OTHER SHIP OPERATIONS	8,190	8,190
080	SHIP OPERATIONS SUPPORT & TRAINING	556	556
090	SHIP DEPOT MAINTENANCE	4,571	4,571
100	COMBAT COMMUNICATIONS	14,472	14,472
110	COMBAT SUPPORT FORCES	119,056	119,056
120	WEAPONS MAINTENANCE	1,852	1,852
130	ENTERPRISE INFORMATION	25,354	25,354
140	SUSTAINMENT, RESTORATION AND MODERNIZATION	48,271	53,098
	Facilities Sustainment		[4,827]
150	BASE OPERATING SUPPORT	101,921	101,921
	SUBTOTAL OPERATING FORCES	**986,029**	**1,001,056**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	ADMIN & SRVWD ACTIVITIES		
160	ADMINISTRATION	1,520	1,520
170	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	12,998	12,998
180	SERVICEWIDE COMMUNICATIONS	3,395	3,395
190	ACQUISITION AND PROGRAM MANAGEMENT	3,158	3,158
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**21,071**	**21,071**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,007,100**	**1,022,127**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	93,093	93,093
020	DEPOT MAINTENANCE	18,377	18,377
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	29,232	33,132
	Facilities Sustainment		[3,900]
040	BASE OPERATING SUPPORT	106,447	106,447
	SUBTOTAL OPERATING FORCES	**247,149**	**251,049**
	ADMIN & SRVWD ACTIVITIES		
050	SERVICEWIDE TRANSPORTATION	914	914
060	ADMINISTRATION	11,831	11,831
070	RECRUITING AND ADVERTISING	8,688	8,688
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**21,433**	**21,433**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**268,582**	**272,482**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	3,163,457	3,172,057
	Nuclear Force Improvement Program—Security Forces		[8,600]
020	COMBAT ENHANCEMENT FORCES	1,694,339	1,694,339
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,579,178	1,579,178
040	DEPOT MAINTENANCE	6,119,522	6,028,400
	RC/OC–135 Contractor Logistics Support Unjustified Growth		[–8,000]
	Unjustified program growth		[–83,122]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,453,589	1,475,739
	Facilities Sustainment		[18,750]
	Nuclear Force Improvement Program—Installation Surety		[3,400]
060	BASE SUPPORT	2,599,419	2,589,419
	Remove one-time fiscal year 2014 funding increase		[–10,000]
070	GLOBAL C3I AND EARLY WARNING	908,790	908,790
080	OTHER COMBAT OPS SPT PROGRAMS	856,306	865,906
	Nuclear Force Improvement Program—ICBM Training Hardware		[9,600]
090	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	800,689	800,689
100	LAUNCH FACILITIES	282,710	282,710
110	SPACE CONTROL SYSTEMS	397,818	397,818

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	871,840	860,840
	Program decrease—classified program		[–11,000]
130	COMBATANT COMMANDERS CORE OPERATIONS	237,348	237,348
130A	AIRBORNE WARNING AND CONTROL SYSTEM		34,600
	Retain current AWACS fleet		[34,600]
130B	A–10 FLYING HOURS		188,400
	Retain current A–10 fleet		[188,400]
130C	A–10 WEAPONS SYSTEMS SUSTAINMENT		68,100
	Retain current A–10 fleet		[68,100]
	SUBTOTAL OPERATING FORCES	**20,965,005**	**21,184,333**
	MOBILIZATION		
140	AIRLIFT OPERATIONS	1,968,810	1,968,810
150	MOBILIZATION PREPAREDNESS	139,743	125,670
	Inflation pricing requested as program growth		[–14,073]
160	DEPOT MAINTENANCE	1,534,560	1,534,560
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	173,627	173,627
180	BASE SUPPORT	688,801	688,801
	SUBTOTAL MOBILIZATION	**4,505,541**	**4,491,468**
	TRAINING AND RECRUITING		
190	OFFICER ACQUISITION	82,396	82,396
200	RECRUIT TRAINING	19,852	19,852
210	RESERVE OFFICERS TRAINING CORPS (ROTC)	76,134	76,134
220	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	212,226	212,226
230	BASE SUPPORT	759,809	759,809
240	SPECIALIZED SKILL TRAINING	356,157	356,157
250	FLIGHT TRAINING	697,594	697,594
260	PROFESSIONAL DEVELOPMENT EDUCATION	219,441	219,441
270	TRAINING SUPPORT	91,001	91,001
280	DEPOT MAINTENANCE	316,688	316,688
290	RECRUITING AND ADVERTISING	73,920	73,920
300	EXAMINING	3,121	3,121
310	OFF-DUTY AND VOLUNTARY EDUCATION	181,718	181,718
320	CIVILIAN EDUCATION AND TRAINING	147,667	147,667
330	JUNIOR ROTC	63,250	63,250
	SUBTOTAL TRAINING AND RECRUITING	**3,300,974**	**3,300,974**
	ADMIN & SRVWD ACTIVITIES		
340	LOGISTICS OPERATIONS	1,003,513	997,379
	Inflation pricing requested as program growth		[–6,134]
350	TECHNICAL SUPPORT ACTIVITIES	843,449	836,210
	Defense Finance and Accounting Services rate adjustment requested as program growth		[–7,239]
360	DEPOT MAINTENANCE	78,126	78,126
370	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	247,677	247,677
380	BASE SUPPORT	1,103,442	1,103,442
390	ADMINISTRATION	597,234	597,234
400	SERVICEWIDE COMMUNICATIONS	506,840	506,840
410	OTHER SERVICEWIDE ACTIVITIES	892,256	892,256
420	CIVIL AIR PATROL	24,981	24,981
450	INTERNATIONAL SUPPORT	92,419	92,419
450A	CLASSIFIED PROGRAMS	1,169,736	1,164,376
	Classified adjustment		[–5,360]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**6,559,673**	**6,540,940**

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(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	UNDISTRIBUTED		
460	UNDISTRIBUTED		–131,900
	Civilian personnel underexecution		[–80,000]
	Foreign Currency adjustments		[–51,900]
	SUBTOTAL UNDISTRIBUTED		**–131,900**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**35,331,193**	**35,385,815**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,719,467	1,719,467
020	MISSION SUPPORT OPERATIONS	211,132	211,132
030	DEPOT MAINTENANCE	530,301	530,301
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	85,672	90,672
	Facilities Sustainment		[5,000]
050	BASE SUPPORT	367,966	367,966
	SUBTOTAL OPERATING FORCES	**2,914,538**	**2,919,538**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
060	ADMINISTRATION	59,899	59,899
070	RECRUITING AND ADVERTISING	14,509	14,509
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	20,345	20,345
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,551	6,551
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**101,304**	**101,304**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,015,842**	**3,020,842**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,367,729	3,367,729
020	MISSION SUPPORT OPERATIONS	718,295	718,295
030	DEPOT MAINTENANCE	1,528,695	1,528,695
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	137,604	142,604
	Facilities Sustainment		[5,000]
050	BASE SUPPORT	581,536	581,536
	SUBTOTAL OPERATING FORCES	**6,333,859**	**6,338,859**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
060	ADMINISTRATION	27,812	27,812
070	RECRUITING AND ADVERTISING	31,188	31,188
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**59,000**	**59,000**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,392,859**	**6,397,859**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	462,107	462,107
020	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	4,762,245	4,770,947

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(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	MSV—USSOCOM Maritime Support Vessel		[–20,298]
	NCR—USSOCOM National Capitol Region Office		[–5,000]
	POTFF—transfer to DHP		[–14,800]
	POTFF—transfer to DHRA for Office Suicide Provention		[–4,000]
	RSCC—Regional Special Operations Forces Coordination Centers		[–3,600]
	UFR Flying Hours		[36,400]
	UFR Unit Readiness Training		[20,000]
	SUBTOTAL OPERATING FORCES	**5,224,352**	**5,233,054**
	TRAINING AND RECRUITING		
030	DEFENSE ACQUISITION UNIVERSITY	135,437	135,437
040	NATIONAL DEFENSE UNIVERSITY	80,082	80,082
050	SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING	371,620	371,620
	SUBTOTAL TRAINING AND RECRUITING	**587,139**	**587,139**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
060	CIVIL MILITARY PROGRAMS	119,888	175,888
	STARBASE		[25,000]
	Youth Challenge		[31,000]
080	DEFENSE CONTRACT AUDIT AGENCY	556,493	556,493
090	DEFENSE CONTRACT MANAGEMENT AGENCY	1,340,374	1,299,874
	Civilian personnel compensation—justification does not match summary of price and program changes		[–20,500]
	Civilian personnel compensation hiring lag		[–20,000]
100	DEFENSE HUMAN RESOURCES ACTIVITY	633,300	636,070
	Civilian personnel compensation hiring lag		[–1,230]
	Suicide Prevention—transfer from SOCOM		[4,000]
110	DEFENSE INFORMATION SYSTEMS AGENCY	1,263,678	1,263,678
130	DEFENSE LEGAL SERVICES AGENCY	26,710	26,710
140	DEFENSE LOGISTICS AGENCY	381,470	394,170
	PTAP funding increase		[12,700]
150	DEFENSE MEDIA ACTIVITY	194,520	194,520
160	DEFENSE POW/MIA OFFICE	21,485	21,485
170	DEFENSE SECURITY COOPERATION AGENCY	544,786	552,386
	Program decrease—Combatting terrorism fellowship		[–2,400]
	Warsaw Initiative Fund/Partnership For Peace		[10,000]
180	DEFENSE SECURITY SERVICE	527,812	527,812
200	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	32,787	32,787
230	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,566,424	2,566,424
240	MISSILE DEFENSE AGENCY	416,644	416,644
260	OFFICE OF ECONOMIC ADJUSTMENT	186,987	106,391
	Office of Economic Adjustment		[–80,596]
265	OFFICE OF NET ASSESSMENT		18,944
	Program increase		[10,000]
	Transfer from line 270		[8,944]
270	OFFICE OF THE SECRETARY OF DEFENSE	1,891,163	1,873,419
	BRAC 2015 Round Planning and Analyses		[–4,800]
	DOD Rewards Program Underexecution		[–4,000]
	Transfer funding for Office of Net Assessment to line 265		[–8,944]
280	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES	87,915	87,915

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(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
290	WASHINGTON HEADQUARTERS SERVICES	610,982	608,462
	Civilian personnel compensation hiring lag		[–2,520]
290A	CLASSIFIED PROGRAMS	13,983,323	13,983,323
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**25,386,741**	**25,343,395**
	UNDISTRIBUTED		
300	UNDISTRIBUTED		12,500
	Foreign Currency adjustments		[–17,500]
	Impact Aid		[25,000]
	Impact Aid for Childern with Severe Disabilities		[5,000]
	SUBTOTAL UNDISTRIBUTED		**12,500**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**31,198,232**	**31,176,088**
	MISCELLANEOUS APPROPRIATIONS		
	MISCELLANEOUS APPROPRIATIONS		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	13,723	13,723
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	100,000	100,000
030	COOPERATIVE THREAT REDUCTION	365,108	365,108
040	ACQ WORKFORCE DEV FD	212,875	83,034
	Program decrease		[–129,841]
050	ENVIRONMENTAL RESTORATION, ARMY	201,560	201,560
060	ENVIRONMENTAL RESTORATION, NAVY	277,294	277,294
070	ENVIRONMENTAL RESTORATION, AIR FORCE	408,716	408,716
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,547	8,547
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	208,353	208,353
100	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	5,000	0
	Program decrease		[–5,000]
110	SUPPORT OF INTERNATIONAL SPORTING COMPETITIONS, DEFENSE	10,000	5,700
	Unjustified program increase		[–4,300]
	SUBTOTAL MISCELLANEOUS APPROPRIATIONS	**1,811,176**	**1,672,035**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**1,811,176**	**1,672,035**
	TOTAL OPERATION & MAINTENANCE	**165,721,818**	**165,417,280**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	77,419	187,419
	ERI: Armored Brigade Combat Team Presence		[110,000]
020	MODULAR SUPPORT BRIGADES	3,827	3,827
030	ECHELONS ABOVE BRIGADE	22,353	22,353
040	THEATER LEVEL ASSETS	1,405,102	1,405,102

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
050	LAND FORCES OPERATIONS SUPPORT	452,332	467,332
	ERI: Increased Global Response Force Exercises		[15,000]
060	AVIATION ASSETS	47,522	47,522
070	FORCE READINESS OPERATIONS SUPPORT	1,050,683	1,147,183
	ERI: Increase Range Capacities and Operation, and Upgrade Training Sites		[96,500]
080	LAND FORCES SYSTEMS READINESS	166,725	166,725
090	LAND FORCES DEPOT MAINTENANCE	87,636	273,236
	Restore Critical Depot Maintenance		[185,600]
100	BASE OPERATIONS SUPPORT	291,977	291,977
140	ADDITIONAL ACTIVITIES	7,316,967	7,407,261
	ERI: NATO Exercises		[13,100]
	ERI: Strengthen the Capacity of NATO and NATO Partners		[3,000]
	Replenishment of source funds in FY15–02 re-programming		[74,194]
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	10,000	10,000
160	RESET	2,861,655	2,861,655
	SUBTOTAL OPERATING FORCES	**13,794,198**	**14,291,592**
	MOBILIZATION		
190	ARMY PREPOSITIONED STOCKS		59,000
	ERI: Armored Brigade Combat Team presence		[40,000]
	ERI: Army Prepo Infrastructure Projects		[19,000]
	SUBTOTAL MOBILIZATION		**59,000**
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	1,806,267	1,806,267
380	AMMUNITION MANAGEMENT	45,537	45,537
400	SERVICEWIDE COMMUNICATIONS	32,264	32,264
420	OTHER PERSONNEL SUPPORT	98,171	98,171
430	OTHER SERVICE SUPPORT	99,694	99,694
450	REAL ESTATE MANAGEMENT	137,053	137,053
520A	CLASSIFIED PROGRAMS	1,122,092	1,106,192
	Program decrease		[–15,900]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**3,341,078**	**3,325,178**
	TOTAL OPERATION & MAINTENANCE, ARMY	**17,135,276**	**17,675,770**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
030	ECHELONS ABOVE BRIGADE	4,285	4,285
050	LAND FORCES OPERATIONS SUPPORT	1,428	1,428
070	FORCE READINESS OPERATIONS SUPPORT	699	699
100	BASE OPERATIONS SUPPORT	35,120	35,120
	SUBTOTAL OPERATING FORCES	**41,532**	**41,532**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**41,532**	**41,532**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	12,593	13,793
	ERI: Leverage State Partnership Program		[1,200]
020	MODULAR SUPPORT BRIGADES	647	647
030	ECHELONS ABOVE BRIGADE	6,670	6,670
040	THEATER LEVEL ASSETS	664	664
060	AVIATION ASSETS	22,485	22,485

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
070	FORCE READINESS OPERATIONS SUPPORT	14,560	14,560
090	LAND FORCES DEPOT MAINTENANCE		49,600
	Restore Critical Depot Maintenance		[49,600]
100	BASE OPERATIONS SUPPORT	13,923	13,923
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	4,601	4,601
	SUBTOTAL OPERATING FORCES	**76,143**	**126,943**
	ADMIN & SRVWD ACTIVITIES		
150	ADMINISTRATION	318	318
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**318**	**318**
	TOTAL OPERATION & MAINTENANCE, ARNG	**76,461**	**127,261**
	AFGHANISTAN SECURITY FORCES FUND		
	MINISTRY OF DEFENSE		
010	AFGHANISTAN SECURITY FORCES FUND	2,915,747	2,915,747
	SUBTOTAL MINISTRY OF DEFENSE	**2,915,747**	**2,915,747**
	MINISTRY OF INTERIOR		
020	MINISTRY OF INTERIOR	1,161,733	1,161,733
	SUBTOTAL MINISTRY OF INTERIOR	**1,161,733**	**1,161,733**
	DETAINEE OPS		
030	IRAQ TRAINING FACILITY	31,853	31,853
	SUBTOTAL DETAINEE OPS	**31,853**	**31,853**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**4,109,333**	**4,109,333**
	IRAQ TRAIN AND EQUIP FUND		
	IRAQ TRAIN AND EQUIP FUND		
010	IRAQ TRAIN AND EQUIP FUND	1,618,000	1,618,000
	SUBTOTAL IRAQ TRAIN AND EQUIP FUND	**1,618,000**	**1,618,000**
	TOTAL IRAQ TRAIN AND EQUIP FUND	**1,618,000**	**1,618,000**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	573,123	576,123
	ERI: Seabreeze and European Multinational Exercises		[3,000]
040	AIR OPERATIONS AND SAFETY SUPPORT	2,600	2,600
050	AIR SYSTEMS SUPPORT	22,035	22,035
060	AIRCRAFT DEPOT MAINTENANCE	192,411	303,411
	Aviation Depot Maintenance		[111,000]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	1,116	1,116
080	AVIATION LOGISTICS	33,900	33,900
090	MISSION AND OTHER SHIP OPERATIONS	1,153,500	1,158,450
	ERI: Black Sea Multinational Exercises		[4,950]
100	SHIP OPERATIONS SUPPORT & TRAINING	20,068	20,068
110	SHIP DEPOT MAINTENANCE	1,922,829	2,072,829
	Restore Critical Depot Maintenance		[150,000]
130	COMBAT COMMUNICATIONS	31,303	31,303
160	WARFARE TACTICS	26,229	26,229
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	20,398	20,398
180	COMBAT SUPPORT FORCES	676,555	685,675

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	ERI: BALTOPS Multinational Exercises		[500]
	ERI: Black Sea Information Sharing Initiatives		[620]
	ERI: EUCOM Information Sharing Initiatives		[8,000]
190	EQUIPMENT MAINTENANCE	10,662	10,662
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	90,684	90,684
260	WEAPONS MAINTENANCE	233,696	233,696
300	SUSTAINMENT, RESTORATION AND MODERNIZATION	16,220	16,420
	ERI: European Multinational Exercise Infrastructure Support		[200]
310	BASE OPERATING SUPPORT	88,688	88,688
	SUBTOTAL OPERATING FORCES	**5,116,017**	**5,394,287**
	MOBILIZATION		
360	EXPEDITIONARY HEALTH SERVICES SYSTEMS	5,307	5,307
380	COAST GUARD SUPPORT	213,319	213,319
	SUBTOTAL MOBILIZATION	**218,626**	**218,626**
	TRAINING AND RECRUITING		
420	SPECIALIZED SKILL TRAINING	48,270	48,270
	SUBTOTAL TRAINING AND RECRUITING	**48,270**	**48,270**
	ADMIN & SRVWD ACTIVITIES		
500	ADMINISTRATION	2,464	2,464
510	EXTERNAL RELATIONS	520	520
530	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,205	5,205
540	OTHER PERSONNEL SUPPORT	1,439	1,439
570	SERVICEWIDE TRANSPORTATION	186,318	186,318
590	PLANNING, ENGINEERING AND DESIGN	1,350	1,350
600	ACQUISITION AND PROGRAM MANAGEMENT	11,811	11,811
640	NAVAL INVESTIGATIVE SERVICE	1,468	1,468
720A	CLASSIFIED PROGRAMS	6,380	6,380
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**216,955**	**216,955**
	TOTAL OPERATION & MAINTENANCE, NAVY	**5,599,868**	**5,878,138**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	477,406	490,616
	ERI: BALTOPS Multinational Exercises		[1,500]
	ERI: Black Sea Rotational Force Increased Presence		[8,910]
	ERI: Cold Response Multinational Exercises		[800]
	ERI: NATO Multinational Exercises		[2,000]
020	FIELD LOGISTICS	353,334	353,334
030	DEPOT MAINTENANCE	426,720	436,720
	Restore Critical Depot Maintenance		[10,000]
060	BASE OPERATING SUPPORT	12,036	12,036
	SUBTOTAL OPERATING FORCES	**1,269,496**	**1,292,706**
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	52,106	52,106
	SUBTOTAL TRAINING AND RECRUITING	**52,106**	**52,106**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	162,980	162,980
160	ADMINISTRATION	1,322	1,322
180A	CLASSIFIED PROGRAMS	1,870	1,870

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**166,172**	**166,172**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**1,487,774**	**1,510,984**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	16,133	16,133
040	AIRCRAFT DEPOT MAINTENANCE	6,150	6,150
070	MISSION AND OTHER SHIP OPERATIONS	12,475	12,475
090	SHIP DEPOT MAINTENANCE	2,700	2,700
110	COMBAT SUPPORT FORCES	8,418	8,418
	SUBTOTAL OPERATING FORCES	**45,876**	**45,876**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**45,876**	**45,876**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	9,740	9,740
040	BASE OPERATING SUPPORT	800	800
	SUBTOTAL OPERATING FORCES	**10,540**	**10,540**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**10,540**	**10,540**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,352,604	1,419,934
	ERI: Baltic Air Policing		[10,000]
	ERI: Eastern European Countries Exercise Support		[2,300]
	ERI: Retain Air Superiority Presence		[55,000]
	Replenishment of source funds in FY15–02 reprogramming		[30]
020	COMBAT ENHANCEMENT FORCES	893,939	898,339
	ERI: Baltic Intelligence, Surveillance and Reconnaissance		[4,400]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	8,785	8,785
040	DEPOT MAINTENANCE	1,146,099	1,146,099
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	78,000	105,890
	ERI: Improve Airfield Infrastructure		[9,890]
	ERI: Improve Support Infrastructure		[400]
	ERI: Improve Weapons Storage Facilities		[17,600]
060	BASE SUPPORT	1,226,834	1,226,834
070	GLOBAL C3I AND EARLY WARNING	92,109	92,109
080	OTHER COMBAT OPS SPT PROGRAMS	168,269	168,269
090	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	26,337	26,337
100	LAUNCH FACILITIES	852	852
110	SPACE CONTROL SYSTEMS	4,942	4,942
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	99,400	99,568
	Replenishment of source funds in FY15–02 reprogramming		[168]
	SUBTOTAL OPERATING FORCES	**5,098,170**	**5,197,958**
	MOBILIZATION		
140	AIRLIFT OPERATIONS	2,894,280	2,896,880

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
	ERI: Persistent MAF Capability		[2,000]
	Replenishment of source funds in FY15–02 reprogramming		[600]
150	MOBILIZATION PREPAREDNESS	138,043	138,043
160	DEPOT MAINTENANCE	437,279	597,279
	Restore Critical Depot Maintenance		[160,000]
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,801	2,801
180	BASE SUPPORT	15,370	15,370
	SUBTOTAL MOBILIZATION	**3,487,773**	**3,650,373**
	TRAINING AND RECRUITING		
190	OFFICER ACQUISITION	39	39
200	RECRUIT TRAINING	432	432
230	BASE SUPPORT	1,617	1,617
240	SPECIALIZED SKILL TRAINING	2,145	2,145
310	OFF-DUTY AND VOLUNTARY EDUCATION	163	163
	SUBTOTAL TRAINING AND RECRUITING	**4,396**	**4,396**
	ADMIN & SRVWD ACTIVITIES		
340	LOGISTICS OPERATIONS	85,016	85,016
350	TECHNICAL SUPPORT ACTIVITIES	934	934
380	BASE SUPPORT	6,923	6,923
390	ADMINISTRATION	151	151
400	SERVICEWIDE COMMUNICATIONS	162,106	164,356
	Replenishment of source funds in FY15–02 reprogramming		[2,250]
410	OTHER SERVICEWIDE ACTIVITIES	246,256	246,256
450	INTERNATIONAL SUPPORT	60	60
450A	CLASSIFIED PROGRAMS	17,408	5,910
	Program decrease		[–11,498]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**518,854**	**509,606**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**9,109,193**	**9,362,333**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
030	DEPOT MAINTENANCE	72,575	72,575
050	BASE SUPPORT	5,219	5,219
	SUBTOTAL OPERATING FORCES	**77,794**	**77,794**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**77,794**	**77,794**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS		2,300
	ERI: Eastern European Countries Exercise Support		[2,000]
	ERI: Leverage State Partnership Program		[300]
020	MISSION SUPPORT OPERATIONS	20,300	20,300
	SUBTOTAL OPERATING FORCES	**20,300**	**22,600**
	TOTAL OPERATION & MAINTENANCE, ANG	**20,300**	**22,600**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF		100
	ERI: EUCOM Support to NATO Exercises in Chairman's Joint Exercise Program		[100]

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2015 Request	Agreement Authorized
020	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	2,490,648	2,648,963
	ERI: Increased Partnership Activities in Central and Eastern Europe		[10,557]
	Replenishment of source funds in FY15–02 re-programming		[147,758]
	SUBTOTAL OPERATING FORCES	**2,490,648**	**2,649,063**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	DEFENSE CONTRACT AUDIT AGENCY	22,847	22,847
090	DEFENSE CONTRACT MANAGEMENT AGENCY	21,516	21,516
110	DEFENSE INFORMATION SYSTEMS AGENCY	36,416	36,416
130	DEFENSE LEGAL SERVICES AGENCY	105,000	105,000
150	DEFENSE MEDIA ACTIVITY	6,251	6,251
170	DEFENSE SECURITY COOPERATION AGENCY	1,660,000	1,660,000
230	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	93,000	93,000
270	OFFICE OF THE SECRETARY OF DEFENSE	115,664	125,664
	ERI: Intelligence and Warning		[10,000]
290	WASHINGTON HEADQUARTERS SERVICES	2,424	2,424
290A	CLASSIFIED PROGRAMS	1,617,659	1,613,059
	Program decrease		[–4,600]
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**3,680,777**	**3,686,177**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**6,171,425**	**6,335,240**
	TOTAL OPERATION & MAINTENANCE	**45,503,372**	**46,815,401**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2015 Request	Agreement Authorized
Military Personnel Appropriations	**128,957,593**	**128,479,608**
AGR Pay and Allowance—projected underexecution		[–84,500]
CVN 73 Refueling and Complex Overhaul (RCOH)		[48,000]
Inactive Duty Training—projected underexecution		[–79,000]
Individual Clothing and Uniform Allowance—excess to requirement		[–10,000]
Lower than budgeted average strength levels		[–66,500]
Military Personnel Historical Underexecution		[–628,000]
Non-Prior Service Enlistment Bonus—excess to requirement		[–4,000]
Operational training excess to requirement		[–3,000]
Operational travel excess to requirement		[–10,800]
Recalculation from CPI–1 to CPI		[215,300]
Retain current A–10 fleet		[74,615]
Retain current AWACS fleet		[24,900]
Transfer funding for 2 CTC rotations: Army-requested from line 121, O&M Army		[45,000]
Medicare-Eligible Retiree Health Fund Contributions	**6,236,092**	**6,236,092**

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2015 Request	Agreement Authorized
Total, Military Personnel	**135,193,685**	**134,715,700**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2015 Request	Agreement Authorized
Military Personnel Appropriations	**5,536,340**	**5,537,840**
ERI: Strengthen the Capacity of NATO and NATO Partners		[1,500]
Medicare-Eligible Retiree Health Fund Contributions	**58,728**	**58,728**
Total, Military Personnel Appropriations	**5,595,068**	**5,596,568**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2015 Request	Agreement Authorized
WORKING CAPITAL FUND, ARMY		
PREPOSITIONED WAR RESERVE STOCKS	13,727	13,727
TOTAL WORKING CAPITAL FUND, ARMY	**13,727**	**13,727**
WORKING CAPITAL FUND, AIR FORCE		
SUPPLIES AND MATERIALS (MEDICAL/DENTAL)	61,717	61,717
TOTAL WORKING CAPITAL FUND, AIR FORCE	**61,717**	**61,717**
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE LOGISTICS AGENCY (DLA)	44,293	44,293
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**44,293**	**44,293**
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND, DECA	1,114,731	1,214,731
Restore Commissary Reduction		[100,000]
TOTAL WORKING CAPITAL FUND, DECA	**1,114,731**	**1,214,731**
CHEM AGENTS & MUNITIONS DESTRUCTION		
OPERATION & MAINTENANCE	222,728	222,728
RDT&E	595,913	595,913
PROCUREMENT	10,227	10,227
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**828,868**	**828,868**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	719,096	719,096
DRUG DEMAND REDUCTION PROGRAM	101,591	101,591

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2015 Request	Agreement Authorized
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**820,687**	**820,687**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	310,830	310,830
PROCUREMENT	1,000	1,000
TOTAL OFFICE OF THE INSPECTOR GENERAL	**311,830**	**311,830**
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	8,799,086	8,849,171
Implementation of Benefit Reform Proposal		[–56,715]
Restoration of MHS Modernization		[92,000]
USSOCOM Behavioral Health and Warrior Care Management Program		[14,800]
PRIVATE SECTOR CARE	15,412,599	14,317,599
Historical underexecution		[–855,000]
Implementation of Benefit Reform Proposal		[–58,000]
Pharmaceutical drugs—excess growth		[–182,000]
CONSOLIDATED HEALTH SUPPORT	2,462,096	2,358,396
Historical underexecution		[–100,000]
Travel excess growth		[–3,700]
INFORMATION MANAGEMENT	1,557,347	1,557,347
MANAGEMENT ACTIVITIES	366,223	366,223
EDUCATION AND TRAINING	750,866	750,866
BASE OPERATIONS/COMMUNICATIONS	1,683,694	1,683,694
R&D UNDISTRIBUTED		
R&D RESEARCH	10,317	10,317
R&D EXPLORATRY DEVELOPMENT	49,015	49,015
R&D ADVANCED DEVELOPMENT	226,410	226,410
R&D DEMONSTRATION/VALIDATION	97,787	97,787
R&D ENGINEERING DEVELOPMENT	217,898	217,898
R&D MANAGEMENT AND SUPPORT	38,075	38,075
R&D CAPABILITIES ENHANCEMENT	15,092	15,092
UNDISTRIBUTED		
PROC INITIAL OUTFITTING	13,057	13,057
PROC REPLACEMENT & MODERNIZATION	283,030	283,030
PROC THEATER MEDICAL INFORMATION PROGRAM	3,145	3,145
PROC IEHR	9,181	9,181
UNDISTRIBUTED	–161,857	–161,857
TOTAL DEFENSE HEALTH PROGRAM	**31,833,061**	**30,684,446**
TOTAL OTHER AUTHORIZATIONS	**35,028,914**	**33,980,299**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2015 Request	Agreement Authorized
WORKING CAPITAL FUND, AIR FORCE		
C–17 CLS ENGINE COST INCREASE		
FUEL	5,000	5,000
TOTAL WORKING CAPITAL FUND, AIR FORCE	**5,000**	**5,000**
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE LOGISTICS AGENCY (DLA)	86,350	86,350
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**86,350**	**86,350**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2015 Request	Agreement Authorized
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	189,000	209,000
SOUTHCOM ISR		[20,000]
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**189,000**	**209,000**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	7,968	7,968
TOTAL OFFICE OF THE INSPECTOR GENERAL	**7,968**	**7,968**
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	65,902	65,902
PRIVATE SECTOR CARE	214,259	214,259
CONSOLIDATED HEALTH SUPPORT	15,311	15,311
EDUCATION AND TRAINING	5,059	5,059
TOTAL DEFENSE HEALTH PROGRAM	**300,531**	**300,531**
EUROPEAN REASSURANCE INITIATIVE		
EUROPEAN REASSURANCE INITIATIVE	925,000	370,713
ERI: Military Assistance and Support for Ukraine		[75,000]
ERI: Transfer out to appropriations for proper execution		[–629,287]
TOTAL EUROPEAN REASSURANCE INITIATIVE	**925,000**	**370,713**
COUNTERTERRORISM PARTNERSHIPS FUND		
COUNTERTERRORISM PARTNERSHIPS FUND	4,000,000	1,300,000
Funding ahead of need		[–2,700,000]
TOTAL COUNTERTERRORISM PARTNERSHIPS FUND	**4,000,000**	**1,300,000**
TOTAL OTHER AUTHORIZATIONS	**5,513,849**	**2,279,562**
TOTAL OTHER AUTHORIZATIONS	**5,513,849**	**2,279,562**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2015 Request	Agreement Authorized
	California			
Army	Concord	Access Control Point	9,900	9,900
Army	Concord	General Purpose Maintenance Shop	5,300	5,300
Army	Fort Irwin	Unmanned Aerial Vehicle Hangar	45,000	45,000
	Colorado			
Army	Fort Carson	Aircraft Maintenance Hangar	60,000	60,000
Army	Fort Carson	Unmanned Aerial Vehicle Hangar	29,000	29,000
	Guantanamo Bay, Cuba			
Army	Guantanamo Bay	Dining Facility	12,000	12,000
Army	Guantanamo Bay	Health Clinic	11,800	11,800
Army	Guantanamo Bay	High Value Detainee Complex	0	0
	Hawaii			
Army	Fort Shafter	Command and Control Facility Complex	96,000	85,000
	Japan			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2015 Request	Agreement Authorized
Army	Kadena AB	Missile Magazine	10,600	10,600
	Kentucky			
Army	Blue Grass Army Depot	Shipping and Receiving Building	0	15,000
Army	Fort Campbell	Unmanned Aerial Vehicle Hangar	23,000	23,000
	New York			
Army	Fort Drum	Unmanned Aerial Vehicle Hangar	27,000	27,000
Army	U.S. Military Academy	Cadet Barracks, Incr 3	58,000	58,000
	Pennsylvania			
Army	Letterkenny Army Depot	Rebuild Shop	16,000	16,000
	South Carolina			
Army	Fort Jackson	Trainee Barracks Complex 3, Ph1	52,000	52,000
	Texas			
Army	Fort Hood	Simulations Center	0	0
	Virginia			
Army	Fort Lee	Adv. Individual Training Barracks Complex, Phase 3.	0	0
Army	Joint Base Langley-Eustis	Tactical Vehicle Hardstand	7,700	7,700
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Host Nation Support FY15	33,000	33,000
Army	Unspecified Worldwide Locations	Minor Construction FY15	25,000	25,000
Army	Unspecified Worldwide Locations	Planning and Design FY15	18,127	18,127
Military Construction, Army Total			**539,427**	**543,427**
	Arizona			
Navy	Yuma	Aviation Maintenance and Support Complex.	16,608	16,608
	Bahrain Island			
Navy	SW Asia	P–8A Hangar	27,826	27,826
	California			
Navy	Bridgeport	E-LMR Communications Towers	16,180	16,180
Navy	Lemoore	F–35C Facility Addition and Modification.	0	16,594
Navy	Lemoore	F–35C Operational Training Facility	0	22,391
Navy	San Diego	Steam Distribution System Decentralization.	47,110	47,110
	District of Columbia			
Navy	District of Columbia	Electronics Science and Technology Laboratory.	31,735	31,735
	Djibouti			
Navy	Camp Lemonier	Entry Control Point	9,923	9,923
	Florida			
Navy	Jacksonville	MH60 Parking Apron	8,583	8,583
Navy	Jacksonville	P–8A Runway Thresholds and Taxiways	21,652	21,652
Navy	Mayport	LCS Operational Training Facility	20,520	20,520
	Guam			
Navy	Joint Region Marianas	GSE Shops at North Ramp	21,880	21,880
Navy	Joint Region Marianas	MWSS Facilities at North Ramp	28,771	28,771
	Hawaii			
Navy	Kaneohe Bay	Facility Modifications for VMU, MWSD, & CH53E.	51,182	51,182
Navy	Kaneohe Bay	Road and Infrastructure Improvements	2,200	2,200
Navy	Pearl Harbor	Submarine Maneuvering Room Trainer Facility.	9,698	9,698
	Japan			

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Account	State/Country and Installation	Project Title	FY 2015 Request	Agreement Authorized
Navy	Iwakuni	Security Mods DPRI MC167–T (CVW–5 E2D EA–18G).	6,415	6,415
Navy	Kadena AB	Aircraft Maint Hangar Alterations and SAP-F.	19,411	19,411
Navy	MCAS Futenma	Hangar & Rinse Facility Modernizations	4,639	4,639
Navy	Okinawa	LHD Practice Site Improvements	35,685	35,685
	Maryland			
Navy	Annapolis	Center for Cyber Security Studies Building.	120,112	30,000
Navy	Indian Head	Advanced Energetics Research Lab Complex Ph 2.	15,346	15,346
Navy	Patuxent River	Atlantic Test Range Facility	9,860	9,860
	Nevada			
Navy	Fallon	Air Wing Training Facility	27,763	27,763
Navy	Fallon	Facility Alteration for F–35 Training Mission.	3,499	3,499
	North Carolina			
Navy	Camp Lejeune	2nd Radio BN Complex Phase 1	0	50,706
Navy	Cherry Point Marine Corps Air Station	Water Treatment Plant Replacement	41,588	41,588
	Pennsylvania			
Navy	Philadelphia	Ohio Replacement Power & Propulsion Facility.	23,985	23,985
	South Carolina			
Navy	Charleston	Nuclear Power Operational Support Facility.	35,716	35,716
	Spain			
Navy	Rota	Ship Berthing Power Upgrades	20,233	20,233
	Virginia			
Navy	Dahlgren	Missile Support Facility	27,313	27,313
Navy	Norfolk	EOD Consolidated Ops & Logistics Facilities.	39,274	39,274
Navy	Portsmouth	Submarine Maintenance Facility	9,743	9,743
Navy	Quantico	Ammunition Supply Point Expansion	12,613	12,613
Navy	Yorktown	Bachelor Enlisted Quarters	19,152	19,152
Navy	Yorktown	Fast Company Training Facility	7,836	7,836
	Washington			
Navy	Bangor	Regional Ship Maintenance Support Facility.	0	13,833
Navy	Bremerton	Integrated Water Treatment Syst. Dd 1, 2, & 5.	16,401	16,401
Navy	Kitsap	Explosives Handling Wharf #2 (Inc)	83,778	83,778
Navy	Port Angeles	TPS Port Angeles Forward Operating Location.	20,638	20,638
Navy	Whidbey Island	P–8A Aircraft Apron and Supporting Facilities.	24,390	24,390
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	F–35C Facility Addition and Modification.	16,594	0
Navy	Unspecified Worldwide Locations	F–35C Operational Training Facility	22,391	0
Navy	Unspecified Worldwide Locations	MCON Design Funds	33,366	33,366
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	7,163	7,163
Military Construction, Navy Total			**1,018,772**	**993,199**
	Alaska			
AF	Clear AFS	Emergency Power Plant Fuel Storage	11,500	11,500
	Arizona			
AF	Luke AFB	F–35 Aircraft Mx Hangar—Sqdn #2	11,200	11,200

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Account	State/Country and Installation	Project Title	FY 2015 Request	Agreement Authorized
AF	Luke AFB	F–35 Flightline Fillstands	15,600	15,600
	Guam			
AF	Joint Region Marianas	Guam Strike Fuel Systems Maint. Hangar Inc 2.	64,000	64,000
AF	Joint Region Marianas	PAR Low Observable/Corrosion Control/ Composite Repair Shop.	0	34,400
AF	Joint Region Marianas	PRTC—Combat Comm Infrastr Facility	3,750	3,750
AF	Joint Region Marianas	PRTC—Red Horse Logistics Facility	3,150	3,150
AF	Joint Region Marianas	PRTC—Satellite Fire Station	6,500	6,500
	Kansas			
AF	McConnell AFB	KC–46A Adal Mobility Bag Strg Expansion.	2,300	2,300
AF	McConnell AFB	KC–46A Adal Regional Mx Tng Facility	16,100	16,100
AF	McConnell AFB	KC–46A Alter Composite Mx Shop	4,100	4,100
AF	McConnell AFB	KC–46A Alter Taxiway Foxtrot	5,500	5,500
AF	McConnell AFB	KC–46A Fuselage Trainer	6,400	6,400
	Maryland			
AF	Fort Meade	Cybercom Joint Operations Center, Increment 2.	166,000	166,000
	Massachusetts			
AF	Hanscom AFB	Dormitory (72 Rm)	13,500	13,500
	Nebraska			
AF	Offutt AFB	Usstratcom Replacement Facility- Incr 4	180,000	180,000
	Nevada			
AF	Nellis AFB	F–22 Flight Simulator Facility	14,000	14,000
AF	Nellis AFB	F–35 Aircraft Mx Unit—4 Bay Hangar	31,000	31,000
AF	Nellis AFB	F–35 Weapons School Facility	8,900	8,900
	New Jersey			
AF	Joint Base McGuire-Dix-Lakehurst	Fire Station	5,900	5,900
	Oklahoma			
AF	Tinker AFB	KC–46A Depot Maint Complex Spt Infrastr.	48,000	48,000
AF	Tinker AFB	KC–46A Two-Bay Depot Mx Hangar	63,000	63,000
	Texas			
AF	Joint Base San Antonio	Fire Station	5,800	5,800
	United Kingdom			
AF	RAF Croughton	JIAC Consolidation—Phase 1	92,223	92,223
	Worldwide Unspecified			
AF	Various Worldwide Locations	Planning and Design	10,738	10,738
AF	Various Worldwide Locations	Unspecified Minor Military Construction	22,613	22,613
Military Construction, Air Force Total			**811,774**	**846,174**
	Arizona			
Def-Wide	Fort Huachuca	JITC Building 52120 Renovation	1,871	1,871
	Australia			
Def-Wide	Geraldton	Combined Communications Gateway Geraldton.	9,600	9,600
	Belgium			
Def-Wide	Brussels	Brussells Elementary/High School Replacement.	41,626	41,626
Def-Wide	Brussels	NATO Headquarters Facility	37,918	37,918
	California			
Def-Wide	Camp Pendleton	SOF Comm/Elec Maintenance Facility	11,841	11,841
Def-Wide	Coronado	SOF Logistics Support Unit 1 Ops Facility #1.	41,740	41,740
Def-Wide	Coronado	SOF Support Activity Ops Facility #2	28,600	28,600
Def-Wide	Lemoore	Replace Fuel Storage & Distribution Fac..	52,500	52,500

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Account	State/Country and Installation	Project Title	FY 2015 Request	Agreement Authorized
	Colorado			
Def-Wide	Peterson AFB	Dental Clinic Replacement	15,200	15,200
	Conus			
Def-Wide	Various Locations	East Coast Missile Site Planning and Design.	0	0
	Conus Classified			
Def-Wide	Classified Location	SOF Skills Training Facility	53,073	53,073
	Georgia			
Def-Wide	Hunter Army Airfield	SOF Company Operations Facility	7,692	7,692
Def-Wide	Robins AFB	Replace Hydrant Fuel System	19,900	19,900
	Germany			
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Incr 4	259,695	189,695
	Guantanamo Bay, Cuba			
Def-Wide	Guantanamo Bay	Replace Fuel Tank	11,100	11,100
Def-Wide	Guantanamo Bay	W.T. Sampson E/M and HS Consolid./ Replacement.	65,190	65,190
	Hawaii			
Def-Wide	Joint Base Pearl Harbor-Hickam	Replace Fuel Tanks	3,000	3,000
Def-Wide	Joint Base Pearl Harbor-Hickam	Upgrade Fire Supression & Ventilation Sys..	49,900	49,900
	Japan			
Def-Wide	Misawa AB	Edgren High School Renovation	37,775	37,775
Def-Wide	Okinawa	Killin Elementary Replacement/Renovation.	71,481	71,481
Def-Wide	Okinawa	Kubasaki High School Replacement/Renovation.	99,420	99,420
Def-Wide	Sasebo	E.J. King High School Replacement/Renovation.	37,681	37,681
	Kentucky			
Def-Wide	Fort Campbell	SOF System Integration Maintenance Office Fac.	18,000	18,000
	Maryland			
Def-Wide	Fort Meade	NSAW Campus Feeders Phase 1	54,207	54,207
Def-Wide	Fort Meade	NSAW Recapitalize Building #1/Site M Inc 3.	45,521	45,521
Def-Wide	Joint Base Andrews	Construct Hydrant Fuel System	18,300	18,300
	Michigan			
Def-Wide	Selfridge ANGB	Replace Fuel Distribution Facilities	35,100	35,100
	Mississippi			
Def-Wide	Stennis	SOF Applied Instruction Facility	10,323	10,323
Def-Wide	Stennis	SOF Land Acquisition Western Maneuver Area.	17,224	17,224
	Nevada			
Def-Wide	Fallon	SOF Tactical Ground Mob. Vehicle Maint Fac..	20,241	20,241
	New Mexico			
Def-Wide	Cannon AFB	SOF Squadron Operations Facility (STS)	23,333	23,333
	North Carolina			
Def-Wide	Camp Lejeune	Lejeune High School Addition/Renovation.	41,306	41,306
Def-Wide	Camp Lejeune	SOF Intel/Ops Expansion	11,442	11,442
Def-Wide	Fort Bragg	SOF Battalion Operations Facility	37,074	37,074
Def-Wide	Fort Bragg	SOF Tactical Equipment Maintenance Facility.	8,000	8,000
Def-Wide	Fort Bragg	SOF Training Command Building	48,062	48,062
Def-Wide	Seymour Johnson AFB	Replace Hydrant Fuel System	8,500	8,500
	South Carolina			
Def-Wide	Beaufort	Replace Fuel Distibution Facilities	40,600	40,600
	South Dakota			
Def-Wide	Ellsworth AFB	Construct Hydrant System	8,000	8,000

SEC. 4601. MILITARY CONSTRUCTION
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Account	State/Country and Installation	Project Title	FY 2015 Request	Agreement Authorized
	Texas			
Def-Wide	Fort Bliss	Hospital Replacement Incr 6	131,500	131,500
Def-Wide	Joint Base San Antonio	Medical Clinic Replacement	38,300	38,300
	Virginia			
Def-Wide	Craney Island	Replace & Alter Fuel Distibution Facilities.	36,500	36,500
Def-Wide	Def Distribution Depot Richmond	Replace Access Control Point	5,700	5,700
Def-Wide	Fort Belvoir	Parking Lot	7,239	7,239
Def-Wide	Joint Base Langley-Eustis	Hopsital Addition/Cup Replacement	41,200	41,200
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Human Performance Center	11,200	11,200
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Indoor Dynamic Range	14,888	14,888
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Mobile Comm Det Support Facility	13,500	13,500
Def-Wide	Pentagon	Redundant Chilled Water Loop	15,100	15,100
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	Contingency Construction	9,000	0
Def-Wide	Unspecified Worldwide Locations	ECIP Design	10,000	10,000
Def-Wide	Unspecified Worldwide Locations	Energy Conservation Investment Program.	150,000	150,000
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	8,581	8,581
Def-Wide	Unspecified Worldwide Locations	Planning and Design	599	599
Def-Wide	Unspecified Worldwide Locations	Planning and Design	38,704	38,704
Def-Wide	Unspecified Worldwide Locations	Planning and Design	42,387	42,387
Def-Wide	Unspecified Worldwide Locations	Planning and Design	745	745
Def-Wide	Unspecified Worldwide Locations	Planning and Design	24,425	4,425
Def-Wide	Unspecified Worldwide Locations	Planning and Design	1,183	1,183
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	5,932	5,932
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	10,334	10,334
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	2,000	2,000

SEC. 4601. MILITARY CONSTRUCTION
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Account	State/Country and Installation	Project Title	FY 2015 Request	Agreement Authorized
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	6,846	6,846
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	4,100	4,100
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	2,700	2,700
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Milcon	2,994	2,994
Def-Wide	Various Worldwide Locations	Planning and Design	24,197	24,197
	Military Construction, Defense-Wide Total		**2,061,890**	**1,962,890**
	Kentucky			
Chem Demil	Blue Grass Army Depot	Ammunition Demilitarization Ph XV	38,715	38,715
	Chemical Demilitarization Construction, Defense Total		**38,715**	**38,715**
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO Security Investment Program	199,700	174,700
	NATO Security Investment Program Total		**199,700**	**174,700**
	Delaware			
Army NG	Dagsboro	National Guard Vehicle Maintenance Shop.	0	0
	Maine			
Army NG	Augusta	National Guard Reserve Center	30,000	32,000
	Maryland			
Army NG	Havre de Grace	National Guard Readiness Center	12,400	12,400
	Montana			
Army NG	Helena	National Guard Readiness Center Add/Alt.	38,000	38,000
	New Mexico			
Army NG	Alamogordo	Readiness Center Add/Alt	0	5,000
Army NG	Alamogordo	National Guard Readiness Center	0	0
	North Dakota			
Army NG	Valley City	National Guard Vehicle Maintenance Shop.	10,800	10,800
	Vermont			
Army NG	North Hyde Park	National Guard Vehicle Maintenance Shop.	4,400	4,400
	Washington			
Army NG	Yakima	Enlisted Barracks, Transient Training	0	0
	Worldwide Unspecified			
Army NG	Unspecified Worldwide Locations	Planning and Design	17,600	17,600
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	13,720	13,720
	Military Construction, Army National Guard Total		**126,920**	**133,920**
	California			
Army Res	Fresno	Army Reserve Center/AMSA	22,000	22,000
Army Res	March (Riverside)	Army Reserve Center	0	25,000
	Colorado			
Army Res	Fort Carson	Training Building Addition	5,000	5,000
	Illinois			
Army Res	Arlington Heights	Army Reserve Center	0	0
	Mississippi			

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Account	State/Country and Installation	Project Title	FY 2015 Request	Agreement Authorized
Army Res	Starkville	Army Reserve Center	0	0
	New Jersey			
Army Res	Joint Base McGuire-Dix-Lakehurst	Army Reserve Center	26,000	26,000
	New York			
Army Res	Mattydale	Army Reserve Center/AMSA	23,000	23,000
	Virginia			
Army Res	Fort Lee	Tass Training Center	16,000	16,000
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	8,337	8,337
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	3,609	3,609
Military Construction, Army Reserve Total			**103,946**	**128,946**
	Pennsylvania			
N/MC Res	Pittsburgh	Reserve Training Center—Pittsburgh, PA.	17,650	17,650
	Washington			
N/MC Res	Everett	Joint Reserve Intelligence Center	0	47,869
N/MC Res	Whidbey Island	C–40 Aircraft Maintenance Hangar	27,755	27,755
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	MCNR Planning & Design	2,123	2,123
N/MC Res	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction	4,000	4,000
Military Construction, Naval Reserve Total			**51,528**	**99,397**
	Arkansas			
Air NG	Fort Smith Municipal Airport	Consolidated SCIF	0	13,200
	Connecticut			
Air NG	Bradley IAP	Construct C–130 Fuel Cell and Corrosion Contr.	16,306	16,306
	Iowa			
Air NG	Des Moines MAP	Remotely Piloted Aircraft and Targeting Group.	8,993	8,993
	Michigan			
Air NG	W. K. Kellog Regional Airport	RPA Beddown	6,000	6,000
	New Hampshire			
Air NG	Pease International Trade Port	KC–46A Adal Airfield Pavements & Hydrant Syst.	7,100	7,100
Air NG	Pease International Trade Port	KC–46A Adal Fuel Cell Building 253	16,800	16,800
Air NG	Pease International Trade Port	KC–46A Adal Maint Hangar Building 254.	18,002	18,002
	Pennsylvania			
Air NG	Willow Grove ARF	RPA Operations Center	5,662	5,662
	Worldwide Unspecified			
Air NG	Various Worldwide Locations	Planning and Design	7,700	7,700
Air NG	Various Worldwide Locations	Unspecified Minor Construction	8,100	6,100

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(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2015 Request	Agreement Authorized
Military Construction, Air National Guard Total			**94,663**	**105,863**
	Arizona			
AF Res	Davis-Monthan AFB	Guardian Angel Operations	0	14,500
	Georgia			
AF Res	Robins AFB	AFRC Consolidated Mission Complex, Ph I.	27,700	27,700
	North Carolina			
AF Res	Seymour Johnson AFB	KC–135 Tanker Parking Apron Expansion.	9,800	9,800
	Texas			
AF Res	Fort Worth	EOD Facility	3,700	3,700
	Worldwide Unspecified			
AF Res	Various Worldwide Locations	Planning and Design	6,892	6,892
AF Res	Various Worldwide Locations	Unspecified Minor Military Construction	1,400	1,400
Military Construction, Air Force Reserve Total			**49,492**	**63,992**
	Illinois			
FH Con Army	Rock Island	Family Housing New Construction	19,500	19,500
	Korea			
FH Con Army	Camp Walker	Family Housing New Construction	57,800	57,800
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Family Housing P & D	1,309	1,309
Family Housing Construction, Army Total			**78,609**	**78,609**
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings	14,136	14,136
FH Ops Army	Unspecified Worldwide Locations	Leased Housing	112,504	112,504
FH Ops Army	Unspecified Worldwide Locations	Maintenance of Real Property Facilities	65,245	65,245
FH Ops Army	Unspecified Worldwide Locations	Management Account	3,117	3,117
FH Ops Army	Unspecified Worldwide Locations	Management Account	43,480	43,480
FH Ops Army	Unspecified Worldwide Locations	Military Housing Privitization Initiative	20,000	20,000
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	700	700
FH Ops Army	Unspecified Worldwide Locations	Services	9,108	9,108
FH Ops Army	Unspecified Worldwide Locations	Utilities	82,686	82,686
Family Housing Operation And Maintenance, Army Total			**350,976**	**350,976**
	Worldwide Unspecified			
FH Ops AF	Unspecified Worldwide Locations	Furnishings Account	38,543	38,543

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Account	State/Country and Installation	Project Title	FY 2015 Request	Agreement Authorized
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	40,761	40,761
FH Ops AF	Unspecified Worldwide Locations	Leasing	43,651	43,651
FH Ops AF	Unspecified Worldwide Locations	Maintenance	99,934	99,934
FH Ops AF	Unspecified Worldwide Locations	Management Account	47,834	47,834
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous Account	1,993	1,993
FH Ops AF	Unspecified Worldwide Locations	Services Account	12,709	12,709
FH Ops AF	Unspecified Worldwide Locations	Utilities Account	42,322	42,322
		Family Housing Operation And Maintenance, Air Force Total	**327,747**	**327,747**
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Design	472	472
FH Con Navy	Unspecified Worldwide Locations	Improvements	15,940	15,940
		Family Housing Construction, Navy And Marine Corps Total	**16,412**	**16,412**
	Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings Account	17,881	17,881
FH Ops Navy	Unspecified Worldwide Locations	Leasing	65,999	65,999
FH Ops Navy	Unspecified Worldwide Locations	Maintenance of Real Property	97,612	97,612
FH Ops Navy	Unspecified Worldwide Locations	Management Account	55,124	55,124
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous Account	366	366
FH Ops Navy	Unspecified Worldwide Locations	Privatization Support Costs	27,876	27,876
FH Ops Navy	Unspecified Worldwide Locations	Services Account	18,079	18,079
FH Ops Navy	Unspecified Worldwide Locations	Utilities Account	71,092	71,092
		Family Housing Operation And Maintenance, Navy And Marine Corps Total.	**354,029**	**354,029**
	Worldwide Unspecified			
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	3,362	3,362

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2015 Request	Agreement Authorized
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	20	20
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	746	746
FH Ops DW	Unspecified Worldwide Locations	Leasing	42,083	42,083
FH Ops DW	Unspecified Worldwide Locations	Leasing	11,179	11,179
FH Ops DW	Unspecified Worldwide Locations	Maintenance of Real Property	344	344
FH Ops DW	Unspecified Worldwide Locations	Maintenance of Real Property	2,128	2,128
FH Ops DW	Unspecified Worldwide Locations	Management Account	378	378
FH Ops DW	Unspecified Worldwide Locations	Services Account	31	31
FH Ops DW	Unspecified Worldwide Locations	Utilities Account	170	170
FH Ops DW	Unspecified Worldwide Locations	Utilities Account	659	659
		Family Housing Operation And Maintenance, Defense-Wide Total	**61,100**	**61,100**
	Worldwide Unspecified			
FHIF	Unspecified Worldwide Locations	Family Housing Improvement Fund	1,662	1,662
		DOD Family Housing Improvement Fund Total	**1,662**	**1,662**
	Worldwide Unspecified			
BRAC	Base Realignment & Closure, Army	Base Realignment and Closure	84,417	84,417
		Base Realignment and Closure—Army Total	**84,417**	**84,417**
	Worldwide Unspecified			
BRAC	Base Realignment & Closure, Navy	Base Realignment & Closure	57,406	57,406
BRAC	Unspecified Worldwide Locations	DON–100: Planing, Design and Management.	7,682	7,682
BRAC	Unspecified Worldwide Locations	DON–101: Various Locations	21,416	21,416
BRAC	Unspecified Worldwide Locations	DON–138: NAS Brunswick, ME	904	904
BRAC	Unspecified Worldwide Locations	DON–157: Mcsa Kansas City, MO	40	40
BRAC	Unspecified Worldwide Locations	DON–172: NWS Seal Beach, Concord, CA.	6,066	6,066

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2015 Request	Agreement Authorized
BRAC	Unspecified Worldwide Locations	DON–84: JRB Willow Grove & Cambria Reg Ap.	1,178	1,178
Base Realignment and Closure—Navy Total			**94,692**	**94,692**
	Worldwide Unspecified			
BRAC	Unspecified Worldwide Locations	DoD BRAC Activities—Air Force	90,976	90,976
Base Realignment and Closure—Air Force Total			**90,976**	**90,976**
	Worldwide Unspecified			
PYS	Unspecified Worldwide Locations	42 USC 3374	0	0
PYS	Unspecified Worldwide Locations	Army	0	0
PYS	Unspecified Worldwide Locations	NATO Security Investment Program	0	0
Prior Year Savings Total			**0**	**0**
	Worldwide Unspecified			
GR	Unspecified Worldwide Locations	General Reductions	0	0
General Reductions Total			**0**	**0**
Total Military Construction			**6,557,447**	**6,551,843**

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTIGENCY OPERATIONS
(In Thousands of Dollars)

Service	Country and Location	Project	FY 2015 Request	Agreement Authorized
Army	Mihail Kogalniceanu ..	ERI: Fuel Storage Capacity	0	15,000
Army	Mihail Kogalniceanu ..	ERI: Hazardous Cargo Ramp	0	5,000
Army	Mihail Kogalniceanu ..	ERI: Multi Modal Improvements	0	17,000
Military Construction, Army Total			**0**	**37,000**
AF	Graf Ignatievo	ERI: Improve Airfield Infrastructure	0	3,200
AF	Amari	ERI: Improve Airfield Infrastructure	0	24,780
AF	Camp Darby	ERI: Improve Weapons Storage Facility	0	44,450
AF	Lielvarde	ERI: Improve Airfield Infrastructure	0	10,710
AF	Siauliai	ERI: Improve Airfield Infrastructure	0	13,120
AF	Lask	ERI: Improve Support Infrastructure	0	22,400
AF	Camp Turzii	ERI: Improve Airfield Infrastructure	0	2,900
AF	Unspecified Worldwide Locations.	ERI: Planning and Design	0	11,500
Military Construction, Air Force Total			**0**	**133,060**
Def-Wide	Classified Location	Classified Project	46,000	46,000
Def-Wide	Unspecified Worldwide Locations.	ERI: Unspecified Minor Construction	0	4,350
Military Construction, Defense-Wide Total			**46,000**	**50,350**
Total, Military Construction, OCO Funding			**46,000**	**220,410**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2015 Request	Agreement Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies Appropriation Summary:		
Energy Programs		
Nuclear Energy	104,000	104,000
Advisory Board		
Advisory Board on Toxic Substances and Worker Health	0	2,000
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	8,314,902	8,210,560
Defense nuclear nonproliferation	1,555,156	1,774,758
Naval reactors	1,377,100	1,377,100
Federal salaries and expenses	410,842	386,863
Total, National nuclear security administration	**11,658,000**	**11,749,281**
Environmental and other defense activities:		
Defense environmental cleanup	5,327,538	4,884,538
Other defense activities	753,000	754,000
Total, Environmental & other defense activities	**6,080,538**	**5,638,538**
Total, Atomic Energy Defense Activities	**17,738,538**	**17,387,819**
Total, Discretionary Funding	**17,842,538**	**17,493,819**
Nuclear Energy		
Idaho sitewide safeguards and security	104,000	104,000
Advisory Board		
Advisory Board on Toxic Substances and Worker Health	0	2,000
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	643,000	643,000
W76 Life extension program	259,168	259,168
W88 Alt 370	165,400	165,400
Cruise missile warhead life extension program	9,418	17,018
Total, Life extension programs	**1,076,986**	**1,084,586**
Stockpile systems		
B61 Stockpile systems	109,615	109,615
W76 Stockpile systems	45,728	45,728
W78 Stockpile systems	62,703	62,703
W80 Stockpile systems	70,610	70,610
B83 Stockpile systems	63,136	63,136
W87 Stockpile systems	91,255	91,255
W88 Stockpile systems	88,060	88,060
Total, Stockpile systems	**531,107**	**531,107**
Weapons dismantlement and disposition		
Operations and maintenance	30,008	40,008

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2015 Request	Agreement Authorized
Stockpile services		
Production support	350,942	350,942
Research and development support	29,649	25,500
R&D certification and safety	201,479	160,000
Management, technology, and production	241,805	226,000
Plutonium sustainment	144,575	144,575
Tritium readiness	140,053	140,053
Total, Stockpile services	**1,108,503**	**1,047,070**
Total, Directed stockpile work	**2,746,604**	**2,702,771**
Campaigns:		
Science campaign		
Advanced certification	58,747	58,747
Primary assessment technologies	112,000	112,000
Dynamic materials properties	117,999	110,000
Advanced radiography	79,340	79,340
Secondary assessment technologies	88,344	88,344
Total, Science campaign	**456,430**	**448,431**
Engineering campaign		
Enhanced surety	52,003	52,003
Weapon systems engineering assessment technology	20,832	20,832
Nuclear survivability	25,371	25,371
Enhanced surveillance	37,799	37,799
Total, Engineering campaign	**136,005**	**136,005**
Inertial confinement fusion ignition and high yield campaign		
Ignition	77,994	77,994
Support of other stockpile programs	23,598	23,598
Diagnostics, cryogenics and experimental support	61,297	61,297
Pulsed power inertial confinement fusion	5,024	5,024
Joint program in high energy density laboratory plasmas	9,100	9,100
Facility operations and target production	335,882	335,882
Undistributed	0	0
Total, Inertial confinement fusion and high yield campaign	**512,895**	**512,895**
Advanced simulation and computing campaign	610,108	610,108
Nonnuclear Readiness Campaign	125,909	70,000
Total, Campaigns	**1,841,347**	**1,777,439**
Readiness in technical base and facilities (RTBF)		
Operations of facilities		
Kansas City Plant	125,000	125,000
Lawrence Livermore National Laboratory	71,000	71,000
Los Alamos National Laboratory	198,000	198,000
Nevada National Security Site	89,000	89,000
Pantex	75,000	75,000
Sandia National Laboratory	106,000	106,000
Savannah River Site	81,000	81,000
Y–12 National security complex	151,000	151,000
Total, Operations of facilities	**896,000**	**896,000**
Program readiness	136,700	101,000
Material recycle and recovery	138,900	138,900

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2015 Request	Agreement Authorized
Containers	26,000	26,000
Storage	40,800	40,800
Maintenance and repair of facilities	205,000	220,000
Recapitalization	209,321	231,321
Subtotal, Readiness in technical base and facilities	**756,721**	**758,021**
Construction:		
15–D–613 Emergency Operations Center, Y–12	2,000	2,000
15–D–612 Emergency Operations Center, LLNL	2,000	2,000
15–D–611 Emergency Operations Center, SNL	4,000	4,000
15–D–301 HE Science & Engineering Facility, PX	11,800	11,800
15–D–302, TA–55 Reinvestment project, Phase 3, LANL	16,062	16,062
12–D–301 TRU waste facilities, LANL	6,938	6,938
11–D–801 TA–55 Reinvestment project Phase 2, LANL	10,000	10,000
07–D–220 Radioactive liquid waste treatment facility upgrade project, LANL	15,000	15,000
06–D–141 PED/Construction, Uranium Capabilities Replacement Project Y–12	335,000	335,000
Total, Construction	**402,800**	**402,800**
Total, Readiness in technical base and facilities	**2,055,521**	**2,056,821**
Secure transportation asset		
Operations and equipment	132,851	132,851
Program direction	100,962	100,962
Total, Secure transportation asset	**233,813**	**233,813**
Nuclear counterterrorism incident response	173,440	182,440
Counterterrorism and Counterproliferation Programs	76,901	70,000
Site stewardship		
Environmental projects and operations	53,000	53,000
Nuclear materials integration	16,218	16,218
Minority serving institution partnerships program	13,231	13,231
Total, Site stewardship	**82,449**	**82,449**
Defense nuclear security		
Operations and maintenance	618,123	618,123
Total, Defense nuclear security	**618,123**	**618,123**
Information technology and cybersecurity	179,646	179,646
Legacy contractor pensions	307,058	307,058
Total, Weapons Activities	**8,314,902**	**8,210,560**
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global threat reduction initiative	333,488	383,488
Defense Nuclear Nonproliferation R&D		
Operations and maintenance		
Nonproliferation and verification	360,808	393,401
Total, Operations and Maintenance	**360,808**	**393,401**
Nonproliferation and international security	141,359	144,246

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2015 Request	Agreement Authorized
International material protection and cooperation	305,467	294,589
Fissile materials disposition		
U.S. surplus fissile materials disposition		
Operations and maintenance		
U.S. plutonium disposition	85,000	85,000
U.S. uranium disposition	25,000	25,000
Total, Operations and maintenance	**110,000**	**110,000**
Construction:		
99–D–143 Mixed oxide fuel fabrication facility, Savannah River, SC	196,000	341,000
99–D–141–02 Waste Solidification Building, Savannah River, SC	5,125	5,125
Total, Construction	**201,125**	**346,125**
Total, U.S. surplus fissile materials disposition	**311,125**	**456,125**
Total, Fissile materials disposition	**311,125**	**456,125**
Total, Defense Nuclear Nonproliferation Programs	**1,452,247**	**1,671,849**
Legacy contractor pensions	102,909	102,909
Subtotal, Defense Nuclear Nonproliferation	**1,555,156**	**1,774,758**
Total, Defense Nuclear Nonproliferation	**1,555,156**	**1,774,758**
Naval Reactors		
Naval reactors operations and infrastructure	412,380	412,380
Naval reactors development	425,700	425,700
Ohio replacement reactor systems development	156,100	156,100
S8G Prototype refueling	126,400	126,400
Program direction	46,600	46,600
Construction:		
15–D–904 NRF Overpack Storage Expansion 3	400	400
15–D–903 KL Fire System Upgrade	600	600
15–D–902 KS Engineroom team trainer facility	1,500	1,500
15–D–901 KS Central office building and prototype staff facility	24,000	24,000
14–D–901 Spent fuel handling recapitalization project, NRF	141,100	141,100
13–D–905 Remote-handled low-level waste facility, INL	14,420	14,420
13–D–904 KS Radiological work and storage building, KSO	20,100	20,100
10-D–903, Security upgrades, KAPL	7,400	7,400
08–D–190 Expended Core Facility M–290 receiving/ discharge station, Naval Reactor Facility, ID	400	400
Total, Construction	**209,920**	**209,920**
Total, Naval Reactors	**1,377,100**	**1,377,100**
Federal Salaries And Expenses		
Program direction	410,842	386,863
Total, Office Of The Administrator	**410,842**	**386,863**
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,889	4,889
Hanford site:		
River corridor and other cleanup operations	332,788	352,788

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2015 Request	Agreement Authorized
Central plateau remediation	474,292	474,292
Construction:		
15–D–401 Containerized sludge (Rl-0012)	26,290	26,290
Total, Central plateau remediation	**833,370**	**853,370**
Richland community and regulatory support	14,701	14,701
Total, Hanford site	**848,071**	**868,071**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	364,293	364,293
Idaho community and regulatory support	2,910	2,910
Total, Idaho National Laboratory	**367,203**	**367,203**
NNSA sites		
Lawrence Livermore National Laboratory	1,366	1,366
Nevada	64,851	64,851
Sandia National Laboratories	2,801	2,801
Los Alamos National Laboratory	196,017	196,017
Construction:		
15–D–406 Hexavalent chromium D & D (Vl-Lanl-0030)	28,600	28,600
Total, NNSA sites and Nevada off-sites	**293,635**	**293,635**
Oak Ridge Reservation:		
OR Nuclear facility D & D		
OR Nuclear facility D & D	73,155	73,155
Construction:		
14–D–403 Outfall 200 Mercury Treatment Facility	9,400	9,400
Total, OR Nuclear facility D & D	**82,555**	**82,555**
U233 Disposition Program	41,626	41,626
OR cleanup and disposition:		
OR cleanup and disposition	71,137	71,137
Construction:		
15–D–405—Sludge Buildout	4,200	4,200
Total, OR cleanup and disposition	**75,337**	**75,337**
OR reservation community and regulatory support	4,365	4,365
Solid waste stabilization and disposition,		
Oak Ridge technology development	3,000	3,000
Total, Oak Ridge Reservation	**206,883**	**206,883**
Office of River Protection:		
Waste treatment and immobilization plant		
01–D–416 A-D/ORP-0060 / Major construction	575,000	575,000
01–D–16E Pretreatment facility	115,000	115,000
Total, Waste treatment and immobilization plant	**690,000**	**690,000**
Tank farm activities		
Rad liquid tank waste stabilization and disposition	522,000	522,000
Construction:		
15–D–409 Low Activity Waste Pretreatment System, Hanford	23,000	23,000
Total, Tank farm activities	**545,000**	**545,000**
Total, Office of River protection	**1,235,000**	**1,235,000**
Savannah River sites:		
Savannah River risk management operations	416,276	416,276

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2015 Request	Agreement Authorized
SR community and regulatory support	11,013	11,013
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	553,175	553,175
Construction:		
15–D–402—Saltstone Disposal Unit #6	34,642	34,642
05–D–405 Salt waste processing facility, Savannah River	135,000	135,000
Total, Construction	**169,642**	**169,642**
Total, Radioactive liquid tank waste	**722,817**	**722,817**
Total, Savannah River site	**1,150,106**	**1,150,106**
Waste isolation pilot plant	216,020	216,020
Program direction	280,784	280,784
Program support	14,979	14,979
Safeguards and Security:		
Oak Ridge Reservation	16,382	16,382
Paducah	7,297	7,297
Portsmouth	8,492	8,492
Richland/Hanford Site	63,668	63,668
Savannah River Site	132,196	132,196
Waste Isolation Pilot Project	4,455	4,455
West Valley	1,471	1,471
Technology development	13,007	13,007
Use of prior-year balances	0	0
Subtotal, Defense environmental cleanup	**4,864,538**	**4,884,538**
Uranium enrichment D&D fund contribution	463,000	0
Total, Defense Environmental Cleanup	**5,327,538**	**4,884,538**
Other Defense Activities		
Specialized security activities	202,152	203,152
Environment, health, safety and security		
Environment, health, safety and security	118,763	118,763
Program direction	62,235	62,235
Total, Environment, Health, safety and security	**180,998**	**180,998**
Independent enterprise assessments		
Independent enterprise assessments	24,068	24,068
Program direction	49,466	49,466
Total, Independent enterprise assessments	**73,534**	**73,534**
Office of Legacy Management		
Legacy management	158,639	158,639
Program direction	13,341	13,341
Total, Office of Legacy Management	**171,980**	**171,980**
Defense-related activities		
Defense related administrative support		
Chief financial officer	46,877	46,877
Chief information officer	71,959	71,959
Total, Defense related administrative support	**118,836**	**118,836**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2015 Request	Agreement Authorized
Office of hearings and appeals	5,500	5,500
Subtotal, Other defense activities	**753,000**	**754,000**
Total, Other Defense Activities	**753,000**	**754,000**

Approved December 19, 2014.

LEGISLATIVE HISTORY—H.R. 3979:

HOUSE REPORTS: No. 113–360 (Comm. on Ways and Means).
CONGRESSIONAL RECORD, Vol. 160 (2014):
Mar. 11, considered and passed House.
Mar. 31, Apr. 1–3, 7, considered and passed Senate, amended.
Dec. 4, House concurred in Senate amendment with an amendment.
Dec. 12, Senate concurred in House amendment.
DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
Dec. 19, Presidential statement.

Public Law 113–292
113th Congress

An Act

To designate the facility of the United States Postal Service located at 18640 NW 2nd Avenue in Miami, Florida, as the "Father Richard Marquess-Barry Post Office Building".

Dec. 19, 2014
[H.R. 4030]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FATHER RICHARD MARQUESS-BARRY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 18640 NW 2nd Avenue in Miami, Florida, shall be known and designated as the "Father Richard Marquess-Barry Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Father Richard Marquess-Barry Post Office Building".

Approved December 19, 2014.

LEGISLATIVE HISTORY—H.R. 4030:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 8, considered and passed House.
Dec. 16, considered and passed Senate.

Public Law 113–293
113th Congress

An Act

Dec. 19, 2014
[H.R. 4681]

To authorize appropriations for fiscal years 2014 and 2015 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Intelligence Authorization Act for Fiscal Year 2015.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 2015".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

50 USC 3003.

In this Act:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term "congressional intelligence committees" means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTELLIGENCE COMMUNITY.—The term "intelligence community" has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 3. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2015 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.
(2) The Central Intelligence Agency.
(3) The Department of Defense.
(4) The Defense Intelligence Agency.
(5) The National Security Agency.
(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(7) The Coast Guard.
(8) The Department of State.
(9) The Department of the Treasury.
(10) The Department of Energy.
(11) The Department of Justice.
(12) The Federal Bureau of Investigation.
(13) The Drug Enforcement Administration.
(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.
(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2015, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 4681 of the One Hundred Thirteenth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations, or of appropriate portions of the Schedule, within the executive branch.

President.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

Determination.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2015 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such Schedule for such element.

Guidelines.

(b) TREATMENT OF CERTAIN PERSONNEL.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in—

(1) a student program, trainee program, or similar program;
(2) a reserve corps or as a reemployed annuitant; or
(3) details, joint duty, or long term, full-time training.

Deadline.

(c) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a).

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2015 the sum of $507,400,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2016.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 794 positions as of September 30, 2015. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2015 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2016.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2015, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2015 the sum of $514,000,000.

TITLE III—GENERAL PROVISIONS

Subtitle A—General Matters

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. NATIONAL INTELLIGENCE STRATEGY.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 3021 et seq.) is amended by inserting after section 108 the following:

50 USC 3043a.

"SEC. 108A. NATIONAL INTELLIGENCE STRATEGY.

Effective date. Deadline. Time period.

"(a) IN GENERAL.—Beginning in 2017, and once every 4 years thereafter, the Director of National Intelligence shall develop a comprehensive national intelligence strategy to meet national security objectives for the following 4-year period, or a longer period, if appropriate.

"(b) REQUIREMENTS.—Each national intelligence strategy required by subsection (a) shall—

"(1) delineate a national intelligence strategy consistent with—

"(A) the most recent national security strategy report submitted pursuant to section 108;

"(B) the strategic plans of other relevant departments and agencies of the United States; and

"(C) other relevant national-level plans;

"(2) address matters related to national and military intelligence, including counterintelligence;

"(3) identify the major national security missions that the intelligence community is currently pursuing and will pursue in the future to meet the anticipated security environment;

"(4) describe how the intelligence community will utilize personnel, technology, partnerships, and other capabilities to pursue the major national security missions identified in paragraph (3);

"(5) assess current, emerging, and future threats to the intelligence community, including threats from foreign intelligence and security services and insider threats;

"(6) outline the organizational roles and missions of the elements of the intelligence community as part of an integrated enterprise to meet customer demands for intelligence products, services, and support;

"(7) identify sources of strategic, institutional, programmatic, fiscal, and technological risk; and

"(8) analyze factors that may affect the intelligence community's performance in pursuing the major national security missions identified in paragraph (3) during the following 10-year period.

Reports. Deadline.

"(c) SUBMISSION TO CONGRESS.—The Director of National Intelligence shall submit to the congressional intelligence committees a report on each national intelligence strategy required by subsection (a) not later than 45 days after the date of the completion of such strategy.".

(b) TABLE OF CONTENTS AMENDMENTS.—The table of contents in the first section of the National Security Act of 1947 is amended

by inserting after the item relating to section 108 the following new item:

"Sec. 108A. National intelligence strategy.".

SEC. 304. SOFTWARE LICENSING.

Section 109 of the National Security Act of 1947 (50 U.S.C. 3044) is amended—

(1) in subsection (a)(2), by striking "usage; and" and inserting "usage, including—

"(A) increasing the centralization of the management of software licenses;

"(B) increasing the regular tracking and maintaining of comprehensive inventories of software licenses using automated discovery and inventory tools and metrics;

"(C) analyzing software license data to inform investment decisions; and

"(D) providing appropriate personnel with sufficient software licenses management training; and";

(2) in subsection (b)—

(A) in paragraph (1), by striking "; and" and inserting a semicolon;

(B) in paragraph (2), by striking "usage." and inserting "usage, including—

"(A) increasing the centralization of the management of software licenses;

"(B) increasing the regular tracking and maintaining of comprehensive inventories of software licenses using automated discovery and inventory tools and metrics;

"(C) analyzing software license data to inform investment decisions; and

"(D) providing appropriate personnel with sufficient software licenses management training; and"; and

(C) by adding at the end the following new paragraph:

"(3) based on the assessment required under paragraph (2), make such recommendations with respect to software procurement and usage to the Director of National Intelligence as the Chief Information Officer considers appropriate."; and

(3) by adding at the end the following new subsection:

"(d) IMPLEMENTATION OF RECOMMENDATIONS.—Not later than 180 days after the date on which the Director of National Intelligence receives recommendations from the Chief Information Officer of the Intelligence Community in accordance with subsection (b)(3), the Director of National Intelligence shall, to the extent practicable, issue guidelines for the intelligence community on software procurement and usage based on such recommendations.". Deadline. Guidelines.

SEC. 305. REPORTING OF CERTAIN EMPLOYMENT ACTIVITIES BY FORMER INTELLIGENCE OFFICERS AND EMPLOYEES.

(a) RESTRICTION.—Title III of the National Security Act of 1947 (50 U.S.C. 3071 et seq.) is amended by inserting after section 303 the following new section:

"SEC. 304. REPORTING OF CERTAIN EMPLOYMENT ACTIVITIES BY FORMER INTELLIGENCE OFFICERS AND EMPLOYEES. 50 USC 3073a.

"(a) IN GENERAL.—The head of each element of the intelligence community shall issue regulations requiring each employee of such element occupying a covered position to sign a written agreement Regulations.

requiring the regular reporting of covered employment to the head of such element.

"(b) AGREEMENT ELEMENTS.—The regulations required under subsection (a) shall provide that an agreement contain provisions requiring each employee occupying a covered position to, during the two-year period beginning on the date on which such employee ceases to occupy such covered position—

"(1) report covered employment to the head of the element of the intelligence community that employed such employee in such covered position upon accepting such covered employment; and

"(2) annually (or more frequently if the head of such element considers it appropriate) report covered employment to the head of such element.

"(c) DEFINITIONS.—In this section:

"(1) COVERED EMPLOYMENT.—The term 'covered employment' means direct employment by, representation of, or the provision of advice relating to national security to the government of a foreign country or any person whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized, in whole or in major part, by any government of a foreign country.

"(2) COVERED POSITION.—The term 'covered position' means a position within an element of the intelligence community that, based on the level of access of a person occupying such position to information regarding sensitive intelligence sources or methods or other exceptionally sensitive matters, the head of such element determines should be subject to the requirements of this section.

"(3) GOVERNMENT OF A FOREIGN COUNTRY.—The term 'government of a foreign country' has the meaning given the term in section 1(e) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(e)).".

Deadlines.

(b) REGULATIONS AND CERTIFICATION.—

(1) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the head of each element of the intelligence community shall issue the regulations required under section 304 of the National Security Act of 1947, as added by subsection (a) of this section.

(2) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees—

(A) a certification that each head of an element of the intelligence community has prescribed the regulations required under section 304 of the National Security Act of 1947, as added by subsection (a) of this section; or

(B) if the Director is unable to submit the certification described under subparagraph (A), an explanation as to why the Director is unable to submit such certification, including a designation of which heads of an element of the intelligence community have prescribed the regulations required under such section 304 and which have not.

(c) TABLE OF CONTENTS AMENDMENTS.—The table of contents in the first section of the National Security Act of 1947 is amended—

(1) by striking the second item relating to section 302 (Under Secretaries and Assistant Secretaries) and the items relating to sections 304, 305, and 306; and

(2) by inserting after the item relating to section 303 the following new item:

"Sec. 304. Reporting of certain employment activities by former intelligence officers and employees.".

SEC. 306. INCLUSION OF PREDOMINANTLY BLACK INSTITUTIONS IN INTELLIGENCE OFFICER TRAINING PROGRAM.

Section 1024 of the National Security Act of 1947 (50 U.S.C. 3224) is amended—

(1) in subsection (c)(1), by inserting "and Predominantly Black Institutions" after "universities"; and

(2) in subsection (g)—

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by inserting after paragraph (3) the following new paragraph:

"(4) PREDOMINANTLY BLACK INSTITUTION.—The term 'Predominantly Black Institution' has the meaning given the term in section 318 of the Higher education Act of 1965 (20 U.S.C. 1059e).". Definition.

SEC. 307. MANAGEMENT AND OVERSIGHT OF FINANCIAL INTELLIGENCE. Deadlines.

(a) REQUIREMENT FOR PLAN.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall prepare a plan for management of the elements of the intelligence community that carry out financial intelligence activities.

(b) CONTENTS OF PLAN.—The plan required by subsection (a) shall establish a governance framework, procedures for sharing and harmonizing the acquisition and use of financial analytic tools, standards for quality of analytic products, procedures for oversight and evaluation of resource allocations associated with the joint development of information sharing efforts and tools, and an education and training model for elements of the intelligence community that carry out financial intelligence activities.

(c) BRIEFING TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall brief the congressional intelligence committees on the actions the Director proposes to implement the plan required by subsection (a).

SEC. 308. ANALYSIS OF PRIVATE SECTOR POLICIES AND PROCEDURES FOR COUNTERING INSIDER THREATS.

(a) ANALYSIS.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the National Counterintelligence Executive, shall submit to the congressional intelligence committees an analysis of private sector policies and procedures for countering insider threats. Deadline. Consultation.

(b) CONTENT.—The analysis required by subsection (a) shall include—

(1) a review of whether and how the intelligence community could utilize private sector hiring and human resources best Review.

practices to screen, vet, and validate the credentials, capabilities, and character of applicants for positions involving trusted access to sensitive information;

(2) an analysis of private sector policies for holding supervisors and subordinates accountable for violations of established security protocols and whether the intelligence community should adopt similar policies for positions of trusted access to sensitive information;

Assessment.

(3) an assessment of the feasibility and advisability of applying mandatory leave policies, similar to those endorsed by the Federal Deposit Insurance Corporation and the Securities and Exchange Commission to identify fraud in the financial services industry, to certain positions within the intelligence community; and

Recommendations.

(4) recommendations for how the intelligence community could utilize private sector risk indices, such as credit risk scores, to make determinations about employee access to sensitive information.

50 USC 1813.

SEC. 309. PROCEDURES FOR THE RETENTION OF INCIDENTALLY ACQUIRED COMMUNICATIONS.

(a) DEFINITIONS.—In this section:

(1) COVERED COMMUNICATION.—The term "covered communication" means any nonpublic telephone or electronic communication acquired without the consent of a person who is a party to the communication, including communications in electronic storage.

(2) HEAD OF AN ELEMENT OF THE INTELLIGENCE COMMUNITY.—The term "head of an element of the intelligence community" means, as appropriate—

(A) the head of an element of the intelligence community; or

(B) the head of the department or agency containing such element.

(3) UNITED STATES PERSON.—The term "United States person" has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(b) PROCEDURES FOR COVERED COMMUNICATIONS.—

Deadline.

(1) REQUIREMENT TO ADOPT.—Not later than 2 years after the date of the enactment of this Act each head of an element of the intelligence community shall adopt procedures approved by the Attorney General for such element that ensure compliance with the requirements of paragraph (3).

(2) COORDINATION AND APPROVAL.—The procedures required by paragraph (1) shall be—

(A) prepared in coordination with the Director of National Intelligence; and

(B) approved by the Attorney General prior to issuance.

(3) PROCEDURES.—

(A) APPLICATION.—The procedures required by paragraph (1) shall apply to any intelligence collection activity not otherwise authorized by court order (including an order or certification issued by a court established under subsection (a) or (b) of section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803)), subpoena, or similar legal process that is reasonably anticipated to result in the acquisition of a covered communication to or from

a United States person and shall permit the acquisition, retention, and dissemination of covered communications subject to the limitation in subparagraph (B).

(B) LIMITATION ON RETENTION.—A covered communication shall not be retained in excess of 5 years, unless— Time period.

(i) the communication has been affirmatively determined, in whole or in part, to constitute foreign intelligence or counterintelligence or is necessary to understand or assess foreign intelligence or counterintelligence;

(ii) the communication is reasonably believed to constitute evidence of a crime and is retained by a law enforcement agency;

(iii) the communication is enciphered or reasonably believed to have a secret meaning;

(iv) all parties to the communication are reasonably believed to be non-United States persons;

(v) retention is necessary to protect against an imminent threat to human life, in which case both the nature of the threat and the information to be retained shall be reported to the congressional intelligence committees not later than 30 days after the date such retention is extended under this clause; Reports. Deadline.

(vi) retention is necessary for technical assurance or compliance purposes, including a court order or discovery obligation, in which case access to information retained for technical assurance or compliance purposes shall be reported to the congressional intelligence committees on an annual basis; or

(vii) retention for a period in excess of 5 years is approved by the head of the element of the intelligence community responsible for such retention, based on a determination that retention is necessary to protect the national security of the United States, in which case the head of such element shall provide to the congressional intelligence committees a written certification describing— Time period. Determination. Certification.

(I) the reasons extended retention is necessary to protect the national security of the United States;

(II) the duration for which the head of the element is authorizing retention;

(III) the particular information to be retained; and

(IV) the measures the element of the intelligence community is taking to protect the privacy interests of United States persons or persons located inside the United States.

SEC. 310. CLARIFICATION OF LIMITATION OF REVIEW TO RETALIATORY SECURITY CLEARANCE OR ACCESS DETERMINATIONS.

Section 3001(b)(7) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(b)(7)) is amended—

(1) in the matter preceding subparagraph (A), by striking "2014—" and inserting "2014, and consistent with subsection (j)—";

(2) in subparagraph (A), by striking "to appeal a determination to suspend or revoke a security clearance or access to classified information" and inserting "alleging reprisal for having made a protected disclosure (provided the individual does not disclose classified information or other information contrary to law) to appeal any action affecting an employee's access to classified information"; and

(3) in subparagraph (B), by striking "information," inserting "information following a protected disclosure,".

SEC. 311. FEASIBILITY STUDY ON CONSOLIDATING CLASSIFIED DATABASES OF CYBER THREAT INDICATORS AND MALWARE SAMPLES.

Consultation.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Homeland Security, the Director of the National Security Agency, the Director of the Central Intelligence Agency, and the Director of the Federal Bureau of Investigation, shall conduct a feasibility study on consolidating classified databases of cyber threat indicators and malware samples in the intelligence community.

Records.
Assessments.

(b) ELEMENTS.—The feasibility study required by subsection (a) shall include the following:

(1) An inventory of classified databases of cyber threat indicators and malware samples in the intelligence community.

(2) An assessment of actions that could be carried out to consolidate such databases to achieve the greatest possible information sharing within the intelligence community and cost savings for the Federal Government.

(3) An assessment of any impediments to such consolidation.

(4) An assessment of whether the Intelligence Community Information Technology Enterprise can support such consolidation.

(c) REPORT TO CONGRESS.—Not later than 30 days after the date on which the Director of National Intelligence completes the feasibility study required by subsection (a), the Director shall submit to the congressional intelligence committees a written report that summarizes the feasibility study, including the information required under subsection (b).

SEC. 312. SENSE OF CONGRESS ON CYBERSECURITY THREAT AND CYBERCRIME COOPERATION WITH UKRAINE.

It is the sense of Congress that—

(1) cooperation between the intelligence and law enforcement agencies of the United States and Ukraine should be increased to improve cybersecurity policies between these two countries;

(2) the United States should pursue improved extradition procedures among the Governments of the United States, Ukraine, and other countries from which cybercriminals target United States citizens and entities;

(3) the President should—

(A) initiate a round of formal United States-Ukraine bilateral talks on cybersecurity threat and cybercrime cooperation, with additional multilateral talks that include other law enforcement partners such as Europol and Interpol; and

(B) work to obtain a commitment from the Government of Ukraine to end cybercrime directed at persons outside Ukraine and to work with the United States and other allies to deter and convict known cybercriminals;

(4) the President should establish a capacity building program with the Government of Ukraine, which could include—

(A) a joint effort to improve cyber capacity building, including intelligence and law enforcement services in Ukraine;

(B) sending United States law enforcement agents to aid law enforcement agencies in Ukraine in investigating cybercrimes; and

(C) agreements to improve communications networks to enhance law enforcement cooperation, such as a hotline directly connecting law enforcement agencies in the United States and Ukraine; and

(5) the President should establish and maintain an intelligence and law enforcement cooperation scorecard with metrics designed to measure the number of instances that intelligence and law enforcement agencies in the United States request assistance from intelligence and law enforcement agencies in Ukraine and the number and type of responses received to such requests.

SEC. 313. REPLACEMENT OF LOCALLY EMPLOYED STAFF SERVING AT UNITED STATES DIPLOMATIC FACILITIES IN THE RUSSIAN FEDERATION.

(a) EMPLOYMENT REQUIREMENT.—

(1) IN GENERAL.—The Secretary of State shall ensure that, not later than one year after the date of the enactment of this Act, every supervisory position at a United States diplomatic facility in the Russian Federation shall be occupied by a citizen of the United States who has passed, and shall be subject to, a thorough background check. Deadline.

(2) EXTENSION.—The Secretary of State may extend the deadline under paragraph (1) for up to one year by providing advance written notification and justification of such extension to the appropriate congressional committees. Notification.

(3) PROGRESS REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on progress made toward meeting the employment requirement under paragraph (1).

(b) PLAN FOR REDUCED USE OF LOCALLY EMPLOYED STAFF.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with other appropriate government agencies, shall submit to the appropriate congressional committees a plan to further reduce the reliance on locally employed staff in United States diplomatic facilities in the Russian Federation. The plan shall, at a minimum, include cost estimates, timelines, and numbers of employees to be replaced. Deadline. Coordination. Cost estimates.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to infringe on the power of the President, by and with the advice and consent of the Senate, to appoint ambassadors, other public ministers, and consuls."

22 USC 4865 note.

SEC. 314. INCLUSION OF SENSITIVE COMPARTMENTED INFORMATION FACILITIES IN UNITED STATES DIPLOMATIC FACILITIES IN THE RUSSIAN FEDERATION AND ADJACENT COUNTRIES.

(a) SENSITIVE COMPARTMENTED INFORMATION FACILITY REQUIREMENT.—Each United States diplomatic facility that, after the date of the enactment of this Act, is constructed in, or undergoes a construction upgrade in, the Russian Federation, any country that shares a land border with the Russian Federation, or any country that is a former member of the Soviet Union shall be constructed to include a Sensitive Compartmented Information Facility.

Determination. Deadline.

(b) NATIONAL SECURITY WAIVER.—The Secretary of State may waive the requirement under subsection (a) if the Secretary determines that such waiver is in the national security interest of the United States and submits a written justification to the appropriate congressional committees not later than 180 days before exercising such waiver.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

Subtitle B—Reporting

SEC. 321. REPORT ON DECLASSIFICATION PROCESS.

Not later than December 31, 2016, the Director of National Intelligence shall submit to Congress a report describing—

(1) proposals to improve the declassification process throughout the intelligence community; and

(2) steps the intelligence community could take, or legislation that may be necessary, to enable the National Declassification Center to better accomplish the missions assigned to the Center by Executive Order No. 13526 (75 Fed. Reg. 707).

SEC. 322. REPORT ON INTELLIGENCE COMMUNITY EFFICIENT SPENDING TARGETS.

(a) IN GENERAL.—Not later than April 1, 2016, and April 1, 2017, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the status and

effectiveness of efforts to reduce administrative costs for the intelligence community during the preceding year.

(b) ELEMENTS.—Each report under subsection (a) shall include for each element of the intelligence community the following:

(1) A description of the status and effectiveness of efforts to devise alternatives to government travel and promote efficient travel spending, such as teleconferencing and video conferencing.

(2) A description of the status and effectiveness of efforts to limit costs related to hosting and attending conferences.

(3) A description of the status and effectiveness of efforts to assess information technology inventories and usage, and establish controls, to reduce costs related to underutilized information technology equipment, software, or services.

(4) A description of the status and effectiveness of efforts to limit the publication and printing of hard copy documents.

(5) A description of the status and effectiveness of efforts to improve the performance of Federal fleet motor vehicles and limit executive transportation.

(6) A description of the status and effectiveness of efforts to limit the purchase of extraneous promotional items, such as plaques, clothing, and commemorative items.

(7) A description of the status and effectiveness of efforts to consolidate and streamline workforce training programs to focus on the highest priority workforce and mission needs.

(8) Such other matters relating to efforts to reduce intelligence community administrative costs as the Director may specify for purposes of this section.

SEC. 323. ANNUAL REPORT ON VIOLATIONS OF LAW OR EXECUTIVE ORDER.

(a) IN GENERAL.—Title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) is amended by adding at the end the following:

"SEC. 511. ANNUAL REPORT ON VIOLATIONS OF LAW OR EXECUTIVE ORDER. 50 USC 3110.

"(a) ANNUAL REPORTS REQUIRED.—The Director of National Intelligence shall annually submit to the congressional intelligence committees a report on violations of law or executive order relating to intelligence activities by personnel of an element of the intelligence community that were identified during the previous calendar year.

"(b) ELEMENTS.—Each report submitted under subsection (a) shall, consistent with the need to preserve ongoing criminal investigations, include a description of, and any action taken in response to, any violation of law or executive order (including Executive Order No. 12333 (50 U.S.C. 3001 note)) relating to intelligence activities committed by personnel of an element of the intelligence community in the course of the employment of such personnel that, during the previous calendar year, was—

"(1) determined by the director, head, or general counsel of any element of the intelligence community to have occurred;

"(2) referred to the Department of Justice for possible criminal prosecution; or

"(3) substantiated by the inspector general of any element of the intelligence community.".

(b) INITIAL REPORT.—The first report required under section 511 of the National Security Act of 1947, as added by subsection (a), shall be submitted not later than one year after the date of the enactment of this Act.

(c) GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the head of each element of the intelligence community, shall—

(1) issue guidelines to carry out section 511 of the National Security Act of 1947, as added by subsection (a); and

(2) submit such guidelines to the congressional intelligence committees.

(d) TABLE OF CONTENTS AMENDMENT.—The table of sections in the first section of the National Security Act of 1947 is amended by adding after the item relating to section 510 the following new item:

"Sec. 511. Annual report on violations of law or executive order.".

(e) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to alter any requirement existing on the date of the enactment of this Act to submit a report under any provision of law.

6 USC 125.

SEC. 324. ANNUAL REPORT ON INTELLIGENCE ACTIVITIES OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—For each fiscal year and along with the budget materials submitted in support of the budget of the Department of Homeland Security pursuant to section 1105(a) of title 31, United States Code, the Under Secretary for Intelligence and Analysis of the Department shall submit to the congressional intelligence committees a report for such fiscal year on each intelligence activity of each intelligence component of the Department, as designated by the Under Secretary, that includes the following:

(1) The amount of funding requested for each such intelligence activity.

(2) The number of full-time employees funded to perform each such intelligence activity.

(3) The number of full-time contractor employees (or the equivalent of full-time in the case of part-time contractor employees) funded to perform or in support of each such intelligence activity.

Determination.

(4) A determination as to whether each such intelligence activity is predominantly in support of national intelligence or departmental missions.

(5) The total number of analysts of the Intelligence Enterprise of the Department that perform—

(A) strategic analysis; or

(B) operational analysis.

(b) FEASIBILITY AND ADVISABILITY REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Under Secretary for Intelligence and Analysis, shall submit to the congressional intelligence committees a report that—

(1) examines the feasibility and advisability of including the budget request for all intelligence activities of each intelligence component of the Department that predominantly support departmental missions, as designated by the Under Secretary for Intelligence and Analysis, in the Homeland Security Intelligence Program; and

(2) includes a plan to enhance the coordination of department-wide intelligence activities to achieve greater efficiencies in the performance of the Department of Homeland Security intelligence functions. Plans.

(c) INTELLIGENCE COMPONENT OF THE DEPARTMENT.—In this section, the term "intelligence component of the Department" has the meaning given that term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101). Definition.

SEC. 325. REPORT ON POLITICAL PRISON CAMPS IN NORTH KOREA. Human rights.

(a) IN GENERAL.—The Director of National Intelligence, in consultation with the Secretary of State, shall submit to the congressional intelligence committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on political prison camps in North Korea. Consultation.

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) describe the actions the United States is taking to support implementation of the recommendations of the United Nations Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, including the eventual establishment of a tribunal to hold individuals accountable for abuses; and

(2) include, with respect to each political prison camp in North Korea to the extent information is available—

(A) the estimated prisoner population of each such camp;

(B) the geographical coordinates of each such camp;

(C) the reasons for confinement of the prisoners at each such camp;

(D) a description of the primary industries and products made at each such camp, and the end users of any goods produced in such camp;

(E) information regarding involvement of any non-North Korean entity or individual involved in the operations of each such camp, including as an end user or source of any good or products used in, or produced by, in such camp;

(F) information identifying individuals and agencies responsible for conditions in each such camp at all levels of the Government of North Korea;

(G) a description of the conditions under which prisoners are confined, with respect to the adequacy of food, shelter, medical care, working conditions, and reports of ill-treatment of prisoners, at each such camp; and

(H) unclassified imagery, including satellite imagery, of each such camp.

(c) FORM.—The report required by subsection (a) shall be submitted in an unclassified form and may include a classified annex if necessary.

SEC. 326. ASSESSMENT OF SECURITY OF DOMESTIC OIL REFINERIES AND RELATED RAIL TRANSPORTATION INFRASTRUCTURE.

(a) ASSESSMENT.—The Under Secretary of Homeland Security for Intelligence and Analysis shall conduct an intelligence assessment of the security of domestic oil refineries and related rail transportation infrastructure.

Deadline.

(b) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall submit to the congressional intelligence committees—

(1) the results of the assessment required under subsection (a); and

Recommendations.

(2) any recommendations with respect to intelligence sharing or intelligence collection to improve the security of domestic oil refineries and related rail transportation infrastructure to protect the communities surrounding such refineries or such infrastructure from potential harm that the Under Secretary considers appropriate.

SEC. 327. ENHANCED CONTRACTOR LEVEL ASSESSMENTS FOR THE INTELLIGENCE COMMUNITY.

Section 506B(c) of the National Security Act of 1947 (50 U.S.C. 3098(c)) is amended—

(1) in paragraph (11), by striking "or contracted";

(2) by redesignating paragraph (12) as paragraph (13); and

(3) by inserting after paragraph (11) the following:

"(12) The best estimate of the number of intelligence collectors and analysts contracted by each element of the intelligence community and a description of the functions performed by such contractors.".

SEC. 328. ASSESSMENT OF THE EFFICACY OF MEMORANDA OF UNDERSTANDING TO FACILITATE INTELLIGENCE-SHARING.

Deadline. Consultation.

Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis, in consultation with the Director of the Federal Bureau of Investigation and the Program Manager of the Information Sharing Environment, shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives an assessment of the efficacy of the memoranda of understanding signed between Federal, State, local, tribal, and territorial agencies to facilitate intelligence-sharing within and separate from the Joint Terrorism Task Force. Such assessment shall include—

(1) any language within such memoranda of understanding that prohibited or may be construed to prohibit intelligence-sharing between Federal, State, local, tribal, and territorial agencies; and

Recommendations.

(2) any recommendations for memoranda of understanding to better facilitate intelligence-sharing between Federal, State, local, tribal, and territorial agencies.

SEC. 329. REPORT ON FOREIGN MAN-MADE ELECTROMAGNETIC PULSE WEAPONS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on the threat posed by man-made electromagnetic pulse weapons to United States interests through 2025, including threats from foreign countries and foreign non-State actors.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 330. REPORT ON UNITED STATES COUNTERTERRORISM STRATEGY TO DISRUPT, DISMANTLE, AND DEFEAT AL-QAEDA AND ITS AFFILIATED OR ASSOCIATED GROUPS.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a comprehensive report on the United States counterterrorism strategy to disrupt, dismantle, and defeat al-Qaeda and its affiliated or associated groups.

(2) COORDINATION.—The report required by paragraph (1) shall be prepared in coordination with the Secretary of State, the Secretary of the Treasury, the Attorney General, and the Secretary of Defense, and the head of any other department or agency of the United States Government that has responsibility for activities directed at combating al-Qaeda and its affiliated or associated groups.

(3) ELEMENTS.—The report required by paragraph (1) shall include the following: Assessments.

(A) A definition of—

(i) al-Qaeda core, including a list of which known individuals constitute al-Qaeda core;

(ii) an affiliated group of al-Qaeda, including a list of which known groups constitute an affiliate group of al-Qaeda;

(iii) an associated group of al-Qaeda, including a list of which known groups constitute an associated group of al-Qaeda; and

(iv) a group aligned with al-Qaeda, including a description of what actions a group takes or statements it makes that qualify it as a group aligned with al-Qaeda.

(B) A list of any other group, including the organization that calls itself the Islamic State (also known as "ISIS" or "ISIL"), that adheres to the core mission of al-Qaeda, or who espouses the same violent jihad ideology as al-Qaeda. Lists.

(C) An assessment of the relationship between al-Qaeda core and the groups referred to in subparagraph (B).

(D) An assessment of the strengthening or weakening of al-Qaeda and the groups referred to in subparagraph (B) from January 1, 2010, to the present, including a

description of the metrics that are used to assess strengthening or weakening and an assessment of the relative increase or decrease in violent attacks attributed to such entities.

(E) An assessment of whether or not an individual can be a member of al-Qaeda core if such individual is not located in Afghanistan or Pakistan.

(F) An assessment of whether or not an individual can be a member of al-Qaeda core as well as a member of a group referred to in subparagraph (B).

(G) A definition of defeat of core al-Qaeda.

(H) An assessment of the extent or coordination, command, and control between core al-Qaeda and the groups referred to in subparagraph (B), specifically addressing each such group.

(I) An assessment of the effectiveness of counterterrorism operations against core al-Qaeda and the groups referred to in subparagraph (B), and whether such operations have had a sustained impact on the capabilities and effectiveness of core al-Qaeda and such groups.

(4) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(3) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SEC. 331. FEASIBILITY STUDY ON RETRAINING VETERANS IN CYBERSECURITY.

Consultation.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Homeland Security, shall submit to Congress a feasibility study on retraining veterans and retired members of elements of the intelligence community in cybersecurity.

Approved December 19, 2014.

LEGISLATIVE HISTORY—H.R. 4681:

HOUSE REPORTS: No. 113–463 (Permanent Select Comm. on Intelligence).
CONGRESSIONAL RECORD, Vol. 160 (2014):
May 30, considered and passed House.
Dec. 9, considered and passed Senate, amended.
Dec. 10, House concurred in Senate amendment.

Public Law 113–294
113th Congress

An Act

To amend title 49, United States Code, to provide for limitations on the fees charged to passengers of air carriers.

Dec. 19, 2014
[H.R. 5462]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LIMITATION ON FEES CHARGED TO PASSENGERS OF AIR CARRIERS.

(a) IN GENERAL.—Subsection (c) of section 44940 of title 49, United States Code, is amended to read as follows:

"(c) LIMITATION ON FEE.—

"(1) AMOUNT.—Fees imposed under subsection (a)(1) shall be $5.60 per one-way trip in air transportation or intrastate air transportation that originates at an airport in the United States, except that the fee imposed per round trip shall not exceed $11.20.

"(2) DEFINITION OF ROUND TRIP.—In this subsection, the term 'round trip' means a trip on an air travel itinerary that terminates or has a stopover at the origin point (or co-terminal).".

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to a trip in air transportation or intrastate air transportation that is purchased on or after the date of the enactment of this Act.

49 USC 44940 note.

Approved December 19, 2014.

LEGISLATIVE HISTORY—H.R. 5462:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 16, 17, considered and passed House.
Dec. 4, considered and passed Senate.

Public Law 113–295
113th Congress

An Act

Dec. 19, 2014
[H.R. 5771]

To amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Tax Increase Prevention Act of 2014.

DIVISION A—TAX INCREASE PREVENTION ACT OF 2014

SECTION 1. SHORT TITLE, ETC.

26 USC 1 note.

(a) SHORT TITLE.—This division may be cited as the "Tax Increase Prevention Act of 2014".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—CERTAIN EXPIRING PROVISIONS

Subtitle A—Individual Tax Extenders

SEC. 101. EXTENSION OF DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.

26 USC 62.

(a) IN GENERAL.—Subparagraph (D) of section 62(a)(2) is amended by striking "or 2013" and inserting "2013, or 2014".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013. 26 USC 62 note.

SEC. 102. EXTENSION OF EXCLUSION FROM GROSS INCOME OF DISCHARGE OF QUALIFIED PRINCIPAL RESIDENCE INDEBTEDNESS.

(a) IN GENERAL.—Subparagraph (E) of section 108(a)(1) is amended by striking "January 1, 2014" and inserting "January 1, 2015". 26 USC 108.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to indebtedness discharged after December 31, 2013. 26 USC 108 note.

SEC. 103. EXTENSION OF PARITY FOR EMPLOYER-PROVIDED MASS TRANSIT AND PARKING BENEFITS.

(a) IN GENERAL.—Paragraph (2) of section 132(f) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to months after December 31, 2013. 26 USC 132 note.

SEC. 104. EXTENSION OF MORTGAGE INSURANCE PREMIUMS TREATED AS QUALIFIED RESIDENCE INTEREST.

(a) IN GENERAL.—Subclause (I) of section 163(h)(3)(E)(iv) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid or accrued after December 31, 2013. 26 USC 163 note.

SEC. 105. EXTENSION OF DEDUCTION OF STATE AND LOCAL GENERAL SALES TAXES.

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013. 26 USC 164 note.

SEC. 106. EXTENSION OF SPECIAL RULE FOR CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES.

(a) IN GENERAL.—Clause (vi) of section 170(b)(1)(E) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(b) CONTRIBUTIONS BY CERTAIN CORPORATE FARMERS AND RANCHERS.—Clause (iii) of section 170(b)(2)(B) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2013. 26 USC 170 note.

SEC. 107. EXTENSION OF ABOVE-THE-LINE DEDUCTION FOR QUALIFIED TUITION AND RELATED EXPENSES.

(a) IN GENERAL.—Subsection (e) of section 222 is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013. 26 USC 222 note.

SEC. 108. EXTENSION OF TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT PLANS FOR CHARITABLE PURPOSES.

(a) IN GENERAL.—Subparagraph (F) of section 408(d)(8) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

26 USC 408 note.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made in taxable years beginning after December 31, 2013.

Subtitle B—Business Tax Extenders

SEC. 111. EXTENSION OF RESEARCH CREDIT.

26 USC 41.

(a) IN GENERAL.—Paragraph (1) of section 41(h) is amended by striking "paid or incurred" and all that follows and inserting "paid or incurred after December 31, 2014.".

(b) CONFORMING AMENDMENT.—Subparagraph (D) of section 45C(b)(1) is amended to read as follows:

"(D) SPECIAL RULE.—If section 41 is not in effect for any period, such section shall be deemed to remain in effect for such period for purposes of this paragraph.".

26 USC 41 note.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after December 31, 2013.

SEC. 112. EXTENSION OF TEMPORARY MINIMUM LOW-INCOME HOUSING TAX CREDIT RATE FOR NON-FEDERALLY SUBSIDIZED BUILDINGS.

(a) IN GENERAL.—Subparagraph (A) of section 42(b)(2) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

26 USC 42 note.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2014.

SEC. 113. EXTENSION OF MILITARY HOUSING ALLOWANCE EXCLUSION FOR DETERMINING WHETHER A TENANT IN CERTAIN COUNTIES IS LOW-INCOME.

(a) IN GENERAL.—Subsection (b) of section 3005 of the Housing Assistance Tax Act of 2008 is amended by striking "January 1, 2014" each place it appears and inserting "January 1, 2015".

26 USC 142 note.

26 USC 142 note.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of section 3005 of the Housing Assistance Tax Act of 2008.

SEC. 114. EXTENSION OF INDIAN EMPLOYMENT TAX CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45A is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 115. EXTENSION OF NEW MARKETS TAX CREDIT.

(a) IN GENERAL.—Subparagraph (G) of section 45D(f)(1) is amended by striking "and 2013" and inserting "2013, and 2014".

(b) CARRYOVER OF UNUSED LIMITATION.—Paragraph (3) of section 45D(f) is amended by striking "2018" and inserting "2019".

26 USC 45D note.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning after December 31, 2013.

SEC. 116. EXTENSION OF RAILROAD TRACK MAINTENANCE CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45G is amended by striking "January 1, 2014" and inserting "January 1, 2015".

26 USC 45G note.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2013.

SEC. 117. EXTENSION OF MINE RESCUE TEAM TRAINING CREDIT.

(a) IN GENERAL.—Subsection (e) of section 45N is amended by striking "December 31, 2013" and inserting "December 31, 2014". 26 USC 45N.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013. 26 USC 45N note.

SEC. 118. EXTENSION OF EMPLOYER WAGE CREDIT FOR EMPLOYEES WHO ARE ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Subsection (f) of section 45P is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after December 31, 2013. 26 USC 45P.

SEC. 119. EXTENSION OF WORK OPPORTUNITY TAX CREDIT.

(a) IN GENERAL.—Paragraph (4) of section 51(c) is amended by striking "for the employer" and all that follows and inserting "for the employer after December 31, 2014".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to individuals who begin work for the employer after December 31, 2013. 26 USC 51 note.

SEC. 120. EXTENSION OF QUALIFIED ZONE ACADEMY BONDS.

(a) EXTENSION.—Paragraph (1) of section 54E(c) is amended by striking "and 2013" and inserting "2013, and 2014".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to obligations issued after December 31, 2013. 26 USC 54E note.

SEC. 121. EXTENSION OF CLASSIFICATION OF CERTAIN RACE HORSES AS 3-YEAR PROPERTY.

(a) IN GENERAL.—Clause (i) of section 168(e)(3)(A) is amended—

(1) by striking "January 1, 2014" in subclause (I) and inserting "January 1, 2015", and

(2) by striking "December 31, 2013" in subclause (II) and inserting "December 31, 2014".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2013. 26 USC 168 note.

SEC. 122. EXTENSION OF 15-YEAR STRAIGHT-LINE COST RECOVERY FOR QUALIFIED LEASEHOLD IMPROVEMENTS, QUALIFIED RESTAURANT BUILDINGS AND IMPROVEMENTS, AND QUALIFIED RETAIL IMPROVEMENTS.

(a) IN GENERAL.—Clauses (iv), (v), and (ix) of section 168(e)(3)(E) are each amended by striking "January 1, 2014" and inserting "January 1, 2015".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2013. 26 USC 168 note.

SEC. 123. EXTENSION OF 7-YEAR RECOVERY PERIOD FOR MOTORSPORTS ENTERTAINMENT COMPLEXES.

(a) IN GENERAL.—Subparagraph (D) of section 168(i)(15) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013. 26 USC 168 note.

SEC. 124. EXTENSION OF ACCELERATED DEPRECIATION FOR BUSINESS PROPERTY ON AN INDIAN RESERVATION.

26 USC 168.

(a) IN GENERAL.—Paragraph (8) of section 168(j) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

26 USC 168 note.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 125. EXTENSION OF BONUS DEPRECIATION.

(a) IN GENERAL.—Paragraph (2) of section 168(k) is amended—

(1) by striking "January 1, 2015" in subparagraph (A)(iv) and inserting "January 1, 2016", and

(2) by striking "January 1, 2014" each place it appears and inserting "January 1, 2015".

(b) SPECIAL RULE FOR FEDERAL LONG-TERM CONTRACTS.—Clause (ii) of section 460(c)(6)(B) is amended by striking "January 1, 2014 (January 1, 2015" and inserting "January 1, 2015 (January 1, 2016".

(c) EXTENSION OF ELECTION TO ACCELERATE THE AMT CREDIT IN LIEU OF BONUS DEPRECIATION.—

(1) IN GENERAL.—Subclause (II) of section 168(k)(4)(D)(iii) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(2) ROUND 4 EXTENSION PROPERTY.—Paragraph (4) of section 168(k) is amended by adding at the end the following new subparagraph:

"(K) SPECIAL RULES FOR ROUND 4 EXTENSION PROPERTY.—

"(i) IN GENERAL.—In the case of round 4 extension property, in applying this paragraph to any taxpayer—

"(I) the limitation described in subparagraph (B)(i) and the business credit increase amount under subparagraph (E)(iii) thereof shall not apply, and

"(II) the bonus depreciation amount, maximum amount, and maximum increase amount shall be computed separately from amounts computed with respect to eligible qualified property which is not round 4 extension property.

"(ii) ELECTION.—

"(I) A taxpayer who has an election in effect under this paragraph for round 3 extension property shall be treated as having an election in effect for round 4 extension property unless the taxpayer elects to not have this paragraph apply to round 4 extension property.

"(II) A taxpayer who does not have an election in effect under this paragraph for round 3 extension property may elect to have this paragraph apply to round 4 extension property.

"(iii) ROUND 4 EXTENSION PROPERTY.—For purposes of this subparagraph, the term 'round 4 extension property' means property which is eligible qualified property solely by reason of the extension of the application of the special allowance under paragraph (1) pursuant to the amendments made by section 125(a) of the Tax Increase Prevention Act of 2014 (and the application

of such extension to this paragraph pursuant to the amendment made by section 125(c) of such Act).".

(d) CONFORMING AMENDMENTS.—

(1) The heading for subsection (k) of section 168 is amended by striking "JANUARY 1, 2014" and inserting "JANUARY 1, 2015". 26 USC 168.

(2) The heading for clause (ii) of section 168(k)(2)(B) is amended by striking "PRE-JANUARY 1, 2014" and inserting "PRE-JANUARY 1, 2015".

(3) Subparagraph (C) of section 168(n)(2) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(4) Subparagraph (D) of section 1400L(b)(2) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(5) Subparagraph (B) of section 1400N(d)(3) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2013, in taxable years ending after such date. 26 USC 168 note.

SEC. 126. EXTENSION OF ENHANCED CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Clause (iv) of section 170(e)(3)(C) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after December 31, 2013. 26 USC 170 note.

SEC. 127. EXTENSION OF INCREASED EXPENSING LIMITATIONS AND TREATMENT OF CERTAIN REAL PROPERTY AS SECTION 179 PROPERTY.

(a) IN GENERAL.—

(1) DOLLAR LIMITATION.—Section 179(b)(1) is amended—

(A) by striking "beginning in 2010, 2011, 2012, or 2013" in subparagraph (B) and inserting "beginning after 2009 and before 2015", and

(B) by striking "2013" in subparagraph (C) and inserting "2014".

(2) REDUCTION IN LIMITATION.—Section 179(b)(2) is amended—

(A) by striking "beginning in 2010, 2011, 2012, or 2013" in subparagraph (B) and inserting "beginning after 2009 and before 2015", and

(B) by striking "2013" in subparagraph (C) and inserting "2014".

(b) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking "2014" and inserting "2015".

(c) ELECTION.—Section 179(c)(2) is amended by striking "2014" and inserting "2015".

(d) SPECIAL RULES FOR TREATMENT OF QUALIFIED REAL PROPERTY.—

(1) IN GENERAL.—Section 179(f)(1) is amended by striking "beginning in 2010, 2011, 2012, or 2013" and inserting "beginning after 2009 and before 2015".

(2) CARRYOVER LIMITATION.—

(A) IN GENERAL.—Section 179(f)(4) is amended by striking "2013" each place it appears and inserting "2014".

(B) CONFORMING AMENDMENT.—The heading of subparagraph (C) of section 179(f)(4) is amended by striking "2011 AND 2012" and inserting "2011, 2012, AND 2013".

26 USC 179 note.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 128. EXTENSION OF ELECTION TO EXPENSE MINE SAFETY EQUIPMENT.

26 USC 179E.

(a) IN GENERAL.—Subsection (g) of section 179E is amended by striking "December 31, 2013" and inserting "December 31, 2014".

26 USC 179E note.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 129. EXTENSION OF SPECIAL EXPENSING RULES FOR CERTAIN FILM AND TELEVISION PRODUCTIONS.

(a) IN GENERAL.—Subsection (f) of section 181 is amended by striking "December 31, 2013" and inserting "December 31, 2014".

26 USC 181 note.

(b) EFFECTIVE DATES.—The amendment made by this section shall apply to productions commencing after December 31, 2013.

SEC. 130. EXTENSION OF DEDUCTION ALLOWABLE WITH RESPECT TO INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION ACTIVITIES IN PUERTO RICO.

(a) IN GENERAL.—Subparagraph (C) of section 199(d)(8) is amended—

(1) by striking "first 8 taxable years" and inserting "first 9 taxable years", and

(2) by striking "January 1, 2014" and inserting "January 1, 2015".

26 USC 199 note.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 131. EXTENSION OF MODIFICATION OF TAX TREATMENT OF CERTAIN PAYMENTS TO CONTROLLING EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Clause (iv) of section 512(b)(13)(E) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

26 USC 512 note.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments received or accrued after December 31, 2013.

SEC. 132. EXTENSION OF TREATMENT OF CERTAIN DIVIDENDS OF REGULATED INVESTMENT COMPANIES.

(a) IN GENERAL.—Paragraphs (1)(C)(v) and (2)(C)(v) of section 871(k) are each amended by striking "December 31, 2013" and inserting "December 31, 2014".

26 USC 871 note.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 133. EXTENSION OF RIC QUALIFIED INVESTMENT ENTITY TREATMENT UNDER FIRPTA.

(a) IN GENERAL.—Clause (ii) of section 897(h)(4)(A) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

26 USC 897 note.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by this section shall take effect on January 1, 2014. Notwithstanding the preceding sentence, such amendment shall not apply with respect to the withholding requirement under section 1445 of the Internal Revenue Code of 1986 for any payment made before the date of the enactment of this Act.

(2) AMOUNTS WITHHELD ON OR BEFORE DATE OF ENACTMENT.—In the case of a regulated investment company—

(A) which makes a distribution after December 31, 2013, and before the date of the enactment of this Act, and

(B) which would (but for the second sentence of paragraph (1)) have been required to withhold with respect to such distribution under section 1445 of such Code,

such investment company shall not be liable to any person to whom such distribution was made for any amount so withheld and paid over to the Secretary of the Treasury.

SEC. 134. EXTENSION OF SUBPART F EXCEPTION FOR ACTIVE FINANCING INCOME.

(a) EXEMPT INSURANCE INCOME.—Paragraph (10) of section 953(e) is amended— 26 USC 953.

(1) by striking "January 1, 2014" and inserting "January 1, 2015", and

(2) by striking "December 31, 2013" and inserting "December 31, 2014".

(b) SPECIAL RULE FOR INCOME DERIVED IN THE ACTIVE CONDUCT OF BANKING, FINANCING, OR SIMILAR BUSINESSES.—Paragraph (9) of section 954(h) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2013, and to taxable years of United States shareholders with or within which any such taxable year of such foreign corporation ends. 26 USC 953 note.

SEC. 135. EXTENSION OF LOOK-THRU TREATMENT OF PAYMENTS BETWEEN RELATED CONTROLLED FOREIGN CORPORATIONS UNDER FOREIGN PERSONAL HOLDING COMPANY RULES.

(a) IN GENERAL.—Subparagraph (C) of section 954(c)(6) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2013, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end. 26 USC 954 note.

SEC. 136. EXTENSION OF TEMPORARY EXCLUSION OF 100 PERCENT OF GAIN ON CERTAIN SMALL BUSINESS STOCK.

(a) IN GENERAL.—Paragraph (4) of section 1202(a) is amended—

(1) by striking "January 1, 2014" and inserting "January 1, 2015", and

(2) by striking "AND 2013" in the heading and inserting "2013, AND 2014".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to stock acquired after December 31, 2013. 26 USC 1202 note.

SEC. 137. EXTENSION OF BASIS ADJUSTMENT TO STOCK OF S CORPORATIONS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.

(a) IN GENERAL.—Paragraph (2) of section 1367(a) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

26 USC 1367 note.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2013.

SEC. 138. EXTENSION OF REDUCTION IN S-CORPORATION RECOGNITION PERIOD FOR BUILT-IN GAINS TAX.

26 USC 1374.

(a) IN GENERAL.—Subparagraph (C) of section 1374(d)(7) is amended—

(1) by striking "2012 or 2013" and inserting "2012, 2013, or 2014", and

(2) by striking "2012 AND 2013" in the heading and inserting "2012, 2013, AND 2014".

26 USC 1367 note.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 139. EXTENSION OF EMPOWERMENT ZONE TAX INCENTIVES.

(a) IN GENERAL.—Clause (i) of section 1391(d)(1)(A) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

26 USC 1391 note.

(b) TREATMENT OF CERTAIN TERMINATION DATES SPECIFIED IN NOMINATIONS.—In the case of a designation of an empowerment zone the nomination for which included a termination date which is contemporaneous with the date specified in subparagraph (A)(i) of section 1391(d)(1) of the Internal Revenue Code of 1986 (as in effect before the enactment of this Act), subparagraph (B) of such section shall not apply with respect to such designation if, after the date of the enactment of this section, the entity which made such nomination amends the nomination to provide for a new termination date in such manner as the Secretary of the Treasury (or the Secretary's designee) may provide.

26 USC 1391 note.

(c) EFFECTIVE DATES.—The amendment made by this section shall apply to periods after December 31, 2013.

SEC. 140. EXTENSION OF TEMPORARY INCREASE IN LIMIT ON COVER OVER OF RUM EXCISE TAXES TO PUERTO RICO AND THE VIRGIN ISLANDS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

26 USC 7652 note.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distilled spirits brought into the United States after December 31, 2013.

SEC. 141. EXTENSION OF AMERICAN SAMOA ECONOMIC DEVELOPMENT CREDIT.

(a) IN GENERAL.—Subsection (d) of section 119 of division A of the Tax Relief and Health Care Act of 2006 is amended—

26 USC 30A note.

(1) by striking "January 1, 2014" each place it appears and inserting "January 1, 2015",

(2) by striking "first 8 taxable years" in paragraph (1) and inserting "first 9 taxable years", and

(3) by striking "first 2 taxable years" in paragraph (2) and inserting "first 3 taxable years".

26 USC 30A note.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

Subtitle C—Energy Tax Extenders

SEC. 151. EXTENSION OF CREDIT FOR NONBUSINESS ENERGY PROPERTY.

(a) IN GENERAL.—Paragraph (2) of section 25C(g) is amended by striking "December 31, 2013" and inserting "December 31, 2014". 26 USC 25C.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013. 26 USC 25C note.

SEC. 152. EXTENSION OF SECOND GENERATION BIOFUEL PRODUCER CREDIT.

(a) IN GENERAL.—Clause (i) of section 40(b)(6)(J) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to qualified second generation biofuel production after December 31, 2013. 26 USC 40 note.

SEC. 153. EXTENSION OF INCENTIVES FOR BIODIESEL AND RENEWABLE DIESEL.

(a) CREDITS FOR BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.—Subsection (g) of section 40A is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to fuel sold or used after December 31, 2013. 26 USC 40A note.

SEC. 154. EXTENSION OF PRODUCTION CREDIT FOR INDIAN COAL FACILITIES PLACED IN SERVICE BEFORE 2009.

(a) IN GENERAL.—Subparagraph (A) of section 45(e)(10) is amended by striking "8-year period" each place it appears and inserting "9-year period".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to coal produced after December 31, 2013. 26 USC 45 note.

SEC. 155. EXTENSION OF CREDITS WITH RESPECT TO FACILITIES PRODUCING ENERGY FROM CERTAIN RENEWABLE RESOURCES.

(a) IN GENERAL.—The following provisions of section 45(d) are each amended by striking "January 1, 2014" each place it appears and inserting "January 1, 2015":

(1) Paragraph (1).
(2) Paragraph (2)(A).
(3) Paragraph (3)(A).
(4) Paragraph (4)(B).
(5) Paragraph (6).
(6) Paragraph (7).
(7) Paragraph (9).
(8) Paragraph (11)(B).

(b) EXTENSION OF ELECTION TO TREAT QUALIFIED FACILITIES AS ENERGY PROPERTY.—Clause (ii) of section 48(a)(5)(C) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

(c) EFFECTIVE DATES.—The amendments made by this section shall take effect on January 1, 2014. 26 USC 48 note.

SEC. 156. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT NEW HOMES.

(a) IN GENERAL.—Subsection (g) of section 45L is amended by striking "December 31, 2013" and inserting "December 31, 2014".

26 USC 45L note.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to homes acquired after December 31, 2013.

SEC. 157. EXTENSION OF SPECIAL ALLOWANCE FOR SECOND GENERATION BIOFUEL PLANT PROPERTY.

26 USC 168.

(a) IN GENERAL.—Subparagraph (D) of section 168(l)(2) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

26 USC 168 note.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 158. EXTENSION OF ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.

(a) IN GENERAL.—Subsection (h) of section 179D is amended by striking "December 31, 2013" and inserting "December 31, 2014".

26 USC 179D note.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 159. EXTENSION OF SPECIAL RULE FOR SALES OR DISPOSITIONS TO IMPLEMENT FERC OR STATE ELECTRIC RESTRUCTURING POLICY FOR QUALIFIED ELECTRIC UTILITIES.

(a) IN GENERAL.—Paragraph (3) of section 451(i) is amended by striking "January 1, 2014" and inserting "January 1, 2015".

26 USC 451 note.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to dispositions after December 31, 2013.

SEC. 160. EXTENSION OF EXCISE TAX CREDITS RELATING TO CERTAIN FUELS.

(a) EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR BIODIESEL AND RENEWABLE DIESEL FUEL MIXTURES.—

(1) Paragraph (6) of section 6426(c) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(2) Subparagraph (B) of section 6427(e)(6) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(b) EXTENSION OF ALTERNATIVE FUELS EXCISE TAX CREDITS.—

(1) IN GENERAL.—Sections 6426(d)(5) and 6426(e)(3) are each amended by striking "December 31, 2013" and inserting "December 31, 2014".

(2) OUTLAY PAYMENTS FOR ALTERNATIVE FUELS.—Subparagraph (C) of section 6427(e)(6) is amended by striking "December 31, 2013" and inserting "December 31, 2014".

(c) EXTENSION OF ALTERNATIVE FUELS EXCISE TAX CREDITS RELATING TO LIQUEFIED HYDROGEN.—

(1) IN GENERAL.—Sections 6426(d)(5) and 6426(e)(3), as amended by subsection (b), are each amended by striking "(September 30, 2014 in the case of any sale or use involving liquefied hydrogen)".

(2) OUTLAY PAYMENTS FOR ALTERNATIVE FUELS.—Paragraph (6) of section 6427(e) is amended—

(A) by striking "except as provided in subparagraph (D), any" in subparagraph (C), as amended by this Act, and inserting "any",

(B) by striking the comma at the end of subparagraph (C) and inserting ", and", and

(C) by striking subparagraph (D) and redesignating subparagraph (E) as subparagraph (D).

26 USC 6426 note.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to fuel sold or used after December 31, 2013.

(2) LIQUEFIED HYDROGEN.—The amendments made by subsection (c) shall apply to fuel sold or used after September 30, 2014.

(e) SPECIAL RULE FOR CERTAIN PERIODS DURING 2014.—Notwithstanding any other provision of law, in the case of— 26 USC 6426 note.

(1) any biodiesel mixture credit properly determined under section 6426(c) of the Internal Revenue Code of 1986 for periods after December 31, 2013, and before the date of the enactment of this Act, and

(2) any alternative fuel credit properly determined under section 6426(d) of such Code for such periods, Deadlines. Claims.

such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary's delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods described in the preceding sentence. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6621 of such Code. Guidance.

SEC. 161. EXTENSION OF CREDIT FOR ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.

(a) IN GENERAL.—Subsection (g) of section 30C is amended by striking "placed in service" and all that follows and inserting "placed in service after December 31, 2014.". 26 USC 30C.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013. 26 USC 30C note.

Subtitle D—Extenders Relating to Multiemployer Defined Benefit Pension Plans

SEC. 171. EXTENSION OF AUTOMATIC EXTENSION OF AMORTIZATION PERIODS.

(a) IN GENERAL.—Subparagraph (C) of section 431(d)(1) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

(b) AMENDMENT TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Subparagraph (C) of section 304(d)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1084(d)(1)(C)) is amended by striking "December 31, 2014" and inserting "December 31, 2015".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to applications submitted under section 431(d)(1)(A) of the Internal Revenue Code of 1986 and section 304(d)(1)(C) 26 USC 431 note.

of the Employee Retirement Income Security Act of 1974 after December 31, 2014.

SEC. 172. EXTENSION OF SHORTFALL FUNDING METHOD AND ENDANGERED AND CRITICAL RULES.

26 USC 412 note.

(a) IN GENERAL.—Paragraphs (1) and (2) of section 221(c) of the Pension Protection Act of 2006 are each amended by striking "December 31, 2014" and inserting "December 31, 2015".

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 221(c) of the Pension Protection Act of 2006 is amended by striking "January 1, 2015" and inserting "January 1, 2016".

26 USC 412 note.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2014.

TITLE II—TECHNICAL CORRECTIONS

Tax Technical Corrections Act of 2014.

26 USC 1 note.

SEC. 201. SHORT TITLE.

This title may be cited as the "Tax Technical Corrections Act of 2014".

SEC. 202. AMENDMENTS RELATING TO AMERICAN TAXPAYER RELIEF ACT OF 2012.

26 USC 642.

(a) AMENDMENT RELATING TO SECTION 101(b).—Subclause (I) of section 642(b)(2)(C)(i) is amended by striking "section 151(d)(3)(C)(iii)" and inserting "section 68(b)(1)(C)".

(b) AMENDMENT RELATING TO SECTION 102.—Clause (ii) of section 911(f)(2)(B) is amended by striking "described in section 1(h)(1)(B) shall be treated as a reference to such excess as determined" and inserting "described in section 1(h)(1)(B), and the reference in section 55(b)(3)(C)(ii) to the excess described in section 1(h)(1)(C)(ii), shall each be treated as a reference to each such excess as determined".

(c) AMENDMENTS RELATING TO SECTION 104.—

(1) Clause (ii) of section 55(d)(4)(B) is amended by inserting "subparagraphs (A), (B), and (D) of" before "paragraph (1)".

(2) Subparagraph (C) of section 55(d)(4) is amended by striking "increase" and inserting "increased amount".

(d) AMENDMENTS RELATING TO SECTION 310.—Clause (iii) of section 6431(f)(3)(A) is amended—

(1) by striking "2011" and inserting "years after 2010", and

(2) by striking "of such allocation" and inserting "of any such allocation".

(e) AMENDMENT RELATING TO SECTION 331.—Clause (iii) of section 168(k)(4)(J) is amended by striking "any taxable year" and inserting "its first taxable year".

26 USC 55 note.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provision of the American Taxpayer Relief Act of 2012 to which they relate.

SEC. 203. AMENDMENT RELATING TO MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012.

26 USC 6655 note.

(a) AMENDMENT RELATING TO SECTION 7001.—Paragraph (1) of section 7001 of the Middle Class Tax Relief and Job Creation Act of 2012 is amended by striking "201(b)" and inserting "202(b)".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in section 7001 of the Middle Class Tax Relief and Job Creation Act of 2012. 26 USC 6655 note.

SEC. 204. AMENDMENT RELATING TO FAA MODERNIZATION AND REFORM ACT OF 2012.

(a) AMENDMENT RELATING TO SECTION 1107.—Section 4281 is amended to read as follows: 26 USC 4281.

"SEC. 4281. SMALL AIRCRAFT ON NONESTABLISHED LINES.

"(a) IN GENERAL.—The taxes imposed by sections 4261 and 4271 shall not apply to transportation by an aircraft having a maximum certificated takeoff weight of 6,000 pounds or less, except when such aircraft is operated on an established line or when such aircraft is a jet aircraft.

"(b) MAXIMUM CERTIFICATED TAKEOFF WEIGHT.—For purposes of this section, the term 'maximum certificated takeoff weight' means the maximum such weight contained in the type certificate or airworthiness certificate. Definition.

"(c) SIGHTSEEING.—For purposes of this section, an aircraft shall not be considered as operated on an established line at any time during which such aircraft is being operated on a flight the sole purpose of which is sightseeing.

"(d) JET AIRCRAFT.—For purposes of this section, the term 'jet aircraft' shall not include any aircraft which is a rotorcraft or propeller aircraft.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in section 1107 of the FAA Modernization and Reform Act of 2012. 26 USC 4281 note.

SEC. 205. AMENDMENTS RELATING TO REGULATED INVESTMENT COMPANY MODERNIZATION ACT OF 2010.

(a) AMENDMENTS RELATING TO SECTION 101.—

(1) Subsection (c) of section 101 of the Regulated Investment Company Modernization Act of 2010 is amended— 26 USC 1212 note.

(A) by striking "paragraph (2)" in paragraph (1) and inserting "paragraphs (2) and (3)", and

(B) by adding at the end the following new paragraph:

"(3) EXCISE TAX.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), for purposes of section 4982 of the Internal Revenue Code of 1986, paragraphs (1) and (2) shall apply by substituting 'the 1-year periods taken into account under subsection (b)(1)(B) of such section with respect to calendar years beginning after December 31, 2010' for 'taxable years beginning after the date of the enactment of this Act'. Applicability. Time periods.

"(B) ELECTION.—A regulated investment company may elect to apply subparagraph (A) by substituting '2011' for '2010'. Such election shall be made at such time and in such form and manner as the Secretary of the Treasury (or the Secretary's delegate) shall prescribe.".

(2) The first sentence of paragraph (2) of section 852(c) is amended—

(A) by striking "and without regard to" and inserting ", without regard to", and

(B) by inserting ", and without regard to any capital loss arising on the first day of the taxable year by reason

of clauses (ii) and (iii) of section 1212(a)(3)(A)" before the period at the end.

(b) AMENDMENT RELATING TO SECTION 304.—Paragraph (1) of section 855(a) is amended by inserting "on or" before "before". 26 USC 855.

(c) AMENDMENTS RELATING TO SECTION 308.—

Definitions.

(1) Paragraph (8) of section 852(b) is amended by redesignating subparagraph (E) as subparagraph (G) and by striking subparagraphs (C) and (D) and inserting the following new subparagraphs:

"(C) POST-OCTOBER CAPITAL LOSS.—For purposes of this paragraph, the term 'post-October capital loss' means—

"(i) any net capital loss attributable to the portion of the taxable year after October 31, or

"(ii) if there is no such loss—

"(I) any net long-term capital loss attributable to such portion of the taxable year, or

"(II) any net short-term capital loss attributable to such portion of the taxable year.

"(D) LATE-YEAR ORDINARY LOSS.—For purposes of this paragraph, the term 'late-year ordinary loss' means the sum of any post-October specified loss and any post-December ordinary loss.

"(E) POST-OCTOBER SPECIFIED LOSS.—For purposes of this paragraph, the term 'post-October specified loss' means the excess (if any) of—

"(i) the specified losses (as defined in section 4982(e)(5)(B)(ii)) attributable to the portion of the taxable year after October 31, over

"(ii) the specified gains (as defined in section 4982(e)(5)(B)(i)) attributable to such portion of the taxable year.

"(F) POST-DECEMBER ORDINARY LOSS.—For purposes of this paragraph, the term 'post-December ordinary loss' means the excess (if any) of—

"(i) the ordinary losses not described in subparagraph (E)(i) and attributable to the portion of the taxable year after December 31, over

"(ii) the ordinary income not described in subparagraph (E)(ii) and attributable to such portion of the taxable year.".

(2) Subparagraph (G) of section 852(b)(8), as so redesignated, is amended by striking ", (D)(i)(I), and (D)(ii)(I)" and inserting "and (E)".

(3) The first sentence of paragraph (2) of section 852(c), as amended by subsection (a), is amended—

(A) by striking ", and without regard to" and inserting ", without regard to", and

(B) by inserting ", and with such other adjustments as the Secretary may prescribe" before the period at the end.

(d) AMENDMENTS RELATING TO SECTION 402.—

(1) Subparagraph (B) of section 4982(e)(6) is amended by inserting before the period at the end the following: "or which determines income by reference to the value of an item on the last day of the taxable year".

(2) Subparagraph (A) of section 4982(e)(7) is amended by striking "such company" and all that follows through "any

net ordinary loss" and inserting "such company may elect to determine its ordinary income and net ordinary loss (as defined in paragraph (2)(C)(ii)) for the calendar year without regard to any portion of any net ordinary loss".

(e) CLERICAL AMENDMENT RELATING TO SECTION 201.—Subparagraph (A) of section 851(d)(2) is amended by inserting "of this paragraph" after "subparagraph (B)(i)". 26 USC 851.

(f) EFFECTIVE DATE.— 26 USC 852 note.

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect as if included in the provision of the Regulated Investment Company Modernization Act of 2010 to which they relate.

(2) SAVINGS PROVISION.—In the case of an election by a regulated investment company under section 852(b)(8) of the Internal Revenue Code of 1986 with respect to any taxable year beginning before the date of the enactment of this Act, such company may treat the amendments made by paragraphs (1) and (2) of subsection (c) as not applying with respect to any such election.

SEC. 206. AMENDMENTS RELATING TO TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010.

(a) AMENDMENT RELATING TO SECTION 103.—Clause (ii) of section 32(b)(3)(B) is amended by striking "in 2010" and inserting "after 2009".

(b) CLERICAL AMENDMENTS RELATING TO SECTION 302.—

(1) Paragraph (1) of section 2801(a) is amended by striking "(or, if greater, the highest rate of tax specified in the table applicable under section 2502(a) as in effect on the date)".

(2) Subsection (f) of section 302 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 is amended by striking "subsection" and inserting "section". 26 USC 2001 note.

(c) AMENDMENTS RELATING TO SECTION 753.—Subparagraph (A) of section 1397B(b)(1) is amended by striking "and" at the end of clause (ii), by striking the period at the end of clause (iii) and inserting ", and", and by adding at the end the following new clause:

> "(iv) the day after the date set forth in section 1391(d)(1)(A)(i) were substituted for 'January 1, 2010' each place it appears.".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 to which they relate. 26 USC 32 note.

SEC. 207. AMENDMENTS RELATING TO CREATING SMALL BUSINESS JOBS ACT OF 2010.

(a) AMENDMENTS RELATING TO SECTION 2102.—

(1) Subsection (h) of section 2102 of the Creating Small Business Jobs Act of 2010 is amended by inserting ", and payee statements required to be furnished," after "information returns required to be filed". 26 USC 6721 note.

(2) Paragraphs (1) and (2) of subsection (b), and subsection (c)(1)(C), of section 6722 are each amended by striking "the required filing date" and inserting "the date prescribed for furnishing such statement".

26 USC 6722.

(3) Subparagraph (B) of section 6722(c)(2) is amended by striking "filed" and inserting "furnished".

26 USC 6722 note.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provision of the Creating Small Business Jobs Act of 2010 to which they relate.

SEC. 208. CLERICAL AMENDMENT RELATING TO HIRING INCENTIVES TO RESTORE EMPLOYMENT ACT.

(a) AMENDMENT RELATING TO SECTION 512.—Paragraph (1) of section 512(a) of the Hiring Incentives to Restore Employment Act is amended by striking "after paragraph (6)" and inserting "after paragraph (5)".

26 USC 6662.

26 USC 6662 note.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the provision of the Hiring Incentives to Restore Employment Act to which it relates.

SEC. 209. AMENDMENTS RELATING TO AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009.

(a) AMENDMENT RELATING TO SECTION 1003.—Paragraph (4) of section 24(d) is amended to read as follows:

Time period. Applicability.

"(4) SPECIAL RULE FOR CERTAIN YEARS.—In the case of any taxable year beginning after 2008 and before 2018, paragraph (1)(B)(i) shall be applied by substituting '$3,000' for '$10,000'.".

(b) AMENDMENT RELATING TO SECTION 1004.—Paragraph (3) of section 25A(i) is amended by striking "Subsection (f)(1)(A) shall be applied" and inserting "For purposes of determining the Hope Scholarship Credit, subsection (f)(1)(A) shall be applied".

(c) AMENDMENTS RELATING TO SECTION 1008.—

(1) Paragraph (6) of section 164(b) is amended by striking subparagraph (E) and by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively.

(2) Subparagraphs (E) and (F) of section 164(b)(6), as so redesignated, are each amended by striking "This paragraph" and inserting "Subsection (a)(6)".

(d) AMENDMENT RELATING TO SECTION 1104.—Subparagraph (A) of section 48(d)(3) is amended by inserting "or alternative minimum taxable income" after "includible in the gross income".

(e) AMENDMENTS RELATING TO SECTION 1141.—

(1) Subsection (f) of section 30D is amended—

(A) by inserting "(determined without regard to subsection (c))" before the period at the end of paragraph (1), and

(B) by inserting "(determined without regard to subsection (c))" before the period at the end of paragraph (2).

(2) Paragraph (3) of section 30D(f) is amended by adding at the end the following: "For purposes of subsection (c), property to which this paragraph applies shall be treated as of a character subject to an allowance for depreciation.".

(f) AMENDMENTS RELATING TO SECTION 1142.—

(1) Subsection (b) of section 38 is amended by striking "plus" at the end of paragraph (35), by redesignating paragraph (36) as paragraph (37), and by inserting after paragraph (35) the following new paragraph:

"(36) the portion of the qualified plug-in electric vehicle credit to which section 30(c)(1) applies, plus".

(2)(A) Subsection (e) of section 30 is amended—

(i) by inserting "(determined without regard to subsection (c))" before the period at the end of paragraph (1), and

(ii) by inserting "(determined without regard to subsection (c))" before the period at the end of paragraph (2).

(B) Paragraph (3) of section 30(e) is amended by adding at the end the following: "For purposes of subsection (c), property to which this paragraph applies shall be treated as of a character subject to an allowance for depreciation.". 26 USC 30. Applicability.

(g) AMENDMENT RELATING TO SECTION 1302.—Paragraph (3) of section 48C(b) is amended by inserting "as the qualified investment" after "The amount which is treated".

(h) AMENDMENTS RELATED TO SECTION 1541.—

(1) Paragraph (2) of section 853A(a) is amended by inserting "(determined after the application of this section)" before the comma at the end.

(2) Subsection (a) of section 853A is amended—

(A) by striking "with respect to credits" and inserting "with respect to some or all of the credits", and

(B) by inserting "(determined without regard to this section and sections 54(c), 54A(c)(1), 54AA(c)(1), and 1397E(c))" after "credits allowable".

(3) Subsection (b) of section 853A is amended to read as follows:

"(b) EFFECT OF ELECTION.—If the election provided in subsection (a) is in effect with respect to any credits for any taxable year—

"(1) the regulated investment company—

"(A) shall not be allowed such credits,

"(B) shall include in gross income (as interest) for such taxable year the amount which would have been so included with respect to such credits had the application of this section not been elected,

"(C) shall include in earnings and profits the amount so included in gross income, and

"(D) shall be treated as making one or more distributions of money with respect to its stock equal to the amount of such credits on the date or dates (on or after the applicable date for any such credit) during such taxable year (or following the close of the taxable year pursuant to section 855) selected by the company, and

"(2) each shareholder of such investment company shall—

"(A) be treated as receiving such shareholder's proportionate share of any distribution of money which is treated as made by such investment company under paragraph (1)(D), and

"(B) be allowed credits against the tax imposed by this chapter equal to the amount of such distribution, subject to the provisions of this title applicable to the credit involved.".

(4) Subsection (c) of section 853A is amended to read as follows:

"(c) NOTICE TO SHAREHOLDERS.—The amount treated as a distribution of money received by a shareholder under subsection (b)(2)(A) (and as credits allowed to such shareholder under subsection (b)(2)(B)) shall not exceed the amount so reported by the

regulated investment company in a written statement furnished to such shareholder.".

26 USC 853A.

(5) Clause (ii) of section 853A(e)(1)(A) is amended by inserting "other than a qualified bond described in section 54AA(g)" after "as defined in section 54AA(d))".

(i) AMENDMENTS RELATING TO SECTION 2202.—

26 USC 6428 note.

(1) Subparagraph (A) of section 2202(b)(1) of division B of the American Recovery and Reinvestment Act of 2009 is amended by inserting "political subdivision of a State," after "any State,".

(2) Section 2202 of division B of the American Recovery and Reinvestment Act of 2009 is amended by adding at the end the following new subsection:

"(e) TREATMENT OF POSSESSIONS.—

Effective date.

"(1) PAYMENTS TO MIRROR CODE POSSESSIONS.—The Secretary of the Treasury shall pay to each possession of the United States with a mirror code tax system amounts equal to the loss to that possession by reason of credits allowed under subsection (a) with respect to taxable years beginning in 2009. Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

"(2) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No credit shall be allowed against United States income taxes for any taxable year under this section to any person to whom a credit is allowed against taxes imposed by the possession by reason of the credit allowed under subsection (a) for such taxable year.

"(3) DEFINITIONS AND SPECIAL RULES.—

"(A) POSSESSION OF THE UNITED STATES.—For purposes of this subsection, the term 'possession of the United States' includes the Commonwealth of the Northern Mariana Islands.

"(B) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term 'mirror code tax system' means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

"(C) TREATMENT OF PAYMENTS.—For purposes of section 1324(b)(2) of title 31, United States Code, the payments under this subsection shall be treated in the same manner as a refund due from the credit allowed under section 36A of the Internal Revenue Code of 1986 (as added by this Act).".

(j) CLERICAL AMENDMENTS.—

(1) AMENDMENT RELATING TO SECTION 1131.—Paragraph (2) of section 45Q(d) is amended by striking "Administrator of the Environmental Protection Agency" and all that follows through "shall establish" and inserting "Administrator of the Environmental Protection Agency, the Secretary of Energy, and the Secretary of the Interior, shall establish".

(2) AMENDMENT RELATING TO SECTION 1141.—Paragraph (37) of section 1016(a) is amended by striking "section 30D(e)(4)" and inserting "section 30D(f)(1)".

(3) AMENDMENT RELATING TO SECTION 3001.—Subparagraph (A) of section 3001(a)(14) of the American Recovery and Reinvestment Act of 2009 is amended by striking "is amended by redesignating paragraph (9) as paragraph (10)" and inserting ", as amended by this Act, is amended by redesignating paragraphs (9) and (10) as paragraphs (10) and (11), respectively,". 26 USC 35.

(k) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the American Recovery and Reinvestment Tax Act of 2009 to which they relate. 26 USC 24 note.

SEC. 210. AMENDMENTS RELATING TO ENERGY IMPROVEMENT AND EXTENSION ACT OF 2008.

(a) AMENDMENT RELATING TO SECTION 108.—Subparagraph (E) of section 45K(g)(2) is amended to read as follows: 26 USC 45K.

"(E) COORDINATION WITH SECTION 45.—No credit shall be allowed with respect to any coke or coke gas which is produced using steel industry fuel (as defined in section 45(c)(7)) as feedstock if a credit is allowed to any taxpayer under section 45 with respect to the production of such steel industry fuel.".

(b) AMENDMENT RELATING TO SECTION 113.—Paragraph (1) of section 113(b) of the Energy Improvement and Extension Act of 2008 is amended by adding at the end the following new subparagraph: 26 USC 9501 note.

"(F) TRUST FUND.—The term 'Trust Fund' means the Black Lung Disability Trust Fund established under section 9501 of the Internal Revenue Code of 1986.". Definition.

(c) AMENDMENTS RELATING TO SECTION 306.—

(1) Clause (ii) of section 168(i)(18)(A) is amended by striking "10 years" and inserting "16 years".

(2) Clause (ii) of section 168(i)(19)(A) is amended by striking "10 years" and inserting "16 years".

(d) AMENDMENT RELATING TO SECTION 308.—Clause (i) of section 168(m)(2)(B) is amended by striking "section 168(k)" and inserting "subsection (k) (determined without regard to paragraph (4) thereof)".

(e) AMENDMENT RELATING TO SECTION 402.—Subparagraph (A) of section 907(f)(4) is amended by striking "this subsection shall be applied" and all that follows through the period at the end and inserting the following: "this subsection, as in effect on the day before the date of the enactment of the Energy Improvement and Extension Act of 2008, shall apply to unused oil and gas extraction taxes carried from such unused credit year to a taxable year beginning after December 31, 2008.".

(f) AMENDMENTS RELATING TO SECTION 403.—

(1) Subsection (c) of section 1012 is amended—

(A) by striking "FUNDS" in the heading for paragraph (2) and inserting "REGULATED INVESTMENT COMPANIES",

(B) by striking "FUND" in the heading for paragraph (2)(B), and

(C) by striking "fund" each place it appears in paragraph (2) and inserting "regulated investment company".

(2) Paragraph (1) of section 1012(d) is amended—

(A) by striking "December 31, 2010" and inserting "December 31, 2011", and

(B) by striking "an open-end fund" and inserting "a regulated investment company".

26 USC 1012.

(3) Paragraph (3) of section 1012(d) is amended to read as follows:

"(3) SEPARATE ACCOUNTS; ELECTION FOR TREATMENT AS SINGLE ACCOUNT.—

Applicability.

"(A) IN GENERAL.—Rules similar to the rules of subsection (c)(2) shall apply for purposes of this subsection.

"(B) AVERAGE BASIS METHOD.—Notwithstanding paragraph (1), in the case of an election under rules similar to the rules of subsection (c)(2)(B) with respect to stock held in connection with a dividend reinvestment plan, the average basis method is permissible with respect to all such stock without regard to the date of the acquisition of such stock.".

(4) Subsection (g) of section 6045 is amended by adding at the end the following new paragraph:

"(6) SPECIAL RULE FOR CERTAIN STOCK HELD IN CONNECTION WITH DIVIDEND REINVESTMENT PLAN.—For purposes of this subsection, stock acquired before January 1, 2012, in connection with a dividend reinvestment plan shall be treated as stock described in clause (ii) of paragraph (3)(C) (unless the broker with respect to such stock elects not to have this paragraph apply with respect to such stock).".

(g) CLERICAL AMENDMENTS.—

(1) AMENDMENT RELATING TO SECTION 108.—Paragraph (2) of section 45(b) is amended by striking "$3 amount" and inserting "$2 amount".

(2) AMENDMENT RELATING TO SECTION 306.—

(A) Paragraph (5) of section 168(b) is amended by striking "(2)(C)" and inserting "(2)(D)".

(B) The last sentence of section 168(k)(4)(C)(i) is amended by striking "(b)(2)(C)" and inserting "(b)(2)(D)".

26 USC 45 note.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Energy Improvement and Extension Act of 2008 to which they relate.

SEC. 211. AMENDMENTS RELATING TO TAX EXTENDERS AND ALTERNATIVE MINIMUM TAX RELIEF ACT OF 2008.

(a) AMENDMENT RELATING TO SECTION 208.—Subsection (b) of section 208 of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008 is amended to read as follows:

26 USC 897 note.

"(b) EFFECTIVE DATE.—

"(1) IN GENERAL.—The amendment made by subsection (a) shall take effect on January 1, 2008. Notwithstanding the preceding sentence, such amendment shall not apply with respect to the withholding requirement under section 1445 of the Internal Revenue Code of 1986 for any payment made before October 4, 2008.

"(2) AMOUNTS WITHHELD ON OR BEFORE DATE OF ENACTMENT.—In the case of a regulated investment company—

"(A) which makes a distribution after December 31, 2007, and before October 4, 2008, and

"(B) which would (but for the second sentence of paragraph (1)) have been required to withhold with respect to such distribution under section 1445 of such Code,

such investment company shall not be liable to any person to whom such distribution was made for any amount so withheld and paid over to the Secretary of the Treasury.".

(b) AMENDMENTS RELATING TO SECTION 305.—Paragraphs (7)(B) and (8)(D) of section 168(e) are each amended by inserting "which is not qualified leasehold improvement property" after "Property described in this paragraph". 26 USC 168.

(c) CLERICAL AMENDMENTS.—

(1) AMENDMENTS RELATING TO SECTION 706.—

(A) Paragraph (2) of section 1033(h) is amended by inserting "is" before "compulsorily".

(B) Subclause (II) of section 172(b)(1)(F)(ii) is amended by striking "subsection (h)(3)(C)(i)" and inserting "section 165(h)(3)(C)(i)".

(C) The heading for paragraph (1) of section 165(h) is amended by striking "$100" and inserting "DOLLAR".

(2) AMENDMENT RELATING TO SECTION 709.—Subsection (k) of section 143 is amended by redesignating the second paragraph (12) (relating to special rules for residences destroyed in Federally declared disasters) as paragraph (13).

(3) AMENDMENT RELATING TO SECTION 712.—Section 712 of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008 is amended by striking "section 702(c)(1)(A)" and inserting "section 702(b)(1)(A)". 25 USC 56 note.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008 to which they relate.

SEC. 212. CLERICAL AMENDMENTS RELATING TO HOUSING ASSISTANCE TAX ACT OF 2008.

(a) AMENDMENT RELATING TO SECTION 3002.—Paragraph (1) of section 42(b) is amended by striking "For purposes of this section, the term" and inserting the following: "For purposes of this section—

"(A) IN GENERAL.—The term".

(b) AMENDMENT RELATING TO SECTION 3081.—Clause (iv) of section 168(k)(4)(E) is amended by striking "adjusted minimum tax" and inserting "adjusted net minimum tax".

(c) AMENDMENT RELATING TO SECTION 3092.—Subsection (b) of section 121 is amended by redesignating the second paragraph (4) (relating to exclusion of gain allocated to nonqualified use) as paragraph (5).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Housing Assistance Tax Act of 2008 to which they relate. 26 USC 42 note.

SEC. 213. AMENDMENTS AND PROVISION RELATING TO HEROES EARNINGS ASSISTANCE AND RELIEF TAX ACT OF 2008.

(a) AMENDMENT RELATING TO SECTION 106.—Paragraph (2) of section 106(c) of the Heroes Earnings Assistance and Relief Tax Act of 2008 is amended by striking "substituting for" and inserting "substituting 'June 17, 2008' for". 26 USC 6511 note.

(b) AMENDMENT RELATING TO SECTION 114.—Paragraph (1) of section 125(h) is amended by inserting "(and shall not fail to be treated as an accident or health plan)" before "merely".

(c) CLERICAL AMENDMENTS.—

(1) AMENDMENT RELATING TO SECTION 110.—Subparagraph (B) of section 121(d)(12) is amended by inserting "of paragraph (9)" after "and (D)".

(2) AMENDMENT RELATING TO SECTION 301.—Paragraph (2) of section 877(e) is amended by striking "subparagraph (A) or (B) of". 26 USC 877.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Heroes Earnings Assistance and Relief Tax Act of 2008 to which they relate. 26 USC 121 note.

SEC. 214. AMENDMENTS RELATING TO ECONOMIC STIMULUS ACT OF 2008.

(a) AMENDMENTS RELATING TO SECTION 101.—Paragraph (2) of section 6213(g) is amended—

(1) by striking "32, or 6428" in subparagraph (L) and inserting "or 32", and

(2) by striking "and" at the end of subparagraph (O), by striking the period at the end of subparagraph (P) and inserting ", and", and by inserting after subparagraph (P) the following new subparagraph:

"(Q) an omission of a correct valid identification number required under section 6428(h) (relating to 2008 recovery rebates for individuals) to be included on a return.".

(b) CLERICAL AMENDMENT RELATING TO SECTION 103.—Subclause (IV) of section 168(k)(2)(B)(i) is amended by striking "clauses also apply" and inserting "clause also applies".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Economic Stimulus Act of 2008 to which they relate. 26 USC 168 note.

SEC. 215. AMENDMENTS RELATING TO TAX TECHNICAL CORRECTIONS ACT OF 2007.

(a) AMENDMENT RELATING TO SECTION 4(c).—Paragraph (1) of section 911(f) is amended by adding at the end the following flush sentence:

"For purposes of this paragraph, the amount excluded under subsection (a) shall be reduced by the aggregate amount of any deductions or exclusions disallowed under subsection (d)(6) with respect to such excluded amount.".

(b) CLERICAL AMENDMENT RELATING TO SECTION 11(g).—Clause (iv) of section 56(g)(4)(C) is amended by striking "a cooperative described in section 927(a)(4)" and inserting "an organization to which part I of subchapter T (relating to tax treatment of cooperatives) applies which is engaged in the marketing of agricultural or horticultural products".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Tax Technical Corrections Act of 2007 to which they relate. 26 USC 56 note.

SEC. 216. AMENDMENT RELATING TO TAX RELIEF AND HEALTH CARE ACT OF 2006.

(a) AMENDMENT RELATING TO SECTION 105.—Subparagraph (B) of section 45A(b)(1) is amended by adding at the end the following: "If any portion of wages are taken into account under subsection (e)(1)(A) of section 51, the preceding sentence shall be applied by substituting '2-year period' for '1-year period'.".

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the provision of the Tax Relief and Health Care Act of 2006 to which it relates. 26 USC 45A note.

SEC. 217. AMENDMENT RELATING TO SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT OF 2005: A LEGACY FOR USERS.

(a) AMENDMENT RELATING TO SECTION 11161.—Paragraph (1) of section 9503(b) is amended by inserting before the period at the end the following: "and taxes received under section 4081 shall be determined without regard to tax receipts attributable to the rate specified in section 4081(a)(2)(C)". 26 USC 9503.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the provision of the Safe, Accountable, Flexible, Efficient Transportation Equity Act of 2005: A Legacy for Users to which it relates. 26 USC 9503 note.

SEC. 218. AMENDMENTS RELATING TO ENERGY TAX INCENTIVES ACT OF 2005.

(a) AMENDMENT RELATING TO SECTION 1341.—Subparagraph (B) of section 30B(h)(5) is amended by inserting "(determined without regard to subsection (g))" before the period at the end.

(b) AMENDMENT RELATING TO SECTION 1342.—Paragraph (1) of section 30C(e) is amended to read as follows:

"(1) REDUCTION IN BASIS.—For purposes of this subtitle, the basis of any property for which a credit is allowable under subsection (a) shall be reduced by the amount of such credit so allowed (determined without regard to subsection (d)).".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provision of the Energy Tax Incentives Act of 2005 to which it relates. 26 USC 30B note.

SEC. 219. AMENDMENTS RELATING TO AMERICAN JOBS CREATION ACT OF 2004.

(a) AMENDMENT RELATING TO SECTION 101.—Subsection (d) of section 101 of the American Jobs Creation Act of 2004 is amended by adding at the end the following new paragraph: 26 USC 114 note.

"(3) COORDINATION WITH SECTION 199.—This subsection shall be applied without regard to any deduction allowable under section 199.".

(b) AMENDMENTS RELATING TO SECTION 102.—Paragraph (3) of section 199(b) is amended—

(1) by inserting "of a short taxable year or" after "in cases", and

(2) by striking "AND DISPOSITIONS" and inserting ", DISPOSITIONS, AND SHORT TAXABLE YEARS".

(c) CLERICAL AMENDMENT RELATING TO SECTION 413.—Paragraph (7) of section 904(h) is amended by striking "as ordinary income under section 1246 or".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provision of the American Jobs Creation Act of 2004 to which they relate. 26 USC 199 note.

SEC. 220. OTHER CLERICAL CORRECTIONS.

(a) Paragraph (8) of section 30B(h) is amended by striking "vehicle)., except that" and inserting "vehicle), except that".

(b) Subparagraph (A) of section 38(c)(2) is amended by striking "credit credit" and inserting "credit".

(c) Section 46 is amended by adding a comma at the end of paragraph (4).

26 USC 50.

(d) Subparagraph (E) of section 50(a)(2) is amended by inserting ", 48A(b)(3), 48B(b)(3), 48C(b)(2), or 48D(b)(4)" after "in section 48(b)".

(e) Clause (i) of section 54A(d)(2)(A) is amended by striking "100 percent or more" and inserting "100 percent".

(f) Paragraph (2) of section 125(b) is amended by striking "statutory nontaxable benefits" each place it appears and inserting "qualified benefits".

(g) Paragraph (2) of section 125(h) is amended by striking "means, any" and inserting "means any".

(h) Subparagraph (F) of section 163(h)(4) is amended by striking "Veterans Administration or the Rural Housing Administration" and inserting "Department of Veterans Affairs or the Rural Housing Service".

(i) Subsection (a) of section 249 is amended by striking "1563(a)(1)" and inserting "1563(a)(1))".

(j) Paragraphs (8) and (10) of section 280F(d) are each amended by striking "subsection (a)(2)" and inserting "subsection (a)(1)".

(k) Clause (iii) of section 402A(c)(4)(E) is amended by striking "403(b)(7)(A)(i)" and inserting "403(b)(7)(A)(ii)".

(l) Section 527 is amended—

(1) by striking "(2 U.S.C. 432(e))" in subsection (h)(2)(A)(i) and inserting "(52 U.S.C. 30102(e))", and

(2) by striking "(2 U.S.C. 431 et seq.)" in subsections (i)(6) and (j)(5)(A) and inserting "(52 U.S.C. 30101 et seq.)".

(m) Subsection (b) of section 858 is amended by striking "857(b)(8)" and inserting "857(b)(9)".

(n) Subparagraph (A) of section 1012(c)(2) is amended by striking "section 1012" and inserting "this section".

(o) The heading for section 1394(f) is amended by striking "DESIGNATED UNDER SECTION 1391(g)".

(p) Paragraphs (1) and (2)(A) of section 1394(f) are each amended by striking "a new empowerment zone facility bond" and inserting "an empowerment zone facility bond".

(q) Clause (i) of section 1400N(c)(3)(A) is amended by striking "section 42(d)(5)(C)(iii)" and inserting "section 42(d)(5)(B)(iii)".

(r) Subsections (e)(3)(B) and (f)(7)(B) of section 4943 are each amended by striking "January 1, 1970" and inserting "January 1, 1971".

(s) Paragraph (2) of section 4982(f) is amended by adding a comma at the end.

(t) Paragraph (3) of section 6011(e) is amended by striking "shall require than" and inserting "shall require that".

(u) Subsection (b) of section 6072 is amended by striking "6011(e)(2)" and inserting "6011(c)(2)".

(v) Subsection (d) of section 6104 is amended by redesignating the second paragraph (6) (relating to disclosure of reports by the Internal Revenue Service) and third paragraph (6) (relating to application to nonexempt charitable trusts and nonexempt private foundations) as paragraphs (7) and (8), respectively.

(w) Subsection (c) of section 6662A is amended by striking "section 6664(d)(2)(A)" and inserting "section 6664(d)(3)(A)".

(x) Subparagraph (FF) of section 6724(d)(2) is amended by striking "section 6050W(c)" and inserting "section 6050W(f)".

(y) Section 7122 is amended by redesignating the second subsection (f) (relating to frivolous submissions, etc.) as subsection (g).

(z) Subsection (a) of section 9035 is amended by striking "section 320(b)(1)(A)" and inserting "section 315(b)(1)(A)". 26 USC 9035.

(aa) Section 9802 is amended by redesignating the second subsection (f) (relating to genetic information of a fetus or embryo) as subsection (g).

(bb) Paragraph (3) of section 13(e) of the Worker, Homeownership, and Business Assistance Act of 2009 is amended by striking "subsection (d)" and inserting "subsection (c)". 26 USC 56 note.

SEC. 221. DEADWOOD PROVISIONS.

(a) IN GENERAL.—

(1) ADJUSTMENTS IN TAX TABLES SO THAT INFLATION WILL NOT RESULT IN TAX INCREASES.—Paragraph (7) of section 1(f) is amended to read as follows:

"(7) SPECIAL RULE FOR CERTAIN BRACKETS.—In prescribing tables under paragraph (1) which apply to taxable years beginning in a calendar year after 1994, the cost-of-living adjustment used in making adjustments to the dollar amounts at which the 36 percent rate bracket begins or at which the 39.6 percent rate bracket begins shall be determined under paragraph (3) by substituting '1993' for '1992'.".

(2) CERTAIN PLUG-IN ELECTRIC VEHICLES.—

(A) Subpart B of part IV of subchapter A of chapter 1 is amended by striking section 30 (and by striking the item relating to such section in the table of sections for such subpart). 26 USC prec. 27.

(B) Subsection (b) of section 38, as amended by section 209(f)(1) of this Act, is amended by inserting "plus" at the end of paragraph (35), by striking paragraph (36), and by redesignating paragraph (37) as paragraph (36).

(C) Subclause (VI) of section 48C(c)(1)(A)(i) is amended by striking ", qualified plug-in electric vehicles (as defined by section 30(d)),".

(D) Section 1016(a) is amended by striking paragraph (25).

(E) Section 6501(m) is amended by striking "section 30(e)(6),".

(3) EARNED INCOME CREDIT.—

(A) Paragraph (1) of section 32(b) is amended—

(i) by striking subparagraphs (B) and (C), and

(ii) by striking "(A) IN GENERAL.—In the case of taxable years beginning after 1995:" in subparagraph (A) and moving the table 2 ems to the left.

(B) Subparagraph (B) of section 32(b)(2) is amended by striking "increased by" and all that follows and inserting "increased by $3,000.".

(4) FIRST-TIME HOMEBUYER CREDIT.—Section 6213(g)(2), as amended by section 214(a)(2) of this Act, is amended by striking subparagraph (P).

(5) MAKING WORK PAY CREDIT.—

(A) Subpart C of part IV of subchapter A of chapter 1 is amended by striking section 36A (and by striking the item relating to such section in the table of sections for such subpart). 26 USC prec. 31.

(B) Subparagraph (A) of section 6211(b)(4) is amended by striking ", 36A".

26 USC 6213.

(C) Section 6213(g)(2) is amended by striking subparagraph (N).

(6) GENERAL BUSINESS CREDITS.—Subsection (d) of section 38 is amended by striking paragraph (3).

(7) LOW-INCOME HOUSING CREDIT.—Subclause (I) of section 42(h)(3)(C)(ii) is amended by striking "($1.50 for 2001)".

(8) MINIMUM TAX CREDIT.—

(A)(i) Section 53 is amended by striking subsections (e) and (f).

(ii) The amendment made by clause (i) striking subsection (f) of section 53 of the Internal Revenue Code of 1986 shall not be construed to allow any tax abated by reason of section 53(f)(1) of such Code (as in effect before such amendment) to be included in the amount determined under section 53(b)(1) of such Code.

(B) Paragraph (4) of section 6211(b)(4) is amended by striking ", 53(e)".

(9) ADJUSTMENTS BASED ON ADJUSTED CURRENT EARNINGS.—Clause (ii) of section 56(g)(4)(F) is amended by striking "In the case of any taxable year beginning after December 31, 1992, clause" and inserting "Clause".

(10) ITEMS OF TAX PREFERENCE; DEPLETION.—Paragraph (1) of section 57(a) is amended by striking "Effective with respect to taxable years beginning after December 31, 1992, this" and inserting "This".

(11) INTANGIBLE DRILLING COSTS.—

(A) Clause (i) of section 57(a)(2)(E) is amended by striking "In the case of any taxable year beginning after December 31, 1992, this" and inserting "This".

(B) Clause (ii) of section 57(a)(2)(E) is amended by striking "(30 percent in case of taxable years beginning in 1993)".

(12) ENVIRONMENTAL TAX.—

26 USC prec. 59A.

(A) Subchapter A of chapter 1 is amended by striking part VII (and by striking the item relating to such part in the table of parts for such subchapter).

(B) Paragraph (2) of section 26(b) is amended by striking subparagraph (B).

(C) Section 30A(c) is amended by striking paragraph (1) and by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively.

(D) Subsection (a) of section 164 is amended by striking paragraph (5).

(E) Section 275(a) is amended by striking the last sentence.

(F) Section 882(a)(1) is amended by striking ", 59A".

(G) Section 936(a)(3) is amended by striking subparagraph (A) and by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively.

(H) Section 1561(a) is amended—

(i) by inserting "and" at the end of paragraph (2), by striking ", and" at the end of paragraph (3) and inserting a period, and by striking paragraph (4), and

(ii) by striking ", the amount specified in paragraph (3), and the amount specified in paragraph (4)" and inserting "and the amount specified in paragraph (3)".

(I) Section 4611(e) is amended— 26 USC 4611.

(i) by striking "section 59A, this section," in paragraph (2)(B) and inserting "this section", and

(ii) in paragraph (3)(A)—

(I) by striking "section 59A,", and

(II) by striking the comma after "rate)".

(J) Section 6425(c)(1)(A) is amended by inserting "plus" at end of clause (i), by striking "plus" and inserting "over" at the end of clause (ii), and by striking clause (iii).

(K) Section 6655 is amended—

(i) in subsections (e)(2)(A)(i) and (e)(2)(B)(i), by striking "taxable income, alternative minimum taxable income, and modified alternative minimum taxable income" and inserting "taxable income and alternative minimum taxable income",

(ii) in subsection (e)(2)(B), by striking clause (iii), and

(iii) in subsection (g)(1)(A), by inserting "plus" at the end of clause (ii), by striking clause (iii), and by redesignating clause (iv) as clause (iii).

(L) Section 9507(b)(1) is amended by striking "59A,".

(13) STANDARD DEDUCTION.—

(A) So much of paragraph (1) of section 63(c) as follows "the sum of—" is amended to read as follows:

"(A) the basic standard deduction, and

"(B) the additional standard deduction.".

(B) Subsection (c) of section 63 is amended by striking paragraphs (7), (8), and (9).

(14) ANNUITIES; CERTAIN PROCEEDS OF ENDOWMENT AND LIFE INSURANCE CONTRACTS.—Section 72 is amended—

(A) in subsection (c)(4), by striking "; except that if such date was before January 1, 1954, then the annuity starting date is January 1, 1954", and

(B) in subsection (g)(3), by striking "January 1, 1954, or" and ", whichever is later".

(15) UNEMPLOYMENT COMPENSATION.—Section 85 is amended by striking subsection (c).

(16) ACCIDENT AND HEALTH PLANS.—Section 105(f) is amended by striking "or (d)".

(17) FLEXIBLE SPENDING ARRANGEMENTS.—Section 106(c)(1) is amended by striking "Effective on and after January 1, 1997, gross" and inserting "Gross".

(18) CERTAIN COMBAT ZONE COMPENSATION OF MEMBERS OF THE ARMED FORCES.—Subsection (c) of section 112 is amended—

(A) by striking "(after June 24, 1950)" in paragraph (2), and

(B) by striking "such zone;" and all that follows in paragraph (3) and inserting "such zone.".

(19) LEGAL SERVICE PLANS.—

(A) Part III of subchapter B of chapter 1 is amended by striking section 120 (and by striking the item relating to such section in the table of sections for such subpart). 26 USC prec. 101.

(B)(i) Section 414(n)(3)(C) is amended by striking "120,".

(ii) Section 414(t)(2) is amended by striking "120,".

26 USC 501.

(iii) Section 501(c) is amended by striking paragraph (20).

(iv) Section 3121(a) is amended by striking paragraph (17).

(v) Section 3231(e) is amended by striking paragraph (7).

(vi) Section 3306(b) is amended by striking paragraph (12).

(vii) Section 6039D(d)(1) is amended by striking "120,".

26 USC 409.

(viii) Section 209(a)(14) of the Social Security Act is amended—

(I) by striking subparagraph (B), and

(II) by striking "(14)(A)" and inserting "(14)".

(20) PRINCIPAL RESIDENCE.—Section 121(b)(3) is amended—

(A) by striking subparagraph (B), and

(B) in subparagraph (A), by striking "(A) IN GENERAL.—" and moving the text 2 ems to the left.

(21) CERTAIN REDUCED UNIFORMED SERVICES RETIREMENT PAY.—Section 122(b)(1) is amended by striking "after December 31, 1965,".

(22) GREAT PLAINS CONSERVATION PROGRAM.—Section 126(a) is amended by striking paragraph (6) and by redesignating paragraphs (7), (8), (9), and (10) as paragraphs (6), (7), (8), and (9), respectively.

(23) TREBLE DAMAGE PAYMENTS UNDER THE ANTITRUST LAW.—Section 162(g) is amended by striking the last sentence.

(24) STATE LEGISLATORS' TRAVEL EXPENSES AWAY FROM HOME.—Paragraph (4) of section 162(h) is amended by striking "For taxable years beginning after December 31, 1980, this" and inserting "This".

(25) INTEREST.—

(A) Section 163 is amended—

(i) by striking paragraph (6) of subsection (d), and

(ii) by striking paragraph (5) of subsection (h).

(B) Section 56(b)(1)(C) is amended by striking clause (ii) and by redesignating clauses (iii), (iv), and (v) as clauses (ii), (iii), and (iv), respectively.

(26) QUALIFIED MOTOR VEHICLE TAXES.—Section 164, as amended by section 209(c) of this Act, is amended by striking subsections (a)(6) and (b)(6).

(27) DISASTER LOSSES.—

(A) Subsection (h) of section 165 is amended by striking paragraph (3) and by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(B) Paragraph (3) of section 165(h), as so redesignated, is amended by striking "paragraphs (2) and (3)" and inserting "paragraph (2)".

(C) Subsection (i) of section 165 is amended—

(i) in paragraph (1)—

(I) by striking "(as defined by clause (ii) of subsection (h)(3)(C))", and

(II) by striking "(as defined by clause (i) of such subsection)",

(ii) by striking "(as defined by subsection (h)(3)(C)(i)" in paragraph (4), and

(iii) by adding at the end the following new paragraph:

"(5) FEDERALLY DECLARED DISASTERS.—For purposes of this subsection— Definitions.

"(A) IN GENERAL.—The term 'Federally declared disaster' means any disaster subsequently determined by the President of the United States to warrant assistance by the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

"(B) DISASTER AREA.—The term 'disaster area' means the area so determined to warrant such assistance.".

(D) Section 1033(h)(3) is amended by striking "section 165(h)(3)(C)" and inserting "section 165(i)(5)". 26 USC 1033.

(28) CHARITABLE, ETC., CONTRIBUTIONS AND GIFTS.—Section 170 is amended—

(A) by striking paragraph (3) of subsection (b),

(B) by striking paragraph (6) of subsection (e), and

(C) by striking subsection (k).

(29) AMORTIZABLE BOND PREMIUM.—

(A) Subparagraph (B) of section 171(b)(1) is amended to read as follows:

"(B)(i) with reference to the amount payable on maturity (or if it results in a smaller amortizable bond premium attributable to the period before the call date, with reference to the amount payable on the earlier call date), in the case of a bond described in subsection (a)(1), and

"(ii) with reference to the amount payable on maturity or on an earlier call date, in the case of a bond described in subsection (a)(2).".

(B) Paragraphs (2) and (3)(B) of section 171(b) are each amended by striking "paragraph (1)(B)(ii)" and inserting "paragraph (1)(B)(i)".

(30) NET OPERATING LOSS CARRYBACKS, CARRYOVERS, AND CARRYFORWARDS.—

(A) Section 172, as amended by section 211(c)(1)(B) of this Act, is amended—

(i) by striking subparagraphs (D), (H), (I), and (J) of subsection (b)(1) and by redesignating subparagraphs (E), (F), and (G) as subparagraphs (D), (E), and (F), respectively, and

(ii) by striking subsections (g) and (j) and by redesignating subsections (h), (i), and (k) as subsections (g), (h), and (i), respectively.

(B) Each of the following provisions of section 172 (as amended by section 211(c)(1)(B) of this Act and as redesignated by subparagraph (A)) are amended as follows:

(i) By striking "ending after August 2, 1989" in subsection (b)(1)(D)(i)(II).

(ii) By striking "subsection (h)" in subsection (b)(1)(D)(ii) and inserting "subsection (g)".

(iii) By striking "section 165(h)(3)(C)(i)" in subsection (b)(1)(E)(ii)(II) and inserting "section 165(i)(5)".

(iv) By striking "subsection (i)" and all that follows in the last sentence of subsection (b)(1)(E)(ii) and inserting "subsection (h)).".

(v) By striking "subsection (i)" in subsection (b)(1)(F) and inserting "subsection (h)".

(vi) By striking subparagraph (F) of paragraph (2) of subsection (g).

(vii) By striking "subsection (b)(1)(E)" each place it appears in subsection (g)(4) and inserting "subsection (b)(1)(D)".

(viii) By striking the last sentence of subsection (h)(1).

(ix) By striking "subsection (b)(1)(G)" each place it appears in subsection (h)(3) and inserting "subsection (b)(1)(F)".

26 USC 56.

(C) Subsection (d) of section 56 is amended by striking paragraph (3).

(D) Paragraph (5) of section 382(l) is amended by striking subparagraph (F) and by redesignating subparagraphs (G) and (H) as subparagraphs (F) and (G), respectively.

(31) RESEARCH AND EXPERIMENTAL EXPENDITURES.—Subparagraph (A) of section 174(a)(2) is amended to read as follows:

"(A) WITHOUT CONSENT.—A taxpayer may, without the consent of the Secretary, adopt the method provided in this subsection for his first taxable year for which expenditures described in paragraph (1) are paid or incurred.".

(32) AMORTIZATION OF CERTAIN RESEARCH AND EXPERIMENTAL EXPENDITURES.—Paragraph (2) of section 174(b) is amended by striking "beginning after December 31, 1953".

(33) SOIL AND WATER CONSERVATION EXPENDITURES.—Paragraph (1) of section 175(d) is amended to read as follows:

"(1) WITHOUT CONSENT.—A taxpayer may, without the consent of the Secretary, adopt the method provided in this section for the taxpayer's first taxable year for which expenditures described in subsection (a) are paid or incurred.".

(34) CLEAN-FUEL VEHICLES.—

26 USC prec. 161.

(A) Part VI of subchapter A of chapter 1 is amended by striking section 179A (and by striking the item relating to such section in the table of sections for such part).

(B) Section 30C(e) is amended by adding at the end the following:

"(7) REFERENCE.—For purposes of this section, any reference to section 179A shall be treated as a reference to such section as in effect immediately before its repeal.".

(C) Section 62(a) is amended by striking paragraph (14).

(D) Section 263(a)(1) is amended by striking subparagraph (H).

(E) Section 280F(a)(1) is amended by striking subparagraph (C).

(F) Section 312(k)(3) is amended by striking "179A," each place it appears.

(G) Section 1016(a) is amended by striking paragraph (24).

(H) Section 1245(a) is amended by striking "179A," each place it appears in paragraphs (2)(C) and (3)(C).

26 USC prec. 161.

(35) QUALIFIED DISASTER EXPENSES.—Part VI of subchapter A of chapter 1 is amended by striking section 198A (and by striking the item relating to such section in the table of sections for such part).

(36) ACTIVITIES NOT ENGAGED IN FOR PROFIT.—Section 183(e)(1) is amended by striking the last sentence.

(37) DOMESTIC PRODUCTION ACTIVITIES.—

(A) Subsection (a) of section 199 is amended— 26 USC 199.

(i) by striking paragraph (2),

(ii) by redesignating subparagraphs (A) and (B) of paragraph (1) as paragraphs (1) and (2), respectively, and by moving paragraphs (1) and (2) (as so redesignated) 2 ems to the left, and

(iii) by striking "ALLOWANCE OF DEDUCTION.—" and all that follows through "There shall be allowed" and inserting the following:

"(a) ALLOWANCE OF DEDUCTION.—There shall be allowed".

(B) Paragraphs (2) and (6)(B) of section 199(d) are each amended by striking "(a)(1)(B)" and inserting "(a)(2)".

(38) RETIREMENT SAVINGS.—

(A) Subparagraph (A) of section 219(b)(5) is amended to read as follows:

"(A) IN GENERAL.—The deductible amount is $5,000.".

(B) Clause (ii) of section 219(b)(5)(B) is amended to read as follows:

"(ii) APPLICABLE AMOUNT.—For purposes of clause (i), the applicable amount is $1,000.".

(C) Paragraph (5) of section 219(b) is amended by striking subparagraph (C) and by redesignating subparagraph (D) as subparagraph (C).

(D) Clause (ii) of section 219(g)(2)(A) is amended by striking "for a taxable year beginning after December 31, 2006".

(E) Section 219(g)(3)(B) is amended by striking clauses (i) and (ii) and inserting the following:

"(i) In the case of a taxpayer filing a joint return, $80,000.

"(ii) In the case of any other taxpayer (other than a married individual filing a separate return), $50,000.".

(F) Paragraph (8) of section 219(g) is amended by striking "the dollar amount in the last row of the table contained in paragraph (3)(B)(i), the dollar amount in the last row of the table contained in paragraph (3)(B)(ii), and the dollar amount contained in paragraph (7)(A)," and inserting "each of the dollar amounts in paragraphs (3)(B)(i), (3)(B)(ii), and (7)(A)".

(39) REPORTS REGARDING QUALIFIED VOLUNTARY RETIREMENT CONTRIBUTIONS.—

(A) Section 219 is amended by striking paragraph (4) of subsection (f) and subsection (h).

(B) Section 6652 is amended by striking subsection (g).

(40) INTEREST ON EDUCATION LOANS.—Paragraph (1) of section 221(b) is amended by striking "shall not exceed" and all that follows and inserting "shall not exceed $2,500.".

(41) DIVIDENDS RECEIVED ON CERTAIN PREFERRED STOCK; AND DIVIDENDS PAID ON CERTAIN PREFERRED STOCK OF PUBLIC UTILITIES.—

(A) Sections 244 and 247 are hereby repealed, and the table of sections for part VIII of subchapter B of chapter 1 is amended by striking the items relating to sections 244 and 247. 26 USC prec. 241.

26 USC 172.

(B) Paragraph (5) of section 172(d) is amended to read as follows:

"(5) COMPUTATION OF DEDUCTION FOR DIVIDENDS RECEIVED.—The deductions allowed by section 243 (relating to dividends received by corporations) and 245 (relating to dividends received from certain foreign corporations) shall be computed without regard to section 246(b) (relating to limitation on aggregate amount of deductions).".

(C) Paragraph (1) of section 243(c) is amended to read as follows:

"(1) IN GENERAL.—In the case of any dividend received from a 20-percent owned corporation, subsection (a)(1) shall be applied by substituting '80 percent' for '70 percent'.".

(D) Section 243(d) is amended by striking paragraph (4).

(E) Section 246 is amended—

(i) by striking ", 244," in subsection (a)(1),

(ii) in subsection (b)(1)—

(I) by striking "sections 243(a)(1), 244(a)," and inserting "section 243(a)(1)",

(II) by striking "244(a)," the second place it appears, and

(III) by striking "subsection (a) or (b) of section 245, and 247," and inserting "and subsection (a) or (b) of section 245,", and

(iii) by striking ", 244," in subsection (c)(1).

(F) Section 246A is amended by striking ", 244," both places it appears in subsections (a) and (e).

(G) Sections 263(g)(2)(B)(iii), 277(a), 301(e)(2), 469(e)(4), 512(a)(3)(A), subparagraphs (A), (C), and (D) of section 805(a)(4), 805(b)(5), 812(e)(2)(A), 815(c)(2)(A)(iii), 832(b)(5), 833(b)(3)(E), and 1059(b)(2)(B) are each amended by striking ", 244," each place it appears.

(H) Section 1244(c)(2)(C) is amended by striking "244,".

(I) Section 805(a)(4)(B) is amended by striking ", 244(a)," each place it appears.

(J) Section 810(c)(2)(B) is amended by striking "244 (relating to dividends on certain preferred stock of public utilities),".

26 USC 172 note.

(K) The amendments made by this paragraph shall not apply to preferred stock issued before October 1, 1942 (determined in the same manner as under section 247 of the Internal Revenue Code of 1986 as in effect before its repeal by such amendments).

(42) ORGANIZATION EXPENSES.—Section 248(c) is amended by striking "beginning after December 31, 1953," and by striking the last sentence.

(43) BOND REPURCHASE PREMIUM.—Section 249(b)(1) is amended by striking ", in the case of bonds or other evidences of indebtedness issued after February 28, 1913,".

(44) AMOUNT OF GAIN WHERE LOSS PREVIOUSLY DISALLOWED.—Section 267(d) is amended by striking "(or by reason of section 24(b) of the Internal Revenue Code of 1939)" in paragraph (1), by striking "after December 31, 1953," in paragraph (2), by striking the second sentence, and by striking "or by reason of section 118 of the Internal Revenue Code of 1939" in the last sentence.

(45) ACQUISITIONS MADE TO EVADE OR AVOID INCOME TAX.—Paragraphs (1) and (2) of section 269(a) are each amended by striking "or acquired on or after October 8, 1940,".

(46) MEALS AND ENTERTAINMENT.—Paragraph (3) of section 274(n) is amended—

(A) by striking "(A) IN GENERAL.—",

(B) by striking "substituting 'the applicable percentage' for" and inserting "substituting '80 percent' for", and

(C) by striking subparagraph (B).

(47) INTEREST ON INDEBTEDNESS INCURRED BY CORPORATIONS TO ACQUIRE STOCK OR ASSETS OF ANOTHER CORPORATION.—

(A) Section 279 is amended—

(i) by striking "after December 31, 1967," in subsection (a)(2),

(ii) by striking "after October 9, 1969," in subsection (b),

(iii) by striking "after October 9, 1969, and" in subsection (d)(5), and

(iv) by striking subsection (i) and redesignating subsection (j) as subsection (i).

(B) The amendments made by this paragraph shall not—

(i) apply to obligations issued on or before October 9, 1969 (determined in the same manner as under section 279 of the Internal Revenue Code of 1986 as in effect before such amendments), and

(ii) be construed to require interest on obligations issued on or before December 31, 1967, to be taken into account under section 279(a)(2) of such Code (as in effect after such amendments).

(48) BANK HOLDING COMPANIES.—

(A) Clause (iii) of section 304(b)(3)(D) is repealed.

(B) The heading of subparagraph (D) of section 304(b)(3) is amended by striking "AND SPECIAL RULE".

(49) EFFECT ON EARNINGS AND PROFITS.—Subsection (d) of section 312 is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(50) DISQUALIFIED STOCK.—Paragraph (3) of section 355(d) is amended by striking "after October 9, 1990, and" each place it appears.

(51) BASIS TO CORPORATIONS.—Section 362 is amended by striking "on or after June 22, 1954" in subsection (a) and by striking ", on or after June 22, 1954," each place it appears in subsection (c).

(52) TEMPORARY WAIVER OF MINIMUM REQUIRED DISTRIBUTION.—Section 401(a)(9) is amended by striking subparagraph (H).

(53) INDIVIDUAL RETIREMENT ACCOUNTS.—Clause (i) of section 408(p)(2)(E) is amended to read as follows:

"(i) IN GENERAL.—For purposes of subparagraph (A)(ii), the applicable amount is $10,000.".

(54) TAX CREDIT EMPLOYEE STOCK OWNERSHIP PLANS.—Section 409 is amended by striking subsection (q).

(55) CATCH-UP CONTRIBUTIONS.—Clauses (i) and (ii) of section 414(v)(2)(B) are amended to read as follows:

"(i) In the case of an applicable employer plan other than a plan described in section 401(k)(11) or 408(p), the applicable dollar amount is $5,000.

"(ii) In the case of an applicable employer plan described in section 401(k)(11) or 408(p), the applicable dollar amount is $2,500.".

26 USC 423.

(56) EMPLOYEE STOCK PURCHASE PLANS.—Section 423(a) is amended by striking "after December 31, 1963,".

(57) PENSION RELATED TRANSITION RULES.—

(A) Section 402(g)(1)(B) is amended by striking "shall be" and all that follows and inserting "is $15,000.".

(B)(i) Subparagraph (D) of section 417(e)(3) is amended—

(I) by striking clauses (ii) and (iii),

(II) by striking "if—" and all that follows through "section 430(h)(2)(D)" and inserting "if section 430(h)(2)(D)", and

(III) by striking "described in such section," and inserting "described in such section.".

(ii) Clause (iii) of section 205(g)(3)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1055(g)(3)(B)) is amended—

(I) by striking subclauses (II) and (III),

(II) by striking "if—" and all that follows through "section 303(h)(2)(D)" and inserting "if section 303(h)(2)(D)", and

(III) by striking "described in such section," and inserting "described in such section.".

(C)(i) Paragraph (5) of section 430(c) is amended by striking subparagraph (B) and by striking "(A) IN GENERAL.—".

(ii) Paragraph (5) of section 303(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(c)) is amended by striking subparagraph (B) and by striking "(A) IN GENERAL.—".

(D)(i) Paragraph (2) of section 430(h) is amended by striking subparagraph (G).

(ii) Paragraph (2) of section 303(h) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(h)) is amended by striking subparagraph (G).

(E)(i) Paragraph (3) of section 436(j), as added by section 113(a)(1)(B) of the Pension Protection Act of 2006, is amended by striking subparagraphs (B) and (C) and by striking "(A) IN GENERAL.—".

(ii) Subparagraph (C) of section 206(g)(9) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056(g)(9)) is amended by striking clauses (ii) and (iii) and by striking "(i) IN GENERAL.—".

(F)(i) Section 436(j) is amended by striking the paragraph (3) added by section 203(a)(2) of the Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010.

(ii) Section 206(g)(9) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056(g)(9)) is amended by striking subparagraph (D).

(G)(i) Section 436 is amended by striking subsection (m).

(ii) Section 206(g) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056(g)) is amended by striking paragraph (11).

(H) Section 457(e)(15)(A) is amended by striking "shall be" and all that follows and inserting "is $15,000.". 26 USC 457.

(58) LIMITATION ON DEDUCTIONS FOR CERTAIN FARMING.—

(A) Section 464 is amended by striking "any farming syndicate (as defined in subsection (c))" both places it appears in subsections (a) and (b) and inserting "any taxpayer to whom subsection (d) applies".

(B)(i) Subsection (c) of section 464 is hereby moved to the end of section 461 and redesignated as subsection (j). 26 USC 464, 461.

(ii) Such subsection (j) is amended—

(I) by striking "For purposes of this section" in paragraph (1) and inserting "For purposes of subsection (i)(4)", and

(II) by adding at the end the following new paragraphs:

"(3) FARMING.—For purposes of this subsection, the term 'farming' has the meaning given to such term by section 464(e).

"(4) LIMITED ENTREPRENEUR.—For purposes of this subsection, the term 'limited entrepreneur' means a person who—

"(A) has an interest in an enterprise other than as a limited partner, and

"(B) does not actively participate in the management of such enterprise.".

(iii) Paragraph (4) of section 461(i) is amended by striking "section 464(c)" and inserting "subsection (j)".

(C) Section 464 is amended—

(i) by striking subsections (e) and (g) and redesignating subsections (d) and (f) as subsections (c) and (d), respectively, and

(ii) by adding at the end the following new subsection:

"(e) FARMING.—For purposes of this section, the term 'farming' means the cultivation of land or the raising or harvesting of any agricultural or horticultural commodity including the raising, shearing, feeding, caring for, training, and management of animals. For purposes of the preceding sentence, trees (other than trees bearing fruit or nuts) shall not be treated as an agricultural or horticultural commodity.".

(D) Subsection (d) of section 464 of such Code (as redesignated by subparagraph (C)) is amended—

(i) by striking paragraph (1) and redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively, and

(ii) by striking "SUBSECTIONS (A) AND (B) TO APPLY TO" in the heading.

(E) Subparagraph (A) of section 58(a)(2) is amended by striking "section 464(c)" and inserting "section 461(j)".

(59) DEDUCTIONS LIMITED TO AMOUNT AT RISK.—Subparagraph (A) of section 465(c)(3) is amended by striking "In the case of taxable years beginning after December 31, 1978, this" and inserting "This".

(60) PASSIVE ACTIVITY LOSSES AND CREDITS LIMITED.—

26 USC 469.

(A) Section 469 is amended by striking subsection (m).

(B) Subsection (b) of section 58 is amended by adding "and" at the end of paragraph (1), by striking paragraph (2), and by redesignating paragraph (3) as paragraph (2).

(61) ADJUSTMENTS REQUIRED BY CHANGES IN METHOD OF ACCOUNTING.—Section 481(b)(3) is amended by striking subparagraph (C).

(62) EXEMPTION FROM TAX ON CORPORATIONS, CERTAIN TRUSTS, ETC.—Section 501 is amended by striking subsection (s).

(63) REQUIREMENTS FOR EXEMPTION.—

(A) Section 503(a)(1) is amended to read as follows:

"(1) GENERAL RULE.—An organization described in paragraph (17) or (18) of section 501(c), or described in section 401(a) and referred to in section 4975(g) (2) or (3), shall not be exempt from taxation under section 501(a) if it has engaged in a prohibited transaction.".

(B) Paragraph (2) of section 503(a) is amended by striking "described in section 501(c)(17) or (18) or paragraph (a)(1)(B)" and inserting "described in paragraph (1)".

(C) Subsection (c) of section 503 is amended by striking "described in section 501(c)(17) or (18) or subsection (a)(1)(B)" and inserting "described in subsection (a)(1)".

(64) ACCUMULATED TAXABLE INCOME.—Paragraph (1) of section 535(b) and paragraph (1) of section 545(b) are each amended by striking "section 531" and all that follows and inserting "section 531 or the personal holding company tax imposed by section 541.".

(65) DEFINITION OF PROPERTY.—Subsection (b) of section 614 is amended—

(A) by striking paragraphs (3)(C) and (5), and

(B) in paragraph (4), by striking "whichever of the following years is later: The first taxable year beginning after December 31, 1963, or".

(66) AMOUNTS RECEIVED BY SURVIVING ANNUITANT UNDER JOINT AND SURVIVOR ANNUITY CONTRACT.—Subparagraph (A) of section 691(d)(1) is amended by striking "after December 31, 1953, and".

(67) INCOME TAXES OF MEMBERS OF ARMED FORCES ON DEATH.—Section 692(a)(1) is amended by striking "after June 24, 1950".

(68) SPECIAL RULES FOR COMPUTING RESERVES.—Paragraph (7) of section 807(e) is amended by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B).

(69) INSURANCE COMPANY TAXABLE INCOME.—

(A) Section 832(e) is amended by striking "of taxable years beginning after December 31, 1966,".

(B) Section 832(e)(6) is amended by striking "In the case of any taxable year beginning after December 31, 1970, the" and inserting "The".

(70) CAPITALIZATION OF CERTAIN POLICY ACQUISITION EXPENSES.—Section 848 is amended by striking subsection (j).

(71) TAX ON NONRESIDENT ALIEN INDIVIDUALS.—Subparagraph (B) of section 871(a)(1) is amended to read as follows:

"(B) gains described in subsection (b) or (c) of section 631,".

(72) LIMITATION ON CREDIT.—Paragraph (2) of section 904(d) is amended by striking subparagraph (J).

(73) FOREIGN EARNED INCOME.—Clause (i) of section 911(b)(2)(D) is amended to read as follows:

"(i) IN GENERAL.—The exclusion amount for any calendar year is $80,000.".

(74) BASIS OF PROPERTY ACQUIRED FROM DECEDENT.—

(A) Section 1014(a)(2) is amended to read as follows: "(2) in the case of an election under section 2032, its value at the applicable valuation date prescribed by such section,".

(B) Section 1014(b) is amended by striking paragraphs (7) and (8).

(75) ADJUSTED BASIS.—Section 1016(a) is amended by striking paragraph (12).

(76) PROPERTY ON WHICH LESSEE HAS MADE IMPROVEMENTS.—Section 1019 is amended by striking the last sentence.

(77) INVOLUNTARY CONVERSION.—Section 1033 is amended by striking subsection (j) and by redesignating subsections (k) and (l) as subsections (j) and (k), respectively.

(78) PROPERTY ACQUIRED DURING AFFILIATION.—Section 1051 is hereby repealed, and the table of sections for part IV of subchapter O of chapter 1 is amended by striking the item relating to section 1051. 26 USC prec. 1051.

(79) CAPITAL GAINS AND LOSSES.—Section 1222 is amended by striking the last sentence.

(80) HOLDING PERIOD OF PROPERTY.—

(A) Paragraph (1) of section 1223 is amended by striking "after March 1, 1954,".

(B) Paragraph (4) of section 1223 is amended by striking "'(or under so much of section 1052(c) as refers to section 113(a)(23) of the Internal Revenue Code of 1939)'".

(C) Paragraphs (6) and (8) of section 1223 are repealed.

(81) PROPERTY USED IN THE TRADE OR BUSINESS AND INVOLUNTARY CONVERSIONS.—Subparagraph (A) of section 1231(c)(2) is amended by striking "beginning after December 31, 1981".

(82) SALE OR EXCHANGE OF PATENTS.—Section 1235 is amended—

(A) by striking subsection (c) and by redesignating subsections (d) and (e) as subsections (c) and (d), respectively, and

(B) by striking "subsection (d)" in subsection (b)(2)(B) and inserting "subsection (c)".

(83) DEALERS IN SECURITIES.—Subsection (b) of section 1236 is amended by striking "after November 19, 1951,".

(84) SALE OF PATENTS.—Subsection (a) of section 1249 is amended by striking "after December 31, 1962,".

(85) GAIN FROM DISPOSITION OF FARMLAND.—Paragraph (1) of section 1252(a) is amended—

(A) by striking "after December 31, 1969" the first place it appears, and

(B) by striking "after December 31, 1969," in subparagraph (A).

(86) TREATMENT OF AMOUNTS RECEIVED ON RETIREMENT OR SALE OR EXCHANGE OF DEBT INSTRUMENTS.—Subsection (c) of section 1271 is amended to read as follows:

"(c) SPECIAL RULE FOR CERTAIN OBLIGATIONS WITH RESPECT TO WHICH ORIGINAL ISSUE DISCOUNT NOT CURRENTLY INCLUDIBLE.—

"(1) IN GENERAL.—On the sale or exchange of debt instruments issued by a government or political subdivision thereof after December 31, 1954, and before July 2, 1982, or by a corporation after December 31, 1954, and on or before May 27, 1969, any gain realized which does not exceed—

"(A) an amount equal to the original issue discount, or

"(B) if at the time of original issue there was no intention to call the debt instrument before maturity, an amount which bears the same ratio to the original issue discount as the number of complete months that the debt instrument was held by the taxpayer bears to the number of complete months from the date of original issue to the date of maturity, shall be considered as ordinary income.

"(2) SUBSECTION (a)(2)(A) NOT TO APPLY.—Subsection (a)(2)(A) shall not apply to any debt instrument referred to in paragraph (1) of this subsection.

"(3) CROSS REFERENCE.—For current inclusion of original issue discount, see section 1272.".

26 USC 1314.

(87) AMOUNT AND METHOD OF ADJUSTMENT.—Section 1314 is amended by striking subsection (d) and by redesignating subsection (e) as subsection (d).

(88) ELECTION; REVOCATION; TERMINATION.—Clause (iii) of section 1362(d)(3)(A) is amended by striking "unless" and all that follows and inserting "unless the corporation was an S corporation for such taxable year.".

(89) OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE.—Subsection (a) of section 1401 is amended by striking "the following percent" and all that follows and inserting "12.4 percent of the amount of the self-employment income for such taxable year.".

(90) HOSPITAL INSURANCE.—Paragraph (1) of section 1401(b) is amended by striking: "the following percent" and all that follows and inserting "2.9 percent of the amount of the self-employment income for such taxable year.".

(91) MINISTERS, MEMBERS OF RELIGIOUS ORDERS, AND CHRISTIAN SCIENCE PRACTITIONERS.—Paragraph (3) of section 1402(e) is amended—

(A) by striking "whichever of the following dates is later: (A)", and

(B) by striking ";or (B)'" and all that follows and inserting a period.

(92) WITHHOLDING OF TAX ON NONRESIDENT ALIENS.—The first sentence of subsection (b) of section 1441 and the first sentence of paragraph (5) of section 1441(c) are each amended by striking "gains subject to tax" and all that follows through "October 4, 1966" and inserting "and gains subject to tax under section 871(a)(1)(D)".

(93) AFFILIATED GROUP DEFINED.—Subparagraph (A) of section 1504(a)(3) is amended by striking "for a taxable year which includes any period after December 31, 1984" in clause (i) and by striking "in a taxable year beginning after December 31, 1984" in clause (ii).

(94) DISALLOWANCE OF THE BENEFITS OF THE GRADUATED CORPORATE RATES AND ACCUMULATED EARNINGS CREDIT.—

(A) Subsection (a) of section 1551 is amended— 26 USC 1551.

(i) by striking paragraph (1) and by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively, and

(ii) by striking "after June 12, 1963," each place it appears.

(B) Section 1551(b) is amended—

(i) by striking "or (2)" in paragraph (1), and

(ii) by striking "(a)(3)" in paragraph (2) and inserting "(a)(2)".

(95) CREDIT FOR STATE DEATH TAXES.—

(A)(i) Part II of subchapter A of chapter 11 is amended by striking section 2011 (and by striking the item relating to such section in the table of sections for such subpart). 26 USC prec. 2010.

(ii) Section 2106(a)(4) is amended by striking "section 2011(a)" and inserting "2058(a)".

(B)(i) Subchapter A of chapter 13 is amended by striking section 2604 (and by striking the item relating to such section in the table of sections for such subpart). 26 USC prec. 2601.

(ii) Clause (ii) of section 164(b)(4)(A) is amended by inserting "(as in effect before its repeal)" after "section 2604".

(iii) Section 2654(a)(1) is amended by striking "(computed without regard to section 2604)".

(96) GROSS ESTATE.—Subsection (c) of section 2031 is amended by striking paragraph (3) and by amending paragraph (1)(B) to read as follows:

"(II) $500,000.".

(97)(A) Part IV of subchapter A of chapter 11 is amended by striking section 2057 (and by striking the item relating to such section in the table of sections for such subpart). 26 USC prec. 2051.

(B) Paragraph (10) of section 2031(c) is amended by inserting "(as in effect before its repeal)" immediately before the period at the end thereof.

(98) PROPERTY WITHIN THE UNITED STATES.—Subsection (c) of section 2104 is amended by striking "With respect to estates of decedents dying after December 31, 1969, deposits" and inserting "Deposits".

(99) FICA TAXES.—

(A) Subsection (a) of section 3101 is amended by striking "the following percentages" and all that follows and inserting "6.2 percent of the wages (as defined in section 3121(a)) received by the individual with respect to employment (as defined in section 3121(b))".

(B)(i) Subsection (a) of section 3111 is amended by striking "the following percentages" and all that follows and inserting "6.2 percent of the wages (as defined in section 3121(a)) paid by the employer with respect to employment (as defined in section 3121(b)).".

(ii) Subsection (b) of section 3111 is amended by striking "the following percentages" and all that follows and inserting "1.45 percent of the wages (as defined in section 3121(a)) paid by the employer with respect to employment (as defined in section 3121(b)).".

26 USC 3121.

(C)(i) Section 3121(b) is amended by striking paragraph (17).

42 USC 410.

(ii) Section 210(a) of the Social Security Act is amended by striking paragraph (17).

(100) RAILROAD RETIREMENT.—

(A) Subsection (b) of section 3201 is amended to read as follows:

"(b) TIER 2 TAX.—In addition to other taxes, there is hereby imposed on the income of each employee a tax equal to the percentage determined under section 3241 for any calendar year of the compensation received during such calendar year by such employee for services rendered by such employee.".

(B) Subsection (b) of section 3211 is amended to read as follows:

"(b) TIER 2 TAX.—In addition to other taxes, there is hereby imposed on the income of each employee representative a tax equal to the percentage determined under section 3241 for any calendar year of the compensation received during such calendar year by such employee representative for services rendered by such employee representative.".

(C) Subsection (b) of section 3221 is amended to read as follows:

"(b) TIER 2 TAX.—In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to the percentage determined under section 3241 for any calendar year of the compensation paid during such calendar year by such employer for services rendered to such employer.".

(D) Subsection (b) of section 3231 is amended—

(i) by striking "compensation; except" and all that follows in the first sentence and inserting "compensation.", and

(ii) by striking the second sentence.

(101) CREDITS AGAINST FEDERAL UNEMPLOYMENT TAX.—

(A) Paragraph (4) of section 3302(f) is amended—

(i) by striking "subsection—" and all that follows through "(A) IN GENERAL.—The" and inserting "subsection, the",

(ii) by striking subparagraph (B),

(iii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and

(iv) by moving the text of such subparagraphs (as so redesignated) 2 ems to the left.

(B) Paragraph (5) of section 3302(f) is amended by striking subparagraph (D) and by redesignating subparagraph (E) as subparagraph (D).

(102) DOMESTIC SERVICE EMPLOYMENT TAXES.—Section 3510(b) is amended by striking paragraph (4).

(103) LUXURY PASSENGER AUTOMOBILES.—

26 USC prec. 4001, 4001–4003.

(A) Chapter 31 is amended by striking subchapter A (and by striking the item relating to such subchapter in the table of subchapters for such chapter).

(B)(i) Section 4221 is amended—

(I) in subsections (a) and (d)(1), by striking "subchapter A or" and inserting "subchapter",

(II) in subsection (a), by striking "In the case of taxes imposed by subchapter A of chapter 31, paragraphs (1), (3), (4), and (5) shall not apply.", and

(III) in subsection (c), by striking "4001(c), 4001(d), or".

(ii) Section 4222 is amended by striking "4001(c), 4001(d),". 26 USC 4222.

(iii) Section 4293 is amended by striking "subchapter A of chapter 31,".

(104) TRANSPORTATION BY AIR.—Section 4261(e) is amended—

(A) in paragraph (1), by striking subparagraph (C), and

(B) by striking paragraph (5).

(105) TAXES ON FAILURE TO DISTRIBUTE INCOME.—

(A) Subsection (g) of section 4942 is amended by striking "For all taxable years beginning on or after January 1, 1975, subject" in paragraph (2)(A) and inserting "Subject".

(B) Section 4942(i)(2) is amended by striking "beginning after December 31, 1969, and".

(106) TAXES ON TAXABLE EXPENDITURES.—Section 4945(f) is amended by striking "(excluding therefrom any preceding taxable year which begins before January 1, 1970)".

(107) DEFINITIONS AND SPECIAL RULES.—Section 4682(h) is amended—

(A) by striking paragraph (1) and redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively, and

(B) in paragraph (1) (as so redesignated)—

(i) by striking the heading and inserting "IN GENERAL", and

(ii) by striking "after 1991" in subparagraph (C).

(108) RETURNS.—Subsection (a) of section 6039D is amended by striking "beginning after December 31, 1984,".

(109) INFORMATION RETURNS.—Subsection (c) of section 6060 is amended by striking "'year'" and all that follows and inserting "year.".

(110) COLLECTION.—Section 6302 is amended—

(A) in subsection (e)(2), by striking "imposed by" and all that follows through "with respect to" and inserting "imposed by sections 4251, 4261, or 4271 with respect to",

(B) by striking the last sentence of subsection (f)(1), and

(C) in subsection (h)—

(i) by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively, and

(ii) by amending paragraph (3) (as so redesignated) to read as follows:

"(3) COORDINATION WITH OTHER ELECTRONIC FUND TRANSFER REQUIREMENTS.—Under regulations, any tax required to be paid by electronic fund transfer under section 5061(e) or 5703(b) shall be paid in such a manner as to ensure that the requirements of the second sentence of paragraph (1)(A) of this subsection are satisfied.".

26 USC 6404.

(111) ABATEMENTS.—Section 6404(f) is amended by striking paragraph (3).

(112) 2008 RECOVERY REBATE FOR INDIVIDUALS.—

26 USC prec. 6428, prec. 6411.

(A) Subchapter B of chapter 65 is amended by striking section 6428 (and by striking the item relating to such section in the table of sections for such subchapter).

(B) Subparagraph (A) of section 6211(b)(4) is amended by striking "6428,".

(C) Paragraph (2) of section 6213(g), as amended by section 214(a)(2) of this Act and paragraphs (4) and (5)(C) of this subsection, is amended by striking subparagraph (Q), by redesignating subparagraph (O) as subparagraph (N), by inserting "and" at the end of subparagraph (M), and by striking the comma at the end of subparagraph (N) (as so redesignated) and inserting a period.

(D) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by striking "6428, or 6431," and inserting "or 6431".

26 USC prec. 6411.

(113) ADVANCE PAYMENT OF PORTION OF INCREASED CHILD CREDIT FOR 2003.—Subchapter B of chapter 65 is amended by striking section 6429 (and by striking the item relating to such section in the table of sections for such subchapter).

(114) FAILURE BY CORPORATION TO PAY ESTIMATED INCOME TAX.—Clause (i) of section 6655(g)(4)(A) is amended by striking "(or the corresponding provisions of prior law)".

(115) RETIREMENT.—Section 7447(i)(3)(B)(ii) is amended by striking "at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter", and inserting "at 3 percent per annum".

(116) ANNUITIES TO SURVIVING SPOUSES AND DEPENDENT CHILDREN OF JUDGES.—

(A) Paragraph (2) of section 7448(a) is amended—

(i) by striking "or under section 1106 of the Internal Revenue Code of 1939", and

(ii) by striking "or pursuant to section 1106(d) of the Internal Revenue Code of 1939".

(B) Subsection (g) of section 7448 is amended by striking "or other than pursuant to section 1106 of the Internal Revenue Code of 1939".

(C) Subsections (g), (j)(1), and (j)(2) of section 7448 are each amended by striking "at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter" and inserting "at 3 percent per annum".

(117) MERCHANT MARINE CAPITAL CONSTRUCTION FUNDS.—Paragraph (4) of section 7518(g) is amended by striking "any nonqualified withdrawal" and all that follows through "'shall be determined" and inserting "any nonqualified withdrawal shall be determined".

(118) VALUATION TABLES.—

(A) Subsection (c) of section 7520 is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(B) Paragraph (2) of section 7520(c) (as redesignated by subparagraph (A)) is amended—

(i) by striking "Not later than December 31, 1989, the" and inserting "The", and

(ii) by striking "thereafter" in the last sentence thereof.

(119) DEFINITION OF EMPLOYEE.—Section 7701(a)(20) is amended by striking "chapter 21" and all that follows and inserting "chapter 21.". 26 USC 7701.

(b) EFFECTIVE DATE.— 26 USC 1 note.

(1) GENERAL RULE.—Except as otherwise provided in subsection (a) or paragraph (2) of this subsection, the amendments made by this section shall take effect on the date of enactment of this Act.

(2) SAVINGS PROVISION.—If—

(A) any provision amended or repealed by the amendments made by this section applied to—

(i) any transaction occurring before the date of the enactment of this Act,

(ii) any property acquired before such date of enactment, or

(iii) any item of income, loss, deduction, or credit taken into account before such date of enactment, and

(B) the treatment of such transaction, property, or item under such provision would (without regard to the amendments or repeals made by this section) affect the liability for tax for periods ending after date of enactment, nothing in the amendments or repeals made by this section shall be construed to affect the treatment of such transaction, property, or item for purposes of determining liability for tax for periods ending after such date of enactment.

TITLE III—JOINT COMMITTEE ON TAXATION

SEC. 301. INCREASED REFUND AND CREDIT THRESHOLD FOR JOINT COMMITTEE ON TAXATION REVIEW OF C CORPORATION RETURN.

(a) IN GENERAL.—Subsections (a) and (b) of section 6405 are each amended by inserting "($5,000,000 in the case of a C corporation)" after "$2,000,000".

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act, except that such amendment shall not apply with respect to any refund or credit with respect to a report that has been made before such date under section 6405 of the Internal Revenue Code of 1986. 26 USC 6405 note.

TITLE IV—BUDGETARY EFFECTS

SEC. 401. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014.

DIVISION B—ACHIEVING A BETTER LIFE EXPERIENCE ACT OF 2014

SEC. 1. SHORT TITLE; ETC.

26 USC 1 note.

(a) SHORT TITLE.—This division may be cited as the "Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014" or the "Stephen Beck, Jr., ABLE Act of 2014".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

TITLE I—QUALIFIED ABLE PROGRAMS

26 USC 529A note.

SEC. 101. PURPOSES.

The purposes of this title are as follows:

(1) To encourage and assist individuals and families in saving private funds for the purpose of supporting individuals with disabilities to maintain health, independence, and quality of life.

(2) To provide secure funding for disability-related expenses on behalf of designated beneficiaries with disabilities that will supplement, but not supplant, benefits provided through private insurance, the Medicaid program under title XIX of the Social Security Act, the supplemental security income program under title XVI of such Act, the beneficiary's employment, and other sources.

SEC. 102. QUALIFIED ABLE PROGRAMS.

(a) IN GENERAL.—Subchapter F of chapter 1 is amended by inserting after section 529 the following new section:

26 USC 529A.

"SEC. 529A. QUALIFIED ABLE PROGRAMS.

"(a) GENERAL RULE.—A qualified ABLE program shall be exempt from taxation under this subtitle. Notwithstanding the preceding sentence, such program shall be subject to the taxes imposed by section 511 (relating to imposition of tax on unrelated business income of charitable organizations).

"(b) QUALIFIED ABLE PROGRAM.—For purposes of this section—

Definition.

"(1) IN GENERAL.—The term 'qualified ABLE program' means a program established and maintained by a State, or agency or instrumentality thereof—

"(A) under which a person may make contributions for a taxable year, for the benefit of an individual who is an eligible individual for such taxable year, to an ABLE account which is established for the purpose of meeting the qualified disability expenses of the designated beneficiary of the account,

"(B) which limits a designated beneficiary to 1 ABLE account for purposes of this section,

"(C) which allows for the establishment of an ABLE account only for a designated beneficiary who is a resident of such State or a resident of a contracting State, and

"(D) which meets the other requirements of this section.

"(2) CASH CONTRIBUTIONS.—A program shall not be treated as a qualified ABLE program unless it provides that no contribution will be accepted—

"(A) unless it is in cash, or

"(B) except in the case of contributions under subsection (c)(1)(C), if such contribution to an ABLE account would result in aggregate contributions from all contributors to the ABLE account for the taxable year exceeding the amount in effect under section 2503(b) for the calendar year in which the taxable year begins.

For purposes of this paragraph, rules similar to the rules of section 408(d)(4) (determined without regard to subparagraph (B) thereof) shall apply. Applicability.

"(3) SEPARATE ACCOUNTING.—A program shall not be treated as a qualified ABLE program unless it provides separate accounting for each designated beneficiary.

"(4) LIMITED INVESTMENT DIRECTION.—A program shall not be treated as a qualified ABLE program unless it provides that any designated beneficiary under such program may, directly or indirectly, direct the investment of any contributions to the program (or any earnings thereon) no more than 2 times in any calendar year.

"(5) NO PLEDGING OF INTEREST AS SECURITY.—A program shall not be treated as a qualified ABLE program if it allows any interest in the program or any portion thereof to be used as security for a loan.

"(6) PROHIBITION ON EXCESS CONTRIBUTIONS.—A program shall not be treated as a qualified ABLE program unless it provides adequate safeguards to prevent aggregate contributions on behalf of a designated beneficiary in excess of the limit established by the State under section 529(b)(6). For purposes of the preceding sentence, aggregate contributions include contributions under any prior qualified ABLE program of any State or agency or instrumentality thereof.

"(c) TAX TREATMENT.—

"(1) DISTRIBUTIONS.—

"(A) IN GENERAL.—Any distribution under a qualified ABLE program shall be includible in the gross income of the distributee in the manner as provided under section 72 to the extent not excluded from gross income under any other provision of this chapter.

"(B) DISTRIBUTIONS FOR QUALIFIED DISABILITY EXPENSES.—For purposes of this paragraph, if distributions from a qualified ABLE program—

"(i) do not exceed the qualified disability expenses of the designated beneficiary, no amount shall be includible in gross income, and

"(ii) in any other case, the amount otherwise includible in gross income shall be reduced by an amount which bears the same ratio to such amount as such expenses bear to such distributions.

"(C) CHANGE IN DESIGNATED BENEFICIARIES OR PROGRAMS.—

"(i) ROLLOVERS FROM ABLE ACCOUNTS.—Subparagraph (A) shall not apply to any amount paid or distributed from an ABLE account to the extent that the amount received is paid, not later than the 60th day after the date of such payment or distribution, into another ABLE account for the benefit of the same designated beneficiary or an eligible individual who is a family member of the designated beneficiary.

"(ii) CHANGE IN DESIGNATED BENEFICIARIES.—Any change in the designated beneficiary of an interest in a qualified ABLE program during a taxable year shall not be treated as a distribution for purposes of subparagraph (A) if the new beneficiary is an eligible individual for such taxable year and a member of the family of the former beneficiary.

Deadline.

"(iii) LIMITATION ON CERTAIN ROLLOVERS.—Clause (i) shall not apply to any transfer if such transfer occurs within 12 months from the date of a previous transfer to any qualified ABLE program for the benefit of the designated beneficiary.

"(D) OPERATING RULES.—For purposes of applying section 72—

"(i) except to the extent provided by the Secretary, all distributions during a taxable year shall be treated as one distribution, and

"(ii) except to the extent provided by the Secretary, the value of the contract, income on the contract, and investment in the contract shall be computed as of the close of the calendar year in which the taxable year begins.

"(2) GIFT TAX RULES.—For purposes of chapters 12 and 13—

"(A) CONTRIBUTIONS.—Any contribution to a qualified ABLE program on behalf of any designated beneficiary—

"(i) shall be treated as a completed gift to such designated beneficiary which is not a future interest in property, and

"(ii) shall not be treated as a qualified transfer under section 2503(e).

"(B) TREATMENT OF DISTRIBUTIONS.—In no event shall a distribution from an ABLE account to such account's designated beneficiary be treated as a taxable gift.

"(C) TREATMENT OF TRANSFER TO NEW DESIGNATED BENEFICIARY.—The taxes imposed by chapters 12 and 13 shall not apply to a transfer by reason of a change in the designated beneficiary under subsection (c)(1)(C).

"(3) ADDITIONAL TAX FOR DISTRIBUTIONS NOT USED FOR DISABILITY EXPENSES.—

"(A) IN GENERAL.—The tax imposed by this chapter for any taxable year on any taxpayer who receives a distribution from a qualified ABLE program which is includible in gross income shall be increased by 10 percent of the amount which is so includible.

"(B) EXCEPTION.—Subparagraph (A) shall not apply if the payment or distribution is made to a beneficiary (or to the estate of the designated beneficiary) on or after the death of the designated beneficiary.

"(C) CONTRIBUTIONS RETURNED BEFORE CERTAIN DATE.—Subparagraph (A) shall not apply to the distribution of any contribution made during a taxable year on behalf of the designated beneficiary if—

"(i) such distribution is received on or before the day prescribed by law (including extensions of time) for filing such designated beneficiary's return for such taxable year, and

"(ii) such distribution is accompanied by the amount of net income attributable to such excess contribution.

Any net income described in clause (ii) shall be included in gross income for the taxable year in which such excess contribution was made.

"(4) LOSS OF ABLE ACCOUNT TREATMENT.—If an ABLE account is established for a designated beneficiary, no account subsequently established for such beneficiary shall be treated as an ABLE account. The preceding sentence shall not apply in the case of an account established for purposes of a rollover described in paragraph (1)(C)(i) of this section if the transferor account is closed as of the end of the 60th day referred to in paragraph (1)(C)(i).

"(d) REPORTS.—

"(1) IN GENERAL.—Each officer or employee having control of the qualified ABLE program or their designee shall make such reports regarding such program to the Secretary and to designated beneficiaries with respect to contributions, distributions, the return of excess contributions, and such other matters as the Secretary may require.

Public information.

"(2) CERTAIN AGGREGATED INFORMATION.—For research purposes, the Secretary shall make available to the public reports containing aggregate information, by diagnosis and other relevant characteristics, on contributions and distributions from the qualified ABLE program. In carrying out the preceding sentence an item may not be made available to the public if such item can be associated with, or otherwise identify, directly or indirectly, a particular individual.

"(3) NOTICE OF ESTABLISHMENT OF ABLE ACCOUNT.—A qualified ABLE program shall submit a notice to the Secretary upon the establishment of an ABLE account. Such notice shall contain the name and State of residence of the designated beneficiary and such other information as the Secretary may require.

"(4) ELECTRONIC DISTRIBUTION STATEMENTS.—For purposes of section 4 of the Achieving a Better Life Experience Act of 2014, States shall submit electronically on a monthly basis to the Commissioner of Social Security, in the manner specified by the Commissioner, statements on relevant distributions and account balances from all ABLE accounts.

"(5) REQUIREMENTS.—The reports and notices required by paragraphs (1), (2), and (3) shall be filed at such time and in such manner and furnished to such individuals at such time and in such manner as may be required by the Secretary.

"(e) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

"(1) ELIGIBLE INDIVIDUAL.—An individual is an eligible individual for a taxable year if during such taxable year—

"(A) the individual is entitled to benefits based on blindness or disability under title II or XVI of the Social Security Act, and such blindness or disability occurred before the date on which the individual attained age 26, or

"(B) a disability certification with respect to such individual is filed with the Secretary for such taxable year.

"(2) DISABILITY CERTIFICATION.—

"(A) IN GENERAL.—The term 'disability certification' means, with respect to an individual, a certification to the satisfaction of the Secretary by the individual or the parent or guardian of the individual that—

"(i) certifies that—

"(I) the individual has a medically determinable physical or mental impairment, which results in marked and severe functional limitations, and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months, or is blind (within the meaning of section 1614(a)(2) of the Social Security Act), and

"(II) such blindness or disability occurred before the date on which the individual attained age 26, and

"(ii) includes a copy of the individual's diagnosis relating to the individual's relevant impairment or impairments, signed by a physician meeting the criteria of section 1861(r)(1) of the Social Security Act.

"(B) RESTRICTION ON USE OF CERTIFICATION.—No inference may be drawn from a disability certification for purposes of establishing eligibility for benefits under title II, XVI, or XIX of the Social Security Act.

"(3) DESIGNATED BENEFICIARY.—The term 'designated beneficiary' in connection with an ABLE account established under a qualified ABLE program means the eligible individual who established an ABLE account and is the owner of such account.

"(4) MEMBER OF FAMILY.—The term 'member of the family' means, with respect to any designated beneficiary, an individual who bears a relationship to such beneficiary which is described in subparagraph section 152(d)(2)(B). For purposes of the preceding sentence, a rule similar to the rule of section 152(f)(1)(B) shall apply.

"(5) QUALIFIED DISABILITY EXPENSES.—The term 'qualified disability expenses' means any expenses related to the eligible individual's blindness or disability which are made for the benefit of an eligible individual who is the designated beneficiary, including the following expenses: education, housing, transportation, employment training and support, assistive technology and personal support services, health, prevention and wellness, financial management and administrative services, legal fees, expenses for oversight and monitoring, funeral and burial expenses, and other expenses, which are approved by the Secretary under regulations and consistent with the purposes of this section.

"(6) ABLE ACCOUNT.—The term 'ABLE account' means an account established by an eligible individual, owned by such

eligible individual, and maintained under a qualified ABLE program.

"(7) CONTRACTING STATE.—The term 'contracting State' means a State without a qualified ABLE program which has entered into a contract with a State with a qualified ABLE program to provide residents of the contracting State access to a qualified ABLE program.

"(f) TRANSFER TO STATE.—Subject to any outstanding payments due for qualified disability expenses, upon the death of the designated beneficiary, all amounts remaining in the qualified ABLE account not in excess of the amount equal to the total medical assistance paid for the designated beneficiary after the establishment of the account, net of any premiums paid from the account or paid by or on behalf of the beneficiary to a Medicaid Buy-In program under any State Medicaid plan established under title XIX of the Social Security Act, shall be distributed to such State upon filing of a claim for payment by such State. For purposes of this paragraph, the State shall be a creditor of an ABLE account and not a beneficiary. Subsection (c)(3) shall not apply to a distribution under the preceding sentence.

"(g) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as the Secretary determines necessary or appropriate to carry out the purposes of this section, including regulations—

"(1) to enforce the 1 ABLE account per eligible individual limit,

"(2) providing for the information required to be presented to open an ABLE account,

"(3) to generally define qualified disability expenses,

"(4) developed in consultation with the Commissioner of Social Security, relating to disability certifications and determinations of disability, including those conditions deemed to meet the requirements of subsection (e)(1)(B),

"(5) to prevent fraud and abuse with respect to amounts claimed as qualified disability expenses,

"(6) under chapters 11, 12, and 13 of this title, and

"(7) to allow for transfers from one ABLE account to another ABLE account.".

(b) TAX ON EXCESS CONTRIBUTIONS.—

(1) IN GENERAL.—Subsection (a) of section 4973 (relating to tax on excess contributions to certain tax-favored accounts and annuities) is amended by striking "or" at the end of paragraph (4), by inserting "or" at the end of paragraph (5), and by inserting after paragraph (5) the following new paragraph: 26 USC 4973.

"(6) an ABLE account (within the meaning of section 529A),".

(2) EXCESS CONTRIBUTION.—Section 4973 is amended by adding at the end the following new subsection:

"(h) EXCESS CONTRIBUTIONS TO ABLE ACCOUNT.—For purposes of this section—

"(1) IN GENERAL.—In the case of an ABLE account (within the meaning of section 529A), the term 'excess contributions' means the amount by which the amount contributed for the taxable year to such account (other than contributions under section 529A(c)(1)(C)) exceeds the contribution limit under section 529A(b)(2)(B).

Applicability.

"(2) SPECIAL RULE.—For purposes of this subsection, any contribution which is distributed out of the ABLE account in a distribution to which the last sentence of section 529A(b)(2) applies shall be treated as an amount not contributed.".

26 USC 6693.

(c) PENALTY FOR FAILURE TO FILE REPORTS.—Section 6693(a)(2) is amended by striking "and" at the end of subparagraph (D), by redesignating subparagraph (E) as subparagraph (F), and by inserting after subparagraph (D) the following:

"(E) section 529A(d) (relating to qualified ABLE programs), and".

(d) RECORDS.—Section 552a(a)(8)(B) of title 5, United States Code, is amended—

(1) in clause (viii), by striking "or" at the end;

(2) in clause (ix), by adding "or" at the end; and

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

"(x) matches performed pursuant to section 3(d)(4) of the Achieving a Better Life Experience Act of 2014;".

(e) OTHER CONFORMING AMENDMENTS.—

(1) Section 26(b)(2) is amended by striking "and" at the end of subparagraph (W), by striking the period at the end of subparagraph (X) and inserting ", and", and by inserting after subparagraph (X) the following:

"(Y) section 529A(c)(3)(A) (relating to additional tax on ABLE account distributions not used for qualified disability expenses).".

(2) Section 877A is amended—

(A) in subsection (e)(2) by inserting "a qualified ABLE program (as defined in section 529A)," after "529),", and

(B) in subsection (g)(6) by inserting "529A(c)(3)," after "529(c)(6),".

(3) Section 4965(c) is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting ", or", and by inserting after paragraph (7) the following new paragraph:

"(8) a program described in section 529A.".

26 USC prec. 529.

(4) The heading for part VIII of subchapter F of chapter 1 is amended by striking "**HIGHER EDUCATION**" and inserting "**CERTAIN**".

26 USC prec. 501.

(5) The item in the table of parts for subchapter F of chapter 1 relating to part VIII is amended to read as follows:

"PART VIII. CERTAIN SAVINGS ENTITIES.".

26 USC prec. 529.

(6) The table of sections for part VIII of subchapter F of chapter 1 is amended by inserting after the item relating to section 529 the following new item:

"Sec. 529A. Qualified ABLE programs.".

(7) Paragraph (4) of section 1027(g) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5517(g)(4)) is amended by inserting ", 529A" after "529".

5 USC 552a note.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

26 USC 529A note.

(2) REGULATIONS.—The Secretary of the Treasury (or the Secretary's designee) shall promulgate the regulations or other

guidance required under section 529A(g) of the Internal Revenue Code of 1986, as added by subsection (a), not later than 6 months after the date of the enactment of this Act.

SEC. 103. TREATMENT OF ABLE ACCOUNTS UNDER CERTAIN FEDERAL PROGRAMS.

26 USC 529A note.

(a) ACCOUNT FUNDS DISREGARDED FOR PURPOSES OF CERTAIN OTHER MEANS-TESTED FEDERAL PROGRAMS.—Notwithstanding any other provision of Federal law that requires consideration of 1 or more financial circumstances of an individual, for the purpose of determining eligibility to receive, or the amount of, any assistance or benefit authorized by such provision to be provided to or for the benefit of such individual, any amount (including earnings thereon) in the ABLE account (within the meaning of section 529A of the Internal Revenue Code of 1986) of such individual, any contributions to the ABLE account of the individual, and any distribution for qualified disability expenses (as defined in subsection (e)(5) of such section) shall be disregarded for such purpose with respect to any period during which such individual maintains, makes contributions to, or receives distributions from such ABLE account, except that, in the case of the supplemental security income program under title XVI of the Social Security Act—

(1) a distribution for housing expenses (within the meaning of such subsection) shall not be so disregarded, and

(2) in the case of such program, any amount (including such earnings) in such ABLE account shall be considered a resource of the designated beneficiary to the extent that such amount exceeds $100,000.

(b) SUSPENSION OF SSI BENEFITS DURING PERIODS OF EXCESSIVE ACCOUNT FUNDS.—

(1) IN GENERAL.—The benefits of an individual under the supplemental security income program under title XVI of the Social Security Act shall not be terminated, but shall be suspended, by reason of excess resources of the individual attributable to an amount in the ABLE account (within the meaning of section 529A of the Internal Revenue Code of 1986) of the individual not disregarded under subsection (a) of this section.

(2) NO IMPACT ON MEDICAID ELIGIBILITY.—An individual who would be receiving payment of such supplemental security income benefits but for the application of paragraph (1) shall be treated for purposes of title XIX of the Social Security Act as if the individual continued to be receiving payment of such benefits.

(c) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act.

SEC. 104. TREATMENT OF ABLE ACCOUNTS IN BANKRUPTCY.

(a) EXCLUSION FROM PROPERTY OF THE ESTATE.—Section 541(b) of the title 11, United States Code, is amended—

(1) in paragraph (8), by striking "or" at the end;

(2) in paragraph (9), by striking the period at the end and inserting a semicolon and "or"; and

(3) by inserting after paragraph (9) the following:

"(10) funds placed in an account of a qualified ABLE program (as defined in section 529A(b) of the Internal Revenue Code of 1986) not later than 365 days before the date of the filing of the petition in a case under this title, but—

Deadline.

"(A) only if the designated beneficiary of such account was a child, stepchild, grandchild, or stepgrandchild of the debtor for the taxable year for which funds were placed in such account;

"(B) only to the extent that such funds—

"(i) are not pledged or promised to any entity in connection with any extension of credit; and

"(ii) are not excess contributions (as described in section 4973(h) of the Internal Revenue Code of 1986); and

Deadlines.

"(C) in the case of funds placed in all such accounts having the same designated beneficiary not earlier than 720 days nor later than 365 days before such date, only so much of such funds as does not exceed $6,225.".

(b) DEBTOR'S MONTHLY EXPENSES.—Section 707(b)(2)(A)(ii)(II) of title 11, United States Code, is amended by adding at the end "Such monthly expenses may include, if applicable, contributions to an account of a qualified ABLE program to the extent such contributions are not excess contributions (as described in section 4973(h) of the Internal Revenue Code of 1986) and if the designated beneficiary of such account is a child, stepchild, grandchild, or stepgrandchild of the debtor.".

(c) RECORD OF DEBTOR'S INTEREST.—Section 521(c) of title 11, United States Code, is amended by inserting ", an interest in an account in a qualified ABLE program (as defined in section 529A(b) of such Code," after "Internal Revenue Code of 1986)".

11 USC 521 note.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to cases commenced under title 11, United States Code, on or after the date of the enactment of this Act.

SEC. 105. INVESTMENT DIRECTION RULE FOR 529 PLANS.

(a) AMENDMENTS RELATING TO INVESTMENT DIRECTION RULE FOR 529 PLANS.—

26 USC 529.

(1) Paragraph (4) of section 529(b) is amended by striking "may not directly or indirectly" and all that follows and inserting "may, directly or indirectly, direct the investment of any contributions to the program (or any earnings thereon) no more than 2 times in any calendar year.".

(2) The heading of paragraph (4) of section 529(b) is amended by striking "NO" and inserting "LIMITED".

26 USC 529 note.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

TITLE II—OFFSETS

SEC. 201. CORRECTION TO WORKERS COMPENSATION OFFSET AGE.

(a) RETIREMENT AGE.—Section 224(a) of the Social Security Act (42 U.S.C. 424a(a)) is amended, in the matter preceding paragraph (1), by striking "the age of 65" and inserting "retirement age (as defined in section 216(l)(1))".

26 USC 424a note.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any individual who attains 65 years of age on or after the date that is 12 months after the date of the enactment of this Act.

SEC. 202. ACCELERATED APPLICATION OF RELATIVE VALUE TARGETS FOR MISVALUED SERVICES IN THE MEDICARE PHYSICIAN FEE SCHEDULE.

Section 1848(c) of the Social Security Act (42 U.S.C. 1395w–4(c)) is amended—

(1) in subclause (VIII) of paragraph (2)(B)(v), as added by section 220(d)(2) of the Protecting Access to Medicare Act of 2014 (Public Law 113–93)—

(A) by striking "2017" and inserting "2016"; and

(B) by redesignating such subclause as subclause (IX);

(2) in paragraph (2)(O)—

(A) in the matter preceding clause (i), by striking "2017 through 2020" and inserting "2016 through 2018";

(B) in clause (iii), by striking "2017" and inserting "2016"; and

(C) in clause (v), by inserting "(or, for 2016, 1.0 percent)" after "0.5 percent"; and

(3) in paragraph (7), by striking "2017" and inserting "2016".

SEC. 203. CONSISTENT TREATMENT OF VACUUM ERECTION SYSTEMS IN MEDICARE PARTS B AND D.

Section 1834(a)(1) of the Social Security Act (42 U.S.C. 1395m(a)(1)) is amended by adding at the end the following new subparagraph:

"(I) TREATMENT OF VACUUM ERECTION SYSTEMS.—Effective for items and services furnished on and after July 1, 2015, vacuum erection systems described as prosthetic devices described in section 1861(s)(8) shall be treated in the same manner as erectile dysfunction drugs are treated for purposes of section 1860D-2(e)(2)(A).". Effective date.

SEC. 204. ONE-YEAR DELAY OF IMPLEMENTATION OF ORAL-ONLY POLICY UNDER MEDICARE ESRD PROSPECTIVE PAYMENT SYSTEM.

Section 632(b)(1) of the American Taxpayer Relief Act of 2012 (42 U.S.C. 1395rr note), as amended by section 217(a)(1) of the Protecting Access to Medicare Act of 2014 (Public Law 113–93), is amended by striking "2024" and inserting "2025".

SEC. 205. MODIFICATION RELATING TO INLAND WATERWAYS TRUST FUND FINANCING RATE.

(a) IN GENERAL.—Section 4042(b)(2)(A) is amended to read as follows: 26 USC 4042.

"(A) The Inland Waterways Trust Fund financing rate is 29 cents per gallon.".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to fuel used after March 31, 2015. 26 USC 4042 note.

SEC. 206. CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.

(a) EMPLOYMENT TAXES.—Chapter 25 is amended by adding at the end the following new section:

"SEC. 3511. CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS. 26 USC 3511.

"(a) GENERAL RULES.—For purposes of the taxes, and other obligations, imposed by this subtitle—

"(1) a certified professional employer organization shall be treated as the employer (and no other person shall be

treated as the employer) of any work site employee performing services for any customer of such organization, but only with respect to remuneration remitted by such organization to such work site employee, and

Applicability.

"(2) the exemptions, exclusions, definitions, and other rules which are based on type of employer and which would (but for paragraph (1)) apply shall apply with respect to such taxes imposed on such remuneration.

Contracts.

"(b) SUCCESSOR EMPLOYER STATUS.—For purposes of sections 3121(a)(1), 3231(e)(2)(C), and 3306(b)(1)—

"(1) a certified professional employer organization entering into a service contract with a customer with respect to a work site employee shall be treated as a successor employer and the customer shall be treated as a predecessor employer during the term of such service contract, and

"(2) a customer whose service contract with a certified professional employer organization is terminated with respect to a work site employee shall be treated as a successor employer and the certified professional employer organization shall be treated as a predecessor employer.

"(c) LIABILITY OF CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATION.—Solely for purposes of its liability for the taxes and other obligations imposed by this subtitle—

"(1) a certified professional employer organization shall be treated as the employer of any individual (other than a work site employee or a person described in subsection (f)) who is performing services covered by a contract meeting the requirements of section 7705(e)(2), but only with respect to remuneration remitted by such organization to such individual, and

Applicability.

"(2) the exemptions, exclusions, definitions, and other rules which are based on type of employer and which would (but for paragraph (1)) apply shall apply with respect to such taxes imposed on such remuneration.

"(d) TREATMENT OF CREDITS.—

"(1) IN GENERAL.—For purposes of any credit specified in paragraph (2)—

"(A) such credit with respect to a work site employee performing services for the customer applies to the customer, not the certified professional employer organization,

"(B) the customer, and not the certified professional employer organization, shall take into account wages and employment taxes—

"(i) paid by the certified professional employer organization with respect to the work site employee, and

"(ii) for which the certified professional employer organization receives payment from the customer, and

"(C) the certified professional employer organization shall furnish the customer and the Secretary with any information necessary for the customer to claim such credit.

"(2) CREDITS SPECIFIED.—A credit is specified in this paragraph if such credit is allowed under—

"(A) section 41 (credit for increasing research activity),

"(B) section 45A (Indian employment credit),

"(C) section 45B (credit for portion of employer social security taxes paid with respect to employee cash tips),

"(D) section 45C (clinical testing expenses for certain drugs for rare diseases or conditions),

"(E) section 45R (employee health insurance expenses of small employers),

"(F) section 51 (work opportunity credit),

"(G) section 1396 (empowerment zone employment credit), and

"(H) any other section as provided by the Secretary.

"(e) SPECIAL RULE FOR RELATED PARTY.—This section shall not apply in the case of a customer which bears a relationship to a certified professional employer organization described in section 267(b) or 707(b). For purposes of the preceding sentence, such sections shall be applied by substituting '10 percent' for '50 percent'. Applicability.

"(f) SPECIAL RULE FOR CERTAIN INDIVIDUALS.—For purposes of the taxes imposed under this subtitle, an individual with net earnings from self-employment derived from the customer's trade or business (including a partner in a partnership that is a customer) is not a work site employee with respect to remuneration paid by a certified professional employer organization.

"(g) REPORTING REQUIREMENTS AND OBLIGATIONS.—The Secretary shall develop such reporting and recordkeeping rules, regulations, and procedures as the Secretary determines necessary or appropriate to ensure compliance with this title by certified professional employer organizations or persons that have been so certified. Such rules shall include— Records. Regulations. Procedures.

"(1) notification of the Secretary in such manner as the Secretary shall prescribe in the case of the commencement or termination of a service contract described in section 7705(e)(2) between such a person and a customer, and the employer identification number of such customer,

"(2) such information as the Secretary determines necessary for the customer to claim the credits identified in subsection (d) and the manner in which such information is to be provided, as prescribed by the Secretary, and

"(3) such other information as the Secretary determines is essential to promote compliance with respect to the credits identified in subsection (d) and section 3302, and

shall be designed in a manner which streamlines, to the extent possible, the application of requirements of this section and section 7705, the exchange of information between a certified professional employer organization and its customers, and the reporting and recordkeeping obligations of the certified professional employer organization.

"(h) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section.".

(b) CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATION DEFINED.—Chapter 79 is amended by adding at the end the following new section:

"SEC. 7705. CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS. 26 USC 7705.

"(a) IN GENERAL.—For purposes of this title, the term 'certified professional employer organization' means a person who applies to be treated as a certified professional employer organization for purposes of section 3511 and has been certified by the Secretary as meeting the requirements of subsection (b). Definition.

"(b) CERTIFICATION REQUIREMENTS.—A person meets the requirements of this subsection if such person—

"(1) demonstrates that such person (and any owner, officer, and other persons as may be specified in regulations) meets such requirements as the Secretary shall establish, including requirements with respect to tax status, background, experience, business location, and annual financial audits,

"(2) agrees that it will satisfy the bond and independent financial review requirements of subsection (c) on an ongoing basis,

"(3) agrees that it will satisfy such reporting obligations as may be imposed by the Secretary,

"(4) computes its taxable income using an accrual method of accounting unless the Secretary approves another method,

"(5) agrees to verify on such periodic basis as the Secretary may prescribe that it continues to meet the requirements of this subsection, and

Notification.

"(6) agrees to notify the Secretary in writing within such time as the Secretary may prescribe of any change that materially affects the continuing accuracy of any agreement or information that was previously made or provided under this subsection.

"(c) BOND AND INDEPENDENT FINANCIAL REVIEW.—

"(1) IN GENERAL.—An organization meets the requirements of this paragraph if such organization—

"(A) meets the bond requirements of paragraph (2), and

"(B) meets the independent financial review requirements of paragraph (3).

"(2) BOND.—

"(A) IN GENERAL.—A certified professional employer organization meets the requirements of this paragraph if the organization has posted a bond for the payment of taxes under subtitle C (in a form acceptable to the Secretary) that is in an amount at least equal to the amount specified in subparagraph (B).

"(B) AMOUNT OF BOND.—For the period April 1 of any calendar year through March 31 of the following calendar year, the amount of the bond required is equal to the greater of—

"(i) 5 percent of the organization's liability under section 3511 for taxes imposed by subtitle C during the preceding calendar year (but not to exceed $1,000,000), or

"(ii) $50,000.

"(3) INDEPENDENT FINANCIAL REVIEW REQUIREMENTS.—A certified professional employer organization meets the requirements of this paragraph if such organization—

"(A) has, as of the most recent audit date, caused to be prepared and provided to the Secretary (in such manner as the Secretary may prescribe) an opinion of an independent certified public accountant as to whether the certified professional employer organization's financial statements are presented fairly in accordance with generally accepted accounting principles, and

"(B) provides to the Secretary an assertion regarding Federal employment tax payments and an examination

level attestation on such assertion from an independent certified public accountant not later than the last day of the second month beginning after the end of each calendar quarter.

Such assertion shall state that the organization has withheld and made deposits of all taxes imposed by chapters 21, 22, and 24 in accordance with regulations imposed by the Secretary for such calendar quarter and such examination level attestation shall state that such assertion is fairly stated, in all material respects.

"(4) CONTROLLED GROUP RULES.—For purposes of the requirements of paragraphs (2) and (3), all certified professional employer organizations that are members of a controlled group within the meaning of sections 414(b) and (c) shall be treated as a single organization.

"(5) FAILURE TO FILE ASSERTION AND ATTESTATION.—If the certified professional employer organization fails to file the assertion and attestation required by paragraph (3) with respect to any calendar quarter, then the requirements of paragraph (3) with respect to such failure shall be treated as not satisfied for the period beginning on the due date for such attestation. Time period.

"(6) AUDIT DATE.—For purposes of paragraph (3)(A), the audit date shall be six months after the completion of the organization's fiscal year.

"(d) SUSPENSION AND REVOCATION AUTHORITY.—The Secretary may suspend or revoke a certification of any person under subsection (b) for purposes of section 3511 if the Secretary determines that such person is not satisfying the agreements or requirements of subsections (b) or (c), or fails to satisfy applicable accounting, reporting, payment, or deposit requirements. Determination.

"(e) WORK SITE EMPLOYEE.—For purposes of this title—

"(1) IN GENERAL.—The term 'work site employee' means, with respect to a certified professional employer organization, an individual who— Definition.

"(A) performs services for a customer pursuant to a contract which is between such customer and the certified professional employer organization and which meets the requirements of paragraph (2), and

"(B) performs services at a work site meeting the requirements of paragraph (3).

"(2) SERVICE CONTRACT REQUIREMENTS.—A contract meets the requirements of this paragraph with respect to an individual performing services for a customer if such contract is in writing and provides that the certified professional employer organization shall—

"(A) assume responsibility for payment of wages to such individual, without regard to the receipt or adequacy of payment from the customer for such services,

"(B) assume responsibility for reporting, withholding, and paying any applicable taxes under subtitle C, with respect to such individual's wages, without regard to the receipt or adequacy of payment from the customer for such services,

"(C) assume responsibility for any employee benefits which the service contract may require the certified professional employer organization to provide, without regard

to the receipt or adequacy of payment from the customer for such benefits,

"(D) assume responsibility for recruiting, hiring, and firing workers in addition to the customer's responsibility for recruiting, hiring, and firing workers,

"(E) maintain employee records relating to such individual, and

"(F) agree to be treated as a certified professional employer organization for purposes of section 3511 with respect to such individual.

"(3) WORK SITE COVERAGE REQUIREMENT.—The requirements of this paragraph are met with respect to an individual if at least 85 percent of the individuals performing services for the customer at the work site where such individual performs services are subject to 1 or more contracts with the certified professional employer organization which meet the requirements of paragraph (2) (but not taking into account those individuals who are excluded employees within the meaning of section 414(q)(5)).

"(f) PUBLIC DISCLOSURE.—The Secretary shall make available to the public the name and address of—

"(1) each person certified as a professional employer organization under subsection (a), and

"(2) each person whose certification as a professional employer organization is suspended or revoked under subsection (d).

"(g) DETERMINATION OF EMPLOYMENT STATUS.—Except to the extent necessary for purposes of section 3511, nothing in this section shall be construed to affect the determination of who is an employee or employer for purposes of this title.

"(h) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section.".

(c) CONFORMING AMENDMENTS.—

26 USC 3302.

(1) Section 3302 is amended by adding at the end the following new subsection:

"(h) TREATMENT OF CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.—If a certified professional employer organization (as defined in section 7705), or a customer of such organization, makes a contribution to the State's unemployment fund with respect to wages paid to a work site employee, such certified professional employer organization shall be eligible for the credits available under this section with respect to such contribution.".

(2) Section 3303(a) is amended—

(A) by striking the period at the end of paragraph (3) and inserting "; and" and by inserting after paragraph (3) the following new paragraph:

"(4) if the taxpayer is a certified professional employer organization (as defined in section 7705) that is treated as the employer under section 3511, such certified professional employer organization is permitted to collect and remit, in accordance with paragraphs (1), (2), and (3), contributions during the taxable year to the State unemployment fund with respect to a work site employee.", and

(B) in the last sentence—

(i) by striking "paragraphs (1), (2), and (3)" and inserting "paragraphs (1), (2), (3), and (4)", and

(ii) by striking "paragraph (1), (2), or (3)" and inserting "paragraph (1), (2), (3), or (4)".

(3) Section 6053(c) is amended by adding at the end the following new paragraph: 26 USC 6053.

"(8) CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.—For purposes of any report required by this subsection, in the case of a certified professional employer organization that is treated under section 3511 as the employer of a work site employee, the customer with respect to whom a work site employee performs services shall be the employer for purposes of reporting under this section and the certified professional employer organization shall furnish to the customer and the Secretary any information the Secretary prescribes as necessary to complete such reporting no later than such time as the Secretary shall prescribe.". Deadline.

(4) Section 6652 is amended by adding at the end the following new subsection:

"(n) FAILURE TO MAKE REPORTS REQUIRED UNDER SECTIONS 3511, 6053(c)(8), AND 7705.—In the case of a failure to make a report required under section 3511, 6053(c)(8), or 7705 which contains the information required by such section on the date prescribed therefor (determined with regard to any extension of time for filing), there shall be paid (on notice and demand by the Secretary and in the same manner as tax) by the person failing to make such report, an amount equal to $50 for each report with respect to which there was such a failure. In the case of any failure due to negligence or intentional disregard the preceding sentence shall be applied by substituting '$100' for '$50'.". Applicability.

(d) CLERICAL AMENDMENTS.—

(1) The table of sections for chapter 25 is amended by adding at the end the following new item: 26 USC prec. 3501.

"Sec. 3511. Certified professional employer organizations.".

(2) The table of sections for chapter 79 is amended by inserting after the item relating to section 7704 the following new item: 26 USC prec. 7701.

"Sec. 7705. Certified professional employer organizations.".

(f) USER FEES.—Section 7528(b) is amended by adding at the end the following new paragraph:

"(4) CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.—The fee charged under the program in connection with the certification by the Secretary of a professional employer organization under section 7705 shall be an annual fee not to exceed $1,000 per year.".

(g) EFFECTIVE DATES.— 26 USC 3302 note.

(1) IN GENERAL.—The amendments made by this section shall apply with respect to wages for services performed on or after January 1 of the first calendar year beginning more than 12 months after the date of the enactment of this Act.

(2) CERTIFICATION PROGRAM.—The Secretary of the Treasury shall establish the certification program described in section 7705(b) of the Internal Revenue Code of 1986, as added by subsection (b), not later than 6 months before the effective date determined under paragraph (1). Deadline. 26 USC 27705 note.

(h) NO INFERENCE.—Nothing contained in this section or the amendments made by this section shall be construed to create 26 USC 3302 note.

any inference with respect to the determination of who is an employee or employer—

(1) for Federal tax purposes (other than the purposes set forth in the amendments made by this section), or

(2) for purposes of any other provision of law.

SEC. 207. EXCLUSION OF DIVIDENDS FROM CONTROLLED FOREIGN CORPORATIONS FROM THE DEFINITION OF PERSONAL HOLDING COMPANY INCOME FOR PURPOSES OF THE PERSONAL HOLDING COMPANY RULES.

26 USC 543.

(a) IN GENERAL.—Section 543(a)(1) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively, and

(2) by inserting after subparagraph (B) the following:

"(C) dividends received by a United States shareholder (as defined in section 951(b)) from a controlled foreign corporation (as defined in section 957(a)),".

26 USC 543 note.

(b) EFFECTIVE DATE.—The amendments made by this Act shall apply to taxable years ending on or after the date of the enactment of this Act.

SEC. 208. INFLATION ADJUSTMENT FOR CERTAIN CIVIL PENALTIES UNDER THE INTERNAL REVENUE CODE OF 1986.

(a) FAILURE TO FILE TAX RETURN OR PAY TAX.—Section 6651 is amended by adding at the end the following new subsection:

"(i) ADJUSTMENT FOR INFLATION.—

Time period.

"(1) IN GENERAL.—In the case of any return required to be filed in a calendar year beginning after 2014, the $135 dollar amount under subsection (a) shall be increased by such dollar amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

"(2) ROUNDING.—If any amount adjusted under paragraph (1) is not a multiple of $5, such amount shall be rounded to the next lowest multiple of $5.".

(b) FAILURE TO FILE CERTAIN INFORMATION RETURNS, REGISTRATION STATEMENTS, ETC.—

(1) IN GENERAL.—Section 6652(c) is amended by adding at the end the following new paragraph:

"(6) ADJUSTMENT FOR INFLATION.—

Time period.

"(A) IN GENERAL.—In the case of any failure relating to a return required to be filed in a calendar year beginning after 2014, each of the dollar amounts under paragraphs (1), (2), and (3) shall be increased by such dollar amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

"(B) ROUNDING.—If any amount adjusted under subparagraph (A)—

"(i) is not less than $5,000 and is not a multiple of $500, such amount shall be rounded to the next lowest multiple of $500, and

"(ii) is not described in clause (i) and is not a multiple of $5, such amount shall be rounded to the next lowest multiple of $5.".

(2) CONFORMING AMENDMENTS.—

(A) The last sentence of section 6652(c)(1)(A) is amended by striking "the first sentence of this subparagraph shall be applied by substituting '$100' for '$20' and" and inserting "in applying the first sentence of this subparagraph, the amount of the penalty for each day during which a failure continues shall be $100 in lieu of the amount otherwise specified, and". 26 USC 6652. Applicability.

(B) Section 6652(c)(2)(C)(ii) is amended by striking "the first sentence of paragraph (1)(A)" and all that follows and inserting "in applying the first sentence of paragraph (1)(A), the amount of the penalty for each day during which a failure continues shall be $100 in lieu of the amount otherwise specified, and in lieu of applying the second sentence of paragraph (1)(A), the maximum penalty under paragraph (1)(A) shall not exceed $50,000, and".

(c) OTHER ASSESSABLE PENALTIES WITH RESPECT TO THE PREPARATION OF TAX RETURNS FOR OTHER PERSONS.—Section 6695 is amended by adding at the end the following new subsection:

"(h) ADJUSTMENT FOR INFLATION.—

"(1) IN GENERAL.—In the case of any failure relating to a return or claim for refund filed in a calendar year beginning after 2014, each of the dollar amounts under subsections (a), (b), (c), (d), (e), (f), and (g) shall be increased by such dollar amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof. Time period.

"(2) ROUNDING.—If any amount adjusted under subparagraph (A)—

"(A) is not less than $5,000 and is not a multiple of $500, such amount shall be rounded to the next lowest multiple of $500, and

"(B) is not described in clause (i) and is not a multiple of $5, such amount shall be rounded to the next lowest multiple of $5.".

(d) FAILURE TO FILE PARTNERSHIP RETURN.—Section 6698 is amended by adding at the end the following new subsection:

"(e) ADJUSTMENT FOR INFLATION.—

"(1) IN GENERAL.—In the case of any return required to be filed in a calendar year beginning after 2014, the $195 dollar amount under subsection (b)(1) shall be increased by such dollar amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof. Time period.

"(2) ROUNDING.—If any amount adjusted under paragraph (1) is not a multiple of $5, such amount shall be rounded to the next lowest multiple of $5.".

(e) FAILURE TO FILE S CORPORATION RETURN.—Section 6699 is amended by adding at the end the following new subsection:

"(e) ADJUSTMENT FOR INFLATION.—

"(1) IN GENERAL.—In the case of any return required to be filed in a calendar year beginning after 2014, the $195 dollar amount under subsection (b)(1) shall be increased by such dollar amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof. Time period.

"(2) ROUNDING.—If any amount adjusted under paragraph (1) is not a multiple of $5, such amount shall be rounded to the next lowest multiple of $5.".

(f) FAILURE TO FILE CORRECT INFORMATION RETURNS.—Section 6721(f)(1) is amended by striking "For each fifth calendar year beginning after 2012" and inserting "In the case of any failure relating to a return required to be filed in a calendar year beginning after 2014".

26 USC 6721.

(g) FAILURE TO FURNISH CORRECT PAYEE STATEMENTS.—Section 6722(f)(1) is amended by striking "For each fifth calendar year beginning after 2012" and inserting "In the case of any failure relating to a statement required to be furnished in a calendar year beginning after 2014".

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed after December 31, 2014.

26 USC 6651 note.

SEC. 209. INCREASE IN CONTINUOUS LEVY.

(a) IN GENERAL.—Paragraph (3) of section 6331(h) is amended by striking the period at the end and inserting "and by substituting '30 percent' for '15 percent' in the case of any specified payment due to a Medicare provider or supplier under title XVIII of the Social Security Act.".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after 180 days after the date of the enactment of this Act.

26 USC 6331 note.

Approved December 19, 2014.

LEGISLATIVE HISTORY—H.R. 5771:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Dec. 3, considered and passed House.
Dec. 16, considered and passed Senate.

Public Law 113–296
113th Congress

An Act

To enhance the strategic partnership between the United States and Israel.

Dec. 19, 2014
[S. 2673]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

United States-Israel Strategic Partnership Act of 2014.
22 USC 8601 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States-Israel Strategic Partnership Act of 2014".

22 USC 8601 note.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The people and the Governments of the United States and of Israel share a deep and unbreakable bond, forged by over 60 years of shared interests and shared values.

(2) Today, the people and Governments of the United States and of Israel are facing a dynamic and rapidly changing security environment in the Middle East and North Africa, necessitating deeper cooperation on a range of defense, security, and intelligence matters.

(3) From Gaza, Hamas continues to deny Israel's right to exist and persists in firing rockets indiscriminately at population centers in Israel.

(4) Hezbollah—with support from Iran—continues to stockpile rockets and may be seeking to exploit the tragic and volatile security situation within Syria.

(5) The Government of Iran continues to pose a grave threat to the region and the world at large with its reckless pursuit of nuclear weapons.

(6) Given these challenges, it is imperative that the United States continues to deepen cooperation with allies like Israel in pursuit of shared policy objectives.

22 USC 8602 note.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to reaffirm the unwavering support of the people and the Government of the United States for the security of Israel as a Jewish state;

(2) to reaffirm the principles and objectives enshrined in the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150) and ensure its implementation to the fullest extent;

(3) to reaffirm the importance of the 2007 United States-Israel Memorandum of Understanding on United States assistance to Israel and the semi-annual Strategic Dialogue between the United States and Israel;

(4) to pursue every opportunity to deepen cooperation with Israel on a range of critical issues including defense, homeland security, energy, and cybersecurity;

(5) to continue to provide Israel with robust security assistance, including for the procurement of the Iron Dome Missile Defense System; and

(6) to support the Government of Israel in its ongoing efforts to reach a negotiated political settlement with the Palestinian people that results in two states living side-by-side in peace and security.

SEC. 4. SENSE OF CONGRESS ON ISRAEL AS A MAJOR STRATEGIC PARTNER.

It is the sense of Congress that Israel is a major strategic partner of the United States.

SEC. 5. EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.

(a) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005.—Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking "more than 10 years after" and inserting "more than 11 years after".

(b) FOREIGN ASSISTANCE ACT OF 1961.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking "and 2014" and inserting ", 2014, and 2015".

22 USC 8603 note.

SEC. 6. ELIGIBILITY OF ISRAEL FOR THE STRATEGIC TRADE AUTHORIZATION EXCEPTION TO CERTAIN EXPORT CONTROL LICENSING REQUIREMENTS.

(a) FINDINGS.—Congress finds that Israel—

(1) has adopted high standards in the field of export controls;

(2) has declared its unilateral adherence to the Missile Technology Control Regime, the Australia Group, and the Nuclear Suppliers Group; and

(3) is a party to—

(A) the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, signed at Geneva October 10, 1980;

(B) the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva June 17, 1925; and

(C) the Convention on the Physical Protection of Nuclear Material, adopted at Vienna on October 26, 1979.

President.

(b) ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZATION EXCEPTION.—The President, consistent with the commitments of the United States under international arrangements, shall take steps so that Israel may be included in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of title 15, Code of Federal Regulations, to the requirement for a license for the export, reexport, or in-country transfer of an item subject to controls under the Export Administration Regulations.

SEC. 7. UNITED STATES-ISRAEL COOPERATION ON ENERGY, WATER, HOMELAND SECURITY, AGRICULTURE, AND ALTERNATIVE FUEL TECHNOLOGIES.

President.
22 USC 8606.

(a) IN GENERAL.—The President is authorized, subject to existing law—

(1) to undertake activities in cooperation with Israel; and

(2) to provide assistance promoting cooperation in the fields of energy, water, agriculture, and alternative fuel technologies.

(b) REQUIREMENTS.—In carrying out subsection (a), the President is authorized, subject to existing requirements of law and any applicable agreements or understandings between the United States and Israel—

(1) to share and exchange with Israel research, technology, intelligence, information, equipment, and personnel, including through sales, leases, or exchanges in kind, that the President determines will advance the national security interests of the United States and are consistent with the Strategic Dialogue and pertinent provisions of law; and

(2) to enhance scientific cooperation between Israel and the United States.

(c) COOPERATIVE RESEARCH PILOT PROGRAMS.—The Secretary of Homeland Security, acting through the Director of the Homeland Security Advanced Research Projects Agency and with the concurrence of the Secretary of State, is authorized, subject to existing law, to enter into cooperative research pilot programs with Israel to enhance Israel's capabilities in—

(1) border, maritime, and aviation security;

(2) explosives detection; and

(3) emergency services.

SEC. 8. REPORT ON INCREASED UNITED STATES-ISRAEL COOPERATION ON CYBERSECURITY.

President.
Classified information.

Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a report, in a classified format or including a classified annex, as appropriate, on the feasibility and advisability of expanding United States-Israeli cooperation on cyber issues, including sharing and advancing technologies related to the prevention of cybercrimes.

SEC. 9. STATEMENT OF POLICY REGARDING THE VISA WAIVER PROGRAM.

22 USC 8602 note.

It shall be the policy of the United States to include Israel in the list of countries that participate in the visa waiver program under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) when Israel satisfies, and as long as Israel continues to satisfy, the requirements for inclusion in such program specified in such section.

SEC. 10. STATUS OF IMPLEMENTATION OF SECTION 4 OF THE UNITED STATES-ISRAEL ENHANCED SECURITY COOPERATION ACT OF 2012.

President.
Deadline.

Not later than 180 days after the date of the enactment of this Act, the President shall, to the extent practicable and in an appropriate manner, provide an update to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives on current and future efforts undertaken by

the President to fulfill the objectives of section 4 of the United States-Israel Enhanced Security Cooperation Act (22 U.S.C. 8603).

SEC. 11. IMPROVED REPORTING ON ENHANCING ISRAEL'S QUALITATIVE MILITARY EDGE AND SECURITY POSTURE.

(a) BIENNIAL ASSESSMENT REEVALUATIONS.—Section 201(c) of the Naval Vessel Transfer Act of 2008 (22 U.S.C. 2776 note) is amended by adding at the end the following:

President.

"(3) BIENNIAL UPDATES.—Two years after the date on which each quadrennial report is transmitted to Congress, the President shall—

"(A) reevaluate the assessment required under subsection (a); and

Consultation.

"(B) inform and consult with the appropriate congressional committees on the results of the reevaluation conducted pursuant to subparagraph (A).".

(b) CERTIFICATION REQUIREMENTS FOR MAJOR DEFENSE EQUIPMENT.—Section 36(h) of the Arms Export Control Act (22 U.S.C. 2776(h)) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:

"(2) REQUIREMENTS WITH RESPECT TO DETERMINATION FOR MAJOR DEFENSE EQUIPMENT.—A determination under paragraph (1) relating to the sale or export of major defense equipment shall include—

"(A) a detailed explanation of Israel's capacity to address the improved capabilities provided by such sale or export;

"(B) a detailed evaluation of—

"(i) how such sale or export alters the strategic and tactical balance in the region, including relative capabilities; and

"(ii) Israel's capacity to respond to the improved regional capabilities provided by such sale or export;

"(C) an identification of any specific new capacity, capabilities, or training that Israel may require to address the regional or country-specific capabilities provided by such sale or export; and

"(D) a description of any additional United States security assurances to Israel made, or requested to be made, in connection with, or as a result of, such sale or export.".

SEC. 12. UNITED STATES-ISRAEL ENERGY COOPERATION.

(a) FINDINGS.—Section 917(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337(a)) is amended—

(1) in paragraph (1), by striking "renewable" and inserting "covered";

(2) in paragraph (4)—

(A) by striking "possible many" and inserting "possible—

"(A) many"; and

(B) by adding at the end the following: "and

"(B) significant contributions to the development of renewable energy and energy efficiency through the established programs of the United States-Israel Binational Industrial Research and Development Foundation and the United States-Israel Binational Science Foundation;";

(3) in paragraph (6)—

(A) by striking "renewable" and inserting "covered"; and

(B) by striking "and" at the end;

(4) in paragraph (7)—

(A) by striking "renewable" and inserting "covered"; and

(B) by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following:

"(8) United States-Israel energy cooperation and the development of natural resources by Israel are in the strategic interest of the United States;

"(9) Israel is a strategic partner of the United States in water technology;

"(10) the United States can play a role in assisting Israel with regional safety and security issues;

"(11) the National Science Foundation of the United States, to the extent consistent with the National Science Foundation's mission, should collaborate with the Israel Science Foundation and the United States-Israel Binational Science Foundation;

"(12) the United States and Israel should strive to develop more robust academic cooperation in—

"(A) energy innovation technology and engineering;

"(B) water science;

"(C) technology transfer; and

"(D) analysis of emerging geopolitical implications, crises and threats from foreign natural resource and energy acquisitions, and the development of domestic resources as a response;

"(13) the United States supports the goals of the Alternative Fuels Administration of Israel with respect to expanding the use of alternative fuels;

"(14) the United States strongly urges open dialogue and continued mechanisms for regular engagement and encourages further cooperation between applicable departments, agencies, ministries, institutions of higher education, and the private sector of the United States and Israel on energy security issues, including—

"(A) identifying policy priorities associated with the development of natural resources of Israel;

"(B) discussing and sharing best practices to secure cyber energy infrastructure and other energy security matters;

"(C) leveraging natural gas to positively impact regional stability;

"(D) issues relating to the energy-water nexus, including improving energy efficiency and the overall performance of water technologies through research and development in water desalination, wastewater treatment and reclamation, water treatment in gas and oil production processes, and other water treatment refiners;

"(E) technical and environmental management of deep-water exploration and production;

"(F) emergency response and coastal protection and restoration;

"(G) academic outreach and engagement;

"(H) private sector and business development engagement;

"(I) regulatory consultations;

"(J) leveraging alternative transportation fuels and technologies; and

"(K) any other areas determined appropriate by the United States and Israel;

"(15) the United States—

"(A) acknowledges the achievements and importance of the Binational Industrial Research and Development Foundation and the United States-Israel Binational Science Foundation; and

"(B) supports continued multiyear funding to ensure the continuity of the programs of the foundations specified in subparagraph (A); and

"(16) the United States and Israel have a shared interest in addressing immediate, near-term, and long-term energy, energy poverty, energy independence, and environmental challenges facing the United States and Israel, respectively.".

(b) GRANT PROGRAM.—Section 917(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337(b)(1)) is amended—

(1) in paragraph (1), by striking "renewable energy or energy efficiency" and inserting "covered energy";

(2) in paragraph (2)—

(A) in subparagraph (F), by striking "and" at the end;

(B) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

"(H) natural gas energy, including conventional and unconventional natural gas technologies and other associated technologies, and natural gas projects conducted by or in conjunction with the United States-Israel Binational Science Foundation and the United States-Israel Binational Industrial Research and Development Foundation; and

"(I) improvement of energy efficiency and the overall performance of water technologies through research and development in water desalination, wastewater treatment and reclamation, and other water treatment refiners."; and

(3) in paragraph (3)(A), by striking "energy efficiency or renewable" and inserting "covered".

(c) INTERNATIONAL PARTNERSHIPS; REGIONAL ENERGY COOPERATION.—

(1) INTERNATIONAL PARTNERSHIPS.—Section 917 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337) is amended—

(A) by striking subsection (d);

(B) by redesignating subsection (c) as subsection (e);

(C) by inserting after subsection (b) the following:

"(c) INTERNATIONAL PARTNERSHIPS.—

Contracts.

"(1) IN GENERAL.—The Secretary, subject to the availability of appropriations, may enter into cooperative agreements supporting and enhancing dialogue and planning involving international partnerships between the Department, including National Laboratories of the Department, and the Government of Israel and its ministries, offices, and institutions.

"(2) FEDERAL SHARE.—The Secretary may not pay more than 50 percent of Federal share of the costs of implementing

cooperative agreements entered into pursuant to paragraph (1).

"(3) ANNUAL REPORTS.—If the Secretary enters into agreements authorized by paragraph (1), the Secretary shall submit an annual report to the Committee on Energy and Natural Resources of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Science, Space, and Technology of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that describes—

"(A) actions taken to implement such agreements; and

"(B) any projects undertaken pursuant to such agreements.

"(d) UNITED STATES-ISRAEL ENERGY CENTER.—The Secretary may establish a joint United States-Israel Energy Center in the United States leveraging the experience, knowledge, and expertise of institutions of higher education and entities in the private sector, among others, in offshore energy development to further dialogue and collaboration to develop more robust academic cooperation in energy innovation technology and engineering, water science, technology transfer, and analysis of emerging geopolitical implications, crises and threats from foreign natural resource and energy acquisitions, and the development of domestic resources as a response."; and Establishment.

(D) in subsection (e), as redesignated, by striking "the date that is 7 years after the date of enactment of this Act" and inserting "September 30, 2024".

(2) CONSTRUCTIVE REGIONAL ENERGY COOPERATION.—The Secretary of State shall continue the ongoing diplomacy efforts of the Secretary of State in— 22 USC 8606 note.

(A) engaging and supporting the energy security of Israel; and

(B) promoting constructive regional energy cooperation in the Eastern Mediterranean.

Approved December 19, 2014.

LEGISLATIVE HISTORY—S. 2673:

CONGRESSIONAL RECORD, Vol. 160 (2014):
Sept. 18, considered and passed Senate.
Dec. 3, considered and passed House.
DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2014):
Dec. 19, Presidential statement.

CONCURRENT RESOLUTIONS

SECOND SESSION, ONE HUNDRED THIRTEENTH CONGRESS

ENROLLMENT CORRECTION—H.R. 3547

Jan. 16, 2014
[H. Con. Res. 74]

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H.R. 3547, the Clerk of the House of Representatives shall amend the long title so as to read: "Making consolidated appropriations for the fiscal year ending September 30, 2014, and for other purposes.".

Agreed to January 16, 2014.

JOINT SESSION

Jan. 27, 2014
[H. Con. Res. 75]

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, January 28, 2014, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Agreed to January 27, 2014.

ENROLLMENT CORRECTION—S. 25

Feb. 12, 2014
[H. Con. Res. 81]

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill, S. 25, the Secretary of the Senate shall amend the title so as to read: "To ensure that the reduced annual cost-of-living adjustment to the retired pay of members and former members of the Armed Forces under the age of 62 required by the Bipartisan Budget Act of 2013 will not apply to members or former members who first became members prior to January 1, 2014, and for other purposes.".

Agreed to February 12, 2014.

ENROLLMENT CORRECTION—S. 540

Feb. 12, 2014
[H. Con. Res. 82]

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill, S. 540, the Secretary of the Senate shall amend the title so as to read: "To temporarily extend the public debt limit, and for other purposes.".

Agreed to February 12, 2014.

ENROLLMENT CORRECTIONS—H.R. 3370

Mar. 13, 2014
[H. Con. Res. 93]

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (H.R. 3370) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes, the

Clerk of the House of Representatives shall make the following corrections:

(1) In section 12—

(A) in the matter preceding the new subsection added by the amendment made by such section, strike ", as amended by the preceding provisions of this Act, is further" and insert "is"; and

(B) in the new subsection added by the amendment made by such section, strike "(e)" and insert "(d)".

(2) In section 14, before the closing quotation marks that immediately precede the period at the end insert "and".

(3) In section 30—

(A) in the matter that precedes paragraph (1), strike "is" and insert the following: ", as amended by section 27 of this Act, is further";

(B) in paragraph (1)—

(i) in the matter that precedes subparagraph (A), strike "subparagraph (B)" and insert "subparagraph (C)"; and

(ii) in subparagraph (A)—

(I) strike "subparagraph (A)" and insert "subparagraph (B)"; and

(II) strike "subparagraph (D)" and insert "subparagraph (E)";

(C) in paragraph (2), strike "and (C) as subparagraphs (D), (E), and (G)" and insert "(C), and (D) as subparagraphs (D), (E), (F), and (H)";

(D) in paragraph (3), in the matter preceding the new subparagraphs inserted by the amendment made by such paragraph, strike "subparagraph (B)" and insert "subparagraph (D)"; and

(E) in paragraph (4)—

(i) in the matter preceding the new subparagraph inserted by the amendment made by such paragraph, strike "subparagraph (E)" and insert "subparagraph (F)"; and

(ii) in the new subparagraph inserted by the amendment made by such paragraph, strike "(F)" and insert "(G)".

Agreed to March 13, 2014.

Apr. 3, 2014
[H. Con. Res. 88]

SOAP BOX DERBY RACES—CAPITOL GROUNDS AUTHORIZATION

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR SOAP BOX DERBY RACES.

(a) IN GENERAL.—The Greater Washington Soap Box Derby Association (in this resolution referred to as the "sponsor") shall be permitted to sponsor a public event, soap box derby races (in this resolution referred to as the "event"), on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on June 14, 2014, or on such other date as the Speaker of the House of Representatives

and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make such additional arrangements as may be required to carry out the event.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event.

Agreed to April 3, 2014.

NATIONAL PEACE OFFICERS MEMORIAL SERVICE—CAPITOL GROUNDS AUTHORIZATION

Apr. 7, 2014
[H. Con. Res. 92]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF THE CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS MEMORIAL SERVICE.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary shall be permitted to sponsor a public event, the 33rd Annual National Peace Officers Memorial Service (in this resolution referred to as the "Memorial Service"), on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty during 2013.

(b) DATE OF MEMORIAL SERVICE.—The Memorial Service shall be held on May 15, 2014, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate, with preparation for the event to begin on May 12, 2014.

SEC. 2. USE OF THE CAPITOL GROUNDS FOR NATIONAL HONOR GUARD AND PIPE BAND EXHIBITION.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary shall be permitted to sponsor a public event, the National Honor Guard and Pipe Band Exhibition (in this resolution referred to as the "Exhibition"), on the Capitol Grounds, in order to allow law enforcement representatives to exhibit their ability to demonstrate Honor Guard programs and provide for a bag pipe exhibition.

(b) DATE OF EXHIBITION.—The exhibition shall be held on May 14, 2014, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 3. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsors of the Memorial Service and Exhibition shall assume full responsibility for all expenses and liabilities incident to all activities associated with the events.

SEC. 4. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsors referred to in section 3(b) are authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the Memorial Service and Exhibition.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the events.

Agreed to April 7, 2014.

HOLOCAUST DAYS OF REMEMBRANCE CEREMONY—EMANCIPATION HALL AUTHORIZATION

Apr. 8, 2014
[H. Con. Res. 90]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY.

Emancipation Hall in the Capitol Visitor Center is authorized to be used on April 30, 2014, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the conduct of the ceremony shall

be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

Agreed to April 8, 2014.

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

Apr. 10, 2014
[S. Con. Res. 35]

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, April 10, 2014, through Thursday, April 24, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, April 28, 2014, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, April 10, 2014, through Thursday, April 24, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, April 28, 2014, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate or his designee, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Speaker of his designee, after consultation with the Minority Leader of the House, shall notify Members of the House to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

Agreed to April 10, 2014.

KING KAMEHAMEHA I—BIRTHDAY CELEBRATION—EMANCIPATION HALL AUTHORIZATION

May 8, 2014
[H. Con. Res. 83]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA I.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 8, 2014, to celebrate the birthday of King Kamehameha I.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

Agreed to May 8, 2014.

CONGRESSIONAL GOLD MEDAL AWARD CEREMONY—CAPITOL ROTUNDA AUTHORIZATION

June 9, 2014
[S. Con. Res. 36]

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF ROTUNDA FOR CEREMONY TO AWARD CONGRESSIONAL GOLD MEDAL TO THE NEXT OF KIN OR PERSONAL REPRESENTATIVE OF RAOUL WALLENBERG.

(a) IN GENERAL.—The rotunda of the Capitol is authorized to be used on July 9, 2014, for a ceremony to award the Congressional Gold Medal to the next of kin or personal representative of Raoul Wallenberg in recognition of his achievements and heroic actions during the Holocaust.

(b) PREPARATIONS.—Physical preparations for the ceremony described in subsection (a) shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

Agreed to June 9, 2014.

CIVIL RIGHTS ACT OF 1964—50TH ANNIVERSARY COMMEMORATION CEREMONY—CAPITOL ROTUNDA AUTHORIZATION

June 10, 2014
[H. Con. Res. 100]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF THE ROTUNDA OF THE CAPITOL FOR CEREMONY TO COMMEMORATE THE 50TH ANNIVERSARY OF THE ENACTMENT OF THE CIVIL RIGHTS ACT OF 1964.

The Rotunda of the United States Capitol is authorized to be used on June 24, 2014, for a ceremony to commemorate the 50th anniversary of the enactment of the Civil Rights Act of 1964 and the significant impact the Act had on the Civil Rights movement. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

Agreed to June 10, 2014.

CONGRESSIONAL GOLD MEDAL AWARD CEREMONY—CAPITOL ROTUNDA AUTHORIZATION

June 17, 2014
[S. Con. Res. 37]

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF THE ROTUNDA OF THE UNITED STATES CAPITOL IN COMMEMORATION OF THE SHIMON PERES CONGRESSIONAL GOLD MEDAL CEREMONY.

(a) AUTHORIZATION.—The rotunda of the United States Capitol is authorized to be used on June 26, 2014, for the commemoration of the award of the Congressional Gold Medal to Shimon Peres.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

Agreed to June 17, 2014.

2014 DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN—CAPITOL GROUNDS AUTHORIZATION

July 29, 2014
[H. Con. Res. 103]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUNDS FOR D.C. SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN.

On October 3, 2014, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and

Administration of the Senate may jointly designate, the 29th annual District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the "event") may be run through the Capitol Grounds to carry the Special Olympics torch to honor local Special Olympics athletes.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

Agreed to July 29, 2014.

CONGRESSIONAL GOLD MEDAL AWARD CEREMONY—EMANCIPATION HALL AUTHORIZATION

July 29, 2014
[H. Con. Res. 106]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR GOLD MEDAL CEREMONY IN HONOR OF FALLEN HEROES OF 9/11.

Emancipation Hall in the Capitol Visitor Center is authorized to be used on September 10, 2014, for a ceremony to award Congressional Gold Medals in honor of the men and women who perished as a result of the terrorist attacks on the United States on September 11, 2001. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

Agreed to July 29, 2014.

ENROLLMENT CORRECTION—H.R. 5021

July 29, 2014
[H. Con. Res. 108]

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H.R. 5021) an Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes, the Clerk of the House of Representatives shall make the following correction: At the end, add the following and conform the table of contents accordingly:

"TITLE III—TREATMENT FOR PAYGO PURPOSES

"SEC. 3001. BUDGETARY EFFECTS.

"(a) PAYGO SCORECARD.—The budgetary effects of this Act and the amendments made by this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

"(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act and the amendments made by this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).".

Agreed to July 29, 2014.

ENROLLMENT CORRECTIONS—H.R. 3230

July 31, 2014
[H. Con. Res. 111]

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 3230, the Clerk of the House of Representatives shall make the following corrections:

(1) In section 101(a)(1)(B)(i), insert before the period at the end the following: ", including any physician furnishing services under such program".

(2) In section 101(d)(3)(A), insert after "1395cc(a))" the following: "and participation agreements under section 1842(h) of such Act (42 U.S.C. 1395u(h))".

(3) In section 101(d)(3)(B)(i), strike "provider of service" and insert "provider of services".

(4) In section 101(d)(3)(B)(i), insert before the semicolon the following: "and any physician or other supplier who has entered into a participation agreement under section 1842(h) of such Act (42 U.S.C. 1395u(h))".

Agreed to July 31, 2014.

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Aug. 5, 2014
[H. Con. Res. 112]

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Monday, August 4, 2014, through Friday, September 5, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, September 8, 2014, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Monday, August 4, 2014, through Friday, September 5, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 2:00 p.m. on Monday, September 8, 2014, or

such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

Agreed to August 5, 2014.

Sept. 19, 2014
[S. Con. Res. 44]

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, September 18, 2014, through Tuesday, October 14, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Wednesday, October 15, 2014, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn; and that when the Senate recesses or adjourns on Wednesday, October 15, 2014, it stand adjourned until 12:00 noon on Wednesday, November 12, 2014, or such other time on that day as may be specified by its Majority Leader or his designee, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, September 18, 2014, through Friday, November 7, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Wednesday, November 12, 2014, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection

by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

Agreed to September 19, 2014.

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Nov. 20, 2014
[H. Con. Res. 119]

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, November 20, 2014, through Friday, November 28, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, December 1, 2014, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, November 20, 2014, through Friday, November 28, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, December 1, 2014, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

Agreed to November 20, 2014.

CONGRESSIONAL GOLD MEDAL AWARD CEREMONY—EMANCIPATION HALL AUTHORIZATION

Dec. 4, 2014
[H. Con. Res. 120]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY TO PRESENT CONGRESSIONAL GOLD MEDAL TO WORLD WAR II MEMBERS OF CIVIL AIR PATROL.

Emancipation Hall in the Capitol Visitor Center is authorized to be used on December 10, 2014, for a ceremony to present the Congressional Gold Medal to the World War II members of the Civil Air Patrol collectively, in recognition of the military service and exemplary record of the Civil Air Patrol during World War II. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

Agreed to December 4, 2014.

HUMAN SHIELDS—DENOUNCEMENT

Dec. 10, 2014
[H. Con. Res. 107]

Whereas the use of human shields is unconscionable and morally unacceptable;

Whereas since June 15, 2014, there have been over 2,000 rockets fired by Hamas and other terrorist organizations from Gaza into Israel;

Whereas Hamas uses civilian populations as human shields by placing their missile batteries in densely populated areas and near schools, hospitals, and mosques;

Whereas Israel dropped leaflets, made announcements, placed phone calls, and sent text messages to the Palestinian people in Gaza warning them in advance that an attack was imminent, and went to extraordinary lengths to target only terrorist actors and to minimize collateral damage;

Whereas Hamas urged the residents of Gaza to ignore the Israeli warnings and to remain in their houses and encouraged Palestinians to gather on the roofs of their homes to act as human shields;

Whereas on July 23, 2014, the 46-Member UN Human Rights Council passed a resolution to form a commission of inquiry over Israel's operations in Gaza that completely fails to condemn Hamas for its indiscriminate rocket attacks and its unconscionable use of human shields, with the United States being the lone dissenting vote;

Whereas public reports have cited the role of Iran and Syria in providing material support and training to Hamas and other terrorist groups carrying out rocket and mortar attacks from Gaza;

Whereas throughout the summer of 2006 conflict between the State of Israel and the terrorist organization Hezbollah, Hezbollah forces utilized innocent civilians as human shields;

Whereas al Qaeda, Al-Shabaab, Islamic State of Iraq and the Levant (ISIL), and other foreign terrorist organizations typically use innocent civilians as human shields;

Whereas the United States and Israel have cooperated on missile defense projects, including Iron Dome, David's Sling, and the Arrow Anti-Missile System, projects designed to thwart a diverse range of threats, including short-range missiles and rockets fired by non-state actors, such as Hamas;

Whereas the United States provided $460,000,000 in fiscal year 2014 for Iron Dome research, development, and production;

Whereas during the most recent rocket attacks from Gaza, Iron Dome successfully intercepted dozens of rockets that were launched against Israeli population centers; and

Whereas 5,000,000 Israelis are currently living under the threat of rocket attacks from Gaza: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) strongly condemns the use of innocent civilians as human shields;

(2) calls on the international community to recognize and condemn Hamas' use of human shields;

(3) places responsibility for the rocket attacks against Israel on Hamas and other terrorist organizations, such as Palestine Islamic Jihad;

(4) supports the sovereign right of the Government of Israel to defend its territory and its citizens from Hamas' rocket attacks, kidnapping attempts, and the use of tunnels and other means to carry out attacks against Israel;

(5) expresses condolences to the families of the innocent victims on both sides of the conflict;

(6) supports Palestinian civilians who reject Hamas and all forms of terrorism and violence, desiring to live in peace with their Israeli neighbors;

(7) supports efforts to demilitarize the Gaza Strip, removing Hamas's means to target Israel, including its use of tunnels, rockets, and other means; and

(8) condemns the United Nations Human Rights Council's biased resolution establishing a commission of inquiry into Israel's Gaza operations.

Agreed to December 10, 2014.

ENROLLMENT CORRECTION—H.R. 3979

Dec. 12, 2014
[H. Con. Res. 121]

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H.R. 3979, the Clerk of the House of Representatives shall correct the title so as to read: "An Act to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy,

to prescribe military personnel strengths for such fiscal year, and for other purposes.".

Agreed to December 12, 2014.

Dec. 12, 2014
[H. Con. Res. 123]

ENROLLMENT CORRECTION—H.R. 3979

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 3979, the Clerk of the House of Representatives shall make the following correction: In section 1207(e)(2), strike "categories I, II, III, VII, and X" and insert "categories I, II, III, VII, X, XI, and XIII".

Agreed to December 12, 2014.

Dec. 13, 2014
[H. Con. Res. 122]

ENROLLMENT CORRECTION—H.R. 83

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H.R. 83, the Clerk of the House of Representatives shall amend the long title so as to read: "Making consolidated appropriations for the fiscal year ending September 30, 2015, and for other purposes.".

Agreed to December 13, 2014.

Dec. 16, 2014
[H. Con. Res. 124]

ENROLLMENT CORRECTION—H.R. 5771

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill, H.R. 5771, the Clerk of the House shall amend subsection (a) of section 1 of Division B (relating to Achieving a Better Life Experience Act of 2014) to read as follows:

"(a) SHORT TITLE.—This division may be cited as the 'Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014' or the 'Stephen Beck, Jr., ABLE Act of 2014'.".

Agreed to December 16, 2014.

Dec. 16, 2014
[H. Con. Res. 125]

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Friday, December 12, 2014, through Wednesday, December 31, 2014, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until

1 p.m. on Friday, January 2, 2015, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Friday, January 2, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Friday, December 12, 2014, through Friday, January 2, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

Agreed to December 16, 2014.

PROCLAMATIONS

Proclamation 9076 of January 15, 2014

Religious Freedom Day, 2014

By the President of the United States of America
A Proclamation

In 1786, the Virginia General Assembly affirmed an ideal that has long been central to the American journey. The Virginia Statute for Religious Freedom, penned by Thomas Jefferson, declared religious liberty a natural right and any attempt to subvert it ''a departure from the plan of the Holy Author of our religion, who being Lord both of body and mind, yet chose not to propagate it by coercions on either.'' The Statute inspired religious liberty protections in the First Amendment, which has stood for almost two and a quarter centuries.

Today, America embraces people of all faiths and of no faith. We are Christians and Jews, Muslims and Hindus, Buddhists and Sikhs, atheists and agnostics. Our religious diversity enriches our cultural fabric and reminds us that what binds us as one is not the tenets of our faiths, the colors of our skin, or the origins of our names. What makes us American is our adherence to shared ideals—freedom, equality, justice, and our right as a people to set our own course.

America proudly stands with people of every nation who seek to think, believe, and practice their faiths as they choose. In the years to come, my Administration will remain committed to promoting religious freedom, both at home and across the globe. We urge every country to recognize religious freedom as both a universal right and a key to a stable, prosperous, and peaceful future.

As we observe this day, let us celebrate America's legacy of religious liberty, embrace diversity in our own communities, and resolve once more to advance religious freedom in our time.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 16, 2014, as Religious Freedom Day. I call on all Americans to commemorate this day with events and activities that teach us about this critical foundation of our Nation's liberty, and show us how we can protect it for future generations at home and around the world.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of January, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9077 of January 15, 2014

Reserving Certain Submerged Lands in the Commonwealth of the Northern Mariana Islands

By the President of the United States of America
A Proclamation

The submerged lands surrounding the islands of Farallon de Pajaros (Uracas), Maug, and Asuncion in the Commonwealth of the Northern Mariana Islands are among the most biologically diverse in the Western Pacific, with relatively pristine coral reef ecosystems that have been proclaimed objects of scientific interest and reserved for their protection as the Islands Unit of the Marianas Trench Marine National Monument (marine national monument) by Proclamation 8335 of January 6, 2009. Certain submerged lands adjacent to the land leased by the United States of America on the islands of Tinian and Farallon de Medinilla under the Lease Agreement Made Pursuant to the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, dated January 6, 1983, as amended (Lease) are essential for ensuring that United States forces forward deployed to the Western Pacific are adequately trained and ready to respond immediately and effectively to orders from the National Command Authority, and for ensuring the safety of citizens of the Commonwealth of the Northern Mariana Islands.

Certain of these submerged lands will be conveyed by the United States to the Government of the Commonwealth of the Northern Mariana Islands on January 16, 2014, pursuant to section 1(a) of Public Law 93–435, as amended by section 1 of Public Law 113–34 (the ''Act''), unless the President designates otherwise pursuant to section 1(b)(vii) of the Act.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of authority vested in me by section 1(b)(vii) of the Act, do hereby proclaim that the lands hereinafter described are excepted from transfer to the Government of the Commonwealth of the Northern Mariana Islands under section 1(a) of the Act:

> the submerged lands adjacent to the islands of Farallon de Pajaros (Uracas), Maug, and Asuncion permanently covered by tidal waters up to the mean low water line and extending three geographical miles seaward from the mean high tide line; and
>
> the submerged lands adjacent to the islands of Tinian and Farallon de Medinilla permanently or periodically covered by tidal waters up to the line of mean high tide and extending seaward to a line three geographical miles distant from those areas of the coastline that are adjacent to the leased lands described in the Lease.

Nothing in this proclamation is intended to affect the authority of the Secretary of the Interior (Secretary) under section 1(b) of the Act to subsequently convey the submerged lands adjacent to the islands of Farallon de Pajaros (Uracas), Maug, and Asuncion when the Secretary, the Secretary of Commerce, and the Government of the Commonwealth of the Northern Mariana Islands have entered into an agreement for coordination of management that ensures the protection of the marine national monument within the excepted area described above. Further-

more, nothing in this proclamation is intended to affect the authority of the Secretary under section 1(b) of the Act to subsequently convey the submerged lands adjacent to the land leased by the United States on the islands of Tinian or Farallon de Medinilla when the Secretary of the Navy and the Government of the Commonwealth of the Northern Mariana Islands have entered into an agreement that ensures protection of military training within the excepted area.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of January, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9078 of January 16, 2014

Martin Luther King, Jr., Federal Holiday, 2014

By the President of the United States of America
A Proclamation

Each year, America sets aside a day to remember a giant of our Nation's history and a pioneer of the Civil Rights Movement. During his lifelong struggle for justice and equality, the Reverend Dr. Martin Luther King, Jr., gave mighty voice to the quiet hopes of millions, offered a redemptive path for oppressed and oppressors alike, and led a Nation to the mountaintop. Behind the bars of a Birmingham jail cell, he reminded us that ''injustice anywhere is a threat to justice everywhere.'' On a hot summer day, under the shadow of the Great Emancipator, he challenged America to make good on its founding promise, and he called on every lover of freedom to walk alongside their brothers and sisters.

As we marked the 50th Anniversary of the March on Washington for Jobs and Freedom last August, we noted the depth of courage and character assembled on the National Mall that day. We honored all who marched, bled, and died for civil rights. And we celebrated the great victories of the last half century—civil rights and voting rights laws; new opportunities in the classroom and the workforce; a more fair and free America, not only for African Americans, but for us all.

We were also reminded that our journey is not complete. It is our task to build on the gains of past generations, from challenging new barriers to the vote to ensuring the scales of justice work equally for all people. And we must advance another cause central to both Dr. King's career and the Civil Rights Movement—the dignity of good jobs, decent wages, quality education, and a fair deal. Because America's promise is not only the absence of oppression but also the presence of opportunity, we must make our Nation one where anyone willing to work hard is admitted into the ranks of a rising, thriving middle class.

Dr. King taught us that ''an individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all humanity.'' In honor of this spirit, Americans across the country will come together for a day of service. By volunteering our time and energy, we can build stronger, healthier, more

resilient communities. Today, let us put aside our narrow ambitions, lift up one another, and march a little closer to the Nation Dr. King envisioned.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 20, 2014, as the Martin Luther King, Jr., Federal Holiday. I encourage all Americans to observe this day with appropriate civic, community, and service projects in honor of Dr. King and to visit www.MLKDay.gov to find Martin Luther King, Jr., Day of Service projects across our country.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of January, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9079 of January 31, 2014

American Heart Month, 2014

By the President of the United States of America
A Proclamation

Maintaining a strong heart is key to a long and healthy life. The number one killer of American men and women, cardiovascular disease is responsible for one out of every four deaths in the United States. During American Heart Month, we renew our fight, both as a Nation and in each of our own lives, against the devastating epidemic of heart disease.

While anyone can develop heart disease, those with high blood pressure or high cholesterol and those who smoke are at greater risk. Risk factors like diabetes, obesity, poor diet, physical inactivity, and excessive alcohol use can also increase the likelihood of developing heart disease. By adopting a few healthy habits—getting regular exercise; not smoking; eating diets rich in fruits and vegetables and low in salt, saturated fat, and cholesterol—each of us can reduce our risk. Following health care providers' instructions can also improve heart health and lessen the chance of heart attack.

Thanks to the Affordable Care Act, millions of Americans have gained access to affordable health care coverage, including recommended preventive screenings with no out-of-pocket cost. As we improve access to coverage, my Administration remains committed to supporting scientific research and raising awareness of heart disease. In 2011, we launched Million Hearts, which aims to prevent one million heart attacks and strokes by 2017. And through First Lady Michelle Obama's *Let's Move!* initiative, we are helping young people make the positive choices that will keep them healthy throughout their lives.

On Friday, February 7, everyone will have the chance to show their support for heart health by observing National Wear Red Day. Michelle and I encourage Americans to wear red in solidarity with those strug-

gling with heart disease and in acknowledgement of the hardworking health care professionals who provide life-saving treatment, research, and advice. As we honor their contributions, let us take ownership of our heart health and commit to positive lifestyles, this month and throughout the year.

In acknowledgement of the importance of the ongoing fight against cardiovascular disease, the Congress, by Joint Resolution approved December 30, 1963, as amended (77 Stat. 843; 36 U.S.C. 101), has requested that the President issue an annual proclamation designating February as ''American Heart Month.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim February 2014 as American Heart Month, and I invite all Americans to participate in National Wear Red Day on February 7, 2014. I also invite the Governors of the States, the Commonwealth of Puerto Rico, officials of other areas subject to the jurisdiction of the United States, and the American people to join me in recognizing and reaffirming our commitment to fighting cardiovascular disease.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of January, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9080 of January 31, 2014

National African American History Month, 2014

By the President of the United States of America

A Proclamation

Americans have long celebrated our Nation as a beacon of liberty and opportunity—home to patriots who threw off an empire, refuge to multitudes who fled oppression and despair. Yet we must also remember that while many came to our shores to pursue their own measure of freedom, hundreds of thousands arrived in chains. Through centuries of struggle, and through the toil of generations, African Americans have claimed rights long denied. During National African American History Month, we honor the men and women at the heart of this journey—from engineers of the Underground Railroad to educators who answered a free people's call for a free mind, from patriots who proved that valor knows no color to demonstrators who gathered on the battlefields of justice and marched our Nation toward a brighter day.

As we pay tribute to the heroes, sung and unsung, of African-American history, we recall the inner strength that sustained millions in bondage. We remember the courage that led activists to defy lynch mobs and register their neighbors to vote. And we carry forward the unyielding hope that guided a movement as it bent the arc of the moral universe toward justice. Even while we seek to dull the scars of slavery and legalized discrimination, we hold fast to the values gained through centuries of trial and suffering.

Every American can draw strength from the story of hard-won progress, which not only defines the African-American experience, but also lies at the heart of our Nation as a whole. This story affirms that freedom is a gift from God, but it must be secured by His people here on earth. It inspires a new generation of leaders, and it teaches us all that when we come together in common purpose, we can right the wrongs of history and make our world anew.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim February 2014 as National African American History Month. I call upon public officials, educators, librarians, and all the people of the United States to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of January, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9081 of January 31, 2014

National Teen Dating Violence Awareness and Prevention Month, 2014

By the President of the United States of America
A Proclamation

Each year, 1 in 10 American teenagers suffers physical violence at the hands of a boyfriend or girlfriend, and many others are sexually or emotionally abused. Dating violence can inflict long-lasting pain, putting survivors at increased risk of substance abuse, depression, poor academic performance, and experiencing further violence from a partner. During National Teen Dating Violence Awareness and Prevention Month, we renew our commitment to preventing abuse, supporting survivors, holding offenders accountable, and building a culture of respect.

Although girls and young women ages 16 to 24 are at the highest risk, dating violence can affect anyone. That is why everyone must learn the risk factors and warning signs. While healthy relationships are built on fairness, equality, and respect, dating violence often involves a pattern of destructive behaviors used to exert power and control over a partner. It can include constantly monitoring, isolating, or insulting a partner; extreme jealousy, insecurity, or possessiveness; or any type of physical violence or unwanted sexual contact. If you, a friend, or a loved one, is in an abusive relationship, the National Dating Abuse Helpline will offer immediate and confidential support. To contact the Helpline, call 1–866–331–9474, text ''loveis'' to 22522, or visit www.LoveIsRespect.org. For more information on dating violence, please visit www.CDC.gov/features/datingviolence.

My Administration remains dedicated to preventing dating violence, raising awareness among teens and their families, and educating young people about healthy relationships. Earlier this year, I established the White House Task Force to Protect Students from Sexual Assault. In addition to its primary focus of reducing sexual assault on college campuses, the task force will consider how its recommendations could apply to secondary schools. Because we must also reach out to teens in new ways, Vice President Joe Biden's 1 is 2 Many initiative is engaging them online, via mobile applications, and in social media. Alongside schools, communities, and advocacy groups, we are working to change attitudes and help teens speak out against dating violence.

Each of us can play a role in ending dating violence—in our schools, our homes, our neighborhoods, and our dormitories. This month and throughout the year, let every American look out for one another, stand with survivors, speak out against dating violence, and build communities where abuse is never tolerated.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim February 2014 as National Teen Dating Violence Awareness and Prevention Month. I call upon all Americans to support efforts in their communities and schools, and in their own families, to empower young people to develop healthy relationships throughout their lives and to engage in activities that prevent and respond to teen dating violence.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of January, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9082 of February 10, 2014

20th Anniversary of Executive Order 12898 on Environmental Justice

By the President of the United States of America

A Proclamation

Two decades ago, President William J. Clinton directed the Federal Government to tackle a long-overlooked problem. Low-income neighborhoods, communities of color, and tribal areas disproportionately bore environmental burdens like contamination from industrial plants or landfills and indoor air pollution from poor housing conditions. These hazards worsen health disparities and reduce opportunity for residents—children who miss school due to complications of asthma, adults who struggle with medical bills. Executive Order 12898 affirmed every American's right to breathe freely, drink clean water, and live on uncontaminated land. Today, as America marks 20 years of action, we renew our commitment to environmental justice for all.

Because we all deserve the chance to live, learn, and work in healthy communities, my Administration is fighting to restore environments in

our country's hardest-hit places. After over a decade of inaction, we reconvened an Environmental Justice Interagency Working Group and invited more than 100 environmental justice leaders to a White House forum. Alongside tribal governments, we are working to reduce pollution on their lands. And to build a healthier environment for every American, we established the first-ever national limits for mercury and other toxic emissions from power plants.

While the past two decades have seen great progress, much work remains. In the years to come, we will continue to work with States, tribes, and local leaders to identify, aid, and empower areas most strained by pollution. By effectively implementing environmental laws, we can improve quality of life and expand economic opportunity in overburdened communities. And recognizing these same communities may suffer disproportionately due to climate change, we must cut carbon emissions, develop more homegrown clean energy, and prepare for the impacts of a changing climate that we are already feeling across our country.

As we mark this day, we recall the activists who took on environmental challenges long before the Federal Government acknowledged their needs. We remember how Americans—young and old, on college campuses and in courtrooms, in our neighborhoods and through our places of worship—called on a Nation to pursue clean air, water, and land for all people. On this anniversary, let us move forward with the same unity, energy, and passion to live up to the promise that here in America, no matter who you are or where you come from, you can pursue your dreams in a safe and just environment.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim February 11, 2014, as the 20th Anniversary of Executive Order 12898 on Environmental Justice. I call upon all Americans to observe this day with programs and activities that promote environmental justice and advance a healthy, sustainable future.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of February, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9083 of February 28, 2014

American Red Cross Month, 2014

By the President of the United States of America
A Proclamation

On the bloodied battlefields of the Civil War, Clara Barton risked her life to aid the wounded, raise spirits, and deliver dearly needed medical supplies. She went on to found the American Red Cross in 1881, which would carry forward her legacy of compassion. Since then, service and relief organizations have demonstrated time and time again that amid the greatest hardship, all of us can unite in shared commit-

ment to helping our fellow human beings. During American Red Cross Month, we honor those who devote themselves to bringing relief where there is suffering, inspiring hope where there is despair, and healing the wounds of disaster and war.

Today, American Red Cross workers, alongside countless humanitarian organizations and caring volunteers, deliver life-saving assistance in every corner of our Nation and all across the globe. They help us donate blood to the ill and injured, fortify towns against rising flood waters, teach us first aid, and rebuild communities in the wake of terrible disasters. Last year, we saw this compassion once again when a tornado tore through Oklahoma, leaving homes destroyed and schools in rubble. Americans came together as one people and one family, determined to stand with those affected every step of the way and to emerge from this tragedy stronger than ever before.

During the darkness of storm, we see what is brightest in America—the drive to shield our neighbors from danger, to roll up our sleeves in times of crisis, to respond as one Nation and leave no one behind. This month, as we honor our incredible relief and service organizations, let us also celebrate that uniquely American spirit that calls us, across all lines of background and belief, to set aside smaller differences in service of a greater purpose.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America and Honorary Chairman of the American Red Cross, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2014 as American Red Cross Month. I encourage all Americans to observe this month with appropriate programs, ceremonies, and activities, and by supporting the work of service and relief organizations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9084 of February 28, 2014

Irish-American Heritage Month, 2014

By the President of the United States of America

A Proclamation

Centuries after America welcomed the first sons and daughters of the Emerald Isle to our shores, Irish heritage continues to enrich our Nation. This month, we reflect on proud traditions handed down through the generations, and we celebrate the many threads of green woven into the red, white, and blue.

Irish Americans have defended our country through times of war, strengthened communities from coast to coast, and poured sweat and blood into building our infrastructure and raising our skyscrapers. Some endured hunger, hardship, and prejudice; many rose to be leaders of government, industry, or culture. Their journey is a testament to

the resilience of the Irish character, a people who never stopped dreaming of a brighter future and never stopped striving to make that dream a reality. Today, Americans of all backgrounds can find common ground in the values of faith and perseverance, and we can all draw strength from the unshakable belief that through hard work and sacrifice, we can forge better lives for ourselves and our families.

The American and Irish peoples enjoy a friendship deepened by both shared heritage and shared ideals. On the international stage, we are proud to work in concert toward a freer, more just world. As we honor that enduring connection during Irish-American Heritage Month, let us look forward to many more generations of partnership. May the bond between our peoples only grow in the centuries to come.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2014 as Irish-American Heritage Month. I call upon all Americans to observe this month with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9085 of February 28, 2014

National Colorectal Cancer Awareness Month, 2014

By the President of the United States of America

A Proclamation

The second leading cause of cancer deaths in the United States, colorectal cancer claims more than 50,000 American lives each year. Because the odds of survival rise dramatically when this cancer is caught early, calling attention to it can save lives. During National Colorectal Cancer Awareness Month, we aim to improve public understanding of risk factors and screening recommendations, reach for better treatments, and set our sights on a cure.

While anyone can get colorectal cancer, the risk increases with age. Nine out of ten cases occur in people over 50 years old, and the likelihood is also greater for people of African-American or Eastern European descent and those with inflammatory bowel disease or a family history of colorectal cancer. Symptoms can include stomach pain, aches, or cramps that do not go away and weight loss without a known cause. Yet many cases have no symptoms, especially early on, when it can be prevented or more effectively treated. That is why it is crucial for people of all ages to discuss colorectal cancer with their doctors and those at risk or between ages 50 and 75 to get regular screenings.

My Administration is funding research to improve prevention and treatment, and to identify the best ways to promote colorectal cancer screening. We are also working to ensure screenings and treatment are

available and affordable for all. The Centers for Disease Control and Prevention funds programs that provide these tests to underserved, at-risk Americans. And under the Affordable Care Act, most health insurance plans cover recommended preventive services, including colorectal cancer screening for adults ages 50 to 75, at no out-of-pocket cost to the patient. Thanks to the health care law, insurance companies can no longer put annual or lifetime dollar caps on essential health benefits or discriminate against people with pre-existing conditions. Americans have their first chance to sign up for affordable, high quality coverage in the Health Insurance Marketplace through open enrollment until March 31st, and annually going forward.

Everyone has a role to play in reducing deaths from colorectal cancer. This month, I encourage Americans to talk to at-risk parents, grandparents, or friends of all ages about getting screened. If we look out for one another, we can better the chances of survival and keep more families whole.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2014 as National Colorectal Cancer Awareness Month. I encourage all citizens, government agencies, private businesses, non-profit organizations, and other groups to join in activities that will increase awareness and prevention of colorectal cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9086 of February 28, 2014

National Consumer Protection Week, 2014

By the President of the United States of America
A Proclamation

The premise that we are all created equal is the opening line in the American story, and while we do not promise equal outcomes, we have always strived to deliver equal opportunity. When everyone gets a fair shot, does their fair share, and plays by the same set of rules, the best ideas rise to the top and our economy thrives. After 6 years of digging out of a historic crisis brought on by widespread abuses in our financial system, it is clearer than ever that we cannot succeed without strong consumer protections. This week, we remember that our Nation's economy is only as strong as its people, and we recommit to fostering a sense of basic fairness in our marketplace.

Since I took office, my Administration has worked tirelessly to expose deceptive mortgage schemes, crack down on abusive debt collection practices, and ensure an irresponsible few cannot hurt consumers by illegally rigging markets for their own gain. We have taken action to prevent credit card companies from hiding fees in intentionally obscure text and given families access to clear, comprehensive informa-

tion on student loans. We passed the strongest consumer financial protection law in history and created an independent watchdog charged with looking out for the American people in the financial world. And to introduce more choice for those planning for retirement, I launched the myRA program, a new type of savings bond that lets Americans keep the same account, even if they change jobs.

It is also critical that all Americans know their rights and have the tools to weigh the risks and potential benefits of their choices in the open market. In partnership with consumer advocates, my Administration launched www.NCPW.gov, which provides advice on everything from avoiding scams, protecting identities, and staying informed about product recalls to managing debt and making sound financial decisions.

During National Consumer Protection Week, let us recognize the men and women who power the engine of prosperity. Together, let us build an economy that works for everyone, leaves no one behind, and allows every American to pursue their own measure of happiness.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2 through March 8, 2014, as National Consumer Protection Week. I call upon government officials, industry leaders, and advocates across the Nation to share information about consumer protection and provide our citizens with information about their rights as consumers.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9087 of February 28, 2014

Read Across America Day, 2014

By the President of the United States of America

A Proclamation

Literacy is the foundation of every child's education. It opens doorways to opportunity, transports us across time and space, and binds family and friends closer together. When parents, educators, librarians, and mentors read with children, they give a gift that will nourish souls for a lifetime. Today, Americans young and old will take time to get lost in a story and do their part to cultivate the next generation of talent and intellect.

This day is also a time to honor the legacy of Theodor Seuss Geisel, known to us as Dr. Seuss. Countless Americans can recall his books as their first step into the lands of letters and wordplay. With creatures, contraptions, and vibrant characters, they have led generations of happy travelers through voyages of the imagination. Yet his tales also challenge dictators and discrimination. They call us to open our minds, to take responsibility for ourselves and our planet. And they re-

mind us that the value of our possessions pales in comparison to that of the ties we share with family, friends, and community.

From children's stories to classic works of literature, the written word allows us to see the world from new perspectives. It helps us understand what it means to be human and what it means to be American. During Read Across America Day, let us celebrate, rediscover, and engage our children in this wonderful pastime.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 3, 2014, as Read Across America Day. I call upon children, families, educators, librarians, public officials, and all the people of the United States to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9088 of March 1, 2014

Women's History Month, 2014

By the President of the United States of America

A Proclamation

Throughout our Nation's history, American women have led movements for social and economic justice, made groundbreaking scientific discoveries, enriched our culture with stunning works of art and literature, and charted bold directions in our foreign policy. They have served our country with valor, from the battlefields of the Revolutionary War to the deserts of Iraq and mountains of Afghanistan. During Women's History Month, we recognize the victories, struggles, and stories of the women who have made our country what it is today.

This month, we are reminded that even in America, freedom and justice have never come easily. As part of a centuries-old and ever-evolving movement, countless women have put their shoulder to the wheel of progress—activists who gathered at Seneca Falls and gave expression to a righteous cause; trailblazers who defied convention and shattered glass ceilings; millions who claimed control of their own bodies, voices, and lives. Together, they have pushed our Nation toward equality, liberation, and acceptance of women's right—not only to choose their own destinies—but also to shape the futures of peoples and nations.

Through the grit and sacrifice of generations, American women and girls have gained greater opportunities and more representation than ever before. Yet they continue to face workplace discrimination, a higher risk of sexual assault, and an earnings gap that will cost the average woman hundreds of thousands of dollars over the course of her working lifetime.

As women fight for their seats at the head of the table, my Administration offers our unwavering support. The first bill I signed as President was the Lilly Ledbetter Fair Pay Act, which made it easier for women to challenge pay discrimination. Under the Affordable Care Act, we banned insurance companies from charging women more because of their gender, and we continue to defend this law against those who would let women's bosses influence their health care decisions. Last year, recognizing a storied history of patriotic and courageous service in our Armed Forces, the United States military opened ground combat units to women in uniform. We are also encouraging more girls to explore their passions for science, technology, engineering, and mathematics and taking action to create economic opportunities for women across the globe. Last fall, we finalized a rule to extend overtime and minimum wage protections to homecare workers, 90 percent of whom are women. And this January, I launched a White House task force to protect students from sexual assault.

As we honor the many women who have shaped our history, let us also celebrate those who make progress in our time. Let us remember that when women succeed, America succeeds. And from Wall Street to Main Street, in the White House and on Capitol Hill—let us put our Nation on the path to success.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 2014 as Women's History Month. I call upon all Americans to observe this month and to celebrate International Women's Day on March 8, 2014, with appropriate programs, ceremonies, and activities. I also invite all Americans to visit www.WomensHistoryMonth.gov to learn more about the generations of women who have left enduring imprints on our history.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of March, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9089 of March 11, 2014

Boundary Enlargement of the California Coastal National Monument

By the President of the United States of America

A Proclamation

Through Proclamation 7264 of January 11, 2000, President Clinton established the California Coastal National Monument (monument) to protect the biological treasures situated offshore on thousands of unappropriated or unreserved islands, rocks, exposed reefs, and pinnacles owned or controlled by the Government of the United States within 12 nautical miles of the shoreline of the State of California. These dramatic features contribute to California's awe-inspiring coastal scenery and provide havens for significant populations of seabirds and marine

mammals. The monument protects feeding and nesting habitat for an estimated 200,000 breeding seabirds. Development on the mainland has forced seabirds that once fed and nested in the shoreline ecosystem to retreat to these protected areas. The monument also protects forage and breeding habitat for California sea lions, southern sea otters, and northern (Steller) sea lions.

As President Clinton noted in his proclamation, although these offshore habitats may appear distinct from nearby shoreline habitats, they are dependent upon each other, with vital and dynamic exchange of nutrients and organisms being essential to maintaining their healthy ecosystems. The addition of the Point Arena-Stornetta Public Lands as the first shoreline unit of the monument would expand the monument to include coastal bluffs and shelves, tide pools, onshore dunes, coastal prairies, riverbanks, and the mouth and estuary of the Garcia River. The expanded monument would present exemplary opportunities for geologists, archeologists, historians, and biologists to use the historic and scientific objects in these lands to further illuminate the evolving relationship between California's abundant coastal resources and its human inhabitants.

The Point Arena-Stornetta Public Lands, in Mendocino County, California, encompass a wind-swept landscape of dramatic coastal beauty and significant scientific importance. Like the monument's striking offshore rocks and islands, these lands have been shaped by powerful geologic forces. An uplifted coastal terrace that underlies much of the area is part of the Gualala Block, a piece of continental crust that was captured by the San Andreas Fault and is now joined to the Pacific Plate. The striking bluffs that form the outer edge of the terrace are pierced in a few locations by blowholes—openings near the bluff's edge through which rising tides force gusts of salt-laced air and occasional geysers of ocean water. Near some of the blowholes, a creek flows over the edge of the cliff, sending a delicate sheet of water into the cold waves below.

Some of California's most spectacular wildlife make use of this striking landscape and its diverse vegetation communities. The Point Arena-Stornetta Public Lands provide important habitat for harbor seals, Steller sea lions, and an occasional elephant seal, which visitors can catch sight of from the vantage of the terrace's western bluffs. The terrace itself supports thriving native bunchgrass prairie and coastal scrub communities. Generally low-lying vegetation is punctuated by a rare bishop pine forest and the southernmost natural example of a shore pine forest.

The bunchgrass prairie is home to the endemic Behren's silverspot butterfly, which is dependent on the presence of the dog violet. The rare and endemic Point Arena mountain beaver makes use of the diverse habitats in these lands. A wide array of rare bird species also uses the area's interconnected habitats, including the black oystercatcher, the little willow flycatcher, the yellow warbler, and the black-crowned night heron. Squadrons of brown pelicans are a frequent sight, gliding low over the powerful waves, while snowy plovers are sometimes seen foraging along the surf line.

Water plays an essential role in sustaining and connecting plant and animal life in this rugged landscape. At the northern end of these lands, the Garcia River ends its 44-mile journey to the Pacific. The es-

tuary formed by the meeting of these waters provides both a nursery for juvenile fish and a transition zone for a variety of far-roaming salmonids, including central California coast coho salmon, the California coastal Chinook salmon, and northern California steelhead. These anadromous species depend on the Garcia River estuary and its flow through the Point Arena-Stornetta Public Lands to access their upstream spawning habitat. Across the river, powerful winds sculpt an extensive dune system, its shifting sands pocketed with brackish, semipermanent ponds. Hathaway Creek, which feeds into the Garcia River, also passes through the public lands and provides important riparian habitat. The area's salt marshes, brackish pools, and freshwater springs and seeps support an array of plant and animal species, including Humboldt Bay owl's clover, as well as the rare California red-legged frog.

For thousands of years, people have been drawn to this area's varied and plentiful natural resources. The human history of the Point Arena-Stornetta Public Lands, which lie within the ancestral lands of the Central Pomo Indians, is written across the landscape. Numerous cultural and archeological sites, including middens and lithic scatters, as well as a few chert and obsidian tools, have been found on these lands. Sites and artifacts on these lands provide evidence of the many generations of people who gathered the abundant abalone, fish, mussels, tubers, and seeds and yield data about prehistoric lifeways and settlements. Among the oldest artifacts found in the area is obsidian debitage material dated to over 4,000 years ago. Additionally, these lands contain reminders of the 19th century industries that played a formative role in the development of Point Arena and the greater northern California coastal region.

WHEREAS section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the ''Antiquities Act'') authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS it is in the public interest to preserve the objects of scientific and historic interest on the Point Arena-Stornetta Public Lands;

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act, hereby proclaim the objects identified above that are situated upon lands and interests in lands owned or controlled by the Government of the United States to be part of the California Coastal National Monument and, for the purpose of protecting those objects, reserve as a part thereof all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described on the accompanying map, which is attached hereto and forms a part of this proclamation. Together, these objects and lands shall be known as the ''Point Arena-Stornetta Unit'' of the monument (unit). The reserved Federal lands and interests in lands consist of approximately 1,665 acres, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of the unit are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws, including withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing.

The establishment of the unit is subject to valid existing rights. Lands and interests in lands within the unit boundaries not owned or controlled by the Government of the United States shall be reserved as a part of the unit upon acquisition of ownership or control by the United States.

The Secretary of the Interior shall manage the unit through the Bureau of Land Management as part of the National Landscape Conservation System, pursuant to applicable legal authorities, to protect the objects identified above.

Except for emergency or authorized administrative purposes, motorized vehicle use in the unit shall be permitted only on designated roads, and non-motorized mechanized vehicle use shall be permitted only on roads and trails designated for their use.

Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe.

Nothing in this proclamation shall enlarge or diminish the jurisdiction or authority of the State of California, including its jurisdiction and authority with respect to fish and wildlife management.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of March, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9090 of March 14, 2014

National Poison Prevention Week, 2014

By the President of the United States of America
A Proclamation

Over the past four decades, America has seen a steep decline in childhood deaths from accidental poisonings—thanks in part to improved safety measures and increased public awareness. During National Poison Prevention Week, we do our part to remain vigilant, ask our loved

ones to use common-sense precautions, and learn about the potentially life-saving action we can take in case of emergency.

While we have made great strides, unintentional poisoning still takes the lives of about 30 American children every year and sends tens of thousands to the hospital. Because the vast majority of these accidents occur in the home, it is essential for parents and caregivers to keep potentially harmful products—including cleaning supplies and medication—out of their children's reach and sight. If you ever suspect a child, family member, or anyone has been poisoned, quick action may prevent serious injury or death. You should immediately call the toll-free Poison Help Line at 1–800–222–1222.

Earlier this year, I signed the Poison Center Network Act, which supports the hotline, a poison prevention grant program, and an awareness campaign. As my Administration promotes safe practices across our country, each of us can make our homes and communities more secure. To safeguard against carbon monoxide, a deadly, colorless, odorless gas, every American should have heating systems inspected each year and install carbon monoxide alarms in their homes. And because prescription drug overdose remains the most common cause of fatal poisoning, we must properly store and dispose of medications. I encourage Americans to visit www.DEAdiversion.USDOJ.gov to read about safe prescription drug disposal and learn how to participate in the National Prescription Drug Take-Back Day on April 26. For information on preventing accidents and helping victims of poisoning, go to PoisonHelp.HRSA.gov.

To encourage Americans to learn more about the dangers of accidental poisonings and to take appropriate preventative measures, the Congress, by joint resolution approved September 26, 1961, as amended (75 Stat. 681) has authorized and requested the President to issue a proclamation designating the third week of March each year as ''National Poison Prevention Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim March 16 through March 22, 2014, as National Poison Prevention Week. I call upon all Americans to observe this week by taking actions to protect their families from hazardous household materials and misuse of prescription medicines.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of March, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9091 of March 24, 2014

Greek Independence Day: A National Day of Celebration of Greek and American Democracy, 2014

By the President of the United States of America

A Proclamation

Almost two centuries ago, the people of Greece laid claim to their independence and began a long struggle to restore democracy to its birthplace. Greek Americans crossed oceans to fight for the freedom of their ancestral homeland, and through two World Wars and a Cold War, Greece and the United States stood side-by-side. On Greek Independence Day, we honor the deep connections between our two nations and celebrate the democratic ideals at the heart of our shared history.

America's form of government owes much to the small group of Greek city-states that pioneered democracy thousands of years ago. Just as Hellenic principles guided our Founders, Greek antiquity has inspired generations, from writers and activists to architects and inventors. Greek Americans have contributed as leaders of culture, community, business, and government. Through the generations, they have helped shape our enduring democracy—a Nation that accepts our obligations to one another and understands that we must rise and fall as one.

Greece is a valued NATO ally, and our friendship remains as strong as ever. As Greece takes tough action to rebuild its economy and bring relief to the Greek people, the United States offers our continued support. Today, let us reaffirm a bond that extends beyond government, connects our peoples, and inspires all who strive to choose their own destiny.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 25, 2014, as Greek Independence Day: A National Day of Celebration of Greek and American Democracy. I call upon the people of the United States to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of March, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9092 of March 28, 2014

Cesar Chavez Day, 2014

By the President of the United States of America

A Proclamation

On Cesar Chavez Day, we celebrate one of America's greatest champions for social justice. Raised into the life of a migrant farm worker,

he toiled alongside men, women, and children who performed daily, backbreaking labor for meager pay and in deplorable conditions. They were exposed to dangerous pesticides and denied the most basic protections, including minimum wages, health care, and access to drinking water. Cesar Chavez devoted his life to correcting these injustices, to reminding us that every job has dignity, every life has value, and everyone—no matter who you are, what you look like, or where you come from—should have the chance to get ahead.

After returning from naval service during World War II, Cesar Chavez fought for freedom in American agricultural fields. Alongside Dolores Huerta, he founded the United Farm Workers, and through decades of tireless organizing, even in the face of intractable opposition, he grew a movement to advance ''La Causa'' across the country. In 1966, he led a march that began in Delano, California, with a handful of activists and ended in Sacramento with a crowd 10,000 strong. A grape boycott eventually drew 17 million supporters nationwide, forcing growers to accept some of the first farm worker contracts in history. A generation of organizers rose to carry that legacy forward.

The values Cesar Chavez lived by guide us still. As we push to fix a broken immigration system, protect the right to unionize, advance social justice for young men of color, and build ladders of opportunity for every American to climb, we recall his resilience through setbacks, his refusal to scale back his dreams. When we organize against income inequality and fight to raise the minimum wage—because no one who works full time should have to live in poverty—we draw strength from his vision and example.

Throughout his lifelong struggle, Cesar Chavez never forgot who he was fighting for. ''What [the growers] don't know,'' he said, ''is that it's not bananas or grapes or lettuce. It's people.'' Today, let us honor Cesar Chavez and those who marched with him by meeting our obligations to one another. I encourage Americans to make this a national day of service and education by speaking out, organizing, and participating in service projects to improve lives in their communities. Let us remember that when we lift each other up, when we speak with one voice, we have the power to build a better world.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 31, 2014, as Cesar Chavez Day. I call upon all Americans to observe this day with appropriate service, community, and education programs to honor Cesar Chavez's enduring legacy.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of March, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9093 of March 31, 2014

National Cancer Control Month, 2014

By the President of the United States of America
A Proclamation

Over the past two decades, our Nation has achieved great progress in the fight against cancer. Americans have better tools to decrease their risk, and medical advances have made many forms of cancer more preventable, detectable, and treatable than ever. Despite these strides, cancer remains the second leading cause of death in our country. During National Cancer Control Month, we redouble our efforts to boost awareness, improve care, and help more Americans win their battles against cancer.

While it is impossible to completely eliminate the risk of cancer, we can take action to reduce our chances of developing this disease. Not smoking, eating a healthy diet rich in fruit and vegetables, getting regular exercise, and limiting alcohol consumption and sun exposure can decrease the risk of certain cancers while also keeping us healthy day-to-day. A half century after the Surgeon General's landmark Report on Smoking and Health, our Nation has cut tobacco use rates in half. Yet smoking still causes one out of three cancer deaths. For advice on how to quit smoking, visit BeTobaccoFree.gov or SmokeFree.gov, or call 1–800–QUIT–NOW. I also encourage Americans to go to www.Cancer.gov for more information on cancer prevention.

Because the best way to beat many forms of this disease is to catch the cancer in its early stages, my Administration has taken steps to make cancer screenings more available and affordable. The Affordable Care Act requires most insurance plans to cover recommended preventive services, like cancer screenings, at no out-of-pocket cost to the patient. It also bans discrimination against people with pre-existing conditions, including cancer, and eliminates lifetime and annual dollar limits on key benefits. Thanks to this law, millions of Americans now have access to affordable health insurance—many of them for the first time. In addition to expanding access to health care, we are investing in promising medical research. Each year, we devote billions of dollars toward investigating causes of cancer and unlocking better prevention, detection, and treatment methods.

This month, let us renew our push to defeat cancer, honor those we have lost, lend our support to survivors, and bring new hope to all those struggling with this disease.

The Congress of the United States, by joint resolution approved March 28, 1938 (52 Stat. 148; 36 U.S.C. 103), as amended, has requested the President to issue an annual proclamation declaring April as ''Cancer Control Month.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim April 2014 as National Cancer Control Month. I encourage citizens, government agencies, private businesses, nonprofit organizations, and other interested groups to join in activities that will increase awareness of what Americans can do to prevent and control cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9094 of March 31, 2014

National Child Abuse Prevention Month, 2014

By the President of the United States of America
A Proclamation

In the United States of America, every child should have every chance in life, every chance at happiness, and every chance at success. Yet tragically, hundreds of thousands of young Americans shoulder the burden of abuse or neglect. As a Nation, we must do better. During National Child Abuse Prevention Month, we strengthen our resolve to give every young person the security, opportunity, and bright future they deserve.

We all have a role to play in preventing child abuse and neglect and in helping young victims recover. From parents and guardians to educators and community leaders, each of us can help carve out safe places for young people to build their confidence and pursue their dreams. I also encourage Americans to be aware of warning signs of child abuse and neglect, including sudden changes in behavior or school performance, untreated physical or medical issues, lack of adult supervision, and constant alertness, as though preparing for something bad to happen. To learn more about how you can prevent child abuse, visit www.ChildWelfare.gov/Preventing.

Raising a healthy next generation is both a moral obligation and a national imperative. That is why my Administration is building awareness, strengthening responses to child abuse, and translating science and research—what we know works for kids and families—into practice. I also signed legislation to create the Commission to Eliminate Child Abuse and Neglect Fatalities, and we are providing additional resources and training to State and local governments and supporting extensive research into the causes and long-term consequences of abuse and neglect.

Our Nation thrives when we recognize that we all have a stake in each other. This month and throughout the year, let us come together—as families, communities, and Americans—to ensure every child can pursue their dreams in a safe and loving home.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2014 as National Child Abuse Prevention Month. I call upon all Americans to observe this month with programs and activities that help prevent child abuse and provide for children's physical, emotional, and developmental needs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9095 of March 31, 2014

National Donate Life Month, 2014

By the President of the United States of America
A Proclamation

Each day, in quiet hospital rooms and busy offices, in familiar sanctuaries and family living rooms, people make the courageous decision to give the gift of life. After passing his first driving test, an elated teenager adds a lifesaving symbol to his license. While struggling to comprehend their own loss, grieving parents choose to help another child live. During National Donate Life Month, we celebrate those who provide vital organ, eye, and tissue donations, and we bring new hope to the growing list of men, women, and children who still need a donation.

More than 120,000 Americans are now on the transplant list, and each day, 18 of them die waiting. The individuals in need of these donations are our moms, dads, brothers, sisters, children, and friends—someone important to us or someone else. I encourage all Americans to think about their loved ones and to consider becoming a donor. Discuss your decision with those close to you, and if you decide to donate, visit www.OrganDonor.gov and sign up in your State's donor registry.

Every donor can save up to eight lives, and thanks to scientific advances, we have the potential to help even more people in need. Last year, I signed the HIV Organ Policy Equity Act, which allows scientists to research organ donation from one person with human immunodeficiency virus (HIV) to another. Ultimately, this law could save lives—permitting donations between people living with HIV and expanding opportunities for more Americans to participate in these lifesaving efforts.

As a Nation, let us shine a light on the power of donation. Let us lift up the friends and families of donors and remember those who ensured that in their death, others received life.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2014 as National Donate Life Month. I call upon health care professionals, volunteers, educators, government agencies, faith-based and community groups, and private organizations to join forces to boost the number of organ and tissue donors throughout our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand fourteen, and of

the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9096 of March 31, 2014

National Financial Capability Month, 2014

By the President of the United States of America
A Proclamation

Thanks to the grit and determination of the American people, our Nation has cleared away the rubble of the worst recession since the Great Depression. As we continue to create jobs and grow our economy, families strive to rebuild their finances and shore up their futures. During National Financial Capability Month, we renew our drive to give all Americans the tools to navigate the financial world and gain the economic freedom to pursue their own measure of happiness.

In today's economy, financial capability is essential for some of life's biggest transitions—paying for college, buying a home, saving for retirement. A solid understanding of the marketplace makes it easier to avoid scams, spot misleading information, and decipher complex paperwork. For free resources on managing money and making the best decisions for you, visit www.MyMoney.gov and www.ConsumerFinance.gov, or call 1–888–MyMoney.

My Administration is working alongside businesses, schools, and community leaders to empower Americans with financial information. We launched the ''Know Before You Owe'' campaign to make student loans more transparent and created myRA, an affordable savings bond that encourages Americans to begin building nest eggs and allows them to carry their account between jobs. And we continue to take action against companies that charge hidden fees or deceive consumers with barely understandable fine print.

We must also ensure that Americans have the means to put their financial understanding to use. Thanks to the Affordable Care Act, millions can finally live secure in the knowledge that they are no longer an illness or injury away from bankruptcy. Yet for those who work full-time, make minimum wage, and still live in poverty, budgets do not stretch far enough to leave room for investments. This month, as we improve financial capability throughout our Nation, let us also advance the opportunity agenda—new jobs in tomorrow's industries, more access to job training, a world-class education for every child, and an economy where hard work pays off for every American.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2014 as National Financial Capability Month. I call upon all Americans to observe this month with programs and activities to improve their understanding of financial principles and practices.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand fourteen, and of

the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9097 of March 31, 2014

National Sexual Assault Awareness and Prevention Month, 2014

By the President of the United States of America
A Proclamation

Every April, our Nation comes together to renew our stand against a crime that affronts our basic decency and humanity. Sexual assault threatens every community in America, and we all have a role to play in protecting those we love most—our mothers and fathers, our husbands and wives, our daughters and sons. During National Sexual Assault Awareness and Prevention Month, we recommit to ending the outrage of sexual assault, giving survivors the support they need to heal, and building a culture that never tolerates sexual violence.

Thanks to dedicated activists and courageous survivors, we have made strides in reducing stigma, opened new shelters across our country, and given countless Americans a new sense of hope. A driving force behind much of this progress was the landmark Violence Against Women Act. Last year, I was proud to sign legislation that reauthorized and strengthened this law while also extending protections for underserved communities.

We have come a long way, but sexual violence remains an all-too-common tragedy. Today, an estimated one in five women is sexually assaulted in college. This is unacceptable. Because college should be a place where everyone can safely and confidently pursue their talents, I launched the White House Task Force to Protect Students from Sexual Assault. And because our Nation's backlog of rape kits means offenders may be free to strike again, I have proposed funding for coordinated community teams to address this problem. My Administration is working to stop sexual assaults wherever they occur, in both the civilian community and the Armed Forces. Together, we will continue to strengthen the criminal justice system, develop trauma-informed services, reach out to survivors, and focus aggressively on prevention.

Sexual assault is more than just a crime against individuals. When a young boy or girl withdraws because they are questioning their self-worth after an assault, that deprives us of their full potential. When a parent struggles to hold a job in the wake of a traumatic attack, the whole family suffers. And when a student drops out of school or a service member leaves the military because they were sexually assaulted, that is a loss for our entire Nation.

This month, let us recognize that we all have a stake in preventing sexual assault, and we all have the power to make a difference. Together, let us stand for dignity and respect, strengthen the fabric of our communities, and build a safer, more just world.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2014 as National Sexual Assault Awareness and Prevention Month. I urge all Americans to support survivors of sexual assault and work together to prevent these crimes in their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of March, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9098 of April 1, 2014

World Autism Awareness Day, 2014

By the President of the United States of America

A Proclamation

Each year, people across the globe take time to recognize the millions of people living on the autism spectrum, including 1 out of every 68 American children. Americans with autism contribute to all aspects of society and are an essential thread in the diverse tapestry of our Nation. On World Autism Awareness Day, we offer our support and respect to all those on the autism spectrum.

Because our whole Nation benefits when Americans with autism succeed, we must ensure our health care and education systems work for them. Thanks to the Affordable Care Act, insurers can no longer deny coverage to people because they have autism, and new plans must cover preventive services—including autism and developmental screenings—at no out-of-pocket cost to parents. My Administration remains committed to eliminating discrimination against students with autism and to giving schools the resources to help them hone unique talents, overcome difficult challenges, and prepare for bright futures.

We must also do more to improve our understanding of the autism spectrum, which is why I was proud to sign legislation that continued critical investments in research, early detection, and support services for children and adults with autism. Last year, I launched the Brain Research through Advancing Innovative Neurotechnologies (BRAIN) Initiative, a program that aims to revolutionize our understanding of the human mind. By unlocking new knowledge of the brain, we can pave the way for myriad medical breakthroughs, including a greater appreciation for the science of autism.

What makes America exceptional are the bonds that hold together the most diverse Nation on earth. Today, let us celebrate our differences—but let us also acknowledge our responsibilities to each other and move forward as one.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 2, 2014, World Autism Awareness Day. I encourage all Americans to

learn more about autism and what they can do to support individuals on the autism spectrum and their families.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9099 of April 4, 2014

National Crime Victims' Rights Week, 2014

By the President of the United States of America

A Proclamation

This year marks 30 years since the passage of the Victims of Crime Act and the Family Violence Prevention and Services Act, and two decades since the Violence Against Women Act became law. These milestones represented major steps toward upholding the rights of millions of Americans who become victims of crime each year—from women seeking shelter after leaving abusive relationships to families demanding justice for a loved one's murder to children struggling to rebuild their lives after escaping trafficking rings. During National Crime Victims' Rights Week, we stand with these men, women, and children, and offer our support to crime victims everywhere.

My Administration is taking action to prevent crime, especially against those most at risk. Every American should have a chance to pursue their education in peace and security, yet one in five women is sexually assaulted at college. Because this is unacceptable, I created the White House Task Force to Protect Students from Sexual Assault. And to achieve justice for more survivors of sexual assault from every walk of life, my new budget proposes funding to help process rape kits, develop units to pursue cold cases, and support victims throughout the process.

We also know that young men of color are most likely to become victims of violent crime, and the odds are often stacked against them in ways that require targeted solutions. Earlier this year, I launched the My Brother's Keeper initiative, a program focused on helping boys and young men of color stay on track through some of life's most critical moments. With partners across the public and private sectors, we will give more young Americans the support they need as they face great obstacles, and we will work to decrease their chances of becoming victims of crime.

This week, let us recommit to preventing crime and strengthening rights and services for all victims. Together, we can expand opportunity and build a safer, more just world.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 6 through April 12, 2014, as National Crime Victims' Rights Week. I call upon all Americans to observe this week by participating in events

that raise awareness of victims' rights and services, and by volunteering to serve victims in their time of need.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9100 of April 4, 2014

National Volunteer Week, 2014

By the President of the United States of America
A Proclamation

Through countless acts of kindness, generosity, and service, Americans recognize that we are all bound together—that we move this country forward by giving of ourselves to others and caring for those around us. Every day, Americans carry forward the tradition of service embedded in our character as a people. And as we celebrate National Volunteer Week, we embrace our shared responsibility to one another and recommit to the task of building a more perfect Union.

By performing acts of service, we can shape a Nation big enough and bold enough to accommodate the hopes of all our people. Across our country, volunteers open doors of opportunity, pave avenues of success, fortify their communities, and lay the foundation for tomorrow's growth and prosperity. They are often equipped with few resources and gain little recognition, yet because of their service, our country is a better and a stronger force for good.

My Administration is dedicated to engaging Americans through service. Through the Corporation for National and Community Service, we administer programs like AmeriCorps and Senior Corps, and we have designed innovative initiatives such as School Turnaround AmeriCorps and VetSuccess AmeriCorps. In giving their time and talent, our volunteers can learn new skills and focus their vision, energy, and passion on projects ranging from improving disaster relief, delivering better education, and assisting returning veterans and military families. And by establishing the Task Force on Expanding National Service, we are creating new opportunities to support our communities through service.

The American experience stands apart because our triumph is found in the example of our people. With unity of purpose and unmatched resolve, we confront our shared challenges as one people and emerge stronger than before. We saw this spirit in action when, in the wake of a devastating mudslide in Washington State, Americans stepped in to provide food, shelter, and support to survivors. We saw it last year when a tornado struck Moore, Oklahoma, and volunteers came together to rebuild homes, schools, and hospitals—because we are a Nation that stands with our fellow citizens as long as it takes. As we renew our commitment to each other during National Volunteer Week, I encourage you to visit www.Serve.gov to learn more about service opportunities in your area.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 6 through April 12, 2014, as National Volunteer Week. I call upon all Americans to observe this week by volunteering in service projects across our country and pledging to make service a part of their daily lives.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9101 of April 7, 2014

National Equal Pay Day, 2014

By the President of the United States of America
A Proclamation

Throughout our Nation's history, brave women have torn down barriers so their daughters might one day enjoy the same rights, same chances, and same freedoms as their sons. Despite tremendous progress, too many women are entering the workforce to find their mothers' and grandmothers' victories undermined by the unrealized promise of equal pay for equal work. On National Equal Pay Day, we mark how far into the new year women would have to work to earn the same as men did in the previous year, and we recommit to making equal pay a reality.

Women make up nearly half of our Nation's workforce and are primary breadwinners in 4 in 10 American households with children under age 18. Yet from boardrooms to classrooms to factory floors, their talent and hard work are not reflected on the payroll. Today, women still make only 77 cents to every man's dollar, and the pay gap is even wider for women of color. Over her lifetime, the average American woman can expect to lose hundreds of thousands of dollars to the earnings gap, a significant blow to both women and their families. In an increasingly competitive global marketplace, we must use all of America's talent to its fullest potential—because when women succeed, America succeeds.

More than half a century after President John F. Kennedy signed the Equal Pay Act, my Administration remains devoted to improving our equal pay laws and closing the pay gap between women and men. From signing the Lilly Ledbetter Fair Pay Act to establishing the Equal Pay Task Force, I have strengthened pay discrimination protections and cracked down on violations of equal pay laws. And I will continue to push the Congress to step up and pass the Paycheck Fairness Act, because this fight will not be over until our sisters, our mothers, and our daughters can earn a living equal to their efforts.

The time has passed for us to recognize that what determines success should not be our gender, but rather our talent, our drive, and the strength of our contributions. So, today, let us breathe new life into our

founding ideals. Let us march toward a day when, in the land of liberty and opportunity, there are no limits on our daughters' dreams and no glass ceilings on the value of their work.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 8, 2014, as National Equal Pay Day. I call upon all Americans to recognize the full value of women's skills and their significant contributions to the labor force, acknowledge the injustice of wage inequality, and join efforts to achieve equal pay.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9102 of April 8, 2014

National Former Prisoner of War Recognition Day, 2014

By the President of the United States of America

A Proclamation

Since the earliest days of our Republic, the brave men and women of our Armed Forces have answered the call to serve. They have put their lives on the line for our Nation, and many have sacrificed their own freedom to safeguard ours. On National Former Prisoner of War Recognition Day, we honor those who stood up, took an oath, put on the uniform, and faced immeasurable challenges far from home.

These patriots often suffered physical and mental torture during captivity. Many endured starvation and isolation, not knowing when or if they would make it safely back to our shores. Families experienced days, months, and sometimes years of uncertainty, but they showed remarkable strength that mirrored the grit of their loved ones through long stretches of imprisonment. These warriors rendered the highest service any American can offer our country—they fought and sacrificed so that we might live in peace, security, and prosperity.

Today, we are solemnly reminded of our responsibility to care for those who have borne these burdens for us. We recommit to honoring that sacred obligation—to serving our former prisoners of war, our veterans, and their families as well as they have served us. With unyielding pride and unending gratitude, let us fulfill our promises to the courageous heroes of generations past, to this generation of veterans, and to all who will follow.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 9, 2014, as National Former Prisoner of War Recognition Day. I call upon all Americans to observe this day of remembrance by honoring all American prisoners of war, our service members, and our veterans. I also call upon Federal, State, and local government officials and orga-

nizations to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9103 of April 10, 2014

Education and Sharing Day, U.S.A., 2014

By the President of the United States of America

A Proclamation

In the United States of America, every child should have the chance to go as far as their passions and hard work will take them. Education not only prepares young people to enter the workforce, it also expands their horizons, teaches them to think critically about the world around them, builds their character, and helps them develop the judgment to set our Nation's course. On Education and Sharing Day, U.S.A., we strengthen our resolve to provide a world-class education for every child.

Thanks to dedicated educators across our country, graduation rates have hit their highest level in almost three decades. Yet not all children have access to the best opportunities. I have called on the Congress to make high-quality preschool available to every child in America. Because great early childhood education leads to better outcomes in school and life, we will continue to invest in innovative, evidence-based preschool programs that get results. Together, we can put all our children on a path to success, even if their parents are not rich.

We are also working to ensure every classroom can take advantage of modern technology. With the support of the private sector, my Administration will connect 20 million students to high-speed broadband over the next 2 years—without adding a dime to the deficit. Within 5 years, 99 percent of American students will have access to these connections.

On this day, we remember Rabbi Menachem Mendel Schneerson, the Lubavitcher Rebbe, an inspiration to people around the world. Through a lifetime of scholarship and good works, he educated generations and inspired them to reach their fullest potential. In his honor, let us embrace the spirit that every child matters, and that there is nothing more important than the investments we make in our next generation.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 11, 2014, as Education and Sharing Day, U.S.A. I call upon all Americans to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of April, in the year of our Lord two thousand fourteen, and of the

Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9104 of April 11, 2014

Pan American Day and Pan American Week, 2014

By the President of the United States of America
A Proclamation

On Pan American Day and during Pan American Week, the Western Hemisphere celebrates a significant anniversary in our shared history—the birth of the International Union of American Republics, forerunner to the Organization of American States. In the 124 years since, our nations have faced great challenges and achieved great progress. We have built lasting friendships, created cultural exchanges, and worked in concert to meet the aspirations of all our peoples.

Today, the United States has more connections to our American neighbors than any other region in the world. These ties are essential to our security and prosperity, and they grow ever more vital with each passing year. Trade between our nations has surged. We are expanding educational exchanges that open doors to new markets, research, and opportunity. And in the international community, we work side-by-side to meet global challenges, from growing the world economy to combatting climate change. In the years to come, the United States will continue investing in clean energy, low-carbon development, and climate-resilient, inclusive growth. Alongside our regional partners, we will ensure that tomorrow's global energy map will be centered in the Americas.

Even more than shared interests, we are bound by shared ideals. After decades of progress, Latin America is assuming a greater role in world affairs. Together, Americans north and south have worked to strengthen civil society, and together we must stand for democracy, human rights, open markets, and fair trade. These practices advance peace and stability. They move us toward a world where—from Boston to Buenos Aires, from Mexico City to Montreal—human beings can pursue their dreams in freedom and dignity.

As we renew the ties between our countries and our peoples, let us reach for this future in the spirit of cooperation and mutual trust.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 14, 2014, as Pan American Day and April 13 through April 19, 2014, as Pan American Week. I urge the Governors of the 50 States, the Governor of the Commonwealth of Puerto Rico, and the officials of the other areas under the flag of the United States of America to honor these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of April, in the year of our Lord two thousand fourteen, and of

the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9105 of April 18, 2014

National Park Week, 2014

By the President of the United States of America
A Proclamation

To honor America's natural beauty and cultural heritage, the National Park Service will offer free admission this weekend. This celebration opens opportunities to take in the majesty of canyons, redwoods, and geysers—to learn the history of Civil War battles and Civil Rights marches. During National Park Week, I encourage Americans to take advantage of the chance to rediscover the great outdoors and reconnect with the American story.

This year marks a significant milestone in America's drive to preserve precious historic sites—the 30th anniversary of the first National Heritage Area. For decades, the National Heritage Areas Program has enabled our Nation to set aside places that define our shared history and that will help future generations understand what it means to be American.

During my time as President, I have been proud to build on this tradition by establishing 10 new National Monuments. These sites honor American heroes from Harriet Tubman to Cesar Chavez. They conserve the diverse wildlife and rugged landscapes that reflect our character as a people. And just as our parks nourish our spirits, they bolster our livelihoods, attracting tourists to communities across our country and bringing customers to local businesses. For every dollar we invest in our National Parks, America generates 10 dollars in economic value.

This week, as we recommit to conserving these cherished lands, let us build new memories, take on new adventures, and experience all they have to offer. To find a National Park in your area, visit www.NPS.gov.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 19 through April 27, 2014, as National Park Week. I encourage all Americans to visit their National Parks and be reminded of these unique blessings we share as a Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9106 of April 21, 2014

Earth Day, 2014

By the President of the United States of America
A Proclamation

Over four decades ago, Americans from all walks of life came together to tackle a shared challenge. Pollution damaged our health and livelihoods—from children swimming in contaminated streams to workers exposed to dangerous chemicals to city residents living under a thick haze of smog. The first Earth Day was a call to action for every citizen, every family, and every public official. It gave voice to the conservation movement, led to the creation of the Environmental Protection Agency, and pushed our Nation to adopt landmark laws on clean air and water. This Earth Day, we remember that when Americans unite in common purpose, we can overcome any obstacle.

Today, we face another problem that threatens us all. The overwhelming judgment of science tells us that climate change is altering our planet in ways that will have profound impacts on all of humankind. Already, longer wildfire seasons put first responders at greater risk. Farmers must cope with increased soil erosion following heavy downpours and greater stresses from weeds, plant diseases, and insect pests. Increasingly severe weather patterns strain infrastructure and damage our communities, especially low-income communities, which are disproportionately vulnerable and have few resources to prepare. The consequences of climate change will only grow more dire in the years to come.

That is why, last year, I took executive action to prepare our Nation for the impacts of climate change. As my Administration works to build a more resilient country, we also remain committed to averting the most catastrophic effects. Since I took office, America has increased the electricity it produces from solar energy by more than tenfold, tripled the electricity it generates from wind energy, and brought carbon pollution to its lowest levels in nearly two decades. In the international community, we are working with our partners to reduce greenhouse gas emissions around the globe. Along with States, utilities, health groups, and advocates, we will develop commonsense and achievable carbon pollution standards for our biggest pollution source—power plants.

We are also taking on environmental challenges by increasing fuel efficiency, restoring public lands, and curbing emissions of mercury and other toxic chemicals. We are safeguarding the water our families drink and the waterways and oceans that sustain our livelihoods. This February, we proposed new standards to protect farm workers from dangerous pesticides. And because caring for our planet requires commitment from all of us, we are engaging organizations, businesses, and individuals in these efforts.

As we mark this observance, let us reflect on the mission of the first Earth Day and recall our power to forge a cleaner, healthier future. Let us accept our responsibilities to future generations and meet today's tests with the same energy, passion, and sense of purpose.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 22, 2014, as Earth Day. I encourage all Americans to participate in programs and activities that will protect our environment and contribute to a healthy, sustainable future.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9107 of April 25, 2014

Workers Memorial Day, 2014

By the President of the United States of America
A Proclamation

America is built on the promise of opportunity. We believe that everyone should have a chance to succeed, that what matters is the strength of our work ethic, the scope of our dreams, and our willingness to take responsibility for ourselves and each other. Yet each year, workplace illness and injury threaten that promise for millions of Americans, and even more tragically, thousands die on the job. This is unacceptable. On Workers Memorial Day, we honor those we have lost, and in their memory, affirm everyone's right to a safe workplace.

With grit and determination, the American labor force has propelled our Nation through times of hardship and war, and it laid the foundation for tremendous economic growth. Workers risked life and limb to turn the gears of the Industrial Revolution, raise our first skyscrapers, and lay railroad track that connected our country from coast to coast. The injured, as well as families of the dead, received little or no compensation.

It was only after decades of organizing, unionizing, and public pressure that workers won many of the rights we take for granted today. Finally, with the Occupational Safety and Health Act of 1970, the Federal Government required employers to provide basic safety equipment. Just 1 year prior, the Federal Coal Mine Health and Safety Act of 1969 established comprehensive safety and health standards for coal mines, increased Federal enforcement powers, and provided compensation to miners with black lung.

My Administration remains dedicated to building on this progress. We are improving standards to protect workers from black lung and reduce their exposure to dangerous substances. We are helping employers provide safe workplaces and holding those who risk workers' lives and health accountable. And we are empowering workers with information so they can stay safe on the job.

We must never accept that injury, illness, or death is the cost of doing business. Workers are the backbone of our economy, and no one's prosperity should come at the expense of their safety. Today, let us cele-

brate our workers by upholding their basic right to clock out and return home at the end of each shift.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 28, 2014, as Workers Memorial Day. I call upon all Americans to participate in ceremonies and activities in memory of those killed or injured due to unsafe working conditions.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9108 of April 30, 2014

Asian American and Pacific Islander Heritage Month, 2014

By the President of the United States of America
A Proclamation

During Asian American and Pacific Islander (AAPI) Heritage Month, we celebrate the accomplishments of Asian Americans, Native Hawaiians, and Pacific Islanders, and we reflect on the many ways they have enriched our Nation. Like America itself, the AAPI community draws strength from the diversity of its many distinct cultures—each with vibrant histories and unique perspectives to bring to our national life. Asian Americans, Native Hawaiians, and Pacific Islanders have helped build, defend, and strengthen our Nation—as farm workers and railroad laborers; as entrepreneurs and scientists; as artists, activists, and leaders of government. They have gone beyond, embodying the soaring aspirations of the American spirit.

This month marks 145 years since the final spike was hammered into the transcontinental railroad, an achievement made possible by Chinese laborers, who did the majority of this backbreaking and dangerous work. This May, they will receive long-overdue recognition as they are inducted into the Labor Hall of Honor. Generations of Asian Americans, Native Hawaiians, and Pacific Islanders have helped make this country what it is today. Yet they have also faced a long history of injustice—from the overthrow of the Kingdom of Hawaii and its devastating impact on the history, language, and culture of Native Hawaiians; to opportunity-limiting laws like the Chinese Exclusion Act of 1882 and the Immigration Act of 1924; to the internment of Japanese Americans during World War II. Even today, South Asian Americans, especially those who are Muslim, Hindu, and Sikh, are targets of suspicion and violence.

With courage, grit, and an abiding belief in American ideals, Asian Americans, Native Hawaiians, and Pacific Islanders have challenged our Nation to be better, and my Administration remains committed to doing its part. Nearly 5 years ago, I re-established the White House Ini-

tiative on AAPIs. The Initiative addresses disparities in health care, education, and economic opportunity by ensuring Asian Americans and Pacific Islanders receive equal access to government programs and services.

We are also determined to pass comprehensive immigration reform that would modernize our legal immigration system, create a pathway to earned citizenship for undocumented immigrants, hold employers accountable, and strengthen our border security. These commonsense measures would bring relief to Asian Americans and Pacific Islanders who have experienced this broken system firsthand, and they would allow our country to welcome more highly skilled workers eager to contribute to America's success.

This month, as we recall our hard-fought progress, let us resolve to continue moving forward. Together, let us ensure the laws respect everyone, civil rights apply to everyone, and everyone who works hard and plays by the rules has a chance to get ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2014 as Asian American and Pacific Islander Heritage Month. I call upon all Americans to visit www.WhiteHouse.gov/AAPI to learn more about the history of Asian Americans and Pacific Islanders, and to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9109 of April 30, 2014

Jewish American Heritage Month, 2014

By the President of the United States of America

A Proclamation

For thousands of years, the Jewish people have sustained their identity and traditions, persevering in the face of persecution. Through generations of enslavement and years of wandering, through forced segregation and the horrors of the Holocaust, they have maintained their holy covenant and lived according to the Torah. Their pursuit of freedom brought multitudes to our shores, and today our country is the proud home to millions of Jewish Americans. This month, let us honor their tremendous contributions—as scientists and artists, as activists and entrepreneurs. And let all of us find inspiration in a story that speaks to the universal human experience, with all of its suffering and all of its salvation.

This history led many Jewish Americans to find common cause with the Civil Rights Movement. African Americans and Jewish Americans marched side-by-side in Selma and Montgomery. They boarded buses for Freedom Rides together, united in their support of liberty and

human dignity. These causes remain just as urgent today. Jewish communities continue to confront anti-Semitism—both around the world and, as tragic events mere weeks ago in Kansas reminded us, here in the United States. Following in the footsteps of Jewish civil rights leaders, we must come together across all faiths, reject ignorance and intolerance, and root out hatred wherever it exists.

In celebrating Jewish American Heritage Month, we also renew our unbreakable bond with the nation of Israel. It is a bond that transcends politics, a partnership built on mutual interests and shared ideals. Our two countries are enriched by diversity and faith, fueled by innovation, and ruled not only by men and women, but also by laws. As we continue working in concert to build a safer, more prosperous, more tolerant world, may our friendship only deepen in the years to come.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2014 as Jewish American Heritage Month. I call upon all Americans to visit www.JewishHeritageMonth.gov to learn more about the heritage and contributions of Jewish Americans and to observe this month, the theme of which is healing the world, with appropriate programs, activities, and ceremonies.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9110 of April 30, 2014

National Building Safety Month, 2014

By the President of the United States of America

A Proclamation

America's buildings do more than house people and goods. They embody innovation; inspire creativity; and provide foundations for families, businesses, and communities. During National Building Safety Month, we celebrate the dedicated professionals who keep our buildings secure, and we recommit to maintaining resilient, energy-efficient infrastructure.

Because this is not a task for government alone, my Administration has fostered partnerships between the public and private sectors. Joining with building officials, design professionals, scientists, and engineers, we continually develop new guidance and tools for increasing disaster-resistance and meeting building standards. For additional information and resources explaining simple steps people can take to better prepare their homes or businesses for a disaster, visit www.Ready.gov.

As Americans, our spirit is strong and resilient, and our buildings should match that spirit. From our homes to our high-rises, our museums to our malls, let us work to keep structures sound and up to code. By doing so, we can conserve energy, protect the environment, and

help communities withstand the impacts of natural disasters and climate change.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2014 as National Building Safety Month. I encourage citizens, government agencies, businesses, nonprofits, and other interested groups to join in activities that raise awareness about building safety. I also call on all Americans to learn more about how they can contribute to building safety at home and in their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9111 of April 30, 2014

National Foster Care Month, 2014

By the President of the United States of America

A Proclamation

Every child deserves to grow, learn, and dream in a supportive and loving environment. During National Foster Care Month, we recognize the almost 400,000 young people in foster care and the foster parents and dedicated professionals who are making a difference in their lives. We also rededicate ourselves to giving every child a sense of stability and a safe place to call home.

While the number of young people in foster care has fallen, those still there face many challenges, including finding mentors to guide their transition into adulthood and getting the support to make that transition a success. One third of foster children are teenagers, in danger of aging out of a system that failed to find them a permanent family.

Across our Nation, ordinary Americans are answering the call to open their hearts and homes to foster children. From social workers and teachers to family members and friends, countless individuals are doing their part to help these striving young people realize their full potential. My Administration remains committed to doing our part. This year, the Affordable Care Act will extend Medicaid coverage up to age 26 for children who have aged out of foster care, allowing them to more easily access quality, affordable health coverage. We are working to break down barriers so every qualified caregiver can become an adoptive or foster parent. Additionally, in the past year, we awarded grants to States, tribes, and local organizations to give communities new strategies to help foster children, including methods for finding permanent families, preventing long-term homelessness of young people aging out of foster care, and supporting their behavioral and mental health needs.

This month, and all year long, let us all recognize that each of us has a part to play in ensuring America's foster children achieve their full

potential. Together, we can reach the day where every child has a safe, loving, and permanent home.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2014 as National Foster Care Month. I call upon all Americans to observe this month by taking time to help youth in foster care and recognizing the commitment of all who touch their lives.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9112 of April 30, 2014

National Mental Health Awareness Month, 2014

By the President of the United States of America
A Proclamation

Despite great strides in our understanding of mental illness and vast improvements in the dialogue surrounding it, too many still suffer in silence. Tens of millions of Americans face mental health conditions like depression, anxiety, bipolar disorder, schizophrenia, or post-traumatic stress disorder. During National Mental Health Awareness Month, we reaffirm our commitment to building our understanding of mental illness, increasing access to treatment, and ensuring those who are struggling to know they are not alone.

Over the course of a year, one in five adults will experience a mental illness, yet less than half will receive treatment. Because this is unacceptable, my Administration is fighting to make mental health care more accessible than ever. Through the Affordable Care Act (ACA), we are extending mental health and substance use disorder benefits and parity protections to over 60 million Americans. Because of the ACA, insurers can no longer deny coverage or charge patients more due to pre-existing health conditions, including mental illness. The ACA also requires health plans to cover recommended preventive services like depression screening and behavioral assessments at no out-of-pocket cost. And under this law, we are expanding services for mental health and substance use disorder at community health centers across the country.

My Administration is also investing in programs that promote mental health among young people. We secured new funding to train teachers to identify and respond to mental illness and to train thousands of additional mental health professionals to serve students. And because it is our sacred obligation to give our veterans the support they have earned, we have increased the number of Department of Veterans Affairs (VA) mental health providers, enhanced VA partnerships with community providers, and improved Government coordination on research efforts.

We too often think about mental health differently from other forms of health. Yet like any disease, mental illnesses can be treated—and without help, they can grow worse. That is why we must build an open dialogue that encourages support and respect for those struggling with mental illness. To learn how you can get involved, visit www.MentalHealth.gov. Those seeking immediate help should call 1–800–662–HELP. The National Suicide Prevention Lifeline also offers immediate assistance for all Americans, including service members and veterans, at 1–800–273–TALK.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2014 as National Mental Health Awareness Month. I call upon citizens, government agencies, organizations, health care providers, and research institutions to raise mental health awareness and continue helping Americans live longer, healthier lives.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9113 of April 30, 2014

National Physical Fitness and Sports Month, 2014

By the President of the United States of America

A Proclamation

Sports keep children healthy, teach them to work as part of a team, and help them develop the discipline to achieve their goals. During National Physical Fitness and Sports Month, we encourage America's sons and daughters to get active and challenge everyone to join the movement for a happier, fitter Nation.

For 4 years, First Lady Michelle Obama's *Let's Move!* initiative has worked with community and faith leaders, educators, health care professionals, and businesses to give our children a healthy start and empower schools to build active environments. My Administration launched the Presidential Youth Fitness Program, replacing the old Physical Fitness Test to put a stronger emphasis on students' health. We also created the new Presidential Active Lifestyle Award, which encourages all Americans to commit to eating right and getting regular exercise. Because everyone should have the chance to get active, the President's Council on Fitness, Sports, and Nutrition is expanding *I Can Do It, You Can Do It!*—a program that creates more opportunities for Americans with disabilities to participate in fitness and sports. For more information or to learn how you can get involved, visit www.LetsMove.gov and www.Fitness.gov.

By leading more active lifestyles, we can invest in our futures and encourage our children to do the same. This month, let us champion fitness to our family, friends, and colleagues. Let us give young people

the chance to find a sport or physical activity they love, boost their energy and confidence, and reach their fullest potential.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2014 as National Physical Fitness and Sports Month. I call upon the people of the United States to make daily physical activity, sports participation, and good nutrition a priority in their lives.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9114 of April 30, 2014

Older Americans Month, 2014

By the President of the United States of America

A Proclamation

Older Americans have fortified our country and shaped our world. They have made groundbreaking discoveries, pioneered new industries, led our Nation's businesses, and advanced our unending journey toward a more perfect Union. They have raised strong families and strengthened communities. And with unwavering courage and patriotism, many rose in defense of the land we love. This month, we celebrate the remarkable contributions and sacrifices of our elders, and we offer our renewed gratitude and support.

With decades of experience and unyielding enthusiasm, seniors continue to lift up our neighborhoods, offer perspective on pressing challenges, and serve as role models to our next generation—proving Americans never stop making a difference or giving back. I encourage older Americans to learn about service opportunities in their area by visiting *www.SeniorCorps.gov.*

My Administration stands with older Americans as they make their mark, which is why we are fighting to protect Social Security and Medicare. Through the Affordable Care Act, we lowered prescription drug costs, prohibited insurers from denying coverage to people with pre-existing conditions, and enabled seniors to receive recommended preventive health care at no out-of-pocket cost.

As vital members of our communities, seniors deserve the resources and information to stay healthy and safe. This year's Older Americans Month theme, ''Safe Today, Healthy Tomorrow,'' raises awareness about injury prevention. To take control of their safety, seniors can talk to their health care provider about the best physical activities for them, make sure their homes have ample lighting, and install handrails wherever they are helpful—particularly near stairs and in bathrooms.

During Older Americans Month, we pay tribute to our parents, grandparents, friends, neighbors, and every senior near to our hearts. We strive to build a bright future on the strong foundation they have laid.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 2014 as Older Americans Month. I call upon all Americans of all ages to acknowledge the contributions of older Americans during this month and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9115 of April 30, 2014

Law Day, U.S.A., 2014

By the President of the United States of America

A Proclamation

More than two centuries ago, patriots battled to release America from the grip of tyranny. As these brave citizens defended their right to shape their own destiny, our Founders created a government of, by, and for the people—rooted in the belief that just power derives from the consent of the governed. It is a system that can only function through the rule of law.

This Law Day pays special tribute to the right to vote, the cornerstone of democracy. Many Americans won the franchise after generations of struggle, while others gave their lives so their children and grandchildren might one day enjoy what should have been their birthright. Thanks to women who picketed the White House and activists who marched on the National Mall, our laws finally recognized a truth that had always been self-evident—that every citizen should have a voice in our democracy. Over the centuries, we have made legal changes that eliminated formal voting restrictions based on wealth, race, and sex and that extended the right to vote to younger adults. Today, our laws continue to protect this fundamental right, laws like the Voting Rights Act, the National Voter Registration Act, the Help America Vote Act, and the Uniformed and Overseas Citizens Absentee Voting Act.

Despite this hard-fought progress, barriers to voting still exist, and the right to vote faces a new wave of threats. In some States, women may be turned away from the polls because they are registered under their maiden name; in others, seniors who have been voting for decades may suddenly be told they cannot vote because they do not have a particular form of identification. As we reflect on the trials and triumphs of generations past, we must rededicate ourselves to preserving those victories in our time. Earlier this year, a bipartisan commission I appointed recommended a series of common-sense reforms to protect the right to vote, curb the potential for fraud, and ensure no one has to wait more than a half hour to cast a ballot. States and local election officials should implement these recommendations. In addition, the Congress should demonstrate its commitment to our fundamental right by updating the Voting Rights Act.

Let us mark Law Day by recognizing the institutions that uphold the rule of law in America. Let us vow to keep safe our founding creed. And let us remember that opportunity requires justice, and justice requires the right to vote.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, in accordance with Public Law 87–20, as amended, do hereby proclaim May 1, 2014, as Law Day, U.S.A. I call upon all Americans to acknowledge the importance of our Nation's legal and judicial systems with appropriate ceremonies and activities, and to display the flag of the United States in support of this national observance.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9116 of April 30, 2014

Loyalty Day, 2014

By the President of the United States of America

A Proclamation

Over 150 years ago, as a civil war threatened to dissolve our Union, President Abraham Lincoln delivered the Gettysburg Address. Defining the American experiment as ''conceived in liberty, and dedicated to the proposition that 'all men are created equal,' '' he resolved that our Nation ''shall not perish from the earth.'' He understood that what makes America most worth preserving are our founding ideals. These ideals compelled colonists to rise up against an empire, and they have sustained generations of service members through the darkest days of war.

In the United States of America, we do not define loyalty as adherence to any single leader, party, or political platform. When we make big decisions as a country, we necessarily stir up passions and controversy. These debates are a hallmark of democracy; they allow us to trade ideas, question antiquated notions, and ensure our Nation's course reflects the will of the American people. Yet even as we disagree, we remain true to our shared values and our common hopes for America's future.

On Loyalty Day, we renew our conviction to the principles of liberty, equality, and justice under the law. We accept our responsibilities to one another. And we remember that our differences pale in comparison to the strength of the bonds that hold together the most diverse Nation on earth.

In order to recognize the American spirit of loyalty and the sacrifices that so many have made for our Nation, the Congress, by Public Law 85–529 as amended, has designated May 1 of each year as ''Loyalty Day.'' On this day, let us reaffirm our allegiance to the United States of America and pay tribute to the heritage of American freedom.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim May 1, 2014, as Loyalty Day. This Loyalty Day, I call upon all the people of the United States to join in support of this national observance, whether by displaying the flag of the United States or pledging allegiance to the Republic for which it stands.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9117 of April 30, 2014

National Day of Prayer, 2014

By the President of the United States of America
A Proclamation

One of our Nation's great strengths is the freedom we hold dear, including the freedom to exercise our faiths freely. For many Americans, prayer is an essential act of worship and a daily discipline.

Today and every day, prayers will be said for comfort for those who mourn, healing for those who are sick, protection for those who are in harm's way, and strength for those who lead. Today and every day, forgiveness and reconciliation will be sought through prayer. Across our country, Americans give thanks for our many blessings, including the freedom to pray as our consciences dictate.

As we give thanks for our liberties, we must never forget those around the world, including Americans, who are being held or persecuted because of their convictions. Let us remember all prisoners of conscience today, whatever their faiths or beliefs and wherever they are held. Let us continue to take every action within our power to secure their release. And let us carry forward our Nation's tradition of religious liberty, which protects Americans' rights to pray and to practice our faiths as we see fit.

The Congress, by Public Law 100–307, as amended, has called on the President to issue each year a proclamation designating the first Thursday in May as a ''National Day of Prayer.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 1, 2014, as a National Day of Prayer. I invite the citizens of our Nation to give thanks, in accordance with their own faiths and consciences, for our many freedoms and blessings, and I join all people of faith in asking for God's continued guidance, mercy, and protection as we seek a more just world.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of April, in the year of our Lord two thousand fourteen, and of

the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9118 of May 2, 2014

National Charter Schools Week, 2014

By the President of the United States of America
A Proclamation

At the heart of who we are as Americans is the simple but profound idea that no matter who you are, what you look like, or where you come from, if you work hard and meet your responsibilities, you can succeed. Our Nation can only realize this idea through the guarantee of a world-class education for every child. During National Charter Schools Week, we pay tribute to the role our Nation's public charter schools play in advancing opportunity, and we salute the parents, educators, community leaders, policymakers, and philanthropists who gave rise to the charter school sector.

As independent public schools, charter schools have the ability to try innovative approaches to teaching and learning in the classroom. This flexibility comes with high standards and accountability; charter schools must demonstrate that all their students are progressing toward academic excellence. Those that do not measure up can be shut down. And those that are successful can provide effective approaches for the broader public education system. They can show what is possible—schools that give every student the chance to prepare for college and career and to develop a love of learning that lasts a lifetime.

Americans pursue individual success, but we also understand that we have a stake in each other. If we make an investment in every child, then all our children will enjoy a stronger Nation and a brighter world. This week, let us do our part to ensure our young people can go as far as their passions and hard work will take them, and recommit to restoring the American dream for generations to come.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 4 through May 10, 2014, as National Charter Schools Week. I commend our Nation's charter schools, teachers, and administrators, and I call on States and communities to support high quality public schools, including charter schools and the students they serve.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9119 of May 8, 2014

Military Spouse Appreciation Day, 2014

By the President of the United States of America
A Proclamation

Our military spouses embody ideals we cherish: strength, loyalty, and commitment. They stand beside those who stand behind our flag, giving their all and making tremendous sacrifices. They shoulder the burdens of countless moves and stressful deployments, and they uphold their end of the bargain. On Military Spouse Appreciation Day, we celebrate the force behind the force and show these homefront heroes the full support of a grateful Nation.

My Administration is working to fulfill our sacred obligation to our veterans, service members, their spouses, and their families. We are helping military families avoid foreclosure and predatory lending, and we are investing in their education. We are easing burdens by supporting childcare and assisting with career training. And because our men and women in uniform and their spouses are partners not only in love, but also in law, we are doing everything we can to ensure all married couples receive the benefits they deserve—regardless of their sexual orientation.

Through the Joining Forces initiative, First Lady Michelle Obama and Dr. Jill Biden are expanding employment opportunities for veterans, transitioning service members, and their spouses while advocating for new legislation to bolster professional development services. And they are forging stronger connections between military and civilian families and engaging us all in the push to give military families the opportunities, resources, and support they have earned—not only today, but every day. To learn more and get involved, visit www.JoiningForces.gov.

As service members board planes for deployments to foreign lands, they need to know their country will be there for their loved ones. As mothers and fathers take on the work of two, they need to know their neighbors will lend a hand. And if called to make the ultimate sacrifice, troops must know their Nation will honor their memory and care for their family. After everything military spouses have done for America, for one another, for our wounded warriors and the families of the fallen, we must stand beside them. We must make good on our debt of gratitude. May each of us serve our military spouses and their families as well as they serve us.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 9, 2014, as Military Spouse Appreciation Day. I call upon the people of the United States to honor military spouses with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9120 of May 9, 2014

National Defense Transportation Day and National Transportation Week, 2014

By the President of the United States of America
A Proclamation

In today's global economy, first-class jobs gravitate to first-class infrastructure. A sound transportation system allows businesses to safely move their goods to market, and maintaining that system creates jobs upgrading ports, unclogging commutes, and repairing roads and rails. During National Defense Transportation Day and National Transportation Week, we underscore the importance of infrastructure to our economy, security, and way of life.

This summer, the Congress will need to protect more than three million jobs by finishing transportation and waterways bills that provide at least 4 years of funding for extensive infrastructure repairs and investments. Because accessible roads, safe bridges, and good jobs should transcend politics, I am hopeful our representatives will do right by the American people. In the meantime, I am taking executive action to slash bureaucracy and streamline the permitting process for key projects. Earlier this year, I launched a competition for 600 million dollars in transportation grants. Cities and States can win this funding by creating plans that both modernize transportation infrastructure and stimulate the economy.

Infrastructure also plays a vital role in America's security. Fluid, dependable, and efficient transportation systems allow first responders and service members to swiftly arrive on the scene of an emergency. When natural disasters strike, we rely on these systems to bring food and first aid to victims. In order to safeguard our Nation, we must ensure our infrastructure is resilient enough to withstand disaster and keep supply lines open.

Today, America has ports that are not prepared for the next generation of supertankers. We have more than 100,000 bridges that are old enough to qualify for Medicare. And we have a world-class labor force ready to tackle this challenge. Let's put them to work.

In recognition of the importance of our Nation's transportation infrastructure, and of the men and women who build, maintain, and utilize it, the Congress has requested, by joint resolution approved May 16, 1957, as amended (36 U.S.C. 120), that the President designate the third Friday in May of each year as ''National Defense Transportation Day,'' and, by joint resolution approved May 14, 1962, as amended (36 U.S.C. 133), that the week during which that Friday falls be designated as ''National Transportation Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim Friday, May 16, 2014, as National Defense Transportation Day and May 11 through May 17, 2014, as National Transportation Week. I call upon all Americans to recognize the importance of our Nation's transportation infrastructure and to acknowledge the contributions of those who build, operate, and maintain it.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9121 of May 9, 2014

National Small Business Week, 2014

By the President of the United States of America
A Proclamation

Small businesses represent an ideal at the heart of our Nation's promise—that with ingenuity and hard work, anyone can build a better life. They are also the lifeblood of our economy, employing half of our country's workforce and creating nearly two out of every three new American jobs. During National Small Business Week, we renew our commitment to helping these vital enterprises thrive.

From day one, my Administration has been focused on cultivating an environment where small businesses can succeed. During my first term, we added 18 direct tax breaks for small businesses, including new tax credits for hiring unemployed workers and veterans and for investing in new equipment. Through the Small Business Administration (SBA), we have supported hundreds of thousands of loans. And to ensure small businesses have a voice in economic decisions, I elevated the Small Business Administrator to a Cabinet level position.

My Administration is also working to ease burdens on businesses. We cut in half the time it takes for the Federal Government to pay small business contractors, freeing up more resources for growth. To provide a boost to the smallest new businesses, we have eliminated SBA fees on loans under 150,000 dollars and waived fees for veterans who take out loans under 350,000 dollars. Thanks to the Affordable Care Act, it is now easier for small business owners to purchase quality health insurance, and they are now eligible for tax credits that cover up to half of the cost of providing coverage for their employees. And we continue to implement patent reforms that are reducing the application backlog, protecting American intellectual property abroad, and helping entrepreneurs roll out their inventions sooner.

Yet we have more work to do. In the years to come, we must protect tax credits that help small businesses hire and add incentives for paying workers higher wages. We must ensure entrepreneurs—even those who are not rich—have the resources to take their businesses to the next level. Because if we create a more level playing field, the best ideas will rise to the top, opportunity will flourish, and America will prosper.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 12 through May 16, 2014, as National Small Business Week. I call upon all Americans to recognize the contributions of small businesses

to the competitiveness of the American economy with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9122 of May 9, 2014

National Women's Health Week, 2014

By the President of the United States of America
A Proclamation

As Americans, we strive for a Nation of broad-based prosperity, where hard work pays off and everyone can go as far as their dreams allow. Over the past half-century, women have opened up vast horizons for themselves and their daughters. Yet many still work harder for less, and because of gender inequality in areas like health care, they have had to stretch paychecks further to make ends meet. During National Women's Health Week, we recommit to expanding women's access to care, fighting discrimination, and advancing the opportunity agenda.

The Affordable Care Act (ACA) prohibits insurers from charging women higher premiums simply because of their gender. Insurance companies can no longer discriminate against women due to pregnancy, or deny coverage because of pre-existing conditions. Thanks to the ACA, women can receive preventive services like contraceptive care, recommended cancer screenings, and annual well-woman visits at no out-of-pocket cost. And this year, millions of women signed up for affordable coverage through the Health Insurance Marketplace while millions more gained insurance through the expansion of Medicaid. To learn more about resources available to women and girls, visit www.HealthCare.gov, www.WomensHealth.gov, or www.GirlsHealth.gov.

As we continue to implement this law, my Administration remains dedicated to protecting women's rights to make their own health care decisions. The past few years have seen an orchestrated and historic effort to roll back these basic rights. States have enacted laws aimed at banning or severely limiting the right to choose and introduced legislation that would cut off access to common forms of birth control. Together, we must reject policies that aim to turn back the clock.

This week, let us uphold the principle of equality in health care. Let us affirm that women alone—not insurance executives, not politicians, and not their bosses—have the right to make decisions about their own health.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 11 through May 17, 2014, as National Women's Health Week. I encourage all Americans to celebrate the progress we have made in protecting

women's health and to promote awareness, prevention, and educational activities that improve the health of all women.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9123 of May 9, 2014

Peace Officers Memorial Day and Police Week, 2014

By the President of the United States of America
A Proclamation

Each year, America sets aside a week to salute the men and women who do the difficult, dangerous, and often thankless work of safeguarding our communities. Our Nation's peace officers embody the very idea of citizenship—that along with our rights come responsibilities, both to ourselves and to others. During Peace Officers Memorial Day and Police Week, we celebrate those who protect and serve us every minute of every day, and we honor the courageous officers who devoted themselves so fully to others that in the process they laid down their lives.

As we mourn the fallen, let us also remember how they lived. With unflinching commitment, they defended our schools and businesses. They guarded prisons; patrolled borders; and kept us safe at home, on the road, and as we went about our lives. To their families, we owe an unpayable debt. And to the men and women who carry their mission forward, we owe our unyielding support.

Our Nation has an obligation to ensure that as police officers face untold risks in the line of duty, we are doing whatever we can to protect them. This means providing all necessary resources so they can get the job done, hiring new officers where they are needed most, and investing in training to prepare those on the front lines for potentially deadly situations. It also means making reforms to curb senseless epidemics of violence that threaten law enforcement officers and haunt the neighborhoods they serve.

Just as police officers never let down their guard, we must never let slide our gratitude. We should extend our thanks not only in times of tragedy, but for every tragedy averted—every accident avoided because a patrol officer took a drunk driver off the streets, every child made safer because a criminal was brought to justice, every life saved because police officers raced to the scene. In other words, we must show our gratitude every day.

By a joint resolution approved October 1, 1962, as amended (76 Stat. 676), and by Public Law 103–322, as amended (36 U.S.C. 136–137), the President has been authorized and requested to designate May 15 of each year as ''Peace Officers Memorial Day'' and the week in which it falls as ''Police Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim May 15, 2014, as Peace Officers Memorial Day and May 11 through May 17, 2014, as Police Week. I call upon all Americans to observe these events with appropriate ceremonies and activities. I also call on Governors of the United States and the Commonwealth of Puerto Rico, officials of the other territories subject to the jurisdiction of the United States, and appropriate officials of all units of government, to direct that the flag be flown at half-staff on Peace Officers Memorial Day. I further encourage all Americans to display the flag at half-staff from their homes and businesses on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9124 of May 9, 2014

Mother's Day, 2014

By the President of the United States of America
A Proclamation

For over a century, Americans have come together to celebrate our first friends and mentors, our inspirations and constant sources of strength. Our mothers are breadwinners, community leaders, and pillars of family. They pioneer scientific discoveries, serve with valor in our Armed Forces, and represent our Nation in the loftiest halls of Government. Whether biological, adoptive, or foster, they play a singular role in our lives. Because they so often put everything above themselves, on Mother's Day, we put our moms first.

Through centuries of organizing, marching, and making their voices heard, mothers have won greater opportunities than ever before for themselves and their children. Their victories brought our Nation closer to realizing a sacred founding principle—that we are all created equal and each of us deserves the chance to pursue our own version of happiness.

Today, there are more battles to win. Working mothers increasingly provide the majority of their family's income, yet even now, discrimination prevents women from earning a living equal to their efforts. My Administration is proud to fight alongside women as they push to close the gender pay gap, shatter glass ceilings, and implement workplace policies that do not force any parent to choose between their jobs and their kids. Because when women succeed, America succeeds.

By words and example, mothers teach us how to grow and who to become. They shape lasting habits that can lead to healthy living and lifelong learning. They demonstrate what is possible when we work hard and apply our talents. Without complaint, they give their best every day so they and their children might achieve the scope of their dreams. Today, let us once again extend our gratitude for our mothers'

unconditional love and support—during years past and in the years to come.

The Congress, by a joint resolution approved May 8, 1914 (38 Stat. 770), has designated the second Sunday in May each year as ''Mother's Day'' and requested the President to call for its appropriate observance.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim May 11, 2014, as Mother's Day. I urge all Americans to express love and gratitude to mothers everywhere, and I call upon all citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9125 of May 15, 2014

60th Anniversary of *Brown* v. *Board of Education*

By the President of the United States of America
A Proclamation

May 17, 1954, marked a turning point in America's journey toward a more perfect Union. On that day, the Supreme Court handed down a unanimous decision in *Brown* v. *Board of Education,* outlawing racial segregation in our Nation's schools. *Brown* overturned the doctrine of ''separate but equal,'' which the Court had established in the 1896 case of *Plessy* v. *Ferguson.* For more than half a century, Plessy gave constitutional backing to discrimination, and civil rights organizations like the National Association for the Advancement of Colored People faced an uphill battle as they sought equality, opportunity, and justice under the law.

Brown v. *Board of Education* shifted the legal and moral compass of our Nation. It declared that education ''must be made available to all on equal terms'' and demanded that America's promise exclude no one. Yet the Supreme Court alone could not destroy segregation. *Brown* had unlocked the schoolhouse doors, but even years later, African-American children braved mobs as they walked to school, while U.S. Marshals kept the peace. From lunch counters and city streets to buses and ballot boxes, American citizens struggled to realize their basic rights. A decade after the Court's ruling, *Brown's* moral guidance was translated into the enforcement measures of the Civil Rights Act and the Voting Rights Act.

Thanks to the men and women who fought for equality in the courtroom, the legislature, and the hearts and minds of the American people, we have confined legalized segregation to the dustbin of history. Yet today, the hope and promise of *Brown* remains unfulfilled. In the years to come, we must continue striving toward equal opportunities for all our children, from access to advanced classes to participation

in the same extracurricular activities. Because when children learn and play together, they grow, build, and thrive together.

On the 60th Anniversary of *Brown* v. *Board of Education,* let us heed the words of Justice Thurgood Marshall, who so ably argued the case against segregation, ''None of us got where we are solely by pulling ourselves up by our bootstraps. We got here because somebody . . . bent down and helped us pick up our boots.'' Let us march together, meet our obligations to one another, and remember that progress has never come easily—but even in the face of impossible odds, those who love their country can change it.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 17, 2014, as the 60th Anniversary of *Brown* v. *Board of Education.* I call upon all Americans to observe this day with programs, ceremonies, and activities that celebrate this landmark decision and advance the causes of equality and opportunity for all.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9126 of May 16, 2014

National Safe Boating Week, 2014

By the President of the United States of America

A Proclamation

Our Nation's lakes, rivers, and oceans provide havens for reflection and offer boundless opportunities for recreation with loved ones. As we mark National Safe Boating Week, we emphasize the importance of taking precautions and practicing responsible behavior when embarking on America's waterways.

Before leaving shore, boaters can reduce their risks by taking a boating safety course, conducting a vessel safety check, and filing a float plan with family members or friends. Boaters should make sure they understand the marine forecast and take note of any significant weather. To prevent accidents, injury, and death, operators and passengers should always wear life jackets and never consume alcohol or drugs.

During National Safe Boating Week, we also recognize the crucial work of the United States Coast Guard to prevent boating accidents that claim lives, cause injuries, and damage property. We thank their partners across our Nation. And we recommit to taking the proper measures to keep America's waterways safe and enjoyable for all.

In recognition of the importance of safe boating practices, the Congress, by joint resolution approved June 4, 1958 (36 U.S.C. 131), as amended, has authorized and requested the President to proclaim annually the 7-day period prior to Memorial Day weekend as ''National Safe Boating Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim May 17 through May 23, 2014, as National Safe Boating Week. I encourage all Americans who participate in boating activities to observe this occasion by learning more about safe boating practices and taking advantage of boating education.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9127 of May 16, 2014

Emergency Medical Services Week, 2014

By the President of the United States of America

A Proclamation

Wherever and whenever crisis hits, the men and women of our emergency medical services (EMS) rush to the scene. With unyielding steadiness, they bring care to those who need it most. During Emergency Medical Services Week, we show our gratitude to the EMS practitioners who aid our families, friends, and neighbors in their darkest moments.

We saw their professionalism in action after a devastating storm hit Vilonia, Arkansas. Immediately after a tornado struck, 200 people, including EMS personnel from other counties, were ready to go house to house searching for injured neighbors. We saw it after last month's mudslide in Washington State when first responders and rescue crews braved unsteady ground to search for survivors. And we see it in towns and cities across America every hour of every day. My Administration is dedicated to supporting the vital work of our paramedics, emergency medical technicians, 911 dispatchers, and EMS medical directors.

This week, we thank the EMS providers who ease suffering and so often mean the difference between life and death. Let us honor their service with a renewed commitment to them. Let us ensure that those who watch over our communities have the support they need to get the job done.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 18 through May 24, 2014, as Emergency Medical Services Week. I encourage all Americans to observe this occasion by showing their support for their local EMS providers and taking steps to improve their personal safety and preparedness.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9128 of May 16, 2014

World Trade Week, 2014

By the President of the United States of America
A Proclamation

Commercial ties build partnerships between nations and spur growth across the world. Here in America, trade bolsters our small businesses, which make up 98 percent of our exporters and create nearly two out of every three new jobs. During World Trade Week, we celebrate these benefits, and we redouble our efforts to promote trade while protecting workers, safeguarding the environment, and opening markets to new goods stamped, ''Made in the USA.''

My Administration is dedicated to supporting high-quality American jobs through exports. In 2010, I launched the National Export Initiative (NEI), and since then our determined focus on exports has helped more American small and medium-sized businesses and farmers create jobs by selling their products abroad. We are now selling more American goods and services overseas than at any time in our history. Last year alone, our exports supported 11.3 million American jobs.

Earlier this month, my Administration renewed its commitment to creating American jobs by launching a new phase of the National Export Initiative, NEI/NEXT. This new phase will build on the NEI's success by helping companies find export opportunities, gain access to financing, and move their goods across borders. NEI/NEXT will also open markets around the world while ensuring a level playing field for American companies. My Administration is also helping American companies strengthen their global competitiveness by investing in cutting-edge manufacturing techniques. Over the past 4 years, factories that once went dark have turned on their lights again, and the United States has seen the first sustained growth in manufacturing jobs in over two decades.

As we ensure the next technological revolution is American-made, we must also create new opportunities to sell our goods throughout the world. Alongside our partners in the Asia-Pacific, we are working to complete negotiation of the Trans-Pacific Partnership, which will lower barriers to trade, create jobs in America and across the Pacific, and open up markets to our exports in the world's fastest-growing region. And to grow prosperity on both sides of the Atlantic, we launched negotiations with the European Union on a Transatlantic Trade and Investment Partnership.

America's economic strength is a source of strength in the world. As our global economy evolves, as countries forge ever-stronger links, the United States must not stand on the sidelines. If we do not shirk from this challenge, if we continue to embrace the grit and innovative spirit that has always defined our Nation, I am confident America's best days lie ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 18 through May 24, 2014, as World Trade Week. I encourage all Americans to observe this week with events, trade shows, and educational

programs that celebrate and inform Americans about the benefits of trade to our Nation and the global economy.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9129 of May 16, 2014

Armed Forces Day, 2014

By the President of the United States of America

A Proclamation

In every generation, there are men and women who stand apart. They put on the uniform and put their lives on the line so the rest of us might live in a safer, freer, more just world. They defend us in times of peace, times of war, and times of crisis, both natural and man-made. On Armed Forces Day, we honor the Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who render the highest service any American can offer.

The patriots who stand sentry for our security are a proud link in an unbroken chain that stretches through the centuries. This generation has distinguished itself on mission after mission, tour after tour. Because of their heroism, the core of al-Qaeda is severely degraded and our homeland is more secure. Thanks to their extraordinary sacrifice, we are winding down more than a decade of war and strengthening alliances that extend our values. These are the gifts they have given us, and this is why we owe them a profound debt of gratitude.

It is our obligation to ensure our troops have all they need to complete their missions abroad, but we must also support them when they return home. We must care for the families who serve alongside them and fulfill our promises today, tomorrow, and forever. And we must demonstrate our thanks by building a Nation worthy of their sacrifices, a Nation that lives up to our founding ideals and allows every citizen to write their chapter of the American story.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, and Commander in Chief of the Armed Forces of the United States, continuing the precedent of my predecessors in office, do hereby proclaim the third Saturday of each May as Armed Forces Day.

I direct the Secretary of Defense on behalf of the Army, Navy, Air Force, and Marine Corps, and the Secretary of Homeland Security on behalf of the Coast Guard, to plan for appropriate observances each year, with the Secretary of Defense responsible for encouraging the participation and cooperation of civil authorities and private citizens.

I invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States, to provide for the observance of Armed Forces Day within their jurisdiction each year in an appropriate manner designed to increase public under-

standing and appreciation of the Armed Forces of the United States. I also invite veterans, civic leaders, and organizations to join in the observance of Armed Forces Day.

Finally, I call upon all Americans to display the flag of the United States at their homes on Armed Forces Day, and I urge citizens to learn more about military service by attending and participating in the local observances of the day. I also encourage Americans to volunteer at organizations that provide support to our troops and their families.

Proclamation 8984 of May 17, 2013, is hereby superseded.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9130 of May 19, 2014

National Maritime Day, 2014

By the President of the United States of America
A Proclamation

America's open seas have long been a source of prosperity and strength, and since before our Nation's founding, the men and women of the United States Merchant Marine have defended them. From securing Atlantic routes during the naval battles of the Revolutionary War to supplying our Armed Forces around the world in the 21st century and delivering American goods to overseas markets in times of peace, they have always played a vital role in our Nation's success. During National Maritime Day, we celebrate this proud history and salute the mariners who have safeguarded our way of life.

Today's Merchant Marine upholds its generations-long role as our ''fourth arm of defense.'' Yet they also go beyond this mission, transporting food where there is hunger and carrying much-needed supplies to those in distress. Thanks to our dedicated mariners, people around the world continue to see the American flag as a symbol of hope.

To create middle-class jobs and maintain our leading position in an ever-changing world, we must provide new marketplaces for our businesses to compete. As we expand commerce, we do so with confidence that the United States Merchant Marine will keep our supply lines secure. Because just as America's workers and innovators can rise to any challenge, our mariners have demonstrated time and again that they can meet any test. Today, let us reaffirm our support for their essential mission.

The Congress, by a joint resolution approved May 20, 1933, has designated May 22 of each year as ''National Maritime Day,'' and has authorized and requested the President to issue annually a proclamation calling for its appropriate observance.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim May 22, 2014, as National Mari-

time Day. I call upon the people of the United States to mark this observance and to display the flag of the United States at their homes and in their communities. I also request that all ships sailing under the American flag dress ship on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9131 of May 21, 2014

Establishment of the Organ Mountains-Desert Peaks National Monument

By the President of the United States of America

A Proclamation

In southern New Mexico, surrounding the city of Las Cruces in the R[iacute]o Grande's fertile Mesilla Valley, five iconic mountain ranges rise above Chihuahuan Desert grasslands: the Robledo, Sierra de las Uvas, Do[ntilde]a Ana, Organ, and Potrillo Mountains. These mountain ranges and lowlands form the Organ Mountains-Desert Peaks area.

The Organ Mountains-Desert Peaks area is important for its ruggedly beautiful landscape and the significant scientific, historic, and prehistoric resources found there. The abundant resources testify to over 10,000 years of vibrant and diverse human history of many peoples. Objects left behind by this multi-layered history and spread throughout this geologically and ecologically diverse landscape enhance the experience of visitors to the area and represent a vital resource for paleontologists, archaeologists, geologists, biologists, and historians.

Archaeologically rich, the Organ Mountains-Desert Peaks area features hundreds of artifacts, rock art, dwellings, and other evidence of the Native peoples of the area. Three of the many rock art areas are in the Las Valles Canyon in the Sierra de las Uvas, the Providence Cone area in the Potrillo Mountains, and the Do[ntilde]a Ana Mountains. Scattered Paleo Indian artifacts, including those from the Folsom and Clovis cultures, represent the first people who lived in southern New Mexico and have been found in the Robledo and Potrillo Mountains as well as the Las Uvas Valley. The majority of the cultural items known to be in the Organ Mountains-Desert Peaks area are from the Chihuahuan Archaic period between 8,000 and 2,000 years ago. Diverse rock art images, along with ceramic fragments, demonstrate that the area was the scene of many cross-cultural interactions as the region's early occupants transitioned over time from roaming hunters to semi-permanent villagers.

The deeply creviced peaks of the Organ Mountains, named in 1682 by early European explorers for their resemblance to organ pipes, conceal numerous ancient dwellings, including La Cueva, and other caves where smoke-blackened ceilings evidence long-extinguished campfires. The Native people of these mountains used natural overhangs for shel-

ter and food storage, and their obsidian points, basket fragments, and food remains are still present. Small caves and pit-house villages can be found across the landscape, including ruins of a ten-room pueblo in the Robledo Mountains.

El Camino Real de Tierra Adentro National Historic Trail memorializes an early trading route linking numerous pre-existing Native American footpaths to connect Spanish colonial capitals. The Trail, used through the 19th century by travelers, traders, settlers, soldiers, clergy, and merchants, skirts the Organ Mountains-Desert Peaks area as it follows the R[iacute]o Grande Valley. Explorers and travelers along the Trail documented the marvels of this area in their journals and explored the mountains in search of mineral riches and game. Historians continue to study the southernmost portion of the area, which was acquired in 1854 as part of the Gadsden Purchase, the final territorial acquisition within the contiguous United States.

In the 1800s, the Organ Mountains-Desert Peaks area was central to several battles among the Apaches, Spanish, Mexicans, and Americans, and between Union and Confederate troops. The first Civil War engagements in New Mexico were fought in the Organ Mountains when Confederate soldiers used Baylor Pass Trail to outflank Union soldiers. In a Robledo Mountains legend, the famed Apache leader Geronimo is said to have entered a cave to avoid U.S. soldiers; while the soldiers stood guard at the only entrance of what is now known as ''Geronimo's Cave,'' the Apache leader mysteriously disappeared without a trace. An 1880s U.S. military heliograph station, the remains of which still stand at Lookout Peak in the Robledo Mountains, transmitted Morse code messages during the Army's western campaigns.

In the late 1850s, John Butterfield developed the Butterfield Overland Trail, a mail and passenger stagecoach service from Memphis and St. Louis to San Francisco. Butterfield set upon improving the segments of the Trail in southern New Mexico that had been previously used by Spanish explorers, the Mormon Battalion, and western settlers. Crossing the Organ Mountain-Desert Peaks area are about 20 miles of the Trail, along which sit the remains of at least one stage stop.

Visitors to the Organ Mountains can still see remnants of Dripping Springs, a once-popular resort and concert hall, built in the 1870s and converted into a sanatorium before its abandonment and decay. In the late 19th century, the infamous outlaw Billy the Kid (William H. Bonney) repeatedly traversed this area. While hiding in the Robledo Mountains, ''the Kid'' inscribed his signature, which is still visible today, on what is now known as ''Outlaw Rock.'' During World War II, the Army Corps of Engineers constructed 18-acre bombing targets, the remains of which still dot the landscape.

The long, diverse, and storied history of this landscape is not surprising given its striking geologic features and the ecological diversity that they harbor. The dramatic and disparate mountain ranges of the Organ Mountains-Desert Peaks area tower above the surrounding grasslands and deserts of the R[iacute]o Grande watershed, while the R[iacute]o Grande winds through the valley between the ranges. From the sedimentary deposits of the Robledo Mountains in the west, where the story of ancient life and activity is recorded in fossilized footprints, to the needle-like spires of the Organ Mountains in the east and the

ancient volcanic fields and lava flows in the south, these peaks trace the region's varied geologic history.

The Sierra de las Uvas, the westernmost of the peaks, are low volcanic mountains that bear the red tint of the lava from which they formed over 10 million years ago. The tallest, Magdalena Peak, is a lava dome rising 6,509 feet above sea level. For millennia, the ridges, cliffs, and canyons of the rugged Sierra de las Uvas have defined the movement and migration patterns of humans and wildlife alike. The Robledo Mountains, which are composed of alluvial limestone bedrock and contain numerous caves, have long been an important site for research on the formation of desert soils and sedimentary rock, including geological studies of sedimentation and stratigraphy.

The Potrillo Mountains and volcanic field are testament to the area's violent geologic history of seismicity and volcanism. Millions of years after the Cenozoic tectonics that opened the R[iacute]o Grande Rift, volcanic activity left its mark on the surface, which is punctuated by cinder cone and shield volcanoes, thick layers of basalt, craters, and lava flows. The Potrillo volcanic field contains over 100 cinder cones, ranging in age from 20,000 to one million years old. The Aden Lava Flow area is characterized by lava tubes, steep-walled depressions, and pressure ridges that memorialize the flow of lava that created this unique landscape.

The volcanic field also contains five maars, or low-relief volcanic craters. Kilbourne Hole, a maar with unique volcanic features that the Secretary of the Interior designated as a National Natural Landmark in 1975, is over a mile wide and over 300 feet deep. The sparkling yellow and green olivine glass granules found inside rocks blown from the crater attract amateur and professional geologists to this site, and its resemblance to the lunar landscape provides scientists and visitors with other-worldly experiences, as it did for the Apollo astronauts who trained there. A slightly smaller maar, Hunt's Hole, brings visitors and geologists to the southeastern corner of the Potrillo Mountains complex. The wide range of unique and exemplary volcanic features in the Potrillos makes this area a center for research in geology and volcanology.

The iconic Do[ntilde]a Ana Mountains include limestone ridges, hogbacks, and cuestas topped by monzonite peaks, including Summerford Mountain and Do[ntilde]a Ana Peak, the highest of these at nearly 6,000 feet. To the east, the steep, needle-like spires of the Organ Mountains rise to over 9,000 feet and have been a landmark for travelers for centuries. These block-faulted, uplifted mountains expose geologically significant Precambrian granite and metamorphic basement rocks.

Much of the area is ripe for paleontological discovery. For example, Shelter Cave in the Organ Mountains is a well-documented fossil site, including fossil remnants of ancient ground sloths, birds, and voles. The Robledo Mountains are also an important site for paleontological research; the fossilized tracks and remains of prehistoric creatures preserved there play a vital role in our understanding of the Permian period. This area, along with the Organ Mountains, also contains abundant invertebrate fossils. The congressionally designated Prehistoric Trackways National Monument is adjacent to, and shares its paleontologically rich geologic formations with, the Organ Mountains-

Desert Peaks area, suggesting that this landscape could yield many more significant fossil discoveries. Among the volcanic cones in the Potrillo Mountains is Aden Crater, a small shield cone where a lava tube housed the 11,000-year old skeleton of a ground sloth, one of few ever recovered with skin and hair preserved and a key to understanding the extinction of this and other species.

The diverse geology underlies an equally wide array of vegetative communities and ecosystems, which range from low-elevation Chihuahuan grasslands and scrublands to higher elevation stands of ponderosa pine. Seasonal springs and streams in the mountains and canyon bottoms create rare desert riparian ecosystems. These communities provide habitat for many endemic and special status plant and animal species.

Throughout the area, the characteristic plants of the Chihuahuan desert are evident. Tobosa grasslands can be found in the desert flats, punctuated by creosote bush and mesquite, as well as sacahuista, lechuguilla, and ferns. In the Sierra de las Uvas Mountains, black grama grasslands appear on the mesas while juniper woodlands and Chihuahuan vegetation give way to higher elevation montane communities. Formed by a series of alluvial fans, bajadas extend out from the base of the area's mountains and provide purchase for oak species, Mexican buckeye, prickly pears, white fir, willow, catsclaw mimosa, sotol, agave, ocotillo, flowering cactus, barrel cactus, brickellbush, and tarbush. The Potrillo Mountains are home to desert shrub communities that also include soaptree yucca and four winged saltbush.

These species are emblematic of the Chihuahuan Desert, and the diversity of plant and animal communities found here is stunning. The transitions among vegetation zones found in the Sierra de las Uvas and Potrillos make this area an important resource for ecological research. Similarly, the Do[ntilde]a Ana Mountains abut one of the Nation's long-term ecological research areas, making them an important feature of many studies in wildlife biology, botany, and ecology.

The Organ Mountains are home to alligator juniper, gray oak, and mountain mahogany, as well as the endemic Organ Mountain evening primrose, Organ Mountains giant hyssop, Organ Mountains paintbrush, Organ Mountains pincushion cactus, Organ Mountain figwort, Organ Mountains scaleseed, night-blooming cereus, Plank's Catchfly, and nodding cliff daisy, and likely the endangered Sneed's pincushion cactus.

The area also supports diverse wildlife. Across the Organ Mountains-Desert Peaks landscape, many large mammal species can be found, such as mountain lions, coyotes, and mule deer. The Organ Mountains were also historically home to desert bighorn sheep. Raptors such as the golden eagle, red-tailed hawk, and endangered Aplomado falcon soar above the area's grasslands and foothills, where they prey on a variety of mice, rock squirrels, and other rodents, including the Organ Mountains chipmunk.

The area's exceptional animal diversity also includes many migratory and grassland song birds and a stunning variety of reptiles, such as black-tailed, western diamondback, and banded rock rattlesnakes; whipsnakes and bullsnakes; and tree, earless, Madrean alligator, and checkered whiptail lizards. Birds such as Gambel's quail, black-throated sparrow, ladder-backed woodpecker, verdin, black-tailed

gnatcatcher, lesser nighthawk, Scott's oriole, and cactus wren also make their homes here, along with many species of bats. Other mammals, including black-tailed jackrabbits, cactus mice, and kangaroo rats, inhabit the area. One of several species of rare terrestrial snails in the area, the Organ Mountain talussnail, is also endemic.

The protection of the Organ Mountains-Desert Peaks area will preserve its cultural, prehistoric, and historic legacy and maintain its diverse array of natural and scientific resources, ensuring that the prehistoric, historic, and scientific values of this area remain for the benefit of all Americans.

WHEREAS section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the ''Antiquities Act'') authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS it is in the public interest to preserve the objects of scientific and historic interest on the Organ Mountains-Desert Peaks lands;

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act, hereby proclaim the objects identified above that are situated upon lands and interests in lands owned or controlled by the Government of the United States to be the Organ Mountains-Desert Peaks National Monument (monument) and, for the purpose of protecting those objects, reserve as part thereof all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described on the accompanying map, which is attached to and forms a part of this proclamation. These reserved Federal lands and interests in lands encompass approximately 496,330 acres, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws, including withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.

The establishment of the monument is subject to valid existing rights. Lands and interests in lands within the monument's boundaries not owned or controlled by the United States shall be reserved as part of the monument upon acquisition of ownership or control by the United States.

The Secretary of the Interior (Secretary) shall manage the monument through the Bureau of Land Management (BLM) as a unit of the National Landscape Conservation System, pursuant to applicable legal authorities, including, as applicable, the provisions of section 603 of the Federal Land Policy and Management Act (43 U.S.C. 1782) governing

the management of wilderness study areas, to protect the objects identified above.

For purposes of protecting and restoring the objects identified above, the Secretary, through the BLM, shall prepare and maintain a management plan for the monument and shall provide for maximum public involvement in the development of that plan including, but not limited to, consultation with tribal, State, and local governments.

Except for emergency or authorized administrative purposes, motorized vehicle use in the monument shall be permitted only on designated roads, and non-motorized mechanized vehicle use shall be permitted only on roads and trails designated for their use; provided, however, that nothing in this provision shall be construed to restrict the use of motorized vehicles in wilderness study areas beyond the requirements of section 603 of the Federal Land Policy and Management Act. No additional roads or trails shall be established for motorized vehicle or non-motorized mechanized vehicle use unless necessary for public safety or protection of the objects identified above.

Nothing in this proclamation shall be construed to preclude the Secretary from renewing or authorizing the upgrading of existing utility line rights-of-way within the physical scope of each such right-of-way that exists on the date of this proclamation. Other rights-of-way shall be authorized only if they are necessary for the care and management of the objects identified above. However, watershed restoration projects and small-scale flood prevention projects may be authorized if they are consistent with the care and management of such objects.

Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe or pueblo. The Secretary shall, in consultation with Indian tribes, ensure the protection of religious and cultural sites in the monument and provide access to the sites by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (92 Stat. 469, 42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites).

Laws, regulations, and policies followed by the BLM in issuing and administering grazing permits or leases on lands under its jurisdiction shall continue to apply with regard to the lands in the monument, consistent with the protection of the objects identified above.

Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of New Mexico, including its jurisdiction and authority with respect to fish and wildlife management.

Nothing in this proclamation shall be deemed to affect the provisions of the 2006 Memorandum of Understanding between the U.S. Department of Homeland Security, the U.S. Department of the Interior, and the U.S. Department of Agriculture regarding ''Cooperative National Security and Counterterrorism Efforts on Federal Lands along the United States' Borders.''

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

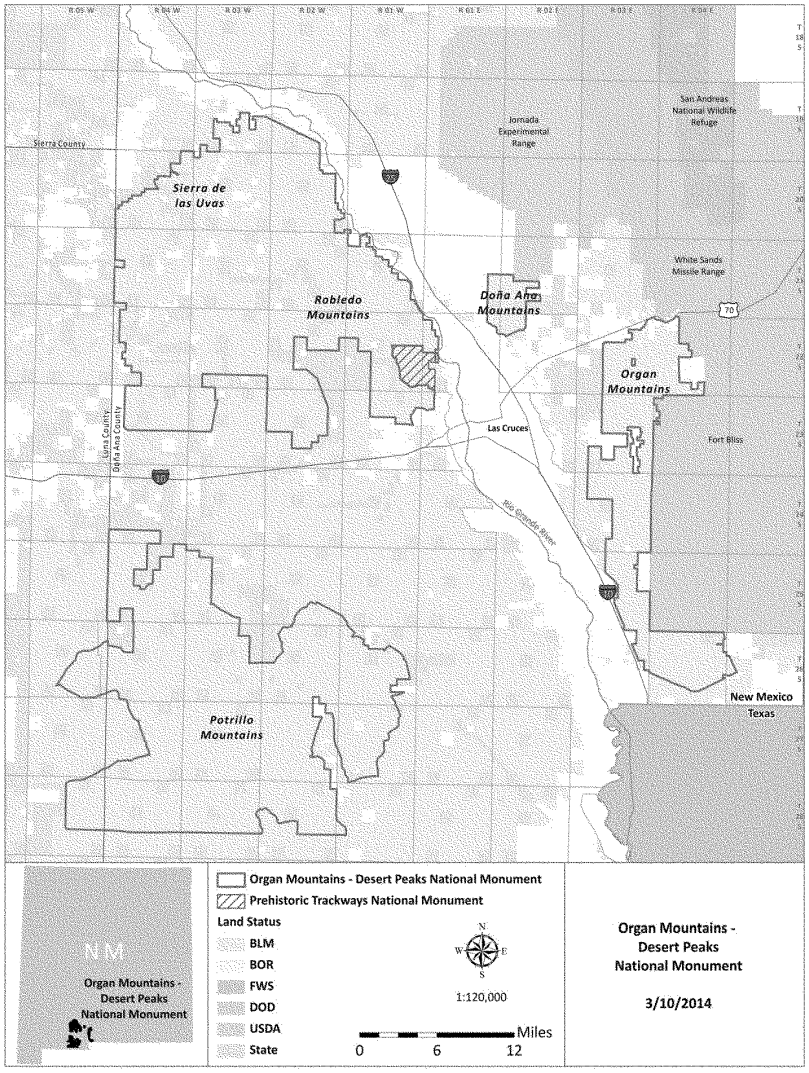
Nothing in this proclamation shall preclude low level overflights of military aircraft, the designation of new units of special use airspace,

or the use or establishment of military flight training routes over the lands reserved by this proclamation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA



Proclamation 9132 of May 23, 2014

National Hurricane Preparedness Week, 2014

By the President of the United States of America
A Proclamation

Hurricanes can demolish towns, obliterate coastlines, and devastate families. We cannot eliminate the threats they pose, but with careful planning, we can better protect ourselves, our loved ones, and our communities. During National Hurricane Preparedness Week, America

fortifies our homes and businesses so that we are ready long before these powerful storms make landfall.

My Administration works closely with State, local, and tribal governments up and down our coastlines, helping prepare for and respond to storms. We are building partnerships with nonprofits and in the private sector, including leading technology companies, which are identifying innovative ways their platforms could strengthen relief efforts and bolster communication during emergencies. As the climate continues to warm, hurricane intensity and rainfall are projected to increase, and we expect sea level rise to make storm surges more costly. That is why, last year, I issued an Executive Order directing the Federal Government to take coordinated action to prepare our Nation for the impacts of climate change. In the years ahead we will remain committed to increasing resilience, investing in scientific research, and cutting red tape so we can quickly send assistance where it is needed most.

It is also critical for individuals, families, and businesses to prepare well in advance. As this year's hurricane season approaches, Americans who live in at-risk areas should assemble emergency supply kits and create action plans—including where to go and routes to follow if State and local officials issue an evacuation order. Keep in mind that hurricanes and tropical storms are not just coastal events; they can produce damaging winds, catastrophic floods, and tornadoes hundreds of miles inland from the center of the storm.

Whether you live along a coastline, inland, or on one of America's many islands, it is essential to know if you are vulnerable to hurricanes and tropical storms. Contact your local emergency management officials for detailed information, and visit www.Ready.gov or www.Hurricanes.gov/Prepare to learn what to do before, during, and after a storm.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim May 25 through May 31, 2014, as National Hurricane Preparedness Week. I call upon government agencies, private organizations, schools, media, and residents in the coastal areas of our Nation to share information about hurricane preparedness and response to help save lives and protect communities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9133 of May 23, 2014

Prayer for Peace, Memorial Day, 2014

By the President of the United States of America
A Proclamation

Constant in the American narrative is the story of men and women who loved our country so deeply they were willing to give their all to keep it safe and free. When a revolution needed to be won and our Union needed to be preserved, brave patriots stepped forward. When our harbor was bombed and our country was attacked on a clear September morning, courageous warriors raised their hands and said, ''send me.'' On the last Monday of each May, our Nation comes together to honor the selfless heroes who have defended the land we love and in so doing gave their last full measure of devotion.

Today, we pause to remember our fallen troops, to mourn their loss, and to pray for their loved ones. Though our hearts ache, we find a measure of solace in knowing their legacy lives on in the families our heroes left behind—the proud parents who instilled in their sons and daughters the values that led them to serve; the remarkable spouses who gave our Nation the person they cherished most in the world; and the beautiful children who will grow up with the knowledge that their mother or father embodied the true meaning of patriotism. To those we lost, we owe a profound debt that can never be fully repaid. But we can honor the fallen by caring for their loved ones and keeping faith with our veterans and their fellow brothers and sisters in arms.

The security that lets us live in peace, the prosperity that allows us to pursue our dreams, the freedom that we cherish—these were earned by the blood and the sacrifices of patriots who went before. This Memorial Day, as we near the end of more than a decade of war, let us never forget their service and always be worthy of the sacrifices made in our name. And today and every day, let us pray for and hold close the families of the fallen.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim Memorial Day, May 26, 2014, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at 11:00 a.m. of that day as a time to unite in prayer. I also ask all Americans to observe the National Moment of Remembrance beginning at 3:00 p.m. local time on Memorial Day.

I request the Governors of the United States and the Commonwealth of Puerto Rico, officials of the other territories subject to the jurisdiction of the United States, and appropriate officials of all units of government, to direct that the flag be flown at half-staff until noon on this Memorial Day on all buildings, grounds, and naval vessels throughout the United States and in all areas under its jurisdiction and control. I also request the people of the United States to display the flag at half-staff from their homes for the customary forenoon period.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9134 of May 30, 2014

African-American Music Appreciation Month, 2014

By the President of the United States of America
A Proclamation

Our country is home to a proud legacy of African-American musicians whose songs transcend genre. They make us move, make us think, and make us feel the full range of emotion—from the pain of isolation to the power of human connection. During African-American Music Appreciation Month, we celebrate artists whose works both tell and shape our Nation's story.

For centuries, African-American music has lifted the voices of those whose poetry is born from struggle. As generations of slaves toiled in the most brutal of conditions, they joined their voices in faithful chords that both captured the depths of their sorrow and wove visions of a brighter day. At a time when dance floors were divided, rhythm and blues and rock and roll helped bring us together. And as activists marched for their civil rights, they faced hatred with song. Theirs was a movement with a soundtrack—spirituals that fed their souls and protest songs that sharpened their desire to right the great wrongs of their time.

The influence of African-American artists resounds each day through symphony halls, church sanctuaries, music studios, and vast arenas. It fills us with inspiration and calls us to action. This month, as we honor the history of African-American music, let it continue to give us hope and carry us forward—as one people and one Nation.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2014 as African-American Music Appreciation Month. I call upon public officials, educators, and all the people of the United States to observe this month with appropriate activities and programs that raise awareness and foster appreciation of music that is composed, arranged, or performed by African Americans.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9135 of May 30, 2014

Great Outdoors Month, 2014

By the President of the United States of America
A Proclamation

On windswept coastlines, in lush forests, and atop striking mountain peaks, Americans take in sights that have inspired generations. Our natural landscapes provide refuge for those seeking solitude. They at-

tract tourism, create jobs, and honor our history and cultural heritage. They are family campgrounds, arenas for recreation, and backdrops for countless adventures. During Great Outdoors Month, we celebrate the rugged beauty that echoes the independence at the heart of the American spirit, and we rededicate ourselves to protecting these open spaces for tomorrow's explorers, athletes, and lovers of nature.

America's conservation legacy is rooted not only in its forward-thinking leaders like Presidents Thomas Jefferson, Abraham Lincoln, and Theodore Roosevelt—but also in all the Americans who did their part to safeguard a small slice of the land they love. It falls to each of us to advance their legacy in our time. That is why I have permanently protected more than 3 million acres of public land—including 11 new National Monuments established through the Antiquities Act and new wilderness areas in nine States across the country—and designated more than a thousand miles of wild and scenic rivers. In my first term, I was proud to launch the America's Great Outdoors Initiative, which increases access to public lands and empowers Americans to better care for the parks, waterways, and natural treasures in their own communities.

My Administration remains committed to developing the next generation of environmental stewards. We created the 21st Century Conservation Service Corps, which provides quality jobs, career pathways, and service opportunities for young people and veterans. We are working to bring public lands into the classroom and to extend educational opportunities to millions of children. And through First Lady Michelle Obama's *Let's Move Outside!* initiative, we are encouraging children to get active while getting to know the great outdoors.

This month, as we enjoy the natural splendor of our Nation, let us stay true to a uniquely American idea—that each of us has an equal stake in the land around us, and an equal responsibility to protect it. Together, let us ensure our children and grandchildren will be able to look upon our lands with the same sense of wonder as all the generations that came before.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2014 as Great Outdoors Month. I urge all Americans to explore the great outdoors and to uphold our Nation's legacy of conserving our lands and waters.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9136 of May 30, 2014

Lesbian, Gay, Bisexual, and Transgender Pride Month, 2014

By the President of the United States of America

A Proclamation

As progress spreads from State to State, as justice is delivered in the courtroom, and as more of our fellow Americans are treated with dignity and respect—our Nation becomes not only more accepting, but more equal as well. During Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month, we celebrate victories that have affirmed freedom and fairness, and we recommit ourselves to completing the work that remains.

Last year, supporters of equality celebrated the Supreme Court's decision to strike down a key provision of the Defense of Marriage Act, a ruling which, at long last, gave loving, committed families the respect and legal protections they deserve. In keeping with this decision, my Administration is extending family and spousal benefits—from immigration benefits to military family benefits—to legally married same-sex couples.

My Administration proudly stands alongside all those who fight for LGBT rights. Here at home, we have strengthened laws against violence toward LGBT Americans, taken action to prevent bullying and harassment, and prohibited discrimination in housing and hospitals. Despite this progress, LGBT workers in too many States can be fired just because of their sexual orientation or gender identity; I continue to call on the Congress to correct this injustice by passing the Employment Non-Discrimination Act. And in the years ahead, we will remain dedicated to addressing health disparities within the LGBT community by implementing the Affordable Care Act and the National HIV/AIDS Strategy—which focuses on improving care while decreasing HIV transmission rates among communities most at risk.

Our commitment to advancing equality for the LGBT community extends far beyond our borders. In many places around the globe, LGBT people face persecution, arrest, or even state-sponsored execution. This is unacceptable. The United States calls on every nation to join us in defending the universal human rights of our LGBT brothers and sisters.

This month, as we mark 45 years since the patrons of the Stonewall Inn defied an unjust policy and awakened a nascent movement, let us honor every brave leader who stood up, sat in, and came out, as well as the allies who supported them along the way. Following their example, let each of us speak for tolerance, justice, and dignity—because if hearts and minds continue to change over time, laws will too.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2014 as Lesbian, Gay, Bisexual, and Transgender Pride Month. I call upon the people of the United States to eliminate prejudice everywhere it exists, and to celebrate the great diversity of the American people.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of May, in the year of our Lord two thousand fourteen, and of the

Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9137 of May 30, 2014

National Caribbean-American Heritage Month, 2014

By the President of the United States of America
A Proclamation

Caribbean Americans are part of a great national tradition, descendants of hopeful, striving people who journeyed to our lands in search of a better life. They were drawn by a belief in the power of opportunity, a belief that through hard work and sacrifice, they could provide their children with chances they had never known. Thanks to these opportunities and their talent and perseverance, Caribbean Americans have contributed to every aspect of our society—from science and medicine to business and the arts. During National Caribbean-American Heritage Month, we honor their history, culture, and essential role in the American narrative.

It is also a time to renew our friendship with our Caribbean neighbors, with whom we share both an ocean and a history. To this end, the United States is expanding cooperation with our Caribbean partners as we promote social justice, grow prosperity throughout the Americas, and create new educational opportunities for young people across the Caribbean basin, as well as for Caribbean Americans in our own communities. We are also working to advance commonsense immigration reform that will allow future generations of Caribbean Americans to share their talents with our Nation.

As America celebrates our Caribbean heritage, let us hold fast to the spirit that makes our country a beacon to the world. This month, let us remember that we are always at our best when we focus not on what we can tear down, but on what we can build up. And together, let us strengthen the bonds that hold together the most diverse Nation on earth.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2014 as National Caribbean-American Heritage Month. I encourage all Americans to celebrate the history and culture of Caribbean Americans with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9138 of May 30, 2014

National Oceans Month, 2014

By the President of the United States of America

A Proclamation

Americans look to the oceans as natural treasures, a source of food and energy, and a foundation for our way of life. Our oceans, coasts, and Great Lakes provide jobs and attract tourism. They provide a habitat for scores of species. They are vital to our Nation's transportation, economy, and trade, linking us with countries across the globe and playing a role in our national security. This month, we reaffirm our responsibility to keep our oceans and coastal ecosystems healthy and resilient.

Meeting this responsibility requires us to reduce pollution, prevent habitat loss, support sustainable fisheries, and prepare for the unavoidable impacts of climate change. To tackle these challenges, my Administration is taking action to deliver on the commitments in our National Ocean Policy. Through this policy, we are striving to improve coordination across all levels of government, enhance efficiency, better our capability to collect and share information, and adopt ecosystem-scale planning and management. The Federal Government is working in coastal regions with States and tribes to support communities as they develop the solutions that work best for them. By taking these steps, we can safeguard these treasured ecosystems and conserve resources that help drive our economy.

During National Oceans Month, let us remember our obligations to good ocean stewardship. Let us celebrate the bounty our marine ecosystems provide by sustaining them for generations to come.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 2014 as National Oceans Month. I call upon Americans to take action to protect, conserve, and restore our oceans, coasts, and Great Lakes.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of May, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9139 of June 5, 2014

D-Day National Remembrance Day, 2014

By the President of the United States of America

A Proclamation

On June 6, 1944, before dawn broke across the beaches of Normandy, scores of allied service members prepared to fight a battle that would decide the fate of freedom in the 20th century. The odds weighed against them. That year, the Nazis had fortified the Atlantic Wall

against a seaborne invasion, lined the coast with mines, and planted sharpened poles to await allied paratroopers. On D-Day, American, British, and Canadian forces advanced through thickets of barbed wire and scaled heavily protected cliffs. They braved gales of bullets and artillery fire, taking heavy losses as they cut through Nazi defenses. Thousands gave their last full measure of devotion, and by the end of the day, the ground on which they died was free once more.

Victory on D-Day dealt a significant blow to an ideology fueled by hatred. It allowed America and our allies to secure a foothold in France, open a path to Berlin, and liberate a continent from the grip of tyranny. It made possible the achievements that followed the end of World War II—the Marshall Plan, the NATO alliance, and the shared prosperity and security that flowed from each.

Seventy years later, we pay tribute to the service members who secured a beachhead on an unforgiving shore—the patriots who, through their courage and sacrifice, changed the course of an entire century. Today, as we carry on the struggle for liberty and universal human rights, let us draw strength from a moment when free nations beat back the forces of oppression and gave new hope to the world.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 6, 2014, as D-Day National Remembrance Day. I call upon all Americans to observe this day with programs, ceremonies, and activities that honor those who fought and died so men and women they had never met might know what it is to be free.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of June, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9140 of June 6, 2014

Flag Day and National Flag Week, 2014

By the President of the United States of America
A Proclamation

Over farmlands and town squares, atop skyscrapers and capitol buildings, the American flag soars. It reminds us of our history—13 colonies that rose up against an empire—and celebrates the spirit of 50 proud States that form our Union today. On Flag Day and during National Flag Week, we pay tribute to the banner that weaves us together and waves above us all.

For more than two centuries, Americans have saluted Old Glory in times of trial and triumph. Generations have looked to it as they steeled their resolve, and an unbroken chain of men and women in uniform has served under our flag. From the banks of Baltimore's Inner Harbor to European trenches and Pacific islands, from the deserts of Iraq to the mountains of Afghanistan, they have risked their lives so

we might live ours. When we lay our veterans to rest, many go draped with the stars and stripes upon them, and their families find solace in the folds of honor held tightly to their chest. Because of their sacrifice, our Nation is stronger, safer, and will always remain a shining beacon of freedom for the rest of the world.

With a familiar design that has evolved along with a growing Nation, our flag stitches the ideals for which America was born to the reality of our times. It reminds us that fidelity to our founding principles requires new responses to new challenges. As we prepare to meet the great tests of our age, let every American draw inspiration from this symbol of our past, our present, and our common dreams.

To commemorate the adoption of our flag, the Congress, by joint resolution approved August 3, 1949, as amended (63 Stat. 492), designated June 14 of each year as ''Flag Day'' and requested that the President issue an annual proclamation calling for its observance and for the display of the flag of the United States on all Federal Government buildings. The Congress also requested, by joint resolution approved June 9, 1966, as amended (80 Stat. 194), that the President annually issue a proclamation designating the week in which June 14 occurs as ''National Flag Week'' and call upon citizens of the United States to display the flag during that week.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim June 14, 2014, as Flag Day and the week beginning June 8, 2014, as National Flag Week. I direct the appropriate officials to display the flag on all Federal Government buildings during that week, and I urge all Americans to observe Flag Day and National Flag Week by displaying the flag. I also call upon the people of the United States to observe with pride and all due ceremony those days from Flag Day through Independence Day, also set aside by the Congress (89 Stat. 211), as a time to honor America, to celebrate our heritage in public gatherings and activities, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of June, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9141 of June 11, 2014

World Elder Abuse Awareness Day, 2014

By the President of the United States of America

A Proclamation

Each year, the international community renews its commitment to addressing a human rights issue that too often goes ignored—elder abuse, neglect, and exploitation. Elder abuse damages public health and threatens millions of our parents, grandparents, and friends. It is a crisis that knows no borders or socio-economic lines. On World Elder

Abuse Awareness Day, we strengthen our resolve to replace neglect with care and exploitation with respect.

America must lead by example, and my Administration remains dedicated to ending elder abuse, supporting victims, and holding abusers accountable. Under the Affordable Care Act, we enacted the Elder Justice Act. Through this law, the Federal Government has invested in identifying, responding to, and preventing elder abuse, neglect, and exploitation. Because eliminating this pervasive crime requires coordinated action, we are bringing together Federal agencies; non-profit and private sector partners; and State, local, and tribal governments. Together, we can build a more responsive criminal justice system, give seniors the tools to avoid financial scams, and determine the best ways to prevent elder abuse before it starts.

Seniors have provided for their families, risen to the challenges of their times, and built ladders of opportunity for future generations. Many have served our Nation with honor. After decades of hard work, they have earned the right to enjoy their retirement years with a basic sense of security. Today, let us join with partners around the globe in declaring that we will not fail the men and women who raised us, sacrificed for us, and shaped our world.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 15, 2014, as World Elder Abuse Awareness Day. I call upon all Americans to observe this day by learning the signs of elder abuse, neglect, and exploitation, and by raising awareness about this growing public health issue.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of June, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9142 of June 13, 2014

Father's Day, 2014

By the President of the United States of America
A Proclamation

Fatherhood is among the most difficult and rewarding jobs a man can have. It demands constant attention, frequent sacrifice, and a healthy dose of patience. Even in a time when technology allows us to connect instantly with almost anyone on earth, there is no substitute for a father's presence, care, and support. On Father's Day, we show our gratitude to the men who show us how to learn, grow, and live.

With encouragement and unconditional love, fathers guide their children and help them envision brighter futures. They are teachers and coaches, friends and role models. They instill values like hard work and integrity, and teach their kids to take responsibility for themselves and those around them. This is a task for every father—whether mar-

ried or single, gay or straight, natural or adoptive—and every child deserves someone who will step up and fill this role. My Administration proudly supports dads who are not only present but also involved, who meet their commitments to their sons and daughters, even if their own fathers did not.

Today, let us reflect on our fathers' essential contributions to our lives, our society, and our Nation. Let us thank the men who understand there is nothing more important than being the best fathers they can be.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, in accordance with a joint resolution of the Congress approved April 24, 1972, as amended (36 U.S.C. 109), do hereby proclaim June 15, 2014, as Father's Day. I direct the appropriate officials of the Government to display the flag of the United States on all Government buildings on this day, and I call upon all citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of June, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9143 of June 17, 2014

National Day of Making, 2014

By the President of the United States of America

A Proclamation

Our Nation is home to a long line of innovators who have fueled our economy and transformed our world. Through the generations, American inventors have lit our homes, propelled humanity into the skies, and helped people across the planet connect at the click of a button. American manufacturers have never stopped chasing the next big breakthrough. As a country, we respond to challenge with discovery, determined to meet our great tests while seeking out new frontiers. During the National Day of Making, we celebrate and carry forward this proud tradition.

Today, more and more Americans are gaining access to 21st century tools, from 3D printers and scanners to design software and laser cutters. Thanks to the democratization of technology, it is easier than ever for inventors to create just about anything. Across our Nation, entrepreneurs, students, and families are getting involved in the Maker Movement. My Administration is increasing their access to advanced design and research tools while organizations, businesses, public servants, and academic institutions are doing their part by investing in makerspaces and mentoring aspiring inventors.

I am committed to helping Americans of all ages bring their ideas to life. Alongside our partners, my Administration is getting tens of thousands of young people involved in making. We are supporting an apprenticeship program for modern manufacturing and encouraging

startups to build their products here at home. Because science, technology, engineering, and mathematics (STEM) are essential to invention, we launched a decade-long national effort to train 100,000 excellent STEM teachers. And we are expanding STEM AmeriCorps so that this summer, 18,000 low-income students will have learning opportunities in these vital fields.

As we observe this day, I am proud to host the first-ever White House Maker Faire. This event celebrates every maker—from students learning STEM skills to entrepreneurs launching new businesses to innovators powering the renaissance in American manufacturing. I am calling on people across the country to join us in sparking creativity and encouraging invention in their communities.

Today, let us continue on the path of discovery, experimentation, and innovation that has been the hallmark not only of human progress, but also of our Nation's progress. Together, let us unleash the imagination of our people, affirm that we are a Nation of makers, and ensure that the next great technological revolution happens right here in America.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 18, 2014, as National Day of Making. I call upon all Americans to observe this day with programs, ceremonies, and activities that encourage a new generation of makers and manufacturers to share their talents and hone their skills.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of June, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9144 of June 20, 2014

70th Anniversary of the GI Bill of Rights

By the President of the United States of America

A Proclamation

In the Second World War, a generation risked their lives for people they had never met and ideals none of us could live without. As they fought to liberate a continent and safeguard the American way of life, our Nation resolved to serve them as well as they were serving us. After months of heated debate and hard-fought compromise, President Franklin D. Roosevelt signed the Servicemen's Readjustment Act of 1944, better known as the GI Bill of Rights.

When patriots who had left our shores as barely more than boys returned as heroes, the GI Bill allowed them to launch their civilian lives. It provided unemployment benefits, home loan guaranties, and subsidies for a college education. This bill marked the first time higher education was available to large cross-sections of the American people. Because veterans took advantage of this unprecedented opportunity, our Nation developed the most talented workforce in history. Millions

excelled in their careers, started families, bought new homes, or even started new businesses, helping to build the greatest middle class the world has ever known.

The GI Bill proved that America prospers when we put a good education within the reach of those willing to work for it. Under the Post-9/11 GI Bill, our Nation has extended this chance to a new generation. This law has helped more than a million veterans, service members, and military families pursue a college education. And across our country, employers can tap into a vast pool of talent—men and women who are not only highly educated but have also served with honor in the most dangerous corners of the earth.

Today, let us celebrate 70 years of opportunity. Let us remember our sacred debt to our veterans and recall that when we give them the chance to excel, there is no limit to what they might accomplish.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim June 22, 2014, as the 70th Anniversary of the GI Bill of Rights. I call upon all Americans to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of June, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9145 of June 26, 2014

To Take Certain Actions Under the African Growth and Opportunity Act and for Other Purposes

By the President of the United States of America

A Proclamation

1. In Proclamation 8468 of December 23, 2009, I determined that the Republic of Madagascar (Madagascar) was not making continual progress in meeting the requirements described in section 506A(a)(1) of the Trade Act of 1974 (the ''1974 Act'') (19 U.S.C. 2466a(a)), as added by section 111(a) of the African Growth and Opportunity Act (title I of Public Law 106–200) (AGOA). Thus, pursuant to section 506A(a)(3) of the 1974 Act (19 U.S.C. 2466a(a)(3)), I terminated the designation of Madagascar as a beneficiary sub-Saharan African country for purposes of section 506A of the 1974 Act.

2. Section 506A(a)(1) of the 1974 Act authorizes the President to designate a country listed in section 107 of the AGOA (19 U.S.C. 3706) as a beneficiary sub-Saharan African country if the President determines that the country meets the eligibility requirements set forth in section 104 of the AGOA (19 U.S.C. 3703), as well as the eligibility criteria set forth in section 502 of the 1974 Act (19 U.S.C. 2462).

3. Pursuant to section 506A(a)(1) of the 1974 Act, based on actions that the Government of Madagascar has taken, I have determined that

Madagascar meets the eligibility requirements set forth in section 104 of the AGOA and section 502 of the 1974 Act, and I have decided to designate Madagascar as a beneficiary sub-Saharan African country.

4. Section 506A(a)(3) of the 1974 Act (19 U.S.C. 2466a(a)(3)) authorizes the President to terminate the designation of a country as a beneficiary sub-Saharan African country for purposes of section 506A if he determines that the country is not making continual progress in meeting the requirements described in section 506A(a)(1) of the 1974 Act.

5. Pursuant to section 506A(a)(3) of the 1974 Act, I have determined that the Kingdom of Swaziland is not making continual progress in meeting the requirements described in section 506A(a)(1) of the 1974 Act. Accordingly, I have decided to terminate the designation of the Kingdom of Swaziland as a beneficiary sub-Saharan African country for purposes of section 506A of the 1974 Act, effective on January 1, 2015.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to title V and section 604 of the 1974 Act (19 U.S.C. 2461–67, 2483), and section 104 of the AGOA (19 U.S.C. 3703), do proclaim that:

(1) Madagascar is designated as a beneficiary sub-Saharan African country.

(2) In order to reflect this designation in the Harmonized Tariff Schedule of the United States (HTS), general note 16(a) to the HTS is modified by inserting in alphabetical sequence in the list of beneficiary sub-Saharan African countries ''Republic of Madagascar (Madagascar).'' Further, note 2(d) to subchapter XIX of chapter 98 is modified by inserting in alphabetical sequence in the list of lesser developed beneficiary sub-Saharan African countries ''Republic of Madagascar.''

(3) The designation of the Kingdom of Swaziland as a beneficiary sub-Saharan African country for purposes of section 506A of the 1974 Act is terminated, effective on January 1, 2015.

(4) In order to reflect in the HTS that beginning on January 1, 2015, the Kingdom of Swaziland shall no longer be designated as a beneficiary sub-Saharan African country, general note 16(a) to the HTS is modified by deleting ''Kingdom of Swaziland'' from the list of beneficiary sub-Saharan African countries. Note 7(a) to subchapter II and note 1 to subchapter XIX of chapter 98 of the HTS are modified to delete ''Swaziland,'' from the list of beneficiary countries. Further, note 2(d) to subchapter XIX of chapter 98 of the HTS is modified by deleting ''Swaziland'' from the list of lesser developed beneficiary sub-Saharan African countries.

(5) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of June, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9146 of June 30, 2014

50th Anniversary of the Civil Rights Act

By the President of the United States of America
A Proclamation

Few achievements have defined our national identity as distinctly or as powerfully as the passage of the Civil Rights Act. It transformed our understanding of justice, equality, and democracy and advanced our long journey toward a more perfect Union. It helped bring an end to the Jim Crow era, banning discrimination in public places; prohibiting employment discrimination on the basis of race, color, religion, sex, or national origin; and providing a long-awaited enforcement mechanism for the integration of schools. A half-century later, we celebrate this landmark achievement and renew our commitment to building a freer, fairer, greater society.

Through the lens of history, the progress of the past five decades may seem inevitable. We may wish to remember our triumphs while erasing the pain and doubt that came before. Yet to do so would be a disservice to the giants who led us to the mountaintop, to unsung heroes who left footprints on our National Mall, to every American who bled and died on the battlefield of justice. In the face of bigotry, fear, and unyielding opposition from entrenched interests, their courage stirred our Nation's conscience. And their struggle helped convince a Texas Democrat who had previously voted against civil rights legislation to become its new champion. With skillful charm and ceaseless grit, President Lyndon B. Johnson shepherded the Civil Rights Act through the Congress—and on July 2, 1964, he signed it into law.

While laws alone cannot right every wrong, they possess an unmatched power to anchor lasting change. The Civil Rights Act threw open the door for legislation that strengthened voting rights and established fair housing standards for all Americans. Fifty years later, we know our country works best when we accept our obligations to one another, embrace the belief that our destiny is shared, and draw strength from the bonds that hold together the most diverse Nation on Earth.

As we reflect on the Civil Rights Act and the burst of progress that followed, we also acknowledge that our journey is not complete. Today, let us resolve to restore the promise of opportunity, defend our fellow Americans' sacred right to vote, seek equality in our schools and workplaces, and fight injustice wherever it exists. Let us remember that victory never comes easily, but with iron wills and common purpose, those who love their country can change it.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 2, 2014, as the 50th Anniversary of the Civil Rights Act. I call upon all Americans to observe this day with programs, ceremonies, and activities that celebrate this accomplishment and advance civil rights in our time.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of June, in the year of our Lord two thousand fourteen, and of the

Independence of the United States of America the two hundred and thirty-eighth.

BARACK OBAMA

Proclamation 9147 of July 18, 2014

Captive Nations Week, 2014

By the President of the United States of America
A Proclamation

As the grip of the Cold War tightened, America pledged our solidarity to every nation held captive behind the Iron Curtain and every individual who refused to accept that fate. We stood with them through a long twilight struggle until—from Europe to South America to Southeast Asia—democracy took root, a wall tumbled down, and people who had known only the blinders of fear began to taste the blessings of freedom. During Captive Nations Week, we celebrate this progress and stand with all who still seek to throw off their oppressors and embrace a brighter day.

In recent years, convulsions in the Middle East and North Africa have laid bare deep divisions within societies. Dictators have answered peaceful movements with brutality. Extremists have tried to hijack change, seeking to replace one form of tyranny with another. And around the world, authoritarian regimes continue to deprive men, women, and children of their most basic human rights.

America extends our support to all peoples seeking to build true democracy, real prosperity, and lasting security. While the road to self-determination is long and treacherous, history proves it is passable. This week, as we carry forward that age-old struggle—of liberty against oppression, of unity against intolerance—let us once again demonstrate the enduring strength of our ideals.

The Congress, by joint resolution approved July 17, 1959 (73 Stat. 212), has authorized and requested the President to issue a proclamation designating the third week of July of each year as ''Captive Nations Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim July 20 through July 26, 2014, as Captive Nations Week. I call upon the people of the United States to reaffirm our deep ties to all governments and people committed to freedom, dignity, and opportunity for all.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of July, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9148 of July 25, 2014

Anniversary of the Americans with Disabilities Act, 2014

By the President of the United States of America
A Proclamation

Over two decades ago, Americans—some in wheelchairs, some using sign language, and all with an abiding belief in our Nation's promise—came together to strengthen our commitment to equality for all. At a time when people with disabilities were turned away at movie theaters, rejected for employment, and measured by what so many thought they could not do, leaders and activists refused to accept the world as it was. In small towns and big cities, they spoke out. They staged sit-ins, authored discrimination diaries, and scaled the Capitol steps. Finally, they realized their call for simple justice in one of the most comprehensive civil rights bills in our country's history. On the anniversary of the Americans with Disabilities Act (ADA), we honor those who fought against discrimination, and we recommit to tearing down barriers and guaranteeing all Americans the right to pursue their own measure of happiness.

The ADA promises equal access and equal opportunity—regardless of ability. It secures each person's right to an independent life, and it enables our country and our economy to benefit from the talents and contributions of all Americans.

Even as we commemorate this milestone, we recognize that too often, casual discrimination or fear of the unfamiliar still prevent disabled Americans from achieving their full potential. That is why my Administration is pushing to fulfill the promise of and better enforce the ADA. Fifteen years after the Olmstead decision—in which the Supreme Court ruled it discrimination to unjustifiably institutionalize someone with a disability—we have increased the number of homes integrated into communities that are available for persons with disabilities. Under the Affordable Care Act, insurance companies are banned from discriminating on the basis of pre-existing conditions, medical history, or genetic information. Expanding on my Executive Order to establish the Federal Government as a model employer of individuals with disabilities, my Administration is also providing Federal contractors with the tools and resources to recruit, retain, and promote people with disabilities.

The nearly one in five Americans living with a disability are our parents, children, neighbors, colleagues, and friends. They are entitled to the same rights and freedoms as everyone else. Today, we celebrate their accomplishments, stand against discrimination in all its forms, and honor all who sacrificed so future generations might know a more equal society.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 26, 2014, the Anniversary of the Americans with Disabilities Act. I encourage Americans across our Nation to celebrate the 24th anniversary of this civil rights law and the many contributions of individuals with disabilities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of July, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9149 of July 25, 2014

Minority Enterprise Development Week, 2014

By the President of the United States of America
A Proclamation

Our Nation thrives when we fulfill the promise of opportunity for all—when each of us has the same chance to succeed, when every American can find pride and independence in their work, when our shared prosperity rests upon the broad shoulders of a rising middle class. With talent, dedication, and bold ideas, minority entrepreneurs reach for that promise. They bring jobs and services to communities across our country. They innovate and create. They open new markets to goods stamped ''Made in the U.S.A.'' During Minority Enterprise Development Week, we celebrate their essential role in our economy and our communities.

Minority-owned businesses employ millions of Americans, and my Administration is proud to invest in their success. We have increased access to contracts and capital, reduced burdensome paperwork, and connected more minority enterprises to booming export markets. Since I took office, my Administration has made more loans to small business owners than any other. By hosting workshops and through *www.Business.USA.gov,* we are empowering minority entrepreneurs with the tools to help their businesses grow.

America's great strength lies in our diversity—of people, perspectives, and ideas. We cannot succeed when a shrinking few do very well and a growing many barely make it. But if we invest in small businesses and give all our entrepreneurs a chance to compete, new opportunities will open, and we will flourish—as individuals and as a Nation.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 27 through August 2, 2014, as Minority Enterprise Development Week. I call upon all Americans to celebrate this week with appropriate programs, ceremonies, and activities to recognize the many contributions of our Nation's minority enterprises.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of July, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9150 of July 25, 2014

National Korean War Veterans Armistice Day, 2014

By the President of the United States of America
A Proclamation

More than six decades ago, courageous Americans joined Korean patriots as they defended their right to decide their own fate. They fought through mud, snow, and heavy fire. As they stood firm against the tide of Communism, nearly 37,000 Americans gave their last full measure of devotion. Thanks to all who served and all who died, allied forces pushed invading armies back across the 38th parallel, and on July 27, 1953, they secured a hard-earned victory. On National Korean War Veterans Armistice Day, we honor the men and women who sacrificed so a people they had never met would know the blessings of liberty and security.

Yet our gratitude is not enough. As a Nation, we must do more to keep faith with our veterans and the families that stand with them always. Just as they have done their duty, we must do ours. We will never waver in our commitment to fully account for the captured and the missing, nor will we ever stop striving to give our veterans the care and opportunities they have earned.

As we salute the men and women who made this victory possible, we reflect on the open and prosperous society that is their enduring legacy. The Republic of Korea has risen from occupation and ruin to become one of the world's most vibrant democracies. While carefully defending the peace won 61 years ago, the South Korean people have built an advanced, dynamic economy. Today, the alliance between the United States and the Republic of Korea—forged in war and fortified by common ideals—remains as strong as ever.

This progress was not an accident. It reminds us that liberty and democracy do not come easily; we must win them, tend to them constantly, and defend them without fail. As we mark this anniversary, let us show the full care and support of a grateful Nation to every service member who fought on freedom's frontier.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 27, 2014, as National Korean War Veterans Armistice Day. I call upon all Americans to observe this day with appropriate ceremonies and activities that honor our distinguished Korean War veterans.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of July, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9151 of July 25, 2014

World Hepatitis Day, 2014

By the President of the United States of America
A Proclamation

Around the world, one in twelve people are living with viral hepatitis. In the United States, millions of Americans are infected with this life-threatening disease, with more than two-thirds unaware of their infection status. Viral hepatitis can persist undetected for many years before revealing any symptoms, leading to long-term liver damage and thousands of American deaths each year. As we mark World Hepatitis Day, we strengthen our resolve to defeat this silent epidemic.

All forms of viral hepatitis pose serious health threats, but building public awareness can help prevent new cases and more effectively treat this disease. A safe and effective vaccine protects against hepatitis A and B. While there is no vaccine for hepatitis C, early detection and therapy can prevent liver damage, cirrhosis, and liver cancer; reduce the risk of death; and potentially cure the infection.

Though this disease can affect anyone, viral hepatitis impacts certain communities more than others. African Americans, American Indians, Asian American and Pacific Islanders, the baby boomer generation (those born between 1945 and 1965), and people living with HIV are all disproportionately affected by viral hepatitis. Incidence rates are also higher among people who inject drugs. We must ensure these hardest hit populations have information about screening, preventing, and treating viral hepatitis. And we must do more to address related health issues such as HIV and substance abuse.

Through the Affordable Care Act, my Administration has made major strides in expanding access to viral hepatitis prevention, care, and treatment. New health plans must now cover hepatitis C routine screening for individuals at high-risk and one-time screening for adults born between 1945 and 1965. These preventive services will allow more Americans to know their status and seek treatment.

Earlier this year, my Administration updated our Nation's first-ever comprehensive Action Plan for the Prevention, Care, and Treatment of Viral Hepatitis. Alongside Federal, private, and non-profit stakeholders across our country, we will continue to strengthen our Nation's response. Together, we can raise awareness, reduce the number of new cases, and save lives.

Thanks to the tireless leadership of researchers and advocates, we are beginning to break the silence surrounding viral hepatitis. Today, we once again raise our voices, educate our at-risk communities, and support those living with this disease.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim July 28, 2014, as World Hepatitis Day. I encourage citizens, Government agencies, non-profit organizations, and communities across the Nation to join in activities that will increase awareness about hepatitis and what we can do to prevent it.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of July, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9152 of August 8, 2014

National Health Center Week, 2014

By the President of the United States of America

A Proclamation

In the United States of America, no one should have to live in poverty just because they get sick. Families deserve quality, affordable health care and the peace of mind that comes with it—regardless of who they are, where they live, or what language they speak. Today, nearly 1,300 health centers provide primary care and preventive services at over 9,000 locations across our country. During National Health Center Week, we acknowledge health centers' vital role, and we salute the professionals who work long hours to deliver these essential services.

In small towns and big cities, health centers serve as a trusted network, connecting patients with community resources. Nearly 5 million people received enrollment assistance at their local health center to help them access coverage through the Affordable Care Act. Many of the newly insured—who for so long were priced out of the market or denied coverage because of a pre-existing condition—will have the opportunity to receive their first covered checkup at a community health center. With more Americans getting health insurance, the Affordable Care Act has made substantial investments in health centers so they can open their doors to record numbers of patients. Earlier this year, my Administration announced new funding to help our Nation's health centers expand their hours, offer additional services, and hire more medical providers.

Health centers emphasize education and healthy lifestyles, and they help reduce racial and ethnic disparities in care. They lift up families and create jobs that power local economies. By encouraging regular checkups and routine screenings, health center staff help patients get timely care and reduce the need for emergency treatment. Americans can find a health center near them by using the ''Find a Health Center'' tool at *www.HRSA.gov.*

What started as an experiment to expand the promise of health security today delivers quality care across America—at prices people can afford, with the dignity and respect they deserve. This week, we recognize the importance of health centers and the critical support they provide to communities that need it most. Let us celebrate the progress health centers have helped us achieve and build on this foundation as we work to expand access to affordable care.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim the week of August 10 through August 16, 2014, as National Health Center

Week. I encourage all Americans to celebrate this week by visiting their local health center, meeting health center providers, and exploring the programs they offer to help keep families healthy.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of August, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9153 of August 25, 2014

Women's Equality Day, 2014

By the President of the United States of America
A Proclamation

On August 26, 1920, the 19th Amendment was certified, securing for women the fundamental right to vote. The product of decades spent organizing, protesting, and agitating, it was a turning point on the long march toward equality for all, and it inspired generations of courageous women who took up this unfinished struggle in their own time. On the anniversary of this civil rights milestone, we honor the character and perseverance of America's women and all those who work to make the same rights and opportunities possible for our daughters and sons.

When women are given the opportunity to succeed, they do. Younger women graduate college at higher rates than men and are more likely to hold a graduate school degree. They are nearly half our workforce, and increasingly they are the primary breadwinner for families. But too often, the women and girls who lift up our Nation achieve extraordinary success only after overcoming the legacy of unequal treatment.

My Administration is committed to tearing down the barriers—wherever they exist—that deny women equal opportunity. We prohibited gender discrimination in our health care system, made it easier for women to challenge unfair pay, and invested in programs that help women enter high-paying careers. We fought to improve student grants and loans to ensure a college education is within the reach of every woman, and we established the White House Task Force to Protect Students from Sexual Assault because no matter where women pursue a brighter future, they have the right to do so without fear.

From classrooms to boardrooms, in cities and towns across America, and in the ranks of our Armed Forces, women are succeeding like never before. Their contributions are growing our economy and advancing our Nation. But despite these gains, the dreams of too many mothers and daughters continue to be deferred and denied. There is still more work to do and more doors of opportunity to open. When women receive unequal pay or are denied family leave and workplace flexibility, it makes life harder for our mothers and daughters, and it hurts the loved ones they support. These outdated policies and old ways of thinking deprive us of our Nation's full talents and potential. That is why this June we held the first-ever White House Summit on Working Families to develop a comprehensive agenda that ensures

hard working Americans do not have to choose between being productive employees and responsible family members. We know that when women and girls are free to pursue their own measure of happiness in all aspects of their lives, they strengthen our families, enrich our communities, and better our country. We know that when women succeed, America succeeds.

In the 21st century, a mother should be able to raise her daughter and be her role model—showing her that with hard work, there are no limits to what she can accomplish. On Women's Equality Day, we continue the righteous work of building a society where women thrive, where every door is open to them, and their every dream can be realized.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim August 26, 2014, as Women's Equality Day. I call upon the people of the United States to celebrate the achievements of women and promote gender equality in our country.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of August, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9154 of August 29, 2014

National Alcohol and Drug Addiction Recovery Month, 2014

By the President of the United States of America
A Proclamation

Every day, courageous men and women take the first step toward reclaiming their lives from substance use disorders. We recognize the strength and resolve of these individuals who have committed to recovery, and we are reminded that in the face of great trials, Americans have always drawn on the power of hope, determination, and perseverance. During the 25th annual National Alcohol and Drug Addiction Recovery Month, we celebrate those who are seeking treatment and those who have found pathways to healthy, rewarding lives, and we stand with the families, friends, and professionals who support them.

For the more than 20 million Americans who struggle with substance use disorders, recovery is possible. Research shows addiction is a chronic disease of the brain which can be prevented and treated. However, the stigma associated with this disease—and the false belief that addiction represents a personal failing—creates fear and shame that discourage people from seeking treatment and prevents them from fully rejoining and contributing to their communities. This year's theme, ''Join the Voices for Recovery: Speak Up, Reach Out,'' urges those who need help to ask for it, and it reminds us that prevention works, treatment is effective, and people can and do recover. Americans seeking

help for themselves or their loved ones can call 1–800–662–HELP, or use the ''Treatment Locator'' tool at *www.SAMHSA.gov.*

Substance use is a major public health concern, and my Administration is dedicated to promoting evidence-based strategies to combat it. Our 2014 *National Drug Control Strategy* promotes programs to stop substance use before it begins in our schools and workplaces. It supports policies that remove barriers and expand access to treatment, making recovery a reality for millions of people. And under the Affordable Care Act, more Americans are able to obtain quality, affordable health coverage, and companies participating in the Health Insurance Marketplace are required to cover mental health and substance use disorder treatment services as part of their essential health benefits.

Recovery is a positive force that transforms individuals, families, and communities—but often it is a long and difficult journey. This month, we come together to spread its promise, and remind everyone struggling with substance use that a better life is possible.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2014 as National Alcohol and Drug Addiction Recovery Month. I call upon the people of the United States to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of August, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9155 of August 29, 2014

National Childhood Cancer Awareness Month, 2014

By the President of the United States of America

A Proclamation

Each year, pediatric cancer interrupts the childhood and limits the potential of thousands of young Americans. It is estimated that almost 16,000 of our daughters and sons under the age of 20 will be diagnosed with cancer this year, and it remains the leading cause of disease-related death for children. This month—in honor of these young patients, their loved ones, and all those who support them—we rededicate ourselves to combating this devastation.

Critical research has led to real progress in the fight against pediatric cancer. Improvements in treatment and increased participation in clinical trials have helped decrease mortality rates for many types of childhood cancer by more than 50 percent over the past 30 years. These gains remind us of the importance of supporting scientific advances, and give us hope for a future free from cancer in all its forms. My Administration continues to invest in long-term research efforts that will build on this progress. As part of this commitment, earlier this year I signed the Gabriella Miller Kids First Research Act, which established

the 10-Year Pediatric Research Initiative Fund. I continue to call on the Congress to invest the millions of dollars available in this Fund to support the urgent medical innovation that could lead to life-changing breakthroughs.

As we continue to pursue medical advances, the Affordable Care Act is improving families' access to quality, affordable health coverage. Childhood cancer can occur suddenly, with no early symptoms, and regular medical checkups can help detect pediatric cancer at an early stage. The Affordable Care Act helps millions of families access this essential medical care, and new protections eliminate annual and lifetime dollar limits on coverage. Insurance companies are also prohibited from denying coverage due to a history of cancer, or any other pre-existing condition, and from denying participation in an approved clinical trial for any life-threatening disease.

During National Childhood Cancer Awareness Month, our Nation comes together to remember all those whose lives were cut short by pediatric cancer, to recognize the loved ones who know too well the pain it causes, and to support every child and every family battling cancer each day. We join with their loved ones and the researchers, health care providers, and advocates who support them as we work toward a tomorrow where all children are able to pursue their full measure of happiness without the burden of cancer.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2014 as National Childhood Cancer Awareness Month. I encourage all Americans to join me in reaffirming our commitment to fighting childhood cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of August, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9156 of August 29, 2014

National Childhood Obesity Awareness Month, 2014

By the President of the United States of America

A Proclamation

Childhood obesity is one of the most urgent health issues we face in the United States. Nearly one in three American children are overweight or obese, putting them at risk for many immediate and long-term health problems—including high cholesterol, high blood pressure, heart disease, diabetes, and cancer. As a Nation, we have a responsibility to ensure our children have every chance to fulfill their potential, and that starts by providing them with the opportunities to make healthy choices. Recent data show progress is possible: obesity rates have fallen by 43 percent among children ages two to five years old. But we must remain committed to improving the health of kids of all ages. This month, we build on our progress and raise awareness of the

benefits of healthy eating and active living so our children can lead prosperous and productive lives.

First Lady Michelle Obama's *Let's Move!* initiative is striving to ensure every young person has a chance at a healthy childhood. For more than 4 years, *Let's Move!* has brought together stakeholders across the public and private sectors to encourage and expand access to physical activity and nutritious foods—two components of a healthy lifestyle. Across America, more communities have gained access to healthy and affordable food and the information needed to make more nutritious choices. Businesses are marketing healthier foods to kids, and families are buying healthier products.

Family members, caregivers, and other role models can also play a critical role in helping children make healthy choices. Those who support our kids can model healthy behaviors by staying active and preparing healthy meals at home. Families can plant kitchen gardens, cook together, and encourage lifestyle choices that support a healthy weight.

My Administration is working to make sure the hard work parents and caregivers are doing to teach kids healthy habits will not be undone outside the home. We have fought to improve the overall quality of school meals, and as students return to school this fall, they will have more opportunities than ever before to make healthy choices—including changes in foods offered in vending machines and a la carte lines. This past year, my Administration announced a new proposal to prohibit items that cannot be sold or served in schools from being marketed in schools. These measures build on the progress already made by the Healthy, Hunger-Free Kids Act of 2010, which this year will allow more than 22,000 schools across the country to qualify to serve free, healthy breakfasts and lunches for all their students.

Each American has an important part to play as we build healthier communities for young people across our Nation. During National Childhood Obesity Awareness Month, we continue our work to provide every child with healthy food, active play, and a good example to follow. By committing to a healthy lifestyle for our families and eating right ourselves, we can help turn the tide against childhood obesity across our country.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2014 as National Childhood Obesity Awareness Month. I encourage all Americans to learn about and engage in activities that promote healthy eating and greater physical activity by all our Nation's children.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of August, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9157 of August 29, 2014

National Ovarian Cancer Awareness Month, 2014

By the President of the United States of America
A Proclamation

Ovarian cancer is the most deadly of all female reproductive system cancers. This year nearly 22,000 Americans will be diagnosed with this cancer, and more than 14,000 will die from it. The lives of mothers and daughters will be taken too soon, and the pain of this disease will touch too many families. During National Ovarian Cancer Awareness Month, we honor the loved ones we have lost to this disease and all those who battle it today, and we continue our work to improve care and raise awareness about ovarian cancer.

When ovarian cancer is found in its early stages, treatment is most effective and the chances for recovery are greatest. But ovarian cancer is difficult to detect early—there is no simple and reliable way to screen for this disease, symptoms are often not clear until later stages, and most women are diagnosed without being at high risk. That is why it is important for all women to pay attention to their bodies and know what is normal for them. Women who experience unexplained changes—including abdominal pain, pressure, and swelling—should talk with their health care provider. To learn more about the risk factors and symptoms of ovarian cancer, Americans can visit *www.Cancer.gov.*

Regular health checkups increase the chance of early detection, and the Affordable Care Act expands this critical care to millions of women. Insurance companies are now required to cover well-woman visits, which provide women an opportunity to talk with their health care provider, and insurers are prohibited from charging a copayment for this service.

For the thousands of women affected by ovarian cancer, the Affordable Care Act also prohibits insurance companies from denying coverage due to a pre-existing condition, such as cancer or a family history of cancer; prevents insurers from denying participation in an approved clinical trial for any life-threatening disease; and eliminates annual and lifetime dollar limits on coverage. And as we work to ease the burden of ovarian cancer for today's patients, my Administration continues to invest in the critical research that will lead to earlier detection, improved care, and the medical breakthroughs of tomorrow.

Ovarian cancer and the hardship it brings have affected too many lives. This month, our Nation stands with everyone who has been touched by this disease, and we recognize all those committed to advancing the fight against this cancer through research, advocacy, and quality care. Together, let us renew our commitment to reducing the impact of ovarian cancer and to a future free from cancer in all its forms.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2014 as National Ovarian Cancer Awareness Month. I call upon citizens, government agencies, organizations, health care providers, and research institutions to raise ovarian cancer awareness and con-

tinue helping Americans live longer, healthier lives. I also urge women across our country to talk to their health care providers and learn more about this disease.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of August, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9158 of August 29, 2014

National Preparedness Month, 2014

By the President of the United States of America
A Proclamation

In times of emergency, our Nation pulls together—neighbors support each other, communities react with compassion, and afterward, our country emerges stronger and more resilient. But before emergencies occur, we must make sure we are ready to respond, and it is every American's responsibility to be prepared. There are simple but important steps we can all take to ensure we know what to do and have what we need in the event of a crisis. National Preparedness Month is an opportunity to talk with our families, friends, and colleagues about the risks in our communities and to practice our responses in all the places we regularly visit.

Emergencies—from hurricanes and wildfires to cyber and terrorist attacks—can strike anywhere at any time. Americans should be familiar with local threats and hazards and take steps to reduce their devastating impacts. Families should assemble a disaster supplies kit well in advance and have a plan to reconnect after a tragedy. To make sure you are ready in the event of a crisis and to learn more about the types of disasters common in your area, visit *www.Ready.gov* or *www.Listo.gov.*

In regions affected by disaster, my Administration invested billions of dollars during the immediate aftermath to support a rapid response. We bolstered coordination with our local, State, tribal, and territorial partners to cut through red tape and kept our commitment to rebuild stronger and fully recover together. We are harnessing our Nation's innovative spirit to develop new tools and technologies that will empower survivors and better inform Americans before, during, and after an emergency. My Administration also launched *America's PrepareAthon!* to assist with increasing local readiness. Through this initiative, communities across our country will participate in the second national day of action on September 30, providing Americans of all ages with resources and opportunities to increase their preparedness.

Our Nation also faces longer wildfire seasons, more severe droughts, heavier rainfall, and more frequent flooding in a changing climate. That is why, as part of my Climate Action Plan, we are committed to building smarter, more resilient infrastructure that can withstand more

frequent and more devastating natural disasters and to supporting our communities as they prepare for these impacts.

When and where emergencies occur are beyond our control—but how we prepare and how we respond are up to us. This month, we honor the heroes who put the needs and lives of others before their own and rush to help in times of tragedy: our emergency responders and other extraordinary Americans who are prepared to act in critical moments. Let us resolve to be ready for any crisis and work to inspire a new generation of Americans, vested with the knowledge and experience to protect themselves, their families, and their communities in the face of any challenge.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2014 as National Preparedness Month. I encourage all Americans to recognize the importance of preparedness and work together to enhance our national security, resilience, and readiness.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of August, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9159 of August 29, 2014

National Prostate Cancer Awareness Month, 2014

By the President of the United States of America
A Proclamation

Prostate cancer is one of the most common cancers among American men. They are fathers, brothers, and sons—and this year, more than 230,000 of them are expected to be diagnosed with this disease. During National Prostate Cancer Awareness Month, we honor all those whose lives have been touched by this disease, and we renew our commitment to reducing its devastating impact through more effective prevention, detection, and treatment.

Since the mid-1990s, the mortality rate for prostate cancer has fallen, but too many men—an estimated 29,000 this year—will die from this disease, and even more are at risk. Increased awareness can help these men make informed choices about their health. While the exact causes of prostate cancer remain unknown, medical research has identified well-established risk factors with which men should be familiar, including age, family history, and race. I encourage all men, especially those at higher risk, to talk with their doctors about how prostate cancer could affect them.

My Administration continues to invest in critical research to help better prevent this disease and treat it with fewer side effects, and to further our understanding of the disproportionate impact prostate cancer has on African-American men. As part of the Affordable Care Act, more options for quality, affordable health coverage are available and

new protections are in place, expanding access to life-saving care for millions of Americans, including those impacted by prostate cancer. Insurance companies can no longer deny coverage due to a pre-existing condition, such as cancer, or deny participation in an approved clinical trial for any life-threatening disease. And men fighting prostate cancer are no longer faced with annual or lifetime dollar limits on coverage that could disrupt their treatments.

Even as we continue the urgent work of improving care, too many lives will be disrupted and too many families will experience the pain of prostate cancer. But we must remain steadfast in our commitment to ease the burden of this disease, and every day we must continue to work toward a future free from cancer in all its forms.

This month, as we come together to raise awareness about prostate cancer, we remember those we lost to this disease. Let us support the patients who continue to battle this cancer each day and the families who stand by their side, and recognize the tireless work of our Nation's health care providers, researchers, and advocates.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2014 as National Prostate Cancer Awareness Month. I encourage all citizens, government agencies, private businesses, non-profit organizations, and other groups to join in activities that will increase awareness and prevention of prostate cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of August, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9160 of August 29, 2014

National Wilderness Month, 2014

By the President of the United States of America
A Proclamation

Fifty years ago, a forward-thinking Nation came together, a President put pen to paper, and a great society secured an enduring gift for future generations. Signed by President Lyndon B. Johnson on September 3, 1964, the Wilderness Act and the Land and Water Conservation Fund Act began a new era of American conservation. Together, they set aside an initial 9.1 million acres of Federal land for the use and enjoyment of the American people and recognized our obligation to preserve a piece of our original and unspoiled splendor for posterity. For the first time, our Nation defined vast stretches of our continent as wilderness and codified the simple premise that when we take something from the earth, we have a responsibility to give something back. On the anniversary of this environmental milestone, we reflect on our rich tradition of stewardship, which has preserved the wild and scenic places we enjoy today, and renew our commitment to advancing our country's legacy of conservation in our own time.

Our Nation's wilderness shaped the growth of our country and the character and spirit of our people. Early pioneers explored its expanse as they pushed westward, and its natural bounty sustained settlers who found new land and new opportunities for prosperity. Today our vast wilderness—which has grown to more than 109 million protected acres—provides laboratories for our researchers and classrooms for our students pursuing new frontiers of science, medicine, and technology. This land is the habitat for our Nation's diverse flora and fauna and refuge for Americans of all ages. And it supports recreation and tourism that strengthen our economy.

My Administration continues to pursue a conservation agenda for the 21st century. During my first year as President, I designated over 2 million acres of wilderness and more than 1,000 miles of rivers. And earlier this year, I established the Organ Mountains-Desert Peaks National Monument, marking the eleventh time I have used my Executive authority to protect our pristine landscapes and historic and cultural heritage.

America's open spaces stretch from rocky mountain tops to windswept tundras, but they are also found between city blocks and at the end of country roads. In small towns and urban centers across our Nation, my Administration is working to reconnect Americans to our natural beauty. To empower local communities to protect and utilize these natural resources, we launched the America's Great Outdoors Initiative. For decades, the Land and Water Conservation Fund has supported these efforts by making critical investments to increase access to the outdoors for hunting and other recreation, protect our country's iconic features—from National Parks to Civil War battlefields—and advance over 40,000 local projects establishing everything from baseball fields to community green spaces. But 50 years after President Johnson signed the Fund into law, it is set to expire without action from the Congress. I have called for the full and permanent funding of this vital tool of environmental stewardship, and I continue to work to make it easier for families to spend time outside no matter where they live.

Today, our outdoor spaces are more precious than ever, and it is more important than ever to come together and protect them for the next generation. During National Wilderness Month, we draw on the audacity and vision of previous generations of environmental stewards and resolve to do our part to preserve our planet for our children and for their children.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 2014 as National Wilderness Month. I invite all Americans to visit and enjoy our wilderness areas, to learn about their vast history, and to aid in the protection of our precious national treasures.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of August, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9161 of August 29, 2014

Labor Day, 2014

By the President of the United States of America
A Proclamation

On Labor Day, we honor the legacy of our working women and men who have played a defining role in the American story and all those who carry forward our Nation's proud tradition of hard work, responsibility, and sacrifice. From assembly lines to classrooms, across highways and steel mills, American workers strengthen the foundation of our country and demonstrate that our economy grows best from the middle out.

For generations, working Americans have fought to build a better life for their families and a better future for their country. United in the cause of dignity and justice in the workplace, they organized for the workplace protections that have helped build the largest and most prosperous economy in the world, including the 40-hour workweek, overtime pay, and safe working conditions. Each hard-won victory, from laws establishing collective bargaining to those guaranteeing a minimum wage, has helped raise standards of living for people across our Nation and provided them with opportunities to climb the ladder of success.

In the same spirit of strength and resilience, Americans today have battled back from a financial crisis, a weakening economic foundation, and the worst recession of our lifetimes. We have brought manufacturing jobs back to America, invested in skills and education, and begun to lay the groundwork for stronger, more durable economic growth.

But we still have more work left to do to reverse the forces that have conspired against working Americans for decades. As we seek to strengthen our economy and our middle class, we must secure a better bargain for all—one where everyone who works hard in America has a chance to get ahead. I am committed to boosting economic mobility by empowering our workers and making sure an honest day's work is rewarded with an honest day's pay. My Administration is fighting for a fair minimum wage for every employee because nobody who works full-time should ever have to raise a family in poverty. We must also eliminate pay discrimination so women receive equal pay for equal work, combat unfair labor practices, and continue to defend the collective bargaining rights our parents and grandparents fought so hard for.

As we celebrate Labor Day, we reflect on the efforts of those who came before us to increase opportunity, expand the middle class, and build security for our families, and we rededicate ourselves to moving forward with this work in our time. We stand united behind our great American workforce as we lay the path for economic growth and prosperity.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 1, 2014, as Labor Day. I call upon all public officials and people of the United States to observe this day with appropriate programs,

ceremonies, and activities that honor the contributions and resilience of working Americans.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of August, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9162 of September 4, 2014

National Days of Prayer and Remembrance, 2014

By the President of the United States of America

A Proclamation

In the footprints of two mighty towers, at a hallowed field where heroic actions saved even more heartbreak and destruction, and outside a Pentagon wall where we have rebuilt but still remember—in these sacred sites and in quiet corners across our country, we join together this week to remember the tragedy of thirteen Septembers ago. We stand with those who grieve as we offer some measure of comfort once more. We honor the courage and selflessness of all who responded. We reflect on the strength and grace that lift us up from the depths of our despair. Above all, we reaffirm the true spirit of 9/11—love, compassion, and sacrifice—and we enshrine it forever in the heart of our Nation.

No matter how many years pass, we will never forget the innocent souls stolen on that dark day: parents, children, siblings, and spouses of every race and creed. Dusty helmets, polished badges, and soot-stained gloves serve as small symbols of those who gave everything so others might live. But the stories of all those lost and the beauty of their lives shine on in those they left behind. The sacrifice of so many has forever shaped our Nation, and we have emerged a stronger, more resilient America. We stand tall and unafraid, because no act of terror can match the character of our Union or change who we are.

Each year as our Nation mourns, our faith restores us and summons within us the sense of common purpose we rediscovered after the attacks. Prayer and humble reflection carry us forward on the path we travel together, helping mend deep wounds still sore from loss. These lasting virtues sustain us not just for one day, but every day.

On this solemn anniversary, let us reaffirm the fundamental American values of freedom and tolerance—values that stand in stark contrast to the nihilism of those who attacked us. Let us give thanks for all the men and women in uniform who defend these values from new threats, and let us remember those who laid down their lives for our country. May our faith reveal that even the darkest night gives way to a brighter dawn.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim Friday, September 5 through Sunday, September 7, 2014, as National Days of

Prayer and Remembrance. I ask that the people of the United States honor and remember the victims of September 11, 2001, and their loved ones through prayer, contemplation, memorial services, the visiting of memorials, the ringing of bells, evening candlelight remembrance vigils, and other appropriate ceremonies and activities. I invite people around the world to participate in this commemoration.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9163 of September 5, 2014

National Grandparents Day, 2014

By the President of the United States of America
A Proclamation

Each year, we pause to salute the grandmothers and grandfathers who strengthen our families and shape our Nation. Through decades of hard work, they have broken down barriers and blazed pathways for the generations that followed, and they continue to provide inspiration and support to their children and grandchildren. On National Grandparents Day, we honor the anchors of our families and recognize the immeasurable ways they enrich our lives.

With grit and determination, our grandparents have built better lives for their loved ones and a better future for our country. From battlefields to factory floors, their relentless pursuit of progress has created new opportunities and made America more equal and more just. They have ushered in revolutionary advances in science and technology, putting us at the forefront of innovation. And they have shared in some of life's most cherished memories—from small moments to personal milestones—and been a source of comfort in difficult times.

Across our country, grandparents continue to contribute to their families and communities in countless ways. They volunteer in their neighborhoods, and for more than 5 million grandchildren, they serve as the head of household, providing unconditional love and support. Their tenacious spirit, commitment to family, and sense of service remind us that after a lifetime of hard work, they deserve to retire with security and dignity.

Today, we pay tribute to our grandparents and all the older Americans who have reached across generations and played an important role in our lives. With profound gratitude, we celebrate all they have accomplished and given to our Nation.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 7, 2014, as National Grandparents Day. I call upon all Americans to take the time to honor their own grandparents and those in their community.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9164 of September 9, 2014

Twentieth Anniversary of the Violence Against Women Act

By the President of the United States of America
A Proclamation

Twenty years ago, our Nation came together to declare our commitment to end violence against women. The Violence Against Women Act (VAWA), written by then United States Senator Joe Biden and signed into law on September 13, 1994, changed the way our country responds to domestic abuse and sexual assault. At a time when many considered domestic abuse to be a private family matter and victims were left to suffer in silence, this law enshrined a simple promise: every American should be able to pursue her or his own measure of happiness free from the fear of harm. On the anniversary of this landmark legislation, we rededicate ourselves to strengthening the protections it first codified, and we reaffirm the basic human right to be free from violence and abuse.

The Violence Against Women Act created a vital network of services for victims. It expanded the number of shelters and rape crisis centers across America and established a national hotline. The law improved our criminal justice system and provided specialized training to law enforcement, helping them better understand the unique challenges victims face. It spurred new State laws and protections and changed the way people think about domestic abuse; today, more women are empowered to speak out, and more girls grow up aware of their right to be free from abuse.

Last year, I was proud to renew our pledge to our mothers and daughters by reauthorizing VAWA and extending its protections—because no matter where you live or who you love, everybody deserves security, justice, and dignity. These new protections make Native American communities safer and more secure and help ensure victims do not face discrimination based on sexual orientation or gender identity when they seek assistance. They provide our law enforcement officials with better tools to investigate rape and increase access to housing so no woman has to choose between a violent home and no home at all. And my Administration continues to build on the foundation of this legislation, launching new initiatives to reduce teen dating violence and to combat sexual assault on college campuses.

VAWA has provided hope, safety, and a new chance at life for women and children across our Nation. With advocates, law enforcement officers, and courageous women who have shared their stories joined in common purpose, our country has changed its culture; we have made clear to victims that they are not alone and reduced the incidence of

domestic violence. But we still have more work to do. Too many women continue to live in fear in their own homes, too many victims still know the pain of abuse, and too many families have had to mourn the loss of their loved ones. It has to end—because even one is too many. For as long as it takes, my Administration will keep pushing to make progress on our military bases, in our homes, at schools, and across our country.

Two decades later, a tireless effort has yielded a better, stronger Nation. And on the anniversary of the Violence Against Women Act, we continue to work toward a more perfect society, where the dreams of our mothers and daughters are not limited by fear and where every person can feel safe.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim the Twentieth Anniversary of the Violence Against Women Act. I call upon men and women of all ages, communities, organizations, and all levels of government, to work in collaboration to end violence against women.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9165 of September 10, 2014

Patriot Day and National Day of Service and Remembrance, 2014

By the President of the United States of America

A Proclamation

America will never forget the September tragedy that shook our Nation's core 13 years ago. On a day that began like so many others, a clear blue sky was pierced by billowing black smoke as a wave of grief crashed over us. But in one of our darkest moments, we summoned strength and courage, and out of horrible devastation emerged the best of our humanity. On this solemn anniversary, we pause in remembrance, in reflection, and once again in unity.

On September 11, 2001, nearly 3,000 men, women, and children—friends and neighbors, sisters and brothers, mothers and fathers, sons and daughters—were taken from us with a heartbreaking swiftness and cruelty. As we come together once more to mourn their loss, we also recall how the worst terrorist attack in our history brought out the true character of the American people. Courageous firefighters rushed into an inferno, brave rescue workers charged up stairs, and coworkers carried others to safety. Americans in distant cities and local towns united in common purpose, demonstrating the spirit of our Nation; people drove across the country to volunteer, donors lined up to give blood, and organizations collected food and clothing. And in our Nation's hour of need, millions of young Americans raised in a time of peace

volunteered to don the uniforms of our country's military and defend our values around the world.

As we remember all those we lost on that day and the Americans who made the ultimate sacrifice in the wars that followed, we must strive to carry forward their legacy. On this National Day of Service and Remembrance, we take up their unfinished work and pay tribute to their lives with service and charity. Through these acts and quiet gestures, we can honor their memory and reclaim our sense of togetherness. I encourage all Americans to visit *www.Serve.gov* or *www.Servir.gov* to learn more about service opportunities across our country.

In the face of great terror, some turned to God and many found comfort in family and friends—but all Americans came together as one people united not only in our grief, but also in our determination to stand with one another and support the country we love. Today and all days, we remember the patriots who endure in the hearts of our Nation and their families who have known the awful depths of loss. In their spirit, let us resolve to move forward together and rededicate ourselves to the ideals that define our Union as we work to strengthen our communities and better our world.

By a joint resolution approved December 18, 2001 (Public Law 107–89), the Congress has designated September 11 of each year as ''Patriot Day,'' and by Public Law 111–13, approved April 21, 2009, the Congress has requested the observance of September 11 as an annually recognized ''National Day of Service and Remembrance.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim September 11, 2014, as Patriot Day and National Day of Service and Remembrance. I call upon all departments, agencies, and instrumentalities of the United States to display the flag of the United States at half-staff on Patriot Day and National Day of Service and Remembrance in honor of the individuals who lost their lives on September 11, 2001. I invite the Governors of the United States and its Territories and interested organizations and individuals to join in this observance. I call upon the people of the United States to participate in community service in honor of those our Nation lost, to observe this day with appropriate ceremonies and activities, including remembrance services, and to observe a moment of silence beginning at 8:46 a.m. Eastern Daylight Time to honor the innocent victims who perished as a result of the terrorist attacks of September 11, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9166 of September 12, 2014

National Hispanic Heritage Month, 2014

By the President of the United States of America
A Proclamation

Nearly 50 years after the United States first observed what was then National Hispanic Heritage Week, Hispanics represent a vibrant and thriving part of our diverse Nation. Their histories and cultures stretch across centuries, and the contributions of those who come to our shores today in search of their dreams continue to add new chapters in our national story. This month, we honor the rich heritage of the Hispanic community and celebrate its countless achievements.

This month's theme, ''Hispanics: A legacy of history, a present of action and a future of success,'' reminds us of all the ways Hispanics have enriched our Union and shaped our character. From those with roots that trace back generations to those who have just set out in pursuit of the promise of America, they have come to represent the spirit of our Nation: that with hard work, you can build a better life for yourself and a better future for your children. Hispanics have served honorably in our Armed Forces, defending the values we hold dear. They have transformed industries with new, innovative ideas. And they have led and inspired movements that have made our Nation more equal and more just.

In these accomplishments, we recognize that when we lift up the Hispanic community, we strengthen our Nation; when we create more ladders of opportunity, we provide the chance for all Americans to reach their greatest potential. My Administration is committed to supporting and fighting for policies that help Hispanics succeed. We are investing in programs that better prepare students and workers for today's economy, continuing to address disparities in health care, and pushing initiatives that grow our middle class.

Reforming our immigration system remains crucial for our economic future. When workers educated in America are unable to stay and innovate here, we are deprived of their full contributions, and when immigrants have to labor in the shadows, they often earn unfair wages and their families and our economy suffer. That is why I continue to call on the Congress to enact comprehensive immigration reform, and why I am determined to address our broken immigration system through executive action in a way that is sustainable and effective, and within the confines of the law.

America has always drawn its strength from the contributions of a diverse people. Throughout our Nation, Hispanics are advancing our economy, improving our communities, and bettering our country. During National Hispanic Heritage Month, let us renew our commitment to ensuring ours remains a society where the talents and potential of all its members can be fully realized.

To honor the achievements of Hispanics in America, the Congress by Public Law 100–402, as amended, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as ''National Hispanic Heritage Month.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim September 15 through October 15, 2014, as National Hispanic Heritage Month. I call upon public officials, educators, librarians, and all Americans to observe this month with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9167 of September 12, 2014

National Hispanic-Serving Institutions Week, 2014

By the President of the United States of America
A Proclamation

In America, every child should have access to a world-class education. Our Nation's classrooms cultivate and challenge young minds and build a skilled and competitive workforce, securing a brighter future for our children and our country. Across America, Hispanic-Serving Institutions (HSIs) provide essential education opportunities and play a vital role in fulfilling our responsibility to the rising group of Hispanic innovators, entrepreneurs, artists, and scholars. This week, we honor these halls of learning and recommit ourselves to inspiring and preparing the next generation of leaders.

Our Nation can strengthen our economy and have the highest proportion of college graduates in the world by 2020, but achieving this goal will require us to unlock the full talents and potential of every student. Hispanic Americans represent the largest and one of the fastest growing minority groups in the United States, yet they are continually underrepresented in our colleges and universities. HSIs—where more than half of America's Hispanic undergraduates attend—are critical to increasing the college enrollment, retention, and graduation rates of this expanding population. That is why the Federal Government is investing more than $1 billion over 10 years in these schools to renew, reform, and expand higher education programs for Hispanics.

Today, the Hispanic dropout rate has fallen by more than half, and more Hispanics are enrolled in college than ever before—but we have more work to do to ensure that hardworking students are never priced out of a higher education. My Administration has increased Pell Grants, expanded pathways to earn degrees at our community colleges, and offered new tuition tax credits and better student loan repayment options to millions of people, and we will keep fighting to improve college affordability throughout our country. By lowering the cost of college for students and their parents and supporting HSIs, we can extend the promise of a college degree to an increasing number of Hispanics.

In a changing economy, a college education is one of the surest ways into the middle class, and this week we celebrate institutions that help improve the lives of their students and revitalize the communities

where they serve. Let us never forget that the future belongs to the nation that best educates its people. When we strengthen our HSIs, we help ensure that all our children, no matter who they are or where they come from, have the chance to achieve their dreams.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 14 through September 20, 2014, as National Hispanic-Serving Institutions Week. I call on public officials, educators, and all the people of the United States to observe this week with appropriate programs, ceremonies, and activities that acknowledge the many ways these institutions and their graduates contribute to our country.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9168 of September 16, 2014

Constitution Day and Citizenship Day, Constitution Week, 2014

By the President of the United States of America

A Proclamation

Eleven years after a small band of patriots declared the independence of our new Nation, our Framers set out to refine the promise of liberty and codify the principles of our Republic. Though the topics were contentious and the debate fierce, the delegates' shared ideals and commitment to a more perfect Union yielded compromise. Signed on September 17, 1787, our Constitution enshrined—in parchment and in the heart of our young country—the foundation of justice, equality, dignity, and fairness, and became the cornerstone of the world's oldest constitutional democracy.

For more than two centuries, our founding charter has guided our progress and defined us as a people. It has endured as a society of farmers and merchants advanced to form the most dynamic economy on earth; as a small army of militias grew to the finest military the world has ever known; and as a Nation of 13 original States expanded to 50, from sea to shining sea. Our Founders could not have foreseen the challenges our country has faced, but they crafted an extraordinary document. It allowed for protest and new ideas that would broaden democracy's reach. And it stood the test of a civil war, after which it provided the framework to usher in a new birth of freedom through the 13th, 14th, and 15th Amendments.

America's revolutionary experiment in democracy has, from its first moments, been a beacon of hope and opportunity for people around the world, inspiring some to call for freedom in their own land and others to seek the blessings of liberty in ours. The United States has always been a nation of immigrants. We are strengthened by our diver-

sity and united by our fidelity to a set of tenets. We know it is not only our bloodlines or an accident of birth that make us Americans. It is our firm belief that out of many we are one; that we are united by our convictions and our unalienable rights. Each year on Citizenship Day, we recognize our newest citizens whose journeys have been made possible by our founding documents and whose contributions have given meaning to our charter's simple words.

Our Constitution reflects the values we cherish as a people and the ideals we strive for as a society. It secures the privileges we enjoy as citizens, but also demands participation, responsibility, and service to our country and to one another. As we celebrate our Nation's strong and durable framework, we are reminded that our work is never truly done. Let us renew our commitment to these sacred principles and resolve to advance their spirit in our time.

In remembrance of the signing of the Constitution and in recognition of the Americans who strive to uphold the duties and responsibilities of citizenship, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 106), designated September 17 as ''Constitution Day and Citizenship Day,'' and by joint resolution of August 2, 1956 (36 U.S.C. 108), requested that the President proclaim the week beginning September 17 and ending September 23 of each year as ''Constitution Week.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim September 17, 2014, as Constitution Day and Citizenship Day, and September 17 through September 23, 2014, as Constitution Week. I encourage Federal, State, and local officials, as well as leaders of civic, social, and educational organizations, to conduct ceremonies and programs that bring together community members to reflect on the importance of active citizenship, recognize the enduring strength of our Constitution, and reaffirm our commitment to the rights and obligations of citizenship in this great Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9169 of September 18, 2014

National POW/MIA Recognition Day, 2014

By the President of the United States of America
A Proclamation

America's history shines with patriots who have answered the call to serve. From Minutemen who gathered on a green in Lexington to a great generation that faced down Communism and all those in our military today, their sacrifices have strengthened our Nation and helped secure more than two centuries of freedom. As our Armed Forces defend our homeland from new threats in a changing world, we remain committed to a profound obligation that dates back to the ear-

liest days of our founding—the United States does not ever leave our men and women in uniform behind. On National POW/MIA Recognition Day, we express the solemn promise of a country and its people to our service members who have not returned home and their families: you are not forgotten.

My Administration remains dedicated to accounting as fully as possible for our Nation's missing heroes, lost on battlefields where the sounds of war ceased decades ago and in countries where our troops are deployed today. Whether they are gone for a day or for decades, their absence is felt. They are missed during holidays and around dinner tables, and their loved ones bear this burden without closure. Americans who gave their last full measure of devotion deserve to be buried with honor and dignity, and those who are still unaccounted for must be returned to their families. We will never give up our search for them, and we will continue our work to secure the release of our citizens who are unjustly detained abroad. Today, we acknowledge that we owe a profound debt of gratitude to all those who have given of themselves to protect our Union and our way of life, and we honor them by working to uphold this sacred trust.

On September 19, 2014, the stark black and white banner symbolizing America's Missing in Action and Prisoners of War will be flown over the White House; the United States Capitol; the Departments of State, Defense, and Veterans Affairs; the Selective Service System Headquarters; the World War II Memorial; the Korean War Veterans Memorial; the Vietnam Veterans Memorial; United States post offices; national cemeteries; and other locations across our country. We raise this flag as a solemn reminder of our obligation to always remember the sacrifices made to defend our Nation.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 19, 2014, as National POW/MIA Recognition Day. I urge all Americans to observe this day of honor and remembrance with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9170 of September 19, 2014

National Farm Safety and Health Week, 2014

By the President of the United States of America

A Proclamation

Across our Nation, farmers and ranchers labor through difficult and often dangerous conditions to write their chapter in the narrative that sustains our Union. It is the story of hard work and ingenuity that built our country—of a farmer who stretches the last moments of daylight to tend his crops and a rancher who gathers her herd and teaches her

son the family trade. It is the story of America's agricultural sector, which powers progress in our rural communities and moves our Nation forward. As we recognize National Farm Safety and Health Week, we pay tribute to our agriculturists and renew our efforts to ensure their safety.

America depends on our farmers and ranchers to clothe our families, feed our people, and fuel our cars and trucks. And with their determined spirit and know-how, they have bolstered our economy with the strongest 5-year stretch of farm exports in our history. To support this vital industry and build on its record growth, this year I signed the Farm Bill, which lifts up small ranches and family farms by investing in farmers markets and organic agriculture. It also provides crop insurance, so that when disasters strike, our farmers do not lose everything they have worked to build.

While our farmers and ranchers are the best in the world, agriculture remains one of our country's most hazardous industries. Producers and their families are exposed to numerous safety and health dangers—from vehicular fatalities and heat-related illnesses to injuries from falls and sicknesses from exposure to pesticides and chemicals. With preparation and proper training, these risks can be limited and lives can be saved. That is why my Administration continues to pursue innovative and comprehensive ways to lessen these hazards. We have invested in programs that improve youth farm safety, and last year, we announced plans to support the development of a national safety training curriculum for young agricultural workers.

This week, we salute all those who carry forward our Nation's proud tradition on sprawling ranches and cross-hatched fields. Let us recommit to raising awareness of the dangers they face and doing our part to protect their health and well-being. Together, we can ensure a safer future for this great American industry.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 21 through September 27, 2014, as National Farm Safety and Health Week. I call upon the agencies, organizations, businesses, and extension services that serve America's agricultural workers to strengthen their commitment to promoting farm safety and health programs. I also urge Americans to honor our agricultural heritage and express appreciation to our farmers, ranchers, and farmworkers for their contributions to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9171 of September 19, 2014

National Employer Support of the Guard and Reserve Week, 2014

By the President of the United States of America

A Proclamation

On the eve of our Nation's birth, a courageous people stood up to the tyranny of an empire and declared their independence. They proclaimed the values of equality and justice and fought a revolution to secure them. In 13 colonies, farmers and tradesmen laid their lives on the line, picked up arms, and answered their new country's call to defend freedom.

Throughout our history, patriotic Americans have always stepped up in our Nation's time of need. It is in this spirit that our National Guard and Reserve members carry forward a proud legacy of service and sacrifice. This week, we honor all those who stand ready to defend our way of life and the families, employers, and communities who support them.

More than 1 million citizen-Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen serve our country in the National Guard and Reserve. They live in our communities and work in our cities and towns. We know them as our teachers, coaches, and doctors—but when a crisis strikes or the strength of our military is needed, they leave the comfort of their civilian lives to protect our Nation. Members of the Guard and Reserve have responded to disasters at home and have served tours of duty in Iraq and Afghanistan.

Our country is grateful to all our Guardsmen and Reservists and the employers who stand behind them and their families. By providing workplace flexibility and helping the advancement of their civilian careers, employers ease the burden on those who serve and their loved ones. And we appreciate all our country's businesses that go above and beyond in small and large ways to recognize our patriots. We know that when it comes to supporting our Nation's heroes, everybody can do something—every business, every school, and every American.

The United States has a profound obligation to care for those who serve in our Armed Forces, and my Administration will keep providing unprecedented support to the members of our military. We have increased access to Federal education benefits for service members and their loved ones and worked to improve our veterans health care system. This year, in conjunction with First Lady Michelle Obama and Dr. Jill Biden's Joining Forces initiative, we launched the Veterans Employment Center, an online tool that connects veterans, transitioning service members, and their families with employers who are seeking to leverage their skills and talents. It is the first Government-wide program to bring career resources and job opportunities together in one place. My Administration will keep engaging all sectors of society to give our military communities the support they have earned.

During National Employer Support of the Guard and Reserve Week, we salute the heroes in our everyday lives. As a Nation, let us renew our commitment to serve the families who represent the best of America as well as they serve us.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 21 through September 27, 2014, as National Employer Support of the Guard and Reserve Week. I call upon all Americans to join me in expressing our heartfelt thanks to the members of the National Guard and Reserve and their civilian employers. I also call on State and local officials, private organizations, and all military commanders, to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9172 of September 19, 2014

National Historically Black Colleges and Universities Week, 2014

By the President of the United States of America
A Proclamation

For generations, the promise of an education has been a beacon of hope for millions of Americans seeking a better life. At a time when it was deemed illegal for African Americans to learn to read or write, brave men and women took great risks to learn these skills in secret. And after the Civil War, determined individuals made extraordinary sacrifices to establish the institutions we know today as Historically Black Colleges and Universities (HBCUs). These schools waged a war against illiteracy and ignorance and offered a newly free people the opportunity to write their own chapter in the American story. This week, we honor their important legacy and renew our commitment to their spirit: that every person deserves a chance to succeed.

Over more than 150 years, HBCUs have provided students with the tools to meet the challenges of a changing world. These institutions are hubs of opportunity that lift up Americans and instill in their students a sense of who they are and what they can become. Their campuses are engines of economic growth and community service and proven ladders of intergenerational advancement. Across our country, their graduates strengthen our communities, lead our industries, and serve our Nation. And their successes inspire the next cohort of graduates and leaders.

HBCUs have forged pathways to help students overcome barriers to equal opportunity, but more work remains to ensure that a world-class education is within the reach of every person willing to work for it. That is why my Administration is fighting to make college more affordable with larger grants and low-interest loans. We are investing hundreds of millions of dollars in HBCUs, and because half of all students at these schools are the first in their family to attend college, we are supporting programs that help these first-generation scholars succeed. Our goal is to have the highest proportion of college graduates in the

world by 2020, and investing in these institutions and their students will play a vital part in meeting it.

Today, because of the work of bold leaders—and of parents and grandparents who never dreamed of going to college themselves but who saved and sacrificed so their children could—more young people have the chance to achieve their greatest potential and full measure of happiness. During National Historically Black Colleges and Universities Week, we recognize the ways these schools have made our Nation more just and we continue our work to make higher education accessible to every child in America.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 21 through September 27, 2014, as National Historically Black Colleges and Universities Week. I call upon educators, public officials, professional organizations, corporations, and all Americans to observe this week with appropriate programs, ceremonies, and activities that acknowledge the countless contributions these institutions and their alumni have made to our country.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9173 of September 25, 2014

Pacific Remote Islands Marine National Monument Expansion

By the President of the United States of America
A Proclamation

Through Proclamation 8336 of January 6, 2009, the President established the Pacific Remote Islands Marine National Monument (''Monument'') to protect and preserve the marine environment around Wake, Baker, Howland, and Jarvis Islands, Johnston and Palmyra Atolls, and Kingman Reef for the care and management of the historic and scientific objects therein. The Monument is an important part of the most widespread collection of marine- and terrestrial-life protected areas on the planet, sustaining many endemic species including corals, fish, shellfish, marine mammals, seabirds, water birds, land birds, insects, and vegetation not found elsewhere. The Monument includes the lands, waters, and submerged and emergent lands of the seven Pacific Remote Islands to lines of latitude and longitude that lie approximately 50 nautical miles from the mean low water lines of those seven Pacific Remote Islands. The islands of Jarvis, Howland, and Baker were also the location of notable bravery and sacrifice by a small number of voluntary Hawaiian colonists, known as Hui Panalā'au, who occupied the islands from 1935 to 1942 to help secure the U.S. territorial claim over the islands.

The area around the Monument includes the waters and submerged lands to the extent of the seaward limit of the United States Exclusive Economic Zone (''U.S. EEZ'') up to 200 nautical miles from the baseline from which the breadth of the territorial sea of these seven Pacific Remote Islands is measured. The U.S. EEZ areas adjacent to Wake and Jarvis Islands and Johnston Atoll (''adjacent areas'') contain significant objects of scientific interest that are part of this highly pristine deep sea and open ocean ecosystem with unique biodiversity. These adjacent areas hold a large number of undersea mountains (''seamounts'') that may provide habitat for colonies of deepwater corals many thousands of years old. These adjacent areas' pelagic environment provides habitat and forage for tunas, turtles, manta rays, sharks, cetaceans, and seabirds that have evolved with a foraging technique that depends on large marine predators.

A significant geological feature of the adjacent areas is the undersea mountains. A seamount is a mountain rising from the seabed that does not reach the sea surface. Most often seamounts occur in chains or clusters. Nearly all of the seamounts in the adjacent areas are volcanoes: some are still erupting actively, and others stopped erupting long ago. The Monument includes 33 seamounts; the adjacent areas include approximately 132 more. The additional seamounts provide important opportunities for scientific exploration and study. Estimates are that 15 to 44 percent of the species on a seamount or seamount group are found nowhere else on Earth. Roughly 5 to 10 percent of invertebrates found on each survey of a seamount are new to science. Some seamounts have pools of undiscovered species. The approximately 132 seamounts in the adjacent areas provide the opportunity for identification and discovery of many species not yet known to humans, with possibilities for research, medicines, and other important uses.

The adjacent areas also provide an important ecosystem for scientific study and research. The pristine waters provide a baseline comparison for important scientific research that monitors and evaluates impacts of global climate change, including benchmarking coral bleaching and ocean acidification. The scale of the adjacent areas significantly enhances opportunities for such scientific research beyond the Monument boundaries established in Proclamation 8336.

The available scientific information indicates that the adjacent areas include important deep-coral species. For example, sampling from the U.S. Line Islands has identified deep-sea coral species not previously recorded from the central Pacific. Tropical coral reefs and associated marine ecosystems are among the most vulnerable areas to the impacts of climate change and ocean acidification. Protection of the ecosystem in the adjacent areas will provide the scientific opportunity to identify and further study the important deep sea corals.

The adjacent areas provide significant habitat and range for species identified in Proclamation 8336. They include waters used by five species of protected turtles. In addition to the Green and Hawksbill turtles that use the near-shore waters of the Monument, the adjacent areas include waters used by the endangered leatherback, loggerhead, and Olive Ridley turtles. All five species use the adjacent areas for their migratory paths and feeding grounds.

The adjacent areas provide the foraging habitat for several of the world's largest remaining colonies of Sooty Terns, Lesser Frigatebirds,

Red-footed Boobies, Red-tailed Tropicbirds, and other seabird species. Many of these wide-ranging species make foraging trips of 300 miles or more from their colonies on the Monument's islands, atolls, and reefs. For example, since the Monument was established, U.S. Fish and Wildlife Service biologists have documented the return of seabird populations once absent at Johnston Atoll, including Great Frigatebirds, Sooty Terns, Red-tailed Tropicbirds, and other species that are known to feed as much as 300 to 600 miles offshore. Jarvis Island alone has nearly three million nesting pairs of Sooty Terns, which forage more than 300 miles from shore even when rearing chicks on the island. These seabirds forage, in part, by seeking schools of tuna and other large marine predators that drive prey fish to the surface. Black-footed and Laysan Albatross, species that forage across the entire North Pacific, recently recolonized Wake Atoll, making it one of the few northern albatross colonies outside of the Hawaiian archipelago. At Jarvis Island, the Monument and its adjacent area provide an important undisturbed ecosystem that supports many rare seabird species, including the endangered White-throated Storm-petrel.

Manta rays are abundant around the Monument's reefs. Since the Monument was established, scientific research on manta ray movement has shown that manta rays frequently travel over 600 nautical miles away from the coastal environment, and well outside of the Monument boundaries established in Proclamation 8336. Scientific study of the multi-species ecological cycle at the Monument illustrates a very diverse and balanced habitat used by manta rays, many of which are found in the adjacent areas.

The ecosystem of the Monument and adjacent areas also is part of the larger Pacific ecosystem. The Monument land and atoll groups and the adjacent areas share geographic isolation, as well as climate, bathymetric, geologic, and wildlife characteristics that define them as individual biogeographic regions. However, the Pacific Remote Islands area, including the adjacent areas, is tied together by regional oceanographic currents that drive marine species larval transport and adult migrations that shape the broader Pacific ecosystem.

WHEREAS the waters and submerged lands surrounding Jarvis and Wake Islands and Johnston Atoll from the lines of latitude and longitude depicted on the maps accompanying Proclamation 8336 to the seaward limit of the U.S. EEZ of the three Pacific Remote Islands contain objects of historic or scientific interest that are situated upon lands owned or controlled by the Government of the United States;

WHEREAS section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the ''Antiquities Act''), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS it is in the public interest to preserve the marine environment, including the waters and submerged lands, in the U.S. EEZ adjacent to the Monument at Jarvis and Wake Islands and Johnston Atoll

for the care and management of the historic and scientific objects therein;

WHEREAS the security of the United States, the prosperity of its citizens, and the protection of the ocean environment are complementary and reinforcing priorities; and the United States continues to act with due regard for the rights, freedoms, and lawful uses of the sea enjoyed by other nations under the law of the sea in managing the Pacific Remote Islands Marine National Monument and adjacent areas, and does not compromise the readiness, training, and global mobility of U.S. Armed Forces when establishing marine protected areas:

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act, do hereby proclaim the objects identified above that are situated upon lands and interests in lands owned or controlled by the Government of the United States to be part of the Pacific Remote Islands Marine National Monument Expansion (''Monument Expansion'') and, for the purpose of protecting those objects, reserve as a part thereof all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described on the accompanying maps entitled ''Pacific Remote Islands Marine National Monument Expansion'' attached hereto, which form a part of this proclamation. The Monument Expansion includes the waters and submerged lands of Jarvis and Wake Islands and Johnston Atoll that lie from the Pacific Remote Islands Marine National Monument boundary established in Proclamation 8336 to the seaward limit of the U.S. EEZ (as established in Proclamation 5030 of March 10, 1983) of Jarvis and Wake Islands and Johnston Atoll. The Federal lands and interests in lands reserved consist of approximately 308,316 square nautical miles, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of the Monument Expansion are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws to the extent that those laws apply. Lands and interests in lands within the Monument Expansion not owned or controlled by the United States shall be reserved as a part of the Monument Expansion upon acquisition of title or control by the United States.

Management of the Marine National Monument

Nothing in this proclamation shall change the management of the Pacific Remote Islands Marine National Monument as specified in Proclamation 8336. The Secretary of the Interior, in consultation with the Secretary of Commerce, shall have primary responsibility for management of the Monument Expansion pursuant to applicable legal authorities. The Secretary of Commerce, through the National Oceanic and Atmospheric Administration, and in consultation with the Secretary of the Interior, shall within the Monument Expansion have primary responsibility with respect to fishery-related activities regulated pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), and any other applicable legal authorities. The Secretaries of the Interior and Commerce shall not allow or permit any appropriation, injury, destruction, or removal of any object of the Monument Expansion except as provided for by this proclamation and

shall prohibit commercial fishing within the boundaries of the Monument Expansion.

The Secretaries of the Interior and Commerce shall take appropriate action pursuant to their respective authorities under the Antiquities Act, the Magnuson-Stevens Fishery Conservation and Management Act, and such other authorities as may be available to implement this proclamation, to regulate fisheries, and to ensure proper care and management of the Monument Expansion.

The United States shall continue to preserve the freedom of the seas (i.e., all of the rights, freedoms, and lawful uses of the sea recognized in international law enjoyed by all nations, including the conduct of military activities, exercises, and surveys in or over the exclusive economic zone), and to protect the training, readiness, and global mobility of U.S. Armed Forces as U.S. national interests that are essential to the peace and prosperity of civilized nations.

The Secretary of Defense shall continue to manage Wake Island and Johnston Atoll as specified in Proclamation 8336.

Regulation of Scientific Exploration and Research

Subject to such terms and conditions as the Secretary of the Interior or Commerce, as appropriate, deems necessary for the care and management of the objects of the Monument and Monument Expansion, the Secretaries may permit scientific exploration and research within the Monument Expansion, including incidental appropriation, injury, destruction, or removal of features of the Monument Expansion for scientific study, and the Secretary of Commerce may permit fishing within the Monument Expansion for scientific exploration and research purposes to the extent authorized by the Magnuson-Stevens Fishery Conservation and Management Act. The prohibitions required by this proclamation shall not restrict scientific exploration or research activities by or for the Secretaries of the Interior or Commerce, and nothing in this proclamation shall be construed to require a permit or other authorization from the other Secretary for their respective scientific activities.

Regulation of Fishing and Management of Fishery Resources

The Secretaries of the Interior and Commerce may permit noncommercial fishing upon request, at specific locations in accordance with this proclamation and Proclamation 8336. The Secretaries shall provide a process to ensure that recreational fishing continues to be managed as a sustainable activity in the Monument and Monument Expansion, in accordance with this proclamation, Proclamation 8336, and consistent with Executive Order 12962 of June 7, 1995, as amended, and other applicable law.

Monument Management Planning

The Secretaries of the Interior and Commerce shall, within 2 years of the date of this proclamation, prepare management plans, using their respective authorities, for the Monument and Monument Expansion and promulgate implementing regulations that address any further specific actions necessary for the proper care and management of the objects and areas identified in this proclamation and those in Proclamation 8336. The Secretaries shall revise and update the management plans as necessary. In developing and implementing any management

plans and any management rules and regulations, the Secretaries shall consult and designate and involve as cooperating agencies the agencies with jurisdiction or special expertise, including the Department of Defense and Department of State, in accordance with the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), and its implementing regulations.

This proclamation shall be applied in accordance with international law. The management plans and their implementing regulations shall impose no restrictions on innocent passage in the territorial sea or otherwise restrict navigation and overflight and other internationally recognized lawful uses of the sea in the Monument and Monument Expansion and shall incorporate the provisions of this proclamation regarding Armed Forces actions and compliance with international law. No restrictions shall apply to or be enforced against a person who is not a citizen, national, or resident alien of the United States (including foreign flag vessels) unless in accordance with international law. Also, in accordance with international law, no restrictions shall apply to foreign warships, naval auxiliaries, and other vessels owned or operated by a state and used, for the time being, only on Government non-commercial service, in order to fully respect the sovereign immunity of such vessels under international law.

Emergencies, National Security, and Law Enforcement Activities

1. The prohibitions required by this proclamation shall not apply to activities necessary to respond to emergencies threatening life, property, or the environment, or to activities necessary for national security or law enforcement purposes.

2. Nothing in this proclamation shall limit agency actions to respond to emergencies posing an unacceptable threat to human health or safety or to the marine environment and admitting of no other feasible solution.

Armed Forces Actions

1. The prohibitions required by this proclamation shall not apply to activities and exercises of the Armed Forces (including those carried out by the United States Coast Guard).

2. The Armed Forces shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities, that its vessels and aircraft act in a manner consistent, so far as is reasonable and practicable, with this proclamation.

3. In the event of threatened or actual destruction of, loss of, or injury to a Monument Expansion resource or quality resulting from an incident, including but not limited to spills and groundings, caused by a component of the Department of Defense or the United States Coast Guard, the cognizant component shall promptly coordinate with the Secretary of the Interior or Commerce, as appropriate, for the purpose of taking appropriate actions to respond to and mitigate any actual harm and, if possible, restore or replace the Monument Expansion resource or quality.

4. Nothing in this proclamation or any regulation implementing it shall limit or otherwise affect the Armed Forces' discretion to use, maintain, improve, manage, or control any property under the administrative control of a Military Department or otherwise limit the avail-

ability of such property for military mission purposes, including, but not limited to, defensive areas and airspace reservations.

The establishment of this Monument Expansion is subject to valid existing rights.

This proclamation is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

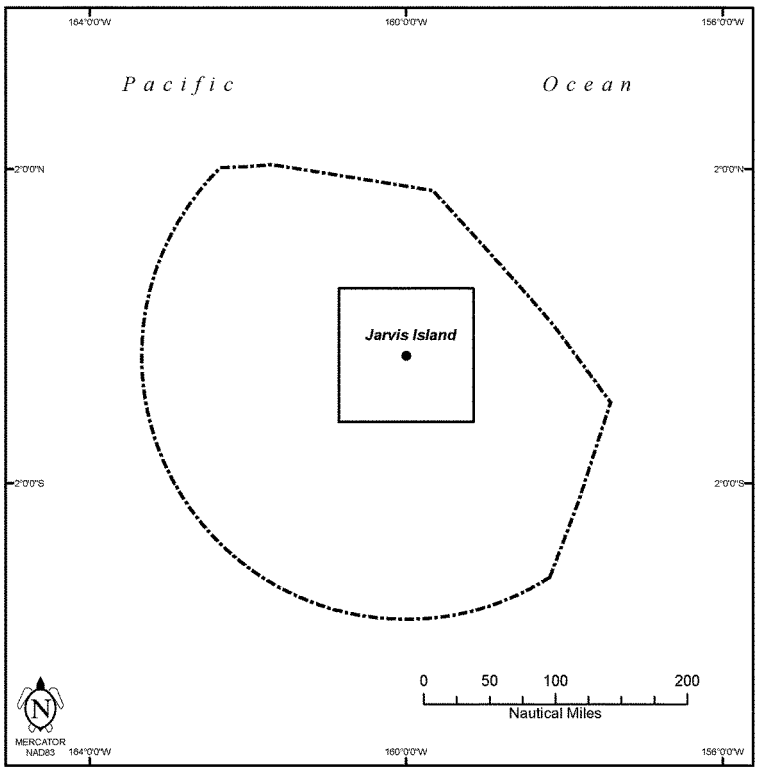
Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the Monument Expansion shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, excavate, injure, destroy, or remove any feature of this Monument Expansion and not to locate or settle upon any lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

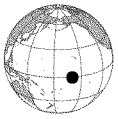
BARACK OBAMA

Pacific Remote Islands Marine National Monument Expansion



Pacific Remote Islands MNM Boundary Expanded - seaward limits of U.S. Exclusive Economic Zone

Pacific Remote Islands MNM Boundary - 50 nmi



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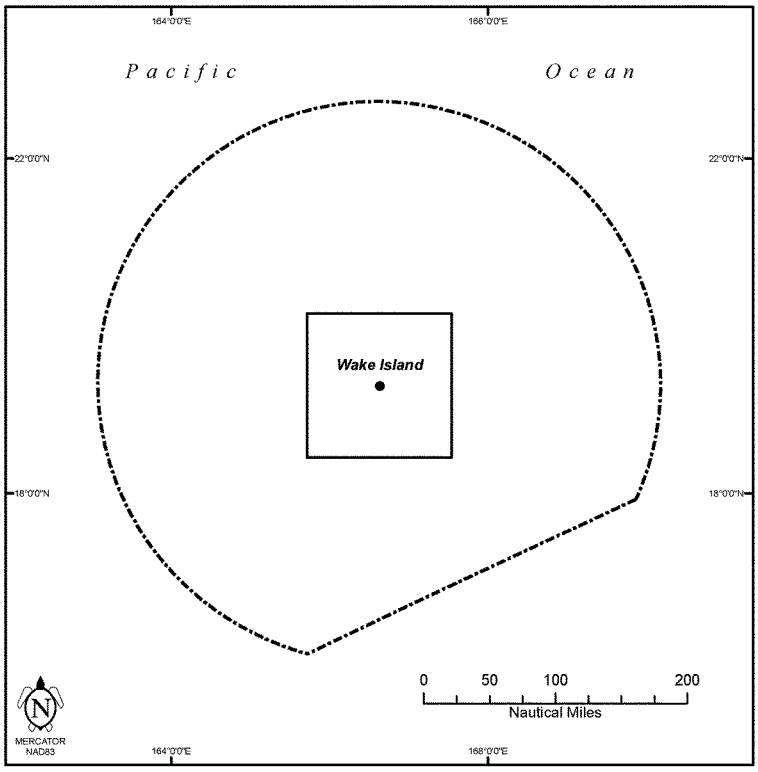
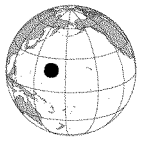
Pacific Remote Islands Marine National Monument Expansion



Pacific Remote Islands MNM Boundary Expanded - seaward limits of U.S. Exclusive Economic Zone

Pacific Remote Islands MNM Boundary - 50 nmi



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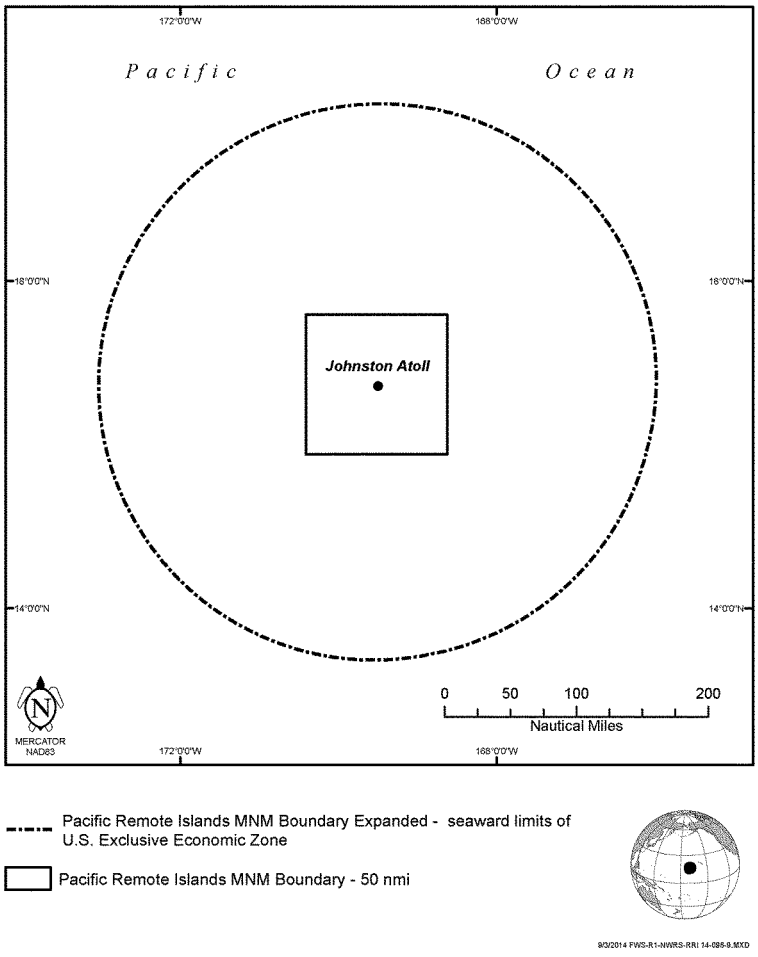
Pacific Remote Islands Marine National Monument Expansion



Proclamation 9174 of September 26, 2014

National Hunting and Fishing Day, 2014

By the President of the United States of America
A Proclamation

Across America, hunting and fishing connect people of all ages to our Nation's splendor, instilling a conservation ethic that spans generations. As mist clears off glistening lakes and fog lifts from forests and grasslands, sportsmen and women carry forward a proud tradition rooted in self-reliance and environmental stewardship. On National Hunting and Fishing Day, we recognize all those who responsibly partici-

pate in these national pastimes and their contributions to the preservation of our land, water, and wildlife.

Our Nation's natural bounty bolsters our economy, supports tourism and recreation, and rejuvenates the human spirit. And as our parents and grandparents did, we have a profound obligation to protect these outdoor resources. Effective conservation ensures generations to come will be able to enjoy the beauty of our expansive and unspoiled wilderness. For decades, hunters and anglers have championed sustainable practices and supported environmental stewardship through hunting licenses and other small fees collected for the use of our public lands. As they teach their children and grandchildren to track game through the woods or wade into a cascading stream, they pass on our country's legacy of embracing our wild and scenic places.

As part of my Administration's America's Great Outdoors Initiative, we are partnering with States, tribal governments, and communities to advance local conservation priorities and increase access to land and water for the use and enjoyment of the American people. Since I took office, I have designated more than 2 million acres of Federal wilderness and thousands of miles of trails, protected over 1,000 miles of rivers, and established or expanded 12 National Monuments. These acts not only preserve our most treasured landscapes for posterity, but they also make more land available for outdoor recreational activities, including fishing and hunting. And we can do more—I continue to call on the Congress to fully and permanently fund the Land and Water Conservation Fund, a portion of which would further expand our public spaces.

Today, as we reflect on the formative experiences of hunting and fishing, let us renew our commitment to protecting these outdoor traditions and the vast American wild that sustains them.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 27, 2014, as National Hunting and Fishing Day. I call upon all Americans to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9175 of September 26, 2014

National Public Lands Day, 2014

By the President of the United States of America

A Proclamation

From sandy beaches to snow-capped mountain tops, America's vast and varied landscapes stretch the breadth of our continent. These treasured spaces support outdoor recreation, serve as living classrooms and

laboratories, and boost our local economies. Today, one-third of all our Nation's land is publicly owned—set aside for the use and enjoyment of every American. As we celebrate the expansive and magnificent beauty bequeathed to us by generations past, we recognize our profound obligation as caretakers of this natural bounty, and we rededicate ourselves to the important work of preserving and protecting our land and environment in our own time.

National Public Lands Day is the largest single-day volunteer effort for our country's public lands. On this day, Americans of all ages will help maintain and restore our Nation's outdoor resources and ecosystems at more than 2,200 sites across our country. Volunteers will remove trash from our beaches and clear debris from our hiking trails; from coast to coast, they will plant new trees, remove invasive species, and complete large and small projects to beautify and preserve our open spaces. This nationwide effort will help ensure these natural places are managed for future generations to enjoy, and it offers an opportunity for all Americans to give back to their favorite local park, beach, or outdoor retreat. In honor of this day of service, our National Parks and many of our federally managed lands will offer free admission.

My Administration is committed to making land stewardship and outdoor conservation a year-round effort. Through our America's Great Outdoors Initiative, we are empowering local communities to protect their own public spaces. We have also strengthened programs that connect all Americans with the outdoors and launched the 21st Century Conservation Service Corps, which will create more jobs preserving and restoring our Nation's lands and waters for young Americans and returning veterans.

This weekend, as we carry forward a legacy of conservation and stewardship, let us renew our commitment to protecting our environment and building a cleaner world. Together, we can ensure our children and grandchildren can enjoy the full splendor of our Nation's public and wild places.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 27, 2014, as National Public Lands Day. I encourage all Americans to participate in a day of public service for our lands.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9176 of September 26, 2014

Gold Star Mother's and Family's Day, 2014

By the President of the United States of America
A Proclamation

For generations, mothers and families have given a piece of their heart to our Nation as their loved ones serve in our Armed Forces with honor and distinction. Seventy years ago, as Americans stormed an unforgiving beach, families waited anxiously for a call or a letter from an ocean away. And today, many families experience the absence of a deployed service member so future generations might know a more just and peaceful world. On Gold Star Mother's and Family's Day, we pay tribute to all those who made the ultimate sacrifice, and to the families who suffered the unimaginable pain of losing them so our Union might endure.

Hung in these families' front windows, blue-turned-gold stars remind us of their extraordinary loss and reflect not only the pride still in their eyes, but also the tears of pain that will never fully go away. Our Gold Star families hold dear to the values for which their loved ones gave their lives. With courage and resilience, they preserve the memories of the brave men and women we have lost by giving back to their communities and working toward a better future. As a Nation, we will always honor the sacrifice these families have made.

Our sacred obligation to our service members and their loved ones will never be forgotten. On this day and every day, we salute all those who have worn America's uniforms and the families who stand by them. Our homeland is stronger and safer because of these heroes. As we celebrate the memories of our troops who gave their last full measure of devotion, we renew our commitment to look after the loved ones they have left in our care.

The Congress, by Senate Joint Resolution 115 of June 23, 1936 (49 Stat. 1985 as amended), has designated the last Sunday in September as ''Gold Star Mother's Day.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 28, 2014, as Gold Star Mother's and Family's Day. I call upon all Government officials to display the flag of the United States over Government buildings on this special day. I also encourage the American people to display the flag and hold appropriate ceremonies as a public expression of our Nation's gratitude and respect for our Gold Star Mothers and Families.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9177 of September 30, 2014

National Arts and Humanities Month, 2014

By the President of the United States of America
A Proclamation

In this complicated world and in these challenging times, the arts and humanities enhance the character of our Nation. The flash of insight that comes from watching a thought-provoking documentary or discovering a compelling novel sparks moments of joy, awe, and sorrow. From symphonies that bring tragedy to life with long bow strokes to architecture that challenges the boundaries of the world around it, these works add texture to our lives and reveal something about ourselves. During National Arts and Humanities Month, we reflect on the many ways the arts and humanities have contributed to the fabric of our society.

Since our earliest days, America has flourished because of the creative spirit and vision of our people. Our Nation is built on the freedom of expression, and we rely on the arts and humanities to broaden our views and remind us of the truths that connect us. We must never take for granted the wonder we feel when standing before a timeless work of art or the world of memories that is unlocked with a simple movement or a single note. By capturing our greatest hopes and deepest fears, the arts and humanities play an important role in telling our country's story and broadening our understanding of the world.

Cultivating the talents of our young people and ensuring they have access to the arts are critical to our Nation's growth and prosperity. To meet the challenges ahead, we must harness the skills and ingenuity of our children and grandchildren and instill in them the same passion and persistence that has driven centuries of progress and innovation. The arts and humanities provide important opportunities for our young people to unleash their creativity and reach for new heights. That is why my Administration is committed to bolstering initiatives that ensure the next generation has the tools to foster their artistic expression and the opportunities to go as far as their imaginations can take them.

This month, we pay tribute to the tremendous power of the arts and humanities to bring us together and expose us to new ideas that make us think and feel. As we carry forward this proud tradition, let us celebrate the ways our Nation's rich heritage has strengthened our country and inspired our lives.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2014 as National Arts and Humanities Month. I call upon the people of the United States to join together in observing this month with appropriate ceremonies, activities, and programs to celebrate the arts and the humanities in America.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9178 of September 30, 2014

National Breast Cancer Awareness Month, 2014

By the President of the United States of America
A Proclamation

This year, more than 230,000 women and 2,000 men will be diagnosed with breast cancer in America. The heartache and the pain of this disease will touch too many of our mothers, fathers, daughters, and sisters, and too many families will bear these burdens. During National Breast Cancer Awareness Month, we recognize all those who know the anguish of breast cancer, and we redouble our efforts to improve care and bring attention to this disease.

When breast cancer is caught early, treatments work best and survival rates increase. That is why all women and men should be familiar with the risk factors and symptoms of this disease. I encourage women to speak with their health care provider about the risk of breast cancer and the importance of recommended mammograms—breast cancer screenings that play an essential role in early detection. Whether you are looking for information about breast cancer prevention, treatment of metastatic breast cancer, or information on the latest research, all Americans can learn more by visiting *www.Cancer.gov.*

Today, more Americans are surviving breast cancer than ever before, but there is more work to do, and my Administration is fighting every day to improve the lives of breast cancer patients, survivors, and their families. We have invested billions of dollars in critical research to better understand the causes of breast cancer, develop new diagnostic tools, and pursue innovative treatments. The Affordable Care Act has expanded access to life-saving care for millions of Americans, including those affected by breast cancer, and requires most insurance plans to cover recommended preventive services, including mammograms, without copays. New protections under the law also eliminate annual and lifetime dollar limits on coverage and prohibit insurers from denying coverage because of pre-existing conditions, including cancer.

This month, as we honor those lost to breast cancer, let us join with the loved ones who celebrate their memory and the patients who battle this disease every day, as well as our Nation's advocates, medical researchers, and health care providers. Together, we renew our commitment to better prevent, detect, and treat breast cancer, and we continue our work toward a future free from cancer in all its forms.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2014 as National Breast Cancer Awareness Month. I encourage citizens, government agencies, private businesses, nonprofit organizations, and all other interested groups to join in activities that will increase awareness of what Americans can do to prevent breast cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9179 of September 30, 2014

National Cybersecurity Awareness Month, 2014

By the President of the United States of America
A Proclamation

Cyber threats pose one of the gravest national security dangers the United States faces. They jeopardize our country's critical infrastructure, endanger our individual liberties, and threaten every American's way of life. When our Nation's intellectual property is stolen, it harms our economy, and when a victim experiences online theft, fraud, or abuse, it puts all of us at risk. During National Cybersecurity Awareness Month, we continue our work to make our cyberspace more secure, and we redouble our efforts to bring attention to the role we can each play.

Cyberspace touches nearly every part of our daily lives. It supports our schools and businesses, powers the grid that stretches across our Nation, and connects friends and families around the world. Our constant connection has led to revolutions in medicine and technology and has bettered our society, but it has also introduced new risks, especially to our finances, identity, and privacy. That is why last year I signed an Executive Order directing my Administration to identify the best ways to bolster our country's cybersecurity. And earlier this year, we delivered on that commitment by releasing the Cybersecurity Framework. A model of public-private cooperation, this Framework will help industry and Government strengthen the security and resiliency of our critical infrastructure. My Administration is also investing in new strategies and innovations that help keep pace with rapidly changing technology, and because cyberspace crosses every boundary, we will continue engaging with our international partners.

Americans of all ages can take action to raise the level of our collective cybersecurity, and the Department of Homeland Security's ''Stop.Think.Connect.'' campaign is empowering individuals to do their part. Everyone should utilize secure passwords online and change them regularly. Internet users should take advantage of all available methods to protect their private accounts and information, and parents can teach their children not to share personal information over the Internet. Enhancing the security of our Nation's digital infrastructure is a shared responsibility, and together we can protect our most important information systems. To learn more about safe cyber practices, visit *www.DHS.gov/StopThinkConnect.*

Our commitment to maintaining an open, secure, and reliable cyberspace ensures the Internet will remain an engine for economic growth and a platform for the free exchange of ideas. This month, we resolve to work together to meet this global challenge.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2014 as National Cybersecurity Awareness Month. I call upon the people of the United States to recognize the importance of cybersecurity and to observe this month with activities, events, and training that will enhance our national security and resilience.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9180 of September 30, 2014

National Disability Employment Awareness Month, 2014

By the President of the United States of America
A Proclamation

Americans with disabilities lead thriving businesses, teach our children, and serve our Nation; they are innovators and pioneers of technology. In urban centers and rural communities, they carry forward our Nation's legacy of hard work, responsibility, and sacrifice, and their contributions strengthen our economy and remind us that all Americans deserve the opportunity to participate fully in society. During National Disability Employment Awareness Month, we celebrate the Americans living with disabilities, including significant disabilities, who enrich our country, and we reaffirm the simple truth that each of us has something to give to the American story.

This year's theme, ''Expect. Employ. Empower.,'' reminds us that every American has a right to dignity, respect, and a fair shot at success in the workplace. For too long, workers with disabilities were measured by what people thought they could not do, depriving our Nation and economy of the full talents and contributions of millions of Americans. Nearly 25 years ago, the Americans with Disabilities Act codified the promise of an equal opportunity for everyone who worked hard, and in the years since, Americans with disabilities have reached extraordinary heights. But when employees with disabilities are passed over in the workplace or denied fair accommodations, it limits their potential and threatens our democracy; when disproportionate numbers of Americans with disabilities remain unemployed, more work must be done to achieve the spirit of what is one of the most comprehensive civil rights bills in the history of our country.

My Administration remains committed to tearing down the barriers that prevent Americans with disabilities from living fully independent, integrated lives. We have supported programs that more effectively prepare workers, including those with disabilities, for high-growth, high-demand careers, and we have found new ways to encourage businesses to foster flexible workplaces that are open to diverse skills. We are also working to ensure those living with disabilities have access to the resources that support employment, including accessible housing, transportation, and technology.

Meaningful careers not only provide ladders of opportunity into the middle class, but they also give us a sense of purpose and self-worth. When Americans with disabilities live without the fear of discrimination, they are free to make of their lives what they will. This month, we renew our commitment to cultivate a more inclusive workforce,

and we continue our efforts to build a society where everyone who works hard has a chance to get ahead.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2014 as National Disability Employment Awareness Month. I urge all Americans to embrace the talents and skills that individuals with disabilities bring to our workplaces and communities and to promote the right to equal employment opportunity for all people.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9181 of September 30, 2014

National Domestic Violence Awareness Month, 2014

By the President of the United States of America
A Proclamation

Domestic violence affects every American. It harms our communities, weakens the foundation of our Nation, and hurts those we love most. It is an affront to our basic decency and humanity, and it must end. During National Domestic Violence Awareness Month, we acknowledge the progress made in reducing these shameful crimes, embrace the basic human right to be free from violence and abuse, and recognize that more work remains until every individual is able to live free from fear.

Last month, our Nation marked the 20th anniversary of the Violence Against Women Act (VAWA). Before this historic law, domestic violence was seen by many as a lesser offense, and women in danger often had nowhere to go. But VAWA marked a turning point, and it slowly transformed the way people think about domestic abuse. Today, as 1 out of every 10 teenagers are physically hurt on purpose by someone they are dating, we seek to once again profoundly change our culture and reject the quiet tolerance of what is fundamentally unacceptable. That is why Vice President Joe Biden launched the *1is2many* initiative to engage educators, parents, and students while raising awareness about dating violence and the role we all have to play in stopping it. And it is why the White House Task Force to Protect Students from Sexual Assault and the newly launched ''It's On Us'' campaign will address the intersection of sexual assault and dating violence on college campuses.

Since VAWA's passage, domestic violence has dropped by almost two-thirds, but despite these strides, there is more to do. Nearly two out of three Americans 15 years of age or older know a victim of domestic violence or sexual assault, and domestic violence homicides claim the lives of three women every day. When women and children are deprived of a loving home, legal protections, or financial independence

because they fear for their safety, our Nation is denied its full potential.

My Administration is committed to reaching a future free of domestic violence. We are building public-private partnerships to directly address domestic violence in our neighborhoods and workplaces, and we are helping communities use evidence-based screening programs to prevent domestic violence homicides. At the same time, the Federal Government is leading by example, developing policies to ensure domestic violence is addressed in the Federal workforce. New protections under the Affordable Care Act provide more women with access to free screenings and counseling for domestic violence. And when I proudly reauthorized VAWA last year, we expanded housing assistance; added critical protections for lesbian, gay, bisexual, and transgender Americans; and empowered tribal governments to protect Native American women from domestic violence in Indian Country.

Our Nation's success can be judged by how we treat women and girls, and we must all work together to end domestic violence. As we honor the advocates and victim service providers who offer support during the darkest moments of someone's life, I encourage survivors and their loved ones who are seeking assistance to reach out by calling the National Domestic Violence Hotline at 1–800–799–SAFE or visiting *www.TheHotline.org.*

This month, we recognize the survivors and victims of abuse whose courage inspires us all. We recommit to offering a helping hand to those most in need, and we remind them that they are not alone.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2014 as National Domestic Violence Awareness Month. I call on all Americans to speak out against domestic violence and support local efforts to assist victims of these crimes in finding the help and healing they need.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9182 of September 30, 2014

National Energy Action Month, 2014

By the President of the United States of America

A Proclamation

Safeguarding America's energy future is an economic, environmental, and national security imperative. The energy choices we make today will have a substantial impact on the world we leave to our children and grandchildren. By pursuing an aggressive All-of-the-Above energy strategy, we can support economic growth and job creation, enhance energy security, and lay the foundation for a low-carbon energy future.

During National Energy Action Month, we embrace our profound obligation to leave generations to come a cleaner, safer, more stable world, and we resolve to stand up, speak out, and fight for the urgent action this pivotal moment in history demands.

Our country's energy sector is undergoing a significant transformation, and today we are closer to energy independence than we have been in decades. The United States generates more renewable energy—from sources like wind and solar power—than ever before, we are the number one natural gas producer in the world, and we are building the first nuclear power plants in over three decades. These gains have brought jobs back to America and created more than 55,000 new jobs. And since I took office, domestic energy-related emissions of carbon dioxide have declined. As our Nation produces more traditional energy and sets the groundwork for the energy sources of the future, our achievements demonstrate that there is no contradiction between a sound environment and a thriving economy.

A low-carbon, clean energy strategy can be an engine of growth for decades to come, but transitioning our economy takes time, and there is more work to do. That is why my Administration has made the largest investment in clean energy in American history, and why I have taken action to ensure our Nation is a leader in the energy sources of tomorrow. We have partnered with businesses that know investing in renewable energy is not only good for the environment, but also for their bottom line, and we are supporting training programs that will help 50,000 workers learn the skills clean energy companies are looking for. The Government is leading the way by deploying renewable energy on public lands and across federally subsidized housing and military installations. And I continue to support incentives for private investment in these energy sources, including Federal financing, which—during my Administration—has brought over $30 billion of capital to the clean energy sector.

As we are advancing low-carbon technologies and developing cleaner fuels, we are also working to promote energy efficiency. Cutting our energy waste is one of the fastest, easiest, and cheapest ways to create jobs, save families money, and reduce our carbon pollution. The buildings we live and work in are responsible for about one-third of our greenhouse gases, and my Better Buildings Challenge is on track to improve the energy efficiency of thousands of multi-family homes, commercial buildings, and industrial plants by 20 percent by the year 2020. We have set new fuel standards for our cars and trucks so they will go twice as far on a gallon of gas by the middle of the next decade and invested billions of dollars in energy upgrades to Federal buildings. We have concrete strategies that are proven to create jobs and reduce emissions, and we must all pledge to do our part.

The threat of climate change requires us to act now. We have a chance to improve public health, protect our environment, and better our world, and the American people have the skills and innovative spirit needed to seize this opportunity. This month, we look forward and boldly declare our intent to rise to the challenge of a changing world. As caretakers of our planet, let us resolve to build a cleaner, more prosperous, and more secure world for all of humanity.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Con-

stitution and the laws of the United States, do hereby proclaim October 2014 as National Energy Action Month. I call upon the citizens of the United States to recognize this month by working together to achieve greater energy security, a more robust economy, and a healthier environment for our children.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9183 of September 30, 2014

National Substance Abuse Prevention Month, 2014

By the President of the United States of America
A Proclamation

Substance abuse disrupts our families, schools, and communities and limits the success of young people across our country. It destroys relationships and stands in the way of academic achievement. Every day, thousands of young Americans try drugs or alcohol for the first time, and for many, this decision will have a profound impact on their health and well-being. This month, we join with families, schools, and local leaders to promote safe and healthy neighborhoods and help ensure all our children have the support and resources they need to achieve their full potential.

Preventing substance use before it begins is the most effective way to eliminate the damage caused by drugs and the abuse of alcohol. That is why my Administration's 2014 *National Drug Control Strategy* supports evidence-based education and outreach programs that connect with young people at schools, on college campuses, and in the workplace. This year, through the Drug-Free Communities Support Program, we are investing in 680 local coalitions that are working to reduce substance use in cities and towns across our country. These partners raise awareness of the harms associated with drug and alcohol use and create supportive environments that foster good decisionmaking.

Substance use affects everyone, and each of us can play a part in helping the next generation make choices that support physical, mental, behavioral, and emotional health. Parents, mentors, and community members can model a healthy lifestyle and should talk with kids early and often about the dangers of drug and alcohol use. During National Substance Abuse Prevention Month, we recognize all those who work to prevent substance use in our neighborhoods, and we renew our commitment to building a safer, drug-free America. Together, we can make sure all children have the opportunity to pursue happy, fulfilling, and productive lives.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2014 as National Substance Abuse Prevention Month. I call upon all Americans to engage in appropriate programs and activities to promote

comprehensive substance abuse prevention efforts within their communities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of September, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9184 of October 2, 2014

National Manufacturing Day, 2014

By the President of the United States of America
A Proclamation

With ingenuity and a determined spirit, hardworking Americans are creating products and unlocking new technologies that will shape our Nation and grow our economy. In uncertain times, our parents and grandparents built a robust manufacturing sector that spurred the world's largest economy and strongest middle class. When our generation faced an economy in free fall and an industry on the brink of collapse, we bet on American resilience and American workers, and today innovative technologies, new wellsprings of manufacturing entrepreneurship, and our country's increasing competitiveness are fueling a revitalization of American manufacturing. On National Manufacturing Day, we celebrate all those who proudly stand behind our goods and services made in America, and we renew our commitment to winning the race for the jobs of tomorrow.

America's manufacturers have created jobs at the fastest pace in decades, adding more than 700,000 new jobs since February 2010. Factories are reopening their doors and businesses are hiring new workers; companies that were shipping jobs overseas are bringing those jobs back to America. As we work to rebuild a foundation of growth and prosperity, we have an opportunity to capitalize on this momentum and accelerate the resurgence of American manufacturing.

Ensuring that America is at the forefront of 21st century manufacturing requires research, investment, and a workforce with high-tech skills. That is why my Administration is investing in regional manufacturing hubs, which bring together private industry, leading universities, and public agencies to solve technology challenges too significant for any one firm. These partnerships will help develop cutting-edge technology and train workers in the skills they need for the next generation of American manufacturing. Across our country, we are creating magnets that attract good, high-tech manufacturing jobs—they have the potential to lift up our communities, spark technology that jumpstarts new industries, and fundamentally change the way we build things in America.

My Administration continues to encourage manufacturing production and investment because the next revolution in manufacturing should be an American revolution, and our Nation's promise of opportunity should be within the reach of everyone willing to work for it. In response to my call to action and as part of the first-ever White House

Maker Faire, more than 90 mayors and local leaders have committed to increase access to manufacturing spaces and equipment in their communities, and to provide the chance for more students and adults to become Makers and manufacturing entrepreneurs. The Federal Government is leading the way by expanding access to more than $5 billion worth of Federal technology. Together, we are building an economy that works for all Americans.

On National Manufacturing Day, more than 1,600 American manufacturers will open their doors and take up the important work of inspiring our young people to pursue careers in manufacturing and engineering. Today's science, technology, engineering, and math graduates will power the next chapter of American production and innovation, and harnessing their potential is an economic imperative.

When our manufacturing base is strong, our entire economy is strong. Today, we continue our work to bolster the industry at the heart of our Nation. With grit and resolve, we can create new jobs and widen the circle of opportunity for more Americans.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 3, 2014, as National Manufacturing Day. I call upon the people of the United States to observe this day with programs and activities that highlight the contributions of American manufacturers, and I encourage all Americans to visit a manufacturer in their local community.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9185 of October 3, 2014

Fire Prevention Week, 2014

By the President of the United States of America

A Proclamation

Fires can take lives, devastate communities, and destroy our homes and businesses. They pose a threat to Americans across our Nation, and they cost us billions of dollars each year. As we mark Fire Prevention Week, we emphasize the importance of taking steps to prevent fires, and we recognize the selflessness of those who answer the call to fight these blazes, placing themselves in danger to help others.

All Americans can protect themselves by taking precautions to guard against fires. This week's theme, ''Smoke Alarms Save Lives: Test Yours Every Month,'' reminds us of the importance of installing and maintaining smoke alarms in the places we live and work. Powerful and unpredictable, fire spreads rapidly and widely. That is why I encourage every American to develop and practice fire evacuation plans that will allow for swift exits from regularly visited places. It is our responsibility to teach our children about fire prevention and do every-

thing we can to protect our loved ones during these emergencies. To learn more about fire safety, visit *www.Ready.gov.*

This year, our Nation has suffered tragic losses as wildfires ravage States across our country. As wildfires increase in frequency and intensity in a changing climate, fire prevention and planning only become more urgent. My Administration continues to take action to increase our Nation's preparedness and resiliency, and every person can do his or her part. Americans who live near woodlands should clear flammable vegetation away from homes and buildings, and everyone can be ready by making an emergency kit and discussing evacuation routes and emergency plans with their families.

We owe a great debt to our brave first responders and firefighters who run toward the scene of a disaster to fight fires. They are heroes who demonstrate courage, determination, and professionalism every day as they battle flames and smoke and teach their neighbors how to protect themselves. During Fire Prevention Week, we recognize our duty to be vigilant and take action to avert fires, and we remember the sacrifices of those who gave their lives so others might live.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States do hereby proclaim October 5 through October 11, 2014, as Fire Prevention Week. On Sunday, October 12, 2014, in accordance with Public Law 107–51, the flag of the United States will be flown at half-staff at all Federal office buildings in honor of the National Fallen Firefighters Memorial Service. I call on all Americans to participate in this observance with appropriate programs and activities and by renewing their efforts to prevent fires and their tragic consequences.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9186 of October 3, 2014

Child Health Day, 2014

By the President of the United States of America

A Proclamation

All children deserve equal opportunities to realize their potential and reach their dreams. Securing this promise for our daughters and sons begins with ensuring their health and well-being. As we pause on Child Health Day to reflect on this profound obligation, let us recommit to fostering a society where there are no limits to what our Nation's young people can achieve.

The Affordable Care Act supports children's health not only by expanding access to quality, affordable health insurance for millions of Americans, but also by guaranteeing that most health plans cover recommended preventive services for children without copays, including

immunizations and developmental screenings. Millions of children are already benefiting from this care, and even more will be protected in the years to come. As kids grow, the Affordable Care Act continues to support their health by prohibiting insurance companies from denying coverage to children with pre-existing conditions and allowing young adults to stay on a parent's health insurance plan until age 26. This builds on the successes of Medicaid and the Children's Health Insurance Program, which have significantly reduced the percentage of uninsured children.

When more than one-third of American children and adolescents are overweight or obese, expanding access to nutritious foods and opportunities for physical activity is an urgent health issue. Working with both the public and private sectors, First Lady Michelle Obama's *Let's Move!* initiative is making it easier for parents and children to make healthy choices that put kids on the path to a bright future during their earliest months and years.

As a Nation, we have an obligation to invest in the health of future generations by protecting our planet and our environment. In the past 30 years, asthma rates have doubled, and as air pollution gets worse, more kids will suffer. Clean air and water are essential to the well-being of our children and grandchildren, and we must work today to secure their tomorrow. My Administration has taken action and will continue to pursue policies that reduce harmful air pollution, improve water quality, and protect communities from toxic chemical exposures.

When young Americans have the opportunity to live healthy and safe lives, they are free to pursue their full measure of happiness. Today, we continue our work to support our children's health and build a Nation where all our daughters and sons can thrive.

The Congress, by a joint resolution approved May 18, 1928, as amended (36 U.S.C. 105), has called for the designation of the first Monday in October as Child Health Day and has requested that the President issue a proclamation in observance of this day.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim Monday, October 6, 2014, as Child Health Day. I call upon families, educators, child health professionals, faith-based and community organizations, and all levels of government to help ensure America's children are healthy.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9187 of October 3, 2014

German-American Day, 2014

By the President of the United States of America
A Proclamation

America is and always has been a Nation of immigrants, and from our earliest days, German Americans have contributed to our national identity. Germans were among the first settlers in the original 13 Colonies, bringing their talents and ideas across the ocean to a new and unfamiliar world. And today, with their descendants and all who followed in their path, we continue to perfect our Union together. On German-American Day, we recognize their distinctive identity and the ways they enrich our country.

German Americans helped build our Nation, and every day they contribute to its growth. As they teach in our schools, farm in our heartland, and serve in our Armed Forces, their German roots offer a sense of their place in the American story. From a land of poets and thinkers, they brought passion for music, science, and art, fortifying our culture and broadening our understanding of the world. Our greatest cities and our biggest advances reflect their daring spirit and diverse contributions.

As we consider our German-American history, we are also reminded that the United States and Germany are vital partners. With the 25th anniversary of the fall of the Berlin Wall approaching, our security and prosperity remain interwoven, and our friendship continues as we work together in pursuit of a more peaceful, stable world. On this occasion, may citizens from both sides of the Atlantic draw strength from the legacy of our Nation's earliest immigrants who boldly pushed forward in unforgiving times. May our shared past continue to inspire us as we face new challenges in our own time.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 6, 2014, as German-American Day. I encourage all Americans to learn more about the history of German Americans and reflect on the many contributions they have made to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9188 of October 3, 2014

To Modify the List of Beneficiary Developing Countries Under the Trade Act of 1974

By the President of the United States of America
A Proclamation

1. Sections 501(1) and (4) of the Trade Act of 1974 (the ''1974 Act'') (19 U.S.C. 2461(1) and (4)), provide that, in determining whether duty-free treatment would be appropriate under the Generalized System of Preferences, the President shall have due regard for, among other factors, the effect such action would have on furthering the economic development of a beneficiary developing country through the expansion of its exports and the extent that the beneficiary developing country would be competitive with respect to eligible articles. Section 502(c) of the 1974 Act (19 U.S.C. 2462(c)), provides that, in determining whether to designate any country as a beneficiary developing country, the President shall take into account various factors, including the country's level of economic development, the country's per capita gross national product, the living standards of its inhabitants, and any other economic factors he deems appropriate. Section 502(d)(1) of the 1974 Act (19 U.S.C. 2462(d)(1)), authorizes the President to withdraw or suspend the designation of any country as a beneficiary developing country after considering the factors set forth in sections 501 and 502(c) of the 1974 Act. Section 502(f)(2) of the 1974 Act (19 U.S.C. 2462(f)(2)), requires the President to notify the Congress and the affected country, at least 60 days before termination, of the President's intention to terminate the affected country's designation as a beneficiary developing country.

2. Consistent with section 502(d) of the 1974 Act, and having considered the factors set forth in sections 501 and 502(c), I have determined that Russia is sufficiently advanced in economic development and improved in trade competitiveness that it is appropriate to terminate the designation of Russia as a beneficiary developing country effective October 3, 2014. I notified the Congress and Russia on May 7, 2014, of my intent to terminate Russia's designation. In order to reflect the termination of Russia's designation as a beneficiary developing country, I have determined that it is appropriate to modify general notes 4(a) and 4(d) and pertinent subheadings of the Harmonized Tariff Schedule of the United States (HTS).

3. Section 604 of the 1974 Act (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other Acts affecting import treatment, and actions thereunder, including removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, including but not limited to title V and section 604 of the 1974 Act, do proclaim that:

(1) The designation of Russia as a beneficiary developing country is terminated, effective on October 3, 2014.

(2) In order to reflect the termination of Russia's designation as a beneficiary developing country, general notes 4(a) and 4(d) and pertinent subheadings of the HTS are modified as set forth in the Annex to this proclamation.

(3) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

ANNEX
MODIFICATION TO THE HARMONIZED TARIFF
SCHEDULE OF THE UNITED STATES

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after October 3, 2014:

1. General Note 4(a) to the Harmonized Tariff Schedule of the United States (HTS) is modified by: deleting "Russia" from the list entitled "Independent Countries".

2. General Note 4(d) to the HTS is modified:

A. by striking the following subheadings and the country set out opposite them:

2843.90.00	Russia
4412.39.30	Russia
7202.49.50	Russia
7407.29.34	Russia
7604.10.50	Russia
8104.11.00	Russia
8108.90.60	Russia
8112.92.60	Russia

B. by deleting the country "Russia" set out opposite the following HTS subheadings:

7408.11.60
7606.12.30

3. The following HTS subheadings are modified by deleting from the Rates of Duty1-Special subcolumn, from the parenthetical expression following the duty rate of "Free", the Symbol "A*" and by inserting in lieu thereof "A":

2843.90.00	8104.11.00
4412.39.30	8108.90.60
7202.49.50	8112.92.60
7407.29.34	
7604.10.50	

Proclamation 9189 of October 8, 2014

Leif Erikson Day, 2014

By the President of the United States of America
A Proclamation

At a time when much of the world remained unknown, Leif Erikson—a son of Iceland and grandson of Norway—left his Nordic homeland and sailed westward across an unrelenting ocean. Landing in present-day Canada more than 1,000 years ago, Erikson and his crew became the first Europeans known to reach North America. In this new world, they discovered a land rich with natural resources and established their first settlement, Vinland. Today, we recognize their courageous

spirit and the daring exploration that forged a path for centuries of exchange, innovation, and opportunity.

More than 800 years after this historic voyage, a group of Norwegian immigrants boarded a ship named *Restauration,* and with the same sense of hope and determination shared by Erikson and his crew, they crossed the Atlantic in pursuit of the freedoms promised in America. On October 9, 1825, they arrived in New York City, becoming the first organized group of immigrants from Norway to reach the United States. Together, they wrote a chapter of our two countries' interconnected story and opened the doors to opportunity for the hundreds of thousands of Norwegians who would follow, enriching our communities and bettering our Nation.

This year, we also celebrate the 200th anniversary of the adoption of Norway's constitution, a charter influenced by America's founding documents, and we are reminded of the powerful bonds between our two nations and the values and ideals our people embrace. As we reflect on our common past, we rededicate ourselves to preserving all that has brought us together: the story of a fearless leader who reached for new possibilities; our shared commitment to self-determination and freedom; and the simple truth that has drawn immigrants to our shores—in America, anyone who works hard should be able to get ahead.

Today, there is more work to do to strengthen these promises, and we require bold thinkers and explorers to achieve what we know can be possible. The far reaches of our universe and the depths of our oceans remain unexplored, and the next frontiers in science, medicine, and technology await a new generation of innovators and entrepreneurs. As a Nation, let us carry forward the spirit of Leif Erikson and seize the future together.

To honor Leif Erikson and celebrate our Nordic-American heritage, the Congress, by joint resolution (Public Law 88–566) approved on September 2, 1964, has authorized the President of the United States to proclaim October 9 of each year as ''Leif Erikson Day.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim October 9, 2014, as Leif Erikson Day. I call upon all Americans to observe this day with appropriate ceremonies, activities, and programs to honor our rich Nordic-American heritage.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9190 of October 10, 2014

National School Lunch Week, 2014

By the President of the United States of America
A Proclamation

Ensuring access to balanced, healthy meals for all young people is essential to their success, and it is our responsibility as a Nation. Today, more than 30 million children depend on the National School Lunch Program for daily nutrition, and more than 13 million children are able to start their school day with a full stomach because of the School Breakfast Program. For many young people, these programs are the only regular source of food. That is why it is more important than ever to strengthen them and make sure they are supporting healthy lifestyles in classrooms across America. During National School Lunch Week, we encourage schools to expand access to nutritious food options, and we salute all those who work in our Nation's school cafeterias and food preparation centers. Every day they provide essential meals to America's students, contributing to their well-being and helping make sure they can fulfill their potential.

In 1946, President Harry Truman signed the National School Lunch Act, which provided meals for over 7 million children in its first year. Since then, more than 220 billion lunches have been served, and my Administration is proud to continue building on this legacy—not just by increasing access to breakfasts and lunches, but also by working to improve their quality and nutritional value. When more than one-third of American children and adolescents are overweight or obese—and as a result, are at risk for conditions like high blood pressure, high cholesterol, and Type 2 diabetes—ensuring access to healthy foods at schools helps support academic performance and improves children's overall health.

In 2010, I signed the Healthy, Hunger-Free Kids Act in order to raise nutritional standards and expand access to healthy meals. This year—in many of the more than 22,000 eligible schools across our country—educators and food service professionals are able to serve all their students free, nutritious breakfasts and lunches. Students now have more opportunities to eat healthy foods than ever before, including new options in vending machines and a la carte lines. And First Lady Michelle Obama's *Let's Move!* initiative has brought communities, schools, and elected officials together to promote nutrition and healthy lifestyles and empower children to make healthy choices in school and at home.

By expanding access to nutritious meals, we can help put young people on the path to good health from their earliest days. When we provide our children with opportunities to live prosperous and productive lives, we build a Nation where all kids can reach their dreams and achieve the bright futures they deserve.

The Congress, by joint resolution of October 9, 1962 (Public Law 87–780), as amended, has designated the week beginning on the second Sunday in October each year as ''National School Lunch Week'' and has requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim the week of October 12 through October 18, 2014, as National School Lunch Week. I call upon all Americans to join the dedicated individuals who administer the National School Lunch Program in appropriate activities that support the health and well-being of our Nation's children.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9191 of October 10, 2014

International Day of the Girl, 2014

By the President of the United States of America

A Proclamation

In every community across the globe, girls and women should have the opportunity to learn, grow, and achieve their full potential. All nations have a responsibility to protect the basic human rights of all people, and when they do—when girls and women are fully valued as equal participants in a country's politics and economy—societies are more likely to succeed.

But throughout the world, too many girls and women are subjected to laws and traditions that serve only to oppress and exclude. Gender-based violence—from domestic violence and human trafficking to genital cutting and early and forced marriage—condemns girls to cycles of dependence, fear, and abuse. Harmful cultural norms and prejudices that tell young women how they are expected to look and act deny the dignity and equality we want for all our daughters. On International Day of the Girl, we stand with girls, women, and male and female advocates in every country who are calling for freedom and justice, and we renew our commitment to build a world where all girls feel safe, supported, and encouraged to pursue their own measure of happiness.

Promoting gender equality and lifting up the status of girls and women have been central to my Administration's national security strategy and foreign policy. We are supporting quality education for girls around the world, advancing policies that enable women and families to live healthier lives, and investing in programs that help nations prevent and respond to violence against girls and women. We are also working to end human trafficking, a crime that affects far too many communities both here at home and around the globe, and of which many victims are girls and women.

As we work to transform the lives of girls and women abroad, we have also redoubled our efforts to ensure there are no barriers to their success here at home. Vice President Joe Biden's *1is2many* initiative is raising awareness about the high rates of teen dating violence, and my Administration is engaging school districts, college students, and community members as part of our effort to end sexual assault and domestic violence. Through the Affordable Care Act, we have expanded ac-

cess to quality, affordable health care to more girls and prohibited insurers from charging them extra simply because of their gender. We continue to invest in community efforts to reduce teen pregnancy. And we have made it a priority to educate and inspire our youngest girls by increasing opportunities for high-quality preschool. As they grow, we will make certain they receive the education and training needed to succeed in the jobs of today and tomorrow—jobs that we are working to ensure will offer equal pay for equal work.

As Americans, we must see the hopes and dreams of our own girls and realize that these are the same dreams of girls around the world. We cannot afford to silence the girl who holds the key to changing her community, or the voice that speaks up to call for peace or further scientific discovery. We cannot allow violence to snuff out the aspirations of young women in America, and we must not accept it anywhere in the world. Today, we resolve to do more than simply shine a light on inequality. With partners across the globe, we support the girls who reach for their future in the face of unimaginable obstacles, and we continue our work to change attitudes and shift beliefs until every girl has the opportunities she deserves to shape her own destiny and fulfill her boundless promise.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 11, 2014, as International Day of the Girl. I call upon all Americans to observe this day with programs, ceremonies, and activities that advance equality and opportunity for girls everywhere.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9192 of October 10, 2014

General Pulaski Memorial Day, 2014

By the President of the United States of America
A Proclamation

More than 200 years ago, Brigadier General Casimir Pulaski answered the call of our fledgling Nation as we sought to secure liberty and justice. A Polish-born leader, he fought and sacrificed his life for a country not fully his own. He understood that the promise of our new Nation was not about circumstance of birth, but rather a set of beliefs and unalienable rights. Today, we pay tribute to a hero of the American Revolutionary War, and we celebrate the contributions that generations of Polish-Americans have made to the country for whose independence Pulaski took up arms.

As a young man, Casimir Pulaski fought for Polish sovereignty, defending his homeland from foreign occupation with courage and bravery. After many years, his confederation was overpowered, and he was exiled to France where he met Benjamin Franklin. With Franklin, Pulaski

discussed America's struggle to throw off the tyranny of an empire, and in 1777, Pulaski crossed the Atlantic to stand with a small band of patriots.

In America, Pulaski served with honor and distinction. During battle, he aided George Washington and—because of his leadership and skill on horseback—became known as the ''Father of the American Cavalry.'' But tragically in October of 1779, as Pulaski led his troops during the siege of Savannah, Georgia, he was mortally wounded. While he was not witness to the conclusion of the war, his memory is forever enshrined in the pages of its history.

Pulaski's life represents only one chapter in the Polish people's long and storied legacy of fighting for freedom. This year, we celebrated the 25th anniversary of an election where, for the first time, the people of Poland had a choice. The culmination of centuries of struggle, it marked the beginning of a new course for Poland—one that has ushered in the return of democracy and demonstrated the enduring strength of the ideals our two nations share. As we also recognize the 15th anniversary of Poland's membership in NATO, we are proud to call Poland one of our strongest and closest allies, and we are reminded that the blessings of liberty must be earned and renewed by every generation.

On General Pulaski Memorial Day, we reflect on the beginnings of our relationship with Poland. In the centuries since, Polish immigrants have sought the opportunities in America that Pulaski helped secure, and as they have, our nations' bonds of friendship have grown stronger. As we renew our commitment to honoring all those who fought for the freedom of our new Nation, let us resolve to stand with developing democracies around the world and with all people yearning to be free.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 11, 2014, as General Pulaski Memorial Day. I encourage all Americans to commemorate this occasion with appropriate programs and activities paying tribute to Casimir Pulaski and honoring all those who defend the freedom of our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9193 of October 10, 2014

Columbus Day, 2014

By the President of the United States of America

A Proclamation

When Christopher Columbus—a son of Genoa, Italy—set sail across the Atlantic, no one could imagine the profound and lasting impact he would have on the world. In search of a westward route to Asia, he

instead spotted the Bahamas. As dawn broke on October 12, 1492, Columbus's crew set foot on a Caribbean island and changed the course of history. For much of Europe, this marked the discovery of the New World, and it set in motion the more than five centuries that have followed.

In a new world, explorers found opportunity. They endured unforgiving winters and early hardship. They pushed west across a continent, charting rivers and mountains, and expanded our understanding of the world as they embraced the principle of self-reliance.

In a new world, a history was written. It tells the story of an idea—that all women and men are created equal—and a people's struggle to fulfill it. And it is a history shared by Native Americans, one marred with long and shameful chapters of violence, disease, and deprivation.

In a new world, a Nation was born. A resolute people fought for democracy, liberty, and freedom from tyranny. They secured fundamental rights to expression, petition, and free exercise of religion and built a beacon of hope to people everywhere who cherish these ideals.

Columbus's historic voyage ushered in a new age, and since, the world has never been the same. His journey opened the door for generations of Italian immigrants who followed his path across an ocean in pursuit of the promise of America. Like Columbus, these immigrants and their descendants have shaped the place where they landed. Italian Americans have enriched our culture and strengthened our country. They have served with honor and distinction in our Armed Forces, and today, they embrace their rich heritage as leaders in our communities and pioneers of industry.

On Columbus Day, we reflect on the moment the world changed. And as we recognize the influence of Christopher Columbus, we also pay tribute to the legacy of Native Americans and our Government's commitment to strengthening their tribal sovereignty. We celebrate the long history of the American continents and the contributions of a diverse people, including those who have always called this land their home and those who crossed an ocean and risked their lives to do so. With the same sense of exploration, we boldly pursue new frontiers of space, medicine, and technology and dare to change our world once more.

In commemoration of Christopher Columbus's historic voyage 522 years ago, the Congress, by joint resolution of April 30, 1934, and modified in 1968 (36 U.S.C. 107), as amended, has requested the President proclaim the second Monday of October of each year as ''Columbus Day.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim October 13, 2014, as Columbus Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities. I also direct that the flag of the United States be displayed on all public buildings on the appointed day in honor of our diverse history and all who have contributed to shaping this Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand fourteen, and of the

Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9194 of October 10, 2014

Establishment of the San Gabriel Mountains National Monument

By the President of the United States of America

A Proclamation

Known as the crown to the Valley of Angels, the peaks of the San Gabriel Mountains frame the Los Angeles skyline. Over 15 million people live within 90 minutes of this island of green, which provides 70 percent of the open space for Angelenos and 30 percent of their drinking water. Millions recreate and rejuvenate in the San Gabriels each year, seeking out their cool streams and canyons during the hot summer months, their snowcapped mountains in the winter, and their trail system and historic sites throughout the year.

The San Gabriels are some of the steepest and most rugged mountains in the United States. Situated adjacent to the mighty San Andreas Fault, the mountains are geologically active, migrating northwest at an average of 2 inches each year. Deep canyons, many with precious perennial streams, score the mountain peaks—north toward the arid Mojave Desert and south to the temperate San Gabriel Valley.

The rich cultural history of these mountains echoes their striking geologic features and ecological diversity. Cultural resources represent successive layers of history, including that of Native Americans, Spanish missionaries and colonialists, Mexican rancheros, and Euro-American settlers and prospectors. Native American history runs deep, at least 8,000 years, exemplified by the Aliso-Arrastre Special Interest Area known for its heritage resource values, including several rock art and cupules features, the concentration of which is unique to southern California. Due to urban development and natural processes, this area also contains the best preserved example of a Gabrielino pictograph that characterizes the California Tradition of rock painting.

Early European explorers' use of the area consisted mainly of early explorers traveling through the area. Over time, land grants, Spanish missions, and townsites surrounded the mountains, relying heavily on them for water, building supplies, and game.

By the 1840s, gold prospectors poured into the mountains. Large placer and lode mining operations were established in the San Gabriels, with mixed success. The historic mining town of Eldoradoville, located along the East Fork of the San Gabriel River, had at its peak in 1861 a population of over 500 miners, with general stores, saloons, and dance halls along with numerous mining camps of tents, wooden shacks, and stone cabins along the river.

In the early 20th century, responding to the burgeoning interest of urban dwellers in backcountry hiking and weekend rambling, a number of trails, lodges, and camps—many of which were accessible only

by horseback or on foot—were constructed throughout the mountains. Remnants of these historic resorts, which attracted local residents and Hollywood stars alike, can still be seen and are important aspects of the region's social and cultural history.

Enthusiasm for recreating in the mountains continues today. The San Gabriels offer hundreds of miles of hiking, motorized, and equestrian trails, including several National Recreational Trails and 87 miles of the Pacific Crest National Scenic Trail. In the footprint of the resorts of the Great Hiking Era, many visitors partake of Forest Service campgrounds built on the foundations of early 20th-century lodges and resorts. In a region with limited open space, the mountains are the backyard for many highly urbanized and culturally diverse populations within Los Angeles, underscoring the need for strong partnerships between this urban forest and neighboring communities.

The mountains have hosted world-class scientists, studying the terra firma at their feet as well as the distant galactic stars. Astronomer Edwin Hubble performed critical calculations from his work at the Mt. Wilson Observatory, including his discovery that some nebulae were actually galaxies outside our own Milky Way. Assisted by Milton Humason, he also discovered the presence of the astronomical phenomenon of redshift that proved the universe is expanding. Also on Mt. Wilson, Albert Michelson, America's first Nobel Prize winner in a science field, conducted an experiment that provided the first modern and truly accurate measurement of the speed of light. Closer to earth, the San Dimas Experimental Forest, established in 1933 as a hydrologic laboratory, continues the study of some of our earliest and most comprehensively monitored research watersheds, providing crucial scientific insights.

Although proximate to one of America's most urban areas, the region has untrammeled wilderness lands of the highest quality, including four designated wilderness areas: San Gabriel, Sheep Mountain, Pleasant View Ridge, and Magic Mountain. These lands provide invaluable backcountry opportunities for the rapidly expanding nearby communities and also provide habitat for iconic species including the endangered California condor and least Bells' vireo, and the Forest Service Sensitive Nelson's bighorn sheep, bald eagle, and California spotted owl. Inventoried roadless areas and lands recommended for designation as Wilderness also provide important habitat, including a connectivity corridor important for wide ranging species, such as the mountain lion.

The importance of the San Gabriels' watershed values was recognized early. As early as the late 1800s, local communities petitioned to protect the mountains for their watershed values. As a result, President Benjamin Harrison established the San Gabriel Timberland Reserve in 1892, the precursor to the Angeles National Forest.

Reflecting the needs of the nearby population centers, the San Gabriels host an array of flood control and water storage, delivery, and diversion infrastructure, including six large retention dams as well as numerous telecommunications and utility towers.

The San Gabriels' rivers not only provide drinking water but are also areas of high ecological significance supporting rare populations of native fish, including the threatened Santa Ana sucker. The San Gabriel River supports rare arroyo chub and Santa Ana speckled dace, a spe-

cies found only in the Los Angeles Basin. Little Rock Creek tumbles down from the northern escarpment to the Mojave Desert below and supports important populations of the endangered mountain yellow-legged frog and arroyo toad, as well as the threatened California red-legged frog. On the slopes of Mt. San Antonio, San Antonio Creek rushes through an alpine canyon studded with stalwart bigcone Douglas fir, and the magnificent 75-foot San Antonio Falls draw thousands of visitors every year.

In addition to rivers, the San Gabriels contain two scenic lakes, both formed by the area's remarkable geologic forces. The alpine Crystal Lake, found high in the mountains, was formed from one of the largest landslides on record in southern California. Jackson Lake is a natural sag pond, a type of pond formed between the strands of an active fault line—in this case, the San Andreas.

Climatic contrasts in the San Gabriels range from the northern slope desert region, home to Joshua trees and pinyon pines, to high-elevation white fir and a notable stand of 1,000-year-old limber pines. Vegetation communities, including chaparral and oak woodland, represent a portion of the rare Mediterranean ecosystem found in only 3 percent of the world. Mediterranean climate zones have high numbers of species for their area.

The San Gabriels also provide suitable habitat for 52 Forest Service Sensitive Plants and as many as 300 California-endemic species, including Pierson's lupine and San Gabriel bedstraw, that occur only in the San Gabriel range.

The mountains harbor several of California's signature natural vegetation communities, including the drought-tolerant and fire-adapted chaparral shrubland, which is the dominant community and includes scrub oaks, chamise, manzanita, wild lilac, and western mountain-mahogany. Mixed conifer forest is an associated vegetation community comprising Jeffrey pine, sugar pine, white fir, and riparian woodlands including white alder, sycamore, and willow. These communities provide habitat for numerous native wildlife and insect species, including agriculturally important pollinators, the San Gabriel Mountains slender salamander, San Bernardino Mountain kingsnake, song sparrow, Peregrine falcon, mule deer, and Pallid bat.

WHEREAS section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the ''Antiquities Act''), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest situated upon the lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected; and

WHEREAS it is in the public interest to preserve and protect the objects of scientific and historic interest at the San Gabriel Mountains;

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act, hereby proclaim the objects identified above that are situated upon lands and interests in lands owned or controlled by the Government of the United States to be the San Gabriel Mountains Na-

tional Monument (monument) and, for the purpose of preserving those objects, reserve as a part thereof all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described on the accompanying map entitled, ''San Gabriel Mountains National Monument'' and the accompanying legal description, which are attached to and form a part of this proclamation.

These reserved Federal lands and interests in lands encompass approximately 346,177 acres, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land or other Federal laws, including location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument, or disposition of materials under the Materials Act of 1947 in a manner that is consistent with the proper care and management of the objects protected by this proclamation.

The establishment of this monument is subject to valid existing rights. Lands and interests in lands within the monument's boundaries not owned or controlled by the United States shall be reserved as part of the monument upon acquisition of ownership or control by the United States. To the extent allowed by applicable law, the Secretaries of Agriculture and the Interior shall manage valid Federal mineral rights existing within the monument as of the date of this proclamation in a manner consistent with the proper care and management of the objects protected by this proclamation.

Nothing in this proclamation shall be construed to alter the valid existing water rights of any party, including the United States.

Nothing in this proclamation shall be construed to interfere with the operation or maintenance, nor with the replacement or modification within the existing authorization boundary, of existing water resource, flood control, utility, pipeline, or telecommunications facilities that are located within the monument, subject to the Secretary of Agriculture's special uses authorities and other applicable laws. Existing water resource, flood control, utility, pipeline, or telecommunications facilities located within the monument may be expanded, and new facilities may be constructed within the monument, to the extent consistent with the proper care and management of the objects protected by this proclamation, subject to the Secretary of Agriculture's special uses authorities and other applicable law.

The Secretary of Agriculture (Secretary) shall manage the monument through the Forest Service, pursuant to applicable legal authorities, consistent with the purposes and provisions of this proclamation. The Secretary shall prepare, within 3 years of the date of this proclamation and in consultation with the Secretary of the Interior, a management plan for the monument and shall promulgate such regulations for its management as deemed appropriate. The Secretary shall provide for maximum public involvement in the development of that plan, including, but not limited to, consultation with tribal, State, and local government, as well as community environmental conservation, health, and justice organizations. The plan shall provide for protection and inter-

pretation of the scientific and historic objects identified above and for continued public access to those objects, consistent with their protection. To the maximum extent permitted by other applicable law and consistent with the purposes of the monument, the plan shall protect and preserve Indian sacred sites, as defined in section 1(b) of Executive Order 13007 of May 24, 1996, and access by Indian tribal members for traditional cultural, spiritual, and tree and forest product-, food-, and medicine-gathering purposes.

Nothing in this proclamation shall be construed to enlarge or diminish the rights of any Indian tribe as defined in section 1(b) of Executive Order 13007.

The Secretary shall prepare a transportation plan that specifies and implements such actions necessary to protect the objects identified in this proclamation, including road closures and travel restrictions. For the purpose of protecting the objects identified above, except for emergency or authorized administrative purposes, the Secretary shall limit all motor vehicle use to designated roads, trails, and, in the Secretary's discretion, those authorized off-highway vehicular use areas existing as of the date of this proclamation.

The Secretary shall, in developing any management plans and any management rules and regulations governing the monument, consult with the Secretary of the Interior. The final decision to issue any management plans and any management rules and regulations rests with the Secretary of Agriculture. Management plans or rules and regulations developed by the Secretary of the Interior governing uses within national parks or other national monuments administered by the Secretary of the Interior shall not apply within the monument.

Nothing in this proclamation shall be construed to enlarge or diminish the jurisdiction of the State of California with respect to fish and wildlife management.

Laws, regulations, and policies followed by the United States Forest Service in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument in a manner consistent with the proper care and management of the objects protected by this proclamation.

Nothing in this proclamation shall be construed to alter the authority or responsibility of any party with respect to emergency response activities within the monument, including wildland fire response. The Secretary may carry out vegetative management treatments within the monument, except that timber harvest and prescribed fire may only be used when the Secretary determines it appropriate to address the risk of wildfire, insect infestation, or disease that would endanger the objects identified above or imperil public safety.

Recognizing the proximity of the monument to Class B airspace and that a military training route is over the monument, nothing in this proclamation shall be deemed to restrict general aviation, commercial, or military aircraft operations, nor the designation of new units of special use airspace or the establishment of military flight training routes, over the monument.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of the monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

SAN GABRIEL MOUNTAINS NATIONAL MONUMENT

ANGELES & SAN BERNARDINO NATIONAL FORESTS

PACIFIC SOUTHWEST REGION

Boundary Description

The San Gabriel Mountains National Monument is located in the California Region of the U.S.D.A. Forest Service, on the Angeles and San Bernardino National Forests, situated in Township 5 North, Range 11 West, Township 4 North, Ranges 8 –14 West, Township 3 North, Ranges 7 – 12 West, Township 2 North, Ranges 7 – 12 West, and Township 1 North, Ranges 8 – 10 West, San Bernardino Base Line and Meridian, in the County of Los Angeles and San Bernardino, State of California.

The San Gabriel Mountains National Monument is more particularly described as follows:

Beginning at a point located within the Angeles National Forest boundary, said point being the Section Corner of Sections 11, 12, 13 and 14, T.3N., R.8W., as shown on the Mount San Antonio quadrangle;

thence northerly along the section line between Sections 11 and 12, T.3N., R.8W., to the Section Corner of Sections 1, 2, 11 and 12.

thence northerly along the section line between sections 1 and 2, T.3N., R.8W., to the southerly Township line of T.3N., R.8W., and T.4N., R.8W.

thence westerly along said Township Line, to the Section corner of Sections 35 and 36, T.4N., R.8W.

thence northerly between Sections 35 and 36, T.4N., R.8W., to the Section Corner of Sections 25, 26, 35 and 36.

thence northerly between Sections 25 and 26, T.4N., R.8W., to the Section Corner of Sections 23, 24, 25 and 26.

thence northerly between Sections 23 and 24, T.4N., R.8W., to the Section Corner of Sections 13, 14, 23 and 24.

thence westerly between Sections 14 and 23, T.4N., R.8W., to the Section Corner of Sections 14, 15, 22 and 23.

thence westerly between Sections 15 and 22, T.4N., R.8W., to the Section Corner of Sections 15, 16, 21 and 22.

thence westerly between Sections 16 and 21, T.4N., R.8W., to the Section Corner of Sections 16, 17, 20 and 21.

thence westerly between Sections 17 and 20, T.4N., R.8W., to the Section Corner of Sections 17, 18, 19 and 20.

thence westerly between Sections 18 and 19, T.4N., R.8W., to the Section Corner of Sections 18 and 19 on the Range Line of T.4N., R.8W., and T.4N., R.9W.

thence southerly on the Range Line between Sections 13 and 18, T.4N., R.8W., and T.4N., R.9W., to the Section Corner of Sections 13 and 24.

thence westerly between Sections 13 and 24, T.4N., R.9W., to the Section Corner of Sections 13, 14, 23 and 24.

thence westerly between Sections 14 and 23, T.4N., R.9W., to the Section Corner of Sections 14, 15, 22 and 23.

thence westerly between Sections 15 and 22, T.4N., R.9W., to the Section Corner of Sections 15, 16, 21 and 22.

thence westerly between Sections 16 and 21, T.4N., R.9W., to the Section Corner of Sections 16, 17, 20 and 21.

thence westerly between Sections 17 and 20, T.4N., R.9W., to the Section Corner of Sections 17, 18, 19 and 20.

thence westerly between Sections 18 and 19, T.4N., R.9W., to the Section Corner of Sections 18 and 19 on the Range Line of T.4N., R.9W., and T.4N., R.10W.

thence northerly on the Range Line between Sections 18 and 24, T.4N., R.9W., and T.4N., R.10W., to the Section Corner of Sections 13 and 24.

thence westerly between Sections 13 and 24, T.4N., R.10W., to the Section Corner of Sections 13, 14, 23 and 24.

thence westerly between Sections 14 and 23, T.4N., R.10W., to the Section Corner of Sections 14, 15, 22 and 23.

thence westerly between Sections 15 and 22, T.4N., R.10W., to the Section Corner of Sections 15 and 22.

thence northerly between Sections 15 and 16, T.4N., R.10W., to the E 1/4 Section Corner of Section 16 only.

thence westerly along the east-west centerline of said Section 16 to the 1/4 Section Corner of Sections 16 and 17, T.4N., R.10W.

thence northerly between Sections 16 and 17, T.4N., R.10W., to the Section Corner of Sections 8, 9, 16 and 17.

thence westerly between Sections 8 and 17, T.4N., R.10W., to the Section Corner of Sections 7, 8, 17, and 18.

thence westerly between Sections 7 and 18, T.4N., R.10W., to the Section Corner of Sections 7 and 18 on the Range Line of T.4N., R.10W., and T.4N., R.11W.

thence northerly on the Range Line between Sections 7 and 12, T.4N., R.10W., and T.4N., R.11W., to the Section Corner of Sections 1 and 12.

thence northerly on the Range Line between Sections 1 and 6, to the Township Line, T.4N., R.10W., and T.4N., R.11W., Section Corner of Sections 1 and 6.

thence westerly between Sections 1 and 36, on the Township Line, T.4N., R.11W., and T.5N., R.11W., to the Section Corner of Sections 35 and 36 on the Township Line of T.4N., R.11W., and T.5N., R.11W.

thence northerly between Sections 35 and 36, T.5N., R.11W., to the Section Corner of Sections 25, 26, 35 and 36.

thence northerly between Sections 25 and 26, T.5N., R.11W., to the Section Corner of Sections 25 and 26.

thence westerly on the north boundary of Section 26, T.5N., R.11W., to the Section Corner of Sections 26, and 27.

thence westerly on the north boundary of Section 27, T.5N., R.11W., to the Section Corner of Sections 27, and 28.

thence westerly on the north boundary of Section 28, T.5N., R.11W., to the Section Corner of Sections 28, and 29.

thence westerly on the north boundary of Section 29, T.5N., R.11W., to the Section Corner of Sections 29, and 30.

thence westerly on the north boundary of Section 30, T.5N., R.11W., to the NW Corner of Section 30, on the Range Line, T.5N., R.11W., and T.5N., R.12W.

thence southerly on the Range Line, west boundary of Section 30, T.5N., R.11W., and T.5N., R.12W., to the Section Corner of Sections 30, and 31.

thence southerly on the Range Line, west boundary of Section 31, T.5N., R.11W., and T.5N., R.12W.to the Township Line, Section Corner of Sections 6, and 31.

thence southerly on the Range Line west boundary of Section 6, T.4N., R.11W., and T.5N., R.12W., to the NE corner of Section 1 Line on the Township Line T.4N., R.12W.

thence westerly on the north boundary of Section 1, T.4N., R.12W., to the Section Corner of Sections 1, and 2.

thence westerly on the north boundary of Section 2, T.4N., R.12W., to the Section Corner of Sections 2, and 3.

thence westerly on the north boundary of Section 3, T.4N., R.12W., to the Section Corner of Sections 3, and 4.

thence westerly on the north boundary of Section 4, T.4N., R.12W., to the Section Corner of Sections 4, and 5.

thence southerly between Sections 4 and 5, T.4N., R.12W., to the Section Corner of Sections 4, 5, 8, and 9.

thence westerly between Sections 5 and 8, T.4N., R.12W., to the Section Corner of Sections 5, 6, 7, and 8.

thence westerly between Sections 6 and 7, T.4N., R.12W., to the Range Line T.4N., R.12W., and T.4N., R.13W., Section Corner of Sections 6, and 7.

thence southerly on the Range Line, west boundary of Section 7, T.4N., R.12W., to the Section Corner of Sections 7, and 18.

thence southerly on the Range Line, west boundary of Section 18, T.4N., R.12W., to the Section Corner of Sections 13, and 24, T.4N., R.13W.

thence westerly between Sections 13 and 24, T.4N., R.13W., to the Section Corner of Sections 13, 14, 23, and 24.

thence westerly between Sections 14 and 23, T.4N., R.13W., to the Section Corner of Sections 14, 15, 22, and 23.

thence westerly between Sections 15 and 22, T.4N., R.13W., to the Section Corner of Sections 15, 16, 21, and 22.

thence westerly between Sections 16 and 21, T.4N., R.13W., to the Section Corner of Sections 16, 17, 20, and 21.

thence northerly between Sections 16 and 17, T.4N., R.13W., to the Section Corner of Sections 8, 9, 16, and 17.

thence westerly between Sections 8 and 17, T.4N., R.13W., to the Section Corner of Sections 7, 8, 17, and 18.

thence westerly between Sections 7 and 18, T.4N., R.13W., to the Range Line, Section Corner of Sections 7, 12, 13, and 18, T.4N., R.13W., and T.4N., R.14W.

thence westerly between Sections 12 and 13, T.4N., R.14W., to the Section Corner of Sections 11, 12, 13, and 14.

thence northerly between Sections 11 and 12, T.4N., R.13W., to the S 1/16 of Sections 11 and 12.

thence westerly along the east-west 1/16th south centerline of said Section 11 to the S 1/16 of Sections 10 and 11, T.4N., R.13W.

thence southerly between Sections 10 and 11, T.4N., R.14W., to the Section Corner of Sections 10, 11, 14, and 15.

thence southwesterly between Sections 10 and 15, T.4N., R.14W., to the 1/4 Section Corner of Sections 10, and 15.

thence westerly between Sections 10 and 15, T.4N., R.14W., to the Section Corner of Sections 9, 10, 15, and 16.

thence southerly between Sections 15 and 16, T.4N., R.14W., to 1/4 Section Corner of Sections 15, and 16.

thence westerly along the east-west centerline of said Section 16, T.4N., R.14W., to the 1/4 Section Corner of Sections 16 and 17;

thence westerly along the east-west centerline of said Section 17, T.4N., R.14W., to the 1/4 Section Corner of Sections 17 and 18;

thence southerly between Sections 17 and 18, T.4N., R.14W., to the Section Corner of Sections 17, 18, 19, and 20.

thence westerly between Sections 18 and 19, T.4N., R.14W., to the Range Line, Section Corner of Sections 18, and 19.

thence southerly on the Range Line, west boundary of Section 19, T.4N., R.14W., to the Section Corner of Sections 19 and 30.

thence southerly on the Range Line, west boundary of Section 30, T.4N., R.14W., to the Section Corner of Sections 30 and 31.

thence southerly on the Range Line, west boundary of Section 31, T.4N., R.14W., to the Township Line, Section Corner of Sections 6 and 31, T.4N., R.14W., and T.3N., R.14W.

thence generally southerly approximately 0.50 miles to a point 200 feet northerly of Sand Canyon Road, located near the 1/4 Corner of Section 6 only, T.3N.,R.14W.

thence generally southeasterly approximately 1.0 miles, parallel, northeasterly 200 feet of Sand Canyon Road, located near the CN 1/16 Corner of Section 7, T.3N.,R.14W.

thence generally southwesterly approximately 0.30 miles, parallel, northeasterly 200 feet of Sand Canyon Road to the intersection of Santa Clara Divide Road, parallel, 200 ft. northerly of Santa Clara Road.

thence generally northeasterly to easterly approximately 1.0 mile, parallel, northwesterly 200 feet of said Santa Clara Divide Road to a point 200 feet easterly of the centerline of Santa Clara Divide Road, located near the C 1/4 Corner of Section 8, T.3N.,R.14W.

thence generally northeasterly to easterly, approximately 3.2 miles to a point, parallel, 200 feet northerly of the centerline of Santa Clara Divide Road near Magic Mountain, located near the CW 1/16 Corner of Section 35, T.4N.,R.14W.

thence generally northeasterly, approximately 2.5 miles to a point, parallel, 200 feet northwesterly of U.S. Forest System Road 3N17, said point being 100 feet south of the centerline of Pacific Crest Trail, located near the W 1/16 Corner of Sections 30 and 31, T.4N.,R.13W.

thence continue generally easterly, approximately 2.0 miles parallel, 100 ft. south of the centerline of the Pacific Crest Trail through Sections 30 and 29, T.4N.,R.13W., located near the Section Corner of Sections 28, 29, 32 and 33, T.4N.,R.13W.

thence continue generally southeasterly, approximately 1.5 miles parallel, 100 ft. south of the centerline of the Pacific Crest Trail through Sections 33, T.4N.,R.13W., located near the Section Corner of Sections 33 and 34, T.4N.,R.13W.

thence continue generally easterly, approximately 6.5 miles parallel, 100 ft. south of the centerline of the Pacific Crest Trail through several Sections on both sides of the Township Line, T.4N.,R.13W., T.3N.,R.13W., T.4N.,R.12W., T.3N.,R.12W., located near the Section Corner of Sections 3 and 34, T.3N.,R.12W., T.4N.,R.12W.

thence continue generally northeasterly, approximately 2.5 miles parallel, 100 ft. south of the centerline of the Pacific Crest Trail through Sections 34, 35 and 26, T.4N.,R.12W., located near the 1/4 Section Corner of Sections 25 and 26, T.4N.,R.12W.

thence continue generally easterly to southeasterly, approximately 1.3 miles parallel, 100 ft. south of the centerline of the Pacific Crest Trail through Sections 25 and 36, T.4N.,R.12W., located near the 1/4 Section Corner of Section 36, T.4N.,R.12W.

thence westerly roughly 1300 feet to a point 200 feet easterly of the centerline of U.S. Forest System Road 3N19, also known as "Angeles Forest Highway";

thence generally southwesterly, parallel to and 200 feet southeasterly of said Road 3N19 approximately 0.75 miles to a point 200 feet southeasterly of the centerline of U.S. Forest System Road 3N19, located near the 1/4 Corner of Section 35 and 36, T.4N.,R.12W.

thence generally southerly to southwesterly, parallel to and 200 feet southeasterly of said Road 3N19 approximately 3.75 miles to a point 200 feet easterly of the centerline of U.S. Forest System Road 3N19, located near the CN 1/16 Corner of Section 23, T.3N.,R.12W.

thence generally southwesterly, parallel to and 200 feet southeasterly of said Road 3N19 approximately 2.75 miles to a point 200 feet easterly of the centerline of U.S. Forest System Road 3N19, located near the CN 1/16 Corner of Section 33, T.3N.,R.12W.

thence generally westerly, parallel to and 200 feet southeasterly of said Road 3N19 approximately 0.50 miles to a point 200 feet easterly of the centerline of U.S. Forest System Road 3N19, located near the N 1/16 Corner of Sections 32 and 33, T.3N.,R.12W.

thence generally southwesterly, parallel to and 200 feet southeasterly of said Road 3N19 approximately 0.15 miles to a point 200 feet easterly of the centerline of U.S. Forest System Road 3N19, located near the C-S-NE 1/16 Corner of Section 32, T.3N.,R.12W.

thence generally southeasterly, parallel to and 200 feet southeasterly of said Road 3N19 approximately 0.75 miles to a point 200 feet easterly of the centerline of U.S. Forest System Road 3N19, located near the SW 1/16 Corner of Section 33, T.3N.,R.12W.

thence generally southwesterly, parallel to and 200 feet southeasterly of said Road 3N19 approximately 0.25 miles to a point 200 feet easterly of the centerline of U.S. Forest System Road 3N19, located near the S-S 1/64 Corner of Sections 32 and 33, T.3N.,R.12W.

thence generally northwesterly, parallel to and 200 feet southeasterly of said Road 3N19 approximately 0.35 miles to a point 200 feet easterly of the centerline of U.S. Forest System Road 3N19, located near the SE 1/16 Corner of Section 32, T.3N.,R.12W.

thence generally southwesterly, parallel to and 200 feet southeasterly of said Road 3N19 approximately 2.0 miles to a point 200 feet easterly of the centerline of U.S. Forest System Road 3N19, located near the C 1/4 Corner of Section 16, T.2N.,R.12W.

thence generally southeasterly, parallel to and 200 feet southeasterly of said Road 3N19 approximately 1.75 miles to a point 200 feet easterly of the centerline of U.S. Forest System Road 3N19, located at the junction of Angeles Crest Hwy 2.

thence generally southeasterly, parallel to and 200 feet southeasterly of said Hwy 2 approximately 2.0 miles to a point 200 feet easterly of the centerline of Angeles Crest Hwy 2, located near the N 1/16 Corner of Sections 14 and 15, T.2N.,R.12W.

thence generally northwesterly, parallel to and 200 feet southeasterly of said Hwy 2 approximately 0.50 miles to a point 200 feet easterly of the centerline of Angeles Crest Hwy 2, located near the S 1/16 Corner of Sections 10 and 11, T.2N.,R.12W.

thence generally southeasterly, parallel to and 200 feet southeasterly of said Hwy 2 approximately 1.0 miles to a point 200 feet easterly of the centerline of Angeles Crest Hwy 2, located near the C-E 1/16 Corner of Section 14, T.2N.,R.12W, also near Red Box Station.

thence southeasterly to the W 1/16 Section Corner of Sections 24 and 25, T.2N., R.12W.

thence easterly to the Range Line, T.2N., R.12W., and T.2N., R.11W., Section Corner of Sections 24 and 25, T.2N., R.12W.

thence southerly along the Range Line to the N 1/16 Section Corner of Section 30, T.2N., R.11W.

thence easterly along the east-west center-north 1/16th line of Section 30, T.2N., R.11W., to the NE 1/16 Section Corner of said Section 30.

thence southerly along the north-south east 1/16th line of Section 30, T.2N., R.11W., to the E 1/16 Section Corner of Sections 30 and 31.

thence easterly between Sections 30 and 31 to Section Corner of Sections 29, 30, 31, and 32, T.2N., R.11W.

thence southerly between Sections 31 and 32 to N 1/16 Section Corner of Sections 31, and 32, T.2N., R.11W.

thence easterly along the east-west, center-north 1/16th line of Section 32, T.2N., R.11W., to the N 1/16 Section Corner of Sections 32 and 33.

thence easterly along the east-west, center-north 1/16th line of Section 33, T.2N., R.11W., to the N 1/16 Section Corner of Sections 33 and 34.

thence easterly along the east-west, center-north 1/16th line of Section 34, T.2N., R.11W., to the N 1/16 Section Corner of Sections 34 and 35.

thence easterly along the east-west, center-north 1/16th line of Section 35, T.2N., R.11W., to the N 1/16 Section Corner of Sections 35 and 36.

thence easterly along the east-west center-north 1/16th line of Section 36, T.2N., R.11W., to the N 1/16 Section Corner of Sections 31 and 36, on the Range Line. T.2N., R.11W., and T.2N., R.10W.

thence easterly along the east-west, center-north 1/16th line of Section 31, T.2N., R.10W., to the N 1/16 Section Corner of Sections 31 and 32.

thence southeasterly to the NW 1/16 Section Corner of Section 5, T.1N., R.10W.

thence southwesterly to the 1/4 Section Corner of Sections 5 and 6, T.1N., R.10W.

thence southeasterly to the W 1/16 Section Corner of Sections 5 and 8, T.1N., R.10W.

thence southeasterly to the C 1/4 Section Corner of Section 8, T.1N., R.10W.

thence southeasterly to the 1/4 Section Corner of Sections 17 and 20, T.1N., R.10W.

thence easterly between Sections 17 and 20, to the Section Corner of Sections 16, 17, 20 and 21, T.1N., R.10W.

thence easterly between Sections 16 and 21, to the Section Corner of Sections 15, 16, 21 and 22, T.1N., R.10W.

thence easterly between Sections 15 and 22, to the Section Corner of Sections 14, 15, 22 and 23, T.1N., R.10W.

thence easterly between Sections 14 and 23, to the Section Corner of Sections 13, 14, 23 and 24, T.1N., R.10W.

thence easterly between Sections 13 and 24, to the W 1/16 Section Corner of Sections 13, and 24, T.1N., R.10W.

thence southerly along the north-south center west 1/16th line of Section 24, to the CW 1/16 Section Corner of said Section 24, T.1N., R.10W.

thence westerly along the east-west center line of Section 24, to the 1/4 Section Corner of Sections 23 and 24, T.1N., R.10W.

thence southerly between Sections 23 and 24, to the S 1/16 Section Corner of Sections 23 and 24, T.1N., R.10W.

thence easterly along the east-west center south 1/16th line of Section 24, to the CS 1/16 Section Corner of said Section 24, T.1N., R.10W.

thence northerly along the north-south center line of Section 24, to the 1/4 Section Corner of said Sections 13 and 24, T.1N., R.10W.

thence easterly to the Range Line, Section Corner of Sections 13, 18, 19 and 24, T.1N., R.10W., and T.1N., R.9W.

thence easterly between Sections 18 and 19, to the Section Corner of Sections 17, 18, 19 and 20, T.1N., R.9W.

thence easterly between Sections 17 and 20, to the Section Corner of Sections 16, 17, 20 and 21, T.1N., R.9W.

thence easterly between Sections 16 and 21, to the Section Corner of Sections 15, 16, 21 and 22, T.1N., R.9W.

thence southeasterly to the CN 1/16 Section Corner of Section 22, T.1N., R.9W.

thence southerly along the north-south center line of Section 22, to the 1/4 Section Corner of Sections 22 and 27, T.1N., R.9W.

thence southerly along the north-south center line of Section 27, to the C 1/4 Section Corner of Section 27, T.1N., R.9W.

thence easterly along the east-west center line of Section 27, to the CE 1/16 Section Corner of said Section 27, T.1N., R.9W.

thence northerly along the north-south center east 1/16th line of Section 27, to the E 1/16 Section Corner of said Sections 22 and 27, T.1N., R.9W.

thence easterly between Sections 22 and 27, to the Section Corner of Sections 22, 23, 26 and 27, T.1N., R.9W.

thence easterly between Sections 23 and 26, to the 1/4 Section Corner of Sections 23 and 26, T.1N., R.9W.

thence southerly along the north-south center line of Section 26, to the CN 1/16 Section Corner of Sections 26, T.1N., R.9W.

thence easterly along the east-west center north 1/16th line of Section 26, to the NE 1/16 Section Corner of said Section 26, T.1N., R.9W.

thence southeasterly to the 1/4 Section Corner of Sections 25 and 26, T.1N., R.9W.

thence easterly along the east-west center line of Section 25, to the CW 1/16 Section Corner of said Section 25, T.1N., R.9W.

thence northerly along the north-south center west 1/16th line of Section 25, to the W 1/16 Section Corner of said Sections 24 and 25, T.1N., R.9W.

thence easterly to the Range Line, Section Corner of Sections 19, 24, 25 and 30, T.1N., R.9W., and T.1N., R.8W.

thence easterly between Sections 19 and 30, to the Section Corner of Sections 19, 20, 29 and 30, T.1N., R.8W.

thence northerly between Sections 19 and 20, to the Section Corner of Sections 17, 18, 19 and 20, T.1N., R.8W.

thence easterly between Sections 17 and 20, to the Section Corner of Sections 16, 17, 20 and 21, T.1N., R.8W.

thence easterly between Sections 16 and 21, to the Section Corner of Sections 15, 16, 21 and 22, T.1N., R.8W.

thence easterly between Sections 15 and 22, to the Section Corner of Sections 14, 15, 22 and 23, T.1N., R.8W.

thence easterly between Sections 14 and 23, to the Section Corner of Sections 13, 14, 23 and 24, T.1N., R.8W.

thence northerly between Sections 13 and 14, to the Section Corner of Sections 11, 12, 13 and 14, T.1N., R.8W.

thence northerly between Sections 11 and 12, to the Section Corner of Sections 1, 2, 11 and 12, T.1N., R.8W.

thence northerly between Sections 1 and 2, to the Township Line, T.1N., R.8W., and T.2N., R.8W., Section Corner of Sections 1, 2, 35 and 36.

thence northerly between Sections 35 and 36, to the Section Corner of Sections 25, 26, 35 and 36, T.2N., R.8W.

thence northerly between Sections 25 and 26, to the Section Corner of Sections 23, 24, 25 and 26, T.2N., R.8W.

thence easterly between Sections 24 and 25, to the E 1/16 Section Corner of Sections 24 and 25, T.2N., R.8W.

thence northeasterly and northwesterly along the contour line of 5200 ft. approximately 0.40 mile to a point.

thence northeasterly approximately 0.30 mile to a point, said point located near the ¼ Section Corner of Sections 19 and 24 on the Range line T.2N., R.8W., and T.2N., R.7W.

thence easterly approximately 0.50 mile to a point, point located near the C 1/4 Section Corner of Section 19, T.2N., R.7W.

thence northeasterly approximately 0.60 mile to a point, point located near the Section Corner of Sections 17, 18, 19 and 20, T.2N., R.7W.

thence northeasterly approximately 1.2 miles to a point, point located near the EW 1/64 Section Corner of Sections 8 and 17, T.2N., R.7W.

thence northeasterly approximately 0.50 mile to a point, point located near the C 1/4 Section Corner of Section 8, T.2N., R.7W.

thence northwesterly approximately 0.50 mile to a point at 8200 ft. elevation near Gold Ridge Mine , point located near the CNNW 1/16 Section Corner of Section 8, T.2N., R.7W.

thence northerly 330 ft. along the 8200 ft. elevation contour to the W 1/16 Section Corner of Sections 5 and 8, T.2N., R.7W., boundary in common with the Angeles and San Bernardino National Forest.

thence easterly between Sections 5 and 8, to the Section Corner of Sections 4, 5, 8 and 9, T.2N., R.7W., boundary in common with the Angeles and San Bernardino National Forest.

thence northerly between Sections 4 and 5 to point on Devils Backbone., boundary in common with the Angeles and San Bernardino National Forest.

thence easterly along Devils Backbone, approximately 0.75 mile to a point, point located near WE 1/64 Section Corner of Sections 4 and 9, T.2N., R.7W., boundary in common with the Angeles and San Bernardino National Forest.

thence southeasterly approximately 0.40 mile to a point near BM 7802 ft. near Mt. Baldy Notch., boundary in common with the Angeles and San Bernardino National Forest.

thence easterly approximately 660 ft. to the CW 1/16 Section Corner of Section 10, T.2N., R.7W., boundary in common with the Angeles and San Bernardino National Forest.

thence enter the San Bernardino National Forest easterly along the east-west center line of Section 10 (Cucamonga Wilderness Boundary), to the 1/4 Section Corner of Sections 10 and 11, T.2N., R.7W.,

thence northerly between Sections 10 and 11, along Cucamonga Wilderness Boundary, to the Section Corner of Sections 2, 3, 10 and 11, T.2N., R.7W.

thence southwesterly approximately 350 ft. to center of Coldwater Creek.
thence northwesterly approximately 400 ft. to a point 100 feet southerly of the centerline of Baldy Road (dirt road).

thence generally northeasterly, parallel to and 100 feet southeasterly of said Baldy Road approximately 0.60 mile to a point, located near the CE 1/16 Corner of Section 3, T.2N.,R.7W.

thence generally northwesterly, parallel to and 100 feet southeasterly of said Baldy Road approximately 0.70 mile to a point at the intersection of Baldy Road and unnamed road 100 feet southwesterly of centerline, located near the 1/4 Corner of Section 3, T.2N.,R.7W., near Stockton Flat.

thence generally southwesterly, parallel to and 100 feet southeasterly of said unnamed Road approximately 0.55 mile to a point, located near the N 1/16 Corner of Sections 3 and 4, T.2N.,R.7W.

thence southwesterly approximately 0.40 mile in a drainage to a point, locate near the C 1/4 Section Corner of Section 4.

thence northeasterly approximately 0.75 mile, to the southeast corner of the Sheep Mountain Wilderness Boundary, located near the S 1/16 Section Corner of Sections 33 and 34, T.2N.,R.7W.,

thence northerly between Sections 33 and 34 approximately 0.60 mile to the top of a ridge, along said Sheep Mountain Wilderness Boundary.

thence northwesterly along the ridge approximately 0.50 mile to a knob, along said Sheep Mountain Wilderness Boundary.

thence northerly to a branch of the North Fork Drainage approximately 0.60 mile, located near the C 1/4 Section Corner of Section 28, T.3N.,R.7W., along said Sheep Mountain Wilderness Boundary.

thence northwesterly along a gradual ridge line approximately 0.60 mile to a knob at 7898 ft. elevation (benchmark), located near the CSSW 1/16 Section Corner of Section 20, T.3N.,R.7W., along said Sheep Mountain Wilderness Boundary.

thence northwesterly approximately 0.40 mile, parallel, 100 ft. north of the center of the Pacific Crest Trail at approximate elevation 8176 ft. (benchmark).

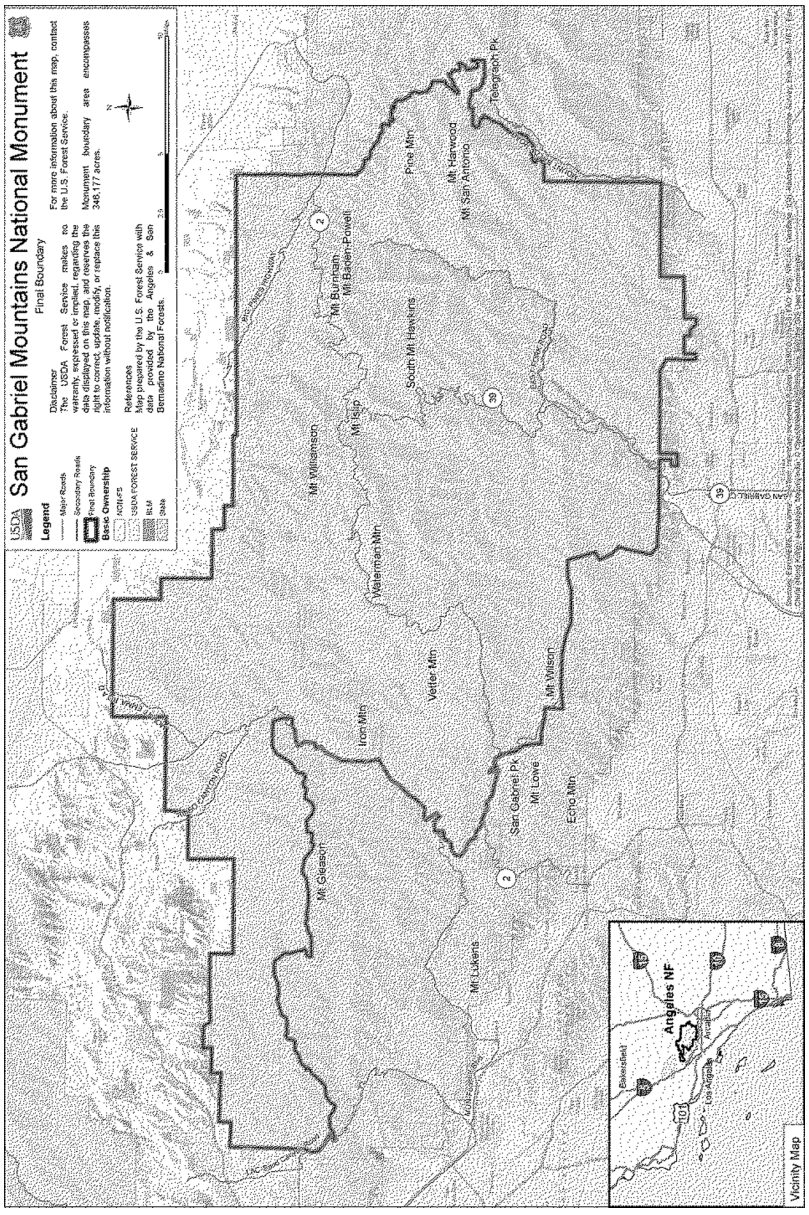
thence generally northwesterly, approximately 2.5 miles, parallel, 100 ft. north of centerline of the Pacific Crest Trail through Sections 18, 19 and 20, T.3N.,R.7W., to the Range Line of Sections, in between Sections 13 and 18.

thence continue generally northwesterly, approximately 1.3 miles parallel, 100 ft. north of the centerline of the Pacific Crest Trail through Section 13, T.3N.,R.8W., to the Section line of 13 and 14, T.3N.,R.8W.

thence northerly between Sections 13 and 14, T.3N.,R.8W., to the Point Of Beginning.

Containing approximately 346176 acres of land, more or less.

The boundary calls listed herein are not a result of a survey on the ground.


San Gabriel Mountains National Monument
Final Boundary
Legend
Major Roads
Secondary Roads
Final Boundary
Forest Ownership
USFS
Other
Disclaimer:
For more information about this map, contact the U.S. Forest Service.
Monument boundary area encompasses 348,177 acres.
References
Mt Williamson
Mt Baden-Powell
Mt Harwood
Mt San Antonio
Telegraph Pk
Pine Mtn
South Mt Hawkins
Waterman Mtn
Iron Mtn
Vetter Mtn
Mt Gleason
Mt Lukens
San Gabriel Pk
Mt Lowe
Mt Wilson
Echo Mtn
Angeles NF
Vicinity Map

Proclamation 9195 of October 14, 2014

Blind Americans Equality Day, 2014

By the President of the United States of America
A Proclamation

For half a century, our Nation has set aside one day every year to honor the contributions of blind and visually impaired Americans. In that time, we have built a more just and more inclusive society. We have torn down barriers to full participation in our democracy and economy—but more work remains to guarantee all Americans have a fair shot at success. Today, we reaffirm our commitment to equal access, equal opportunity, and equal respect for every person and continue our work to ensure that no one is excluded from America's promise.

All Americans have a fundamental right to dignity and respect, and to fully take part in the American experience. Every day, people with visual impairments and other print disabilities enrich our communities and demonstrate the inherent worth of every person. In our classrooms, blind Americans teach history and mathematics while fostering an early awareness of the innate possibility within each person. On canvas and through music, artists with visual impairments show us the world as they know it and broaden our understanding of our universe. Across our country, Americans with disabilities contribute to our workplaces and our economy while securing stronger futures for themselves and their families.

My Administration is dedicated to expanding opportunity because all people deserve the freedom to make of their lives what they will. We are building on the foundation of the Americans with Disabilities Act by strengthening the protections against disability-based discrimination and advancing programs that increase accessibility in the places we learn, work, and live. Because Braille is a key tool that unlocks learning for many blind and visually impaired students, my Administration continues to support Braille instruction in classrooms throughout our Nation. We are committed to promoting access to employment opportunities for individuals with disabilities, ensuring new technology remains accessible so disabilities do not stand in the way of cutting-edge innovation, and—through new protections in the Affordable Care Act—preventing health insurance companies from denying coverage based on pre-existing conditions, medical history, or genetic information.

When our Nation is able to harness the full potential of all our citizens, we can achieve extraordinary things. On Blind Americans Equality Day, we resolve to live up to the principles enshrined in the heart of our Nation and do our part to form a more perfect Union.

By joint resolution approved on October 6, 1964 (Public Law 88–628, as amended), the Congress designated October 15 of each year as ''White Cane Safety Day'' to recognize the contributions of Americans who are blind or have low vision. Today, let us recommit to ensuring we remain a Nation where all our people, including those with disabilities, have every opportunity to achieve their dreams.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Con-

stitution and the laws of the United States, do hereby proclaim October 15, 2014, as Blind Americans Equality Day. I call upon public officials, business and community leaders, educators, librarians, and Americans across the country to observe this day with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9196 of October 17, 2014

National Character Counts Week, 2014

By the President of the United States of America
A Proclamation

For generations, our Nation's beliefs in mutual respect, shared responsibility, and equality for all have strengthened our bond as a people and guided our path—uniting us in times of crisis and inspiring us in moments of triumph. During National Character Counts Week, we reaffirm the principles that built America and dedicate ourselves to passing on our highest ideals to our children.

We see the true character of our country in the examples set by the work and lives of our people. We see it in the educators, mentors, and parents who teach our kids not only to understand math and history, but also to know and show compassion and respect. We see it in first responders who put themselves in harm's way to protect strangers, and in our men and women in uniform who selflessly serve the land we love and defend the values we cherish. And we see it in small acts of kindness that define who we are as Americans and help us recognize our common humanity.

When we give our daughters and sons a foundation of integrity, hard work, and responsibility, and when we empower them with the courage to choose these values in the face of cynicism, we prepare them for a lifetime of engaged citizenship and create stronger communities across America. This week, and all year long, let us all do our part to ensure the fundamental tenets that have shaped our Union from its founding continue to sustain us and draw out the best in each of us.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 19 through October 25, 2014, as National Character Counts Week. I call upon public officials, educators, parents, students, and all Americans to observe this week with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of October, in the year of our Lord two thousand fourteen, and of

the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9197 of October 17, 2014

National Forest Products Week, 2014

By the President of the United States of America
A Proclamation

Our Nation's forests are an essential element of our urban spaces and rural landscape. Covering more than 750 million acres across America, they create opportunities for recreation and habitats for wildlife, and their products play an integral role in our Nation's economy and our daily lives. Paper and wood products allow us to communicate, teach, and learn. They provide us shelter and energy, and they package and deliver our food, medicine, and manufactured goods. And whether it is a paper containing the Gettysburg Address or a child's crayon masterpiece, these products capture life's memorable moments across generations. During National Forest Products Week, we celebrate the many uses of our natural bounty, and we renew our commitment to protect our forests and ensure these resources endure.

Forest products are recyclable and renewable, and in a changing climate, responsible management of our Nation's forests is even more important. Our forests purify the air we breathe and provide clean water to our communities. By absorbing and storing carbon dioxide, forests and forest products help reduce the greenhouse gases in our atmosphere, removing roughly 16 percent of our carbon emissions. In the face of increased threats to our forests—including diseases and insect infestations that spread more quickly, droughts that last longer, and wildfires that burn more frequently and more intensely—we are taking action to preserve these vital pieces of our environment and economy. As part of my Administration's Climate Action Plan, we are increasing the resilience of our country's forests and preserving their key role in mitigating climate change.

My Administration is committed to safeguarding these green spaces across our country for the use and enjoyment of our children and grandchildren. Through our America's Great Outdoors Initiative, we are empowering communities to do their part to protect their forested land, from urban parks to working forests. When cities and towns have the support they need to conserve their own resources, neighborhoods thrive and local economies grow.

For centuries, our forests have shaped the character of our Nation and contributed to its expansion, and we have an obligation to ensure the next generation has access to the same drivers of progress. This week, we resolve to do our part to protect our forests and secure a cleaner, healthier future for posterity.

To recognize the importance of products from our forests, the Congress, by Public Law 86–753 (36 U.S.C. 123), as amended, has designated the week beginning on the third Sunday in October of each year as ''Na-

tional Forest Products Week'' and has authorized and requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim October 19 through October 25, 2014, as National Forest Products Week. I call on the people of the United States to join me in recognizing the dedicated individuals who are responsible for the stewardship of our forests and for the preservation, management, and use of these precious natural resources for the benefit of the American people.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9198 of October 23, 2014

United Nations Day, 2014

By the President of the United States of America
A Proclamation

In 1945, in the shadow of a world war and the face of an uncertain future, 51 founding nations joined in common purpose to establish the United Nations and codify its mission to maintain international peace and security, encourage global cooperation, and promote universal respect for human rights. Nearly seven decades later, we once again find ourselves at a pivotal moment in history—a crossroads between conflict and peace, disorder and integration, hatred and dignity—dealing with new challenges that require a united response. As we confront these global problems in an increasingly interconnected world, the United Nations remains as necessary and vital as ever. On United Nations Day, we recognize the important role the United Nations continues to play in the international system, and we reaffirm our country's commitment to work with all nations to build a world that is more just, more peaceful, and more free.

The United Nations fosters international cooperation and enables progress on the world's most immediate threats and critical long-term challenges. From addressing climate change and eradicating poverty to preventing armed conflict and halting the proliferation of weapons of mass destruction, the work of the United Nations supports our shared pursuit of a better world. In this spirit of mutual interest and mutual respect, the international community must continue to find common ground in the face of threats to the prosperity and security of all our nations.

Across the globe, United Nations personnel put their lives on the line to give meaning and action to the simple truths enshrined in the United Nations Charter. Today, U.N. humanitarian staff are providing lifesaving relief to those trapped by conflict; U.N. peacekeepers are protecting civilians against threats from extremists and other violent groups; and U.N. health workers are helping to bring Ebola under control in West Africa and deliver critical medicines to people around the

world. Their dedication, hard work, and sacrifice reflect the promise of the United Nations and the best of the human spirit.

On this day, let us resolve to strengthen and renew the United Nations. Let us choose hope over fear, collaboration over division, and humanity over brutality, as we work together to build a tomorrow marked by progress rather than suffering. Our diplomacy can build the foundation for peace and our cooperation can be the catalyst for growth. By harnessing the power of the United Nations, we can build a more peaceful and more prosperous future for all our children and grandchildren.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 24, 2014, as United Nations Day. I urge the Governors of the 50 States, and the officials of all other areas under the flag of the United States, to observe United Nations Day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9199 of October 31, 2014

Critical Infrastructure Security and Resilience Month, 2014

By the President of the United States of America
A Proclamation

Essential to our national security and economic growth, America's critical infrastructure—from our power plants and pipelines to our hospitals and highways—supports the physical and virtual systems that underpin American society. In a changing world, the increased interdependence of our country's most vital resources and networks has created new opportunities for growth and innovation, but it has also led to greater risk and vulnerability. During Critical Infrastructure Security and Resilience Month, we reflect on the important role our infrastructure plays in building a safe and prosperous Nation, and we recommit to strengthening and protecting these important assets.

The security of our Nation is my top priority, and my Administration is dedicated to preserving and fortifying the systems that support our daily lives. Guided by our Cybersecurity Framework, we are working to protect our critical infrastructure from cyber threats, while promoting an open and reliable cyberspace. In the face of a diverse set of physical risks to our infrastructure—from extreme weather and the impacts of climate change to health pandemics, accidents, and acts of terrorism—we are taking steps to reduce our vulnerabilities. And because the majority of our critical infrastructure is owned and operated by private companies, we are encouraging the private sector to recognize their shared responsibility. As part of our National Infrastructure Pro-

tection Plan, we are finding new ways we can strengthen our public-private partnerships to bolster our systems and networks and to better manage risks.

While we cannot always predict the ways in which our infrastructure will be tested, by harnessing an integrated approach to a range of threats and modernizing our cyber and physical infrastructure, we can ensure that one event does not compromise the stability of our entire system. When we invest in 21st century infrastructure, we not only increase our resilience, but also create jobs and expand opportunity for hardworking Americans. That is why earlier this year we launched the Build America Investment Initiative to improve our roads, water systems, electrical grid, and other vital systems. By encouraging innovative financing and increased public-private collaboration, we can build a revitalized, efficient, and secure American infrastructure.

In today's interconnected world, we must all remain dedicated to identifying and deterring threats and hazards to our Nation's critical infrastructure and to mitigating the consequences of incidents that do occur. This month, let us resolve to safeguard and strengthen the systems we rely on every day and to support first-class infrastructure that can sustain America's role as a leader on the world stage.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2014 as Critical Infrastructure Security and Resilience Month. I call upon the people of the United States to recognize the importance of protecting our Nation's resources and to observe this month with appropriate events and training to enhance our national security and resilience.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9200 of October 31, 2014

Military Family Month, 2014

By the President of the United States of America
A Proclamation

For more than two centuries, members of our Armed Forces have defended our country with unyielding courage. In our Nation's times of need, these brave patriots step forward to answer America's call, leaving behind everything they know and love. And as they help secure our freedom and democracy, their families sacrifice alongside them. During Military Family Month, we recognize every spouse, parent, sibling, child, and loved one who stands with our service members, and we reaffirm our solemn vow to serve these families as well as they serve us.

The selflessness of our military families tells a story of unfailing duty and devotion. Through long deployments, difficult separations, and moves across the country and overseas, spouses and partners put their careers on hold and children take on extra responsibilities. With grace and resilience, families endure the absence of loved ones and shoulder the burdens of war. And when battle ends and our service members return home, their families support their transition and recovery.

To fulfill our sacred promise to our service members and their loved ones, my Administration continues to make supporting our military families a top priority. This year, we launched the Veterans Employment Center, an interagency resource to connect transitioning service members, veterans, and their spouses to meaningful career opportunities. We are also committed to fostering partnerships with organizations that help military caregivers and making consistent and effective family services available, including mental health care and counseling, deployment and relocation assistance, and child care and youth programs. Through their Joining Forces initiative, First Lady Michelle Obama and Dr. Jill Biden are working to ensure members of our Armed Forces, veterans, and their families have all the opportunities and benefits they deserve. And since 2011, their efforts have encouraged businesses to hire more than 500,000 veterans and military spouses.

Every day, our military families at home and abroad inspire us and remind us of our obligation to take care of those who do so much for our country. As a grateful Nation, we pay tribute to the women and men who have made our military the finest fighting force the world has ever known, and we honor the enduring strength and dedication of their families.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2014 as Military Family Month. I call on all Americans to honor military families through private actions and public service for the tremendous contributions they make in support of our service members and our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9201 of October 31, 2014

National Adoption Month, 2014

By the President of the United States of America

A Proclamation

Every year, adoptive parents welcome tens of thousands of children and teenagers into supportive and loving families. These mothers and fathers provide their sons and daughters with the security and stability of a safe environment and the opportunity to learn, grow, and achieve their full potential. During National Adoption Month, we honor those

who have opened their hearts and their homes, and we recommit to supporting all children still in need of a place to call their own.

Over the past decade, more than 500,000 children have been adopted. However, there are still too many children waiting to be part of an adoptive family. This month—on the Saturday before Thanksgiving—we will observe the 15th annual National Adoption Day, a nationwide celebration that brings together policymakers, practitioners, and advocates to finalize thousands of adoptions and to raise awareness of those still in need of permanent homes.

To help ensure there is a permanent home for every child, my Administration is investing in programs to reduce the amount of time children in foster care wait for adoption and to educate adoptive families about the diverse needs of their children, helping ensure stability and permanency. We are equipping State and local adoption organizations with tools to provide quality mental health services to children who need them, and—because we know the importance of sibling relationships—we are encouraging efforts to keep brothers and sisters together. Additionally, last year I was proud to permanently extend the Adoption Tax Credit to provide relief to adoptive families. By supporting policies that remove barriers to adoption, we give hope to children across America. For all those who yearn for the comfort of family, we must continue our work to increase the opportunities for adoption and make sure all capable and loving caregivers have the ability to bring a child into their life, regardless of their race, religion, sexual orientation, or marital status.

Throughout November, we recognize the thousands of parents and kids who have expanded their families to welcome a new child or sibling, as well as the professionals who offer guidance, resources, and counseling every day. Let us reaffirm our commitment to provide all children with every chance to reach their dreams and realize their highest aspirations.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2014 as National Adoption Month. I encourage all Americans to observe this month by answering the call to find a permanent and caring family for every child in need, and by supporting the families who care for them.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9202 of October 31, 2014

National Alzheimer's Disease Awareness Month, 2014

By the President of the United States of America
A Proclamation

Across our Nation, as many as 5 million Americans live with Alzheimer's disease—currently an irreversible, incurable, and fatal disease. Together with their loved ones, these individuals experience the tragic realities of a disease that gradually erases cherished memories, affects behavior, and destroys the ability to live independently and carry out the simplest daily tasks. This month, we recognize all those whose lives have been touched by Alzheimer's, and we renew our commitment to making progress in the war against it.

The Federal Government is the world's leading funder of Alzheimer's research, and we are dedicated to finding ways to prevent and effectively treat this devastating disease by 2025. Guided by the National Plan to Address Alzheimer's Disease, my Administration is working to enhance care for Alzheimer's patients, expand support for all people with dementia, and strengthen public-private partnerships to support the Alzheimer's community. We have funded major new clinical trials, helped train health care providers to diagnosis and manage dementia, and launched a new website that serves as a one-stop resource on Alzheimer's issues. And this year, as part of our Brain Research through Advancing Innovative Neurotechnologies (BRAIN) Initiative, we announced new investments to support the research that could unlock the answers to this disease. To learn more about Alzheimer's disease—including risk factors and early signs and symptoms—and to access resources for patients and caregivers, Americans can visit *www.Alzheimers.gov.*

During National Alzheimer's Disease Awareness Month, we join with researchers, health care providers, and patient advocates across our country to lift up all those who are battling this disease every day. As we come together to raise awareness about Alzheimer's, we honor the individuals who lost their lives to it, as well as the devotion and selflessness of the millions of caregivers who endure the financial and emotional strains of this disease. In their spirit, let us continue our work to end this debilitating ailment and its devastating effects.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2014 as National Alzheimer's Disease Awareness Month. I call upon the people of the United States to learn more about Alzheimer's disease and support the individuals living with this disease and their caregivers.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9203 of October 31, 2014

National College Application Month, 2014

By the President of the United States of America
A Proclamation

With hard work and determination, a great education should be within everyone's reach. At the heart of America's promise is the belief that we all deserve an equal opportunity to get ahead, and today more than ever—as we face greater global competition in a knowledge-based economy—a college degree is the surest path to a stable, middle-class life. During National College Application Month, we come together to encourage all students to take control of their own destiny by applying to continue their education beyond high school and to let them know that no matter where they come from or who they are—it does not matter if they are the first in their family to apply to college or if they have been told that they are simply not college material—there is an opportunity for them.

This fall, high school seniors across our Nation are making the decision to invest in their future by earning a post-secondary degree or credential, and as they navigate the college admissions process, my Administration is dedicated to supporting them with the tools and resources they need to succeed. To help more families afford a college degree, we have expanded grants, tax credits, and loans and invested in programs that help students manage and reduce the burdens of debt after they graduate. We created the College Scorecard to make it easier for students and families to compare colleges and find ones that are well-suited to their needs. And to help students better understand the costs of college and more easily compare aid packages offered by different institutions, we developed the Financial Aid Shopping Sheet. To access these and other resources—including College Navigator and a tool that helps determine the net price of any given college—Americans can go to *www.WhiteHouse.gov/ReachHigher.*

Applying to college is hard work, but it is only the beginning of a journey that requires persistence and focus. A college degree unlocks pathways to opportunity; it prepares today's students for the jobs of the future and is a requirement for the educated workforce and informed citizenry our country needs to create growth, bolster our economy, and strengthen our democracy. That is why as a Nation, we must lift up our students, help them achieve their greatest potential, and work together toward an important goal: to lead the world in college completion.

This month, we celebrate the limitless possibility within every child. We honor the teachers, school counselors, and parents who help students apply to college. We recognize the institutions that are taking steps to ensure they reach the best and brightest students, regardless of their background, and all those who ensure the next generation is prepared for success, including businesses who open their doors to interns and the alumni, foundations, and faith-based organizations that provide scholarships. Let us remind all students that it is never too early to start planning for their future or reaching for their dreams.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Con-

stitution and the laws of the United States, do hereby proclaim November 2014 as National College Application Month. I call upon public officials, educators, parents, students, and all Americans to observe this month with appropriate ceremonies, activities, and programs designed to encourage students to make plans for and apply to college.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9204 of October 31, 2014

National Diabetes Month, 2014

By the President of the United States of America
A Proclamation

Today, nearly 30 million Americans have diabetes. This devastating disease affects men and women of all backgrounds and ages, and can cause serious health complications, including blindness, kidney failure, heart disease, stroke, and the loss of lower limbs. During National Diabetes Month, we stand with all those battling this chronic, life-threatening disease and their families, and we pay tribute to the advocates, researchers, and health care professionals who are committed to supporting healthy lifestyles in communities across our country.

Most commonly diagnosed in young people, type 1 diabetes has no known method of prevention. However, it can be managed with regular exercise, good nutrition, and proper medication. Type 2 diabetes accounts for roughly 90 to 95 percent of diagnosed cases of diabetes in adults, and the risk of developing it is commonly associated with older age, obesity, physical inactivity, and a family history of diabetes. African Americans, Hispanic Americans, American Indians, and some Asian Americans and Pacific Islanders are at particularly high risk for this disease and its complications. In some cases, losing weight, eating healthy, and being more active can help prevent or delay type 2 diabetes. Americans who are at risk for this disease can consult with a health care provider to discuss the steps they can take to reduce their chances of developing diabetes.

My Administration is committed to finding a cure for both type 1 and type 2 diabetes, and we continue to invest in critical research to prevent this disease, increase the quality of care, and reduce its devastating complications. Established to help translate the important findings of this research into practice, the National Diabetes Education Program works to raise awareness of this disease among high risk individuals and to improve treatment and outcomes for those living with it. To learn more about diabetes, individuals can visit www.NDEP.NIH.gov.

The Affordable Care Act prevents health insurance companies from denying coverage due to a pre-existing condition, such as a diabetes diagnosis, and requires that insurers cover recommended diabetes screenings without a copay for adults with high blood pressure. My

Administration also encourages public-private partnerships that are helping Americans at risk of type 2 diabetes take action to prevent the onset of the disease. And as more than one-third of American children and adolescents are overweight or obese—putting a new generation at risk for diabetes—First Lady Michelle Obama's *Let's Move!* initiative seeks to increase opportunities for young people to engage in physical activity and make healthy choices.

All Americans deserve the chance to lead healthy lives and achieve their full potential. During National Diabetes Month, we honor the memory of those we have lost to diabetes, and we recommit to pursuing solutions that will shed light on this disease, moving our Nation closer to a healthier tomorrow for all.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2014 as National Diabetes Month. I call upon all Americans, school systems, government agencies, nonprofit organizations, health care providers, research institutions, and other interested groups to join in activities that raise diabetes awareness and help prevent, treat, and manage the disease.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9205 of October 31, 2014

National Entrepreneurship Month, 2014

By the President of the United States of America
A Proclamation

Across our Nation, in laboratories and around kitchen tables, passionate and creative entrepreneurs are developing new sources of clean energy, cures for life-threatening diseases, and inventions that will transform the way we see the world. America has always been a country of risk takers and dreamers—where anyone who is willing to work hard can turn a good idea into a thriving business—and our spirit of ingenuity remains a powerful engine of growth, creating jobs and bolstering our economy. This month, we recognize the grit and determination of American inventors and innovators and their many contributions to our Nation, and we reaffirm our commitment to support these entrepreneurs as they develop the products, services, and ideas of tomorrow.

Our country seeks to empower a rising generation of talented and striving innovators and to ensure they have opportunities to pursue their aspirations and take the risks that make America great. That is why my Administration has expanded grants, tax credits, and loans to help more families afford a college degree. We are investing in programs that encourage science, technology, engineering, and math education, especially for traditionally underrepresented groups. We have given

nearly 5 million Americans the chance to cap their student loan payments at 10 percent of their income, freeing them to pursue new ideas and unsolved problems. And the Affordable Care Act enables entrepreneurs to set out and build the future they seek by providing the security of quality, affordable health care.

As we work to create a new foundation of growth and prosperity, my Administration is taking action to ensure startups and innovators have the resources and access to capital they need to take ideas from the drawing board to the factory floor to the store shelf. Now in its fourth year, our Startup America initiative has brought the Federal Government and private sector partners together to cut red tape for entrepreneurs, speed up innovation, and help get businesses off the ground and scale up more quickly. We are redoubling our support for an open Internet and open data as fundamentals of innovation. We have committed to investing billions of dollars in our small businesses and startups, and we are accelerating the transfer of federally funded research from the laboratory to the commercial marketplace. We have made new efforts to welcome entrepreneurial companies as customers of the Federal Government, and since taking office, I have signed 18 tax cuts for small businesses into law, as well as bipartisan legislation that has helped enable more emerging growth companies to access public capital markets. And because many of the highly skilled workers and talented thinkers on whom our startups depend are first-generation Americans, I continue to call on the Congress to enact comprehensive immigration reform—and I am prepared to address our broken immigration system through executive action in a way that is sustainable and effective, and within the confines of the law.

Bringing together America's best and brightest innovators creates important opportunities for mentorship within the startup and small business communities, and it allows policymakers to hear directly from entrepreneurs. This year, we launched the Presidential Ambassadors for Global Entrepreneurship. A first-of-its-kind collaboration between successful American businesspeople and the Federal Government, this group is helping to cultivate startup communities and champion entrepreneurship both here at home and overseas. We also hosted inventors from around the country this year at the first-ever White House Maker Faire. And later this month, my Administration is supporting the 5th annual Global Entrepreneurship Summit in Morocco, to foster entrepreneurial success and prosperity around the world.

When we encourage entrepreneurs and the ideas they introduce to the world, we strengthen our communities and help secure America's promise for future generations. As we observe National Entrepreneurship Month and celebrate Global Entrepreneurship Week, let us continue our work to ensure America remains home to the best minds and the most innovative businesses on earth.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2014 as National Entrepreneurship Month. I call upon all Americans to commemorate this month with appropriate programs and activities, and to celebrate November 18, 2014, as National Entrepreneurs' Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9206 of October 31, 2014

National Family Caregivers Month, 2014

By the President of the United States of America
A Proclamation

Each day, courageous individuals step forward to help care for family members in need, their quiet acts of selflessness and sacrifice telling a story of love and devotion. Across our country, parents and children, siblings and spouses, friends and neighbors heroically give of themselves to support those in their lives affected by illness, injury, or disability. During National Family Caregivers Month, we salute the people who play difficult and exhausting roles, and we recommit to lifting up these Americans as they care for their loved ones while protecting their dignity and individuality.

In the United States, more than 60 million caregivers provide invaluable strength and assistance to their family members, and as the number of older Americans rises, so will the number of caregivers. Many of these dedicated people work full time and raise children of their own while also caring for the needs of their loved ones. Caregivers support the independence of their family members and enable them to more fully participate in their communities, and as a Nation, we have an obligation to empower these selfless individuals.

My Administration continues to work to improve many of the resources on which caregivers depend. The Affordable Care Act invested in programs that expand home and community-based services. To lift up a new generation of service members—our 9/11 Generation—we are fighting to ensure those who care for them have access to the support they need, including financial assistance, comprehensive caregiver training, mental health services and counseling, and respite care. Many caregivers rely on workplace flexibility and reasonable accommodations, and this year my Administration held the first-ever White House Summit on Working Families to develop a comprehensive agenda that ensures hard-working Americans do not have to choose between being productive employees and responsible family members. And next year, we will host the White House Conference on Aging, which will focus on the needs of older Americans and those who care for them.

Not only this month, but every month, let us work alongside our Nation's caregivers and make certain they are able to provide the best possible care for their loved ones for as long as necessary. Together, we recognize those who place service above self, including the women and men looking after our veterans. By offering them the same comfort, social engagement, and stability they bring to others, may we remind them that they are not alone.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2014 as National Family Caregivers Month. I encourage all Americans to pay tribute to those who provide for the health and well-being of their family members, friends, and neighbors.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9207 of October 31, 2014

National Native American Heritage Month, 2014

By the President of the United States of America

A Proclamation

Every year, our Nation pauses to reflect on the profound ways the First Americans have shaped our country's character and culture. The first stewards of our environment, early voices for the values that define our Nation, and models of government to our Founding Fathers—American Indians and Alaska Natives helped build the very fabric of America. Today, their spirit and many contributions continue to enrich our communities and strengthen our country. During National Native American Heritage Month, we honor their legacy, and we recommit to strengthening our nation-to-nation partnerships.

As we celebrate the rich traditions of the original peoples of what is now the United States, we cannot forget the long and unfortunate chapters of violence, discrimination, and deprivation they had to endure. For far too long, the heritage we honor today was disrespected and devalued, and Native Americans were told their land, religion, and language were not theirs to keep. We cannot ignore these events or erase their consequences for Native peoples—but as we work together to forge a brighter future, the lessons of our past can help reaffirm the principles that guide our Nation today.

In a spirit of true partnership and mutual trust, my Administration is committed to respecting the sovereignty of tribal nations and upholding our treaty obligations, which honor our nation-to-nation relationship of peace and friendship over the centuries. We have worked to fairly settle longstanding legal disputes and provide justice to those who experienced discrimination. We have taken unprecedented steps to strengthen tribal courts, especially when it comes to criminal sentencing and prosecuting individuals who commit violence against Native American women. And next month, my Administration will host our sixth annual White House Tribal Nations Conference, part of our ongoing effort to promote meaningful collaboration with tribal leaders as we fight to give all our children the tomorrow they deserve.

Today, as community and tribal leaders, members of our Armed Forces, and drivers of progress and economic growth, American Indians and Alaska Natives are working to carry forward their proud his-

tory, and my Administration is dedicated to expanding pathways to success for Native Americans. To increase opportunity in Indian Country, we are investing in roads and high-speed Internet and supporting job training and tribal colleges and universities. The Affordable Care Act provides access to quality, affordable health insurance, and it permanently reauthorized the Indian Health Care Improvement Act, which provides care to many Native Americans. And because the health of tribal nations depends on the health of tribal lands, my Administration is partnering with Native American leaders to protect these lands in a changing climate.

Every American, including every Native American, deserves the chance to work hard and get ahead. This month, we recognize the limitless potential of our tribal nations, and we continue our work to build a world where all people are valued and no child ever has to wonder if he or she has a place in our society.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 2014 as National Native American Heritage Month. I call upon all Americans to commemorate this month with appropriate programs and activities, and to celebrate November 28, 2014, as Native American Heritage Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9208 of November 7, 2014

Veterans Day, 2014

By the President of the United States of America

A Proclamation

Since the birth of our Nation, American patriots have stepped forward to serve our country and defend our way of life. With honor and distinction, generations of servicemen and women have taken up arms to win our independence, preserve our Union, and secure our freedom. From the Minutemen to our Post-9/11 Generation, these heroes have put their lives on the line so that we might live in a world that is safer, freer, and more just, and we owe them a profound debt of gratitude. On Veterans Day, we salute the Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who have rendered the highest service any American can offer, and we rededicate ourselves to fulfilling our commitment to all those who serve in our name.

Today, we are reminded of our solemn obligation: to serve our veterans as well as they have served us. As we continue our responsible drawdown from the war in Afghanistan and more members of our military return to civilian life, we must support their transition and make sure they have access to the resources and benefits they have earned. My Administration is working to end the tragedy of homelessness among

our veterans, and we are committed to providing them with quality health care, access to education, and the tools they need to find a rewarding career. As a Nation, we must ensure that every veteran has the chance to share in the opportunity he or she has helped to defend. Those who have served in our Armed Forces have the experience, skills, and dedication necessary to achieve success as members of our civilian workforce, and it is critical that we harness their talent.

Across our country, veterans who fought to protect our democracy around the globe are strengthening it here at home. Once leaders in the Armed Forces, they are now pioneers of industry and pillars of their communities. Their character reflects our enduring American spirit, and in their example, we find inspiration and strength.

This day, and every day, we pay tribute to America's sons and daughters who have answered our country's call. We recognize the sacrifice of those who have been part of the finest fighting force the world has ever known and the loved ones who stand beside them. We will never forget the heroes who made the ultimate sacrifice and all those who have not yet returned home. As a grateful Nation, let us show our appreciation by honoring all our veterans and working to ensure the promise of America is within the reach of all who have protected it.

With respect for and in recognition of the contributions our service members have made to the cause of peace and freedom around the world, the Congress has provided (5 U.S.C. 6103(a)) that November 11 of each year shall be set aside as a legal public holiday to honor our Nation's veterans.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim November 11, 2014, as Veterans Day. I encourage all Americans to recognize the valor and sacrifice of our veterans through appropriate public ceremonies and private prayers. I call upon Federal, State, and local officials to display the flag of the United States and to participate in patriotic activities in their communities. I call on all Americans, including civic and fraternal organizations, places of worship, schools, and communities to support this day with commemorative expressions and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of November, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9209 of November 7, 2014

World Freedom Day, 2014

By the President of the United States of America

A Proclamation

For nearly three decades, the Berlin Wall divided a nation and stood as one symbol of a system that denied individuals the freedoms that are the right of every person. It separated families and suppressed free will and self-determination—but while it tried to contain the yearnings

of a courageous and unwavering people for liberty and justice, it could not crush them. Twenty-five years ago today, Germans from East and West came together to tear down the Wall and begin the work of building an open and prosperous society. On World Freedom Day, we honor a generation that refused to be defined by a wall, and we reaffirm our commitment to stand with all those who seek to join the free world.

The images of this extraordinary event are seared in our memory and enshrined in our history: brave crowds climbing atop an old barrier and Berliners reuniting in city streets. But the victory of 1989 was not inevitable. We will not forget those who risked bullets, dug through tunnels, leapt from buildings, and crossed barbed wire, minefields, and a mighty river in pursuit of freedom. In their struggle—and in the memory of all those who did not live to see Berlin united and free—Americans see our own past, as well as the spirit of citizens around the world who long for opportunity and are willing to do the hard work of building a democracy.

America stood with those on both sides of the Iron Curtain who held fast to the belief that a better future was possible, and as the Berlin Wall fell, it spurred a more integrated, more prosperous, and more secure Europe. Today, Germany is one of our strongest allies. And as we pay tribute to our shared past, we are reminded that upholding peace and security is the responsibility of every nation. There is no progress without sacrifice and no freedom without solidarity, and we cannot shrink from our role of advancing the values in which we believe.

The story of Berlin shows us that with grit and determination, we have the power to shape our own destiny, even in the face of impossible odds. As we celebrate a triumph over tyranny, we also recognize that the challenges to peace and human dignity continue in our complex world and that complacency is not the character of great nations. Let us resolve to extend a hand to those who reach for freedom still and continue the pursuit of peace in our time.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 9, 2014, as World Freedom Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities, reaffirming our dedication to freedom and democracy.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of November, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9210 of November 14, 2014

American Education Week, 2014

By the President of the United States of America
A Proclamation

In the United States, every young person deserves access to a world-class education. In classrooms, lecture halls, and laboratories across America, high-quality education helps unlock the limitless potential of our Nation's students and creates pathways for their success. It prepares them for the jobs of tomorrow and the responsibilities of citizenship. A strong school system bolsters our economy and strengthens our democracy, and it is at the core of the American belief that with hard work, anyone can get ahead. During American Education Week, we celebrate the devoted educators who instruct and inspire students of all ages, and we continue our work to provide every person with the best education possible.

My Administration is committed to widening the circle of opportunity for more Americans and restoring middle-class security, and that starts by supporting education for all. We know early education is one of the best investments we can make in a child's life, and that is why we are striving to expand access to preschool to every girl and boy in America. To spur reform in our public schools and ensure students graduate from high school prepared for achievement, we have directed billions of dollars to States and school districts through the Race to the Top initiative. My Administration is also dedicated to reestablishing America's place as the world leader in college completion. We have expanded grants, tax credits, and loans to help more families afford a college degree and invested in programs that help students manage and reduce the burdens of debt after they graduate.

With grit and passion, America's teachers give life to education's promise. Our education-support professionals help ensure the health, well-being, and success of our children. And in small towns and large cities, principals and district administrators cultivate communities that value learning and share a common vision of academic excellence. Together, these leaders encourage our students to reach higher and inspire them to achieve their dreams. Great educators and administrators deserve all the tools and resources they need to do their job, including chances for professional development and pay that reflects the contributions they make to our country. They are the most critical ingredients in any school, and my Administration is working hard to support them as they empower our Nation's youth.

In a complex world, we must meet new and profound challenges. As a Nation, we must prepare the next generation to face these issues and the problems of their own time. An education equips the leaders of tomorrow with the knowledge and vision they need to discover the solutions of the future and build a better society for their children and grandchildren. This week, we honor the teachers, mentors, and professionals who guide our kids as they explore the world. Let us recommit to supporting a first-class education for all students, from the day they start preschool to the day they start their career.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Con-

stitution and the laws of the United States, do hereby proclaim November 16 through November 22, 2014, as American Education Week. I call upon all Americans to observe this week by supporting their local schools through appropriate activities, events, and programs designed to help create opportunities for every school and student in America.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of November, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9211 of November 14, 2014

America Recycles Day, 2014

By the President of the United States of America
A Proclamation

As a Nation, we must do all we can to leave the next generation a cleaner, safer, and more stable world. America's young people are tomorrow's environmental stewards, and it is our responsibility to instill in them a conservation ethic. Recycling reduces our country's energy consumption, decreases our greenhouse gas emissions, and conserves our natural resources, and it is one of the first steps we can teach our children and grandchildren to take as part of their everyday lives. It also creates green jobs in America and provides essential resources to our growing manufacturing sector. Today, we recognize the environmental and economic benefits that recycling produces, and we celebrate all those who do their part to build a more prosperous and sustainable future.

Americans generate approximately 250 million tons of municipal solid waste every year. But more of this trash—from our homes, workplaces, and classrooms—could be recycled or reused. Individuals can compost their food waste and donate items that are no longer needed. The choices we make as we shop can also help reduce waste. Families and individuals can buy products that use less packaging, purchase goods made with recycled resources, and avoid disposable materials whenever possible. To discover additional ways to shrink your environmental footprint and to learn how and where to properly recycle common and uncommon household goods, visit *www.EPA.gov/recycle.*

Every American, every business, and every community can play a role in increasing the rate of recycling. In small towns and big cities, recycling programs are making a difference, and State and local governments can continue to do their part by promoting these programs, making them convenient, and continuing to invest in their recycling infrastructure. The Federal Government is leading by example, working to reduce our environmental impact. And as American businesses continue to innovate, they too can find new ways to reflect their commitment to recycling in their bottom line.

The actions we take today will determine what kind of world we will pass on to our Nation's young people. On America Recycles Day, we embrace our role not only as custodians of the present, but also as

caretakers of tomorrow. Let us resolve to act boldly in the face of great challenge and encourage our friends, neighbors, and colleagues to join in the work of protecting our planet.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 15, 2014, as America Recycles Day. I call upon the people of the United States to observe this day with appropriate programs and activities, and I encourage all Americans to continue their reducing, reusing, and recycling efforts throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of November, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9212 of November 19, 2014

National Child's Day, 2014

By the President of the United States of America

A Proclamation

In the faces of today's children we see tomorrow's leaders and innovators. Like their parents and grandparents before them, they have the potential to unearth new discoveries, pioneer bold inventions, and unlock groundbreaking solutions to longstanding problems. Every generation has sought to reach beyond the limits of the known world and push the boundaries of human imagination. But to realize what we know is possible for our daughters and sons, we must harness their talents and abilities. On National Child's Day, we recognize that success is built on a foundation of opportunity, and we continue our work to build a society where every child can seize his or her future.

Early education is one of the best investments we can make in a child's life, and my Administration is committed to expanding access to preschool and high-quality early learning across America. We are investing in programs that enhance and expand infant and toddler care in high-need communities, and next month, we will host the White House Summit on Early Education, bringing together a broad coalition of partners dedicated to ensuring girls and boys can learn and grow, regardless of who they are or where they come from. In districts throughout our Nation, we are strengthening our public schools and working to make sure every child has the opportunity to reach higher.

To succeed in the classroom and thrive in their communities, all children deserve a healthy start in life. That is why First Lady Michelle Obama's *Let's Move!* initiative is working to make it easier for parents and children to make healthy choices by increasing the availability of nutritious foods and the opportunities for physical activity. And I continue to fight to provide the freedom and security of quality, affordable health care to children and their families. The Affordable Care Act prohibits insurance companies from denying coverage to children with pre-existing conditions and requires that most health plans cover rec-

ommended preventive services for kids without copays, including immunizations and developmental screenings. Families who do not have health insurance can visit *www.HealthCare.gov* to find coverage that fits their needs and their budget.

A world-class education and a robust health system are essential pillars of a society devoted to ensuring children can pursue their full measure of happiness—and we all must work together to lift up the next group of thinkers and doers. As we celebrate the limitless potential of a generation born in an era of tremendous possibility, let us join with parents, professionals, and community members and renew our commitment to supporting the dreams of all our daughters and sons.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 20, 2014, as National Child's Day. I call upon all citizens to observe this day with appropriate activities, programs, and ceremonies, and to rededicate ourselves to creating the bright future we want for our Nation's children.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of November, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9213 of November 21, 2014

National Family Week, 2014

By the President of the United States of America
A Proclamation

In big cities and small towns throughout our Nation, the strength and diversity of hardworking families reflect the promise of America—that with grit and determination, anyone can build a better future for themselves and their children. Families provide love and encouragement, and they are a source of support and inspiration to a generation limited only by the size of their dreams and the power of their imagination. During National Family Week, we celebrate our family members and the countless ways they lift us up, and we continue our work to bolster the bonds that tie all of us together.

Family is the bedrock of our lives, and my Administration is fighting to ensure Americans are able to seize their every opportunity and fulfill their responsibilities to their loved ones. Working mothers and fathers should not have to choose between their career and their life at home—especially when a new baby or an aging parent needs them most—and no one who works full-time should have to raise their family in poverty. Family leave, childcare, and workplace flexibility are not bonuses, they are basic needs; and earlier this year, we held the first-ever White House Summit on Working Families, bringing together private and public sector partners who know that family-friendly policies are good business practices too.

My Administration is supporting programs that help families thrive. Many workers who would benefit from an increase in the minimum wage are supporting children and families, and that is why I continue to work to make sure an honest day's work is rewarded with an honest day's pay. The Affordable Care Act expands access to quality, affordable health insurance, providing millions of Americans with the freedom to take the best job for their families without worrying about losing their health care. And the Federal Government is leading the way by increasing opportunities for flexible work schedules for Federal employees and giving these workers the right to request them.

Each day, American families do everything right: they work hard, live responsibly, take care of their children, and participate in their neighborhoods. They deserve the opportunity to succeed and a country that supports lasting economic security for all. This week, we recognize the employers and communities that empower families, and we honor our family members and all those who sacrifice to ensure every possibility is within our reach. Let us recommit to building a society where dynamic workplaces support strong families, where time with our loved ones is precious but not rare.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim November 23 through November 29, 2014, as National Family Week. I invite all States, communities, and individuals to join in observing this week with appropriate ceremonies and activities to honor our Nation's families.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of November, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9214 of November 26, 2014

Thanksgiving Day, 2014

By the President of the United States of America
A Proclamation

Thanksgiving Day invites us to reflect on the blessings we enjoy and the freedoms we cherish. As we gather with family and friends to take part in this uniquely American celebration, we give thanks for the extraordinary opportunities we have in a Nation of limitless possibilities, and we pay tribute to all those who defend our Union as members of our Armed Forces. This holiday reminds us to show compassion and concern for people we have never met and deep gratitude toward those who have sacrificed to help build the most prosperous Nation on earth. These traditions honor the rich history of our country and hold us together as one American family, no matter who we are or where we come from.

Nearly 400 years ago, a group of Pilgrims left their homeland and sailed across an ocean in pursuit of liberty and prosperity. With the

friendship and kindness of the Wampanoag people, they learned to harvest the rich bounty of a new world. Together, they shared a successful crop, celebrating bonds of community during a time of great hardship. Through times of war and of peace, the example of a Native tribe who extended a hand to a new people has endured. During the American Revolution and the Civil War, days of thanksgiving drew Americans together in prayer and in the spirit that guides us to better days, and in each year since, our Nation has paused to show our gratitude for our families, communities, and country.

With God's grace, this holiday season we carry forward the legacy of our forebears. In the company of our loved ones, we give thanks for the people we care about and the joy we share, and we remember those who are less fortunate. At shelters and soup kitchens, Americans give meaning to the simple truth that binds us together: we are our brother's and our sister's keepers. We remember how a determined people set out for a better world—how through faith and the charity of others, they forged a new life built on freedom and opportunity.

The spirit of Thanksgiving is universal. It is found in small moments between strangers, reunions shared with friends and loved ones, and in quiet prayers for others. Within the heart of America's promise burns the inextinguishable belief that together we can advance our common prosperity—that we can build a more hopeful, more just, and more unified Nation. This Thanksgiving, let us recall the values that unite our diverse country, and let us resolve to strengthen these lasting ties.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim Thursday, November 27, 2014, as a National Day of Thanksgiving. I encourage the people of the United States to join together—whether in our homes, places of worship, community centers, or any place of fellowship for friends and neighbors—and give thanks for all we have received in the past year, express appreciation to those whose lives enrich our own, and share our bounty with others.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of November, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9215 of November 28, 2014

National Impaired Driving Prevention Month, 2014

By the President of the United States of America

A Proclamation

All Americans deserve to live long and full lives, and every child should have the chance to seize his or her future. But throughout our Nation, too many lives are tragically cut short in traffic crashes involving drunk, drugged, or distracted driving. Impaired driving not only puts the driver at risk—it threatens the lives of passengers and all oth-

ers who share the road, and every year it causes the deaths of thousands of loved ones. This month, and especially during the holiday season, we dedicate ourselves to driving safely and responsibly, and to promoting these behaviors among our family and friends.

Alcohol and drugs can impair perception, judgment, motor skills, and memory—the skills critical for safe and responsible driving. And as mobile technology becomes ubiquitous, the distractions of texting and cell phone use continue to pose grave dangers on our roadways. Deaths caused by impaired driving are preventable and unacceptable, and my Administration is taking action to reduce and eliminate them. We continue to support the law enforcement officers who work to keep us safe and decrease impaired driving. To help save lives, States and local communities across our Nation will participate in the national *Drive Sober or Get Pulled Over* campaign from December 12 to January 1, reminding all Americans of their important responsibility.

My Administration is striving to increase awareness of the dangers and devastating consequences of impaired driving in all its forms, especially the growing, but often overlooked, problem of drugged driving. Illegal drugs, as well as prescription and over-the-counter medications, can be just as deadly on the road as alcohol, and preventing drugged driving is a public health imperative. As part of our 2014 *National Drug Control Strategy,* we are working to support the data collection that underlies evidence-based policy making, strengthening the protections that keep drugged drivers off the road, and helping bolster law enforcement officials' ability to identify drug-impaired drivers.

Reducing impaired driving and keeping our roadways safe is everyone's responsibility. Parents and other caring adults can play an important role in educating young Americans about the dangers of impaired driving; adults can model good practices while driving and can help new drivers develop safe habits. This holiday season, all Americans can drive responsibly and encourage their loved ones to do the same, including by designating a sober driver or making alternative transportation arrangements. For more information, please visit *www.NHTSA.gov/DriveSober*, *www.WhiteHouse.gov/ONDCP/DruggedDriving*, and *www.Distraction.gov.*

During National Impaired Driving Prevention Month, let us resolve to do our part to keep our streets and highways safe. Together, our actions can save lives.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 2014 as National Impaired Driving Prevention Month. I urge all Americans to make responsible decisions and take appropriate measures to prevent impaired driving.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of November, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9216 of November 28, 2014

World AIDS Day, 2014

By the President of the United States of America
A Proclamation

In communities across our Nation and around the world, we have made extraordinary progress in the global fight against HIV/AIDS. Just over three decades ago, when we knew only the devastation HIV inflicted, those living with it had to fight just to be treated with dignity and compassion, and since the first cases of AIDS were reported, tens of millions of vibrant men and women have lost their lives to this deadly virus. Today, we have transformed what it means to live with HIV/AIDS. More effective prevention, treatment, and care now save millions of lives while awareness has soared and research has surged. This World AIDS Day, we come together to honor all those who have been touched by HIV/AIDS and celebrate the promising public health and scientific advances that have brought us closer to our goal of an AIDS-free generation.

Since I took office, more people who are infected with HIV have learned of their status, allowing them to access the essential care that can improve their health, extend their lives, and prevent transmission of the virus to others. My Administration has made strides to limit new infections and reduce HIV-related disparities and health inequalities, and we have nearly eliminated the waiting list for the AIDS Drug Assistance Program. For many, with testing and access to the right treatment, a disease that was once a death sentence now offers a good chance for a healthy and productive life.

Despite these gains, too many with HIV/AIDS, especially young Americans, still do not know they are infected; too many communities, including gay and bisexual men, African Americans, and Hispanics remain disproportionately impacted; and too many individuals continue to bear the burden of discrimination and stigma. There is more work to do, and my Administration remains steadfast in our commitment to defeating this disease. Guided by our National HIV/AIDS Strategy, we are working to build a society where every person has access to life-extending care, regardless of who they are or whom they love. The Affordable Care Act prohibits insurance companies from denying coverage due to a pre-existing condition, such as HIV/AIDS, and requires that most health plans cover HIV screenings without copays for everyone ages 15 to 65 and others at increased risk. We have expanded opportunities for groundbreaking research, and we continue to invest in innovation to develop a vaccine and find a cure. And this summer, my Administration held a series of listening sessions across the country to better understand the successes and challenges of those fighting HIV at the local and State level.

In the face of a disease that extends far beyond our borders, the United States remains committed to leading the world in the fight against HIV/AIDS and ensuring no one is left behind. Hundreds of thousands of adolescent girls and young women are infected with HIV every year, and we are working to reach and assist them and every community in need. As part of the President's Emergency Plan for AIDS Relief, over 7 million people with HIV around the globe are receiving antiretroviral

treatment, a four-fold increase since the start of my Administration. In countries throughout the world, our initiatives are improving the lives of women and girls, accelerating life-saving treatment for children, and supporting healthy, robust communities.

As a Nation, we have made an unwavering commitment to bend the curve of the HIV epidemic, and the progress we have seen is the result of countless people who have shared their stories, lent their strength, and led the fight to spare others the anguish of this disease. Today, we remember all those who lost their battle with HIV/AIDS, and we recognize those who agitated and organized in their memory. On this day, let us rededicate ourselves to continuing our work until we reach the day we know is possible—when no child has to know the pain of HIV/AIDS and no life is limited by this virus.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States do hereby proclaim December 1, 2014, as World AIDS Day. I urge the Governors of the States and the Commonwealth of Puerto Rico, officials of the other territories subject to the jurisdiction of the United States, and the American people to join me in appropriate activities to remember those who have lost their lives to AIDS and to provide support and comfort to those living with this disease.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of November, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9217 of December 2, 2014

International Day of Persons With Disabilities, 2014

By the President of the United States of America

A Proclamation

Each year, the United States joins with the international community to celebrate the inherent dignity and worth of every person. In America and in countries around the world, individuals with disabilities support families, strengthen their communities, and contribute to the global economy. On International Day of Persons with Disabilities, we reaffirm the fundamental principle that those with disabilities are entitled to the same rights and freedoms as everyone else: to belong and fully participate in society, to live with respect and free from discrimination, and to make of their lives what they will.

Nearly a quarter century ago, the Congress came together to pass the Americans with Disabilities Act (ADA), a landmark civil rights bill and a historic milestone in our journey toward a more perfect Union. The first Nation on earth to comprehensively declare equality for its citizens with disabilities, we enshrined into law the promise of equal access, equal opportunity, and equal respect for every American. The ADA was a formal acknowledgement that individuals with disabilities deserve to live full and independent lives the way they choose, and

today, my Administration continues to fight to give every person a fair shot at realizing their greatest potential. We are working to rigorously enforce the protections against disability-based discrimination and expand workforce training and employment opportunities for people with disabilities, including our wounded warriors and those with serious disabilities. Today's theme, ''Sustainable Development: The promise of technology,'' reminds us that as we strive to increase accessibility in our communities, we cannot allow the benefits of groundbreaking innovation to be out of reach for those who seek to participate fully in our democracy and economy.

Disability rights are not only civil rights to be enforced here at home; they are universal rights to be recognized and promoted around the globe. That is why I am proud that during my time in Office, the United States signed the Convention on the Rights of Persons with Disabilities, and why I continue to call on the Senate to provide its advice and consent to the ratification of what is the first new human rights convention of the 21st century. Around the world, more than 1 billion people experience a disability. These women, men, and children seek a fair chance to complete an education, succeed in a career, and support a family—and the United States stands with them wherever they live.

America continues to be the world leader on disability rights. Today, we celebrate the courage and commitment of all who have agitated and sacrificed to bring us to this point, and all who continue to press ahead toward greater access, opportunity, and inclusion. With advocates from around the world and all those whose lives have been touched by a disability, we can build on our progress. Let us recommit to fostering a society free of barriers and full of a deeper understanding of the value each person adds to our global community.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 3, 2014, as International Day of Persons with Disabilities. I call on all Americans to observe this day with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of December, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9218 of December 5, 2014

National Pearl Harbor Remembrance Day, 2014

By the President of the United States of America

A Proclamation

On the morning of December 7, 1941, Japanese planes thundered over Hawaii, dropping bombs in an unprovoked act of war against the United States. The attack claimed the lives of more than 2,400 Americans. It nearly destroyed our Pacific Fleet, but it could not shake our

resolve. While battleships smoldered in the harbor, patriots from across our country enlisted in our Armed Forces, volunteering to take up the fight for freedom and security for which their brothers and sisters made the ultimate sacrifice. On National Pearl Harbor Remembrance Day, we pay tribute to the souls lost 73 years ago, we salute those who responded with strength and courage in service of our Nation, and we renew our dedication to the ideals for which they so valiantly fought.

In the face of great tragedy at Pearl Harbor—our first battle of the Second World War—our Union rallied together, driven by the resilient and unyielding American spirit that defines us. The millions of Americans who signed up and shipped out inspired our Nation and put us on the path to victory in the fight against injustice and oppression around the globe. As they stormed the beaches of Normandy and planted our flag in the sands of Iwo Jima, our brave service members rolled back the tide of tyranny in Europe and throughout the Pacific theater. Because of their actions, nations that once knew only the blinders of fear saw the dawn of liberty.

The men and women of the Greatest Generation went to war and braved hardships to make the world safer, freer, and more just. As we reflect on the lives lost at Pearl Harbor, we remember why America gave so much for the survival of liberty in the war that followed that infamous day. Today, with solemn gratitude, we recall the sacrifice of all who served during World War II, especially those who gave their last full measure of devotion and the families they left behind. As proud heirs to the freedom and progress secured by those who came before us, we pledge to uphold their legacy and honor their memory.

The Congress, by Public Law 103–308, as amended, has designated December 7 of each year as ''National Pearl Harbor Remembrance Day.''

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim December 7, 2014, as National Pearl Harbor Remembrance Day. I encourage all Americans to observe this solemn day of remembrance and to honor our military, past and present, with appropriate ceremonies and activities. I urge all Federal agencies and interested organizations, groups, and individuals to fly the flag of the United States at half-staff this December 7 in honor of those American patriots who died as a result of their service at Pearl Harbor.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of December, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9219 of December 9, 2014

Human Rights Day and Human Rights Week, 2014

By the President of the United States of America
A Proclamation

On December 10, 1948, nations from six continents came together to adopt the Universal Declaration of Human Rights. This extraordinary document affirmed that every individual is born equal with inalienable rights, and it is the responsibility of governments to uphold these rights. In more than 430 translations, the Declaration recognizes the inherent dignity and worth of all people and supports their right to chart their own destinies. On the anniversary of this human rights milestone, we join with all those who are willing to strive for a brighter future, and together, we continue our work to build the world our children deserve.

The desires for freedom and opportunity are universal, and around the world, yearnings for the rule of law and self-determination burn within the hearts of all women and men. When people can raise their voices and hold their leaders accountable, governments are more responsive and more effective. Children who are able to lead healthy lives and pursue an education without fear are free to spark progress and contribute to thriving communities. And when citizens are empowered to pursue their full measure of happiness without restraint, they help ensure that economies grow, stability and prosperity spread, and nations flourish. Protecting human rights around the globe extends the promise of democracy and bolsters the values that serve as a basis for peace in our world.

It is our obligation as free peoples to stand with courageous individuals who raise their voices to demand universal rights. Under extremely difficult circumstances—and often at grave personal risk—brave human rights defenders and civil society activists throughout the world are working to actualize the rights and freedoms that are the birthright of all humankind. The United States will continue to support all those who champion these fundamental principles, and we will never stop speaking out for the human rights of all individuals at home and abroad. It is part of who we are as a people and what we stand for as a Nation.

My Administration supports free and fair elections, and we will always oppose efforts by foreign governments to restrict the freedoms of peaceful assembly, association, and expression. We will continue to defend the rights of ethnic and religious minorities, call for the release of all who are unjustly detained, and insist that lesbian, gay, bisexual, and transgender persons be treated equally under the law. We will press forward in our efforts to end the scourge of human trafficking, our fight to ensure the protection of refugees and other displaced persons, and our tireless work to empower women and girls worldwide.

The United States will always lift up those who seek to work for the world as it should be. This is part of American leadership. On Human Rights Day and during Human Rights Week, let us continue our urgent task of rejecting hatred in whatever form it takes and recommit to fostering a global community where every person can achieve their dreams and contribute to humankind.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 10, 2014, as Human Rights Day and the week beginning December 10, 2014, as Human Rights Week. I call upon the people of the United States to mark these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of December, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9220 of December 12, 2014

Bill of Rights Day, 2014

By the President of the United States of America
A Proclamation

For more than two centuries, our Nation has been shaped by courageous women and men who have dared to raise their voices and work to safeguard the blessings of liberty and justice. In the face of tyranny, early patriots stood up against an empire and proclaimed the independence of a new Nation, declaring that we are all created equal, endowed by our Creator with unalienable rights. To secure these rights, they fought a war and enshrined these truths into our Constitution. The product of a fierce debate and great compromise, our founding charter was a remarkable yet imperfect document. It provided the foundation for a society built on freedom and democracy, but essential questions—including those of race and gender—were left unresolved. Yet before it was fully ratified, our Founding Fathers began working to refine its text, an early milestone in our unending journey to form a more perfect Union.

Ratified on December 15, 1791, the Bill of Rights secured our most fundamental freedoms. These first 10 Constitutional Amendments protect our rights to protest, practice our faiths, and hold our Government accountable. They guarantee justice under the law, allow for the dissemination of new ideas, and create the opportunity for those left out of our charter to fight to expand its promise. In times of war and peace, and through waves of depression and prosperity, these tenets have not only endured, but they have strengthened our Nation and served as an example to all who seek freedom, fairness, equality, and dignity around the world.

On the anniversary of the Bill of Rights, we reflect on the blessings of freedom we enjoy today, and we are reminded that our work to foster a more free, more fair, and more just society is never truly done. Guided by these sacred principles, we continue striving to make our country a place where our daughters' voices are valued just as much as our sons'; where due process of law is afforded to all people, regardless of skin color; and where the individual liberties that we cherish empower

every American to pursue their dreams and achieve their own full measure of happiness.

Our fidelity to these timeless ideals binds us together as a Nation. As we celebrate Bill of Rights Day, let us recommit to the values that define us as a people and continue our work to broaden democracy's reach by strengthening the freedoms with which we have been endowed.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 15, 2014, as Bill of Rights Day. I call upon the people of the United States to mark this observance with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of December, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9221 of December 15, 2014

70th Anniversary of the Battle of the Bulge

By the President of the United States of America

A Proclamation

By the winter of 1944, the United States and Allied forces had stormed the beaches of Normandy, thundered into Europe, and liberated Paris, turning the tide in the struggle against the forces of oppression. With the fate of freedom in peril, millions of Americans went to fight for people they had never met to defend ideals they could not live without. But as Americans and our allies advanced through the Ardennes Forest region of Belgium and Luxembourg, German forces launched a desperate and massive assault, attacking the poorly-supplied and heavily-outnumbered Allied front during the early hours of December 16, 1944. Against improbable odds, patriots of exceptional valor and remarkable courage beat back Hitler's armies and achieved a crucial victory at the Battle of the Bulge, marking the beginning of the end of a world war.

The Battle of the Bulge was one of the United States largest and bloodiest encounters of the Second World War. Over the course of more than a month, some 500,000 American service members fought through snow and bitter winter conditions. In extraordinarily difficult circumstances, our Armed Forces faced down bullets and German tanks. From the grip of hatred and tyranny, they won a victory for liberty and freedom. But our triumph came at a tremendous cost; over 76,000 Americans were killed, wounded, or missing in action.

On the 70th anniversary of the Battle of the Bulge, we are called to do more than commemorate a victory. We must honor the sacrifice of a generation who defied every danger to free a continent from fascism. As we salute the unfailing dedication of a free people, we tell their

story so as to commit it to the memory of our Nation. The world will never forget the heroes who stepped forward to secure peace and prosperity far from home, and we will always remember those who gave their last full measure of devotion.

The warriors who defended the promise of liberty during the Battle of the Bulge are an inspiring and heroic link in an unbroken chain that has made America the greatest force for freedom the world has ever known. Today, we lift up their memories and carry forward the proud legacy of the veterans who gave their all and in doing so, changed the course of human history.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim Tuesday, December 16, 2014, as the 70th Anniversary of the Battle of the Bulge. I encourage all Americans to observe this solemn day of remembrance with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of December, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9222 of December 16, 2014

Wright Brothers Day, 2014

By the President of the United States of America

A Proclamation

The United States has always been a land of exploration and innovation. Determined to build a Nation where all things were possible, our country's Founders crossed a vast ocean and launched an improbable experiment in democracy. Early pioneers pushed west across sweeping plains. Dreamers toiled with hearts and hands to build cities, lay railroads, and power an automobile revolution. And on December 17, 1903, two brothers from Dayton, Ohio, would write their own chapter in America's long history of discovery and achievement.

After years of painstaking research and careful engineering, Orville and Wilbur Wright accomplished what was once unthinkable: the world's first powered flight. Above the sand dunes of Kitty Hawk, North Carolina, they revolutionized modern transportation and extended the reach of humanity. Their inspiring feat opened the door to more than a century of progress and helped spark a new era of economic growth and prosperity. Today, we celebrate those 12 seconds of flight that changed the course of human events, and the determination and perseverance that made that moment possible.

America has always succeeded because as a Nation, we refuse to stand still. As heirs to this proud legacy of risk takers and dreamers who imagined the world as it could be, we must constantly work to empower the next generation of inventors and entrepreneurs. That is why my Administration is investing in programs that encourage science,

technology, engineering, and math education, especially for traditionally underrepresented groups. And we are fighting to ensure that innovators and startups have the resources and opportunities they need to build the future they seek.

Our Nation brought the world everything from the light bulb to the Internet, and today—in laboratories and classrooms across America—our scientists and students carry forward this tradition as they work to develop new sources of energy and code the computer programs of tomorrow. Less than seven decades after Orville and Wilbur's flying machine lifted into the air, American ingenuity brought us to Tranquility Base—and as the lunar module touched down on the surface of the Moon, it carried with it pieces of the brothers' historic airplane. Today, the Wright brothers' spirit lives on in the aspirations of a resolute people—to cure disease, walk on distant planets, and solve the biggest challenges of our time.

On Wright Brothers Day, we lift up the scientists, entrepreneurs, inventors, builders, and doers of today, and all those who reach for the future. Let us recommit to harnessing the passion and creativity of every person who works hard in America and leading the world through another century of discovery.

The Congress, by a joint resolution approved December 17, 1963, as amended (77 Stat. 402; 36 U.S.C. 143), has designated December 17 of each year as ''Wright Brothers Day'' and has authorized and requested the President to issue annually a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim December 17, 2014, as Wright Brothers Day.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of December, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9223 of December 23, 2014

To Take Certain Actions Under the African Growth and Opportunity Act and for Other Purposes

By the President of the United States of America

A Proclamation

1. In Proclamation 8921 of December 20, 2012, I determined that the Republic of Guinea-Bissau (Guinea-Bissau) was not making continual progress in meeting the requirements described in section 506A(a)(1) of the Trade Act of 1974 (the 1974 Act) (19 U.S.C. 2466a(a)(1)), as added by section 111(a) of the African Growth and Opportunity Act (title I of Public Law 106–200) (AGOA). Thus, pursuant to section 506A(a)(3) of the 1974 Act (19 U.S.C. 2466a(a)(3)), I terminated the des-

ignation of Guinea-Bissau as a beneficiary sub-Saharan African country for purposes of section 506A of the 1974 Act.

2. Section 506A(a)(1) of the 1974 Act authorizes the President to designate a country listed in section 107 of the AGOA (19 U.S.C. 3706) as a beneficiary sub-Saharan African country if the President determines that the country meets the eligibility requirements set forth in section 104 of the AGOA (19 U.S.C. 3703), as well as the eligibility criteria set forth in section 502 of the 1974 Act (19 U.S.C. 2462).

3. Pursuant to section 506A(a)(1) of the 1974 Act, based on actions that the Government of Guinea-Bissau has taken over the past year, I have determined that Guinea-Bissau meets the eligibility requirements set forth in section 104 of the AGOA and section 502 of the 1974 Act, and I have decided to designate Guinea-Bissau as a beneficiary sub-Saharan African country.

4. In Proclamation 8921 of December 20, 2012, I designated the Republic of South Sudan (South Sudan) as a beneficiary sub-Saharan African country for purposes of section 506A(a)(1) of the 1974 Act. In Proclamation 7657 of March 28, 2003, the President designated the Republic of The Gambia (The Gambia) as a beneficiary sub-Saharan African country for purposes of section 506A(a)(1) of the 1974 Act.

5. Section 506A(a)(3) of the 1974 Act (19 U.S.C. 2466a(a)(3)), authorizes the President to terminate the designation of a country as a beneficiary sub-Saharan African country for purposes of section 506A, if he determines that the country is not making continual progress in meeting the requirements described in section 506A(a)(1) of the 1974 Act.

6. Pursuant to section 506A(a)(3) of the 1974 Act, I have determined that South Sudan and The Gambia are not making continual progress in meeting the requirements described in section 506A(a)(1) of the 1974 Act. Accordingly, I have decided to terminate the designation of South Sudan and The Gambia as beneficiary sub-Saharan African countries for purposes of section 506A of the 1974 Act, effective on January 1, 2015.

7. On April 22, 1985, the United States and Israel entered into the Agreement on the Establishment of a Free Trade Area between the Government of the United States of America and the Government of Israel (USIFTA), which the Congress approved in the United States-Israel Free Trade Area Implementation Act of 1985 (the ''USIFTA Act'') (19 U.S.C. 2112 note).

8. Section 4(b) of the USIFTA Act provides that, whenever the President determines that it is necessary to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the USIFTA, the President may proclaim such withdrawal, suspension, modification, or continuance of any duty, or such continuance of existing duty-free or excise treatment, or such additional duties, as the President determines to be required or appropriate to carry out the USIFTA.

9. In order to maintain the general level of reciprocal and mutually advantageous concessions with respect to agricultural trade with Israel, on July 27, 2004, the United States entered into an agreement with Israel concerning certain aspects of trade in agricultural products during the period January 1, 2004, through December 31, 2008 (the ''2004 Agreement'').

10. In Proclamation 7826 of October 4, 2004, consistent with the 2004 Agreement, the President determined, pursuant to section 4(b) of the USIFTA Act, that, in order to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the USIFTA, it was necessary to provide duty-free access into the United States through December 31, 2008, for specified quantities of certain agricultural products of Israel.

11. Each year from 2008 through 2013, the United States and Israel entered into agreements to extend the period that the 2004 Agreement was in force for 1-year periods to allow additional time for the two governments to conclude an agreement to replace the 2004 Agreement.

12. To carry out the extension agreements, the President in Proclamation 8334 of December 31, 2008; Proclamation 8467 of December 23, 2009; Proclamation 8618 of December 21, 2010; Proclamation 8770 of December 29, 2011; Proclamation 8921 of December 20, 2012; and Proclamation 9072 of December 23, 2013, modified the Harmonized Tariff Schedule of the United States (HTS) to provide duty-free access into the United States for specified quantities of certain agricultural products of Israel, each time for an additional 1-year period.

13. On December 5, 2014, the United States entered into an agreement with Israel to extend the period that the 2004 Agreement is in force through December 31, 2015, to allow for further negotiations on an agreement to replace the 2004 Agreement.

14. Pursuant to section 4(b) of the USIFTA Act, I have determined that it is necessary, in order to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the USIFTA, to provide duty-free access into the United States through the close of December 31, 2015, for specified quantities of certain agricultural products of Israel.

15. Section 1205(a) of the Omnibus Trade and Competitiveness Act of 1988 (the ''1988 Act'') (19 U.S.C. 3005(a)), directs the United States International Trade Commission (the Commission) to keep the HTS under continuous review and periodically to recommend to the President such modifications to the HTS as the Commission considers necessary or appropriate to accomplish the purposes set forth in that subsection. Among those purposes are to promote the uniform application of the International Convention on the Harmonized Commodity Description and Coding System (the ''Convention'') and to alleviate unnecessary administrative burdens.

16. The Commission conducted an investigation pursuant to section 1205 of the 1988 Act (Investigation No. 1205–10) in order to make certain technical corrections to keep the HTS in conformity with international standards and to make certain reclassifications of chemical products that would alleviate unnecessary administrative burdens.

17. In April 2013, the Commission published the results of Investigation No. 1205–10 pursuant to section 1205 of the 1988 Act (*Recommendations to Modify Chapters 29, 30, 37, and 85 of the Harmonized Tariff Schedule of the United States,* USITC Publication 4392 (corrected August 2013)), recommending specific changes to the HTS. Each of these recommended modifications would have little or no economic effect on any industry in the United States. On August 2, 2013, this report was transmitted to the Congress. The report and layover re-

quirements of section 1206(b) of the 1988 Act (19 U.S.C. 3006(b)), were satisfied as of December 18, 2013.

18. Section 1206(a) of the 1988 Act (19 U.S.C. 3006(a)), authorizes the President to proclaim modifications to the HTS based on recommendations made by the Commission pursuant to section 1205 of the 1988 Act, if he determines that the modifications are in conformity with United States obligations under the Convention and do not run counter to the national economic interest of the United States. I have determined that the modifications to the HTS recommended in USITC Publication 4392, as set forth in Annex II to this proclamation, are in conformity with United States obligations under the Convention and do not run counter to the national economic interest of the United States.

19. Presidential Proclamation 8039 of July 27, 2006, implemented the United States-Bahrain Free Trade Agreement (USBFTA). The proclamation implemented, pursuant to section 201 of the United States-Bahrain Free Trade Agreement Implementation Act (the ''USBFTA Act'') (19 U.S.C. 3805 note), the staged reductions in rates of duty that the President determined to be necessary or appropriate to carry out or apply certain provisions of the USBFTA, including Article 3.2.8. That proclamation incorporated by reference Publication 3830 of the U.S. International Trade Commission, entitled *Modifications to the Harmonized Tariff Schedule of the United States to Implement the United States-Bahrain Free Trade Agreement.* Annex I of Publication 3830 included a technical error that affected the tariff treatment of goods under heading 9914.99.20 after December 31, 2015. I have determined that modifications to the HTS pursuant to section 201(a) of the USBTFA Act are necessary to correct this error.

20. Section 604 of the 1974 Act (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 506A(a)(1) of the 1974 Act, section 506A(a)(3) of the 1974 Act, section 4(b) of the USIFTA Act, section 1206(a) of the 1988 Act, section 201(a) of the USBFTA Act, and section 604 of the 1974 Act, do proclaim that:

(1) Guinea-Bissau is designated as a beneficiary sub-Saharan African country.

(2) In order to reflect this designation in the HTS, general note 16(a) to the HTS is modified by inserting in alphabetical sequence in the list of beneficiary sub-Saharan African countries ''Republic of Guinea-Bissau (Guinea-Bissau).''

(3) The designations of South Sudan and The Gambia as beneficiary sub-Saharan African countries for purposes of section 506A of the 1974 Act are terminated, effective on January 1, 2015.

(4) In order to reflect in the HTS that beginning on January 1, 2015, South Sudan and The Gambia shall no longer be designated as beneficiary sub-Saharan African countries, general note 16(a) to the HTS is modified by deleting ''Republic of South Sudan'' and ''Republic of The

Gambia'' from the list of beneficiary sub-Saharan African countries. Note 7(a) to subchapter II and note 1 to subchapter XIX of chapter 98 of the HTS are modified to delete ''The Gambia'' from the list of beneficiary countries. Further, note 2(d) to subchapter XIX of chapter 98 of the HTS is modified by deleting ''The Gambia'' from the list of lesser developed beneficiary sub-Saharan African countries.

(5) In order to implement U.S. tariff commitments under the 2004 Agreement through December 31, 2015, the HTS is modified as provided in Annex I to this proclamation.

(6)(a) The modifications to the HTS set forth in Annex I to this proclamation shall be effective with respect to eligible agricultural products of Israel that are entered, or withdrawn from warehouse for consumption, on or after January 1, 2015.

(b) The provisions of subchapter VIII of chapter 99 of the HTS, as modified by Annex I to this proclamation, shall continue in effect through December 31, 2015.

(7) In order to modify the HTS to promote the uniform application of the Convention and to alleviate unnecessary administrative burdens, the HTS is modified as set forth in Annex II to this proclamation.

(8) The modifications to the HTS set forth in Annex II to this proclamation shall be effective with respect to goods that are entered, or withdrawn from warehouse for consumption, on or after the later of January 1, 2015, or the 30th day after publication of this proclamation in the *Federal Register*.

(9) In order to make technical corrections necessary to provide the intended duty treatment under Article 3.2.8 of the USBFTA, the HTS is modified as set forth in Annex III to this proclamation.

(10) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of December, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

ANNEX I

TEMPORARY EXTENSION OF CERTAIN PROVISIONS OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Effective with respect to eligible agricultural products of Israel which are entered, or withdrawn from warehouse for consumption, on or after January 1, 2015 and before the close of December 31, 2015, subchapter VIII of chapter 99 of the Harmonized Tariff Schedule of the United States is hereby modified as follows:

1. U.S. note 1 to such subchapter is modified by deleting "December 31, 2014" and by inserting in lieu thereof "December 31, 2015".

2. U.S. note 3 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2015 466,000".

3. U.S. note 4 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2015 1,304,000".

4. U.S. note 5 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2015 1,534,000".

5. U.S. note 6 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2015 131,000".

6. U.S. note 7 to such subchapter is modified by adding at the end of the tabulation the following material, in the two columns specified in such note: "Calendar year 2015 707,000".

ANNEX II

TO MODIFY THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

A. Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the later of January 1, 2015, or the date which is the thirtieth day after the date of publication of this proclamation in the *Federal Register*, the Harmonized Tariff Schedule of the United States (HTS) is hereby modified as follows, with bracketed material provided for ease of use and with new material inserted in the HTS columns entitled "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special", and "Rates of Duty 2", respectively:

1. Subheading 3002.10.02 is modified by inserting the words "modified or" after the word "not" in the article description.

2. Subheadings 3702.91.01 through 3702.95.00 are deleted, and the following new subheadings are inserted in lieu thereof:

	:[Photographic film in rolls, sensitized, unexposed, of any material other than paper, paperboard or textiles; instant print film in rolls, sensitized, unexposed:]			
	: [Other:]			
"3702.96.00:	Of a width not exceeding 35 mm and of a length not exceeding 30 m	3.7%	Free (A,AU,BH, CA,CL,CO,E,IL, JO,KR,MA, MX,OM,P,PA, PE,SG)	25%
3702.97.00 :	Of a width not exceeding 35 mm and of a length exceeding 30 m	Free		38¢/m^2
3702.98.00 :	Of a width exceeding 35 mm	3.7%	Free (A,AU,BH, CA,CL,CO,E,IL, JO,KR,MA, MX,OM,P,PA, PE,SG)	25%"

3. Subheading 8543.70.92 is redesignated as subheading 8543.70.93, and the article description of such redesignated subheading is modified by inserting at the end thereof the phrase "; video

game console controllers which use infrared transmissions to operate or access the various functions and capabilities of the console".

B. Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the the later of January 1, 2015, or the thirtieth day after the date of publication of this proclamation in the *Federal Register*, the HTS is further modified as follows, with bracketed material provided for ease of use and with new material inserted in the HTS columns entitled "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special", and "Rates of Duty 2", respectively:

1. (a) Subheading 2918.99.05 is modified by deleting from the article description the chemical "1,6-hexanediol bis(3,5-dibutyl-4-hydroxyphenyl)propionate)"; and

(b) The following new subheading 2918.29.06 is inserted in numerical sequence:

	:[Carboxylic acids with additional oxygen function and their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulfonated, nitrated or or nitrosated derivatives: [Carboxylic acids with phenol function but without other oxygen function, their anhydrides, halides, peroxides, peroxyacids and their derivatives:] [Other:]			
"2918.29.06:	1,6-Hexanediol bis(3,5-dibutyl-4-hydroxyphenyl)propionate) ..	5.8%	Free (A+,AU, CA,CL,CO,D,E, IL,JO,KR,MA, MX,OM,P, PA,PE,SG)	15.4¢/kg+ 40%"

2. (a) Subheading 2921.42.36 is modified by deleting from the article description the chemical names "4,4'-Methylenebis(3-chloro-2,6-diethylaniline); 4,4'-Methylenebis(2,6-diisopropylaniline);"; and

(b) Subheading 2921.59.17 is modified by inserting in the article description the chemical names "4,4'-Methylenebis(3-chloro-2,6-diethylaniline);" and "4,4'-Methylenebis(2,6-diisopropylaniline);"

3. (a) Subheading 2933.99.87 is deleted; and

(b) The following new subheading 2933.69.50 is inserted in numerical sequence:

	:[Heterocyclic compounds with nitrogen heteroatoms only:] [Compounds containing an unfused triazine ring (whether or not hydrogenated) in the structure:]			
"2933.69.50:	Hexamethylenetetramine	6.3%	Free (A,AU,BH, CA,CL,CO,E, IL,JO,KR,MA, MX,OM,P,PA, PE,SG)	58%"

ANNEX III

TO MAKE TECHNICAL CORRECTIONS IN CERTAIN PROVISIONS OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Effective with respect to goods of Bahrain, under the terms of general note 30 to the tariff schedule, the HTS is modified as follows:

1. U.S. note 13 to subchapter XIV of chapter 99 is modified:

(A) By adding, "and in an aggregate quantity for the period from January 1, 2016, through July 31, 2016, inclusive, not to exceed a total quantity of 37,916,667 SME," immediately after the phrase "not to exceed a total quantity of 65 million SME" in the first sentence of such note; and

(B) By deleting "December 31, 2015" from the second to last sentence of such note and by inserting in lieu thereof "July 31, 2016".

Proclamation 9224 of December 31, 2014

National Mentoring Month, 2015

By the President of the United States of America
A Proclamation

In a Nation of limitless possibility, every child deserves the chance to unlock his or her potential. When young Americans have the support they need to make the most of themselves, they can achieve their dreams and strengthen our country, which has always moved forward by extending ladders of opportunity to the next generation. Every day, mentors play a vital role in this national mission by helping to broaden the horizons for our daughters and sons. This month, we celebrate these individuals who make it their cause to bring out the best in our young people, and we salute their spirit of service.

Mentors and caring adults serve as essential sources of inspiration, lifting up young people and positioning them to build the America of tomorrow. That is why my Administration continues to expand opportunities for mentoring and support the individuals who enable our future leaders. We are working with businesses to increase apprenticeship programs and connect groups traditionally underrepresented in science, technology, engineering, and math fields with role models in STEM careers. First Lady Michelle Obama's Reach Higher initiative is encouraging campus groups and college students to connect with high schoolers and other near-peers who do not always see themselves completing higher education. Earlier this year, I also launched *My Brother's Keeper*, an initiative that recognizes our responsibility to reach every young person regardless of who they are or where they come from.

Every American shares in the obligation to widen the circle of opportunity for our young people. Our neighbors' children are our children—and our country must show them we care about and value their boundless potential. At the White House, the First Lady and I started mentoring initiatives, pairing local students with accomplished and caring professionals, and I am proud that members of my Administration are leading by example. To find ways to give back in your local community and participate in these critical, life-changing moments, I encourage all Americans to visit www.Serve.gov/Mentor.

The sense of dedication displayed by all those who invest their time and energy in mentoring reminds us that if we work together, we can ensure there are no limits to what young Americans can achieve. During National Mentoring Month, we honor all those who give of themselves to guide our young people, and we renew our commitment to realizing a future of opportunity for all.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 2015 as National Mentoring Month. I call upon public officials, business and community leaders, educators, and Americans across the country to observe this month with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of December, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9225 of December 31, 2014

National Slavery and Human Trafficking Prevention Month, 2015

By the President of the United States of America

A Proclamation

For more than two centuries, the United States has worked to advance the cause of freedom. Stained from a history of slavery and shaped by ancestors brought to this country in chains, today, America shines as a beacon of hope to people everywhere who cherish liberty and opportunity. Still, our society remains imperfect, and our Nation has more work to do to uphold these values. At home and around the globe, we must continue to fight for human dignity and the inalienable rights of every person.

Today, millions of men, women, and children are victims of human trafficking. This modern-day slavery occurs in countries throughout the world and in communities across our Nation. These victims face a cruelty that has no place in a civilized world: children are made to be soldiers, teenage girls are beaten and forced into prostitution, and migrants are exploited and compelled to work for little or no pay. It is a crime that can take many forms, and one that tears at our social fabric, debases our common humanity, and violates what we stand for as a country and a people.

Founded on the principles of justice and fairness, the United States continues to be a leader in the global movement to end modern-day slavery. We are working to combat human trafficking, prosecute the perpetrators, and help victims recover and rebuild their lives. We have launched national initiatives to help healthcare workers, airline flight crews, and other professionals better identify and provide assistance to victims of trafficking. We are strengthening protections and supporting

the development of new tools to prevent and respond to this crime, and increasing access to services that help survivors become self-sufficient. We are also working with our international partners and faith-based organizations to bolster counter-trafficking efforts in countries across the globe.

As we fight to eliminate trafficking, we draw strength from the courage and resolve of generations past—and in the triumphs of the great abolitionists that came before us, we see the promise of our Nation: that even in the face of impossible odds, those who love their country can change it. Every citizen can take action by speaking up and insisting that the clothes they wear, the food they eat, and the products they buy are made free of forced labor. Business and non-profit leaders can ensure their supply chains do not exploit individuals in bondage. And the United States Government will continue to address the underlying forces that push so many into the conditions of modern-day slavery in the first place.

During National Slavery and Human Trafficking Prevention Month, we stand with the survivors, advocates, and organizations dedicated to building a world where our people and our children are not for sale. Together, let us recommit to a society where our sense of justice tells us that we are our brothers' and sisters' keepers, where every person can forge a life equal to their talents and worthy of their dreams.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 2015 as National Slavery and Human Trafficking Prevention Month, culminating in the annual celebration of National Freedom Day on February 1. I call upon businesses, national and community organizations, families, and all Americans to recognize the vital role we can play in ending all forms of slavery and to observe this month with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of December, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA

Proclamation 9226 of December 31, 2014

National Stalking Awareness Month, 2015

By the President of the United States of America

A Proclamation

In every State across our Nation, stalking is a crime. It is unacceptable behavior that violates the most basic principles of respect and decency, infringing on our fundamental right to feel safe and secure. At some point in their lives, 1 in 6 American women will be stalked. This abuse creates distress and takes a profound toll on its victims and our communities. This month, we extend our support to all those who have experienced stalking, and we renew our commitment to shine a light on this injustice.

Stalking is a pattern of unwanted contact—which can include text messages, emails, and phone calls—that causes an individual to fear for their safety or the safety of loved ones. While young women are disproportionately at risk, anyone can be a victim, including children and men. Individuals who are stalked often know the perpetrator, but stalkers can also be acquaintances or strangers. Stalking is a serious offense with significant consequences. It is often detrimental to the physical and emotional well-being of the victim, and some are forced to move or change jobs. This behavior often escalates over time, and is sometimes followed by sexual assault or homicide.

Addressing this hidden crime is part of my Administration's comprehensive strategy to combat violence against women, and stalking is one of the four areas addressed by the Violence Against Women Act. When I proudly signed the reauthorization of this historic law, we bolstered many of its provisions, including expanding safeguards against cyberstalking and protections for immigrants who have been victims of stalking. Across the Federal Government, we are building strong partnerships with those working to break the cycle of this abuse, and we remain dedicated to ending violence against women and men in all its forms.

Our homes, schools, offices, and neighborhoods should be places where Americans feel secure and confident. During National Stalking Awareness Month, we join with the advocates, families, professionals, and survivors to amplify their refrain: If you are a victim of stalking, you are not alone. Together, let us continue to raise awareness of this violence and recommit to being part of the solution.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim January 2015 as National Stalking Awareness Month. I call upon all Americans to recognize the signs of stalking, acknowledge stalking as a serious crime, and urge those affected not to be afraid to speak out or ask for help. Let us also resolve to support victims and survivors, and to create communities that are secure and supportive for all Americans.

IN WITNESS WHEREOF, I have hereunto set my hand this thirty-first day of December, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

BARACK OBAMA